

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

***One Hundred and Eighth
Legislature***

OF THE

STATE OF MAINE

1978

Second Regular Session

January 4, 1978 — April 6, 1978

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APPENDIX

SENATE

Monday, March 6, 1978

Senate called to order by the President.

Prayer by the Honorable Charles P. Pray of Millinocket.

Mr. PRAÿ: Lord as we begin this week of deliberations, grant us the patience and the wisdom to do right for the people of this State. Amen.

Reading of the Journal of yesterday.

Papers from the House
Non-concurrent Matter

Bill, "An Act to Amend the Child Welfare Laws" (Emergency) (H. P. 1990) (L. D. 2065)

In the Senate, February 28, 1978, Passed to be Engrossed as amended by Committee Amendment "A" (H-1085) in concurrence.

Comes from the House, Passed to be Engrossed as amended by Committee Amendment "A" as amended by House Amendment "A" (H-1114) thereto, in non-concurrence.

On Motion of Mrs. Snowe of Androscoggin, the Senate voted to Recede and Concur.

Joint Orders

Expressions of Legislative Sentiment recognizing that:

Gene Letourneau, Wildlife Writer and Columnist for the Guy Gannett Newspapers, has been named "Outdoorsman of the Year" by the New England Outdoor Writers Association, (H. P. 2169)

Samuel Wright III, of Clinton, has been chosen "Outstanding Young Farmer of Maine" and will represent Maine at the 1978 National Young Farmers Conference in Topeka, Kansas, (H. P. 2172)

The Hirundo Wildlife Refuge, a 356-acre tract of land in Old Town, has been donated by Oliver S. Larouche for the sole benefit of the University of Maine to be used for academic, scientific and educational activities consistent with the preservation and maintenance of the wildlife and land, (H. P. 2174)

The Cheverus High School Boys' Indoor Track Team of Portland has won the State Class B Indoor Track Championship for academic year 1978, (H. P. 2171)

The Portland High School Boys' Indoor Track Team has won the State Class A Track Championship for the third consecutive year, (H. P. 2170)

Come from the House, Read and Passed.

Which were Read and Passed in concurrence.

Orders

An Expression of Legislative Sentiment recognizing that: Kenton E. Quint of North Anson is retiring from the Presidency of the Somerset Telephone Company after 49 years as a telephone pioneer, (S. P. 725) is presented by Senator Redmond of Somerset.

Which was Read and Passed.

Sent down for concurrence.

Committee Reports

House

Ought to Pass — As Amended

The Committee on Labor on, Bill, "An Act Concerning Filing of Claims for Occupational Deafness under the Workmen's Compensation Statutes." (H. P. 1872) (L. D. 1913)

Reported that the same Ought to Pass as amended by Committee Amendment "A" (H-1108).

Comes from the House, the Bill Passed to be Engrossed as amended by Committee Amendment "A" as amended by House Amendment "A" (H-1117) thereto.

Which Report was Read and Accepted in concurrence.

The Bill Read Once. Committee Amendment "A" Read. House Amendment "A" to Committee Amendment "A" Read and Adopted. Committee Amendment "A", as amended,

Adopted. This Bill, as amended, Tomorrow Assigned for Second reading.

Ought to Pass in New Draft

The Committee on Judiciary on, Bill, "An Act to Amend the Maine Juvenile Code." (Emergency) (H. P. 1917) (L. D. 1978)

Reported that the same Ought to Pass in New Draft under same title (H. P. 2142) (L. D. 2163)

Comes from the House, the Bill, in New Draft, Passed to be Engrossed as amended by House Amendment "F" (H-1118).

Which Report was Read and Accepted in concurrence, and the Bill, in New Draft, Read Once. House Amendment "F" 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 Marine Resources on, Bill, "An Act to Revise the laws Concerning Marine Resources." (H. P. 1321) (L. D. 1640)

Reported that the same Ought to Pass in New Draft under same title. (H. P. 2146) (L. D. 2166)

Comes from the House, the Bill, in New Draft, Passed to be Engrossed as amended by House Amendment "A" (H-1112) as amended by House Amendment "A" (H-1113) thereto.

Which Report was Read and Accepted in concurrence, and the Bill, in New Draft Read Once.

The PRESIDENT: The Chair recognizes the Senator from Oxford, Senator O'Leary.

Mr. O'LEARY: Mr. President, I have just noticed that we have a little comprehensive document here of sixty-four pages and I noticed in here a Municipal Conservation Program and I would like an explanation as of the Committee as to whether we are making it more difficult for those who are non-resident or less difficult to participate in the digging of clams.

