

MAINE STATE LEGISLATURE

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



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

LEGISLATIVE RECORD

OF THE

*One Hundred and Fifth
Legislature*

OF THE

STATE OF MAINE

Volume II

May 5, 1971 to June 15, 1971

KENNEBEC JOURNAL
AUGUSTA, MAINE

SENATE

Friday, June 4, 1971

Senate called to order by the President.

Prayer by the Rev. George E. Whittier of Hallowell.

Reading of the Journal of yesterday.

Joint Order

Out of Order and Under Suspension of the Rules:

On motion by Mr. Hoffses of Knox,

ORDERED, the House concurring, that when the House and Senate adjourn, they adjourn to Monday, June 7, at 10 o'clock in the morning.

(S. P. 627)

Which was Read and Passed.

Sent down forthwith for concurrence.

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

Joint Order (S. P. 619) relative to recalling from Legislative files to the Senate, Bill, "An Act Relating to Actions by the Attorney General for Injury to Tribal Lands" (S. P. 364) (L. D. 1103)

In the Senate June 2, 1971, Read and Passed.

Comes from the House, Read and Failed of Passage, in non-concurrence.

On motion by Mrs. Carswell of Cumberland, 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:

CARSWELL

of Cumberland

VIOLETTE of Aroostook

SHUTE of Franklin

Non-concurrent Matter

Joint Order (S. P. 618) relative to Secretary of Senate hiring temporary typist or stenographer.

In the Senate June 2, 1971, Read and Passed.

Comes from the House, Read and Passed as Amended by House Amendment "A" (H-402) in non-concurrence.

Thereupon, the Senate voted to Recede and Concur.

Non-concurrent Matter

Bill, "An Act Relating to Claims Against the State and Immunity of State Officers and Employees." (S. P. 417) (L. D. 1232)

In the Senate June 1, 1971, the Majority Ought to Pass as Amended report Read and Accepted and subsequently the Bill was Passed to be Engrossed as Amended by Committee Amendment "A" (S-223).

Comes from the House, the Minority Ought Not to Pass report Read and Accepted, in non-concurrence.

On motion by Mr. Tanous of Penobscot, the Senate voted to Insist.

Non-concurrent Matter

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

In the Senate May 19, 1971, Passed to be Enacted, in non-concurrence.

Comes from the House, Passed to be Engrossed as Amended by House Amendments "A" (H-254) and "B" (H-328) in non-concurrence.

On motion by Mr. Shute of Franklin, the Senate voted to Recede and Concur.

Non-concurrent Matter

Bill, "An Act Clarifying the Statute Relating to Realty Subdivisions." (H. P. 1034) (L. D. 1425)

In the Senate May 19, 1971, Passed to be Engrossed, in concurrence.

Comes from the House, Passed to be Engrossed as Amended by House Amendment "A" (H-354) and House Amendment "D" (H-396), in non-concurrence.

On motion by Mr. Clifford of Androscoggin, tabled and Tomorrow Assigned, pending Consideration.

Non-concurrent Matter

Bill, "An Act Relating to the Powers and Duties of the Environmental Improvement Commission." (H. P. 1352) (L. D. 1768)

In the Senate May 28, 1971, Passed to be Engrossed, in concurrence.

Comes from the House, Passed to be Engrossed as Amended by House Amendment "A" (H-403) in non-concurrence.

Thereupon, the Senate voted to Recede and Concur.

Non-concurrent Matter

Bill, "An Act Relating to Definition of Theft by One Renting or Trusted with Property." (H. P. 963) (L. D. 1324)

In the House May 28, 1971, the Minority Ought to Pass report Read and Accepted and subsequently the Bill was Passed to be Engrossed.

In the Senate June 2, 1971, the Majority Ought Not to Pass report Read and Accepted, in non-concurrence.

Comes from the House, that Body having Insisted and Asked for a Committee of Conference.

On motion by Mr. Tanous of Penobscot, the Senate voted to Insist and Join in a Committee of Conference.

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

Senators:

TANOUS of Penobscot
HARDING of Aroostook
QUINN of Penobscot

Non-concurrent Matter

Bill, "An Act Relating to Probation of Juveniles in Cumberland County." (S. P. 525) (L. D. 1565)

In the Senate May 25, 1971, Passed to be Engrossed as Amended by Committee Amendment "A" (S-200).

Comes from the House, Passed to be Engrossed as Amended by House Amendment "A" (H-401) in non-concurrence.

Thereupon, the Senate voted to Recede and Concur.

Non-concurrent Matter

Bill, "An Act Establishing the Quality Rating of Gasoline." (S. P. 351) (L. D. 1017)

In the Senate June 1, 1971, the Minority Ought to Pass report Read and Accepted and subsequently the Bill was Passed to be Engrossed.

