

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

Thursday, May 20, 1971

Senate called to order by the President.

Prayer by Mr. Charles O. Hunt of Bucksport.

Reading of the Journal of yesterday.

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

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)

In the Senate May 17, 1971, Passed to be Engrossed as amended by Committee Amendment "A" (S-165).

Comes from the House, Passed to be Engrossed as Amended by Committee Amendment "B" (S-166), in non-concurrence.

On motion by Mr. Clifford of Androscoggin, the Senate voted to Insist and Ask for a Committee of Conference.

The President appointed on the part of the Senate the following Conferees:
Senators:

CLIFFORD
of Androscoggin
TANOUS of Penobscot
HARDING of Aroostook

Non-concurrent Matter

Bill, "An Act Providing for a Declaration of Policy Concerning the State's Environment." (H. P. 1301) (L. D. 1706)

In the Senate May 7, 1971, Passed to be Engrossed, in non-concurrence.

Comes from the House, Recommended to the Committee on State Government, in non-concurrence.

On motion by Mr. Wyman of Washington, the Senate voted to Insist.

Communications

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

May 19, 1971

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

The Speaker today appointed the following Committees of Con-

ference on the disagreeing action of the two branches of the Legislature on:

Bill "An Act relating to Size Limit of Trout" (S. P. 548) (L. D. 1687)

Messrs. FINEMORE

of Bridgewater

BITHER of Houlton

BOURGOIN of Fort Kent

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

Messrs. GILL of South Portland

ROSS of Bath

HANCOCK of Casco

Bill "An Act to Amend the Municipal Public Employees Labor Relations Law" (H. P. 420) (L. D. 547)

Messrs. GOOD of Westfield

SIMPSON of Standish

BUSTIN of Augusta

Respectfully,

(s)

BERTHA W. JOHNSON

Clerk of the House

Which was Read and Ordered Placed on File.

On motion by Mrs. Carswell of Cumberland,

WHEREAS, it is the duty of the Department of Health and Welfare to adopt rules and regulations to carry out laws passed by the Legislature; and

WHEREAS, the 1964 Revised Statutes relative to the operation of institutions demands rules and regulations to carry out the letter of this law; and

WHEREAS, the State Department of Health and Welfare has compiled six separate sets of rules and regulations beginning the first draft December 6, 1965 and completing the sixth draft December 1, 1969; and

WHEREAS, no set of rules and regulations have been adopted or issued after the effective date of the new laws, relating to Title 22, sections 3, 5, 6, 42, 1811, 1812-A, 1813, 1814, 1815, 1816, 1817-B, 1820, 1820-A and 1221, as amended; and

WHEREAS, the issuance of up-to-date rules and regulations is in the best interest of the health and well-being of the people of the State of Maine, particularly the ill and elderly; now, therefore, be it

ORDERED, the House concurring, that the Department of Health and Welfare is directed to adopt the sixth set of proposed rules and regulations, dated December 1, 1969, pending the approval of such proposed rules and regulations by the Attorney General; and be it further

ORDERED, that said Department of Health and Welfare is directed to issue approved rules and regulations to institutions under departmental supervision.

Which was Read.

On motion by Mr. Berry of Cumberland, tabled until later in today's session, pending Passage.

Orders

On motion by Mr. Schulten of Sagadahoc,

ORDERED, the House concurring, that Bill, "An Act Revising the Laws Relating to Savings and Loan Associations," House Paper 1015, Legislative Document 1394, be recalled from the Legislative files to the Senate.

(S. P. 597)

The PRESIDENT: The Chair recognizes the Senator from Sagadahoc, Senator Schulten.

Mr. SCHULTEN of Sagadahoc: Mr. President and Members of the Senate: In an effort to meet and exceed the legislative deadline for reporting bills out of committee, and driven perhaps too hard by the Chairman, the Business Legislation Committee in an inadvertent error passed out L. D. 1394 as a unanimous Ought Not to Pass Report which under Rule 17-A would place it in the legislative files. Actually this was an error in haste. The bill has a different direction, and we are asking authority or permission to bring this bill back to the committee in order that we might make it as we so voted.

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

Thereupon, the Order received Passage.

Sent down for concurrence.

Mr. Berry of Cumberland was granted unanimous consent to address the Senate.

Mr. BERRY: Mr. President and Members of the Senate: It was

the good fortune of the Senator from Aroostook, Senator Violette, and myself to travel to Washington Monday and Tuesday to attend the President's conference on several problems.

The meeting was an attempt to convince the legislative leaders, the presidents of the senates and speakers of the houses and, in cases like ourselves, the floor leaders of the facts of the President's programs, the need for them, and supply us such information as would be useful in formulating an opinion.

The first item that was discussed was the revenue sharing program, and we will recall that the Maine Legislature has passed a resolution endorsing this proposal. It was my opinion that the administration considers this the key item in the program, and I was quite impressed by the reasoning behind it. It was freely acknowledged, and we see it here in our state, that government has gone away beyond the ability of the legislature to control it and the people to understand the problems involved in the many, many areas we are concerned about. I just cite one which was held up and that, of course, was welfare. A rather broad treatment to handle the problem was presented, and I was quite impressed by it. It consists of this revenue sharing program whereby a significant sum of money is returned to the states for use as the states see fit, and it would come back with no strings attached to be administered at the state level, and there is a further 10 percent bonus if the state works out a revenue sharing plan with its municipalities.

The second item in the administration's program was reorganization and allied changes in the national executive structure. There are now eleven departments, and the proposal is to consolidate them into seven departments to prevent overlapping programs and governmental administrative responsibility.

The third program that was discussed was a welfare program, where it was freely admitted that the situation has gone out of con-

trol, as we know very well it has here at the state level.

The fourth proposal was a national health program which would consist primarily of a national health service, which would be paid for by those who can afford to pay, and would be paid for by the government for those who cannot.

The last part of the program was the environmental program of the administration, which is quite similar to concerns we are all having.

I was quite impressed with the cancer program which we have read about in the paper. The President has more than doubled the amount of money which is being made to find a cancer cure and, while keeping it within the National Institute of Health over-all, has had the director of the cancer cure program report directly to him, and he pledged enough money to see that the program was pushed as fast as it practically could, recognizing that money alone is not the problem.

In addition to this, it was gently suggested that we might contact our senators and representatives to impart our views on the program, particularly the revenue sharing. We met at the White House and had first a brief address by President Nixon, and then we heard from Secretaries Connelly Richardson and Romney, all elaborating on the programs I just described. I was quite impressed by the abilities of these men, not all of whom have been my favorites in the past. Every one of them were, I think, extremely capable men, not the least of which was that good Democrat, Secretary Connelly. He certainly is an outstanding man.

Afterwards we were directed to the Capitol Building with, as I say, the obvious objective of talking to our congressmen and senators. I am glad to report that in the House I observed that Representative Kyros was present and voting, and Representative Hathaway. I think this is somewhat of an accomplishment because there were tremendous absentees in the House, and I am sure they were all absent for good reasons.

I can use no other word to describe the conduct of the House

of Representatives than the word "pandemonium". It is almost chaotic. We can take great pride in the way we conduct our business here in the House and the Senate. I saw through one roll call on the motion for the previous question which was kind of interesting. I am sorry I don't know the number of representatives in the congress, but it is something like 465, and they go through one by one calling that names off, and they have two calls of absentees, and everybody who hasn't answered runs up to the rostrum and gives his name. Then five minutes later on a technicality there is another roll call at which time I left.

But it was altogether very, very interesting. I appreciate the opportunity to go, and I think that Senator Violette and myself profitted a great deal. I hope this rather rough sketch I have given will give you an impression of what I brought back from the trip.

Mr. VIOLETTE of Aroostook was granted unanimous consent to address the Senate.

Mr. VIOLETTE: Mr. President and Members of the Senate: I would just add a few words to my good friend Senator Berry's statement on our trip. I guess I share many of the comments he has made.

I think representing the legislature was a good change of scenery for us. I know I enjoyed it very, very much. We had the pleasure of meeting a lot of other legislators who, in talking with them, we find out they have very much the same problems we have. There are always the basic problems of finding enough dollars to meet their needs. A lot of them are having major finance and revenue-producing battles in their own legislatures. So, on balance, I think we would come out pretty well at least here in Maine with our financial situation. We talked with many of them and I know Senator Berry and I heard some very interesting comments on the organization and the operation of their legislatures, some of which seem to do it with far more dispatch and less time spent than we do, and I think perhaps we could study some of their procedures.

I think certainly it should always be somewhat of a thrill for any citizen to go to the White House for any reason, because that is the residence of our President and that is, of course, the seat of executive power of our government. And whichever president were in office, I would have to say that it is a great thrill to go to the White House and to share some of the burdens of some of the duties that the President has, and try to make them understood by the citizens of this country, regardless of what party you are and what party he may be, because they are our problems, not only his.