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

Mr. CHAPMAN: Mr. President and Members of the Senate: This is a rather comprehensive document. It is the result of a great deal of work on the part of the Marine Resources Committee. Last year, this last summer, and again this year, it essentially, we could discuss it at great lengths, but essentially it is an honest attempt to revise, qualify the statutes as they have developed over the years put them into a more logical order to eliminate some of the concurrent aspects and inconsistencies and to make it more meaningful and it's the way it is set up. It also incorporates the Administrative Procedures Act requirements into the Marine Resources Law. As far as the municipal plan statute is concerned we addressed that, of course, earlier this Session. The present statute leaves things essentially the way they are at the present time unrevised from the, in the manner that we addressed different times earlier this Session and turned down. So what you see in here essentially just restates what we have already right now in the law.

House Amendment "A" Read. House Amendment "A" to House Amendment "A" Read.

On Motion of Mr. Farley of York, Tabled for One Legislative Day, pending Adoption of House Amendment "A" to House Amendment "A".

Divided Report

The Majority of the Committee on Business Legislation on, Bill, "An Act Relating to the State Board of Social Worker Registration." (H. P. 1936) (L. D. 2016)

Reported that the same Ought to pass as amended by Committee Amendment "A" (H-1107).

Signed:

Senators:

PIERCE of Kennebec
CHAPMAN of Sagadahoc
FARLEY of York

Representatives:

SPROWL of Hope
PEAKES of Dexter
KILCOYNE of Gardiner
ALOUPIS of Bangor
BOUDREAU of Portland
CLARK of Freeport

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

Signed:

Representatives:

HOWE of So. Portland
RIDEOUT of Mapleton
WHITTEMORE of Skowhegan
JACKSON of Yarmouth

Comes from the House, the Bill Passed to be Engrossed as amended by Committee Amendment "A" and House Amendment "A" (H-1116).

Which Reports were Read.

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

Mr. PIERCE: Mr. President, I move the Majority Ought to Pass Report and there is an amendment which will be passed out momentarily to bring this into the line with the Administrative Procedures Act, so that I would ask that this item might be tabled until just later in this morning's Session.

On Motion of Mr. Minkowsky of Androscoggin, Tabled until later in Today's Session.

Senate

Ought to Pass — As Amended

Mr. Chapman for the Committee on Business Legislation on, Bill, "An Act Relating to the Maine State Employees Accident and Sickness or Health Insurance Plan." (S. P. 637) (L. D. 1996)

Reported that the same Ought to Pass as amended by Committee Amendment "A" (S-514).

Which Report was Read and Accepted and the Bill Read Once. Committee Amendment "A" was Read and Adopted and the Bill, as amended, Tomorrow Assigned for Second Reading.

Second Readers

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

House

Bill, "An Act to Continue the Potato Tax at the Rate of \$.025 per Hundredweight." (Emergency) (H. P. 2033) (L. D. 2097)

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

House — As Amended

Bill, "An Act to Permit Law Enforcement Officers, Agencies and Associations to Make Limited Solicitations for Advertising in or Purchase of Certain Publications Published by Them." (H. P. 2153) (L. D. 2167)

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

Enactor

The Committee on Engrossed Bills reported as truly and strictly engrossed the following: "An Act to Revise the Salaries of Certain County Officers." (H. P. 1942) (L. D. 2108)

Which 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:

Bill, "An Act Concerning the Charter of the Guilford-Sangerville Water District." (Emergency) (H. P. 2161) (L. D. 2170)

Tabled — March 2, 1978 by Senator Speers of Kennebec

Pending — Passage to be Engrossed

On Motion of Mr. Speers of Kennebec, Retabled until Thursday next.

The President laid before the Senate:
Bill, "An Act to Amend the Charitable Solicitations Act to Change the Responsibilities of Religious and Small Organizations." (H. P. 2015) (L. D. 2090) (Emergency)

Tabled — March 3, 1978 by Senator Pierce of Kennebec

Pending — Adoption of Senate Amendment "A" (S-512)

Senate Amendment "A" Adopted.

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

Mr. PIERCE: Mr. President, Parliamentary Inquiry, have we adopted Senate Amendment "A"?

The PRESIDENT: The Chair would answer in the affirmative.

Mr. PIERCE: Then I would ask that we reconsider our action whereby we adopted Senate Amendment "A".

The PRESIDENT: The Senator from Kennebec, Senator Pierce, now moves that the Senate reconsider its actions whereby it adopted Senate Amendment "A" to L. D. 2090. Is it the pleasure of the Senate?

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

Mr. MORRELL: Mr. President, I ask for a Division.

The PRESIDENT: A Division has been requested on the Reconsideration Motion.

The Chair recognizes the Senator from Kennebec, Senator Speers.

Mr. SPEERS: Mr. President, I wonder if some member of the Committee might express the report on Senate Amendment "A" and why it is being reconsidered.

The PRESIDENT: The Senator from Kennebec, Senator Speers has posed a question through the Chair to any Senator who may care to answer.

The Chair recognizes the senator from Cumberland, Senator Morrell.

