

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

Tuesday, April 3, 1973

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

Prayer by Father Lionel Chouinard of Lewiston.

The journal of yesterday was read and approved.

Orders Out of Order

Mr. Garsoe of Cumberland presented the following Order and moved its passage:

ORDERED, that Tracy Jackson of Yarmouth be appointed Honorary Page for today.

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

Mr. Sproul of Augusta presented the following Order and moved its passage:

ORDERED, that Maureen and Susan Redman of Augusta be appointed Honorary Pages for today.

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

Mr. Jackson of Yarmouth presented the following Order and moved its passage:

ORDERED, that Jean and Susan Reinsboro of Yarmouth 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. 546)

ORDERED, the House concurring, that the following Bill be recalled from the legislative files to the Senate: "An Act Extending the Period of Entitlement to Compensation for Partial Incapacity under the Workmen's Compensation Law in Certain Cases," (H. P. 616) (L. D. 814)

Came from the Senate read and passed.

In the House, the Joint Order was read.

The SPEAKER: This Joint Order requires for its passage a two-thirds vote of each House. All those

in favor of this Bill being recalled from the legislative files will vote yes; those opposed will vote no.

A vote of the House was taken.

86 having voted in the affirmative and 16 having voted in the negative, the motion did prevail.

The Joint Order received passage in concurrence.

The SPEAKER: Will the Assistant Sergeant-at-Arms kindly escort the gentleman from Winslow, Mr. Carter, to the rostrum.

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

Order Out of Order

Mr. Cressey of North Berwick presented the following Order and moved its passage:

ORDERED, that Bonnie Goff, Margie Castergine and Richard James of Wells be appointed Honorary Pages for today.

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

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

Later Today Assigned

Bill "An Act Relating to Vietnam Era Veterans Student Assistance Program" (S. P. 519) (L. D. 1650)

Came from the Senate referred to the Committee on Education.

In the House: On motion of Mr. Jalbert of Lewiston, tabled pending reference in concurrence and later today assigned.

Reports of Committees Ought Not to Pass

Report of the Committee on Veterans and Retirement reporting "Ought not to pass" on Bill "An Act to Increase the Number of Trustees of the Maine State Retirement System" (S. P. 182) (L. D. 490)

Report of the Committee on Business Legislation reporting same on Bill "An Act Relating to Rules and Regulations of the Bureau of Labor and Industry to Enforce Bedding, Upholstered Furniture and Stuffed Toy Laws" (S. P. 201) (L. D. 546)

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

Leave to Withdraw

Report of the Committee on Veterans and Retirement on Bill "An Act Relating to Joint Standing Committee Clerks under State Retirement System" (S. P. 432) (L. D. 1301) 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 County Government reporting Leave to Withdraw as covered by other legislation on Bill "An Act Relating to Payments to Waldo County Law Library" (S. P. 186) (L. D. 493)

Report of same Committee reporting same on Bill "An Act Relating to Payments to the Nathan and Henry B. Cleaves Law Library of the Cumberland Bar Association" (S. P. 196) (L. D. 541)

Report of same Committee reporting same on Bill "An Act Increasing Salaries of County Commissioners of Washington County" (S. P. 216) (L. D. 632)

Came from the Senate with the Reports read and accepted.

In the House, the Reports were read and accepted in concurrence.

Non-Concurrent Matter

Bill "An Act to Register and License Dispensing Opticians" (H. P. 1233) (L. D. 1610) which was referred to the Committee on Business Legislation in the House on March 26.

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

In the House: On motion of Mr. Greenlaw of Stonington, the House voted to recede and concur.

Non-Concurrent Matter

Bill "An Act Relating to Seizing Firearms Equipped with a Silencer" (H. P. 357) (L. D. 472) which was passed to be engrossed as amended by Committee Amend-

ment "A" (H-101) in the House on March 28.

Came from the Senate passed to be engrossed in non-concurrence.

In the House: On motion of Mrs. Baker of Orrington, the House voted to recede and concur.

Non-Concurrent Matter

Bill "An Act Clarifying the Law as to Keeping Wild Animals in Captivity" (H. P. 257) (L. D. 337) which was passed to be engrossed as amended by Committee Amendment "A" (H-127) in the House on March 27.

Came from the Senate passed to be engrossed as amended by Committee Amendment "A" (H-127) as amended by Senate Amendment "A" (S-55) thereto in non-concurrence.