Comes from the House, the Majority Ought Not to Pass report

Read and Accepted, in non-concurrence.

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

Non-concurrent Matter

Bill, "An Act to Provide for Use of the Courts by Indigent Persons." (S. P. 606) (L. D. 1779)

In the Senate May 27, 1971, Passed to be Engrossed.

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

On motion by Mr. Violette of Aroostook, the Senate voted to Insist.

Non-concurrent Matter

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

In the Senate May 24, 1971, Passed to be Engrossed as Amended by Committee Amendment "A" (S-190).

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

Thereupon, the Senate voted to Recede and Concur.

Non-concurrent Matter

Bill, "An Act Repealing the Poll Tax." (S. P. 14) (L. D. 42)

In the Senate May 25, 1971, Passed to be Engrossed.

Comes from the House, Failed of Passage to be Engrossed, in non-concurrence.

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

Non-concurrent Matter

Bill, "An Act to Authorize Bond Issue in the Amount of \$3,850,000 for Student Housing at Central Maine Vocational Technical Institute, Eastern Maine Vocational Technical Institute, Northern Maine Vocational Technical Institute, and the Maine Maritime Academy, Site Improvements at Washington County Vocational Technical Institute, Heating and Air Conditioning Shop and Laboratory at Southern Maine Vocational Technical Institute, Completion of School Building at Peter Dana Point Reservation and Tribal Halls for Penobscot and Passamaquoddy

Reservations." (H. P. 175) (L. D. 233)

In the Senate May 26, 1971, Passed to be Engrossed as Amended by Committee Amendment "A" (H-312) and as Amended by House Amendment "A" (H-329) in concurrence.

Comes from the House, Passed to be Engrossed as Amended by Committee Amendment "A" (H-312) and House Amendment "B" (H-391) in non-concurrence.

Thereupon, the Senate voted to Recede and Concur.

Orders

On motion by Mr. Katz of Kennebec,

WHEREAS, the emerging needs of Maine's citizens require increasingly complex decisions by the Legislature; and

WHEREAS, the health, safety and welfare of Maine people can best be served by a Legislature whose structure and operations permit the best possible informed responses to these needs; and

WHEREAS, the ever-increasing burden of taxation on our citizens makes it essential that improved methods of budgeting and evaluation of programs be considered which can best guarantee the most prudent use of our tax dollars; and

WHEREAS, Maine citizens have every right to expect that the output of the Legislature be characterized by quality legislation and effective oversight of authorized programs; now, therefore be it

ORDERED, the House concurring, that there is established a special committee on Legislative Rules and Procedures to be comprised of the Speaker of the House, the President of the Senate, 2 former presiding officers of the House to be appointed by the Speaker, 2 former presiding officers of the Senate to be appointed by the President, 2 members of the House to be appointed by the Speaker and 2 members of the Senate to be appointed by the President.

Said appointments shall be representative of both political parties.

The committee shall choose one of its members as chairman.

The members shall serve without compensation, but shall be reim-

bursed for actual expenses incurred in the performance of their duties.

The committee shall be charged with reviewing and evaluating present legislative structure, staff, compensation, rules and procedures and with developing recommendations for changes and improvements to the functioning of the Legislature, including but not limited to:

1. Greater emphasis on pre-filing of bills.
2. Reevaluation of rules regarding introduction of bills.
3. Procedures for reference of bills.
4. Use of public hearings on every bill.
5. Present procedures of floor debates.
6. Committee procedures and staffing.
7. The role of the Legislature in continuing program evaluation.

The committee shall report its findings and recommendations to the next special or regular session of the Legislature.

Appropriation. There is appropriated the sum of \$500 from the Legislative Account for the implementation of this order.

(S. P. 626)

Which was Read

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

Mr. KATZ of Kennebec: Mr. President and Members of the Senate: In yesterday's Press Herald on the editorial page was a rather unusual editorial, both for its content and its brevity. I would like to read it to you.

"Someone suggested the other day that the unused statute which calls for a two dollar a day fine for Maine legislators who are absent without permission be revived. A more prudent man might suggest an alternative: pay each legislator two dollars a day for each day he is missing. Benefits accruing from such a modest outlay could be incalculable."

I am sure it was written with tongue in cheek, but it does reflect, I think, the fact that the image of the Maine Legislature probably has been higher in previous times, and I think that this order could be a vehicle to give us a renewed

sense of pride at some future date that we are equipping ourselves to meet the challenges of the day, and I move the passage of this order.

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

The Chair recognizes the Senator from Cumberland, Senator Berry.

Mr. BERRY of Cumberland: Mr. President, to round out the picture of the editorial policy of the paper which Senator Katz of Kennebec just referred to, I think it is only fair to say that I believe on the same page there was an editorial which spoke about him in very laudatory terms and said that the subject of this was a very good one and said that he was an outstanding legislator, so I am assured that the two dollars would not apply to him.