Mr. MORRELL: Mr. President, I am really not sure why it is being asked to be reconsidered. But the purpose of the Amendment is to strike out from the Charitable Act any reference to religious organizations. Pure and simple. I think that for those of us who were instrumental in suggesting this amendment to you is our feeling is philosophically that there is a separation of Church and State and that we ought to continue it. And if there are concerns about the conduct of certain religious organizations and I am just referring specifically to the monies, it seems to many of us an inappropriate vehicle to use the Charitable and Solicitations Act to try and control them. So I would hope that this morning you would not reconsider the adoption of the amendment and that we might proceed with the Bill as amended.

The Chair recognizes the Senator from Kennebec, Senator Pierce.

Mr. PIERCE: Mr. President and Members of the Senate: I ask that the Amendment be reconsidered so that we could debate this very important amendment. We have not done so yet in this body and I would ask that we do reconsider it today and then decide whether or not we do want to add this on to this bill at this time.

The PRESIDENT: A Division has been requested.

The Chair recognizes the Senator from Cumberland, Senator Morrell.

Mr. MORRELL: Mr. President, could I withdraw my request for a Division?

The PRESIDENT: The Senator from Cumberland, Senator Morrell, now requests leave of the Senate to withdraw his motion to reconsider. Is it the pleasure of the Senate to grant this leave? It is a vote.

Will all those Senators in favor of reconsideration please say yes.

Will all those opposed please say no.

The Chair is in doubt and will order a Division.

Will all those Senators in favor of the motion

to reconsider the adoption of Senate Amendment "A" please rise in their places to be counted.

Will all those opposed please rise in their places to be counted.

12 Senators having voted in the affirmative and 16 Senators in the negative, the Motion to Reconsider does not prevail.

This bill, as amended, passed to be En-grossed in non-concurrence.

Sent down for concurrence.

The Senate voted to take from the Table, Bill, "An Act Relating to the State Board of Social Worker Registration." (H. P. 1936) (L. D. 2016)

The Majority Ought to Pass Report of the Committee Accepted in concurrence. The Bill Read Once, Committee Amendment "A" Read.

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

Mr. PIERCE: Mr. President, I would now offer Senate Amendment "A" to Committee Amendment "A" (S-516)

The PRESIDENT: The Senator from Kennebec, Senator Pierce, now offers Senate Amendment "A" to Committee Amendment "A" and moves its adoption.

Senate Amendment "A" (S-516) Read.

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

Mr. PIERCE: Mr. President and Members of the Senate: We found that there was an inconsistency between the amendment added in the other body and the amendment in the Committee Amendment and this brings in line the Bill to provide consistency with the Maine Administrative Procedures Act.

Senate Amendment "A" to Committee Amendment "A" Adopted.

Committee Amendment "A", as amended, Adopted.

House Amendment "A" Read.

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

Mr. PIERCE: Mr. President, I move indefinite postponement of House Amendment "A".

The PRESIDENT: The senator from Kennebec, Senator Pierce, now moves House Amendment "A" be indefinitely postponed. Is it the pleasure of the Senate? It is a vote.

The Bill, as amended, Tomorrow Assigned for Second Reading.

The PRESIDENT: The Chair will appoint the following conferees on the part of the Senate.

RESOLVE, Authorizing Certain Employees of the State of Maine to Request an Extension of Employment after their Mandatory Retirement Age, Years of Service Requirement or Age and Years of Service Requirement. (L. D. 2140)

On the part of the Senate, the conferees will be: Senator Hichens of York, Senator Hewes of Cumberland, and Senator Levine of Kennebec.

Bill, "An Act to Establish and Apply Policy on the Classification of Major Policy-Influencing Positions below the Head of the State Department and Agencies" (L. D. 2111)

On the part of the Senate, the conferees will be: Senator Katz of Kennebec, Senator Morrell of Cumberland, and Senator Martin of Aroostook.

All matters previously acted upon were ordered sent forthwith.

On motion of Mr. Huber of Cumberland, Recessed until 4:00 in the afternoon.

(Recess)

(After Recess)

Senate called to order by the President.

Out of order and under suspension of the

rules, the Senate voted to consider the following:

Papers from the House Non-concurrent Matter

Bill, "An Act to Provide Interpreter Service for the Hearing Impaired." (S. P. 720) (L. D. 2169)

In the Senate, March 2, 1978 Passed to be En-grossed as amended by Senate Amendment "A" (S-510)

Comes from the House, Passed to be En-grossed, in non-concurrence.

On Motion of Mr. Lovell of York, the Senate voted to Recede and Concur.

Non-concurrent Matter

Bill, "An Act Providing for Notice to Parents under the Child Abuse and Neglect Statutes." (H. P. 2143) (L. D. 2160)

In the Senate, March 1, 1978 Passed to be En-grossed in concurrence.

Comes from the House, Passed to be En-grossed as amended by House Amendment "A" (H-1119) in non-concurrence.

On motion of Mr. Lovell of York, the Senate voted to Recede and Concur.