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

The Chair laid before the House the following matter which was tabled earlier in the day and later today assigned:

Bill "An Act Relating to Vietnam Era Veterans Student Assistance Program" (S. P. 519) (L. D. 1650)

Pending — Reference in concurrence.

On motion of Mr. Jalbert of Lewiston, referred to the Committee on Education in concurrence.

At this point, Speaker Hewes returned to the rostrum.

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

Thereupon, Mr. Carter returned to his seat on the floor, amid the applause of the House, and Speaker Hewes resumed the Chair.

Messages and Documents

The following Communication:

THE SENATE OF MAINE

Augusta, Maine 04330

April 2, 1973

Mrs. E. Louise Lincoln

Clerk of the House

106th Legislature

Dear Madam Clerk:

The Senate voted to Adhere to its former action on Bill, "An Act Appropriating Funds for a Local Government Center" (H. P. 766) (L. D. 999).

Respectfully,
Signed:

HARRY N. STARBRANCH
Secretary of the Senate

The Communication was read and ordered placed on file.

The SPEAKER: Will the Sergeant-at-Arms kindly escort the gentleman from Bangor, Mr. Soulas to the rostrum.

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

Petitions, Bills and Resolves

Requiring Reference

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

Tabled and Assigned

Bill "An Act Appropriating Funds for Public Housing Authorities for Operating Subsidies" (H. P. 1365) (Presented by Mr. LaPointe of Portland)

The Committee on Reference of Bills suggested the Committee on Appropriations and Financial Affairs.

(On motion of Mr. LaPointe of Portland, tabled pending reference and tomorrow assigned.)

Appropriations and Financial Affairs

Bill "An Act Appropriating Funds to the Several Counties for Social Service Programs" (H. P. 1366) (Presented by Mr. Rolde of York)

Bill "An Act to Designate the Maine Publicity Bureau as the State's Agent in Certain Matters Pertaining to the Promotion of Vacation and Travel" (H. P. 1377) (Presented by Mr. Simpson of Standish)

(Ordered Printed)

Sent up for concurrence.

Business Legislation

Bill "An Act to Create a Maine Consumer Code" (H. P. 1386) (Presented by Mr. Dunleavy of Presque Isle)

Bill "An Act to Regulate Settlements of Total Loss under the Maine Insurance Code" (H. P.

1336) (Presented by Mr. Dam of Skowhegan)

(Ordered Printed)

Sent up for concurrence.

County Government

Bill "An Act Relating to County Estimates" (H. P. 1337) (Presented by Mr. Farrington of China)

(Ordered Printed)

Sent up for concurrence.

Education

Bill "An Act Relating to State Aid for School Construction" (H. P. 1370) (Presented by Mr. Stillings of Berwick)

Bill "An Act Creating a Bill of Rights for Students of Junior and Senior High Schools" (H. P. 1372) (Presented by Mr. Connolly of Portland)

Bill "An Act Providing Full Funding of Public Schools from State Sources" (H. P. 1381) (Presented by Mr. Carter of Winslow)

(Ordered Printed)

Sent up for concurrence.

Liquor Control

Bill "An Act Permitting Local Option Questions on Liquor to be Voted at any State-wide Election" (H. P. 1319) (Presented by Mr. Stillings of Berwick)

The Committee on Reference of Bills suggested the Committee on Election Laws.

On motion of Mr. Stillings of Berwick, referred to the Committee on Liquor Control, ordered printed and sent up for concurrence.

Election Laws

Bill "An Act Relating to Certification of Nomination Papers for State and County Elections" (H. P. 1338) (Presented by Mr. Connolly of Portland)

(Ordered Printed)

Sent up for concurrence.

Health and Institutional Services

Bill "An Act to Expand Human Resources by Rehabilitating Recipients of State Aid" (H. P. 1363) (Presented by Mr. Carter of Winslow)

(Ordered Printed)

Sent up for concurrence.

Judiciary

Bill "An Act Relating to Bylines for Editorials in Maine Newspapers" (H. P. 1339) (Presented by Mr. Carrier of Westbrook)

Bill "An Act Restricting Use of Certain Campsites" (H. P. 1340) (Presented by Mr. Dam of Skowhegan)

Bill "An Act Relating to Criminal Penalties for Possession of and Knowingly Being in the Presence of Cannabis" (H. P. 1341) (Presented by Mr. Connolly of Portland)

Bill "An Act Relating to Criminal Penalties for the Sale of Cannabis" (H. P. 1342) (Presented by Mr. Connolly of Portland)

Bill "An Act to Provide for Reduction of Sentence for Inmates of State Correctional Facilities who Donate Blood" (H. P. 1343) (Presented by Mr. Santoro of Portland)

Bill "An Act Relating to Certain Disclosures in the Solicitation of Charitable Contributions" (H. P. 1344) (Presented by Mr. Tierney of Durham) (Later Reconsidered) (Ordered Printed)

Sent up for concurrence.

