

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 19, 1973

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

Prayer by the Rev. Mr. James C. Sleeper of Freeport.

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

The journal of the previous session was read and approved.

Orders Out of Order

Mrs. Clark of Freeport presented the following Order and moved its passage:

ORDERED, that Terry Hawkes, Linda Thompson, Jerie Sleeper and Julie Sleeper of Freeport be appointed Honorary Pages for today.

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

Mrs. White of Guilford presented the following Order and moved its passage:

ORDERED, that Pamela Page of Bangor be appointed Honorary Page for today.

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

Papers from the Senate

From the Senate: The following Communication: (S. P. 466)

STATE OF MAINE

Department of Transportation

March 15, 1973

To: Governor Kenneth M. Curtis and

Members of the 106th Legislature

In accordance with the provisions of Chapter 113, Private and Special Laws of 1971, I am pleased to submit the Department of Transportation's report entitled "Maine Transportation 1973".

Respectfully,

Signed:

DAVID H. STEVENS
Maine Department of
Transportation

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

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

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

**Reports of Committees
Ought Not to Pass**

Report of the Committee on Fisheries and Wildlife reporting "Ought not to pass" on Bill "An Act Revising the Laws Relating to Guides under Fish and Game Laws" (S. P. 46) (L. D. 103)

Report of the Committee on Public Utilities reporting "Ought not to pass" on Bill "An Act Prohibiting Smoking on Public Conveyance" (S. P. 129) (L. D. 306)

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

Leave to Withdraw

Report of the Committee on State Government on Bill "An Act to Repeal the Committee on Maine Public Broadcasting" (S. P. 174) (L. D. 429) reporting Leave to Withdraw.

Came from the Senate read and accepted.

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

Divided Report

Majority Report of the Committee on Education reporting "Ought to pass" as amended by Committee Amendment "A" (S-31) on Bill "An Act Relating to Educational Research" (S. P. 99) (L. D. 244)

Report was signed by the following members:

Messrs. KATZ of Kennebec
OLFENE of Androscoggin
MINKOWSKY

— of Androscoggin
— of the Senate.

Messrs. TYNDAL
— of Kennebunkport
BITHER of Houlton
FERRIS of Waterville
GAHAGAN of Caribou
LYNCH

— of Livermore Falls
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. MURRAY of Bangor

LAWRY of Fairfield

Mrs. LEWIS of Auburn

— of the House.

Came from the Senate with the Majority Report accepted and the Bill passed to be engrossed as amended by Committee Amendment "A" (S-31).

In the House: Reports were read.

On motion of Mr. Tyndale of Kennebunkport, the Majority "Ought to pass" Report was accepted in concurrence and the Bill read once.

Committee Amendment "A" (S-31) was read by the Clerk and adopted in concurrence and the Bill assigned for second reading tomorrow.

Divided Report

Majority Report of the Committee on Agriculture reporting "Ought to pass" on Bill "An Act Relating to Animal Welfare" (S. P. 42) (L. D. 98)

Report was signed by the following members:

Messrs. PEABODY of Aroostook

HICHENS of York

— of the Senate.

Messrs. EVANS of Freedom

ROLLINS of Dixfield

PRATT of Parsonsfield

HUNTER of Benton

ALBERT of Limestone

MAHANY of Easton

BERRY of Buxton

MORIN of Fort Kent

— of the House.

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

Report was signed by the following member:

Mr. CYR of Aroostook

— of the Senate.

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

In the House: Reports were read.

On motion of Mr. Evans of Freedom, the Majority "Ought to pass" Report was accepted in concurrence.

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

Non-Concurrent Matter

Bill "An Act Relating to Permits for State Entry of Animals and Birds" (H. P. 331) (L. D. 449) which was passed to be engrossed in the House on March 6.

Came from the Senate passed to be engrossed as amended by Senate Amendment "A" (S-37) in non-concurrence.

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

Non-Concurrent Matter

Bill "An Act Relating to Recording Municipal Ordinances Relating to Land Control" (H. P. 858) (L. D. 1001) which was passed to be engrossed in the House on February 26.

Came from the Senate passed to be engrossed as amended by Senate Amendment "C" (S-36) in non-concurrence.

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

Petitions, Bills and Resolves

Requiring Reference

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

Business Legislation

Bill "An Act Relating to Amendments to Charters of Corporations Without Capital Stock" (H. P. 1172) (Presented by Mr. Lynch of Livermore Falls)

Bill "An Act Regulating the Employment of Real Estate Appraisers by State Departments and Agencies" (H. P. 1183) (Presented by Mr. Palmer of Nobleboro)

Bill "An Act Prohibiting Service Charges on Sales Tax Through Credit Card Sales" (H. P. 1188) (Presented by Mr. Webber of Belfast)

(Ordered Printed)

Sent up for concurrence.

