

# MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Seventh  
Legislature*

OF THE

STATE OF MAINE

1975

KENNEBEC JOURNAL  
AUGUSTA, MAINE

## SENATE

Monday, April 14, 1975

Senate called to order by the President.

Prayer by the Honorable Neal C. Corson of Madison:

Let us pray. Dear Lord, guide us in our work. Grant us the wisdom to know what is right. Grant us the courage to do what is right. Remind us always that we are assembled here not to rule the people but to serve the people. Amen.

Reading of the Journal of Friday, April 11, 1975.

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

Bill, "An Act to Amend the General Assistance Laws." (H. P. 1032) (L. D. 1320)

The Committee on Reference of Bills suggests that this Bill be referred to the Committee on Health and Institutional Services.

In the House March 21, 1975, referred to the Committee on Health and Institutional Services and Ordered Printed.

In the Senate April 3, 1975, referred to the Committee on Appropriations and Financial Affairs and Ordered Printed in non-concurrence.

Comes from the House, referred to the Committee on Performance Audit and Ordered Printed, in non-concurrence.

On motion by Mr. Speers of Kennebec, the Senate voted to insist.

(See action later in today's session)

**Non-concurrent Matter**

Bill, "An Act Relating to the Disposition of Fines and Penalties Resulting from Criminal Prosecutions by Wardens." (H. P. 405) (L. D. 494)

In the House, April 8, 1975, the Majority report Read and Accepted and the Bill Passed to be Engrossed.

In the Senate April 9, 1975, the Minority Ought Not to Pass report Read and Accepted, in non-concurrence.

Comes from the House, that Body having Insisted.

Mr. McNally of Hancock moved that the Senate Recede and Concur.

The PRESIDENT: The Senator has the floor.

Mr. McNALLY: Mr. President and Members of the Senate: This bill has to do entirely, in the black type, with M.R.S.A. Section 2001. Now, wardens have to, by the way the law is written, prevent bulldozing of streams to eliminate spawning beds or change the course around so it would be detrimental to the land, they have to pass upon any new camp that is being built to see that the sewage isn't going to be dumped directly into the lake or the river or the pond like it has been for many years past. They have to see that somebody doesn't go down there and move out a bunch of boulders that will cause a large amount of erosion when the high winds occur about once a week around ponds and streams. They have to do all these things that should be charged to the Environmental Division of this state, and not to Fisheries and Wildlife.

Now, up until the present time, for the first six months, for performing those extra duties that are being paid for entirely by Fish and Game licenses, they have spent approximately \$65,000. That is the first six months of this year alone in going along with these extra duties. And I cannot understand, unless somebody wants to completely do away with dedicated revenues to any department, I

cannot understand why they shouldn't receive the fines to help offset this large amount of money, which is growing to be more and more every year, that is being paid for by the licenses. You are going to have a bill in here that reflects the increase in licenses at least 20 percent to offset some of these extra costs that are being made, and that would be the main argument against raising the licenses.

What should be done is that they should not be made to do this work for nothing. There ought to be money given to them out of the general fund.

Now, there is another thing. They go out and hunt for lost hunters, and they attend different fires when necessary, and they get \$10,000 if the Appropriations Committee is generous, like they have been sometimes in the past, and sometimes they get nothing. And right at the present time, for the last two years they are \$24,000 behind what that \$10,000 would do for them. That is after the \$10,000 has been subtracted. In other words, they have expended \$34,000 and they got \$10,000 back.

That is why I think we ought to recede and concur, and let them have what I understand is approximately \$2,000 so far in fines. It is a small amount but it does help a little bit.

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

Mr. CLIFFORD: Mr. President and Members of the Senate: I rise reluctantly to oppose the good Senator from Hancock, Senator McNally, on this bill. I don't think it is the most important bill we have in the legislature, however, what it does is provide that the fines and penalties resulting from criminal prosecution by wardens will be dedicated to the Department of Fisheries and Game.

It seems to me that it should be the legislative policy to move away from dedicated revenues, and although we may not move toward eliminating all of them, it seems to me we should not at least add to dedicated revenues, especially in the field of prosecution.

It seems to me the argument has been made on this bill that unless the Department of Fisheries and Game gets the dedicated revenues then they don't enforce the laws. Well, it seems to me that is a poor incentive to enforce the laws; that is, to have the people enforcing them receiving the money. So I hope we could oppose the motion to recede and concur and that we could insist or adhere. Thank you, Mr. President.