Tabled and Assigned

Bill "An Act to Clarify and Simplify the Administration of the Mechanic's Lien Law" (H. P. 1361) (Presented by Mr. Martin of Eagle Lake)

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

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

Judiciary — cont'd.

Bill "An Act Relating to Family Planning Services" (H. P. 1367) (Presented by Mr. Huber of Falmouth)

Bill "An Act to Prevent Criminal Abortion Practices" (H. P. 1373) (Presented by Mr. Dunleavy of Presque Isle)

Bill "An Act to Clarify Municipal Authority to Regulate Public Safety" (H. P. 1374) (Presented by Mr. Stillings of Berwick)

Bill "An Act to Provide for Municipal Rent Control" (H. P. 1378) (Presented by Mr. Hewes from Cape Elizabeth)

(Ordered Printed)

Sent up for concurrence.

Order Out of Order

Mr. Cooney of Sabattus presented the following Order and moved its passage:

ORDERED, that Margo Stevens and Bill Waterman of Sabattus be appointed Honorary Pages for today.

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

Labor

Bill "An Act to Allow Group Self-Insurance Under Maine's Workmen's Compensation Law" (H. P. 1345) (Presented by Mr. Smith of Dover-Foxcroft)

Bill "An Act Regulating Agricultural Labor Practices" (H. P. 1346) (Presented by Mr. Smith of Exeter)

Bill "An Act Relating to Procedure with Respect to Claims Against Third Persons under Workmen's Compensation Act" (H. P. 1359) (Presented by Mr. McTeague of Brunswick)

Bill "An Act to Clarify Procedures Under the Municipal Public Employees Labor Relations Act" (H. P. 1360) (Presented by Mr. McHenry of Madawaska)

Bill "An Act Increasing the Minimum Wage" (H. P. 1368) (Presented by Mr. Connolly of Portland)

Bill "An Act to Regulate Industrial Homework" (H. P. 1379) (Presented by Mr. Connolly of Portland)

(Ordered Printed)

Sent up for concurrence.

County Government

Bill "An Act Authorizing Cumberland County to Participate in Social Services Program" (H. P. 1347) (Presented by Mrs. Boudreau of Portland) (Emergency)

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

On motion of Mr. Farrington of South China, referred to the Committee on County Government, ordered printed and sent up for concurrence.

Legal Affairs

Resolve to Reimburse Myron Dickinson of Skowhegan for Well Damage by Highway Maintenance'

(H. P. 1348) (Presented by Mr. Dam of Skowhegan)
(Ordered Printed)
Sent up for concurrence.

Liquor Control

Bill "An Act to Permit Sunday Sale of Beer in Restaurants and Taverns" (H. P. 1349) (Presented by Mr. Connolly of Portland)
(Ordered Printed)
Sent up for concurrence.

Marine Resources

Bill "An Act Extending Regulation of Fishing Methods and Quantity and Types of Gear Used" (H. P. 1376) (Presented by Mr. Kelley of Southport)
(Ordered Printed)
Sent up for concurrence.

Natural Resources

Bill "An Act Relating to the Land Use Regulation Commission Law" (H. P. 1350) (Presented by Mrs. White of Guilford)

Bill "An Act to Extend the Deadline for Mandatory Shoreland Zoning" (H. P. 1362) (Presented by Mr. Martin of Eagle Lake)

Bill "An Act to Amend the Site Location of Development Act" (H. P. 1375) (Presented by Mr. Sheltra of Biddeford)
(Ordered Printed)
Sent up for concurrence.

Public Lands

Bill "An Act to Organize the Unorganized and Deorganized Territories of the State and to Provide for Management of the Public Reserved Lands" (H. P. 1382) (Presented by Mr. Martin of Eagle Lake)
(Ordered Printed)
Sent up for concurrence.

