

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

One Hundred and Fifth

Legislature

OF THE

STATE OF MAINE

1971

KENNEBEC JOURNAL
AUGUSTA, MAINE

HOUSE

Thursday, March 11, 1971

The House met according to adjournment and was called to order by the Speaker.

Prayer by the Rev. Mr. Leonard LeClair of Togus.

The journal of yesterday was read and approved.

Papers from the Senate

From the Senate: The following Communication: (S. P. 428)

**MAINE-NEW HAMPSHIRE
INTERSTATE BRIDGE
AUTHORITY
AUGUSTA, MAINE**

March 8, 1971

To the Honorable Senate and House of Representatives of the One Hundred and Fifth Legislature:

Transmitted herewith is the Sixteenth Biennial Report of the Maine-New Hampshire Interstate Bridge Authority which is being presented in accordance with Chapter 18, Article VI, Private and Special Laws of 1937.

Respectfully submitted,
(Signed) DAVID H. STEVENS

David H. Stevens, Chairman
Maine-New Hampshire Interstate
Bridge Authority

Came from the Senate read and with accompanying Report ordered placed on file.

In the House, the Communication was read and with accompanying Report ordered placed on file in concurrence.

From the Senate: The following Communication: (S. P. 435)

**STATE OF MAINE
DEPARTMENT OF AUDIT
AUGUSTA, MAINE**

January 15, 1971

To Governor Kenneth M. Curtis and Members of the One Hundred and Fifth Legislature

In compliance with statutory requirements, I submit herewith the annual report of the State Auditor for the fiscal year ended June 30, 1970. The financial data presented herewith are based upon the accounting records maintained in the Bureau of Accounts and Control.

Scope of Examination

We have made an extensive examination of major pertinent transactions; such as, appropriations and dedicated revenues, carrying balances, transfers and reserves; verified cash balances by direct communication with the depositories; securities in custody of the State Treasurer were inspected; other securities were verified by direct correspondence with the custodial banks. Verified other assets and liabilities by such other auditing procedures as were considered necessary in the circumstances, and tested major sources of revenue on a selective basis. We did not make a detailed examination of all recorded transactions on the general books of the State for the year. We did, however, make a detailed examination of accounting records, procedures and internal controls, and verified financial transactions on a selective basis in our postaudits of the activities of the major State departments during the year. The results of these audits, together with comments, exceptions, and recommendations are contained in our individual audit reports submitted to the respective departments.

Auditor's Opinion

Based on the scope of our examinations, it is our opinion that, except for the exclusion of certain trust and operating fund transactions and balances recorded and controlled locally by State agencies and not reflected herein, the accompanying financial statements present fairly the financial position of the operating funds of the State of Maine at June 30, 1970, and the results of their operations for the fiscal year then ended, in conformity with generally accepted governmental accounting principles applied on a consistent basis.

Respectfully submitted,
(Signed) R. M. RIDEOUT, JR.
State Auditor

Came from the Senate read and with accompanying Report ordered placed on file.

In the House, the Communication was read and with accompanying Report ordered placed on file in concurrence.

Bills from the Senate requiring reference were disposed of in concurrence.

Reports of Committees Ought to Pass

Report of the Committee on Legal Affairs reporting "Ought to pass" on Bill "An Act to Amend the Charter of Portland Widows' Wood Society" (S. P. 180) (L. D. 532)

Report of the Committee on Taxation reporting same on Bill "An Act Repealing the Interim State Valuation of Municipalities" (S. P. 265) (L. D. 771)

Report of same Committee reporting same on Bill "An Act Exempting Certain Incorporated Nonprofit Nursing Homes from the Sales Tax" (S. P. 288) (L. D. 842)

Came from the Senate with the Reports read and accepted and the Bills passed to be engrossed.

In the House, the Reports were read and accepted in concurrence, the Bills read twice and tomorrow assigned.

Divided Report Tabled Later in the Day

Majority Report of the Committee on State Government reporting "Ought not to pass" on Bill "An Act relating to Legislative Counsel or Agents" (S. P. 13) (L. D. 41)

Report was signed by the following members:

Messrs. JOHNSON of Somerset
WYMAN of Washington
CLIFFORD
of Androscoggin
— of the Senate.

