

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

Wednesday, February 21, 1973

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

Prayer by the Rev. Mr. William Morley of New Harbor and Bristol.

The journal of yesterday was read and approved.

Orders Out or Order

Mr. Parks of Presque Isle presented the following Order and moved its passage:

ORDERED, that John H. Miles of Presque Isle be appointed Honorary Page for today.

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

Mr. Bither of Houlton presented the following Order and moved its passage:

ORDERED, that Valarie Swett of Rumford be appointed Honorary Page for today.

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

Mr. Whitzell of Gardiner presented the following Order and moved its passage:

ORDERED, that David Pia of Beverly, Mass. be appointed Honorary Page for today.

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

Mrs. Lewis of Auburn presented the following Order and moved its passage:

ORDERED, that Nicholas and Olga Pokrovsky of Lisbon Falls be appointed Honorary Pages for today.

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

Mr. Dam of Skowhegan presented the following Order and moved its passage:

ORDERED, that Robie Faucher of Solon be appointed Honorary Page for today.

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

Mr. Jacques of Lewiston presented the following Order and moved its passage:

ORDERED, that Diana Jacques of Lewiston be appointed Honorary Page for today.

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

Mr. Talbot of Portland presented the following Order and moved its passage:

ORDERED, that Renee, Regina and Rachel Talbot of Portland and Debbie Cummings of Portland be appointed Honorary Pages for today.

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

Papers from the Senate

From the Senate: The following Joint Order: (S. P. 302)

ORDERED, the House concurring, that the Joint Standing Committee on Appropriations and Financial Affairs is directed to report out an emergency bill for an appropriation to the Department of Health and Welfare for the following accounts:

Medical Care
Eye Care and Special Services
Vocational Rehabilitation

Came from the Senate read and passed.

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

Bills and Resolutions from the Senate requiring reference were disposed of in concurrence, with the following exception:

Resolution Proposing an Amendment to the Constitution to Permit Appointment of Judges of Probate (S. P. 292) (L. D. 839)

Came from the Senate referred to the Committee on State Government.

In the House: On motion of Mr. Henley of Norway, tabled pending reference in concurrence and tomorrow assigned.

Non-Concurrent Matter

Bill "An Act Relating to Control of School Water Supplies" (H. P. 619) (L. D. 817) which was referred to the Committee on Judiciary in the House on February 12.

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

In the House: On motion of Mr. Tyndale of Kennebunkport, the House voted to recede and concur.

Reports of Committees

Ought Not to Pass

Report of the Committee on Education reporting "Ought not to pass" on Bill "An Act Relating to School Water Supplies" (S. P. 194) (L. D. 539)

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

Leave to Withdraw

Report of the Committee on Fisheries and Wildlife on Bill "An Act Providing for a Migratory Waterfowl Hunting Stamp" (S. P. 149) (L. D. 383) reporting Leave to Withdraw.

Came from the Senate with the Report read and accepted.

In the House, the Report was read and accepted in concurrence.

Leave to Withdraw

Covered by Other Legislation

Report of the Committee on Legal Affairs on Bill "An Act Relating to Trustees, Power to Hold Property and Change of Name of the Maine Conference of the Methodist Episcopal Church" (S. P. 45) (L. D. 101) reporting Leave to Withdraw as covered by other legislation.

Came from the Senate with the Report read and accepted.

In the House, the Report was read and accepted in concurrence.

Messages and Documents

The following Communication:

STATE OF MAINE

MAINE EDUCATION COUNCIL

February 20, 1973

The Honorable E. Louise Lincoln
Clerk of the House
State House

Augusta, Maine 04330

Dear Mrs. Lincoln:

Please accept 160 copies of "The Full Funding of Education", a report prepared by the Maine Education Council for the 106th Legislature as ordered by H. P. 1275.

For the Maine Education Council,
Signed:

LINCOLN T. FISH

Chairman

The Communication was read and with accompanying papers ordered placed on file.

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:

Agriculture

Bill "An Act to Regulate the Conditions under which a Dealer May Reject Milk from a Producer" (H. P. 775) (Presented by Mr. Evans of Freedom)

Bill "An Act Relating to Management and Maintenance of State of Maine Building at Eastern States Exposition" (H. P. 780) (Emergency) (Presented by Mr. Albert of Limestone)

Bill "An Act to Create a Maine Agricultural Bargaining Board" (H. P. 782) (Presented by Mr. Evans of Freedom)

(Ordered Printed)

Sent up for concurrence.