Education

Bill "An Act Validating a Community School District Consisting of the Towns of Crystal, Dyer

Brook, Island Falls, Merrill, Oakfield and Smyrna" (H. P. 1175) (Emergency) (Presented by Mr. Walker of Island Falls)

Bill "An Act Relating to Bids and Contracts in School Administrative Districts" (H. P. 1176) (Presented by Mr. LeBlanc of Van Buren)

(Ordered Printed)
Sent up for concurrence.

Fisheries and Wildlife

Bill "An Act Relating to Dogs on Leash and Providing Special License for Hunting Dogs" (H. P. 1185) (Presented by Mr. Carter of Winslow)

Bill "An Act Relating to Nonresident Big Game Hunting in Maine" (H. P. 1186) (Presented by the same gentleman)

(Ordered Printed)
Sent up for concurrence.

Health and Institutional Services

Bill "An Act Relating to Protection of Consumers in the Purchase of Hearing Aids" (H. P. 1179) (Presented by Mr. Soulas of Bangor)

(Ordered Printed)
Sent up for concurrence.

Judiciary

Bill "An Act Relating to Venue of Personal and Transitory Actions Involving the Residents of Brunswick and Harpswell" (H. P. 1169) (Presented by Mr. McTeague of Brunswick)

(Ordered Printed)
Sent up for concurrence.

Labor

Bill "An Act Relating to Compensation and Specific Periods for Injuries under Workmen's Compensation Act" (H. P. 1173) (Presented by Mr. McTeague of Brunswick)

Bill "An Act Relating to Compensation under Workmen's Compensation Law" (H. P. 1174) (Presented by Mr. Hobbins of Saco)

Bill "An Act Relating to Weekly Benefits for Total Unemployment under Employment Security Law" (H. P. 1177) (Presented by Mr. Binnette of Old Town)

(Ordered Printed)
Sent up for concurrence.

Liquor Control

Bill "An Act Permitting Sale of Liquor at Certain Golf Courses" (H. P. 1180) (Presented by Mr. Soulas of Bangor)

(Ordered Printed)
Sent up for concurrence.

Natural Resources

Bill "An Act to Provide for a Maine Scenic and Wild Rivers System" (H. P. 1184) (Presented by Mr. Susi of Pittsfield)

(Ordered Printed)
Sent up for concurrence.

State Government

Bill "An Act to Create a Commission to Name Public Buildings, Bridges, Highways and Other Public Works" (H. P. 1178) (Presented by Mr. Birt of East Millinocket)

Resolution Proposing an Amendment to the Constitution Clarifying the Status of Bills Presented to the Governor and Then the Legislature Adjourns (H. P. 1181) (Presented by Mr. Carrier of Westbrook)

(Ordered Printed)
Sent up for concurrence.

House Reports of Committees Ought Not to Pass

Mr. Perkins from the Committee on Judiciary reporting "Ought not to pass" on Bill "An Act Providing for Mandatory Jail Sentences for Night Hunting" (H. P. 153) (L. D. 186)

Mr. Carrier from the Committee on Judiciary reporting "Ought not to pass" on Bill "An Act Relating to Action of Forcible Entry and Detainer" (H. P. 281) (L. D. 396)

Mr. Whitzell from the Committee on County Government reporting "Ought not to pass" on Bill "An Act Relating to Charges to Municipalities by Counties for Costs of Food Stamp Programs" (H. P. 432) (L. D. 581)

Mr. Jalbert 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 Plans for State Employees" (H. P. 440) (L. D. 589)

Mr. Bragdon from the Committee on Appropriations and Finan-

cial Affairs reporting "Ought not to pass" on Bill "An Act Providing for Reduced Rates for Senior Citizens Using State Recreation and Camping Areas" (H. P. 526) (L. D. 708)

Mr. Haskell from the Committee on Appropriations and Financial Affairs reporting "Ought not to pass" on Resolve Appropriating Funds to Aid Town of Deer Isle in Constructing Municipal Building (H. P. 531) (L. D. 713)

Mr. Bragdon from the Committee on Appropriations and Financial Affairs reporting "Ought not to pass" on Bill "An Act Providing Funds for Areawide Health Planning Agencies" (H. P. 601) (L. D. 792)

Mr. Churchill from the Committee on County Government reporting "Ought not to pass" on Bill "An Act to Provide Copies of Public Documents Filed with the County" (H. P. 641) (L. D. 857)

Mr. McMahon from the Committee on County Government reporting "Ought not to pass" on Bill "An Act Providing a Deputy Register of Probate for Cumberland County" (H. P. 701) (L. D. 906)

Mr. Jalbert from the Committee on Appropriations and Financial Affairs reporting "Ought not to pass" on Bill "An Act to Provide Funds for Preliminary Engineering and Design Activities for a New Ferry Vessel" (H. P. 803) (L. D. 1052)

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

Leave to Withdraw

Mrs. Wheeler from the Committee on Judiciary reporting Leave to Withdraw on Bill "An Act Relating to Court Jurisdiction under Uniform Reciprocal Enforcement of Support Act and Uniform Civil Liability for Support Act" (H. P. 400) (L. D. 529)

Mr. Shaw from the Committee on Legal Affairs reporting Leave to Withdraw on Bill "An Act Relating to Payments of Accounts and Claims Against the State" (H. P. 461) (L. D. 610)

Mr. Susi from the Committee on Taxation reporting Leave to With-

draw on Bill "An Act Prohibiting the Exemption of Certain Property from Real Estate Taxes" (H. P. 488) (L. D. 642)

Reports were read and accepted and sent up for concurrence.