Messrs. HODGDON of Kittery
DONAGHY of Lubec
MARSTALLER
of Freeport
CURTIS of Orono
STILLINGS of Berwick
— of the House.

Minority Report of same Committee reporting "Ought to pass" on same Bill.

Report was signed by the following members:

Messrs. FARRINGTON
of Old Orchard Beach
COONEY of Webster
STARBIRD
of Kingman Township
Mrs. GOODWIN of Bath
— of the House.

Came from the Senate with the Minority Report accepted and the Bill passed to be engrossed.

In the House: Reports were read
The SPEAKER: The Chair recognizes the gentleman from Pittsfield, Mr. Susi.

Mr. SUSI: Mr. Speaker and Ladies and Gentlemen of the House: This is the first of four divided reports that we have before us this morning. And I am of the opinion that each of these divided reports is going to generate some debate at any rate. If you look further in the calendar you will find that we will have eight third readers and fifteen enactors.

We are supposed to adjourn at 10 o'clock on account of scheduled executive meetings. So we would like to get through our third readers and enactors. I would hope for this reason that as these divided reports come up that we could table them until later in the session so that we can handle them at that time if we have time. Thank you.

(On motion of Mr. Donaghy of Lubec, tabled pending acceptance of either Report and later today assigned.)

Non-Concurrent Matter

Bill "An Act to Reconstitute School Administrative Districts Numbers 12, 22, 59, 74, 75, 76 and 77" (H. P. 646) (L. D. 876) which was passed to be engrossed as amended by Committee Amendment "A" and House Amendment "A" in the House on March 9.

Came from the Senate recommended to the Committee on Education in non-concurrence.

In the House: On motion of Mr. Millett of Dixmont, the House voted to recede and concur.

Non-Concurrent Matter

An Act relating to Record of Plans by Registers of Deeds (H. P. 728) (L. D. 816) which was passed to be enacted in the House on March 4 and passed to be engrossed on February 25.

Came from the Senate indefinitely postponed in non-concurrence.

In the House: On motion of Mr. Dyar of Strong, the House voted

to insist and ask for a Committee of Conference.

**Petitions, Bills and Resolves
Requiring Reference**

The following Bills were received and, upon recommendation of the Committee on Reference of Bills, were referred to the following Committees:

County Government

Bill "An Act Increasing Certain Fees for Deputy Sheriffs" (H. P. 1070) (Presented by Mrs. Lincoln of Bethel)

(Ordered Printed)

Sent up for concurrence.

Judiciary

Bill "An Act relating to Presumption of Operation of Motor Vehicles by the Registered Owner" (H. P. 1071) (Presented by Mr. Hardy of Hope)

(Ordered Printed)

Sent up for concurrence.

Labor

Bill "An Act relating to the Availability in Industries of On-site Medical Facilities and Personnel" (H. P. 1072) (Presented by Mr. McTeague of Brunswick)

Bill "An Act relating to Compensation for Injury to Employee Because of Violation of Law under Workmen's Compensation Law" (H. P. 1073) (Presented by same gentleman)

Bill "An Act relating to Termination of Compensation under Workmen's Compensation Law" (H. P. 1074) (Presented by same gentleman)

(Ordered Printed)

Sent up for concurrence.

Legal Affairs

The following Bill approved by a majority of the Committee on Reference of Bills for introduction:

Bill "An Act to Clarify the Law Relating to Nonvoters Speaking at Town Meetings" (H. P. 1075) (Presented by Mr. Kennedy of Milbridge)

(Ordered Printed)

Sent up for concurrence.

Natural Resources

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) (Presented by Mr. Whitson of Portland)

(Ordered Printed)

Sent up for concurrence.

Public Utilities

Bill "An Act Requiring a Reduced Rate of at Least 50 per cent by Gas, Electric and Telephone Companies for Service to the Elderly" (H. P. 1077) (Presented by Mrs. Goodwin of Bath)

(Ordered Printed)

Sent up for concurrence.

State Government

Bill "An Act relating to Representation of the Board of Harbor Commissioners for the Harbor of Portland by the Attorney General" (H. P. 1078) (Presented by Mr. McKinnon of South Portland)

(Ordered Printed)

Sent up for concurrence.

