

# MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Sixth*

*Legislature*

OF THE

STATE OF MAINE

1973

KENNEBEC JOURNAL  
AUGUSTA, MAINE

**HOUSE**

Thursday, February 8, 1973

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

Prayer by the Rev. Mr. Linwood Welch of Hallowell.

The journal of yesterday was read and approved.

**Papers from the Senate**

From the Senate: The following Communication: (S. P. 234)

**Report of The Snowmobile Study Committee**

To The Members of the 106th Legislature:

The Snowmobile Study Committee was established by Joint Order of HP 1598 of the First Special Session of the 105th Legislature. The intent of the Legislature in said Order was to encourage this new sport and also adequately protect the rights of property owners, non - snowmobilers and our natural resources. The sport of snowmobiling can be increasingly healthful and an enjoyable family type of activity. The Committee has inquired at great length into those matters referred to it and has the honor to submit herewith its report to the 106th Legislature as charged.

The Committee wishes to acknowledge its appreciation for the cooperation and services rendered by the many individuals and organizations who have appeared before it to assist in its study. Many of these individuals came from great distances throughout the United States and Canada. The Committee sincerely hopes that the findings and recommendations herein contained will be of benefit to members of the 106th Legislature and the public at large.

Respectfully submitted

(Signed)

SEN. WAKINE G. TANOUS  
Chairman

Snowmobile Study Committee

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

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

From the Senate: The following Order: (S. P. 233)

ORDERED, the House concurring, that there be created a Joint Select Committee on Constitutional State Reapportionment, consisting of 3 members on the part of the Senate, to be appointed by the President of the Senate, and 7 members on the part of the House, to be appointed by the Speaker of the House. The Committee is directed to consider the apportionment of the districts of the House of Representatives of the Legislature, as provided by Article IV, Part I, Section 2 and Section 3 of the Constitution of Maine and report to this Legislature by bill or otherwise; and be it further

ORDERED, that any necessary expenses to carry out the duties of the Committee shall be paid from the Legislative Appropriation.

Came from the Senate read and passed.

In the House, the Order was read and passed in concurrence.

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

**Reports of Committees  
Ought Not to Pass**

Report of the Committee on Education reporting "Ought Not to pass" on Bill "An Act Governing Disclosure of School Records" (S. P. 89) (L. D. 235)

In accordance with Joint Rule 17-A, was placed in the legislative files.

**Non-Concurrent Matter**

Bill "An Act Relating to Educational Assistance for Widows, Wives and Children of Veterans and Wives and Children of Prisoners of War" (H. P. 404) (L. D. 533) which was referred to the Committee on Education in the House on January 31.

Came from the Senate referred to the Committee on Veterans and Retirement in non-concurrence.

In the House: On motion of Mr. Henley of Norway, the House voted to recede and concur.

**Non-Concurrent Matter**

Bill "An Act Increasing Compensation of Assistant Secretary of

the Senate and the Assistant Clerk of the House of Representatives" (H. P. 76) (L. D. 89) which was Enacted in the House on February 1.

Came from the Senate passed to be Engrossed as amended by Senate Amendment "A" (S-8) in non-concurrence.

In the House: The House voted to recede and concur.

The SPEAKER: The Chair requests the Sergeant-at-Arms to escort the gentleman from Brewer, Mr. Norris, to the rostrum for the purpose of presiding as Speaker pro tem.

Thereupon, Mr. Norris assumed the Chair as Speaker pro tem and Speaker Hewes retired from the Hall.

#### **Petitions, Bills and Resolves Requiring Reference**

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

#### **Appropriations and Financial Affairs**

Resolve Appropriating Funds to Aid Town of Deer Isle in Constructing Municipal Building (H. P. 531) (Presented by Mr. Greenlaw of Stonington)

Bill "An Act to Increase Payments to Forestry Department for Forest Fire Protection in Indian Township" (H. P. 569) (Presented by Mr. Huber of Falmouth)

Bill "An Act to Increase Payments to Forestry Department for Forest Fire Protection in Baxter State Park" (H. P. 570) (Presented by the same gentleman)

Bill "An Act to Adjust Certain Salary Provisions of State Officers and Officials" (H. P. 573) (Presented by Mr. Bustin of Augusta)

(Ordered Printed)

Sent up for concurrence.