Leave to Withdraw Covered by Other Legislation Tabled and Assigned

Mr. Sheltra from the Committee on County Government on Bill "An Act Increasing Compensation of Full-time Deputy Sheriffs in all Counties" (H. P. 415) (L. D. 564) reporting Leave to Withdraw as covered by other legislation.

Report was read.

(On motion of Mrs. Boudreau of Portland, tabled pending acceptance of the Committee Report and specially assigned for Wednesday, March 21.)

Mr. Whitzell from the Committee on County Government on Bill "An Act Relating to Record of Plans by Registers of Deeds" (H. P. 662) (L. D. 871) reporting Leave to Withdraw as covered by other legislation.

Mr. Sheltra from the Committee on County Government on Bill "An Act Relating to Fees of Deputy Sheriffs" (H. P. 734) (L. D. 951) reporting Leave to Withdraw as covered by other legislation.

Reports were read and accepted and sent up for concurrence.

Divided Report

Majority Report of the Committee on Legal Affairs reporting "Ought not to pass" on Bill "An Act Changing Name of the Region 12 Coordinating Committee, Inc." (H. P. 406) (L. D. 557)

Report was signed by the following members:

Messrs. JOLY of Kennebec
ROBERTS of York
— of the Senate.
Messrs. EMERY of Rockland
BRAUN of Oakland
SHUTE
— of Stockton Springs
COTE of Lewiston
FECTEAU of Biddeford
DUDLEY of Enfield
CAREY of Waterville
CONNOLLY of Portland
— of the House.

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

Report was signed by the following members:

Messrs. ALDRICH of Oxford

— of the Senate.

Messrs. FAUCHER of Solon

SHAW of Chelsea

— of the House.

Reports were read.

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

Mr. EMERY: Mr. Speaker, I move acceptance of the Majority "Ought not to pass" Report.

The SPEAKER: The gentleman from Rockland, Mr. Emery, moves the acceptance of the Majority "Ought not to pass" Report.

The Chair recognizes the gentleman from Fryeburg, Mr. Trumbull.

Mr. TRUMBULL: Mr. Speaker and Ladies and Gentlemen of the House: I was amazed at the way this bill came out of committee. This is just a simple act changing the name of the Region 12 Coordinating Committee Incorporated to the Western Maine Counseling Service Advisory Board Inc. This apparently came out for the simple reason that the argument was the use of the word Maine on a local level only. Now for the very name of the committee, it is intended to be used on a local basis only. For five years this has been a publicly accepted name. It is apparent that originally when these groups were set up, they were set up to allow on the basis from health and welfare so that this area was designated as region 12.

But for the public and all those concerned, it has always been known as The Western Maine Counseling Service. Now they came to me and asked me to put this act in so that they could then have both their advisory board and their legal name agree with the name they had publicly been accepted by. Now, if we allow this majority "ought not to pass" report to be accepted, it will be the same thing as, supposing that at birth I had been known as Baby Trumbull. I

had gone on for 21 years known only as Baby Trumbull, legally. But everybody else had known me as Charles Allen Trumbull. Now, if I went to the court and tried to get my name changed so that my publicly accepted name and my legal name would be the same thing and that I was turned down on this basis, why then I would be stuck with, for the rest of my life, according to legality, with the name of Baby Trumbull.

Now this is just the same thing as we are doing right here. And I will hope that you will vote against the majority "ought not to pass" and instead vote that the minority report be accepted and I ask for division.

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

Mr. CAREY: Mr. Speaker and Ladies and Gentlemen of the House: In relation to Mr. Trumbull changing his name, if he wants to name himself Charles or Henry or Martin or anything he wants, it is perfectly all right with us. When he gets involved with changing his name to Maine Trumbull, then the Legal Affairs Committee has some say on it.

This particular bill refers generally to the Bridgton area and the Bridgton area only. And we are quite concerned that there are too many people that are getting involved using the name Maine in their titles. We have 30 or 40 bills that are coming before us, which if they have not been there already, referring to the use of the word Maine and we are now trying to offer the people of Maine some protection.

Mr. Trumbull of Fryeburg requested a vote.

The SPEAKER: The pending question is the motion of the gentleman from Rockland, Mr. Emery, that the House accept the Majority "Ought not to pass" Report. All in favor will vote yes; all opposed will vote no.