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

Mr. KATZ of Kennebec: Mr. President, of course, I don't mean to in any way impugn the excellence of the legislative representation here. As a matter of fact, I am sure that the Legislature shares my deep feeling of pride at the outstanding job that was done by the Senator from Cumberland, Senator Berry, as Master of Ceremonies the day before yesterday. I also would like to say that those of you who are passing along the unfounded rumor that I had six sandwiches, I think it is a wrong thing to do.

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

The motion prevailed.

Sent down for concurrence.

Committee Reports House

Refer to 106th Legislature

Bill, "An Act to Relieve Certain Permanently Handicapped Persons of a Portion of the Property Tax or Rental Burdens." (H. P. 242) (L. D. 323)

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

Comes from the House, the report Read and Accepted and the Bill referred to the 106th Legislature.

Which report was Read and Accepted and the Bill referred to

the 106th Legislature in concurrence.

Ought to Pass

The Committee on Legal Affairs on, Bill, "An Act Relating to Qualifications for Municipal Law Enforcement Officers." (H. P. 1379) (L. D. 1799)

Reported pursuant to Joint Order (H. P. 1370) that the same Ought to Pass.

Comes from the House, the report Read and Accepted and the Bill Passed to be Engrossed as Amended by House Amendment "A" (H-400)

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

Ought to Pass — As Amended

Bill, "An Act Revising the Laws Relating to the Deposit of Oil, Forest Products Refuse and Potatoes in Waters of the State." (H. P. 1076) (L. D. 1468)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-383).

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

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

Ought to Pass in New Draft

The Committee on Labor on, Bill, "An Act Revising Certain Safety Laws in the Department of Labor and Industry." (H. P. 419) (L. D. 546)

Reported that the same Ought to Pass in New Draft Under Same Title. (H. P. 1363) (L. D. 1780)

Comes from the House, the report Read and Accepted and the Bill, in New Draft, Passed to be Engrossed as Amended by House Amendment "A" (H-405).

Which report was Read and Accepted in concurrence and the Bill, in New Draft, Read Once. House Amendment "A" was Read

and Adopted in concurrence and the Bill, as Amended, Tomorrow Assigned for Second Reading.

Divided Report

The Majority of the Committee on Taxation on, Resolution, Proposing an Amendment to the Constitution Relating to the Disposition of Increased Gasoline Taxes. (H. P. 1105) (L. D. 1511)

Reported that the same Ought to Pass.

Signed:

Senators:

HICHENS of York
FORTIER of Oxford

Representative:

MCCLOSKEY of Bangor
MORRELL of Brunswick
TRASK of Milo
ROSS of Bath
DRIGOTAS of Auburn
CYR of Madawaska
FINEMORE

of Bridgewater

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

Signed:

Senator:

WYMAN of Washington

Representatives:

COTTRELL of Portland
DAM of Skowhegan
COLLINS of Caribou

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

Which reports were Read and the Majority Ought to Pass Report of the Committee Accepted in non-concurrence, the Resolution Read Once and Tomorrow Assigned for Second Reading.

Divided Report

The Majority of the Committee on Judiciary on, Bill, "An Act Relating to Destruction of Vending Machines." (H. P. 228) (L. D. 310)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-390).

Signed:

Senators:

TANOUS of Penobscot
HARDING of Aroostook
QUINN of Penobscot

Representatives:

HENLEY of Norway
WHEELER of Portland

PAGE of Fryeburg
KELLEY of Caribou
WHITE of Guilford
BAKER of Orrington
HEWES

of Cape Elizabeth
CARRIER of Westbrook

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

Signed:

Representatives:

ORESTIS of Lewiston
LUND of Augusta

Comes from the House, the Majority Ought to Pass as Amended report Read and Accepted and the Bill Passed to be Engrossed as Amended by Committee Amendment "A" (H-390).

Which reports were Read, the Majority Ought to Pass as Amended Report of the Committee Accepted in concurrence and the Bill Read Once. Committee Amendment "A" was Read and Adopted in concurrence and the Bill, as Amended, Tomorrow Assigned for Second Reading.

Divided Report

The Majority of the Committee on Transportation on, Bill, "An Act to Authorize the Construction of a Toll Bridge across the Kennebec River between the Municipalities of Waterville and Winslow." (H. P. 753) (L. D. 1022)

Reported that the same Ought to Pass.