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

Mr. CONLEY: Mr. President and Members of the Senate: I concur with the good Senator from Androscoggin, Senator Clifford. I think that really, now that the department is running under dedicated revenues, if this act were to pass, it could very well put the court system on a cash register basis. I think we would all deplore that, and I hope that the motion of the good Senator from Hancock, Senator McNally, would be defeated.

I would ask for a division.

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

Mr. COLLINS: Mr. President and Members of the Senate: This bill grew out of a study done under the direction of the 106th Legislature by the Judiciary Committee of that session. It seemed to be the feeling, as I read the report that caused

this bill, that this particular amount of dedicated revenues, not being very large, could more easily be handled both administratively and through the thinking of the wardens in the same way that they handled other Fish and Game fines.

This, of course, results from the new practice of having the Fish and Game wardens help with the enforcement of the Great Ponds Act. The Great Ponds Act, in geography and in practice, is very closely related to the Fish and Game enforcement functions. And we recognize the value of the argument against dedicated revenues, but since we have a rather large package of dedicated revenues in Fish and Game, and this is so closely related, it seemed to be the thinking of the majority that we ought to stick with that for this small amount of revenue.

The figures from last year would have meant that the maximum Great Pond enforcement revenues under this section would have been \$3200. It was not actually that large, as Senator McNally has pointed out, and in the future, of course, it could be a little more than that, but I think it is very doubtful that it would run more than \$5,000 in any one year.

The PRESIDENT: Is the Senate ready for the question? The pending motion before the Senate is the motion of the Senator from Hancock, Senator McNally, that the Senate recede and concur. A division has been requested. Will all those Senators in favor of the motion to recede and concur please rise in their places until counted. All those opposed will please rise in their places until counted.

A division was had. 15 having voted in the affirmative, and 14 having voted in the negative, the motion prevailed.

**Joint Resolution  
STATE OF MAINE**

In the Year of Our Lord One Thousand Nine Hundred and Seventy-Five

**JOINT RESOLUTION MEMORIALIZING  
THE UNITED STATES CONGRESS TO  
EXTEND THE VOTING RIGHTS ACT  
OF 1965 FOR 10 ADDITIONAL  
YEARS**

We, your Memorialists, the House of Representatives and Senate of the State of Maine of the One Hundred and Seventh Legislative Session assembled, most respectfully present and petition the United States Congress, as follows:

Whereas, the 1965 Voting Rights Act is one of the most significant pieces of civil rights legislation ever enacted; and

WHEREAS, the Voting Rights Act is a complex piece of legislation that was developed in response to the failure of earlier legislation to remedy discrimination in voting, and is designed to enable minority citizens to gain access to the political process and to gain the influence that participation brings; and

WHEREAS, its passage and enforcement have been responsible for substantial increases in the number of blacks registered, voting and elected to office in the seven southern states covered by the Act; and

WHEREAS, the Voting Rights Act Amendment of 1970 continues the special coverage provisions which reach into every corner of the United States; and

WHEREAS, the United States Commission on Civil Rights, in its January, 1975 evaluation of the current status on minority rights in jurisdictions covered under the Voting Rights Act of

1965 as amended in 1970, concluded that there is still hostility and resistance to the free and effective political participation of blacks, native Americans, Puerto Ricans and Mexican-Americans; and

WHEREAS, a democratic system depends on the full participation of all its citizens; and

WHEREAS, the Voting Rights Act of 1965 will expire on August 6, 1975 of this year unless it is further extended by Congress; now, therefore, be it

RESOLVED: That we, your Memorialists, do hereby respectfully urge that Congress, prior to August 6, 1975, extend the Voting Rights Act of 1965 for an additional 10 years; and be it further

RESOLVED: That a copy of this resolution, duly authenticated by the Secretary of State, be transmitted by the Secretary of State to the President of the Senate and the Speaker of the House of Representatives of the United States Congress and to each Member of the Maine Congressional Delegation. (H. P. 1490)

Comes from the House, Read and Adopted.

Which was Read and Adopted in concurrence.

#### Reconsidered Matter

On motion by Mr. Speers of Kennebec, the Senate voted to reconsider its prior action whereby it voted to Insist on the following:

Bill, "An Act to Amend the General Assistance Laws." (H. P. 1032) (L. D. 1320)

The Committee on Reference of Bills suggests that this Bill be referred to the Committee on Health and Institutional Services.

In the House March 21, 1975, referred to the Committee on Health and Institutional Services and Ordered Printed.

In the Senate April 3, 1975, referred to the Committee on Appropriations and Financial Affairs and Ordered Printed, in non-concurrence.