Appropriations and Financial Affairs

Bill "An Act Appropriating Funds for a Local Government Center" (H. P. 766) (Presented by Mr. Bragdon of Perham)

Resolve in Favor of Penobscot County for Expenses in Guarding a Certain Prisoner (H. P. 762)

(Presented by Mr. Norris of Brewer)

(Ordered Printed)

Sent up for concurrence.

Business Legislation

Bill "An Act Relating to Place of Business of Real Estate Brokers and Salesmen" (H. P. 763) (Presented by Mr. Norris of Brewer)

Bill "An Act Providing for Temporary License as Insurance Adjuster" (H. P. 778) (Presented by Mr. Trask of Milo)

(Ordered Printed)

Sent up for concurrence.

Education

Bill "An Act to Authorize Alternate School Directors at

School Administrative District No. 72" (H. P. 769) (Presented by Mr. Trumbull of Fryeburg)

Bill "An Act Relating to Raising Funds for the Support of Public Schools by Administrative Units" (H. P. 781) (Presented by Mr. Albert of Limestone)

(Ordered Printed)
Sent up for concurrence.

Fisheries and Wildlife

Bill "An Act Reestablishing a Base Period for all Fishing Regulations" (H. P. 791) (Presented by Mr. Kelley of Southport)

(Ordered Printed)
Sent up for concurrence.

Health and Institutional Services

Bill "An Act to Increase Examination and Registration Fees for the Board of Examiners of Psychologists" (H. P. 789) (Presented by Mr. Smith of Dover-Foxcroft)

(Ordered Printed)
Sent up for concurrence.

Judiciary

Bill "An Act Relating to Temporary Restraining Order and Cost of Litigation by the Attorney General under Unfair Trade Practices Act" (H. P. 770) (Presented by Mr. Perkins of South Portland)

Bill "An Act to Provide for Use of the Courts by Poor Persons" (H. P. 771) (Presented by the same gentleman)

Bill "An Act Relating to Liability of Landlord to Persons Using his Land" (H. P. 776) (Presented by Mr. Evans of Freedom)

(Ordered Printed)
Sent up for concurrence.

Bill "An Act to Permit Elevator Repair by Unlicensed Personnel when Supervised by a Plant Engineer" (H. P. 764) (Presented by Mr. Pratt of Parsonsfield)

Bill "An Act to Authorize Portland Renewal Authority to Provide Relocation Assistance to Other Governmental Agencies" (H. P. 777) (Presented by Mrs. Wheeler of Portland)

Bill "An Act to Amend the Snowmobile Laws" (H. P. 787) (Presented by Mr. Cottrell of Portland)

Bill "An Act Requiring the Registration of Off-highway Vehicles" (H. P. 788) (Presented by Mr. Simpson of Standish)

(Ordered Printed)
Sent up for concurrence.

Liquor Control

Bill "An Act Relating to Premises of Liquor Licensees in Proximity to Post-secondary Schools" (H. P. 760) (Presented by Mr. Murray of Bangor)

Bill "An Act Relating to Definition of Class A Restaurant under Liquor Laws" (H. P. 761) (Presented by Mr. Martin of Eagle Lake)

(Ordered Printed)
Sent up for concurrence.

Natural Resources

Bill "An Act Classifying Certain Inland Waters of Saco River Basin" (H. P. 765) (Presented by Mr. Pratt of Parsonsfield)

Bill "An Act Relating to Membership on the Lewiston-Auburn Water Pollution Control Board" (H. P. 767) (Presented by Mr. Drigotas of Auburn)

(Ordered Printed)
Sent up for concurrence.

Tabled and Assigned

Bill "An Act Relating to Definition of Litter under Maine Litter Control Act" (H. P. 774) (Presented by Mr. Evans of Freedom)

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

(On motion of Mr. Emery of Rockland, tabled pending reference and tomorrow assigned.)

Bill "An Act Relating to Shoreland Protection" (H. P. 784) (Presented by Mr. Martin of Eagle Lake)

Bill "An Act Establishing the Floodplain Management Act of Maine" (H. P. 785) (Presented by Mr. Bustin of Augusta)

(Ordered Printed)
Sent up for concurrence.

Public Utilities

Bill "An Act to Amend the Charter of the Freeport Sewer District" (H. P. 783) (Emergency) (Presented by Mrs. Clark of Freeport)

(Ordered Printed)
Sent up for concurrence.