Signed:

Senators:

JOHNSON of Somerset
KELLAM of Cumberland

Representatives:

HALL of Windham
WOOD of Brooks
McNALLY of Ellsworth
DUDLEY of Enfield
LEE of Albion
KEYTE of Dexter
LEBEL of Van Buren
FRASER of Mexico

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

Signed:

Senator:

GREELEY of Waldo

Representatives:

CROSBY of Kennebunk
BARNES of Alton

Comes from the House, the Majority Ought to Pass report Read and Accepted and the Bill Passed to be Engrossed as Amended by House Amendment "A" (H-397).

Which reports were Read.

Mr. Greeley of Waldo then moved that the Senate Accept the Minority Ought Not to Pass Report of the Committee.

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

Mr. LEVINE of Kennebec: Mr. President and Members of the Senate: I oppose this motion and I will speak on it briefly.

This legislation was introduced by Representative Carter of Winslow. There is a problem now for Waterville and Winslow in that the bridge that is being built now is not taking care of our needs. We are having a problem there mainly about Scott Paper Company.

As you all know, they will not be able to drive any more pulp on the river, so everything for this mill will have to be coming in by railroads and trucks. The present bridge has a problem there, the one that is being fixed now. There is a railroad crossing there. The main line of the railroad crosses there, and also the switch line for the Scott Paper Company.

If we don't pass this legislation and put this bill out for referendum to the people the State of Maine will lose one of the best industries in the State. Not only will Waterville and Winslow suffer, the whole State of Maine will suffer by it from the revenues that Scott Paper Company in Winslow generates in our section there. There is about a thousand jobs that will be lost just at the plant of Scott Paper Company, besides the jobs in the logging operation and the trucking operation, and each job, as you all know, generates eight other jobs. If we pass this legislation, it still has to go out to the people for referendum, and if the people in the state see fit, that this legislation doesn't merit their support, they will be able to turn

it down. I think we should give the people in the state a chance to express their opinion of what they feel the State of Maine should do.

Can we afford to lose any good industries? I don't mean just industries, but really good industries. Because industries are not too plentiful now. We can't get any new industries coming into the State of Maine and we can't afford to lose the real good ones that we have now. So I would like the Senate to vote against the motion of the good Senator from Waldo, Senator Greeley.

The PRESIDENT: Is the Senate ready for the question?

The Chair recognizes the Senator from Waldo, Senator Greeley.

Mr. GREELEY of Waldo: Mr. President and Members of the Senate: The way I understand it, two years ago when the Highway Commission tried to make some compromise with the people of Waterville and the people of Winslow to chip in a little bit on the construction of the high level bridge they turned it down. So the Commission went ahead and built a bridge alongside the present bridge to add two more lanes for the traffic problem.

As I understand it, the high level bridge would have cost around \$3 million, and the present construction program is costing around \$2 million. There is more to it than you can see with your eyes, I think, because I think the people of Winslow are looking to the future to make a development where they want this high level bridge. I have talked with many people in the City of Waterville and they didn't care less about a high level bridge because they don't go to Winslow. Of course, the people of Winslow, I can understand their problem, they would like to have the high level bridge, but if they had chipped in a little toward the construction of a high level bridge, which wouldn't have been too much, they could have achieved their purpose.

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

Mr. LEVINE of Kennebec: Mr. President and Members of the

Senate: I was involved at that time in the negotiations with Mr. Stevens, and I was the one who suggested we should have the high level bridge. It was the Highway Department that used Waterville and Winslow against each other, and the good Senator from Waldo, Senator Greeley, knows it.

The Highway Department now is paying for the extra cost of the bridge between Lewiston and Auburn, and I think it is the right thing for them to do, but that is something they didn't want to do in Waterville. They didn't wait to give Waterville and Winslow a chance to make up their minds. They tried to do it in a hurry. There were a few selfish people in Waterville who didn't want the high level bridge, but the good Senator from Waldo will agree with me that what they are doing now is not doing the job and it will cause us to lose one of the greatest industries in the state, which we can't afford to do.

This section that I represent in central Maine pays some of the highest taxes in the state, and if we lose Scott Paper Company where is the money going to come from to help the rest of the state? What we have got to try to do now is help industry stay in the state, not to lose them and then go and hire people to bring in new ones. If you have got something good you should keep it.

As far as this bridge is concerned, it will still have to go out to the people in the state for referendum, and it will be up to their wisdom as to whether this bridge is needed for the state or not. That is why I would ask the Senate to vote against the motion of the good Senator from Waldo.

The PRESIDENT: The Chair will order a division. As many Senators as are in favor of the motion of the Senator from Waldo, Senator Greeley, to accept the Minority Ought Not to Pass Report of the Committee will please rise and remain standing until counted. All those opposed will please rise and remain standing until counted.

A division was had. Nine Senators having voted in the affirmative, and twenty Senators

having voted in the negative, the motion did not prevail.

Thereupon, the Majority Ought to Pass Report of the Committee was Accepted in concurrence and the Bill Read Once. House Amendment "A" was Read and Adopted in concurrence and the Bill, as Amended, Tomorrow Assigned for Second Reading.