Comes from the House, referred to the Committee on Performance Audit and Ordered Printed, in non-concurrence.

On further motion by the same Senator, the Senate voted to Recede from its action whereby the Bill was referred to the Committee on Appropriations and Financial Affairs.

Thereupon, on further motion by the same Senator, referred to the Committee on Health and Institutional Services in non-concurrence.

Sent down for concurrence.

#### House Papers

Bills, Resolves and Resolutions today received from the House requiring Reference to Committee were acted upon in concurrence, except for the following:

Bill, "An Act to Provide Compensation to Employees on Wages for Jury Service." (H. P. 1426) (L. D. 1695)

The Committee on Reference of Bills suggests that this Bill be referred to the Committee on Judiciary.

Comes from the House referred to the Committee on Labor and Ordered Printed.

On motion by Mr. Speers of Kennebec, referred to the Committee on Judiciary in non-concurrence and Ordered Printed.

Sent down for concurrence.

#### 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 Concerning Reports to Municipal Overseers of the Poor by State Agencies Delivering Human Services." (H. P. 938) (L. D. 1158)

Resolution, Proposing an Amendment to the Constitution to Provide for the Appointment of the Attorney General and Secretary of State by the Governor. (H. P. 15) (L. D. 23)

Bill, "An Act to Require an Advisory Referendum on the Ratification by the Maine Legislature of the Equal Rights Amendment to the United States Constitution." (H. P. 324) (L. D. 389)

Bill, "An Act Relating to the Taking of Lobsters in York River, County of York." (H. P. 652) (L. D. 804)

#### Leave to Withdraw

The Committee on Veterans and Retirement on, Bill, "An Act to Permit State Employees with 25 Years of Service to Retire at any Age." (H. P. 820) (L. D. 1005)

Reported that the same be granted Leave to Withdraw.

The Committee on Veterans and Retirement on, Bill, "An Act Relating to Restoration to State Service." (H. P. 517) (L. D. 635)

Reported that the same be granted Leave to Withdraw.

The Committee on Judiciary on, Bill, "An Act to Make Assault on a Police Officer a Felony." (H. P. 705) (L. D. 884)

Reported that the same be granted Leave to Withdraw.

The Committee on Health and Institutional Services on, Bill, "An Act Relating to Membership on Advisory Commission under Maine Medical Laboratory Act." (H. P. 361) (L. D. 452)

Reported that the same be granted Leave to Withdraw.

The Committee on Health and Institutional Services on, Bill, "An Act to Remove Certain Laboratories from Exemption under the Maine Medical Laboratory." (H. P. 356) (L. D. 448)

Reported that the same be granted Leave to Withdraw.

Come from the House, the reports Read and Accepted.

Which reports were Read and Accepted in concurrence.

The Committee on Health and Institutional Services on, Bill, "An Act to Expand the Authority of Pharmacists to Dispense Drugs by their Generic Names." (H. P. 176) (L. D. 200)

Reported that the same be granted Leave to Withdraw.

Comes from the House, Bill and accompanying papers Recommended to the Committee on Health and Institutional Services.

Which report was Read.

Thereupon, on motion by Mr. Conley of Cumberland, the Bill was Recommended to the Committee on Health and Institutional Services in concurrence.

#### Ought to Pass

The Committee on Legal Affairs on, Bill, "An Act Relating to Borrowing by Hospital Administrative District No. 1 in Penobscot County." (H. P. 887) (L. D. 1062)

Reported that the same Ought to Pass.

The Committee on Appropriations and Financial Affairs on, Bill, "An Act Making Supplemental Appropriations for the Maine Human Services Council." (H. P. 626) (L. D. 772)

Reported that the same Ought to Pass. Come from the House, the Bills Passed to be Engrossed.

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

#### Divided Report

The Majority of the Committee on Judiciary on, Bill, "An Act Concerning Employment in the Department of Mental Health and Corrections." (H. P. 476) (L. D. 596)

Reported that the same Ought Not to Pass.

Signed:

Senators:

COLLINS of Knox  
MERRILL of Cumberland  
CLIFFORD of Androscoggin

Representatives:

HENDERSON of Bangor  
PERKINS of South Portland  
SPENCER of Standish  
HUGHES of Auburn  
BENNETT of Caribou  
HOBBINS of Saco

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

Signed:

Representatives:

GAUTHIER of Sanford  
McMAHON of Kennebec  
HEWES of Cape Elizabeth  
MISKAVAGE of Augusta

Comes from the House, the Minority report Read and Accepted and the Bill Passed to be Engrossed as Amended by House Amendment "A" (H-155).