State Government

Resolve to Authorize Granting an Easement on State Land to Auburn Sewerage District (H. P. 768) (Presented by Mr. Drigotas of Auburn)

Bill "An Act to Transfer the Maine Historic Preservation Commission to the Department of Educational and Cultural Services" (H. P. 772) (Presented by Mr. Murray of Bangor)

Bill "An Act Relating to Deposit of State Funds" (H. P. 779) (Presented by Mr. Trask of Milo)

Bill "An Act Creating the Maine Health Maintenance Organization" (H. P. 786) (Presented by Mr. Donaghy of Lubec)

(Ordered Printed)
Sent up for concurrence.

Taxation

Bill "An Act Relating to Taxation of Farmland" (H. P. 773) (Presented by Mr. Evans of Freedom)

Bill "An Act Relating to State Income Tax Deduction for Student Tuition Payments" (H. P. 790) (Presented by Mr. Hewes of Cape Elizabeth)

(Ordered Printed)
Sent up for concurrence.

The SPEAKER: Will the Sergeant-at-Arms kindly escort the gentleman from Bath, Mr. Ross, to the rostrum for the purpose of serving as Speaker pro tem.

Thereupon, Mr. Ross assumed the Chair as Speaker pro tem and Speaker Hewes retired from the hall of the House.

Orders

Mr. Jalbert of Lewiston presented the following Joint Order and moved its passage:

WHEREAS, the Lewiston Daily Sun has faithfully provided daily news coverage in Androscoggin, Oxford, Franklin and adjacent counties for over 80 years; and

WHEREAS, the paper was founded by Mr. George W. Wood, a lawyer, librarian and teacher on February 20, 1893 in Lewiston; and

WHEREAS, after many years of fierce competition the Sun acquired

the earlier Journal in 1923 which together have a combined circulation of 48,250 daily papers; and

WHEREAS, the paper employs 180 proud people who are conspicuously dedicated to the art of their profession; and

WHEREAS, February 20, 1973 marks the eightieth anniversary of this rich heritage and founding; now, therefore, be it

ORDERED, the Senate concurring, that the Members of the Senate and House of Representatives of the 106th Legislature now assembled, pause in our deliberations to congratulate the owners, officers and staff of the Lewiston Daily Sun and Evening Journal on this, the eightieth anniversary of its founding and express our hope that its long and dedicated life of public service will continue to endure for many years to come; and be it further

ORDERED, that a suitable copy of this order be immediately transmitted to the Russell H. Costello family, publishers and staff in honor of this occasion. (H. P. 825)

The Joint Order was read and passed and sent up for concurrence.

By unanimous consent, ordered sent forthwith to the Senate.

Mr. Hancock of Casco was granted unanimous consent to address the House.

Mr. HANCOCK: Mr. Speaker, Ladies and Gentlemen of the House: I am speaking now rather than later in the session for personal reasons. Referring to the Register that was distributed yesterday, on page 80 under my name my occupation is listed as a realtor. In deference to the very fine and able people in this State who are realtors, I would like to state that this is incorrect. I have been a realtor, I have been a broker in the past. I am not any longer and have not been for something better than a year now. So this is just — I want it to be on the record to set this straight.

House Reports of Committees Ought Not to Pass

Mr. Finemore from the Committee on Taxation reporting "Ought not to pass" on Bill "An Act

Repealing Poll Tax Receipt Requirement for Motor Vehicle and Fish and Game Licenses" (H. P. 31) (L. D. 38)

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

Tabled and Assigned

Mr. Mills from the Committee on Fisheries and Wildlife reporting "Ought not to pass" on Bill "An Act Relating to Wild Animals in Captivity" (H. P. 285) (L. D. 359)

Report was read.

The SPEAKER pro tem: The Chair recognizes the gentleman from Mexico, Mr. Fraser.

Mr. FRASER: Mr. Speaker and Members of the House: Regarding this item No. 1 "ought not to pass", I am disappointed and I would like to know if there is any way possible that this bill can be brought back to committee because I would like to go before that committee. All this thing is asking for is the privilege of capturing a moose to bring to a zoo. Now that zoo is great for a lot of children through the summertime and actually I did not expect any opposition. That is one of the reasons that I didn't go to the hearing because I was tied up in Transportation that afternoon and if anyone in the House can show me how this can be done, I would be happy.