Taxation

Bill "An Act Exempting Sales Through Certain Coin-operated Vending Machines from the Sales Tax" (H. P. 1079) (Presented by Mr. Carey of Waterville)

Bill "An Act relating to Tax Exemption of Property of Agricultural Fair Associations" (H. P. 1080) (Presented by Mr. Dam of Skowhegan)

Bill "An Act Establishing a State Board of Regional Assessment" (H. P. 1081) (Presented by Mr. Henley of Norway)

(Ordered Printed)

Sent up for concurrence.

Orders

The SPEAKER: The Chair recognizes the gentleman from Standish, Mr. Simpson.

Mr. SIMPSON: Mr. Speaker, I would ask if the House is in possession of L. D. 298.

The SPEAKER: The Chair would answer in the affirmative.

Mr. SIMPSON: Mr. Speaker, I would rise to move that this body reconsider its action of yesterday in which we indefinitely postponed this measure, and I would like to speak to my motion.

The SPEAKER: The gentleman from Standish, Mr. Simpson,

moves that the House reconsider its action of yesterday whereby the Report and Bill were indefinitely postponed on Bill "An Act Providing for Adult Identification Cards under Liquor Law," Senate Paper 119, L. D. 298. The gentleman may proceed.

Mr. SIMPSON: Mr. Speaker and Ladies and Gentlemen of the House: Yesterday you had before you a bill which would provide for adult identification cards under liquor control. This particular bill has been consistently tabled throughout the course of this session since we have had it in our possession. I do not feel that the people in this body really fully understood what was taking place yesterday, and I would hate to see a bill of this significance go down in defeat without having its debate on this floor within its merits or non-merits.

I would therefore ask that you support me and that this bill be reconsidered and open for debate.

Mr. Vincent of Portland requested a division.

The SPEAKER: The pending question is reconsideration. Is it the pleasure of the House to reconsider our action of yesterday whereby the Report and Bill were indefinitely postponed? All in favor say aye; those opposed say nay.

A viva voce vote being taken, the motion prevailed.

The SPEAKER: The pending question is indefinite postponement.

The Chair recognizes the gentleman from Norway, Mr. Henley.

Mr. HENLEY: Mr. Speaker, I move this be tabled for two legislative days.

The SPEAKER: The gentleman from Norway, Mr. Henley, moves this matter be tabled until two legislative days pending the motion to indefinitely postpone. Is this the pleasure of the House?

(Cries of "No")

The SPEAKER: The Chair will order a vote. If you are in favor of tabling this matter for two legislative days you will vote yes; if you are opposed you will vote no.

A vote of the House was taken.

66 having voted in the affirmative and 70 having voted in the

negative, the motion did not prevail.

The SPEAKER: The Chair recognizes the gentleman from Standish, Mr. Simpson.

Mr. SIMPSON: Mr. Speaker and Ladies and Gentlemen of the House: I think that the question here is very simple and I would ask you to ask yourselves if you were in a position of a store owner or in a position of an individual working in a store, and a young man or a young woman of today's age, in the category of 18, 19, 20, 21 or 22 years of age were to approach you and ask to purchase liquor, could you, by looking at these people, say yes, you are 20, or you are 21, or you are 22? I think this is the question that this particular bill wants to prevent.

Up until just recently the State Liquor Commission provided adult identification cards for adults that were old enough to purchase liquor. When this person entered into a store, the store owner had the right to refuse the sale of liquor to these people if they did not have such a card. That card was paid for by the State. Subsequently, the moneys were taken away, and the identification cards were removed. This bill would require that those persons reaching the age of 20 and over who would like to have the privilege of purchasing liquor purchase an adult identification card from the Liquor Commission for the price of one dollar. That would not be any money that would be paid by the state. The Liquor Commission has the backing, will support this, and I feel that we owe this to our store owners in the State of Maine, and the people working in those stores that they have some type of legal way to make sure that they are selling liquor to an adult and not to a minor.

I would hope that you would support me, and that this not be indefinitely postponed, but that we concur with the Senate.

The SPEAKER: The Chair recognizes the gentleman from Portland, Mr. Vincent.

Mr. VINCENT: Mr. Speaker and Ladies and Gentlemen of the House: This bill has only been tabled once since it has been in

the House, and I think it has been held up in committee quite a bit. So it hasn't been on the table all that long.