Which reports were Read.

Thereupon, the Majority Ought Not to Pass Report of the Committee was Accepted in non-concurrence.

Sent down for concurrence.

#### Senate

##### Leave to Withdraw

Mr. O'Leary for the Committee on Veterans and Retirement on, Bill, "An Act Concerning the Board of Trustees of the State Retirement System." (S. P. 340) (L. D. 1142)

Reported that the same be granted Leave to Withdraw.

Mr. O'Leary for the Committee on Veterans and Retirement on, Bill, "An Act Concerning Per Diem Payments to Trustees of the State Retirement System." (S. P. 347) (L. D. 1145)

Reported that the same be granted Leave to Withdraw.

Which reports were Read and Accepted.

Sent down for concurrence.

##### Ought to Pass

Mr. Collins for the Committee on Judiciary on, Bill, "An Act Relating to Exemption of Law Enforcement Agencies and Courts under the Human Rights Act." (S. P. 283) (L. D. 997)

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 in New Draft

Mr. Greeley for the Committee on Health and Institutional Services on, Bill, "An Act Concerning Residence Facilities of State Patients Released into the Community." (S. P. 46) (L. D. 98)

Reported that the same Ought to Pass in New Draft under Same Title (S. P. 491) (L. D. 1738)

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 Amending the Charter of the Paris Utility District." (H. P. 587) (L. D. 726)

Bill, "An Act Relating to the Prohibition Against Hitchhiking." (H. P. 1474) (L. D. 1564)

(On motion by Mr. Speers of Kennebec, tabled and Specially Assigned for April 16, 1975, pending Passage to be Engrossed.)

Bill, "An Act to Clarify the Requirements for Voting in Municipal Elections." (H. P. 1475) (L. D. 1565)

Bill, "An Act to Provide Accessible Polling Places for the Physically Handicapped and the Elderly." (H. P. 1476) (L. D. 1566)

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

**Senate**

Bill, "An Act Relating to Withdrawal of Good Time for County Jail Inmates." (S. P. 210) (L. D. 700)

Bill, "An Act Relating to Leasing and Selling of Property Taken or Acquired for Highway Purposes." (S. P. 310) (L. D. 1058)

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

Sent down for concurrence.

**Senate — As Amended**

Bill, "An Act Relating to Single Payment Loans under the Maine Consumer Credit Code." (S. P. 201) (L. D. 668)

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

Sent down for concurrence.

**Enactors**

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

An Act Establishing the Code of Fair Practices and Affirmative Action as the Equal Opportunity Standard for State Financed Agencies. (H. P. 410) (L. D. 516)

An Act for the Humane Treatment of Animals in Schools, Public and Private. (H. P. 457) (L. D. 561)

An Act Providing Compensation for Members of Inland Fisheries and Game Advisory Council. (H. P. 542) (L. D. 658)

An Act Relating to Public Safety on Passenger Tramways at Ski Areas. (H. P. 633) (L. D. 784)

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

**Emergency**

An Act to Authorize the Treasurer and County Commissioners of Waldo County to Procure a Loan to Build a Detention Center. (S. P. 93) (L. D. 264)

This being an emergency measure and having received the affirmative votes of 27 members of the Senate, was Passed to be Enacted and, having been signed by the President, was by the Secretary presented to the Governor for his approval.

**Orders of the Day**

The President laid before the Senate the first tabled and Specially Assigned matter:

Bill, "An Act Relating to Dealers in Used Personal Property." (H. P. 502) (L. D. 618)

Tabled — April 10, 1975 by Senator Carbonneau of Androscoggin.

Pending — Passage to be Engrossed.

(In the House — Passed to be Engrossed as amended by House Amendment "C" (H-124) as amended by House Amendments "A" (H-129) and "B" (H-130) thereto.)

On motion by Mr. Carbonneau of Androscoggin, retabled and Tomorrow Assigned, pending Passage to be Engrossed.

The President laid before the Senate the second tabled and Specially Assigned matter:

Bill, An Act to Protect the Rights of Persons Seeking Benefits under Maine's Workmen's Compensation Law. (H. P. 1222) (L. D. 1210)

Tabled — April 10, 1975 by Senator Conley of Cumberland.

Pending — Enactment.

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

The President laid before the Senate the third tabled and Specially Assigned matter:

Joint Order — Relative to Studies of Salaries of County Officers. (H. P. 1477)

Tabled — April 11, 1975 by Senator Conley of Cumberland.