A vote of the House was taken.

73 having voted in the affirmative; 43 having voted in the negative, the motion did prevail.

Sent up for concurrence.

Divided Report

Majority Report of the Committee on State Government reporting "Ought not to pass" on Bill "An Act to Provide for Compensation for Commissioners of Housing Authorities" (H. P. 439) (L. D. 588)

Report was signed by the following members:

Messrs. SPEERS of Kennebec
WYMAN of Washington
CLIFFORD

of Androscoggin

— of the Senate.

Messrs. CURTIS of Orono
STILLINGS of Berwick
FARNHAM of Hampden
SNOWE of Auburn
SILVERMAN of Calais
BUSTIN of Augusta
CROMMETT

of Millinocket

Mrs. NAJARIAN of Portland

Mrs. GOODWIN of Bath

— of the House.

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

Report was signed by the following member:

Mr. COONEY of Sabattus

— of the House.

Reports were read.

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

Mr. COONEY: I move acceptance of the majority "ought not to pass" report. I would like to explain my signature. This was a courtesy of the sponsor who did want the bill to come to the floor, and I do not see him in his seat at this time. I do not know whether we should extend the courtesy any further and ask that this be tabled or not; but I did, in partial deference to Rule 17-A, give him the courtesy of having the bill on the floor so he could make whatever comments he wished. He is not here. If somebody wants to table it, that is up to you. I have debated it as far as I want to.

Thereupon, the Majority "Ought not to pass" Report was accepted and sent to the Senate.

Divided Report

Tabled and Assigned

Majority Report of the Committee on Legal Affairs reporting "Ought not to pass" on Resolve

to Reimburse Audrey G. Pray of Hersey for Loss of Poultry by Foxes (H. P. 554) (L. D. 734)

Report was signed by the following members:

Messrs. JOLY of Kennebec

ROBERTS of York

ALDRICH of Oxford

— of the Senate.

Messrs. EMERY of Rockland

BRAWN of Oakland

SHUTE

of Stockton Springs

COTE of Lewiston

FECTEAU of Biddeford

DUDLEY of Enfield

CAREY of Waterville

FAUCHER of Solon

— of the House.

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

Report was signed by the following members:

Messrs. SHAW of Chelsea

CONNOLLY of Portland

— of the House.

Reports were read.

(On motion of Mr. Emery of Rockland, tabled pending acceptance of either Report and specially assigned for Wednesday, March 21.)

Divided Report

Tabled and Assigned

Majority Report of the Committee on Labor reporting "Ought not to pass" on Bill "An Act Eliminating Waiting Period under Employment Security Law" (H. P. 560) (L. D. 739)

Report was signed by the following members:

Messrs. TANOUS of Penobscot

HUBER of Knox

— of the Senate.

Messrs. BROWN of Augusta

ROLLINS of Dixfield

McNALLY of Ellsworth

FLYNN

of South Portland

GARSOE of Cumberland

BINNETTE of Old Town

FARLEY of Biddeford

— of the House.

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

Report was signed by the following members:

Mr. KELLEY of Aroostook

— of the Senate.

Messrs. HOBBS of Saco
McHENRY of Madawaska
Mrs. CHONKO of Topsham
— of the House.

Reports were read.

The SPEAKER: The Chair recognizes the gentleman from Augusta, Mr. Brown.

Mr. BROWN: Mr. Speaker, I move the acceptance of the Majority "Ought not to pass" Report.

Thereupon, on motion of Mr. Hobbins of Saco, tabled pending the motion of Mr. Brown of Augusta to accept the Majority Report and specially assigned for Wednesday, March 21.

Divided Report Tabled and Assigned

Majority Report of the Committee on Taxation reporting "Ought not to pass" on Bill "An Act to Provide Sales Tax Credit on Replacement of Lost or Destroyed Motor Vehicles" (H. P. 564) (L. D. 743)

Report was signed by the following members:

Messrs. WYMAN of Washington
COX of Penobscot
FORTIER of Oxford
— of the Senate.

Messrs. SUSI of Pittsfield
IMMONEN of West Paris
MERRILL of Bowdoinham
COTTRELL of Portland
DAM of Skowhegan
DOW of South Gardiner
MAXWELL of Jay
— of the House.

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

Report was signed by the following members:

Messrs. DRIGOTAS of Auburn
FINEMORE
— of Bridgewater
MORTON of Farmington
— of the House.

Reports were read.

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

Mr. SUSI: Mr. Speaker and Ladies and Gentlemen of the House: I move the acceptance of the Majority "Ought not to pass" Report and would speak to my motion.

The SPEAKER: The gentleman from Pittsfield, Mr. Susi, moves the acceptance of the Majority "Ought not to pass" Report.

The Chair recognizes that gentleman.

