

# 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**

Monday, March 5, 1973

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

Prayer by the Rev. Mr. David C. Gleninning of Waterville.

The members stood at attention during the playing of the National Anthem by the Rockland High School band.

The journal of the previous session was read and approved.

**Orders Out of Order**

Mr. Emery of Rockland presented the following Joint Order and moved its passage:

WHEREAS, the Tigers of Rockland District High School are now semifinalists in the State Class "A" basketball tournament; now, therefore, be it

ORDERED, the Senate concurring, that the Members of the 106th Maine Legislature commend this team and its coach, Robert Brown, for their accomplishment in the field of sports and wish them continued success in their efforts to bring honor to their city, school and State; and be it further

ORDERED, that a copy of this joint order be sent to the principal and coach of Rockland District High School. (H. P. 1018)

The Joint Order was received out of order by unanimous consent, read and passed and sent up for concurrence.

Mr. Webber of Belfast presented the following Order and moved its passage:

ORDERED, that Barbara Russell and Jane Nickerson of Belfast be appointed Honorary Pages for the week.

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

Mr. Carrier of Westbrook presented the following Order and moved its passage:

WHEREAS, the future development of this State is based on nurturing the growth and development of its young people; and

WHEREAS, this task falls largely to a dedicated group of professionals commonly known as teachers; and

WHEREAS, state-wide competition is conducted annually and a special award given in recognition of dedication and excellence among Maine teachers; and

WHEREAS, the Maine Teacher of the Year Award is presented to the teacher who has exhibited the highest standards of excellence and who has given so much of herself that it has resulted in exemplary behavior on the part of her students; now, therefore, be it

ORDERED, that we, the Members of the House of Representatives of the 106th Legislature, now assembled, take this opportunity to recognize and commend Mrs. Doris R. Connors of Westbrook High School as Maine Teacher of the Year for 1973; and be it further

ORDERED, that a suitable copy of this Order be transmitted to Mrs. Connors as a token of the admiration and respect expressed herein.

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

**Conference Committee Report Out of Order**

Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill "An Act Providing Complimentary Hunting Licenses to Maine Residents Over 70 Years of Age" (S. P. 1) (L. D. 28) reporting that the Senate recede and concur with the House and pass the Bill to be engrossed.

Signed:

HENLEY of Norway

DYAR of Strong

LYNCH

of Livermore Falls

— Committee on part of the House.

ANDERSON of Hancock

HICHENS of York

MINKOWSKY

of Androscoggin

— Committee on part of the Senate.

The Report was read and accepted and sent up for concurrence.

### Papers from the Senate

From the Senate: The following Joint Order: (S. P. 393)

WHEREAS, many Maine citizens have faithfully served their country in the Armed Forces in Viet Nam and Southeast Asia; and

WHEREAS, many have given their lives, or have sustained injuries or sacrificed in other significant ways; and

WHEREAS, some have been prisoners of war or are missing in action; and

WHEREAS, all Maine citizens are extremely proud of these valiant Maine men and women; now, therefore, be it

ORDERED, the House concurring, that there is appointed a special legislative committee to arrange a Maine Viet Nam Veterans Day consisting of 3 on the part of the Senate and 7 on the part of the House.

The committee with the assistance of the Department of Military, Civil Defense and Veterans Services shall arrange an appropriate reception to be held on a day designated as Maine Viet Nam Veterans Day on the part of the 106th Maine State Legislature to express the deep and lasting gratitude of the people of the State of Maine for the services and sacrifices of their fellow Maine citizens in the military service of their county.

Came from the Senate read and passed.

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

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

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

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

### Reports of Committees

#### Leave to withdraw

#### Covered by Other Legislation

Report of the Committee on Fisheries and Wildlife on Bill "An Act Regulating the Use of Power Boats on Upper Lead Mountain Pond and Alligator Lake, Hancock County" (S. P. 39) (L. D. 96) reporting Leave to Withdraw, as covered by other legislation.

Came from the Senate read and accepted.