Unfortunately, in the short time that we had there, a couple of hours, the exposure to the matters of revenue sharing, reorganization, and health and welfare, of course is a very broad-brush treatment, you might say, and it cannot be otherwise. But it was very, very interesting to hear these comments.

I know that my good friend, Senator Berry, mentioned how impressed he was with Secretary of the Treasury Connelly. He made the statement on government reorganization, and I have been very tempted to invite him to come here to Maine and tell us how he feels about government reorganization and why he feels it should go, because basically apparently their problems there are very much the same as ours here, and he is a very engaging man.

All in all, it was a very pleasant trip. I know that I gained from it because every time you go and listen to the top administrators and department heads of our government you have got to come away with the impression that you have learned something, you have been exposed to new ideas, and I think that is the way we have to develop our procedure. So, it was a very enjoyable trip and I am very grateful with Senator Berry to have represented our state here, and I think what we heard will be of benefit to the both of us in forming our ideas as we go along.

(Off Record Remarks)

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 Salary Increases for Certain State Liquor Store Employees." (H. P. 929) (L. D. 1283)

Bill, "An Act Revising the Laws Relating to Savings and Loan Associations." (H. P. 1015) (L. D. 1394)

Bill, "An Act Relating to Commercial Rates for Political Broadcasting and Advertising." (H. P. 1225) (L. D. 1660)

Bill, "An Act Appropriating Funds for the Subsidy of Interest Rates on Loans Obtained for the Purpose of Rehabilitating Child Day Care Facilities." (H. P. 1137) (L. D. 1566)

Resolve to Reimburse Town of Fort Kent for Certain Judgment Against the Town. (H. P. 1169) (L. D. 1623)

Leave to Withdraw-

Covered by Other Legislation

The Committee on Agriculture on Bill, "An Act Prohibiting Humane Agents from Quarantine of Dog Kennels." (H. P. 396) (L. D. 582)

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

The Committee on Agriculture on, Bill, "An Act Relating to Commercial Kennels, Boarding Kennels and Pet Shops." (H. P. 954) (L. D. 1315)

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 Legal Affairs on, Bill, "An Act Amending the Law Relating to Home Rule." (H. P. 814) (L. D. 1087)

Reported that the same Ought to Pass.

The Committee on Legal Affairs on, Bill, "An Act Relating to Home Rule Procedure." (H. P. 968) (L. D. 1328)

Reported that the same Ought to Pass.

(On motion by Mr. Tanous of Penobscot, tabled and Tomorrow Assigned, pending Acceptance of the Committee Report.)

The Committee on Legal Affairs on, Resolve, to Reimburse Claude W. Day of Skowhegan for Truck Damage Due to Highway Maintenance. (H. P. 1000) (L. D. 1362)

Reported that the same Ought to Pass.

The Committee on Legal Affairs on, Bill, "An Act Relating to Zoning Appeal Procedure." (H. P. 1165) (L. D. 1619)

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, except for the tabled matter, Accepted in concurrence, the Bills and Resolve Read Once and Tomorrow Assigned for Second Reading.

Ought to Pass - As Amended

Bill, "An Act Defining a Trainee Plumber." (H. P. 781) (L. D. 1047)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-284).

The Committee on Legal Affairs on, Resolve, to Reimburse Ronald E. Bickford of Readfield for Property Damage by Highway Construction (H. P. 892) (L. D. 1212)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-282).

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

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

The Committee on Legal Affairs on, Resolve to Reimburse Clarence Eldridge of Liberty for Loss of Sheep Killed by Dogs. (H. P. 943) (L. D. 1302)

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.

The PRESIDENT: The Chair recognizes the Senator from Sagadahoc, Senator Schulten.

Mr. SCHULTEN of Sagadahoc: Mr. President and Members of the Senate: Since the Senate is going to recess shortly, as I understand it, to hear about governmental reform, I wonder if it would be in order to just briefly speak on the bill that has just been read by the Secretary.

The PRESIDENT: The Senator has the floor.

Mr. SCHULTEN: Thank you, sir. When we do go into this point convention to hear about governmental reform, I think this is one of the classic examples where this bill, which I have never seen before in my life, to reimburse a man for sheep killed by dogs, is very important, but I look at the L. D. 1308 and I find that there has been a public hearing on this matter which must have cost considerably more than the original request for \$100, and then I see that the \$100 has been scaled down to \$75, and I just wonder how many thousands of dollars something like this might be costing the State of Maine, when there should be some authority to judge whether or not a claim is correct and do something about a minor claim, and not bring it into the legislature and take so much time.

This is governmental reform, I think, that is efficient, and I just wanted to pass on my observations. Thank you for allowing me to speak.

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

Mr. LEVINE of Kennebec: Mr. President and Members of the Senate: I had a bill before the Senate, and I wish the good Senator who just spoke now would have thought of it before. What I wanted to do was take the fishing bills, and all the damage bills on damage done by highways and dogs, and refer them to the departments that know more about it. I think if you had

voted for my measure that this would have been taken care of.

The PRESIDENT: Is it now the pleasure of the Senate to accept the Ought to Pass as Amended report of the Committee?

Thereupon, the report was 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.

Divided Report

The Majority of the Committee on Business Legislation on, Bill, "An Act Repealing Authorization to Savings Banks to Engage in Real Estate Developments." (H. P. 698) (L. D. 941)

Reported that the same Ought Not to Pass.

Signed:

Senator:

SCHULTEN of Sagadahoc
Representatives:

McKINNON

of South Portland
O'BRIEN of Portland
ROCHELEAU of Auburn
MADDOX of Vinalhaven
LITTLEFIELD

of North Berwick

TRASK of Milo

SCOTT of Wilton

PRATT of Parsonsfield

CLARK of Jefferson

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

Signed:

Senator:

DANTON of York

Representative:

SHELTRA of Biddeford

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 Judiciary on, Bill, "An Act Relating to Termination of Human Pregnancy by Medical Decision." (H. P. 1024) (L. D. 1406)

Reported that the same Ought Not to Pass.

Signed:

Senators:

TANOUS of Penobscot

QUINN of Penobscot

HARDING of Aroostook

Representatives:

HEWES

of Cape Elizabeth

CARRIER of Westbrook

WHITE of Guilford

KELLEY of Caribou

WHEELER of Portland

HENLEY of Norway

ORESTIS of Lewiston

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. 1324) (L. D. 1736)

Signed:

Representatives:

LUND of Augusta

BAKER of Orrington

PAGE of Fryeburg

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

Which reports were Read.

Mr. Graham of Cumberland then requested a division.

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 probably be the first one to plead guilty in this body to a commendation of a quick gavel on many, many issues, however, I can't in all honor sit here and see it happen on this bill, and I have no illusions as to what is going to happen.

First, I would like to ask some member of the Judiciary Committee to give us a brief run-down on the bills that they have, what has and probably will happen to the several bills.

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

Mr. TANOUS of Penobscot: Mr. President and Members of the Senate: I probably should have yielded to my good friend, Cardinal Quinn from Penobscot—I am sorry, I mean Senator Quinn from Penobscot, but I perhaps can answer the questions that the floor leader has asked.

Now, this is a serious matter, and I don't mean to inject humor

into it inappropriately, but I think we should keep some humor in most serious matters and I think we are better people for it. Anyway, we did have three bills before us, as you are all aware. One bill called for total repeal of our present law on abortion. The second bill which we had, which all of you are aware received the most notoriety, was the Doyle Bill and, in substance, this called for pretty free abortions, so to speak, somewhat based on the New York Law where one could have an abortion up to 20 weeks. There was no residency clause required in it, and it was a pretty liberal bill. Then you have the Maine Medical Association Bill, which had proposed abortions in specified cases where a girl was raped or where incest was involved, and this was perhaps a more restrictive bill.

Both factions fought each other at the hearing. The pro-Doyle Bill people fought the Rand Bill, and the Rand Bill people fought the Doyle Bill, so they certainly were not in accord. As you are perhaps aware, the public hearing lasted until quarter of 11:00 in the evening. The subject was well debated, well discussed. All views were presented to the Judiciary Committee. But nowhere along the line could anyone tell us that life did not exist at conception. There wasn't one witness who appeared before us that could tell us that life did not exist at conception. There were many, many social reasons perhaps, social problems that exist because of lack of legislation of this type, but none so demanding that would do away with life.

So, when we took our oath of office, as I recall, part of our oath was that we as legislators would protect the life, liberty and property of people. And if anyone could tell us with reasonable medical certainty that there was no life at conception then one might have looked at the bill differently. Under the circumstances, no such evidence was presented to us, and you have seen a Majority Ought Not to Pass Report.