Divided Report

The Majority of the Committee on Taxation on, Bill, "An Act Relating to Relief of the Elderly on Property Taxes." (H. P. 687) (L. D. 922)

Reported that the same Ought Not to Pass.

Signed:

Senators:

HICHENS of York
FORTIER of Oxford

Representatives:

MCCLOSKEY of Bangor
DAM of Skowhegan
DRIGOTAS of Auburn
MORRELL of Brunswick
COLLINS of Caribou
TRASK of Milo
COTTRELL of Portland

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

Signed:

Senator:

WYMAN of Washington

Representatives:

FINEMORE

of Bridgewater
CYR of Madawaska
ROSS of Bath

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

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

Divided Report

The Majority of the Committee on Natural Resources on, Bill, "An Act Establishing the Flood Hazard Area Management Act of Maine." (H. P. 498) (L. D. 644)

Reported that the same Ought Not to Pass.

Signed:

Senators:

SCHULTEN of Sagadahoc

VIOLETTE of Aroostook
GRAHAM of Cumberland

Representatives:

AULT of Wayne
CURRAN of Bangor
HERRICK of Harmony
BROWN of York
HARDY of Hope
CUMMINGS of Newport
MacLEOD of Bar Harbor
KILROY of Portland

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

Signed:

Representatives:

WHITSON of Portland
SMITH of Waterville

Comes from the House, the Minority Ought to Pass report Read and Accepted and the Bill Indefinitely Postponed.

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

Senate

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

Bill, "An Act Relating to Group Marketing of Property and Liability Insurance for Automobiles." (S. P. 443) (L. D. 1269)

Sent to the House.

Leave to Withdraw — Covered by Other Legislation

Mr. Dunn for the Committee on Appropriations and Financial Affairs on, Bill, "An Act Making Supplemental Appropriations for the Expenditures of State Government and for Other Purposes for the Fiscal Years Ending June 30, 1972 and June 30, 1973." (S. P. 101) (L. D. 229)

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

Which report was Read and Accepted.

Sent down for concurrence.

Ought to Pass

Mr. Dunn for the Committee on Appropriations and Financial Affairs on, Bill, "An Act Making Additional Appropriations for the

Expenditures of State Government for the Fiscal Year Ending June 30, 1971." (S. P. 625) (L. D. 1807)

Reported pursuant to Joint Order (S. P. 620) that the same Ought to Pass.

Which report was Read.

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

Mr. DUNN of Oxford: Mr. President and Members of the Senate: This has nothing to do with the Part II. This is the third and final payment of the \$5 million deficiency in the Health and Welfare Department for the current six months.

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

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

Ought to Pass in New Draft

Mr. Wyman for the Committee on Taxation on, Bill, "An Act to Limit the Tax Exemption for Certain Corporations Which Conduct Their Operations Primarily for the Benefit of Nonresidents of the State." (S. P. 395) (L. D. 1173)

Reported that the same Ought to Pass in New Draft Under Same Title. (S. P. 621) (L. D. 1804)

Which report was Read and Accepted.

On motion by Mr. Moore of Cumberland, tabled and Tomorrow Assigned, pending First Reading.

Mr. Fortier for the Committee on Taxation on, Bill, "An Act to Provide for the Taxation of Pulpwood and Logs in Place Where Situated." (S. P. 463) (L. D. 1380)

Reported that the same Ought to Pass in New Draft Under Same Title (S. P. 622) (L. D. 1805)

Which report was Read.

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

Mr. WYMAN of Washington: Mr. President, I move we substitute the bill for the report and return it to the Committee on Taxation, and I would speak very briefly on it.

The PRESIDENT: The Senator from Washington, Senator Wyman, moves that the Senate substitute the bill for the Ought to Pass in New Draft report of the Committee. Is this the pleasure of the Senate?

The motion prevailed.

The PRESIDENT: The same Senator now moves that this bill be recommitted to the Committee on Taxation.

The Senator has the floor.

Mr. WYMAN: Mr. President and Members of the Senate: Inadvertently this bill has not been heard by the committee. I find that there are those who would like to present testimony before the committee. We have just passed an order today to provide for public hearings on every bill, and I do think the people should be allowed to speak on this. If we return it to the Taxation Committee, I promise that we will get it out next week, and it will give those who want to talk on the bill a chance to be heard.

The PRESIDENT: Is it now the pleasure of the Senate that this bill be recommitted to the Committee on Taxation?

The motion prevailed.

Sent down for concurrence.