Thereupon, on motion of Mr. Martin of Eagle Lake, tabled pending acceptance of the Report and tomorrow assigned.

Mr. Norris from the Committee on Appropriations and Financial Affairs reporting "Ought not to pass" on Bill "An Act Providing for Payment of One Hundred Percent of Health Insurance Plan for State Employees" (H. P. 440) (L. D. 589)

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

Leave to Withdraw

Mr. Brown from the Committee on Labor on Bill "An Act Relating to Minimum Wages and Overtime" (H. P. 112) (L. D. 132) reporting Leave to Withdraw.

Report was read and accepted and sent up for concurrence.

Mr. Ross from the Committee on Election Laws on Bill "An Act Relating to Obtaining Absentee Ballot When Voter Will Be Absent from the Municipality" (H. P. 270) (L. D. 377) reporting Leave to Withdraw.

Report was read and accepted and sent up for concurrence.

Leave to Withdraw Covered by Other Legislation

Mr. Susi from the Committee on Taxation on Bill "An Act Repealing the Poll Tax" (H. P. 36) (L. D. 43) reporting Leave to Withdraw, as covered by other legislation.

Mr. Merrill from the same Committee reporting same on Bill "An Act to Repeal the Poll Tax" (H. P. 44) (L. D. 51)

Mr. Finemore from the same Committee reporting same on Bill "An Act Repealing the Poll Tax" (H. P. 79) (L. D. 92)

Reports were read and accepted and sent up for concurrence.

Divided Report

Majority Report of the Committee on Education reporting "Ought to pass" as amended by Committee Amendment "A" (H-39) on Bill "An Act Providing Funds for Elementary School Guidance Counsellors" (H. P. 384) (L. D. 513)

Report was signed by the following members:

Mr. MINKOWSKY
of Androscoggin
— of the Senate.

Messrs. TYNDALE
of Kennebunkport
BITHER of Houlton
GAHAGAN of Caribou
LAWRY of Fairfield
LYNCH

of Livermore Falls
MURRAY of Bangor
LaCHARITE of Brunswick
LeBLANC of Van Buren
— of the House.

Minority Report of same Committee reporting "Ought not to pass" on same Bill.

Report was signed by the following members:

Messrs. KATZ of Augusta
 OLFENE of Androscoggin
 — of the Senate.
 Mr. FERRIS of Waterville
 Mrs. LEWIS of Auburn
 — of the House.

Reports were read.

On motion of Mr. Tyndale of Kennebunkport, the Majority "Ought to pass" Report was accepted.

The Bill was read once. Committee Amendment "A" (H-39) was read by the Clerk and adopted and the Bill assigned for second reading tomorrow.

Divided Report

Majority Report of the Committee on Education reporting "Ought to pass" in new draft (H. P. 794) (L. D. 946) on Bill "An Act Relating to Conferring Degrees by the College of Atlantic" (Emergency) (H. P. 114) (L. D. 124)

Report was signed by the following members:

Messrs. KATZ of Kennebec
 OLFENE of Androscoggin
 — of the Senate.

Messrs. TYNDALE
 of Kennebunkport
 BITHER of Houlton
 FERRIS of Waterville
 LEWIS of Auburn
 GAHAGAN of Caribou
 LAWRY

 of Livermore Falls
 LaCHARITE of Brunswick
 LYNCH

 of Livermore Falls
 LeBLANC of Van Buren
 — of the House.

Minority Report of same committee reporting "Ought not to Pass" on same Bill.

Report was signed by the following member:

Mr. MINKOWSKY
 of Androscoggin
 — of the Senate.

Reports were read.

On motion of Mr. Tyndale of Kennebunkport, the Majority "Ought to pass" Report was accepted.

The New Draft was read once and assigned for second reading tomorrow.

Consent Calendar First Day

(H. P. 29) (L. D. 36) Bill "An Act Repealing Certain Exemptions from Weekly Payment of Wages" Committee on Labor reporting "Ought to pass"

(H. P. 108) (L. D. 128) Resolve Authorizing the Forest Commissioner to Convey Certain Islands in Southwest Harbor, Hancock County, Committee on Natural Resources reporting "Ought to pass" in new draft and under new title Resolve, Authorizing the Forest Commissioner to Convey Certain Lands in Southwest Harbor, Hancock County (H. P. 792) (L. D. 944)

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

(S. P. 65) (L. D. 188) Bill "An Act Providing for an Additional District Court Judge at Large" Committee on Judiciary reporting "Ought to pass"

Objection was noted.