Mr. SUSI: Mr. Speaker and Ladies and Gentlemen of the House: This bill is sponsored by the gentleman from China, Mr. Farrington; and it provides generally that in a case where a person has an automobile destroyed in an accident and has to replace that automobile, he then would have to pay the sales tax on the entire purchase price losing the benefit of the credit of the automobile destroyed. Supposing the automobile is worth \$2,000 at the time of the accident, he would lose \$100 in taxes. I think that there was general agreement amongst the members of the Taxation Committee that he should receive this credit or should somehow be compensated on it. Now, from the evidence that we have heard, it is the obligation of the insurance company, if the insured can enforce it on the owner of the automobile to compensate, not just for the loss of the automobile, but for the tax, which is in a sense an inherent part of the value of this vehicle.

I think that the difference in opinion between those who support the legislation and those who oppose it was whether or not we in this legislature want to, in effect, subsidize the insurance companies who fail to compensate the owner of the automobile for the amount of the sales tax. Now, it apparently is so that should the owner force the issue, the insurance companies will ordinarily pay this. But where the owner is perhaps distressed about his loss and all in a flutter about getting another automobile and everything and does not force it, the insurance companies are perfectly happy to avoid payment of it.

What I am building up to is this, that I believe that the members of the committee would all support an amendment which provided that the insurance companies had to make up this loss. If at this time the sponsor or any other interested person would like to table this until

such time as we could get an amendment providing for that, it certainly would reach my agreement.

The SPEAKER: The Chair recognizes the gentleman from China, Mr. Farrington.

Mr. FARRINGTON: Mr. Speaker and Ladies and Gentlemen of the House: I certainly would like to thank my good friend, Mr. Susi, for explaining just about what I would explain regarding this document. I think the purpose of my introducing such a bill is the result of some experience that I have had dealing with automobiles. And there certainly is no reason, unless the person who has the damage brings it to the attention of the insurance company, that this claim is paid, this sales tax claim is paid.

I think that we should spell out very clearly in some manner whose responsibility this is. As we have said often times in the past, we need to protect that minority group who does not know what it is all about. The insurance companies are not compelled to pay this 5 per cent. Often times they do not. I think even though perhaps the insurance companies are caused to pay it, that charge indirectly will come back to the insured, because I am sure the insurance companies will add it on to your insurance policies some way.

I certainly would like to see this spelled out in terms that would be well understood and well applied without the confusion that now exists. I, too, would hope that somebody might table this so that we can get it in proper context.

The SPEAKER: The Chair recognizes the gentleman from Auburn, Mr. Drigotas.

Mr. DRIGOTAS: Mr. Speaker and Ladies and Gentlemen of the House: I feel qualified to speak somewhat on this subject. As perhaps some of you know, I was involved in an accident a while ago and confined to the hospital for a period of five months. While this thing went along, there was need of an automobile in the family, and the insurance company was kind enough to settle the claim. But it was only when I came back to the legislature here that I found out

that possibly the amount of — oh, pretty close to \$100 was left out of the negotiated settlement.

Now, under conditions, particularly such as I was in, it is very obvious that an insurance company can legally and rightfully take advantage of a situation. I certainly was in no situation where I could say yes or no to any settlement involved; and as someone else also brought out, it was also an area where some people feel that this is the law, perhaps if so, this is the settlement, thereby losing any amount perhaps ranging from \$25 to \$150, which rightfully belongs to them.

So I would hope that somebody would table this motion.

On motion of Mr. Finemore of Bridgewater, tabled pending the motion of Mr. Susi of Pittsfield to accept the Majority "Ought not to Pass" Report and specially assigned for Wednesday, March 21.

Consent Calendar

First Day

(H. P. 226) (L. D. 366) Resolve to Reimburse Mount Hope Cemetery Corporation of Bangor for Property Damage by Highway Maintenance — Committee on Legal Affairs reporting "Ought to pass"

(H. P. 247) (L. D. 367) Resolve to Reimburse Mrs. Hilma Webster of Vinalhaven for Damage to Property by Highway Construction — Committee on Legal Affairs reporting "Ought to pass" as amended by Committee Amendment "A" (H-99)

(H. P. 254) (L. D. 368) Resolve to Reimburse William Fitzgerald of Madison for Well Damage by Highway Maintenance—Committee on Legal Affairs reporting "Ought to pass"

(H. P. 262) (L. D. 369) Resolve to Reimburse Blain Crabtree of Cherryfield for Property Damage by Highway Construction — Committee on Legal Affairs reporting "Ought to pass"

(H. P. 263) (L. D. 370) Bill "An Act Relating to Age for Operation of Vehicles on Special Registration Permits" — Committee on Transportation reporting "Ought to pass"

(H. P. 316) (L. D. 434) Resolve Proposing Study of Feasibility of Establishing State Park Facilities within Penobscot County — Committee on Natural Resources reporting "Ought to pass" as amended by Committee Amendment "A" (H-100)

(H. P. 317) (L. D. 435) Bill "An Act Relating to Removal of Dilapidated Wharves or Piers" — Committee on Natural Resources reporting "Ought to Pass" in New Draft (H. P. 1190) (L. D. 1456)

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

Tabled and Assigned

(H. P. 357) (L. D. 472) Bill "An Act Relating to Seizing Firearms Equipped with a Silencer" — Committee on Judiciary reporting "Ought to pass" as amended by Committee Amendment "A" (H-101)

On request of Mrs. Baker of Orrington, was removed from the Consent Calendar.