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

### Messages and Documents

The following Communication: (H. P. 965)

#### STATE OF MAINE

Joint Interim Legislative Committee To Study The Tax Structure of the State To the Members of the 106th Legislature:

Forwarded herewith is the report of the "Special Joint Interim Legislative Committee to Study the Tax Structure of the State" prepared pursuant to Joint Order of the 105th Maine Legislature, First Special Session.

Sincerely,

Signed:

GEORGE H. CHICK

Chairman

The Communication was read and ordered placed on file and sent to the Senate.

At this point, Speaker Hewes returned to the rostrum.

The SPEAKER: The Chair thanks the gentleman and commends him for an excellent effort.

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

### 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:

#### Agriculture

Bill "An Act Revising the Laws Relating to the Board of Pesticides Control" (H. P. 958) (Presented by Mr. Briggs of Caribou)

(Ordered Printed)  
Sent up for concurrence.

### **Appropriations and Financial Affairs**

Bill "An Act Providing Funds for Psychiatric Aids at Pineland Hospital and Training Center" (H. P. 956) (Presented by Mr. Mulkern of Portland)

Bill "An Act to Increase the Salaries of County Attorneys and Assistant County Attorneys" (Emergency) (H. P. 957) (Presented by Mr. Snowe of Auburn)

Bill "An Act Relating to Salaries of County Attorneys and Assistant County Attorneys" (H. P. 964) (Presented by the same gentleman)

(Ordered Printed)  
Sent up for concurrence.

### **Fisheries and Wildlife**

Bill "An Act Exempting Maine Guides from Boat Operator's License Law" (H. P. 959) (Presented by Mr. Mills of Eastport)

(Ordered Printed)  
Sent up for concurrence.

### **Judiciary**

Bill "An Act to Create A Court Trustee System to Collect Support and Other Installment Payment Court Orders" (H. P. 954) (Presented by Mr. Cooney of Sabattus)

Bill "An Act Relating to Penalty for Criminal Trespass in Buildings" (H. P. 962) (Presented by Mr. Webber of Belfast) (By request)

(Ordered Printed)  
Sent up for concurrence.

### **Liquor Control**

Bill "An Act Providing for a Study to Determine Costs of the Liquor Business in Maine" (H. P. 955) (Presented by Mr. Cooney of Sabattus)

(Ordered Printed)  
Sent up for concurrence.

### **Natural Resources**

Bill "An Act to Raise the Classification of Certain Surface Waters in the Town of Scarborough" (H. P. 961) (Presented by Mrs. Knight of Scarborough) (By request)

(Ordered Printed)  
Sent up for concurrence.

### **State Government**

Bill "An Act Relating to Operating Hours of State and Municipal Offices" (H. P. 969) (Presented by Mr. Goodwin of South Berwick)

(Ordered Printed)  
Sent up for concurrence.

### **Tabled and Assigned**

Bill "An Act Transferring Responsibility for All Municipal Roads to the Counties" (H. P. 963) (Presented by Mr. Maxwell of Jay)

The Committee on Reference of Bills suggested the Committee on Transportation.

(On motion of Mr. Farrington of South China, tabled pending reference and tomorrow assigned.)

### **Orders**

#### **Tabled and Assigned**

The SPEAKER: The Chair recognizes the gentlewoman from Orrington, Mrs. Baker.

Mrs. BAKER: Mr. Speaker, I would like to inquire if the House is in possession of Senate Paper 151, L. D. 385, An Act Providing for Field Examiner for Election Division of the Department of the Secretary of State?

The SPEAKER: The Chair would answer in the affirmative.

Mrs. BAKER: Mr. Speaker, having voted on the prevailing side, I would request that this bill be put up for reconsideration.

The SPEAKER: The gentlewoman from Orrington, Mrs. Baker, moves that the House reconsider its action whereby it indefinitely postponed L. D. 385.

On motion of Mr. Simpson of Standish, tabled pending the motion of Mrs. Baker to reconsider and specially assigned for Wednesday, March 7.