On motion of Mr. Jalbert of Lewiston, the Report was read and accepted, the Bill was read once and assigned for second reading tomorrow.

(S. P. 103) (L. D. 248) Bill "An Act Relating to the Franklin Judicial Division of the District Court" Committee on Judiciary reporting "Ought to pass"

(S. P. 106) (L. D. 251) Bill "An Act Relating to Cruelty to Animals" Committee on Judiciary reporting "Ought to Pass" as amended by Committee Amendment "A" (S-14).

(S. P. 126) (L. D. 303) Bill "An Act Repealing the Bond for a Manufacturer's Liquor License" Committee on Liquor Control reporting "Ought to pass"

(S. P. 130) (L. D. 307) Bill "An Act Providing for a Study to Determine the Feasibility and Location of a New Bridge across the Penobscot River" (Emergency) Committee on Transportation reporting "Ought to Pass"

(H. P. 248) (L. D. 328) Bill "An Act Establishing the West Bath Game Sanctuary" Committee on Fisheries and Wildlife reporting

"Ought to pass" as amended by Committee Amendment "A" (H-40)

(H. P. 251) (L. D. 332) Bill "An Act Relating to Animal Disease Appraisal and Indemnity" Committee on Agriculture reporting "Ought to pass"

(H. P. 253) (L. D. 334) Bill "An Act Placing the Board of Veterinary Examiners within the Department of Agriculture" Committee on Agriculture reporting "Ought to pass" as amended by Committee Amendment "A" (H-41)

(H. P. 255) (L. D. 335) Bill "An Act Relating to Brucellosis" Committee on Agriculture reporting "Ought to pass"

(H. P. 259) (L. D. 339) Bill "An Act to Amend the Maine Commercial Feed Law of 1971" Committee on Agriculture reporting "Ought to pass"

(H. P. 287) (L. D. 361) Resolve Providing Funds for Repair of Cathance Lake Dam and Pleasant River Lake Dam, Washington County (Emergency) Committee on Fisheries and Wildlife reporting "Ought to pass"

(H. P. 290) (L. D. 364) Bill "An Act Relating to Deer Doing Damage to Blueberry Lands" Committee on Fisheries and Wildlife reporting "Ought to pass"

(H. P. 300) (L. D. 402) Bill "An Act Relating to Agricultural Cooperative Agreements" Committee on Agriculture reporting "Ought to pass"

(H. P. 330) (L. D. 448) Bill "An Act Providing for Voluntary Water Quality Monitors" Committee on Natural Resources reporting "Ought to pass" in New Draft (H. P. 793) (L. D. 945)

(H. P. 380) (L. D. 509) Bill "An Act Relating to Borrowing Capacity of Community School District Consisting of the Towns of Crystal, Dyer Brook, Island Falls, Merrill and Smyrna" (Emergency) Committee on Education reporting "Ought to pass" as amended by Committee Amendment "A" (H-42)

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

Consent Calendar

Second Day

(H. P. 96) (L. D. 117) Bill "An Act Relating to Lights and Reflectors on Bicycles" (C. "A" - H-34)

(H. P. 294) (L. D. 398) Resolve to Reimburse Norman W. Ahlholm of Warren for Loss of Beehives

(H. P. 307) (L. D. 409) Bill "An Act Relating to Issuance of Temporary Notes by Hospital Administrative District No. 1 in Penobscot County"

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

Second Reader

Tabled and Assigned

Bill "An Act Relating to Fees for Forest Lands and Wild Lands Posted Against Trespass" (H. P. 58) (L. D. 70)

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 Friday, February 23.)

Second Reader

Tabled and Assigned

Bill "An Act to Provide a Feasibility Study for a Turnpike Facility from Houlton to Van Buren" (H. P. 223) (L. D. 296)

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

Mr. Briggs of Caribou offered House Amendment "A" and moved its adoption.

House Amendment "A" (H-38) was read by the Clerk and adopted.

Mr. McHenry of Madawaska offered House Amendment "B" and moved its adoption.

House Amendment "B" (H-43) was read by the Clerk.

The SPEAKER pro tem: The Chair recognizes the gentleman from Caribou, Mr. Briggs.

Mr. BRIGGS: Mr. Speaker, I move the indefinite postponement of House Amendment "B".