Mr. Graham for the Committee on Natural Resources on, Bill, "An Act to Revise the Environmental Improvement Commission Laws." (S. P. 434) (L. D. 1257)

Reported that the same Ought to Pass in New Draft Under Same Title. (S. P. 623) (L. D. 1806)

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

Second Readers

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

House

Bill, "An Act Relating to Non-profit Hospital or Medical Service Organizations." (H. P. 1375) (L. D. 1795)

Bill, "An Act Revising the Laws Relating to Savings and Loan Associations." (H. P. 1376) (L. D. 1796)

(On motion by Mr. Schulten of Sagadahoc, temporarily set aside.)

Bill, "An Act Amending the Maine Insurance Code Relating to Fees and Licensing." (H. P. 1377) (L. D. 1797)

Bill, "An Act Relating to the Board of Registration in Medicine." (H. P. 1378) (L. D. 1798)

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

The President laid before the Senate the matter set aside by Mr. Schulten of Sagadahoc: Bill, "An Act Revising the Laws Relating to Savings and Loan Associations." (H. P. 1376) (L. D. 1796)

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

Senate Amendment "A", Filing No. S-247 was Read.

The PRESIDENT: The Senator has the floor.

Mr. SCHULTEN: Mr. President, I have been requested to explain the amendment. Actually it is just to make certain that the law as presented and passed out of committee is constitutional. There was a slight question. And now, as amended, it is constitutional.

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

Sent down for concurrence.

Bill, "An Act Increasing the Gasoline Tax." (H. P. 403) (L. D. 516)

Which was Read a Second Time.

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

Bill, "An Act Relating to Service Retirement of Teachers under State Retirement System." (H. P. 1329) (L. D. 1743)

Which was Read a Second Time.

Mr. Anderson of Hancock then presented Senate Amendment "A" and moved its Adoption.

Senate Amendment "A", Filing No. S-246, was Read and Adopted and the Bill, as Amended, Passed

to be Engrossed in non-concurrence.

Sent down for concurrence.

House — As Amended

Bill, "An Act to Authorize Bond Issue in the Amount of \$5,940,000 for the Development and Improvement of State Park Facilities, Improvements to Various Airports, Equipment and Exhibits for Cultural Building, New State Office Building, and Maintenance Building at Augusta and State House Renovations." (H. P. 176) (L. D. 234)

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

Bill, "An Act Amending Certain Savings Bank Laws." (H. P. 734) (L. D. 996)

Bill, "An Act Relating to the Collection and Disposal of Solid Wastes by the Washington County Commissioners." (H. P. 819) (L. D. 1092)

Bill, "An Act Relating to Aiding Injured Persons and Reporting Hunting Accidents." (H. P. 851) (L. D. 1164)

Bill, "An Act Appropriating Funds for the Construction of a General Activities Building for Female Offenders on Property at Stevens School." (H. P. 1327) (L. D. 1741)

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

Senate — As Amended

Bill, "An Act to Authorize Bond Issue in the Amount of \$19,145,000 for the Construction and Renovation of Higher Education Facilities at the University of Maine." (S. P. 129) (L. D. 376)

Bill, "An Act Providing Notice or Severance Pay by Employers." (S. P. 155) (L. D. 424)

Bill, "An Act to Correct Errors and Inconsistencies in the Education Laws." (S. P. 277) (L. D. 860)

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

Sent down for concurrence.

Enactors

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

An Act Providing Funds for the Maine Police Academy. (S. P. 170) (L. D. 522)

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

An Act to Provide Mandatory Penalties for Commission of a Crime with a Firearm. (S. P. 332) (L. D. 983)

(On motion by Mr. Violette of Aroostook, temporarily set aside.

An Act Relating to Disqualification for Benefits under Employment Security Law for Certain Elderly Employees. (H. P. 773) (L. D. 1039)

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

(On motion by Mr. Johnson, temporarily set aside.)

An Act Relating to Aid to Municipalities for Outdoor Recreational Facilities (H. P. 1109) (L. D. 1514)

An Act Relating to Transfer to Suitable Work during Rehabilitation or Treatment Under Workmen's Compensation Law. (H. P. 1121) (L. D. 1540)

An Act Relating to Claims for Benefits under the Employment Security Law. (H. P. 1364) (L. D. 1781)

An Act Relating to Benefits Erroneously Received under Employment Security Law. (H. P. 1365) (L. D. 1782)

An Act Relating to Workmen's Compensation Pending a Review of Incapacity. (H. P. 1366) (L. D. 1783)

An Act Relating to Liens for Labor and Supplying Equipment. (H. P. 1367) (L. D. 1784)

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.

The President laid before the Senate the matter set aside by Mr. Violette of Aroostook: An Act to Provide Mandatory Penalties for Commission of a Crime with a Firearm. (S. P. 332) (L. D. 983)

The PRESIDENT: The Chair recognizes the same Senator.