### **House Reports of Committees Ought Not to Pass**

Mr. Curtis from the Committee on State Government reporting "Ought not to pass" on Bill "An Act Transferring Allagash Wilderness Waterway to Forestry Department" (H. P. 240) (L. D. 321)

Mr. Emery from the Committee on Legal Affairs reporting "Ought Not to pass" on Resolve to Reimburse Maurice Norton of Vinalhaven for Loss of Revenue Caused by Failure to Carry his Trucks to Vinalhaven (H. P. 246) (L. D. 327)

Mr. Mills from the Committee on Fisheries and Wildlife reporting "Ought not to pass" on Bill "An Act Creating the Jackson Wildlife Management Area, Waldo County" (H. P. 450) (L. D. 599)

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

### Divided Report

Majority Report of the Committee on Transportation reporting "Ought to pass" on Bill "An Act Relating to Lights on Volunteer Emergency Rescue Squad or Ambulance Service Vehicles" (H. P. 459) (L. D. 608)

Report was signed by the following members:

Messrs. GREELEY of Waldo  
SHUTE of Franklin  
CIANCHETTE  
— of Somerset  
— of the Senate.

Messrs. WOOD of Brooks  
KEYTE of Dexter  
FRASER of Mexico  
JACQUES of Lewiston  
Mrs. McCORMICK of Union  
Mrs. BERRY of Madison  
— of the House.

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

Report was signed by the following members:

Messrs. McNALLY of Ellsworth  
DUNN of Poland  
WEBBER of Belfast  
— of the House.

Reports were read.

On motion of Mr. Wood of Brooks, the Majority "Ought to pass" Report was accepted.

The Bill was read once and assigned for second reading tomorrow.

### Consent Calendar

#### First Day

(H. P. 225) (L. D. 298) Bill "An Act Relating to Penalty for Failure to Stop Vehicles on Signal of Officer Enforcing Fish & Game Laws" — Committee on Judiciary reporting "Ought to pass"

(H. P. 310) (L. D. 412) Bill "An Act Relating to Suspensions under the Motor Vehicle Laws" — Committee on Judiciary reporting "Ought to pass"

(H. P. 325) (L. D. 443) Bill "An Act Relating to Reservation of Same Motor Vehicle Registration Number" — Committee on Transportation reporting "Ought to pass"

(H. P. 331) (L. D. 449) Bill "An Act Relating to Permits for State Entry of Animals and Birds" — Committee on Agriculture reporting "Ought to Pass"

(H. P. 333) (L. D. 451) Bill "An Act Relating to Equine Infectious Anemia (Swamp Fever) in Equidae" (Emergency) — Committee on Agriculture reporting "Ought to pass"

(H. P. 334) (L. D. 452) Bill "An Act Providing Funds for Purchase of Electronic Milk Testing Equipment" — Committee on Agriculture reporting "Ought to pass"

(H. P. 401) (L. D. 530) Bill "An Act to Prohibit Contraband in County Jails" — Committee on Judiciary reporting "Ought to pass"

(H. P. 436) (L. D. 585) Bill "An Act Relating to Permits to Engage in Business of Propagating Wild Animals or Wild Rabbits" — Committee on Agriculture reporting "Ought to pass"

(H. P. 449) (L. D. 598) Bill "An Act Creating the Rangeley Plantation Sanctuary" — Committee on Fisheries and Wildlife reporting "Ought to pass"

(H. P. 487) (L. D. 641) Bill "An Act to Revise Laws Relating to Dance Hall Licensing" — Committee on Legal Affairs reporting "Ought to pass."

(H. P. 490) (L. D. 644) Bill "An Act to Revise the Maine Passenger Tramway Safety Board Law" — Committee on Legal Affairs reporting "Ought to Pass"

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

### Tabled and Assigned

(H. P. 542) (L. D. 724) Bill "An Act Establishing Daylight Saving Time for All Year" — Committee

on Legal Affairs reporting "Ought to pass"

On the request of Mr. Ross of Bath, was removed from the Consent Calendar's First Day list.

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

Mr. ROSS: Mr. Speaker and Members of the House: I would like to question anybody on the Legal Affairs Committee. Since the wording of this bill crosses out the present daylight saving time verbiage, does it mean we will not have any daylight saving time until 1976?

The SPEAKER: The gentleman from Bath, Mr. Ross, poses a question through the Chair to any member who may answer if he desires.