Paper From the House House Paper

Bills requiring reference to Committee were acted upon in concurrence.

Joint Orders

Expressions of Legislative Sentiment recognizing that:

Cindy Rand, a graduating senior at Hampden Academy, has scored 1580 points during her high school career in school-girl basketball, (H. P. 2175)

James E. Bowdoin, a student at Winslow High School, was a finalist in the piano competition at the National High School Musical Festival, held at Bob Jones University in Greenville, South Carolina, (H. P. 2176)

Kathy Hurn, daughter of Lt. Col. and Mrs. William Hurn of Loring Air Force Base, Maine, has been named Maine's Junior Miss for 1978, (H. P. 2179)

George I. Gould, M. D., of Richmond, who has served the medical profession in Sagadahoc and Kennebec Counties for over 30 years has been honored by having the Richmond-Bowdoinham-Dresden Area Medical Center dedicated in his honor, (H. P. 2181)

Come from the House, Read and Passed.
Which were Read and Passed in concurrence.

Joint Order

WHEREAS, the State of Maine has had to borrow over \$32,000,000 from the Federal Government to finance the payment of unemployment compensation benefits; and

WHEREAS, Maine employers will be required to pay back the federal loans; and

WHEREAS, there are questions concerning the fairness of the existing contribution and tax tables applied to Maine employers; and

WHEREAS, the future solvency of the State Unemployment Compensation Fund is crucial to the state's ability to repay the federal loans; now, therefore, be it

ORDERED, the Senate concurring, that the Joint Standing Committee on Labor be authorized to study how the Employment Security Act and the State Unemployment Compensation Fund can more effectively and equitably protect the rights of all concerned parties; and be it further

ORDERED, that the Joint Standing Committee on Labor shall complete this study no later than December 1, 1978, and submit to the Legislative Council within the same time period its findings and recommendations, including copies of any recommended legislation in final draft form; and be it further

ORDERED, Upon passage in concurrence, that a suitable copy of this Order shall be forwarded to members of the committee. (H. P.

2180)

Comes from the House, Read and Passed.
Which was Read.
On motion of Mr. Speers of Kennebec, Tabled
Pending Passage.

Joint Order

WHEREAS, the productivity of the state's soil and water resources is of great importance and benefit to the general welfare of Maine; and

WHEREAS, farming, silvicultural and construction activities on agricultural, forest and other public and private lands can cause erosion of soil; and

WHEREAS, this erosion can result in loss of soil and soil productivity as well as sedimentation and pollution of the waters of the State; and

WHEREAS, it may be necessary to provide for improved methods for carrying out these vital activities to prevent or control erosion; now, therefore, be it

ORDERED, the Senate concurring, that the Joint Standing Committee on Natural Resources study and assess this problem, and determine whether or not a threat to the conservation of this soil resource exists, and whether or not a threat to the conservation of this soil resource exists, and whether or not a threat to the waters of this state from erosion and sedimentation exists; and be it further

ORDERED, that the committee shall complete this study no later than December 1, 1978 and submit to the Legislative Council within the same time period its findings and recommendations, including copies of any recommended legislation in final draft form; and be it further

ORDERED, Upon passage in concurrence, that a suitable copy of this Order shall be forwarded to members of the committee. (H. P. 2177)

Comes from the House, Read and Passed.
Which was Read.

On motion of Mr. Speers of Kennebec, Tabled
Pending Passage.

Joint Resolution**A Joint Resolution in Memoriam:**

WHEREAS, the Legislature has learned with deep regret of the death of Donald J. Robertson of Woodland, a faithful servant of that community, (H. P. 2182)

Comes from the House, Read and Adopted.
Which was Read and Adopted in concurrence.

Joint Resolution**Joint Resolution Expressing
Opposition to the
Killing of Harp Seals**

WHEREAS, marine mammals, including whales and seals, often range far in the earth's oceans and are a resource belonging to all of mankind, not just to any one nation; and

WHEREAS, the Maine Legislature has historically shown a great concern for the protection and conservation of all marine resources, including marine mammals; and

WHEREAS, it has come to the attention of the Legislature that Canadian and Norwegian sealers annually kill over 150,000 young and mature harp seals on the ice flows of the St. Lawrence River and off the coasts of Newfoundland and Labrador; and

WHEREAS, the chief objects of this slaughter are harp seals less than 10 days old whose white fur is used by furriers for trims, linings, trinkets and other frivolous items; and

WHEREAS, sealers kill these seal pups by clubbing them to death, a method which avoids damage to their fur and which takes advantage of the fact that the pups who have not yet learned to swim cannot escape the sealers; and

WHEREAS, the Canadian government has set this year's kill quota of harp seals at 180,000 a level which may seriously endanger the continued survival of this species of marine

mammal, and

WHEREAS, the killing of young harp seals for their fur is of questionable economic value to Canada and Norway, especially when compared to the danger which the killing poses to the very existence of this marine mammal; and