The new bill that was reported by a minority of three in new draft is somewhat similar to the Doyle Bill. It was not changed in any

great substance. It was worded differently, the phraseology, the paragraphing and wording was changed around some, but it substantially retained all of the propositions contained in the Doyle Bill, with the exception that the new draft created a committee of three doctors, an abortion committee of three doctors in the hospitals, and it would have required the consent of two of the doctors before an abortion could have been performed. This, in substance, was the new draft on the minority report of three from the Judiciary Committee.

I believe that this about represents the views of the Judiciary Committee. If there are any more questions that some of you may have, I would be most pleased to answer them. Thank you.

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

Mr. BERRY of Cumberland: Mr. President and Members of the Senate: I wonder if the Senator from Penobscot, Senator Tanous, would explain the position of the other two bills.

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

Mr. TANOUS of Penobscot: Mr. President and Members of the Senate: Of course, the total repeal of the abortion law which was reported out of committee unanimous Ought Not to Pass certainly would have created many, many legal problems as far as total repeal of our law. I think it would have placed the rules of abortion back under the common law system, and there is certainly some question to whether you get involved with matters of murder or manslaughter when a doctor or someone would have performed an abortion, so that one was reported out of committee unanimous Ought Not to Pass. And the Rand Bill was reported out of committee unanimous Ought Not to Pass.

I think the three bills were conflicted so that it was impossible for the minority of the committee to come out with more than one report as far as having a favorable report on the minority part. It would have been inconsistent to come back with more than one re-

port, as they did, which is the only thing that could have been done legally, I guess. Thank you.

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

Mr. BERRY of Cumberland: Mr. President and Members of the Senate: I thank very much the Senator from Penobscot, Senator Tanous. I think he has done a very good job explaining it.

I do want to point out that the application of Rule 17-A in this instance has resulted in a situation which was never visualized when the rule was passed. I can understand why it was done but I certainly do not agree with the fact that it was done the way it was done. Those of us who have been in the legislature have up to this session voted on the so-called therapeutic abortion bill, which is the Maine Medical Association Bill now. It seems to me that Rule 17-A has been used to bring out a more liberal bill which even some of us who would have supported the therapeutic bill could not in conscience vote for. I feel this was a use of 17-A which was not called for. I feel that when we have consistently defeated the therapeutic abortion bill here, for the Judiciary Committee to report out a more liberal bill was, of course, to cast the die well in advance and not give us the opportunity to debate the subject on its merits. I can understand why it was done, and I repeat I think it was a mistake and I am sorry to see Rule 17-A so used.

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

Mr. HARDING of Aroostook: Mr. President and Members of the Senate: In response to the comments of my good friend the Senator from Cumberland, Senator Berry, I would point out that as a practical matter it was not possible for the majority of the committee, of course, to suggest what the minority of the committee would have for a report, and I am sure that there was no intention of the minority of the committee to report out a bill that they felt had a lesser chance of passage. They reported out the bill which they

felt had the best chance of passage.

Now, if there is anyone in this Senate who feels that this bill which they reported out ought to be amended, that it would have a better chance of passage, I am sure that they have the right to attempt to do that. So, the Judiciary Committee, and I rise in defense of it, had no intention whatsoever to thwart the will of any member of that committee because they, the minority, wrote their own report, which they had the right to do. So we have the right right here in this Senate to do what we want to: we can either accept the Majority Ought Not to Pass Report, accept the Minority Ought to Pass Report, and then amend it if that is what you decide to do. But I think it is unfair to suggest that we tried to kill the thing by this liberalization which has been reported out, because it was never the intention of any member of the committee to try to steer the thing that way.

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

Mr. BERRY of Cumberland: Mr. President and Members of the Senate: I point out that it would be ruled by the Chair that it would be out of order to amend this bill be substituting another bill that had been reported out under 17-A. That is the purpose of 17-A, to prevent just exactly action like this. The minority report doesn't do much. The minority report deals with the subject of the bill itself. It is not really a significant change in the bill. It would be impossible, under 17-A, to amend this bill to have it include the provisions of the Maine Medical Association or the so-called therapeutic bill.

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

Mr. CONLEY of Cumberland: Mr. President and Members of the Senate: I would just mention, and I know that we all are aware of the fact, that the minority report of the Judiciary Committee could have included reports "A" or "B" and "C", if they had so desired. It wasn't necessary for them all to sign the same report, so there

was an alternative for the minority report.

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

Mr. TANOUS of Penobscot: Mr. President and Members of the Senate: One final word: I hope that I did not misinterpret the remarks of my good friend, Senator Berry from Cumberland, regarding the work of the Judiciary Committee did on these three bills. Somewhere between the lines I seem to read that he resents the reporting of the committee reports on these bills.

I am pretty proud of the Judiciary Committee. We have five lay people on the committee, which certainly adds to a wider spectrum of decisions on legal bills, so to speak. It gives us the lay people's point of view. We have some ladies on the committee which we have never had before. I think that the Judiciary Committee, in my opinion, is doing one heck of a good job on these bills. They are putting a lot of time into them, they are studying these bills, they are taking them home and working on these bills. So, I don't want any one to think that we reported out these bills without giving them the proper consideration that they should have received. And they did receive this consideration. Certainly I support the committee reports one hundred percent. I hope that in my interpretation of his comments they are not as I have interpreted them to be. Thank you.

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

Mr. GRAHAM of Cumberland: Mr. President and Members of the Senate: There is no use rehashing the smoking arguments of yesterday. Abortion is a matter of morality, yes? But it is morality, and morality becomes dogma, as this issue has become. One man's dogma may be another man's poison.

As I see it, the church and state can advise, can urge, can implore a woman to act in this matter as they deem right, but the final decision, I believe, is one that the women should leave to her doctor and her conscience. How I vote in this matter becomes a decision that I must leave to my conscience

also. If stifling my conscience is the price I must pay for political survival, then I can say that the price is too high, but I would rather be known as an honest legislator than as a successful tremor. I shall vote against aborting this bill.

The PRESIDENT: Is the Senate ready for the question? As many Senators as are in favor of accepting the Majority Ought Not to Pass Report of the Committee will please rise and remain standing until counted. Those opposed will please rise and remain standing until counted.

A division was had. Twenty-one Senators having voted in the affirmative, and eight Senators having voted in the negative, the Majority Ought Not to Pass Report of the Committee was Accepted.

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 Providing Funds for the Maine Law Enforcement Planning and Assistance Agency." (S. P. 373) (L. D. 1109)

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

Bill, "An Act to Create the Maine Municipal Finance Authority." (S. P. 457) (L. D. 1384)

RESOLUTION, Proposing an Amendment to the Constitution to Increase Credit of State for Guaranteed Loans for Recreational Purposes. (S. P. 366) (L. D. 1105)

Bill, "An Act Relating to Reports of Departments, Commissions and Institutions." (S. P. 374) (L. D. 1110)

Sent to the House.

Leave to Withdraw

Mr. Johnson for the Committee on State Government on, Bill, "An Act Relating to the Department of Agriculture." (S. P. 264) (L. D. 770)

Reported that the same be granted Leave to Withdraw.

Which report was Read and Accepted.

Sent down for concurrence.

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

Mr. Wyman for the Committee on State Government on,

RESOLVE Authorizing the Stae Tax Assessor to Convey by Sale the Interest of the State in Certain Lands in the Unorganized Territory in Hancock County. (S. P. 204) (L. D. 589)

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

Mr. Johnson for the Committee on State Government on, Bill, "An Act Creating the Bureau of Property Taxation Within the Department of Finance and Administration." (S. P. 287) (L. D. 877)

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

Which reports were Read and Accepted.

Sent down for concurrence.

Refer to 106th Legislature

Mr. Schulten for the Committee on Business Legislation on, Bill, "An Act Relating to Coverage of Treatment by Psychologists under Health and Accident Insurance Contracts." (S. P. 471) (L. D. 1495)

Reported that the same be referred to the 106th Legislature.

Mr. Tanous for the Committee on Labor on, Bill, "An Act Extending Collective Bargaining Rights to Public Higher Education Personnel." (S. P. 447) (L. D. 1337)

Reported that the same be referred to the 106th Legislature.

Which reports were Read and Accepted.

Sent down for concurrence.

Ought to Pass

Mr. Johnson for the Committee on State Government on, Bill, "An Act Relating to Powers and Duties of Personnel of the Forestry Department." (S. P. 411) (L. D. 1226)

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. Sewall for the Committee on Appropriations and Financial Affairs on Bill, "An Act Appro-

priating Funds for Drug Abuse." (S. P. 341) (L. D. 1012)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-191).

Mr. Wyman for the Committee on State Government on, Bill, "An Act to Regulate the Harvesting of Fiddleheads on Penobscot Reservation Lands." (S. P. 363) (L. D. 1102)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-188).

Mr. Clifford for the Committee on Legal Affairs on, Bill, "An Act Establishing the Lewiston-Auburn Airport Authority." (S. P. 481) (L. D. 1593)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-190).