The Chair recognizes the gentleman from Rockland, Mr. Emery.

Mr. EMERY: Mr. Speaker and Members of the House: If I had about three more minutes, I would read the bill over to check the exact language that the gentleman from Bath is referring to. But just a very brief explanation of why we passed this out unanimously "ought to pass."

A few years ago, I believe in 1967, this matter was before the legislature for the first time and it passed without any debate at the time. Now all this does is to put Maine on record as going to daylight savings time all year round, at such a time as six other states in the region do the same thing.

There was a statute of limitations which ran out a few years ago and this is merely reinstating something that was passed a few years back.

If that satisfies the gentleman, or if it doesn't satisfy the gentleman from Bath, I would certainly be happy that this be tabled for a day.

Whereupon, on motion of Mr. Ferris of Waterville, tabled pending acceptance of the Committee Report and tomorrow assigned.

(H. P. 546) (L. D. 727) Bill "An Act to Clarify the Law Relating to Motor Vehicle Air Pollution Control Systems" — Committee on

Natural Resources reporting "Ought to pass"

(H. P. 311) (L. D. 413) Bill "An Act Relating to Identity of Defendant in Suspension Cases under Motor Vehicle Laws" — Committee on Judiciary reporting "Ought to pass" as amended by Committee Amendment "A" (H-74)

(H. P. 47) (L. D. 54) Bill "An Act Relating to Removal or Destruction of Landmark Boundaries by State Department" — Committee on State Government reporting "Ought to pass" in New Draft (H. P. 966) (L. D. 1151)

(H. P. 368) (L. D. 497) Bill "An Act to Revise the Maine Weights and Measures Law" — Committee on Agriculture reporting "Ought to pass" in New Draft (H. P. 967) (L. D. 1152)

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

#### **Consent Calendar Second Day**

(H. P. 272) (L. D. 379) Bill "An Act Relating to High School Equivalency Certificates"

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

#### **Passed to Be Enacted Emergency Measure**

An Act Relating to Bridge Academy (H. P. 196) (L. D. 269)

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. 122 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.

#### **Emergency Measure**

An Act to Amend the Organization of Penobscot Bar Library Association (H. P. 376) (L. D. 505) (C. "A" — H-54)

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. 124 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.

### Emergency Measure

An Act Making Additional Appropriations from the General Fund for the Expenditures of State Government and for Other Purposes for the Fiscal Year Ending June 30, 1973 (S. P. 356) (L. D. 991)

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. 119 voted in favor of same and 5 against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

### Passed to Be Enacted

An Act Relating to Board of Trustees of Independent Churches (H. P. 152) (L. D. 185)

An Act Relating to Wardens and Vestrymen in the Protestant Episcopal Church in the Diocese of Maine (H. P. 252) (L. D. 333)

An Act Relating to Motor Vehicle Auxiliary Lights on Snow Plowing Vehicles (H. P. 264) (L. D. 371)

An Act Relating to Display of Headlamps on Parked Vehicles (H. P. 268) (L. D. 375)

An Act Relating to the Use of Separate Ballot Box for Constitutional Amendments and Referenda (S. P. 154) (L. D. 388)

An Act Relating to Exemption of Certain Securities and Dealers from Registration under the Securities Law (H. P. 304) (L. D. 406)

An Act Establishing Licensure Fees for Manufacture and Sale of Lightning Rods (H. P. 305) (L. D. 407)

An Act to Increase the Fee for Registration of Securities (H. P. 306) (L. D. 408)

An Act Relating to Display of Vehicle Headlamps (H. P. 365) (L. D. 480)

An Act Relating to Per Diem Compensation for Members of the Real Estate Commission (H. P. 373) (L. D. 502)

An Act Providing Funds for Elementary School Guidance Counsellors (H. P. 384) (L. D. 513) (C. "A" — H-39)

An Act Relating to Outside Signs at Offices of and Increasing Fees of Change of Location of Real Estate Brokers (H. P. 389) (L. D. 518)

An Act Establishing the Lowell E. Barnes Wildlife Management Area, Oxford County (H. P. 407) (L. D. 535)

An Act Relating to Holding Property by Children's Aid Society of Maine (H. P. 409) (L. D. 558)

An Act Increasing Bond of Register of Probate in Cumberland County (H. P. 417) (L. D. 566)

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.