#### **Business Legislation**

Bill "An Act Relating to Definition of Dependent under Group Life Insurance Policies" (H. P. 534) (Presented by Mr. Trask of Milo)

Bill "An Act Relating to Health Insurance Policy Reserves" (H. P. 535) (Presented by the same gentleman)

Bill "An Act Repealing Multiple Licensing of Life and Health Insurance Agents" (H. P. 536) (Presented by the same gentleman)

Bill "An Act Relating to Over-insurance Provision in Health Insurance Contracts" (H. P. 537) (Presented by the same gentleman)

Bill "An Act to Remove Certain Restrictions under Small Loan Agency Law" (H. P. 561) (Presented by Mr. Donaghy of Lubec)

(Ordered Printed)

Sent up for concurrence.

#### **Education**

Bill "An Act Relating to Supplemental Aid for School Administrative District No. 73" (H. P. 527) (Emergency) (Presented by Mr. Greenlaw of Stonington)

Bill "An Act Relating to Adult Community Education Activities of a Recreational Nature" (H. P. 563) (Presented by Mr. LaPointe of Portland)

(Ordered Printed)

Sent up for concurrence.

#### **Fisheries and Wildlife**

Bill "An Act Relating to Use of Power Boats on Sand Pond, Oxford County" (H. P. 550) (Presented by Mr. Henley of Norway)

(Ordered Printed)

Sent up for concurrence.

#### **Human Resources**

Bill "An Act Providing for Reduced Rates for Senior Citizens Using State Recreation and Camping Areas" (H. P. 526) (Presented by Mrs. Clark of Freeport)

(Ordered Printed)

Sent up for concurrence.

#### **Tabled and Assigned**

Bill "An Act Relating to Schooling of Indian Children" (H. P. 557) (Presented by Mr. Mills of Eastport)

The Committee on Reference of Bills suggested the Committee on Human Resources.

The SPEAKER pro tem: The Chair recognized the gentleman from Norway, Mr. Henley.

Mr. HENLEY: Mr. Speaker, in regards to item 14, it is not true. This is set up for Judiciary, is it not? I would like someone to table it for one legislative day so I can check into it.

Whereupon, on motion of Mr. Martin of Eagle Lake, tabled pending reference and specially assigned for Monday, February 12.

### Judiciary

Bill "An Act Relating to Burden of Proof in Failure to Yield Right of Way to Emergency Vehicles" (H. P. 523) (Presented by Mr. Curtis of Orono)

Bill "An Act to Establish Privileged Communication for School Counselors" (H. P. 533) (Presented by Mr. Greenlaw of Stonington)

Bill "An Act Relating to Jurisdiction of County Enforcement Officers in Fresh Pursuit" (H. P. 555) (Emergency) (Presented by Mr. Mills of Eastport)

Bill "An Act to Permit Furloughs to Inmates or Prisoners from County Jails" (H. P. 562) (Presented by Mr. LaPointe of Portland)

Bill "An Act Relating to the Appointment of Active Retired Judges of the District Court" (H. P. 566) (Presented by Mr. McTeague of Brunswick)

(Ordered Printed)

Sent up for concurrence.

### Labor

Bill "An Act Relating to Employment of Women" (H. P. 525) (Presented by Mrs. Goodwin of Bath)

Bill "An Act Eliminating Waiting Period under Employment Security Law" (H. P. 560) (Presented by Mr. Whitzell of Gardiner)

(Ordered Printed)

Sent up for concurrence.

### Legal Affairs

Bill "An Act to Provide for Municipal Tax Maps" (H. P. 528) (Presented by Mr. Immonen of West Paris)

Resolve in Favor of Down East Community Hospital of Machias (H. P. 530) (Presented by Mrs. Kelley of Machias)

Resolve, to Reimburse Woodrow Bakeman of Castine for Property

Damage by Highway Construction (H. P. 532) (Presented by Mr. Greenlaw of Stonington)

Bill "An Act Relating to Disclosure of Vital Records" (H. P. 539) (Presented by Mr. Rollins of Dixfield)

Bill "An Act Relating to Nature of Foreclosure of Tax Lien Mortgages" (H. P. 540) (Presented by the same gentleman)

(Ordered Printed)

Sent up for concurrence.

### Tabled and Assigned

Bill "An Act to Permit Municipal Regulation of Snowmobiles within Built-up Areas by Ordinance" (H. P. 544) (Presented by Mr. McKernan of Bangor)

The Committee on Reference of Bills suggested the Committee on Legal Affairs.

(On motion of Mr. Simpson of Standish, tabled pending reference and specially assigned for Monday, February 12.)