Mr. Kellam for the Committee on Legal Affairs on, Resolve to Reimburse Ida M. Reiss of Andover for Well Damage Resulting from Highway Construction, (S. P. 281) (L. D. 815)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-189).

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

Ought to Pass in New Draft

Mr. Harding for the Committee on Judiciary on, Bill, "An Act Relating to Preparation of List of Prospective Jurors." (S. P. 477) (L. D. 1531)

Reported that the same Ought to Pass in New Draft Under Same Title. (S. P. 594) (L. D. 1756)

Mr. Tanous for the Committee on Judiciary on, Bill, "An Act Authorizing the Piscataquis County Treasurer to Pay over a Portion of the Funds from the Estate of Joseph Masteika to Certain Heirs of Joseph Masteika." (S. P. 318) (L. D. 932)

Reported that the same Ought to Pass in New Draft Under Same Title. (S. P. 595) (L. D. 1757)

Mr. Harding for the Committee on Judiciary on, Bill, "An Act to Provide for Hospitalization of Those Addicted or Habituated to

Dangerous Drugs." (S. P. 317) (L. D. 931)

Reported that the same Ought to Pass in New Draft Under New Title: "An Act Expanding the Definition of 'Mentally Ill Individual' to Permit Hospitalization of Persons Suffering from the Effects of the Use of Drugs" (S. P. 596) (L. D. 1758)

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 Transportation on, Bill, "An Act Creating a Medical Advisory Board for Medical Criteria and Vision Standards for Motor Vehicle Drivers." (S. P. 414) (L. D. 1230)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-192).

Signed:
Senators:

GREELEY of Waldo
JOHNSON of Somerset
KELLAM of Cumberland

Representatives:

WOOD of Brooks
CROSBY of Kennebunk
HALL of Windham
LEE of Albion
DUDLEY of Enfield
KEYTE of Dexter
FRASER of Mexico
McNALLY of Ellsworth
BARNES of Alton

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

Signed:
Representative:

LEBEL of Van Buren

Which reports were Read, the Majority Ought to Pass as Amended Report of the Committee Accepted, and the Bill Read Once.

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

Final Report

The Joint Standing Committee on Fisheries and Wildlife submitted its Final Report.

Which report was Read and Accepted.

Sent down for concurrence.

Second Readers

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

House

Bill, "An Act Appropriating Funds to Provide Services for Handicapped Persons in Rehabilitation Centers." (H. P. 254) (L. D. 336)

Bill, "An Act to Make Allocations from Bond Issue for Construction, Planning and Equipment of Pollution Abatement Facilities." (H. P. 287) (L. D. 387)

Resolution, Proposing an Amendment to the Constitution Pledging Credit of the State for Guaranteed Loans for Housing for Indians. (H. P. 402) (L. D. 515)

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)

Bill, "An Act to Revise Laws Relating to Aviation." (H. P. 620) (L. D. 802)

Bill, "An Act Relating to the Operation of Motor Vehicles." (H. P. 828) (L. D. 1119)

Bill, "An Act Relating to Fees for Plates for Dealers in Motorcycles and Boat Trailers." (H. P. 1005) (L. D. 1367)

Bill, "An Act Defining Home-made Farm Tractors under the Motor Vehicle Law." (H. P. 1106) (L. D. 1512)

Bill, "An Act Relating to Closed Season and Minimum Size of Coho Salmon." (H. P. 1328) (L. D. 1742)

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

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

House - As Amended

Bill, "An Act Relating to Enforcement Options under the Environmental Laws." (H. P. 821) (L. D. 1095)

Bill, "An Act to Repeal Obsolete Law and Correct Errors and Inconsistencies in the Motor Vehicle Laws." (H. P. 1064) (L. D. 1471)

Bill, "An Act Relating to Hunting and Fishing Licenses and Fees Therefor." (H. P. 1148) (L. D. 1600)

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

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

Senate

Bill, "An Act Clarifying the Laws Relating to Corporations Without Capital Stock." (S. P. 327) (L. D. 986)

Bill, "An Act Relative to the Discharge of Mercury into Waters of the State." (S. P. 593) (L. D. 1750)

Bill, "An Act to Correct Certain Errors and Inconsistencies in the Fish and Game Laws." (S. P. 591) (L. D. 1749)

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

Sent down for concurrence.

Senate - As Amended

Bill, "An Act Relating to Amount of Annual Excise Tax on Railroads." (S. P. 369) (L. D. 1108)

Bill, "An Act Appropriating Funds for Drug Rehabilitation in York County." (S. P. 206) (L. D. 639)

Bill, "An Act Creating a New Business Corporation Act." (S. P. 293) (L. D. 1093)

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

Sent down for concurrence.

On motion by Mr. Berry of Cumberland, Senate in recess pending the sound of the bell.

After Recess

Called to order by the President. Mr. Shute of Franklin was granted unanimous consent to address the Senate:

Mr. SHUTE: Mr. President and Members of the Senate: We have just come from what I think was a very productive caucus, listening to the Governor and Mr. Rideout discuss phases of government reorganization.

I am happy that I was a member of the original Governor's Task Force of Government Reorganization and contributed in a small measure to the so-called Nichols Report of two years ago before

I became a full-time state employee and had to resign from that special Task Force.

I have studied some phases of the proposals that have been made before State Government, but today I must tell you that I was distressed to see under Item 6-18, which is included under 17-A, a report which I feel would make a substantial contribution to government reorganization at the executive level. As most of you know, and many members of my party are not particularly proud of my stand on the Executive Council, but I do feel that this was one way in which both parties can get together and make an initial step in removing the powers of the Executive Council and transferring them to the executive branch. I was assured by some members of the State Government Committee that a divided report would come out of that committee, but such was not the case, and were it not for the fact that an alert Senator Minkowsky called this to my attention it would have gone unnoticed by me because I had other items on today's calendar which drew my attention.

This is not a perfect instrument. Walter Birt in the other body over the weekend was making some substantive changes in it which, I am sure, would have found a great appeal to members of both parties. I believe that something like this has been studied sufficiently, but this bill itself could have been remodeled so that it could have been made attractive to a majority of the members of both bodies, I am sure. So I must express my disappointment at seeing this under Rule 17-A. 17-A has come under general discussion here this morning, and I felt this was an appropriate time to raise the question.

Mr. Johnson of Somerset was granted unanimous consent to address the Senate:

Mr. JOHNSON: Mr. President and Members of the Senate: In response to the remarks of the good Senator from Franklin, Senator Shute, I would like to say that when we originally discussed this bill we had the order, I believe, of the House and Senate that all bills were to be put out by the

19th of May—it has been extended now until Wednesday. We have a great many other bills in this committee. We have debated this, we have resolved it, and there was no strong feeling for the bill at all, even though the gentleman and the President of the Senate did make a very good presentation. The bill could possibly be an instrument, and I think the committee was very astute in the fact that they felt that the final passage of this bill would probably extend this session three or four days, and they had the feeling that the merit was not in the bill.

If the Senator would like to recommit to the committee, and take it out of 17-A, I am sure he can get the two-thirds, and I am sure the answer would probably be the same.

Enactors

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

An Act Relating to Costs of Investigation Where Permanent Injunction is Issued and Proceedings by the Attorney General under Unfair Trade Practices Law. (S. P. 331) (L. D. 978)

An Act Relating to Service Retirement of Law Enforcement Officers in the Department of Sea and Shore Fisheries and Inland Fisheries and Game. (S. P. 415) (L. D. 1231)

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

An Act Relating to Committees on Status of Women, Children and Youth, and the Aged. (H. P. 477) (L. D. 618)

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

An Act Relating to Transportation of Seriously Injured People Directly to a Hospital. (H. P. 1051) (L. D. 1443)

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)

An Act Providing for the Protection of Coastal Wetlands. (H. P. 1299) (L. D. 1704)

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

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

Resolve, Providing Funds for Development of Fort Point State Park, Stockton Springs. (H. P. 799) (L. D. 1072)

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

Emergency

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

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

Emergency

An Act to Provide an Automatic Pay Increase to Classified State Employees Who Pass the Certified Professional Secretary Examination. (H. P. 973) (L. D. 1334)

This being an emergency measure and having received the affirmative votes of 28 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 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. Small of Penobscot placed on the Special Appropriations Table.)

Constitutional Amendment

RESOLUTION, Proposing an Amendment to the Constitution Pledging Credit of the State and Providing for the Issuance of Bonds not Exceeding Four Million Dollars for Loans for Maine Students in Higher Education. (S. P. 285) (L. D. 845)

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

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

Mr. BERRY of Cumberland: Mr. President, is the Senate in possession of L. D. 1296, Bill, "An Act Permitting the Liquor Commission to Issue Liquor Licenses to Public Golf Courses"?

The PRESIDENT: The Chair would answer in the affirmative, the paper having been held at the request of the Senator.