WHEREAS, the United States prohibits the importation of harp seal fur under the Marine Mammal Protection Act of 1972, and France prohibits the importation of harp seal fur as well; and

WHEREAS, many persons, both in Canada and throughout the world, are deeply troubled by this continued cruel killing of harp seal pups and harp seal adults; now, therefore, be it

RESOLVED: That we, the members of the 108th Legislature, now assembled in the Second Regular Session, do hereby declare our profound opposition to the continued cruel killing of harp seals on the ice flows of the St. Lawrence River and off the coasts of Newfoundland and Labrador; and be it further

RESOLVED: That upon passage in concurrence, a suitable copy of this resolution be prepared by the Clerk of the House for presentation to Belton P. Mouras, President, The Animal Protection Institute. (H. P. 2178)
Comes from the House, Read and Adopted.
Which was Read.

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

Mr. HEWES: Mr. President and Members of the Senate: I move the Indefinite Postponement of this Resolution and would speak to my motion.

The PRESIDENT: The Senator from Cumberland, Senator Hewes, now moves that this Joint Resolution be Indefinitely Postponed.

The Senator has the Floor.

Mr. HEWES: Mr. President and Members of the Senate: I feel that this Resolution which relates to an activity in Canada and Norway, perhaps, is something that we in this Legislature should not be involved. We are talking international foreign affairs. The State Department in Washington has its problems with many parts of the world, and I do not think that we ought to contribute to a further problem. I am not discussing the merits of the issue involved, it is the idea of us passing a Joint Resolution which relates to something of which we have no control. We could just be a laughing stock for passing something of this nature, adopting something of this nature, and I hope that you will vote to Indefinitely Postpone.

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

Mr. CONLEY: Mr. President and Members of the Senate: I am a little bit surprised at the good Senator from Cumberland, Senator Hewes, would make the motion to Indefinitely Postpone this Joint Resolution. It seems to me that this state considers Canada to be almost the 51st State of the Union and we have established a compact between at least bordering the northern tip of this state with Canada, and it seems to me that we have expressed that we wanted to strengthen our relations between Canada and this state.

I have a great deal of personal concern myself as an individual from the largest urban center in the state as to what takes place every year, with respect to the slaughtering of these seals and I think that it might be interesting that members of this Senate got some ideas as to the history and the relationship of what is taking place in these parts of the world. The Resolve before you, if passed, has a voice of the 100th Maine Legislature and many other voices from all corners of the globe calling for the end of the annual slaughter of the harp seals in Canada. Since 1895 more than 17.5 million seals have been killed with virtually no effect to control the hunt or examine the ecological impact. Only since 1971 has there been a quota system, whatever, and its impact on the number of seals killed seems minimal. In 1971

the Canadian Minister of Fisheries established a Special Advisory Committee on seals and sealing. Recognizing that the uncontrolled effects of the hunt has seriously decreased the population of the harp seals. This committee recommended in 1972 a phasing out of sealing by 1974 and a 6 year moratorium which would allow both scientific study and replenishment of the seal herds. Quite obviously this recommendation was never followed up on. Instead the seal hunt is on each and every year since then. The principle object of the hunt is the fact that the hunters attack them with clubs and beat them to death in order to preserve the quality of their coats. In 1972, the U.S. Congress passed into law, the Marine Mammal Protection Act, which forbids the importation of seal pelts into the United States and again last year, Congress passed Resolves similar to this one calling for an end to the hunt.

Quite obviously this legislative body cannot control the actions of people in other countries, but we can see that we stand in opposition to the killing because of the ecological disaster because it threatens an entire species, and because we believe that this species, like all wild animals, should be preserved for the future generations and we can say that we oppose to the very brutality of the actions that we do not condone the killing of thousands of defenseless infant seals with clubs.

I would suggest that because we have a responsibility to future generations, that we not only have the right to speak out against this brutal and indefensible action, but we have a obligation to do so.

I would urge you to vote against the pending motion.

It has come to my attention that the majority party here has already caucused on this Joint Resolution, but I wonder if you take that action to killing this Resolution if it were elephants we were talking about.

The PRESIDENT: The Chair recognizes the Senator from York, Senator Hichens.

Mr. HICHENS: Mr. President and Members of the Senate: It seems to be getting quite routine in this legislative session that when a Resolution is introduced, that the good Senator from Cumberland, gets up and makes a motion to Indefinitely Postpone it, and I have to get up and try to defend the passage of the Resolution. I think that this is the third time in this special session that this has happened, and I too cannot understand why he gets up to oppose the Resolution stating that it does not have any effect. It may not have any legal effect, but it certainly has an effect on the people around this state who are interested in the Resolutions which have been presented.

This Resolution this afternoon will express legislative sentiment in opposition to the annual slaughter of the harp seals in Labrador and the Gulf of St. Lawrence. This is the obvious extension of long-term opposition to the seal slaughter in particular and to all inhumane and ecologically indefensible actions in general. I think the people of Maine deserve some brief background information on this policy along with what the other good Senator has presented this afternoon.