A brief history of what we had last session. We had some liquor ID's on the books last session which were abolished. And last time around there, the state provided the fee for liquor ID's of 55 cents per person.

The request this time is for a dollar to be paid for all adults. There are no provisions in this particular bill to cover tourists or summer residents, of which we get thousands in the state during the summer. I feel that the proper place for any photographic type identification would be in Motor Vehicles where they can be handled on drivers' licenses, and be available to all people, and that they be an aid for cashing checks, or if you were stopped for a traffic violation it would certainly be a help to the State Police.

At present anyone that wishes state identification could presently go to any police barracks and obtain the adequate identification needed. It isn't mandatory that anyone have this identification, which means that a person wouldn't necessarily have to have it to go in to purchase beverages at any given place.

At present we are overburdened with identification. Most people carry a driver's license, Selective Service card, Social Security cards, numerous other identifications. And I feel that this would be one more area of just additional identification, for the sake of identification.

At present you pay \$5 for a driver's license, and it isn't worth anything as far as the Liquor Commission is concerned in the area of identification. If you are paying \$5 for a piece of paper it should be adequate for identification, and we shouldn't have to pay an additional dollar for liquor identification.

For these reasons I hope that you will go along with the indefinite postponement. Thank you.

The SPEAKER: The pending question is indefinite postponement. If you are in favor of indefinitely postponing the Report and Bill you

will vote yes; if you are opposed you will vote no.

A vote of the House was taken.

46 having voted in the affirmative and 89 having voted in the negative, the motion did not prevail.

Thereupon, on motion of Mr. Simpson of Standish, the Report was accepted in concurrence.

The Bill was read twice.

Committee Amendment "A" (S-20) was read by the Clerk and adopted in concurrence and the Bill assigned for third reading tomorrow.

House Reports of Committees Ought Not to Pass

Mrs. Cummings from the Committee on Health and Institutional Services reported "Ought not to pass" on Bill "An Act Prohibiting Administration of Behavioral and Tranquilizing Drugs in Schools" (H. P. 591) (L. D. 786)

Mr. Henley from the Committee on Judiciary reported same on Bill "An Act relating to Applicability of Law on Sale and Possession of Cannabis, Marijuana" (H. P. 533) (L. D. 723)

Mr. Page from same Committee reported same on Bill "An Act relating to the Detention of Juveniles" (H. P. 345) (L. D. 454)

In accordance with Joint Rule 17-A, were placed in the legislative files and sent to the Senate.

Leave to Withdraw

Mrs. Berry from the Committee on Health and Institutional Services on Bill "An Act relating to Solicitation of Eye Services and Appliances" (H. P. 565) (L. D. 741) reported Leave to Withdraw.

Report was read and accepted and sent up for concurrence.

Ought to Pass in New Draft New Drafts Printed

Mr. Clemente from the Committee on Health and Institutional Services on Bill "An Act Providing Handrails for Stairs in Public Buildings" (H. P. 22) (L. D. 31) reported same in a new draft (H. P. 1082) (L. D. 1148) under same title and that it "Ought to pass"

Mrs. Baker from the Committee on Judiciary on Bill "An Act

relating to Entering of Watercraft without Permission" (H. P. 72) (L. D. 113) reported same in a new draft (H. P. 1083) (L. D. 1149) under title of "An Act relating to Penalty for Injuring Watercraft and Entering of Watercraft without Permission" and that it "Ought to pass"

Mr. Orestis from same Committee on Bill "An Act relating to Trespass on Certain State Institutions" (H. P. 50) (L. D. 84) reported same in a new draft (H. P. 1084) (L. D. 1150) under same title and that it "Ought to pass"

Reports were read and accepted, the New Drafts read twice and tomorrow assigned.

Ought to Pass Printed Bills

Mrs. Wheeler from the Committee on Judiciary reported "Ought to pass" on Bill "An Act to Cause the Central Register of Attorneys to be Maintained by the Administrative Assistant to the Chief Justice of the Supreme Judicial Court" (H. P. 195) (L. D. 251)

Mr. Donaghy from the Committee on State Government reported same on Bill "An Act to Create an Interstate Boundary Commission to Establish a Marine Boundary Compact between Maine and New Hampshire" (H. P. 685) (L. D. 920)

Mr. Barnes from the Committee on Transportation reported same on Bill "An Act Providing for a Feasibility Study of Alternative Methods for Crossing Fore River" (H.P. 404) (L. D. 517)

Reports were read and accepted, the Bills read twice and tomorrow assigned.