(On motion of the same gentleman, tabled pending acceptance of the Committee Report and specially assigned for Wednesday, March 21.)

(H. P. 398) (L. D. 527) Resolve to Reimburse Otis Smith of Kittery for Motor Vehicle Damage Due to Highway Maintenance — Committee on Legal Affairs reporting "Ought to pass"

(S. P. 204) (L. D. 549) Bill "An Act Appropriating Funds to Educate and Rehabilitate Persons Handicapped by Severe Losses of Hearing and Speech Impairment" — Committee on Education reporting "Ought to pass" in New Draft (S. P. 445) (L. D. 1377)

(H. P. 433) (L. D. 582) Bill "An Act Relating to Credit for Confinement within County Jail Prior to Sentencing" — Committee on Judiciary reporting "Ought to pass" as amended by Committee Amendment "A" (H-102)

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

Tabled and Assigned

(H. P. 462) (L. D. 611) Bill "An Act to Provide Funds for the

Development of an Airport in the Rumford-Mexico Area" — Committee on Appropriations and Financial Affairs reporting "Ought to pass"

On the request of Mr. Henley of Norway, was removed from the Consent Calendar.

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

Mr. HENLEY: Mr. Speaker, I move that item 12 be tabled for two legislative days.

Thereupon, Mr. Fraser of Mexico requested a vote on the motion.

The SPEAKER: The pending question is on the motion of the gentleman from Norway, Mr. Henley, that this matter be tabled pending acceptance of the Committee Report and specially assigned for Wednesday, March 21.

A vote of the House was taken.

74 having voted in the affirmative and 39 having voted in the negative, the motion did prevail.

(H. P. 479) (L. D. 630) Bill "An Act Creating the Monson Utilities District" — Committee on Public Utilities reporting "Ought to Pass" as amended by Committee Amendment "A" (H-103)

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

(H. P. 463) (L. D. 638) Bill "An Act Relating to Protection of the Public Water Supply" — Committee on Natural Resources reporting "Ought to pass" in New Draft (H. P. 1191) (L. D. 1457)

On the request of Mr. Martin of Eagle Lake, was removed from the Consent Calendar.

Thereupon, the Report was accepted, the Bill read once and assigned for second reading tomorrow.

(H. P. 494) (L. D. 648) Bill "An Act Relating to the Design of Buildings Constructed by the State or Political Subdivisions" — Committee on Legal Affairs reporting "Ought to pass"

(S. P. 238) (L. D. 689) Bill "An Act Relating to Registration and Enrollment of Voters" — Committee on Election Laws reporting "Ought to pass"

(H. P. 532) (L. D. 714) Resolve to Reimburse Woodrow Bakeman of Castine for Property Damage by Highway Construction — Committee on Legal Affairs reporting "Ought to pass" as amended by Committee Amendment "A" (H-104)

(H. P. 548) (L. D. 729) Resolve in Favor of South Berwick Emergency Ambulance and Rescue, Inc. — Committee on Legal Affairs reporting "Ought to pass."

(H. P. 569) (L. D. 728) Bill "An Act to Increase Payments to Forestry Department for Forest Fire Protection in Indian Township. Committee on Taxation reporting "Ought to pass."

(H. P. 693) (L. D. 900) Bill "An Act Relating to Use of Vending Machines on Sundays" — Committee on Legal Affairs reporting "Ought to pass."

(H. P. 696) (L. D. 902) Bill "An Act Clarifying the Tuition Equalization Fund for Maine Students Entering Maine Private Colleges" (Emergency)—Committee on Education reporting "Ought to pass."

(H. P. 719) (L. D. 925) Resolve, to Reimburse Alden V. Cole of LaGrange for Loss of Beehives by Bear — Committee on Legal Affairs reporting "Ought to pass."

(H. P. 728) (L. D. 934) Resolve to Reimburse David Ervin of Corinna for Property Damages Caused by State Ward — Committee on Legal Affairs reporting "Ought to pass."

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

Tabled and Assigned

(H. P. 766) (L. D. 999) Bill "An Act Appropriating Funds for a Local Government Center"—Committee on Appropriations and Financial Affairs reporting "Ought to pass."

On the request of Mr. Martin of Eagle Lake, was removed from the Consent Calendar.