Mr. BERRY: Mr. President and Members of the Senate: There is an amendment on the bill which completely changes the complexion of the bill, and I propose to take it off.

The bill was intended originally to permit golf courses to serve liquor, and it was just as simple as this matter. Accordingly, Mr. President, I would move that the rules be suspended and the Senate reconsider its action whereby this bill was passed to be engrossed.

The PRESIDENT: The Senator from Cumberland, Senator Berry, moves that the Senate reconsider its action whereby it voted to recede and concur with the House and the bill was passed to be engrossed. Is this the pleasure of the Senate?

The motion prevailed.

The Chair recognizes the same Senator.

Mr. BERRY: Mr. President, referring to H-235, House Amendment B, under the statement of fact it says this: "It is the intent of this amendment to place private golf courses and non-profit organizations on the same basis as public golf courses." Non-profit organizations brings up the problem of bottle clubs and I know from personal experience, being Chairman of the Liquor Committee two years ago, that this is a real problem, and no one has yet come up with a solution to it. In my opinion, it shouldn't be on here. It is going to confuse the issue. So I move that the Senate insist and ask for a committee of conference.

The PRESIDENT: The Senator from Cumberland, Senator Berry, moves that the Senate insist and ask for a committee of confer-

ence. Is this the pleasure of the Senate?

The Chair recognizes the Senator from Franklin, Senator Shute.

Mr. SHUTE of Franklin: Mr. President and Members of the Senate: Yesterday I made the motion to adhere, and I promptly found a motion succeeding that to recede and concur, and then the gavel, quicker than my eye or my hand to the microphone, occurred after that.

I find not only H-235 but H-227 offensive to this bill, and the bill as a whole was offensive to the committee by a vote of twelve to one. This is especially designed legislation and, in spite of the great affection I have for its sponsor, the committee report was, I believe, twelve to one Ought Not to Pass. Therefore, Mr. President and Members of the Senate, I move the indefinite postponement of this bill and all its accompanying papers.

The PRESIDENT: The Chair would inform the Senator from Franklin, Senator Shute, that a motion to indefinitely postpone is not in order at this time. A motion to adhere would have the same effect. A motion to recede and concur, a motion to insist and a motion to adhere are the only motions that may be entertained at this time in non-concurrence.

The Chair recognizes the Senator from Cumberland, Senator Berry.

Mr. BERRY of Cumberland: Mr. President, I would encourage the Senators to vote for my motion to insist and request a committee of conference.

The President: Is it now the pleasure of the Senate that the Senate insist and ask for a committee of conference?

The motion prevailed.

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

Senators:

BERRY of Cumberland
CONLEY of Cumberland
HOFFSES of Knox

Orders of the Day

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

HOUSE REPORTS — from the Committee on Natural Resources on Bill, "An Act to Provide for Protection of the Air, Water and Other Natural Resources." (H. P. 720) (L. D. 965) Majority Report, Ought to Pass in New Draft under New Title on Bill, "An Act to Provide for Protection of the Environment." (H. P. 1315) (L. D. 1723); Minority Report, Ought Not to Pass.

Tabled — May 17, 1971 by Senator Hoffses of Knox.

Pending — Motion by Senator Schulten of Sagadahoc to Accept the Majority Ought to Pass Report in New Draft.

The PRESIDENT: The Chair recognizes the Senator from Sagadahoc, Senator Schulten.

Mr. SCHULTEN of Sagadahoc: Mr. President and Members of the Senate: Legislative Document 965 has proven to be a rather controversial item and, in an attempt to work out an equitable solution that would be palatable to Senators within this body, I would ask that this report lie on the table until Monday, May 24th.

The PRESIDENT: The Chair would inform the Senator that the Senator is out of order. A tabling motion may not be debated.

The Chair recognizes the Senator from Knox, Senator Hoffses.

Thereupon, on motion by Mr. Hoffses of Knox, tabled and specially assigned for May 24, 1971, pending the motion by Mr. Schulten of Sagadahoc to Accept the Majority Ought to Pass Report of the Committee.

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

HOUSE REPORT — Ought to Pass in New Draft in New Title on Bill, "An Act Relating to Licenses and Fees under the Dog Laws." (H. P. 1321) (L. D. 1733) from the Committee on Agriculture on Bill, "An Act to Increase Penalties and Fees under Laws Relating to Dogs." (H. P. 662) (L. D. 892)

Tabled — May 19, 1971 by Senator Conley of Cumberland.

Pending — Acceptance of Report.

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

Mr. CONLEY of Cumberland: Mr. President and Members of the Senate: I call the attention of the members of this body to just peruse this little jewel, L. D. 1733. I was kind of checking the calendar yesterday morning when this bill came in on the calendar, and I know the distinguished Senator from Sagadahoc, Senator Schulten, today mentioned some other innocuous little bill in respect to the poor little dogs, so it seems that this is the year for the dogs or the dog owners to be crucified. And I would just like for some member of the Committee on Agriculture to get up and explain these mandatory jail-fines and fees that have been imposed in this particular bill and the reason for it.

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

The Chair recognizes the Senator from Kennebec, Mr. Chick.

Mr. CHICK of Kennebec: Mr. President and Members of the Senate: I don't see any jail-fines in the bill as commented on by the Senator from Cumberland, Senator Conley. This bill is aimed mainly at revising the fees as the present fees from dog licenses are not sufficient to pay for the increased demands on the fee account in the Department of Agriculture. So mainly it is increasing the fees for licensing dogs.

Now, the only new part in the bill itself is that we are trying to define boarding kennels and pet shops. The reason for defining boarding kennels is that we do find there are quite a few people who like to go off on a vacation and leave their dogs at the veterinary's or some type of a kennel while they are gone, and we find that some kennels that have been used in the past have no regulation, so that is why we have set up a definition for boarding kennels.

Now, getting to the fines, it is true that we have increased the fines. The fines, for instance, have

been increased under Section 3601 from \$20 to \$50 for the first offense, and \$50 to \$500 for the second. And the committee consistently recommended that these fines for other violations correspond in the bill.

I might say that we did have some difference of opinion in the committee as to whether or not the fines should be mandatory at \$50 for the first offense or whether it should be up to \$50, but the majority of the committee felt that this was proper and that is why we reported the bill out of committee this way.

We are having, as I think all of you know, very serious problems with stray dogs. Now, I am sure that many on the committee are just as kindly toward dogs and animals as any member of the Senate. I might say in my own family we have three dogs, and I also might say that I have found over a period of years that if anyone is attached to their dog they have no problem of them running around two or three townships. My son down the street has a collie that is now two or three years old and he does not leave the place. He is not hitched, but he has been trained to stay around his home and farm. The same thing is true with the two dogs that live next to me.

As I say, the committee felt that this dog problem has become so serious that the fines must be made sufficient to deter some of the owners who evidently have no responsibility for the welfare of other owners, or deer herds, or their neighbors in general, so we felt that this was a proper approach to try to curb this problem. Thank you.

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

Mr. CONLEY of Cumberland: Mr. President and Members of the Senate: I think it is being just a little bit more than charitable when they increase fines from \$50 to \$500. You know, I have really become somewhat astonished and even a little bit offended by some of the legislation that has come before us relating to dogs this session.

I know the good Senator from Kennebec, Senator Chick, is a dog lover, but I remember also when we had that other little bill a short time ago relating to the dog leash law that again it was a direct offense to me. In fact, at some time during the debate on that particular bill my little puppy at home went down to the store with one of my youngsters, and when I got home that weekend I had a summons to appear in court. It just seems to me it is becoming a little bit ludicrous when a boy can't walk his paper route with his dog or he can't go to the store with his dog without all of a sudden finding his parents being ordered into court because of the fact that the dog wasn't on a leash.

It seems to me that this bill has done everything really except put a bounty on dogs, and I think perhaps that is the way it should be amended to make it palatable to me, so that I can at this point move the indefinite postponement of this bill.

The PRESIDENT: The Senator from Cumberland, Senator Conley, moves that Bill, "An Act Relating to Licenses and Fees under the Dog Laws", be indefinitely postponed.

The Chair recognizes the Senator from Kennebec, Senator Levine.

Mr. LEVINE of Kennebec: Mr. President, I move that this matter be tabled until Monday next.

Thereupon, on motion by Mr. Berry of Cumberland, a division on the tabling motion was had. Ten Senators having voted in the affirmative, and fourteen Senators having voted in the negative, the motion did not prevail.

The PRESIDENT: The pending question before the Senate is the motion of the Senator from Cumberland, Senator Conley, that this bill be indefinitely postponed.

The Chair recognizes the Senator from Knox, Senator Hoffses.

Mr. HOFFSES of Knox: Mr. President and Members of the Senate: In reference to the distinguished Senator from Cumberland, Senator Conley, I might suggest to the gentleman that if he has a problem with dog leash laws in Portland that he might take

the matter up with the city council in Portland.