Resolve in Favor of South Berwick Emergency Ambulance and Rescue, Inc. (H. P. 548) (Presented by Mr. Goodwin of South Berwick)

(Ordered Printed)

Sent up for concurrence.

### Tabled and Assigned

Resolve Authorizing Walter G. Thorstad and Richard J. Thorstad to Bring Civil Action Against the State of Maine (H. P. 553) (Presented by Mr. Susi of Pittfield)

The Committee on Reference of Bills suggested the Committee on Legal Affairs.

(On motion of Mr. Emery of Rockland, tabled pending reference and specially assigned for Monday, February 12.)

Resolve to Reimburse Audrey G. Pray of Hersey for Loss of Poultry by Foxes (H. P. 554) (Presented by Mr. Walker of Island Falls)

Bill "An Act to Require Public Hearings Prior to Certain Actions of Regional Planning Commissions and Council of Governments" (H. P. 558) (Presented by Mr. Pratt of Parsonsfield)

(Ordered Printed)

Sent up for concurrence.

### Marine Resources

Resolve Providing for a Feasibility Study of Marine Resources Development in Washington County (H. P. 529) (Presented by Mrs. Kelley of Machias)

Bill "An Act Relating to the Length Limit of Striped Bass" (H. P. 567) (Presented by Mr. Flynn of South Portland)

(Ordered Printed)

Sent up for concurrence.

### Natural Resources

Bill "An Act to Clarify the Law Relating to Motor Vehicle Air Pollution Control Systems" (H. P. 546) (Presented by Mr. Chick of Sanford)

(Ordered Printed)

Sent up for concurrence.

### Public Utilities

Bill "An Act Regulating Motor Vehicles Used to Transport Railroad Employees to and from Work" (H. P. 545) (Presented by Mr. LaCharite of Brunswick)

Bill "An Act Relating to Public Utilities Commission Regulation of Special and Charter Carriers of Passengers" (H. P. 568) (Presented by Mr. Huber of Falmouth)

Bill "An Act Relating to the Appointment of Trustees of the Kennebec Water District" (H. P. 571) (Presented by Mr. Carey of Waterville)

(Ordered Printed)

Sent up for concurrence.

### State Government

Bill "An Act Creating a Special Human Services' Commission" (H. P. 572) (Emergency) (Presented by Mr. Connolly of Portland)

(Ordered Printed)

Sent up for concurrence.

### Taxation

Bill "An Act Exempting Beehives from the Personal Property Tax" (H. P. 541) (Presented by Mr. Rollins of Dixfield)

Bill "An Act Repealing the Distribution of the Bank Stock Tax" (H. P. 551) (Presented by Mr. Henley of Norway)

Bill "An Act Repealing the Distribution of the Railroad Tax" (H. P. 552) (Presented by the same gentleman)

Bill "An Act Relating to Certain Property and Excise Tax Exemptions" (H. P. 556) (Presented by Mrs. McCormick of Union)

Bill "An Act to Change the Standard Deduction of the State Income Tax Law" (H. P. 559) (Presented by Mr. Whitzell of Gardiner)

Bill "An Act to Provide Sales Tax Credit on Replacement of Lost or Destroyed Motor Vehicles" (H. P. 564) (Presented by Mr. Farrington of China)

(Ordered Printed)

Sent up for concurrence.

### Transportation

Bill "An Act Providing a Full-time Office in the Town of Fort Kent for Registration and Licenses for Operation of Motor Vehicles" (H. P. 524) (Presented by Mr. Morin of Fort Kent)

Resolve Designating the Bridge Across the Little Androscoggin River at Mechanic Falls as "The Sawyer Memorial Bridge" (H. P. 538) (Presented by Mr. Dunn of Poland)

Resolve, Designating Part of Route 219 as a State Highway (H. P. 543) (Presented by Mr. Rollins of Dixfield)

Bill "An Act Relating to Use of Unofficial Certificates of Motor Vehicle Inspection" (H. P. 547) (Presented by Mr. Chick of Sanford)

Bill "An Act Relating to Winter Maintenance of State Aid Highways and Town Ways by Municipalities" (H. P. 549) (Presented by Mr. Keyte of Dexter)

(Ordered Printed)

Sent up for concurrence.

### Veterans and Retirement

Bill "An Act Relating to Educational Benefits for Dependents of Veterans and Prisoners of War and Missing in Action" (H. P. 522) (Presented by Mr. Curtis of Orono)

Resolve Providing a Minimum Service Retirement Allowance under the State Retirement Law for Addie M. Knox of Belfast (H. P. 565) (Presented by Mr. Barnes of Alton)

(Ordered Printed)

Sent up for concurrence.