Ought to Pass with Committee Amendment

Mrs. Baker from the Committee on Judiciary on Bill "An Act relating to the Commitment of Persons to Correctional Centers" (H. P. 461) (L. D. 616) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Bill read twice. Committee Amendment "A" (H-47) was read by the Clerk and adopted, and

tomorrow assigned for the third reading of the Bill.

Divided Report Tabled Later in the Day

Majority Report of the Committee on Health and Institutional Services reporting "Ought not to pass" on Bill "An Act relating to Health Warnings on Labels on Liquor Bottles" (H. P. 355) (L. D. 475)

Report was signed by the following members:

Mr. MINKOWSKY
— of Androscoggin
— of the Senate.
Mrs. CUMMINGS of Newport
Mr. LESSARD of Lisbon
Mrs. DOYLE of Bangor
Mrs. PAYSON of Falmouth
Messrs. DYAR of Strong
CLEMENTE of Portland
LEWIS of Bristol
Mrs. MCCORMICK of Union
Mr. SANTORO of Portland
— of the House.

Minority Report of same Committee reporting "Ought to pass" on same Bill.

Report was signed by the following members:

Messrs. HICHELY of York
GREELEY of Waldo
— of the Senate.
Mrs. BERRY of Madison
— of the House.

Reports were read.

(On motion of Mr. Ross of Bath, tabled pending acceptance of either Report and later today assigned.)

Divided Report Tabled Later in the Day

Majority Report of the Committee on Judiciary reporting "Ought not to pass" on Bill "An Act Providing for Immunity to Licensed Ambulance Service Personnel in Emergency Cases" (H. P. 130) (L. D. 185)

Report was signed by the following members:

Messrs. TANOUS of Penobscot
HARDING of Aroostook
QUINN of Penobscot
— of the Senate.
Messrs. HENLEY of Norway
ORESTIS of Lewiston
Mrs. WHEELER of Portland
Mr. KELLEY of Caribou
Mrs. BAKER of Orrington

Mr. CARRIER of Westbrook
— of the House.

Minority Report of same
Committee reporting "Ought to
pass" on same Bill.

Report was signed by the
following members:

Messrs. LUND of Augusta
HEWES of Cape Elizabeth
PAGE of Fryeburg
Mrs. WHITE of Guilford

— of the House.

Reports were read.

(On motion of Mr. Finemore of
Bridgewater, tabled pending
acceptance of either Report and
later today assigned.)

Divided Report

Tabled Later in the Day

Majority Report of the Commit-
tee on Judiciary reporting "Ought
not to pass" on Bill "An Act
relating to Counsel's Argument of
Monetary Value of Pain and
Suffering in Personal Injury
Actions" (H. P. 196) (L. D. 252)

Report was signed by the
following members:

Messrs. HEWES of Cape Elizabeth
CARRIER of Westbrook
LUND of Augusta
Mrs. BAKER of Orrington
Mrs. WHITE of Guilford
Messrs. PAGE of Fryeburg
HENLEY of Norway

— of the House.

Minority Report of same
Committee reporting "Ought to
pass" on same Bill.

Report was signed by the follow-
ing members:

Messrs. QUINN of Penobscot
TANOUS of Penobscot
HARDING of Aroostook
— of the Senate.

Messrs. ORESTIS of Lewiston
KELLEY of Caribou

Mrs. WHEELER of Portland
— of the House.

Reports were read.

(On motion of Mrs. Wheeler of
Portland, tabled pending
acceptance of either Report and
later today assigned.)

Passed to Be Engrossed

Bill "An Act Appropriating
Funds for Defaulted Maine Sugar
Industries, Inc. Loans" (S. P. 370)
(L. D. 951)

Was reported by the Committee
on Bills in the Third Reading, read

the third time, passed to be en-
grossed and sent to the Senate.

Third Reader

Tabled Later in the Day

Bill "An Act relating to the Con-
trol of Dogs" (H. P. 270) (L. D.
359)

Was reported by the Committee
on Bills in the Third Reading and
read the third time.