Mr. VIOLETTE: Mr President and Members of the Senate: I still don't particularly like the bill, but

I think it has been improved significantly. At least I can assure Mrs. Violette that she is safe as long as she doesn't use one of the hunting rifles we have in the house.

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

The President laid before the Senate the matter set aside by Mr. Johnson of Somerset: An Act Relating to the Operation of Motor Vehicles, (H. P. 828) (L. D. 1119)

On motion by the same Senator, and under suspension of the rules, the Senate voted to reconsider its prior action whereby the Bill was Passed to be Engrossed.

On further motion by the same Senator, the Senate voted to reconsider its prior action whereby House Amendment "B" was Adopted.

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

Senate Amendment "A", Filing No. S-249, to House Amendment "B" was Read and Adopted and House Amendment "B", as Amended by Senate Amendment "A" Thereto, was Adopted and the Bill, as Amended, Passed to be Engrossed in non-concurrence.

Sent down for concurrence.

Emergency

An Act Relating to the Conduct of Hearings Required by the State's Environmental Laws. (H. P. 1246) (L. D. 1555)

This being an emergency measure and having received the affirmative votes of 29 members of the Senate, was Passed to be Enacted and, having been signed by the President, was by the Secretary presented to the Governor for his approval.

Reconsidered Matter

Mr. Graham of Cumberland moved that the Senate reconsider its action of yesterday whereby Bill, "An Act to Encourage Aquaculture in Maine's Marine Waters", (S. P. 408) (L. D. 1242), was Passed to be Engrossed.

Thereupon, on motion by Mr. Hoffses of Knox, tabled and

Tomorrow Assigned, pending the motion by Mr. Graham of Cumberland to reconsider.

Orders of the Day

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

House Report — Ought to Pass in New Draft (H. P. 1374) (L. D. 1791) from the Committee on Natural Resources on Bill, "An Act Relating to Certain Laws Relative to Great Ponds," (H. P. 538) (L. D. 711)

Tabled — June 2, 1971 by Senator Moore of Cumberland.

Pending— Acceptance of Report.

On motion by Mr. Moore of Cumberland, retabled and Tomorrow Assigned, pending Acceptance of the Committee Report.

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

Resolution, Proposing an Amendment to the Constitution Classifying Certainailable Offenses. (H. P. 852) (L. D. 1165)

Tabled — June 2, 1971 by Senator Quinn of Penobscot.

Pending — Passage to be Engrossed.

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

Mr. QUINN of Penobscot: Mr. President and Members of the Senate: I tabled this matter the other day because I seriously doubted its constitutionality. Since then I have talked to the sponsor of the bill and found out that she has requested the Attorney General for a report, an opinion, as to its constitutionality. So, I would wish somebody would put this on the table until next Tuesday to give us an opportunity to receive that report.

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

Thereupon, on motion by Mr. Tanous of Penobscot, retabled and specially assigned for June 8, 1971, pending Passage to be Engrossed.

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

Bill, "An Act Relating to Use of Previous Convictions under the Implied Consent Law." (S. P. 391) (L. D. 1144)

Tabled — June 2, 1971 by Senator Tanous of Penobscot.

Pending — Passage to be Engrossed.

Thereupon, on motion by Mr. Tanous of Penobscot, retabled and specially assigned for June 8, 1971, pending Passage to be Engrossed.

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

Bill, "An Act Relating to Validation of Certain Instruments and Recording of Plats of Subdivisions of Land in Municipalities." (H. P. 1028) (L. D. 1415)

Tabled — June 2, 1971 by Senator Dunn of Oxford.

Pending — Passage to be Engrossed.

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

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

Senate Report — Ought to Pass in New Draft under same title (S. P. 616) (L. D. 1801) from the Committee on Judiciary on Bill, "An Act Relating to Defenses for Holders of a Retail Installment Sale Agreement." (S. P. 478) (L. D. 1562)

Tabled — June 3, 1971 by Senator Berry of Cumberland.

Pending — Motion by Senator Tanous of Penobscot to Accept the Ought to Pass in New Draft Report.

Thereupon, the Ought to Pass in New Draft Report of the Committee was Accepted, the Bill Read Once and Tomorrow Assigned for Second Reading.

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

Bill, "An Act to Provide for New Ferry Landings at Cousin's Island or Littlejohn Island and Chebeague Island." (S. P. 400) (L. D. 1175)

Tabled — June 3, 1971 by Senator Berry of Cumberland.

Pending — Passage to be Engrossed.

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

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

Bill "An Act to Appropriate the Amount of \$1,440,000 for Parking Garage Facility for the Capitol Complex at Augusta."

Tabled — June 3, 1971 by Senator Berry of Cumberland.

Pending — Passage to be Engrossed.

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

Senate Amendment "A", Filing No. S-245, was Read and Adopted and the Bill, as Amended, Passed to be Engrossed in non-concurrence.