At this point, Speaker Hewes returned to the rostrum.

The SPEAKER: The Chair thanks the gentleman from Brewer, Mr. Norris. It was a very difficult morning.

Thereupon, the Sergeant-at-Arms escorted Mr. Norris of Brewer to his seat on the floor, amid the applause of the House, and Speaker Hewes resumed the Chair.

### House Reports of Committees Ought Not to Pass

Mr. Haskell from the Committee on Appropriations and Financial Affairs reporting "Ought not to pass" on Bill "An Act Appropriating Funds for Overtime in State Employment and Establishing Hours for a Work Day for State Employees" (H. P. 237) (L. D. 318)

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

### Leave to Withdraw

Mr. Perkins from the Committee on Judiciary reporting leave to Withdraw on Bill "An Act Relating to Liens on Buildings for Use of Machines on Premises" (H. P. 41) (L. D. 48)

Report was read and accepted and sent up for concurrence.

### Consent Calendar First Day

(S. P. 11) (L. D. 68) Bill "An Act Relating to Regulations Governing Horsepower of Boats on Certain Inland Waters" (Committee on Fisheries and Wildlife reporting "Ought to Pass" with Committee Amendment "A" (S-4)

Objection was noted.

On motion of Mr. Kelley of Southport, the Report was accepted, the Bill read once and assigned for second reading the next legislative day.

(H. P. 62) (L. D. 74) Bill "An Act to Revise Maine Boat Law to Conform with Federal Law" (Committee on Judiciary reporting "Ought to pass")

(H. P. 109) (L. D. 129) Bill "An Act Prohibiting Swimming or Bathing in Upper and Lower Hadlock Ponds, Hancock County" (Committee on Public Utilities reporting

"Ought to pass" with Committee Amendment "A" H-20)

(H. P. 116) (L. D. 136) Bill "An Act Prohibiting Swimming or Bathing in Jordan Pond, Hancock County" (Committee on Public Utilities reporting "Ought to pass" with Committee Amendment "A" H-21)

(S. P. 57) (L. D. 140) Resolve Authorizing the State Tax Assessor to Convey by Sale the Interest of the State in Certain Lands in the Unorganized Territory (Committee on Taxation reporting "Ought to pass" with Committee Amendment "A" S-6).

(H. P. 120) (L. D. 144) Bill "An Act Relating to Discharges of Mortgages, Attachments and Liens" (Committee on Judiciary reporting "Ought to pass" with Committee Amendment "A" H-22)

(H. P. 142) (L. D. 175) Bill "An Act Prohibiting Pollution of Eagle Lake, Hancock County" (Committee on Public Utilities reporting "Ought to pass" with Committee Amendment "A" H-23)

(S. P. 80) (L. D. 197) Bill "An Act to Amend the Charter of Bowdoin College" (Emergency) (Committee on Legal Affairs reporting "Ought to pass")

(S. P. 85) (L. D. 231) Bill "An Act Appropriating Funds for Replacement Volumes of the Revised Statutes" (Committee on Appropriations and Financial Affairs reporting "Ought to pass")

(S. P. 86) (L. D. 232) Resolve Providing for Purchase of Copies of History of Millinocket (Committee on Appropriations and Financial Affairs reporting "Ought to pass")

(S. P. 115) (L. D. 260) Resolve Appropriating Funds for the Perambulation of the Maine-New Hampshire Boundary Line. (Committee on Appropriations and Financial Affairs reporting "Ought to pass")

(S. P. 128) (L. D. 305) Bill "An Act Relating to Working Capital of the Bureau of Alcoholic Beverages" (Committee on Appropriations and Financial Affairs reporting "Ought to pass")

No objection having been noted, the Bills and Resolves were assigned to the Consent Calendar's Second Day list.

**Second Day**

(H. P. 75) (L. D. 88) Bill "An Act Relating to Possession of Salmon, Trout, Togue or Black Bass" (C. "A" H-16)

(H. P. 242) (L. D. 323) Bill "An Act Relating to Number of Directors of Swan's Island School Administrative District" (Emergency)

No objection having been noted, were passed to be engrossed and sent to the Senate.

**Passed to Be Engrossed**

Bill "An Act Changing Name of Pine Tree Warriors, Inc." (H. P. 20) (L. D. 20) (C. "A" H-12)

Was reported by the Committee on Bills in the Second Reading, read the second time, passed to be engrossed as amended and sent to the Senate.