Mr. Berry of Buxton offered
House Amendment "A" and moved
its adoption.

House Amendment "A" (H-49)
was read by the Clerk.

(On motion of Mr. Norris of
Brewer, tabled pending adoption of
House Amendment "A" and later
today assigned.)

Bill "An Act Including
Escalators and Manlifts in the
Elevator Law" (H. P. 1066) (L.
D. 1126)

Bill "An Act relating to Defini-
tion of Wholesaler under Liquor
Law" (H. P. 1067) (L. D. 1127)

Bill "An Act relating to the
Property Tax Exemption for
Parsonages" (H. P. 1068) (L. D.
1128)

Were reported by the Committee
on Bills in the Third Reading, read
the third time, passed to be
engrossed and sent to the Senate.

Amended Bills

Bill "An Act Increasing
Indebtedness of Town of York
School District" (H. P. 44) (L. D.
76)

Bill "An Act Amending Charter
of Eliot and Kittery Mutual Fire
Insurance Company" (H. P. 450)
(L. D. 605)

Bill "An Act relating to Payment
of Fees to Secretary of State for
Reports of Records" (H. P. 486) (L.
D. 627)

Were reported by the Committee
on Bills in the Third Reading, read
the third time, passed to be
engrossed as amended by Commit-
tee Amendment "A" and sent to
the Senate.

Order Out of Order

Mr. Bedard of Saco presented the
following Order and moved its
passage:

ORDERED, that Sally Snow and
Paula M. Boucouvalas of Saco be

appointed to serve as Honorary Pages for today.

The Order was received out of order by unanimous consent, read and passed.

**Emergency Measure
Tabled and Assigned**

An Act Increasing the Number of Members on the Board of Trustees of the Bath Water District (H. P. 539) (L. D. 712)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed.

(On motion of Mr. Ross of Bath, tabled pending passage to be enacted and specially assigned for Tuesday, March 16.)

Passed to Be Enacted

An Act Exempting Sales to Certain Institutions from Sales Tax (S. P. 242) (L. D. 703)

An Act relating to Reimbursement to Administrative Units for Unusual Enrollment Increases (S. P. 259) (L. D. 765)

An Act relating to Maine Chiropractic Association (H. P. 238) (L. D. 320)

Were reported by the Committee on Engrossed Bills as truly and strictly engrossed, passed to be enacted, signed by the Speaker and sent to the Senate.

Enactor

Tabled and Assigned

An Act relating to Operation of Snowmobiles in Cemeteries (H. P. 299) (L. D. 399)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed.

(On motion of Mr. Norris of Brewer, tabled pending passage to be enacted and specially assigned for Tuesday, March 16.)

An Act relating to Licenses for Harness Horse Racing and Stipend Fund (H. P. 321) (L. D. 430)

An Act relating to Name of the Electronic Technicians' Association, Inc. (H. P. 353) (L. D. 462)

An Act relating to Qualifications of Candidates in Primary Elections (H. P. 386) (L. D. 501)

An Act Granting Permits to Blind Persons to Operate Vending Facilities in Public Buildings (H. P. 425) (L. D. 559)

Were reported by the Committee on Engrossed Bills as truly and strictly engrossed, passed to be enacted, signed by the Speaker and sent to the Senate.

Enactor

Tabled and Assigned

An Act relating to Candidates by Primary Election or Nomination Petition and Time for Filing Nomination Petition (H. P. 952) (L. D. 990)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed.

(On motion of Mr. McCloskey of Bangor, tabled pending passage to be enacted and specially assigned for Tuesday, March 16.)

An Act relating to the Use of Drugs on Animals at Agricultural Fairs (H. P. 953) (L. D. 991)

Resolve to Reimburse Myron F. Robarts of Camden for Property Damage by Highway Construction (S. P. 115) (L. D. 294)

Resolve Reimbursing Mrs. W. Ralph Green of Albion for Well Damage Due to Highway Maintenance (H. P. 200) (L. D. 255)

Resolve Reimbursing Donald F. Bartlett for Damage Due to Highway Maintenance (H. P. 301) (L. D. 401)

Resolve to Reimburse Anthony Moscone for Loss of Cigarettes and Tobacco Products by Fire (H. P. 368) (L. D. 481)

Were reported by the Committee on Engrossed Bills as truly and strictly engrossed, Bill passed to be enacted, Resolves finally passed, all signed by the Speaker and sent to the Senate.