An Act Relating to Recording Municipal Ordinances Relating to Land Control (H. P. 858) (L. D. 1001)

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

The SPEAKER: The Chair recognizes the gentleman from Sabattus, Mr. Cooney.

Mr. COONEY: Mr. Speaker and Ladies and Gentlemen of the House: I am sorry I am taking action on this measure at this late stage, but I did want to bring to your attention my objections to this bill before we made it a law. If you look at it, it is a short bill and seemingly rather innocuous, but I do represent some small towns, and it does seem to me this is not the kind of thing we want to saddle them with.

It says quite simply that a municipality has to register any land control ordinance at the registry of deeds, and when I talked to the sponsor of the measure and the chairman of the committee that heard it, they felt that this would be a convenience to lawyers, who might be investigating certain land transactions and land development proposals and it would be a service to have all of these ordinances in one central place; namely, at the registry. But I think we are all



aware that our small towns, are already saddled with as much red tape as they care to handle and I am sure that we are going to give them a little more red tape in this legislature.

Furthermore, I wonder, if this particular measure might not be a lawyer's dream, in that should a town fail to register their land use ordinance at the registry of deeds, would that then hold it invalid, or at least invalid in a case where someone was unable to find it listed at the registry?

So, I am going to make the motion that this bill be indefinitely postponed. I am going to ask that the vote be taken by the yeas and nays, and I sincerely hope that we can defeat this measure and not saddle our towns with it and not jeopardize the local ordinances that our towns labored to pass and update year after year.

The SPEAKER: The pending question is on the motion of the gentleman from Sabattus. Mr. Cooney, that item 19, the Bill and all its papers be indefinitely postponed.

The SPEAKER: The Chair recognizes the gentleman from Ellsworth, Mr. McNally.

Mr. McNALLY: Mr. Speaker and Ladies and Gentlemen of the House: This bill is a bill that will help the poor fellow, the little fellow, more than it is a lawyer's bill. At the present time, if you are a small fellow, not too much money, and you want to sell a piece of property, and somebody decides they want to buy it, then an attorney must, of course, execute a deed from you to them. They must also, search the title and see what there is that is outstanding against it for ordinances and so forth, according to whatever the person who is going to buy it needs it for.

Now, take down in our little county of Hancock. We have a lady who works in the mill, and she is the Town Clerk of the Town of Eastbrook. Now supposing the attorneys that are in our building have a deed that they have to execute for somebody up there in Eastbrook and they might be a poor blueberry grower too, and it is possible that the only place that

there is any record of a n y ordinance or anything against the owner, the new owner, using it for what he wants to, is in the Town Clerk's office. Now the only time the attorney can find that out will be at night when she is home, or Saturday or Sunday, if she is not working. I just cite that as one instance in Hancock County. And I am sure that we are not alone as a county in having people in small towns who are town clerks and have to work besides being the town clerk for a living.

So the bill itself is to save perhaps a \$75 charge to the people that are selling the land or buying the land or whoever has to buy it for an attorney to go up there at night out of hours and find out what there is against the property as to ordinances or anything else according to the town of Eastbrook.

Now that is what the bill is for. It was changed a little bit by the committee, which I think was correct for them to in that instead of it being put in the registry, it would be kept in a file in the registry of deeds and it seems to me that it just simply means that any ordinance that a town passes in a town meeting, especially in a small town and that is what the bill is supposed to help as much as anything is the small town, they only need to make an extra copy and send it to the registry of deeds and there are files on it. Now, that is my understanding of the bill and I cannot see why it is not an economy measure for the poor fellow as well as for the small town.

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

Mr. JALBERT: Mr. Speaker and Members of the House: I don't think I was here when this bill came out of committee. Would the Clerk tell me how this bill — what was the report of the committee on this item?

The Bill was read by the Clerk.

The SPEAKER: It was a unanimous "Ought to pass" Report in New Draft.

The Chair recognizes the gentleman from Waterville, Mr. Carey.