The SPEAKER pro tem: The gentleman from Caribou, Mr. Briggs, moves that House Amendment "B" be indefinitely postponed.

The Chair recognizes the same gentleman.

Mr. BRIGGS: Mr. Speaker and Members of the House: House Amendment "A" simply removes the city or town of Van Buren from the request for a feasibility study for a turnpike and states instead that the terminus will be the northern boundary of the State of Maine which I would like to have be decided by the engineering studies that are done.

House Amendment "B", contrary to the bill and the House Amendment "A" states again a specific city. In this instance the City of Fort Kent will be the northern terminus, and I can only see that as adding to confusion and conflict over the whole thing.

Aside from that, instead of the original request of \$50,000 for the feasibility study which the Department of Transportation felt was necessary for this study, the request is increased to \$60,000, I presume because the City of Fort Kent requested in House Amendment "B" is further to the west. That is the reason that I thought I would request that it be indefinitely postponed.

I think I have cleared it up, Mr. Speaker, by requesting that the — at least I have gone part way on it — by requesting that the northern terminus of this feasibility study be the northern boundary rather than some specific town or city.

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

Mr. MARTIN: Mr. Speaker, I move that this item lie on the table for one legislative day, pending the motion of the gentleman from Caribou, that the amendment be indefinitely postponed.

Thereupon, Mr. Gahagan of Caribou requested a vote on the motion.

The SPEAKER pro tem: All those in favor of this matter being tabled for one legislative day, pending the motion of Mr. Briggs of Caribou to indefinitely postpone House Amendment "B" will vote yes; those opposed will vote no.

A vote of the House was taken.

112 having voted in the affirmative and 15 having voted in the negative, the motion did prevail.

Passed to Be Engrossed

Bill "An Act Relating to Federal and State Standards and Labeling of Milk and Milk Products" (H. P. 234) (L. D. 315)

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

Mr. Rollins of Dixfield offered House Amendment "A" and moved its adoption.

House Amendment "A" (H-37) was read by the Clerk and adopted and the Bill passed to be engrossed as amended and sent to the Senate.

Second Reader

Tabled and Assigned

Bill "An Act to Increase Outdoor Advertising License and Permit Fees and Extend Controls" (S. P. 276) (L. D. 764)

Was reported by the Committee on Bills in the Second Reading.

(On motion of Mr. MacLeod of Bar Harbor, tabled pending acceptance of the Committee Report and specially assigned for Friday, February 23.)

Passed to Be Enacted

Emergency Measure

An Act to Authorize the Construction of a Bridge Across Cowseagan Narrows, Back River, between the Towns of Westport and Wiscasset (S. P. 118) (L. D. 263) (C. "A" - S-11)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a total was taken. 128 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Finally Passed

Emergency Measure

Resolve Authorizing the Carrying Forward of Appropriation to Aid in Construction of Swimming Pool at Pineland Hospital and Training Center (H. P. 269) (L. D. 376)

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

emergency measure and a two-thirds vote of all the members elected to the House being necessary, a total was taken. 127 voted in favor of same and one against, and accordingly the Resolve was finally passed, signed by the Speaker and sent to the Senate.

At this point, Speaker Hewes returned to the rostrum.

Speaker HEWES: The Chair thanks the gentleman and congratulates him on an excellent job.

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

Enactor

Tabled and Assigned

An Act Relating to the Control of Dogs (H. P. 5) (L. D. 5) (C. "A" - H-25)

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

(On motion of Mr. Evans of Freedom, tabled pending passage to be enacted and specially assigned for Friday, February 23.)

Passed to Be Enacted

An Act Relating to Use of Name "The State of Maine Marching Ambassadors (H. P. 20) (L. D. 20) (C. "A" - H-12) (S. "A" - S-13)

An Act Repealing the Prohibition Against Mobile Home Sales on Sunday (H. P. 39) (L. D. 46) (H. "A" - H-28)

An Act Relating to Penalty for Not Having a License Issued under Fish and Game Laws (H. P. 185) (L. D. 227) (C. "A" - H-24)

An Act Relating to Duties of School Committees Concerning Persons not Immunized Against Certain Diseases. (S. P. 88) (L. D. 234)

An Act Relating to Sale of Certain Publications of Department of Inland Fisheries and Game (S. P. 113) (L. D. 258)

An Act Relating to Designation of an Official in Absence or Disability of Town Manager (H. P. 198) (L. D. 271)

An Act Changing the Name of the Research and Education Trust (H. P. 200) (L. D. 273)

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.