Orders of the Day

The Chair laid before the House the first tabled and today assigned matter:

Bill "An Act relating to Termination of Human Pregnancy by Medical Decision" (H. P. 1024) (Committee on Reference of Bills suggested Committee on Judiciary)

Tabled—March 9, by Mr. Carrier of Westbrook.

Pending—Reference.

Thereupon, the Bill was referred to the Committee on Judiciary,

ordered printed and sent up for concurrence.

The Chair laid before the House the second tabled and today assigned matter:

House Divided Report—Majority (11) “Ought to pass” — Minority (2) “Ought not to pass”—Committee on Liquor Control on Bill “An Act relating to Payment for Sales of Malt Liquor or Wine in Retail Stores” (H. P. 535) (L. D. 708)

Tabled—March 9, by Mr. Stillings of Berwick.

Pending—Acceptance of either Report.

On motion of Mr. Stillings of Berwick, retabled pending acceptance of either Report and specially assigned for Tuesday, March 16.

The Chair laid before the House the third tabled and today assigned matter:

Bill “An Act relating to Carrying Life Saving Devices in Canoes” (H. P. 115) (L. D. 159)

Tabled—March 9, by Mr. Lewin of Augusta.

Pending—Passage to be engrossed.

On motion of Mr. Porter of Lincoln, retabled pending passage to be engrossed and tomorrow assigned.

The Chair laid before the House the fourth tabled and today assigned matter:

Joint Resolution Memorializing the Honorable Richard M. Nixon, President of the United States, to Withdraw All American Military Forces from Indochina and Negotiate a Cease-fire.

Tabled—March 9, by Mr. Jalbert of Lewiston.

Pending—Motion of Mr. Kelley of Caribou to refer to the Committee on State Government.

The SPEAKER: The Chair recognizes the gentleman from Lewiston, Mr. Jalbert.

Mr. JALBERT: Mr. Speaker, I move this item lie on the table until the next legislative day.

The SPEAKER: The gentleman from Lewiston, Mr. Jalbert moves that item 4 lie on the table until the next legislative day, pending the motion of the gentleman from

Caribou, Mr. Kelley, that it be referred to the Committee on State Government.

The Chair recognizes the gentleman from Eagle Lake, Mr. Martin.

Mr. MARTIN: Mr. Speaker, I move that this be tabled for two legislative days.

Mr. Susi of Pittsfield requested a division.

The SPEAKER: A division has been requested on the tabling motion. If you are in favor of this being tabled until Tuesday, March 16, you will vote yes; if you are opposed you will vote no.

A vote of the House was taken.

60 having voted in the affirmative and 70 in the negative, the motion did not prevail.

Mr. Martin of Eagle Lake requested a brief recess.

House at Ease

Called to order by the Speaker.

The SPEAKER: The Chair recognizes the gentleman from Pittsfield, Mr. Susi.

Mr. SUSI: Parliamentary question, sir.

The SPEAKER: The gentleman may pose his question.

Mr. SUSI: My question is whether or not we have tabled this until tomorrow.

The SPEAKER: The Chair would rule that this has not been tabled. The tabling motion was defeated.

Mr. SUSI: Mr. Speaker, I move that this be tabled until tomorrow.

The SPEAKER: The gentleman from Pittsfield, Mr. Susi, moves that this matter be tabled until the next legislative day pending reference.

The Chair recognizes the gentleman from Lewiston, Mr. Jalbert.

Mr. JALBERT: Mr. Speaker, I would make a parliamentary inquiry.

The SPEAKER: The gentleman may pose his parliamentary inquiry.

Mr. JALBERT: Mr. Speaker, I moved that this be tabled for one legislative day, the motion then was made for two legislative days. That was defeated. Do we not then revert back to the motion of one legislative day?

The SPEAKER: The Chair would advise the gentleman that his ques-

tion is not in order, and the pending question is, is it the pleasure of the House that this be tabled until the next legislative day pending reference?

Mr. JALBERT of Lewiston requested a roll call vote.