Sent down for concurrence.

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

Bill, "An Act Revising the Maine Land Use Regulation Commission Law." (S. P. 610) (L. D. 1788)

Tabled — June 3, 1971 by Senator Berry of Cumberland.

Pending — Motion by Senator Berry of Cumberland to Reconsider Engrossing.

The Senate then voted to reconsider its prior action whereby the Bill was Passed to be Engrossed.

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

Senate Amendment "A", Filing No. S-227, was Read and Adopted and the Bill, as Amended, Passed to be Engrossed.

Sent down for concurrence.

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

Bill, "An Act Revising the Air Pollution Laws." (H. P. 1127) (L. D. 1557)

Tabled — June 3, 1971 by Senator Violette of Aroostook.

Pending — Motion by Senator Schulten of Sagadahoc to Indefinitely Postpone Senate Amendment "A" to Committee Amendment "A" Filing S-241

Senate Amendment "A" to Committee Amendment "A" was indefinitely Postponed, and subsequently Committee Amendment "A" was Adopted in concurrence.

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

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

HOUSE REPORTS — from the Committee on Judiciary on Bill, "An Act Relating to Prevention by Landowners of Acquisition of Right - of - way, Easements and Public Rights by Dedication." (H. P. 708) (L. D. 954) Majority Report, Ought Not to Pass; Minority Report, Ought to pass.

Tabled — June 3, 1971 by Senator Tanous of Penobscot.

Pending — Acceptance of Either Report.

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

Mr. TANOUS of Penobscot: Mr. President and Members of the Senate: I had signed the Ought Not to Pass Report on this bill. I think that Senator Harding of Aroostook and Senator Quinn of Penobscot also did. We have come up with a compromise on an amendment, and I now move we accept the Minority Ought to Pass Report.

The PRESIDENT: Is the Senate ready for the question?

Thereupon, the Minority Ought to Pass Report of the Committee was Accepted in concurrence and the Bill Read Once.

House Amendment "B" was Read and Adopted in concurrence and the Bill, as Amended, Tomorrow Assigned for Second Reading.

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

Bill, "An Act Repealing the Poll Tax." (S. P. 14) (L. D. 42)

Pending — Further Consideration.

On motion by Mr. Katz of Kennebec, the Senate voted to Recede from its action whereby the Bill was Passed to be Engrossed.

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

Senate Amendment "A", Filing No. S-250, was Read.

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

Mr. KATZ of Kennebec: Mr. President and Members of the Senate: All this does is put an effective date on this act. It failed of passage down the other end of the corridor, and about all this does is give the proponents for repeal of this miserable, regressive, pesky, archaic tax one more whack at getting it repealed.

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

The motion prevailed.

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

Sent down for concurrence.

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

Bill, "An Act to Authorize Bond Issue in the Amount of \$5,940,000 for the Development and Improvement of State Park Facilities, Improvements to Various Airports, Equipment and Exhibits for Cultural Building, New State Office Building, and Maintenance Building at Augusta and State House Renovations." (H. P. 176) (L. D. 234)

Pending — Passage to be Engrossed.

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

Mr. SEWALL of Penobscot: Mr. President and Members of the Senate: I had hoped to have an amendment ready for this bill, so I would hope that someone would table this until the next 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 Passage to be Engrossed.

On motion by Mr. Sewall of Penobscot, the Senate voted to take from the Special Appropriations Table, Bill, "An Act Increasing Minimum Wages." (S. P. 16) (L. D. 44)

The same Senator then moved the pending question.

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

Mr. Wyman of Washington was granted unanimous consent to address the Senate:

Mr. WYMAN: Mr. President and Members of the Senate: With reference to Legislative Document 922 which went under the hammer, I have no argument with that, but the bill was very properly titled. It says, "An Act Relating to the Relief of the Elderly on Property Taxes," which is true, but it provided for a five dollar head tax on both males and females. It might have been better if it was titled "Bill to Provide a Head

Tax." I wanted just to clear the record that we didn't vote against the elderly on that really, because the other elderly bill is coming.

Joint Order

Out of order and under suspension of the rules, on motion by Mr. Tanous of Penobscot.

ORDERED, The House concurring, that the members and legal clerks on the Joint Standing Committees on Judiciary and Legal Affairs, who have not heretofore received a set of the 1964 revision of the Maine Revised Statutes Annotated as Members of the Legislature or committee clerks, be provided with copies.

Which was Read.

On motion by Mr. Tanous of Penobscot, tabled and Tomorrow Assigned, pending Passage.

The Adjournment Order having been returned from the House, Read and Passed in concurrence, on motion by Mr. Hoffses of Knox, adjourned until June 7, 1971, at 10 o'clock in the morning.