Orders of the Day

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

Joint Order relative to Legislative Finance Officer approving expenses of his office. (S. P. 254)

Tabled — February 15, by Mr. Simpson of Standish.

Pending — Passage.

Mr. Simpson of Standish offered House Amendment "A" and moved its adoption.

House Amendment "A" (H-44) was read by the Clerk and adopted.

The Joint Order was passed as amended by House Amendment "A" in non-concurrence and sent up for concurrence.

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

Bill "An Act Creating Regional Library Systems" (S. P. 281) (L. D. 828)

Tabled — February 20, by Mr. Jalbert of Lewiston.

Pending — Reference.

On motion of Mr. Martin of Eagle Lake, referred to the Committee on Education in concurrence.

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

Bill "An Act to Prevent Discrimination in the Field of Medical Care" (H. P. 755)

Tabled — February 20, by Mr. Fraser of Mexico.

Pending — Reference.

On motion of Mr. Fraser of Mexico, referred to the Committee on Judiciary, ordered printed and sent up for concurrence.

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

Bill "An Act to Transfer the Responsibility for Bulldozing in Streams from Department of Inland Fisheries and Game to Department of Environmental Protection" (H. P. 757)

Tabled — February 20, by Mr. Simpson of Standish.

Pending — Reference.

On motion of Mr. Mills of Eastport, referred to the Committee on Fisheries and Wildlife, ordered printed and sent up for concurrence.

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

Bill "An Act Providing Complimentary Hunting Licenses to Maine Residents over 70 Years of Age" (S. P. 1) (L. D. 28)

Tabled — February 20, by Mr. Henley of Norway.

Pending — Adoption of House Amendment "A". (H-33).

Mr. Dyar of Strong withdrew House Amendment "A".

On motion of Mr. Henley of Norway, under suspension of the rules, the House reconsidered its action whereby Committee Amendment "A" (S-10) was adopted.

On further motion of the same gentleman, Committee Amendment "A" was indefinitely postponed.

On further motion of the same gentleman, the Bill was passed to be engrossed in non-concurrence and sent up for concurrence.

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

Bill "An Act Relating to Hunting from Public Ways" (H. P. 160) (L. D. 202)

Tabled — February 20, by Mr. Simpson of Standish.

Pending — Passage to be engrossed.

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

Mr. MARTIN: Mr. Speaker, Ladies and Gentlemen of the House: I am not sure whether I am a proponent, opponent or should not even get involved, but I am concerned by the fact that I do represent an awful lot of areas that are unorganized and where public roads go through. I am wondering if I could pose a question to the gentleman from Standish or to any other member of the House who would care to answer as to whether or not if the road is entirely within

unorganized territory, whether or not this would prevent them from hunting along the road.

Now many of these roads are not graveled and many of them are not used at all for transportation or very rarely are they used and they are still considered a public way.

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

Mr. SIMPSON: Mr. Speaker and Ladies and Gentlemen of the House: At the present time there is a committee amendment on the bill which changes the wording from "public way" to a "paved way" which, in essence, I believe would take care of the problem that the gentleman from Eagle Lake feels that we might have within the bill.

The purpose of my amendment is strictly to take out the fact that if we are going to have hunting from a highway, fine; if we are not, fine. My feeling is that No. 6 birdshot is just as deadly as any other type of bullet or anything else and that if we are not going to allow hunting of one type, then let's not allow hunting of any type from any paved way in the State of Maine.

Thereupon, House Amendment "A" was adopted.

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

Mr. BRAWN: Mr. Speaker, Ladies and Gentlemen of the House: This bill has saved a lot of lives the way it was. Originally you could hunt from any road in the State of Maine. There were two women shot and they were shot with birdshot riding along the road. So they passed a law that you could not hunt from a hard surfaced road in any municipality.

Now this here is a birdhunter's bill again, and it comes to the point that you can hunt with No. 6 shot or less. And this is what these people were shot with was No. 6 shot. The bill is good at this time. I don't want anyone to be shot and I think everyone likes it the way it is now. I move indefinite postponement of the bill and all its accompanying papers.

The SPEAKER: The gentleman from Oakland, Mr. Brawn, moves the indefinite postponement of L. D. 202 and all accompanying papers.

The Chair recognizes the gentleman from Bath, Mr. Ross.