The harp seals are indigenous to the North Atlantic Region. They spend the summer months feeding in the Hudson Bay area and in Greenland, heading south to Labrador and the Gulf of St. Lawrence in the late autumn. The adult females congregate in the Gulf of St. Lawrence west of the Magdalen Islands and off the coast of Labrador late in February and early in March to give birth to the pups. It is the pups, whose coats are snowy white, who are the principal objects of the hunt. They are killed by the thousands, in annual near-decimation of each generation, to supply white furs and for people's vanity.

Since 1961 conservationists and humane groups have fought a difficult battle against this policy. They have sought a difficult battle

against all policies in relation to this Order. They have sought both a permanent end to the slaughter and a moratorium of several years in order to allow the herds to replenish and also to allow scientists an opportunity to do more in-depth studies of the effects of the hunt.

Among the objections to the hunt are economic objections, ecological objections, and humane or moral objections. Because the hides of the pups are more valuable if they are undamaged, the hunters attack them with clubs, beating them to death or knocking them unconscious. The pups are utterly defenseless inasmuch as they are only days old and unable to swim.

I have a personal reflection of this. A couple of years ago my wife and I stayed a few days on what they call Seal Island in Nova Scotia which was named by Champlain because of the amount of seals around that island. We saw a couple of these pups which had been rescued by fishermen. My wife cuddled one in her arms and explained how soft the fur was and we also saw how defenseless these little pups were. Now I realize as a farmer that there are laws that regard killing of animals and chickens and so forth as a poultry farmer, I killed a great many chickens and realized they are a food product and they have to be killed. But it is the manner in which these young pups are killed which bothers me as a humanitarian. In some cases they are even skinned alive!

All of the arguments against the slaughter are valid. It is difficult to understand how people can attack and beat to death defenseless baby animals with the purpose of supplying furs to trim the coats of the wealthy and elite, but the Canadian government annually spends a considerable amount of money to promote this activity worldwide, citing two justifications. These are; that the kill generates some \$3.5 million in revenues for the hunters and that the seals compete with the fishing industry.

It is my contention that the \$3.5 million figure is minimal in comparison to the Canadian gross national product and at any rate uncontrolled hunting will, in the long run, so decrease the seal herds that the hunters are economically cutting their own throats.

Essentially, this Resolution will stand as a statement of the people of Maine, through their elected legislators, opposing this action.

At a time when all nations of the world should be (and indeed are) becoming increasingly aware of the limitations of our natural resources and when we should also be more and more conscious that the oceans and their resources are the province of all people, the brutal slaughter of the harp seals simply cannot be condoned any longer. It is economically, ecologically, and morally indefensible and I urge everyone who believes that we have a responsibility to future generations to vote for this Resolution.

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

Mr. MERRILL: Mr. President and Members of the Senate: My friendship with the Senator from Cumberland, is well known. The fact that we share a common geography is well known, the fact that we often agree is well known, and today I could not agree more with the Senator from Cumberland, Senator Hewes, than I do. This Resolution has no place in this Legislature I am sure that somebody in Tuskegee is doing something that we do not like as well, would somebody suggest that we put in an Order on that.

You know, frankly, it is amusing and distressing that with all the problems the state faces, we spend hours debating whether or not some activity should go on in Canada which we cannot control.

I remember near the end of the last Special Session or the Second Session, I guess we should call it, Senator Berry, the former Senator from Cumberland, put in an Order to honor Andre's the Seal, probably hearing about

the fact that he had been honored by that gentlemen decided to the fitting thing to do is to jump in somebody's boat and bite somebody. In any case, I do not know if it was cause and effect, but he did it for the first time in his history immediately following Senator Berry's action. But I really think that we could find better things to concentrate our efforts on than instructions to the Canadian government as to what policy to pursue; with their seal policy and as much as I hope that the seals will not be slaughtered, I hope that this Order will be and I think that we ought to put it to rest as quickly as possible.

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

Mr. HEWES: Mr. President and Members of the Senate: In response to my good compatriot from Cumberland, Senator Conley, I would like to strengthen relations with Canada too. I do not know if you were talking about the Province of Quebec or the Maritime Provinces when you want to strengthen relations.

I do not think that we will strengthen relations with Canada by sticking our noses in their internal affairs. Here in Maine, approximately thirty thousand deer are slaughtered or killed each year, many others remain wounded and crawl off to die. What if the Parliament, if that is the right term or the legislative body of Quebec or New Brunswick or Nova Scotia, should send a Resolution similar to this urging us to stop our deer hunt or deer kill here in Maine. I think that it would be ridiculous. I concur wholeheartedly with the good Senator from Cumberland, Senator Merrill, that we have much more important matters with which to deal today and I certainly hope that you will vote to Indefinitely Postpone this Resolution.