Pending — Passage.

(In the House — Read and Passed)

Thereupon, the Joint Order received Passage in concurrence.

The President laid before the Senate the fourth tabled and Specially Assigned matter:

Bill, An Act Creating Uniform Standards for Disqualification of Applicants with Prior Criminal Convictions for a License or Permit to Practice a Trade or Occupation Regulated by the State. (H. P. 330) (L. D. 402)

Tabled — April 11, 1975, by Senator Pray of Penobscot.

Pending — Enactment.

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

The President laid before the Senate the fifth tabled and Specially Assigned matter:

Bill, "An Act to Provide Excise Tax Refund for Construction and Operation of Breweries within the State." (H. P. 369) (L. D. 463)

Tabled — April 11, 1975 by Senator Cianchette of Somerset.

Pending — Motion of Senator Merrill of Cumberland to Reconsider Action whereby the Bill was Indefinitely Postponed.

(In the House — Passed to be Engrossed)

On motion by Mr. Speers of Kennebec, retabled and Specially Assigned for April 16, 1975, pending the motion by Senator Merrill of Cumberland to Reconsider Action whereby the Bill was Indefinitely Postponed.

The President laid before the Senate the sixth tabled and Specially Assigned matter:

House Reports — from the Committee on Judiciary — Bill, "An Act Relating to

Hearing for Provisional Motor Vehicle Licensee on Suspension." (H. P. 333) (L. D. 405) Majority Report — Ought to Pass; Minority Report — Ought Not to Pass.

Tabled — April 11, 1975 by Senator Speers of Kennebec.

Pending — Motion of Senator Collins of Knox to Indefinitely Postpone Bill and Accompanying Papers.

(In the House — Passed to be Engrossed as amended by House Amendment "B" (H-107).

(In the Senate — Motion to Accept Minority Report lost.)

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

Mr. CLIFFORD: Mr. President and Members of the Senate: I hope you would vote against the motion to indefinitely postpone. This is the third attempt which has been made to defeat this bill which has yet to receive its first reading in the Senate.

The good Senator from Knox, Senator Collins, in his remarks of last week I think was very effective in that he said that he opposed the bill on two grounds. One ground was the philosophical ground that he didn't want to loosen up in any way or in any manner the present law as it relates to provisional licenses, and that he does not want a hearing after the provisional license is suspended, that he is against a hearing under any circumstances. I understand that philosophy, although I oppose it.

I do not think that this bill destroys the basic philosophy behind the provisional license bill, which is a philosophy of making it more difficult or putting an extra burden on the provisional licensee. All this bill does is provide that when the automatic suspension goes into effect, and it goes into effect upon the conviction of any moving violation — of course, that can be a very, very minor offense — that there is a provision whereby the provisional licensee can request a hearing from the Secretary of State. The hearing is not automatic; it is only upon request. It seems to me that this does not do violence to the basic philosophy behind the provisional license law.

The second reason why the good Senator from Knox, Senator Collins, said he opposed the bill was that he said that it gives the provisional licensee right that the non-provisional licensee does not have, that there are certain offenses under the statute for which the Secretary of State can suspend licenses without hearing and that there is no chance to be heard. Although there is a chance to be heard, the license is not given back pending the hearing.

I think he may be correct on the present status of the bill. However, I think he would admit that it is not the intention of the sponsor nor of the majority of the Committee on Judiciary that this should happen. That was dealt with in House Amendment "B", which is under Filing No. H-107, which attempts to correct that. Apparently, due to a technical difficulty, it did not fully correct it, however, another amendment would be offered. So there is certainly no intention on the part of any sponsor or any person interested in this bill to give the provisional licensee any rights which the non-provisional licensee does not have.

What is the intent is to provide the vehicle for a hearing in the unusual circumstance where the provisional licensee is in serious economic or other

circumstances, and the violation which brings about the suspension is minor, to allow the Secretary of State under those unusual circumstances to give the license back. That is the intent of this bill. I think the legislature, in its wisdom, should see that in these circumstances, which could be harsh, that if it could provide the opportunity to be heard without doing violence to the philosophy of the provisional license law that it should do so. So I hope you would oppose the motion of the good Senator from Knox, Senator Collins, that you would allow this bill to be read the first time so the amendment could be offered and the bill could be put in the technical position to be debated on its philosophical merits. Thank you, Mr. President.