(On motion of the same gentleman, tabled pending acceptance of the Committee Report and specially assigned for Wednesday, March 21.)

(H. P. 202) (L. D. 1061) Bill "An Act Relating to Definition of Retail Sale Under Sales and Use Tax Law" — Committee on Taxation reporting "Ought to pass."

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

Consent Calendar (Second Day)

(H. P. 363) (L. D. 478) Bill "An Act Changing the Name of the Maine Law Enforcement and Criminal Justice Academy" (C. "A" -H-97)

No objection having been noted, was passed to be engrossed as amended by Committee Amendment "A" and sent to the Senate.

(H. P. 381) (L. D. 510) Bill "An Act Authorizing Use of County Funds for Child and Family Services in Piscataquis County"

On the request of Mr. Carter of Winslow, was removed from the Consent Calendar.

Thereupon, the Report was accepted, the Bill read once and assigned for second reading tomorrow.

Tabled and Assigned

(H. P. 410) (L. D. 559) Bill "An Act Increasing Number of Trustees of Belfast Water District"

On the request of Mr. Webber of Belfast, was removed from the Consent Calendar.

(On motion of the same gentleman, tabled pending acceptance of the Committee Report and tomorrow assigned.)

H. P. 420) (L. D. 569) Bill "An Act to Validate Portland Water District's Actions"

(H. P. 448) (L. D. 597) Bill "An Act Enlarging the Territorial Limits of the Madawaska Water District"

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

(S. P. 270) (L. D. 795) Bill "An Act Authorizing Piscataquis County to Collect and Dispose of Solid Waste on a Regional Basis"

On the request of Mr. Dyar of Strong, was removed from the Consent Calendar.

Thereupon, the Report was accepted, the Bill read once and assigned for second reading tomorrow.

(H. P. 607) (L. D. 806) Bill "An Act Relating to the Community School District Law"

(S. P. 267) (L. D. 825) Bill "An Act Authorizing a Deficiency Appropriation to the Department of the Attorney General for the Present Fiscal Year" (Emergency) (C. "A" S-28)

(H. P. 645) (L. D. 861) Bill "An Act to Change the Date of the Primary Election"

(H. P. 704) (L. D. 909) Bill "An Act Relating to Appointment of Municipal Law Enforcement Officers" (C. "A" H-98)

(H. P. 718) (L. D. 924) Bill "An Act Establishing the Carver's Pond Waterfowl Sanctuary, Knox County"

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

Second Reader Tabled and Assigned

Bill "An Act Restricting the Use of the Name Accountant Unless Registered as A Public Accountant" (H. P. 1171) (L. D. 1410)

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

(On motion of Mrs. Clark of Freeport, tabled pending passage to be engrossed and tomorrow assigned.)

Passed to be Engrossed

Bill "An Act Creating Oxford County Commissioner Districts" (H. P. 495) (L. D. 534)

Bill "An Act Providing for a Change in Standard Deductions in Income Tax Law" (H. P. 655) (L. D. 869)

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

Passed to Be Enacted Emergency Measure

An Act Relating to Biennial Elections of the Passamaquoddy Tribe of Indians (H. P. 827) (L. D. 972) (S. "A" - S-27 and S. "B" S-29)

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, as total was taken. 108 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 Relating to Safety of Dams (S. P. 410) (L. D. 1176) (H. "A" H-89)

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. 116 voted in favor of same and 4 against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Finally Passed Emergency Measure

Resolve Relating to Funds Appropriated for Use by the Research Institute of the Gulf of Maine (S. P. 297) (L. D. 947)

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. 117 voted in favor of same and 4 against, and accordingly the resolve was finally passed to be enacted, signed by the Speaker and sent to the Senate.

Passed to Be Enacted

An Act Relating to Hunting from Public Ways (H. P. 160) (L. D. 202) (H. "C" - H-70)

An Act Changing the Name of the State Board of Hairdressers to the State Board of Cosmetology (H. P. 284) (L. D. 358) (H. "A" - H-83)

An Act Relating to Beano or Bingo Licensing (H. P. 431) (L. D. 580) (C. "A" - H-81)

An Act Relating to Committee Functions at State Political Conventions (H. P. 599) (L. D. 790)

Were reported by the Committee on Engrossed Bills as truly and

strictly engrossed, passed to be enacted, signed by the Speaker and sent to the Senate.

**Enactor
Tabled and Assigned**

An Act Relating to Registration and Enrollment at a Municipal Caucus (H. P. 1087) (L. D. 1255)

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

(On motion of Mr. Talbot of Portland, tabled pending passage to be enacted and tomorrow assigned.)