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

Mr. CONLEY: Mr. President and Members of the Senate: I respect my good colleague, the junior Senator from Portland, I would remind him that he voted for the Senator Berry Resolution.

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

Mr. CARPENTER: Mr. President, I hesitate to arise and debate this particular issue and I have been inspecting the attire of my colleague, my seatmate here and I think that his shoes may be suspect. I think perhaps he has a vested interest in this.

Being one that is not afraid to stick a rather prominent nose into somebody else's business, I think that we ought to heed the remarks of the good senator from York, Senator Hichens I am sure that if the slaughter of the Maine deer herd was as detestible and as gross as I find the action being debated here today, I am sure that we would have the Parliament of all the various Provinces of Canada rising in great protest over our action. I do not think that there is anything wrong whatsoever with the state of Maine saying collectively through its Legislature that, yes we do like this or no we do not like that. I have seen certainly and I am looking at some of them here in front of me, granted most of these are Maine people who have done fine and wonderful things for six months or sixteen years but I would just point out to you that the argument that we are wasting our time down here and this is going to have no effect and all of that, had this Order gone under the hammer as so many of them have, we would not have spent the last fifteen minutes debating this fifteen legislative minutes, translates into so many dollars I know that and if the opponents of this had decided to let this go as so many have gone under the hammer then we would not have wasted that particular amount of time.

I have never seen a harp seal. We do not have too many in Aroostook County that I know of. I do not think that what we say here is going to have any great effect on what the Canadian government does. But I do think that is very ap-

propriate for the Maine Legislature shall stand up on its hind legs and say, no we do not like it. And perhaps if the Alabama Legislature shall say that they do not like the way we harvest deer or slaughter deer whatever terms you want, fine let them to it, let them pass the word to the state of Maine perhaps if enough of this happens we will cease the deer hunt in Maine. I hope not, but if it is that reprehensible. But I think that you are talking about a practice that is condemned world wide, and I do not think that the state of Maine should be the least bit hesitant to adding its voice to that world wide cry of scorn, if you will. And I am very sorry to hear that this has been discussed at caucus. I do not think that it is an issue that is significant enough and perhaps if we had Bridget Bardot here we would not have to worry about this.

The PRESIDENT: The Chair recognizes the Senator from York, Senator Farley.

Mr. FARLEY: Mr. President and Members of the Senate: In my three terms down here, two in the other body and one term here I have seen many of these Joint Resolutions offered and I suppose the motion Indefinitely Postpone is usually based on who the sponsor of the bill usually effects one party or another, one way or the other. I do not believe that this Joint Resolution does. I do not communicate on a daily basis with my Melvin Perkins but I have seen the slaughter of these baby seals on television and I find a little revolting.

A quick response to the Senator from Cumberland, Senator Hewes. One difference between this Resolution of this practice here and the practice of the state of Maine, we certainly do not allow hunting of deer in spring with the young fawns and we usually let the fish grow to a length where they have at least some means of escape. And I think that it would only be consistent that we if you want to sit these things over the hill when they are four or five years old when you catch them fine, but when they cannot do anything about I think, and I would hope that we would. Perhaps this Resolution and I would ask that when the vote be taken, it be taken by the yeas and nays.

The PRESIDENT: A roll call has been requested.

The Chair recognizes the Senator from Washington, Senator Wyman.

Mr. WYMAN: When I first saw this order I immediately thought that we were probably having difficulty enough to run our own state without telling the Canadian people what to do. Now if these seals were at the mouth of the Kennebec River I could see some point in taking action, but when we have the difficulties that we have in running our own state I think that we had better well keep out of Canadian affairs, or the affairs of any other nation. And I certainly hope that this Order fails.

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

Mr. MERRILL: Mr. President and Members of the Senate: In response to the observation made by the Senator from Cumberland, the all too senior Senator Conley, I would point out that it is a matter of public record that the only reason that I did not move to Indefinitely Postpone the Order of the former Senator from Cumberland, Senator Berry was that it was being offered as his swan song. Sort of a trade off, for his leaving and I would be willing to bargain with the people proposing this Resolution today.

The PRESIDENT: A roll call has been requested. In order for the Chair to order a roll call, it must be the expressed desire of one-fifth of those Senators present and voting.

Will all those Senators in favor of a roll call please rise in their places to be counted.

Obviously more than one-fifth having arisen, a roll call is ordered.

The pending question before the Senate is the motion by the Senator from Cumberland, Senator Hewes, that H. P. 2178 be Indefinitely Postponed.

A yes vote will be in favor of Indefinite Postponement.

A nay vote will be opposed.

The Doorkeepers will secure the Chamber.

The Secretary will call the roll.

ROLL CALL

YEA — Chapman, Collins, D. F.; Collins, S.; Cummings, Curtis, Greeley, Hewes, Huber, Jackson, Levine, Lovell, McNally, Merrill, Pierce, Redmond, Wyman.