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

Mr. COLLINS: Mr. President and Members of the Senate: I am certain that you are bored with all this lawyers talk at this time, and I am sure that further work of the drafting board could turn this bill into something else other than what it is now as amended in the other body. But we would come back once more to the policy question of weighing highway safety, good discipline for youngsters, and the efficient administration of the state bureau, on the one hand, against compassion for an occasional hardship case, on the other hand.

I have weighed that very carefully, and I assure you under great pressure from my brothers on the Judiciary Committee, and I am still in the position that I have a greater sense of compassion toward highway safety than I do for the occasional hardship case that has been argued.

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

Mr. MERRILL: Mr. President and Members of the Senate: I don't think much can be added to this debate at this point, except maybe to suggest that the characterization which the good Senator from Knox, Senator Collins, has made of the question we are settling here might be slightly overdrawn. I do not personally believe that the cause of highway safety is served by forcing the Secretary of State to force a person in all circumstances to lose their license, as in the case where there might be a minor situation that caused them to make the infraction. It could have a very serious impact upon them by their losing the license for 30 days.

I think the great merit of our legal system is that we can fashion the remedy for the act, and all this allows is that the Secretary of State, under exceptional circumstances, can allow for this exceptional remedy to be set aside. And I don't think that in doing so the cause of highway safety will be lost. As a matter of fact, I think maybe respect for law will be furthered, and in that way highway safety and that cause will be furthered in the long run.

The PRESIDENT: Is the Senate ready for the question? The pending motion before the Senate is the motion of the Senator from Knox, Senator Collins, that this bill, L. D. 405, and all its accompanying papers be indefinitely postponed. Will all those Senators in favor of the indefinite postponement of this bill please rise in their places until counted. Will all those opposed please rise in their places until counted.

A division was had, 15 having voted in the affirmative, and 15 having voted in the negative, the motion did not prevail.

Thereupon, on a further division, 16 having voted in the affirmative, and 15 having voted in the negative, the Majority 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 seventh tabled and Specially Assigned matter:

Bill, "An Act to Establish Statutory Provisions for a Retail Seafood Dealer's License." (H. P. 1340) (L. D. 1621)

Tabled — April 11, 1975 by Senator Thomas of Kennebec.

Pending — Motion of Senator Carbonneau of Androscoggin to Refer to Committee on Business Legislation.

(The Committee on Reference of Bills suggests that this Bill be Referred to the Committee on Marine Resources)

(In the House — Referred to the Committee on Marine Resources)

Thereupon, the Bill was referred to the Committee on Business Legislation in non-concurrence and Ordered Printed.

Sent down for concurrence.

The President laid before the Senate the eighth tabled and Specially Assigned matter:

Bill, "An Act to Establish Statutory Provisions for a Wholesale Seafood Dealer's and Processor's License." (H. P. 1341) (L. D. 1622)

Tabled — April 11, 1975 by Senator Thomas of Kennebec.

Pending — Motion of Senator Carbonneau of Androscoggin to Refer to Committee on Business Legislation.

(The Committee on Reference of Bills suggests that this Bill be Referred to the Committee on Marine Resources)

(In the House — Referred to the Committee on Marine Resources)

Thereupon, the Bill was referred to the Committee on Business Legislation in non-concurrence and Ordered Printed.

Sent down for concurrence.

(Off Record Remarks)

Mr. Collins of Knox was granted unanimous consent to address the Senate:

Mr. COLLINS: Mr. President and Members of the Senate: Last week Major J. Edward Marks of Thomaston retired from the Maine State Police after a career of 50 years. I first knew Mr. Marks, he was then known as Captain Eddie, when he was commander of the State Police barracks located in Thomaston. He was a real professional in his field and he came through the ranks from the very first echelon of the State Police to the very top echelon. He was many times honored by his fellow citizens in Thomaston where he made his permanent home after becoming commander of that barracks.

The life of a cop is a tough life, and Eddie Marks knew everything about police work that was tough. For in the later years he headed the Criminal Division. But that man had a heart as big as any I have ever known, and I remember particularly the occasion of the retirement of the Judge of the Knox County Municipal Court, Zelma Dwinal, about 23 years ago. Captain Marks as he stood at that time was a principal speaker at the ceremonial occasion. When he finished his talk, the tears were rolling down the cheeks of every person present, and especially the cheeks of Captain Marks. So I pay tribute to the long and

distinguished service of a good public servant. Thank you.

(Off Record Remarks)

On motion by Mrs. Cummings of Penobscot,  
Adjourned until 10 o'clock tomorrow morning.