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

Mr. HARDING of Aroostook: Mr. President and Members of the Senate: You know, the cost of running for office is increasing all the time, but the cost of running for office under this particular bill, if you get elected, is going to be substantial. We hear about the inflationary factor that has occurred in many cases on certain things, but under the old law if a mayor — and I don't know whether any of you ever wants to be mayors or not, or a selectman, or a clerk, or a constable or a police officer, or even a poor sheriff — in the old days if he didn't do his job in relation to these dogs he could be fined not less than \$10 nor more than \$50. But under this bill inflation has really set in. And any of you people, if you are ever considering running for mayor you ought to read the provisions here, because now if you don't do your duty in relation to dogs it is a minimum mandatory fine of \$50. That is the cheapest you are going to get off.

Now, in Presque Isle we have a lot of dogs up there, and I just pity the poor person who serves as mayor if he is brought in for all of their misdeeds. But that is not the worst of it. This inflation has really hit. It used to be that the maximum was \$50, but that has really gone up now sky high, and it is \$500. They can fine you up to \$500. So, you know, sometimes this session we have reached the absurdity on things, and to me with this bill we have reached the ultimate in absurdity, so I join my seatmate in his position on it. I commend him for finding this particular jewel to call to our attention.

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

Mr. BERRY of Cumberland: Mr. President and Members of the Senate: I must commend the Committee on Agriculture in their attempt to find money. They are even bringing the love life of our pets onto the books now.

Under this legislation, if you are keeping dogs, cats, rodents, reptiles, pet birds, pet animals, exotic birds or exotic animals, and they breed — I don't know how you are going to tell whether they are or not; you wouldn't get much sleep perhaps — but if they do this you don't have to pay the \$50, but if they do breed you do have to pay the \$50. This is going to be an awful difficult one, I think.

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

Mr. LEVINE of Kennebec: Mr. President and Members of the Senate: I told the committee what was going to happen to this bill if they insisted on raising the fines. Their idea was to try to raise the fines and then if the Senate objected to it to lower it to the same amount as it was before. That is what I tried to do, to table this legislation to put it in, but I guess I failed.

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

Mr. CHICK of Kennebec: Mr. President and Members of the Senate: I would like to point out that there is difficulty in operating with this law under the present fees, and the major pinch of this bill is to provide for increased fees.

Now, all the talk so far has been mainly on the assessment of the fines, and I hope that the Senate will not indefinitely postpone the bill. If there is objection to the penalties and fines then that can be covered by amendment when the bill comes up for second reading.

The PRESIDENT: The pending question before the Senate is the motion of the Senator from Cumberland, Senator Conley, that Bill, "An Act to Increase Penalties and Fees under Laws Relating to Dogs", be indefinitely postponed. As many as are in favor of the Senator from Cumberland, Senator Conley, that this bill be indefinitely postponed 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 third tabled and specially assigned matter:

HOUSE REPORT — from the Committee on Health and Institutional Services on Bill, "An Act Relating to Voluntary Surgery at Public Expense for Qualifying Parents." (H. P. 928) (L. D. 1282) Majority Report, Ought to Pass; Minority Report, Ought Not to Pass.

Tabled — May 19, 1971 by Senator Berry of Cumberland.

Pending — Acceptance of Either Report.

Mr. Berry of Cumberland moved that the Senate Accept the Majority Ought to Pass Report of the Committee.

Mr. Hichens of York then requested a division.

The PRESIDENT: A division has been requested.

The Chair recognizes the Senator from Aroostook, Senator Harding.

Mr. HARDING of Aroostook: Mr. President, I would like to ask for a roll call.

The PRESIDENT: In order for the Chair to order a roll call, it requires the affirmative vote of at least one-fifth of those Senators present and voting. Will all those Senators in favor of ordering a roll call please rise and remain standing until counted? Obviously more than one-fifth having arisen, a roll call is ordered.

The Chair recognizes the Senator from Aroostook, Senator Violette.

Mr. VIOLETTE of Aroostook: Mr. President and Members of the Senate: I didn't pay too much attention to this bill, and I speak only for myself as a Senator from District 24, but this bill reads: "A father of a family which is supported by public funds or whose total income is substandard may voluntarily have a vasectomy and a mother of a family which is supported by public funds or whose total income is substandard may voluntarily have a fallotomy. The cost of such a vasectomy or fallotomy shall be paid by the State through the Department of Health and Welfare." And the purpose in the statement of fact says: "The purpose of this bill is to propose an acceptable aid toward more

happy and efficient family planning so that our welfare and education responsibilities coincide more reasonably with the urgent demands on the public purse."

I find this bill reprehensible in every sense of the word, and I hope that it will be defeated. When we start targeting towards recipients of welfare and public assistance, and the ensuing coercive effects of our Department of Health and Welfare as to who will be able to produce and reproduce children, I must say that I must object very strenuously.

The PRESIDENT: The Chair recognizes the Senator from Waldo, Senator Greeley.

Mr. GREELEY of Waldo: Mr. President, could we have the Secretary read the signers of the report please?

The PRESIDENT: The Secretary will give the report of the committee.

The SECRETARY: The Majority Ought to Pass Report was signed by Representatives Payson, Dyar, McCormick, Clemente, Doyle, Cummings and Santoro.

The Minority Ought Not to Pass Report was signed by Senators Hichens, Minkowsky and Greeley, Representatives Lessard, Berry and Lewis.

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

Mr. TANOUS of Penobscot: Mr. President and Members of the Senate: This bill may seem a little bit innocuous, but it has far-reaching effects in our modern day society.

When the state gets involved in determining the right to procreate, we are all in danger, the rights of every citizen of this state is in danger, and I certainly hope that we will defeat this bill. Thank you.

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

Mr. BERRY of Cumberland: Mr. President, I would like to pose a question to the Senator from Penobscot, Senator Tanous, and ask him if this bill is not permissive?

The PRESIDENT: The Senator from Cumberland, Senator Berry, has posed a question through the Chair which the Senator from Penobscot may answer if he desires.

The Chair recognizes the Senator from Penobscot, Senator Tanous.

Mr. TANOUS of Penobscot: Mr. President and Members of the Senate: Perhaps I should have explained that there is nothing in the present law that prohibits medical attention in this area. The present law sufficiently cares for it and I don't see any need for this particular bill.

In fact, there were two bills somewhat similar. One was sent to the Judiciary Committee and the other was sent to the committee that decided this one. Apparently the preference on it was Appropriations and Financial Affairs, but I understand it was Health and Institutions that it ended up in.

In the last line of that particular bill it says that the department is authorized to issue rules and regulations to carry out the purposes of this section. We are delegating our authority to a department head, and I can sense in between the lines in a bill like this that the department head could well make this a condition to receive welfare assistance, and this is what hits at the heart of the rights of a citizen. I certainly object to it, and most strenuously object to it.

There is nothing in the present law that prohibits anybody from procuring a surgical procedure in this area, and it is being done every day. And I feel that the law in its present form is sufficient to fulfill the needs of our citizens. Thank you.

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

Mr. BERRY of Cumberland: Mr. President, I don't believe my question was answered, but I will pose another one to the Senator from Penobscot, Senator Tanous. Does not the bill aim to end discrimination against poor people who do not have the money to obtain what he says can be obtained under the present law?

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

Mr. TANOUS of Penobscot: Mr. President and Members of the Senate: Anybody who is receiving

welfare in the state today has their medical care taken care of as well, so that I don't see any problem there.

You are all familiar with this. You are familiar with the welfare costs, and included among the provisions of our welfare assistance they can have their bills for medical care taken care of. You are also all aware, of course, apparently it has leaked out, that we have also financed some trips to New York for surgery over there. So again it points out that we don't have any need for this legislation. Perhaps the department wants this to ease their conscience a little bit, and I don't think we should be a party to it.

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

Mr. Quinn of Penobscot then moved the previous question.

The PRESIDENT: The Senator from Penobscot, Senator Quinn, moves the previous question. The question now before the Senate is: Shall the main question be put now? As many Senators as are in favor of having the main question put now will please say "Yes"; those opposed, "No".

A viva voce vote being taken, the motion prevailed.

The PRESIDENT: The pending question before the Senate is the motion of the Senator from Cumberland, Senator Berry, that the Senate accept the Majority Ought to Pass Report of the Committee on Bill, "An Act Relating to Voluntary Surgery at Public Expense for Qualifying Parents." A "Yes" vote will be in favor of accepting the Majority Ought to pass Report; a "No" vote will be opposed.

The Secretary will call the roll.

ROLL CALL

YEAS — Senators Berry, Clifford, Graham, Hoffses, Johnson, Kellam, Levine, Marcotte, Peabody, Schulten, Sewall and President MacLeod.