The SPEAKER: The gentleman from Lewiston, Mr. JALBERT, requests a roll call on the tabling motion. For the Chair to order a roll call it must have the expressed desire of one fifth of the members present and voting.

For what purpose does the gentleman rise?

Mr. SUSI: I move to adjourn.

The SPEAKER: The gentleman from Pittsfield, Mr. Susi, moves that the House adjourn. Is this the pleasure of the House? For what purpose does the gentleman arise?

Mr. JALBERT of Lewiston: Parliamentary inquiry.

The SPEAKER: The gentleman may state his inquiry.

Mr. JALBERT: Mr. Speaker, can we adjourn before a pending question is disposed of?

The SPEAKER: Adjournment is a high priority question, and it is the question before the House. As many members are in favor of adjourning will vote yes; those opposed will vote no.

72 voted in the affirmative and 70 voted in the negative.

Mr. Martin of Eagle Lake requested a roll call.

The SPEAKER: The yeas and nays have been requested. For the Chair to order a roll call it must have the expressed desire of one fifth of the members present and voting. All members desiring a roll call vote on the adjournment motion will vote yes; those opposed will vote no.

A vote of the House was taken, and more than one fifth of the members present having expressed a desire for a roll call, a roll call was ordered.

The SPEAKER: The Chair recognizes the gentleman from Pittsfield, Mr. Susi.

Mr. SUSI: Mr. Speaker and Ladies and Gentlemen of the House: I would like to qualify my adjournment motion to read that

the adjournment would be until nine o'clock tomorrow morning.

The SPEAKER: The gentleman from Pittsfield, Mr. Susi, has fixed a time of adjournment to nine o'clock. So you will qualify your voting relative to the hour— nine o'clock tomorrow morning.

The pending question is on the motion to adjourn until nine o'clock tomorrow morning. All in favor will vote yes; those opposed will vote no.

ROLL CALL

YES—Ault, Bailey, Baker, Barnes, Bartlett, Berry, Madison; Birt, Bither, Brawn, Brown, Bunker, Churchill, Collins, Crosby, Cummings, Curtis, Bowdoinham; Curtis, Orono; Donaghy, Dyar, Emery, Rockland; Evans, Finemore, Gagnon, Gill, Good, Hall, Hardy, Haskell, Hawkins, Hayes, Henley, Herrick, Hodgdon, Immonen, Kelleher, Kelley, Machias; Kelley, Southport; Lewin, Lewis, Lincoln, Littlefield, Lund, MacLeod, Maddox, Marsteller, McCormick, Millett, Morrill, Mosher, Norris, Page, Parks, Payson, Porter, Pratt, Rand, Rollins, Ross, Scott, Shaw, Shute, Silverman, Simpson, Standish; Simpson, Millinocket; Stillings, Susi, Trask, Tyndale, White, Guilford; Wight, Presque Isle; Williams, Wood, Castine; Wood, Brooks; Woodbury, The Speaker.

NO — Albert, Bedard, Bernier, Berry, Buxton; Berube, Binnette, Boudreau, Bourgoin, Bustin, Call, Carey, Carrier, Carter, Clemente, Conley, Cooney, Cote, Cottrell, Curran, Cyr, Dam, Dow, Doyle, Drigotas, Dudley, Emery, Auburn; Farrington, Faucher, Fecteau, Fraser, Gauthier, Genest, Goodwin, Hancock, Jalbert, Jutras, Kelley, Caribou; Keyte, Kilroy, Lawry, Lebel, Lessard, Lizotte, Lucas, Lynch, Mahany, Manchester, Marsh, Martin, McCloskey, McKinnon, McTeague, Mills, Murray, O'Brien, Orestis, Pontbriand, Rocheleau, Santoro, Sheltra, Slane, Smith, Davenport, Foxcroft; Smith, Waterville; Starbird, Tanguay, Theriault, Vincent, Webber, Wheeler, Whitson.

A BSENT — Bragdon, Clark, Hanson, Hewes, Lee, McNally.

Yes, 75; No, 70; Absent, 6.

The S P E A K E R : Seventy-five having voted in the affirmative and seventy in the negative, the motion to adjourn does prevail.

Thereupon, the House adjourned until nine o'clock tomorrow morning.