Mr. CAREY: Mr. Speaker and Members of the House: In answer to Mr. Cooney of Sabattus, I am not an attorney, however, I do serve as a municipal officer. The City of Waterville has housing codes, has zoning laws. The Planning Board has put out subdivision ordinances and if anyone should be concerned with the passage of this bill, it should be the people, obviously, of the City of Waterville.

We have ruled out the objectionable part to the city which would have had us record the instrument. This would have been fairly costly under the new draft as the sponsor, Mr. McNally, has pointed out. We have changed it to filing, so that all the clerk has to do is testify that this is, in fact, something that has been passed by the municipal officers, certify it, pass it on. This would be of tremendous help to those people who want to do some work in a particular community.

The lawyers have a famous phrase: "Let the buyer beware" so that the buyer himself has to get an attorney to search title and what have you. While he is at the registry searching title, he can also check on the restrictions on land so that his client, the person who he has been hired to represent, can be sure that whatever he is buying the land for can be done in that particular municipality by any of the zoning laws or restrictions that have been laid down by a municipality.

I would certainly urge you to vote against the motion to indefinitely postpone this bill. I feel it is an extremely good piece of legislation.

The SPEAKER: The Chair recognizes the gentleman from Skowhegan, Mr. Dam.

Mr. DAM: Mr. Speaker, Ladies and Gentlemen of the House: I rise to support the motion of Mr. Cooney, because this has been the first session that I have had a chance to serve on the Committee on County Government. I haven't been able to attend all of the meetings because it happens to meet on the same day the Taxation Committee meets, but I have attended quite a few. And the one

thing that I have heard continually over and over by the county officers coming in asking for pay raises or salary adjustments or whatever you want to call them, is that we are being loaded up with work, new duties are being put onto us. We have got to expand our office and we have to have more pay.

Now if we allow this to pass today, at the next session, whoever is on that committee will hear the same story, only this time the raises being asked for will be larger. And this, again, is not helping the taxpayer. This is putting a burden on the taxpayer because the county government tax comes right out of their pocket too and to load them up more. All we are doing here is creating another agency within an agency. I don't think this is a good bill and I strongly would urge that we pass the motion to indefinitely postpone.

The SPEAKER: The Chair recognizes the gentleman from Rockland, Mr. Emery.

Mr. EMERY: Mr. Speaker, Members of the House: To clear up what might be a little confusing, this was a Legal Affairs bill, not a County Government bill. The committee felt, unanimously I might add, that this would be a convenience not only to the lawyers but to the landowners whose own property might be involved in transfer actions.

Another thing to consider is that with all the new environmental laws we have on the books and all the land use regulation laws, it may become a little confusing for anyone who is trying to buy or sell a piece of property. And unless all the laws and regulations pertaining to a particular town are in one place where a lawyer can find them and check them thoroughly, it is entirely possible that a person might buy a piece of property intending to do something with it when, in fact, under a regulation he never heard of before he might not be able to.

So this is an opportunity for this legislature to help a person and to make something a little bit more convenient. It is not often that we get a chance to do that in this

body without spending a lot of money. The only thing this requires is a looseleaf notebook like you keep your roll calls in at the county seat in the registry, keep a copy of all these different ordinances from each town — some towns don't have very many, only the larger towns and the cities have very many that have to do with zoning and land control and I just can't envision anything any simpler than a town clerk at her own leisure taking a copy of these ordinances, running them off on a Xerox machine, dropping them in the mail and two days later they end up in the county seat. For this little expenditure in money and time, I can't envision a way to make life a lot easier for both the lawyers and individuals who are buying and selling property.

So I certainly hope you will vote against the motion to indefinitely postpone and pass this good bill.

The SPEAKER: The Chair recognizes the gentleman from Skowhegan, Mr. Dam.

Mr. DAM: Mr. Speaker and Ladies and Gentlemen of the House: To clear up one thing, I am sure if you read your horse-blanket tomorrow, you will see that I did not say that this bill had come before the Committee on County Government. I said that we have had many bills before the Committee on County Government and every bill was asking for a pay raise or a salary adjustment. The argument used in 99 out of 100 is that we are having more work put on us, our duties have increased and, therefore, we should have more pay. This is what I said and this is why I make the statement now to clarify it in the good gentleman, Mr. Emery's mind.