NAYS—Senators Anderson, Carswell, Chick, Conley, Danton, Dunn, Fortier, Greeley, Harding, Hichens, Minkowsky, Moore, Quinn, Tanous and Violette.

ABSENT — Senators Bernard, Katz, Martin, Shute and Wyman.

A roll call was had. Twelve Senators having voted in the affirmative and fifteen Senators having voted in the negative, with five Senators absent, the motion did not prevail.

Thereupon, the Minority Ought Not to Pass Report of the Committee was accepted 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 Legal Affairs on Bill, "An Act Relating to Ambulance Service for Injured or Ill Persons." (S. P. 359) (L. D. 1055) Majority Report, Ought Not to Pass; Minority Report, Ought to Pass.

Tabled — May 19 by Senator Wyman of Washington.

Pending — Acceptance of Either Report.

Mr. Quinn of Penobscot moved that the Senate Accept the Majority Ought Not to Pass Report of the Committee.

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

Mr. CLIFFORD of Androscoggin: Mr. President, I know that Senator Wyman is interested in this bill and I hope someone will table this for one legislative day.

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

Thereupon, on motion by Mr. Berry of Cumberland, retabled and Tomorrow Assigned, pending the motion by Mr. Quinn of Penobscot to Accept the Majority Ought Not to Pass Report of the Committee.

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

Bill, "An Act Relating to Membership on Board of Registration for Professional Engineers." (H. P. 1322) (L. D. 1734)

Tabled — May 19, 1971 by Senator Berry of Cumberland.

Pending — Passage to be Engrossed.

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

Mr. BERRY of Cumberland: Mr. President and Members of the Senate: I am interested in this legislation for one reason, and that is that I am a registered professional engineer, and I had not known about this until I saw it on the docket yesterday.

Probably my comments are directed to the members of the Legal Affairs Committee, but I am somewhat concerned to limit by statute members of the board of registration to two terms. I know that the board of engineers, the board of architects, and some of the others with which I am familiar have as a rule been peopled by extremely competent and highly professional individuals. I strongly suspect that there is an effort here to dump somebody, and I dislike doing it by statute. I think continuity on professional boards is extremely important. I know of instances of professional irresponsibility or deviation, if you will, where the memory of a board member is very useful to have to prevent recurrence from the same individual or the same type of matter. I think this in this way affects the welfare of the people of the state.

Now, the answer to the problem of anybody being on a board who has obviously outlived his usefulness is to ask the Governor to appoint somebody else. Generally appointments to these boards are on the recommendation of the concerned professional society, and it is in this spirit that I am concerned with the bill. If somebody on Legal Affairs has some overriding opinions, I would be happy to hear them.

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

Mr. CLIFFORD of Androscoggin: Mr. President and Members of the Senate: I shall attempt to answer the question that Senator Berry raises. This was before the Legal Affairs Committee. There were five or six proponents, and there were no opponents.

It was brought out at the hearing, which occurred about three

weeks ago, that the terms on the board are five-year terms, and it was testified by most of the members there that a term of ten years was certainly long enough and that the turn-over would be a good thing for the profession. This is why it got the unanimous approval of the Legal Affairs Committee, mostly because there was no one there to voice any opposition or to object to the bill and, secondly, the fact that someone would serve on a board for ten years, to me, seems like a good long time, and perhaps at the end of the ten-year term they should be replaced.

As far as I know, there was no attempt to remove anybody from office, or at least there was no talk or testimony at the hearing of it.

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

Mr. HOFFSES of Knox: Mr. President and Members of the Senate: This is a matter that attracted no attention of mine until this discussion came about.

Not being a professional engineer, perhaps I should not venture into this field, but I agree with the Senator from Cumberland, and I disagree with the distinguished gentleman from Androscoggin. I think perhaps what Senator Berry says is true. On the other hand, if we are going to apply the tenure of office to a board of registration members, perhaps it should apply to department heads as well. Now, we have department heads who are appointed by the Governor for seven years, and when they are reappointed making it fourteen years, and some of them very well could be appointed after that. So I don't think that the argument that if a person has served for ten years on a board that he should automatically be replaced by someone else is really a valid argument for the removal of a person and another one put on in their place. If they are functioning and doing their job properly, they are certainly going to learn more as time goes on and would be better qualified to fulfill their job.

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

Mr. BERRY of Cumberland: Mr. President, I think, to focalize this, I would like to move that this bill be indefinitely postponed.

I appreciated the comments of Senator Clifford, and I will say that my comment that perhaps it was an attempt to dump somebody was merely a guess. I have no idea that it is, and it probably isn't.

Frequently the board of registration of engineers contains on its membership a high ranking member of the faculty of the College of Technology of the University of Maine, and the same sort of individual from the State Highway Commission, and I think these two sources of personnel for the board are very important, and I know that in the past they have contributed greatly to the engineering profession in the state. I think perhaps passage of this bill might prevent this. As I say, I really feel the safety valve here is that the professional societies as a rule recommend to the Governor the nominations, and here is where the man can be removed, if it is necessary. I would hope you would support my motion.

The PRESIDENT: The Senator from Cumberland, Senator Berry, moves that Bill, "An Act Relating to Membership on Board of Registration for Professional Engineers," be indefinitely postponed.

The Chair recognizes the Senator from Penobscot, Senator Quinn.

Mr. QUINN of Penobscot: Mr. President and Members of the Senate: As Chairman of the Legal Affairs Committee, this matter came to our committee for public notice and hearing. We gave the public notice and we had the hearing at the time reported in the notice.

As the good Senator from Androscoggin stated, the only ones who appeared on the bill were the ponents. There were no opponents to the bill. The committee heard what the proponents had to say and, as a result of that, brought in the report here to the Senate,

and I hope that the Senate will back the committee up.

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

Thereupon, on motion by Mr. Clifford of Androscoggin, a division was had. Thirteen Senators having voted in the affirmative, and ten Senators having voted in the negative, the bill was Indefinitely Postponed in non-concurrence.

Sent down for concurrence.

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

Bill, "An Act Relating to Applicability of Workmen's Compensation Law to Employers of One or More Employees." (H. P. 601) (L. D. 803)

Tabled — May 19, 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, may I inquire of the Chair as to the amendment on the bill?

The PRESIDENT: House Amendment "B", Filing H-272 is the only amendment on the bill.

The Chair recognizes the same Senator.

Mr. TANOUS: Mr. President, I understand that that particular amendment the House placed on this bill is ambiguous and does not conform to our law under this workmen's compensation. I have had another amendment prepared at the suggestion of the Attorney General's Office which I would like to present, and I would like to move indefinite postponement of House Amendment "B".

Thereupon, on motion by Mr. Tanous of Penobscot, the Senate voted to reconsider its action whereby House Amendment "B" was Adopted, and subsequently House Amendment "B" was Indefinitely Postponed.

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

Senate Amendment "A", Filing No. S-194, was Read.

The PRESIDENT: The Chair recognizes the same Senator.

Mr. TANOUS: Mr. President and Members of the Senate: An explanation of this amendment is that all it does is carries out the intention of House Amendment "B", which I requested be indefinitely postponed, and this would exempt your woods operators under the provisions of this law. Thank you.

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

Mr. VIOLETTE of Aroostook: Mr. President and Members of the Senate: If we are going to carry out protective purpose of the workmen's compensation act to employees, or employees who are employed by anyone, whether there be one or more, I would just like to pose a question to the Senator from Penobscot, Senator Tanous, and I just saw this amendment for the first time, why the people who are employed in woods operations need less protection than those who are employed in other industries? My family has been in the logging for many years, and they carry the coverage because they employ more than three people, but this is one of the most hazardous occupations we have in Maine. I seriously question if we are going to give protection of all employees, of whatever number, whether it is not in the best interest of these who are employed in woods operations, which is a highly hazardous occupation, that we should not give these employees the same protection.

I have two employees in my office, legal secretaries, and I have not been required to provide them with workmen's compensation to protect them from occupational injuries, and I don't recall in the twenty years that I have practiced that any one of them have sustained injuries where they would have come under the protection of this act, but if they do pass a law I will secure the protection for them. I am more worried about people who work in the woods than the people who work in legal offices, and they will be covered. There isn't much need to

protect those kinds of employees. Unless somebody gives me a better explanation here as to why these employees ought not to be protected, I will oppose the amendment.

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

Mr. LEVINE of Kennebec: Mr. President and Members of the Senate: I agree one hundred per cent with the good Senator from Aroostook, Senator Violette. This is a two-fold deal. If you extend it to everybody it helps really the woodsmen too. It helps the man in the woods who employs to three people or less than three people. But according to the law now, if anybody gets hurt, under the workmen's compensation Act you don't have to go and prove who is wrong or who is not wrong, but automatically you get your compensation. So, if we are to adopt this amendment it will hurt both the employee and the employer. In one way you are going to hurt the man that got hurt because he will not be able to get this compensation. On the second side you hurt the man who hired him because he will be liable to be sued if somebody proves that there is some negligence that occurred there. So, I move that this amendment be indefinitely postponed.