**Tabled and Assigned**

Bill "An Act Exempting Clothing from the Sales Tax" (H. P. 21) (L. D. 21)

Was reported by the Committee on Bills in the Second Reading and read the second time.

(On motion of Mr. Simpson of Standish, tabled pending passage to be engrossed and specially assigned for Tuesday, February 13.)

Bill "An Act Relating to the Wearing of Fluorescent Orange Clothing While Hunting During Hunting Season" (H. P. 50) (L. D. 57) (C. "A" H-11)

Was reported by the Committee on Bills in the Second Reading and read the second time.

The SPEAKER: The Chair recognizes the gentleman from Oakland, Mr. Brawn.

Mr. BRAWN: Mr. Speaker and Members of the House: I rise this morning to ask for a correction and also to speak upon it. If many of you have viewed your horse-blanket this morning — you probably heard me speak upon the floor — I did not make the remark that is printed in here. And if you notice, it says "We can save lives today we could not save then." It says "Now a person is sh-t." but the letter is in here. Now I don't know as the Kennebec Journal did

this to me or if they didn't reprint it or who did it. Maybe they didn't like the way I debated the bill. But I hope this will be corrected and not go in the records because my schools where I am getting this horseblanket and I know what they are going to think, but I think they know me well enough to know I did not make this statement.

And while I am also speaking about this, there is one other correction that I would like to make at this time. A few facts: I went this morning to the Fish and Game Commission and we were told here that it had reduced the wearing of this fluorescent clothing. In 1968 there were 51 shootings, 6 fatalities; 1969 there were 48 shootings. Now this is after this fluorescent clothing is in, 6 fatalities, they stayed just the same. In 1970 there was 52 fatalities. That is more than it was the year before. I mean, 52 shootings, 8 fatalities. It rose by two. 1971 there were 36 shootings, 4 fatalities and with a shorter season. 1972 there was 37 shootings, 3 fatalities. Now I am going to ask you people if you think fluorescent clothing saved any lives and I am going to ask that there will be a division on the vote now that they have got the facts.

The SPEAKER: The Chair would like to state with reference to the printing by the Kennebec Journal, a mistake was made. Apologies to the gentleman from Oakland. All I can say is to err is human and to forgive divine.

The Chair recognizes the gentleman from Oakland, Mr. Brawn.

Mr. BRAWN: Mr. Speaker and Members of the House: I do not blame you nor your clerks in any way because I am positive it was not your error.

The SPEAKER: The Chair thanks the gentleman for the clerks.

A vote has been requested on the acceptance of the Committee Report, in second reading. All in favor will vote yes; those opposed will vote no.

A vote of the House was taken.

35 having voted in the affirmative and 34 having voted in the negative, the motion did prevail.



On motion of Mr. Churchill of Orland, the House reconsidered its action of yesterday whereby Committee Amendment "A" was adopted.

The same gentleman then offered House Amendment "A" to Committee Amendment "A" and moved its adoption.

House Amendment "A" to Committee Amendment "A" (H-18) was read by the Clerk.

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

Mr. MARTIN: Mr. Speaker and Ladies and Gentlemen of the House: I wonder if the gentleman for the benefit of all of us would explain the amendment.

The SPEAKER: The gentleman from Eagle Lake Mr. Martin, poses a question to any member of the House who may answer if they desire. The Chair recognizes the gentleman from Orland, Mr. Churchill.

Mr. CHURCHILL: Mr. Speaker and Members of the House: This amendment simply removes the word "hunter" from this former Committee Amendment A, "Shall wear hunter fluorescent orange clothing which is in good and serviceable condition." Under some interpretation this could mean they could force us to wear all orange clothes and we inserted in there "an article of clothing which can be observed from all sides."

The SPEAKER: The Chair recognizes the gentleman from Eastport, Mr. Mills.

Mr. MILLS: Mr. Speaker and Ladies and Gentlemen of the House: We found this to be an error in the committee and this amendment is simply correcting that error.

Thereupon, House Amendment "A" to Committee Amendment "A" was adopted.

Committee Amendment "A" as amended by House Amendment "A" thereto was adopted, the Bill passed to be engrossed as amended and sent to the Senate.