NAY — Carpenter, Conley, Danton, Farley, Hichens, Minkowsky, Morrell, O'Leary, Pray, Snowe, Trotzky, Usher.

ABSENT — Katz, Mangan, Martin, Speers. 16 Senators having voted in the affirmative, and 12 Senators in the negative, with 4 Senators being absent, the motion to Indefinitely Postpone does prevail.

Sent down for concurrence.

Committee Reports

House

Leave to Withdraw

The Committee on Natural Resources on, Bill, "An Act to Authorize the Land Use Regulation Commission to Set Construction Standards for Logging Roads in Territory Under its Jurisdiction." (H. P. 1923) (L. D. 1984)

Reports that the same be granted Leave to Withdraw.

Comes from the House, the Report Read and Accepted.

Which Report was Read and Accepted in Concurrence.

Ought to Pass — As Amended

The Committee on Agriculture on, Bill, "An Act to Readjust Disbursement of the Potato Tax Fund." (H. P. 2067) (L. D. 2128)

Reports that the same Ought to Pass as Amended by Committee Amendment "A" (H-1110).

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

The Committee on Judiciary on, Bill, "An Act to Require the Judicial Department to Reimburse Counties Quarterly for the Expenses of Bailiffs and Other Court and Jury Officers. (Emergency) (H. P. 2110) (L. D. 2143)

Reports that the same Ought to Pass as Amended by Committee Amendment "A" (H-1109).

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

The Committee on Taxation on, Bill, "An Act to Establish a Uniform Confidentiality Statute for Tax Information and to Update the Maine Income Tax Law with Respect to the Internal Revenue Code." (H. P. 1952) (L. D. 2031)

Reports that the same Ought to Pass as Amended by Committee Amendment "A." (H-1111).

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

Which Reports were Read and Accepted in Concurrence. The Bills Read Once.

Committee Amendments "A" were Read and Adopted in Concurrence. The Bills, as Amended, Tomorrow Assigned for Second Reading.

Enactors

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

"An Act to Amend the University of Maine Labor Relations Act." (H. P. 1919) (L. D. 1980)

"An Act to Encourage the Formation of Small Business Investment Companies." (S. P. 675) (L. D. 2083)

"An Act to Clarify Admission Procedures at Pineland Center." (H. P. 2016) (L. D. 2091)

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 Allow Nursing Homes to Provide Physical and Occupational Therapy to Residents in Need of That Care." (H. P. 1913) (L. D. 1974)

This being an emergency measure and having received the affirmative votes of 23 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

RESOLVE, for Laying of the County Taxes and Authorizing Expenditures of Lincoln County for the Year 1978. (H. P. 2140) (L. D. 2161)

This being an emergency measure and having received the affirmative votes of 23 members of the Senate, was finally passed and having been signed by the President, was by the Secretary presented to the Governor for his approval.

Out of order and under suspension of the rules, the Senate voted to consider the following:

Committee on Agriculture

The Honorable Joseph Sewall
President of the Senate
State House

Augusta, Maine 04333

Dear President Sewall: The Committee on Agriculture is pleased to report that it has completed all business placed before it by the Second Session of the 108th Legislature.

Bills Received in Committee	9
Unanimous Reports	9
Ought to Pass as Amended	7
Ought to Pass	1
Leave to withdraw	1
Ought not to Pass	0

Sincerely,

Signed: **WALTER W. HICHENS**
Chairman

Which was Read and Ordered Placed on File.

Orders

Expressions of Legislative Sentiment recognizing that:

Mrs. Dorothy Wood of Eliot is retiring after faithfully serving as town clerk for the past 10 years, (S. P. 726)

Mrs. Christine Webber of Eliot is retiring after faithful service as town clerk, then as town treasurer, for the past fifteen years, (S. P. 727)

Are presented by Senator Hichens of York, (Cosponsored by: Representative McPherson of Eliot)

Which were Read and Passed.

Sent down for concurrence.

Committee Reports

Senate

Leave to Withdraw

Mr. Wyman for the Committee on Taxation on, Bill, "An Act Exempting Electricity from Taxation Under the Sales and Use Tax Law." (S. P. 635) (L. D. 1994)

Reports that the same be granted Leave to Withdraw. Which Report was Read. On motion of Mr. Speers of Kennebec, Tabled for One Legislative Day, pending Acceptance of the Committee Report.

Mr. Jackson for the Committee on Taxation on, Bill, "An Act to Establish a Retirement Income Tax Credit That is Equal to 20 of the Federal Credit." (S. P. 622) (L. D. 1910)

Reports that the same be granted Leave to Withdraw. Which Report was Read. On motion of Mr. Jackson of Cumberland, Tabled, pending Acceptance of the Committee Report.

On motion of Mr. Huber of Cumberland, Adjourned until 10:00 o'clock in the morning,

March 7, 1978.