The PRESIDENT: The Senator from Kennebec, Senator Levine, moves that Senate Amendment "A" be Indefinitely Postponed. Is the Senate ready for the question?

The Chair recognizes the Senator from Aroostook, Senator Violette.

Mr. VIOLETTE of Aroostook: Mr. President, I would request a division.

The PRESIDENT: A division has been requested. As many Senators as are in favor of the motion of the Senator from Kennebec, Senator Levine, that Senate Amendment "A" be indefinitely postponed will please rise and remain standing until counted. Those opposed will please rise and remain standing until counted.

A division was had. Twenty Senator having voted in the affirmative, and three Senator having voted in the negative, the motion

to Indefinitely Postpone Senate Amendment "A" prevailed.

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

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

Bill, "An Act Restricting Use of Certain Campsites." (H. P. 996) (L. D. 1358)

Tabled—May 19, 1971 by Senator Harding of Aroostook.

Pending — Passage to be Engrossed.

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

Mr. HARDING of Aroostook: Mr. President, may I inquire from the Chair if there has been any amendment added to this bill?

The PRESIDENT: The Chair would answer in the affirmative. There was Committee Amendment "A", Filing H-268, and it was amended by House Amendment "A" thereto, Filing H-281, Committee Amendment "A" amended by House Amendment "A" thereto, which have been adopted by this body.

Mr. HARDING: Mr. President, that is H-268, and H-281?

The PRESIDENT: The Senator is correct.

Mr. HARDING of Aroostook: Mr. President and Members of the Senate: I now move that this bill and all of its accompanying papers be indefinitely postponed.

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

Mr. MOORE of Cumberland: Mr. President and Members of the Senate: I am very much opposed to indefinite postponement of this bill. I think it is something that is necessary. We are having a problem, especially here in the southern part of the state during the summer months. We are flooded with the so-called hippies and they are moving in on everyone's property, I believe they call them communes. They are very objectionable and are causing no end of problems. Certainly in Oxford and Cumberland Counties and York County have numerous complaints about it. We feel that this

would be something that would protect the landowners some from these groups moving in: I certainly hope that that motion will not prevail.

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

Mr. HARDING of Aroostook: Mr. President and Members of the Senate: I recognize the problem which the good Senator has just mentioned, but I hope that we don't destroy our whole state and the institutions which we have here, and the great privilege of living here, in the attempt to get back at a very few, a very limited number of people.

What this bill would do is require you to get permission from any landowner before you could take a pack on your back, go fishing, and set up a tent on that land. Now, right now, if a landowner wants to do it he can post the land and then you are trespassing, which is committing a crime, if you go on the land after it is posted. It seems to me that does the trick. Now, what the people on this bill want us to do here is to do their dirty work for them, that we in the legislature have already posted their land, so that here in Aroostook County if we wanted to go fishing or hunting in the back woods, we have got to send someone down to the register of deeds and check the title of all these pieces of land to see who they belong to, and then get their permission. And if we don't, we would be in trouble.

I think this changes the whole character of our beautiful state. We want people to come here, we want hunters to come here, we want fishermen to come here. Above all, we want the opportunity ourselves to enjoy this beautiful state, and this would practically prohibit us from doing so. So, I hope that all of you would join me in this motion to indefinitely postpone this piece of legislation.

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

Mr. MOORE from Cumberland: Mr. President and Members of the Senate: I agree with what the good Senator from Aroostook,

Senator Harding, has said, that you can post your land. It has to be posted at every fifty feet, according to the Attorney General's Office. They found out that it is easier and faster to take a sign down than it is to put them up. Believe me, that does happen. I have an amendment here, if this bill survives, that would exempt the unorganized territory of the state, which will take care of our hunters and fishermen. Certainly we need more restrictive measures than what we have now if we are going to compete with what we have to put up with here in the summer time with this particular group. I don't think that this would be objectionable to a legitimate person going camping in the organized territory but what he could get permission from the landowner if it was permissible.

The PRESIDENT: Is the Senate ready for the question?

The Chair recognizes the Senator from Oxford, Senator Dunn.

Mr. DUNN of Oxford: Mr. President and Members of the Senate: I would like to comment on one statement made by the Senator from Aroostook, Senator Harding. It seems to me that private property is private property and we shouldn't have to post to keep someone off. It is like I have some very good neighbors, and they have two or three big dogs, and last year I fenced a garden rather than to have any arguments and so forth. But it shouldn't be that you have to fence your land or post your land to protect it. I think it is up to the person who wants to use it to come and ask, and normally they would get permission, but I certainly don't think that we should have to post to protect it.

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

Mr. HARDING of Aroostook: Mr. President and Members of the Senate: I don't want any member of this Senate to be under any misapprehension about this bill. This has the most serious implications. This is the first step in making all land in this state posted so that whether you hunt, fish,

want to walk in the woods, or do whatever, that you have to first of all get permission from the landowner. This changes the whole character of this beautiful state as we have known it. As far as the posting part of it, that is permissible under the laws, and our hunting and fishing clubs have all tried to encourage people not to post so that we could keep the character of our state as it is.

We would be doing here what we have been pleading through these fish and game clubs with the owners not to do. We will be doing this in one fell swoop. In effect, we would be posting all of the land of this state. And it is very easy to strike out the word "camping" at the next session of the legislature and say "for any other purpose." This is very serious consequences, members of the Senate, and I hope that you will support me in this motion.

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

Mr. MOORE of Cumberland: Mr. President and Members of the Senate: Not that this matters too much to most of you people here, but a group of these characters moved in on an island in Moose Pond last summer. They were put off two or three times, but you couldn't keep them off any more than you could a mosquito, and the last time that they were on they got the island on fire, and all of the woods on the island burned off because they couldn't get any of the fire equipment to the island, of course. So, it just destroyed the island completely. I am telling you that this is very important legislation and we need it. I would request a division.

The PRESIDENT: A division has been requested.

The Chair recognizes the Senator from Kennebec, Senator Chick.

Mr. CHICK of Kennebec: Mr. President and Members of the Senate: I hope that the Senate will not indefinitely postpone this bill. I think that the good Senator from Aroostook, Senator Harding, is reading things into this bill that are not here. There is nothing here

that says you can't walk to your favorite brook or stream to fish.

If he is worried about what will happen in the next session of the legislature, that it will be amended to include that, why let's face that at that time. This bill, I think, is very good legislation. I don't think any responsible person would expect to go on any private land and pitch a tent or a trailer without asking permission, but if we have got a few of those people that are doing that then let's have this legislation to prohibit it.

The PRESIDENT: Is the Senate ready for the question? The pending question before the Senate is the motion of the Senator from Aroostook, Senator Harding, that Bill, "An Act Restricting Use of Certain Campsites", be indefinitely postponed.

A division has been requested. As many Senators as are in favor of the motion of the Senator from Aroostook, Senator Harding, that this bill be indefinitely postponed will please rise and remain standing until counted. Those opposed will please rise and remain standing until counted.

A division was had. Fifteen Senators having voted in the affirmative, and ten Senators having voted in the negative, the Bill was Indefinitely Postponed in non-concurrence.

Sent down for concurrence.

The President laid before the Senate the eighth 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 19, 1971 by Senator Quinn of Penobscot.

Pending — Enactment

On motion by Mr. Minkowsky of Androscoggin, retabled and Tomorrow Assigned, pending Enactment.

The President laid before the Senate the Joint Order tabled earlier in today's session by Mr. Berry of Cumberland, relative to the Department of Health and Welfare.

Pending — Passage.

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

On motion by Mr. Sewall of Penobscot, and under suspension of the rules, the Senate voted to reconsider its previous action whereby An Act Appropriating Moneys to Supplement Loans by Maine School Building Authority, (H. P. 1008) (L. D. 1387), was Passed to be Enacted.

The PRESIDENT: The Senator has the floor.

Mr. SEWALL: Mr. President and Members of the Senate: I will explain very briefly the purpose of my motion. Through an oversight the emergency preamble was left off this legislation which would appropriate moneys for school building construction. It isn't a very large item, being in the amount of \$50,000 for the biennium,

and it is felt that rather than to roll the action of both bodies back and have this preamble put on, it would be a simpler method to include this money in the wrap-up appropriations bill, which we will certainly do. Therefore, Mr. President, I move the indefinite postponement of L. D. 1387 and all of its accompanying papers.

The PRESIDENT: The Senator from Penobscot, Senator Sewall moves that Bill, An Act Appropriating Moneys to Supplement Loans by Maine School Building Authority, be indefinitely postponed. Is this the pleasure of the Senate?

The motion prevailed.

Sent down for concurrence.

On motion by Mr. Hoffses of Knox,

Adjourned until 1 o'clock tomorrow afternoon.