Orders of the Day

Mr. Rollins of Dixfield presented the following Joint Order and moved its passage:

WHEREAS, Mrs. Lillian U. Judkins Abbott of East Sumner has been named Maine Mother of the Year for 1973; and

WHEREAS, Maine's mother and her husband, Sidney, are the proud parents of six children ranging in age from 16 to 29 years; and

WHEREAS, at age of 54 Mrs. Abbott is a graduate of Gould Academy, the University of Maine Portland - Gorham and the Central Maine General Hospital School of Nursing; and

WHEREAS, aside from her employment as a postal clerk and part-time receptionist for a local doctor, she is an active member of the grange, the church, the Christian Civic League, the Governor's Hi-way Safety Council, the Bible Society of Maine, a 4-H club worker and teacher of Red Cross Home Nursing; and

WHEREAS, during the week of May 6, Mrs. Abbott will compete with Mothers of the Year from all the states and Puerto Rico at Denver, Colorado for national honors; now, therefore, be it

ORDERED, the Senate concurring, that we, the Members of the Senate and House of Representatives of the One Hundred and Sixth Legislature of the State of Maine, now assembled, do hereby acknowledge and commend with special pride Mrs. Lillian Abbott, who has been selected as the State of Maine's Mother of the Year for 1973 and extend to her our best wishes and good luck in

the forthcoming national competition; and be it further

ORDERED, that a suitable copy of this Order be forwarded forthwith to Mrs. Abbott in token of our admiration and support. (H. P. 575)

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

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

Bill "An Act Increasing the Number of Superior Court Justices and Official Court Reporters" (S. P. 61) (L. D. 187)

Tabled — March 14, by Mr. Cote of Lewiston.

Pending — Acceptance of Committee Report.

On motion of Mr. Cote of Lewiston, retabled pending acceptance of the Committee Report and tomorrow assigned.

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

Bill "An Act Regarding the Membership of School Committees and Boards of School Directors" (H. P. 324) (L. D. 442) New Draft (H. P. 1163) (L. D. 1375)

Tabled — March 14, by Mr. Finemore of Bridgewater.

Pending — Acceptance of Committee Report.

The SPEAKER: The Chair recognizes the gentleman from Bridgewater, Mr. Finemore.

Mr. FINEMORE: Mr. Speaker, I move acceptance of the committee report and the bill be given its first reading.

Thereupon, on motion of Mr. Goodwin of South Berwick, tabled pending the motion of Mr. Finemore of Bridgewater to accept the Committee Report and tomorrow assigned.

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

Bill "An Act to Permit Furloughs to Inmates or Prisoners from County Jails" (H. P. 562) (L. D. 741)

Tabled — March 14, by Mr. Genest of Waterville.

Pending — Passage to be engrossed.

On motion of Mr. Genest of Waterville, retabled pending passage to be engrossed and specially assigned for Wednesday, March 21.

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

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

Tabled — March 14, by Mr. Simpson of Standish.

Pending — Passed to be enacted.

On motion of Mr. Emery of Rockland, retabled pending passage to be enacted and specially assigned for Wednesday, March 21.

Mr. Carey of Waterville was granted unanimous consent to address the House.

Mr. CAREY: Mr. Speaker and Ladies and Gentlemen of the House: In the Sunday Telegram of yesterday, Jim Brunelle wrote about the great hoax that was perpetrated upon this legislature by a member of the other body who happens to represent Augusta.

The gentleman was quoted as saying that anything can be brought up and passed before the legislature regardless of value. I want the record to show that we as members of the legislature pretty much pass things as a courtesy to the sponsors of some of these measures, and we depend very much and we place an extremely high value on the integrity of the sponsors of some of these measures.

Now this gentleman has done a tremendous disservice I think to the State of Maine, and he has ridiculed the members of this body as well as the other body. I personally feel now that that gentleman's integrity is somewhat questionable; and I would suggest to him if he wants to play that type of game, that he find himself

a sandbox someplace. That may be a little less expensive to the state.

Mr. Martin of Eagle Lake was granted unanimous consent to address the House.

Mr. MARTIN: Mr. Speaker and Ladies and Gentlemen of the House: I agree with the remarks made by the gentleman from Waterville in reference to this particular order. As soon as we can find out how to kill it, we will do it; and we are going to send it back to the other body where it probably should have stayed. I cannot believe that we have nothing better to do than pass orders like that and that sponsors can think of nothing else to do than to introduce orders like that. I hope that as far as I am concerned when an individual member of the legislature introduces an order, that he does it because he has a real desire to serve the people he is elected to represent and not because he wants to play jokes in the Maine Legislature. And so in due course, we will have the order in front of us to kill that order; and this basically is what the Speaker, the Majority Floor Leader and myself were discussing a few minutes ago.

The SPEAKER: The Chair concurs with the remarks of the two gentlemen, and in the past the House has tried to be careful as to orders. Since I have been in the House there was an order once that would have allowed lobbyists to drill holes in the glass at the back of the House so as to tap legislators. There have been other frivolous orders which have never passed before to my knowledge. I regret that this one did pass.

On motion of Mr. Simpson of Standish,

Adjourned until nine o'clock tomorrow morning.