Mr. ROSS: Mr. Speaker, I have a question to ask the gentleman from Oakland, Mr. Brawn. There are a lot of people who enjoy hunting for partridges by what they call "riding the roads." Does this prohibit them from doing that if we indefinitely — it prohibits that. Well, does it or doesn't it?

The SPEAKER: The gentleman from Bath, Mr. Ross, poses a question through the Chair to anyone who may care to answer.

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

Mr. BRAWN: Mr. Speaker and Ladies and Gentlemen of the House: There is no law that says now that any road that is not a hardtopped road in an organized territory, you can hunt birds from that road right now. And the way this is now, this is taking every public way. I would like to have them define to me what a public way is. A public way, now I own a cottage. There are twenty-six homes on that public way the deed says.

Now, most of these people are going to tell you this is a road that is maintained by the municipality and by the State as a public way. This is far from the truth. Any road that is accessible by the public is a public road, that they cannot be barred. So if this goes on the way it is right now, you cannot hunt from a hard road in an organized territory. This is a good law and if this opens up here, you can hunt from any road.

Now this is not going to take anything away from you that you didn't have before if we indefinitely postpone it. We are going to be right where we were before this bill came in.

The SPEAKER: The Chair recognizes the gentleman from Southport, Mr. Kelley.

Mr. KELLEY: Mr. Speaker, Ladies and Gentlemen of the House: This bill that is being talked of being indefinitely

postponed was a bill that was put in to include the hardtop roads in unorganized territories. At the present time, according to our law, you cannot hunt on any paved road or any Macadam in the organized territory. We run into a problem where the hardtop roads go through first one town that is organized, the next town is not and as an enforcement thing this was very difficult. So the attempt of the basic bill here was to include all hardtop roads in the state that are maintained by the state or by a municipality.

This, we felt, was a step in the right direction. I would hate to see this whole bill lost by this indefinite postponement if I understand the motion correctly. So I hope that you will vote against indefinite postponement on it.

The SPEAKER: The Chair recognizes the gentleman from Brewer, Mr. Norris.

Mr. NORRIS: Mr. Speaker, could the Clerk be instructed to read the amendments so that the gentleman from Oakland would understand just exactly how the amendment stood on this bill, please?

Whereupon, Committee Amendment "A" (H-32) was read by the Clerk.

House Amendment "A" (H-36) was read by the Clerk.

Thereupon, on motion of Mr. Simpson of Standish, tabled pending the motion of Mr. Brawn of Oakland to indefinitely postpone and tomorrow assigned.

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

Joint Resolution relative to Women's Rights (H. P. 758)

Tabled — February 20, by Mr. Martin of Eagle Lake.

Pending — Adoption.

Mrs. Clark of Freeport offered House Amendment "A" and moved its adoption.

House Amendment "A" (H-45) was read by the Clerk and adopted.

The Joint Resolution was adopted as amended and sent up for concurrence.

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

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) (H. "A" to C. "A" - H-18).

Tabled — February 20, by Mr. Martin of Eagle Lake.

Pending — Passage to be enacted.

On motion of Mr. Carter of Winslow, the rules were suspended for the purpose of reconsideration.

The SPEAKER: The Chair recognizes the same gentleman.

Mr. CARTER: Mr. Speaker, I now move we reconsider our action whereby this bill was passed to be engrossed.

Whereupon, Mr. Simpson of Standish requested a vote on the motion.

The SPEAKER: The pending question is on the motion of the gentleman from Winslow, Mr. Carter, that the House reconsider its action whereby this Bill was passed to be engrossed. All in favor of reconsideration will vote yes; those opposed will vote no.

A vote of the House was taken.

69 having voted in the affirmative and 60 having voted in the negative, the motion did prevail.

On motion of Mr. Carter of Winslow, under suspension of the rules, the House reconsidered its action whereby House Amendment "A" to Committee Amendment "A" was adopted.

The SPEAKER: The Chair recognizes the same gentleman.

Mr. CARTER: Mr. Speaker, I now move House Amendment "A" to Committee Amendment "A" be indefinitely postponed.

On motion of Mr. Farnham of Hampden, tabled pending the motion of Mr. Carter of Winslow to indefinitely postpone House Amendment "A" to Committee Amendment "A" and tomorrow assigned.

On motion by Mr. Simpson of Standish,

Adjourned until ten o'clock tomorrow morning.