Bill "An Act Relating to Authority of the Legislative Finance Officer" (H. P. 97) (L. D. 118) (C. "A" H-13)

Resolve to Reimburse Edgar W. Tupper of Madison for Loss of Beehives by Bear (H. P. 151) (L. D. 184) (C. "A" H-14)

Were reported by the Committee on Bills in the Second Reading, read the second time, passed to be engrossed as amended and sent to the Senate.

### Order Out of Order

From the Senate: The following Order:

ORDERED, the House concurring, that when the House and Senate adjourn, they adjourn to Monday, February 12, at 2 o'clock in the afternoon. (S. P. 253)

Came from the Senate read and passed.

In the House, the Order was read and passed in concurrence.

### Order Out of Order Tabled and Assigned

The following paper from the Senate was taken up out of order by unanimous consent:

WHEREAS, federal support for the operation of the Boothbay Harbor Fisheries Research Station is being withdrawn and the station closed; and

WHEREAS, the future health, prosperity and welfare of the people of Maine is irrevocably tied to the increased development of our marine resources, the pursuit of knowledge of marine biology, and the establishment of improved aquacultural procedures including the improved commercial harvesting of herring, lobster and other commercial fish; and

WHEREAS, the pressures of foreign fishing off the Maine coast are creating grave new problems for our fishermen and are causing increased concern that Maine must do more rather than less in marine research; and

WHEREAS, the University of Maine, through its Darling Center at Walpole is pursuing the status of a Sea Grant Institution, and in partnership with the Boothbay Harbor Fisheries Research Station, the Department of Sea and Shore Fisheries, TRIGOM, Southern Maine Vocational - Technical Institute and the thousands of Maine people who earn their liveli-

hood from the sea need to be formed into a cohesive force to bring Maine into the forefront as a national leader in the harvesting of the resources of the sea; and

WHEREAS, the loss of the Boothbay Harbor Fisheries Research Station would be a serious blow to the realization of the aspirations of Maine people; and

WHEREAS, the Maine Legislature is deeply concerned by the foregoing; now, therefore, be it

**ORDERED**, the House concurring, that the Commissioner of Sea and Shore Fisheries is directed to forward our concern to the appropriate agencies of the Federal Government and to pursue forthwith all avenues which might result in the advantageous leasing of the Boothbay Harbor Fisheries Research Station to the Department of Sea and Shore Fisheries so that the benefits thereof might continue to accrue to the people of Maine, said leasing to provide either for the operation of the facility unilaterally by the Department or in partnership with the Federal Government; and be it further

**ORDERED**, that all state departments and the University of Maine cooperate fully with the Commissioner of Sea and Shore Fisheries in the implementation of this Order; and be it further

**ORDERED**, that the Commissioner report back his findings and recommendations with all due haste to the 106th Legislature; and be it further

**ORDERED**, that suitable copies of this Order be transmitted forthwith to said Commissioner and members of the Maine Congressional Delegation as notice of our request. (S. P. 255)

Came from the Senate read and passed.

In the House, the Order was read.

(On motion of Mr. Martin of Eagle Lake, tabled pending passage and specially assigned for Monday, February 12.)

### Orders of the Day

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

Bill "An Act Relating to Hunting Pheasants" (H. P. 101) (L. D. 121)

Tabled — February 7, by Mr. Birt of East Millinocket.

Pending — Motion of Mr. Bither of Houlton that the House recede.

Mr. Silverman of Calais requested a vote on the pending motion.

The **SPEAKER**: The Chair recognizes the gentleman from Houlton, Mr. Bither.

Mr. **BITHER**: Mr. Speaker and Members of the House: The only reason for receding here and going ahead with this bill is to give me a chance to put in this amendment that is on your desk this morning. Now, of course, if this does not make it any more palatable to you, why there is no hope for the poor pheasants. But this bill simply, very simply, reduces the \$3 fee that everybody kicked about down to \$1 and it makes the effective date for this act 1973 and 1974 only. I would like to present this amendment but I can't present it until the second reading so I would wish that we could go ahead with this motion and keep the bill alive until I can get this amendment presented. Then I promise you I shall never speak of pheasants again so long as I live.

The **SPEAKER**: The pending question is on the motion of the gentleman from Houlton, Mr. Bither, that the House recede. A vote has been requested. All in favor of that motion will vote yes; those opposed will vote no.

A vote of the House was taken.

85 having voted in the affirmative and 48 having voted in the negative, the motion did prevail.

Thereupon, the Report was accepted, the Bill read once and assigned for second reading the next legislative day.

On motion of Mr. Simpson of Standish,

Adjourned until Monday, February 12, at two o'clock in the afternoon.