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

Mr. BRAUN: Mr. Speaker, Ladies and Gentlemen of the House: I served on this committee and I think this is one of the best bills that we have had and I hope you don't go along with indefinite postponement.

In the little town I live in, we record all our deeds there. If we

have to hire another girl to file all of these and control resolves, which is going to have to happen, all she has got to do is send them down here. Then if you want to sell a piece of property, you have not got to pay a lawyer to go to two places to check. He has got it right here and everyone on that committee agreed unanimously this was a good bill and I hope you go along and don't indefinitely postpone this bill.

The SPEAKER: The Chair recognizes the gentleman from Sabattus, Mr. Cooney.

Mr. COONEY: Mr. Speaker and Ladies and Gentlemen of the House: Just a couple of quick points. Right now I think attorneys are able to write letters to the municipal offices if they cannot get a clerk or selectman by telephone to get the information. It is available. It is public record and I think that the present procedure probably is adequate.

The other point simply has not been spoken to and I would like perhaps some lawyer to tell me if he wouldn't be delighted to run one of these cases through court where a town perhaps has a municipal ordinance concerning lot size. Perhaps they fail to amend it. They fail to record that document and someone purchases a piece of land, subdivides it in violation of the ordinance and the town then tells him, look, we have an ordinance on our books and you are not following it. They say, well you did not register this in the registry of deeds, therefore you cannot make me follow your ordinance. It seems to me that our small towns have enough trouble already enforcing their ordinances without having an added technicality here and a potential cost for legal problems because certainly a developer is going to be delighted to run something like this through court if he is going to be able to gain an advantage, whereas a small town simply does not have the funds or the time or the wherewithal to go through this procedure.

So, once again, I have not heard an answer to that and I still strongly oppose this bill.

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

Mr. MILLS: Mr. Speaker and Ladies and Gentlemen of the House: I have been very interested listening to the debate on the floor here and as far as this bill is concerned, I am in favor of it. The reason is, I have spent a year and one month chasing down these titles where there was no record neither in the county or down here in the law library. This way we will have a record in the future which we did not have for the last hundred years.

The SPEAKER: A roll call has 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 those desiring a roll call vote 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 pending question is on the motion of the gentleman from Sabattus, Mr. Cooney, that L. D. 1001, An Act Relating to Recording Municipal Ordinances Relating to Land Control be indefinitely postponed. All those in favor will vote yes; those opposed will vote no.

#### ROLL CALL

YEA — Carrier, Carter, Cooney, Crommett, Curtis, T. S., Jr.; Dam, Davis, Donaghy, Dudley, Farley, Farnham, Flynn, Gahagan, Goodwin, K.; Immonen, LaCharite, Lawry, Lewis, J.; McMahon, Najarian, Snowe, Tanguay, Tierney.

NAY — Albert, Ault, Baker, Berry, G. W.; Berry, P. P.; Berube, Binnette, Bither, Boudreau, Bragdon, Brawn, Brown, Bunker, Bustin, Cameron, Carey, Chick, Chonko, Churchill, Clark, Conley, Connolly, Cote, Cottrell, Cressey, Curran, Deshaies, Dow, Drigotas, Dunn, Dyar, Emery, D. F.; Evans, Farrington, Faucher, Fecteau, Ferris, Finemore, Fraser, Garsoe, Gauthier, Genest, Good, Hamblen, Hancok, Haskell, Henley, Herrick, Hobbins, Hoffses, Huber, Hunter, Jackson, Jacques,

Jalbert, Kelleher, Kelley, Kelley, R. P.; Keyte, Kilroy, Knight, LaPointe, LeBlanc, Lewis, E.; Littlefield, Lynch, MacLeod, Martin, Maxwell, McCormick, McHenry, McKernan, McNally, Merrill, Mills, Morin, V.; Morton, Mulkern, Murchison, Murray, Norris, O'Brien, Palmer, Parks, Perkins, Peterson, Pratt, Ricker, Rolde, Rollins, Ross, Shaw, Shute, Simpson, L. E.; Smith, S.; Soulas, Stillings, Susi, Talbot, Theriault, Trask, Tyndale, Walker, Webber, Wheeler, Willard, Wood, M. E.

ABSENT — Barnes, Birt, Briggs, Dunleavy, Goodwin, H.; Greenlaw, Hodgdon, Maddox, Mahany, McTeague, Morin, L.; Pontbriand, Santoro, Sheltra, Silverman, Smith, D. M.; Sproul, Trumbull, White, Whitzell.

Yes, 23; No, 108; Absent, 19.

The SPEAKER: Twenty-three having voted in the affirmative and one hundred eight in the negative, with nineteen being absent, the motion to indefinitely postpone does not prevail.

Thereupon, the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Resolve Providing Funds for Project on Swan's Island, Hancock County (H. P. 446) (L. D. 595)

Was 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:

Bill "An Act to Establish within the Department of Indian Affairs a Bureau of Indian Police" (H. P. 377) (L. D. 506)

Tabled — February 28, by Mr. Ault of Wayne.

Pending — Acceptance of Committee Report.

On motion of Mr. Ault of Wayne, retabled pending acceptance of the Committee Report and specially assigned for Wednesday, March 7.

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

Bill "An Act Relating to Absentee Voting by Persons Serving Sentences in Jails and Penal Institutions" (H. P. 299) (L. D. 401)

Tabled — February 28, by Mr. Martin of Eagle Lake.

Pending — Acceptance of Report "A".

On motion of Mr. Ross of Bath, retabled pending acceptance of Report "A" and tomorrow assigned.

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

Resolution, Proposing an Amendment to the Constitution Reducing Residence Requirement for Voting to Thirty Days (H. P. 9) (L. D. 9)

Tabled — February 28, by Mr. Ross of Bath.

Pending — Enactment.

On motion of Mr. Simpson of Standish, retabled pending passage to be enacted and specially assigned for Wednesday, March 7.

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

Bill "An Act Relating to Possession of Firearm During Open Season on Deer after Deer Registered" (H. P. 159) (L. D. 201)

Tabled — February 28, by Mr. Kelley of Southport.

Pending — Motion of Mr. Trumbull of Fryeburg that the House recede and concur.

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

Mr. KELLEY: Mr. Speaker, Ladies and Gentlemen of the House: Inasmuch as Mr. Trumbull is not in his seat, I hope somebody will table this for two more additional days.

Whereupon, on motion of Mr. Simpson of Standish, retabled pending the motion of Mr. Trumbull of Fryeburg to recede and concur and specially assigned for Wednesday, March 7.

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

Bill "An Act Relating to Apportionment of Cost of Reconstruction of Railroad Grade

Separation Structures on Nonfederal Aid-State Aid Highways" (S. P. 136) (L. D. 348)

Tabled — February 28, by Mr. Wood of Brooks.

Pending — Engrossment.

Mr. McNally of Ellsworth offered House Amendment "A" and moved its adoption.

House Amendment "A" (H-62) was read by the Clerk and adopted.

The Bill was passed to be engrossed as amended 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 Furloughs for Inmates and Prisoners of State Institutions" (H. P. 937)

Tabled — March 1, by Mr. Goodwin of South Berwick.

Pending — Reference.

On motion of Mr. Goodwin of South Berwick, referred to the Committee on Judiciary, ordered printed and sent up for concurrence.

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

Bill "An Act Providing for One-Half Day Legal Holiday for Elections" (H. P. 940)

Tabled — March 1, by Mr. McKernan of Bangor.

Pending — Reference.

On motion of Mr. McKernan of Bangor, referred to the Committee on Election Laws, ordered printed and sent up for concurrence.

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

Joint Order relative to Special Legislative Committee to Welcome Home Returning Prisoners of War (S. P. 334)

Tabled — March 1, by Mr. Simpson of Standish.

Pending — Passage.

On motion of Mr. Simpson of Standish, indefinitely postponed in non-concurrence and sent up for concurrence.

On motion by Mr. Birt of East Millinocket,

Adjourned until nine o'clock tomorrow morning.