State Government

Bill "An Act Creating the Bureau of Data Processing within the State Planning Office" (H. P. 1332) (Presented by Mr. Birt of East Millinocket)

Resolution Proposing an Amendment to the Constitution Repealing the Limitation to Highway Purposes for Revenues Derived from Taxation of Vehicles Used on Public Highways and Fuels Used by Such Vehicles (H. P. 1351)

(Presented by Mr. Lewis of Auburn)

Bill "An Act to Correct Errors and Inconsistencies in the Maine Housing Authorities Act" (Emergency) (H. P. 1352)
(Presented by Mr. Rolde of York)
Bill "An Act Transferring Laws Relating to Education of War Orphans and Widows to Bureau of Veterans' Affairs" (H. P. 1353)
(Presented by Mr. Curtis of Orono)
(Ordered Printed)
Sent up for concurrence.

Tabled and Assigned

Resolution Proposing an Amendment to the Constitution to Provide Single Member Districts, Apportion and Reduce the Number of Legislators in the House of Representatives; Increase the Terms of Senators; Abolish the Executive Council and Re-assign its Constitutional Powers; Provide for Annual Sessions of the Legislature; and Provide for Appointment of the Attorney General, Secretary of State and Treasurer by the Governor (H. P. 1354) (Presented by Mr. Cooney of Sabattus)

The Committee on Reference of Bills suggested the Committee on State Government.

(On motion of Mr. Cote of Lewiston, tabled pending reference and tomorrow assigned.)

State Government — cont'd.

Bill "An Act Providing Full-time Prosecuting Attorneys and Public Defenders" (H. P. 1380) (Presented by Mr. Stillings of Berwick)

Bill "An Act Implementing the Reorganization of the Department of Mental Health and Corrections and the Department of Public Safety" (H. P. 1383) (Presented by Mr. Dyar of Strong)
(Ordered Printed)
Sent up for concurrence.

Taxation

Bill "An Act Exempting from the Sales Tax Utility Services Used in the Home" (H. P. 1355) (Presented by Mr. Santoro of Portland)

Resolution Proposing an Amendment to the Constitution to Permit the Federal Government, by Agreement, to Collect Maine

Individual Income Taxes (H. P. 1369) (Presented by Mr. Sproul of Augusta.)

Bill "An Act Exempting Gas and Electricity Used for Domestic Heating and Cooking from the Sales Tax" (H. P. 1371) (Presented by Mr. Ault of Wayne)

Bill "An Act Reforming the Administration of the Property Tax and Replacing the Tax on Inventories with an Increased Corporate Income Tax" (H. P. 1384) (Presented by Mr. Martin of Eagle Lake)

(Ordered Printed)

Sent up for concurrence.

Transportation

Bill "An Act Permitting User Fees to be Imposed at Municipal Airports" (H. P. 1356) (Presented by Mr. Dunleavy of Presque Isle)

Resolve Authorizing Improvements to Coulombe Road in New Canada Plantation (H. P. 1364) (Presented by Mr. Martin of Eagle Lake)

(Ordered Printed)

Sent up for concurrence.

At this point, Speaker Hewes returned to the rostrum.

SPEAKER HEWES: The Chair thanks the gentleman and thanks him for a good job.

Thereupon, Mr. Soulas returned to his seat on the floor, amid the applause of the House, and Speaker Hewes resumed the Chair.

Orders

On motion of Mr. Martin of Eagle Lake, the House reconsidered its action of earlier in the day whereby Bill "An Act Relating to Certain Disclosures in the Solicitation of Charitable Contributions," House Paper 1344 was referred to the Committee on Judiciary.

On further motion of the same gentleman, referred to the Committee on Business Legislation, ordered printed and sent up for concurrence.

Mrs. Berry of Madison was granted unanimous consent to address the House.

Mrs. BERRY: Mr. Speaker and Ladies and Gentlemen of the

House: I am sure that all of you have seen lately on TV and in the news media that CBS has announced that they will begin showing X-rated movies on the late show on TV. They further state that if they receive no protests, these movies will be shown in the future at any hour of the day.

There are many of us here in the House concerned about this matter and not wanting to try to legislate in regards to a matter like this, I have had a petition prepared and it reads: We the undersigned, members of the House of Representatives of The State of Maine hereby register our concern and our opposition to the proposed broadcasting of X rated motion pictures on television. We object to such showing as an undesirable intrusion into the home and as an unwarranted extension of the ready availability of such material to unsupervised viewing by children. We, therefore, respectfully urge that the showing of such broadcasts be prevented.

I would appreciate your support on this matter. This petition will be available in both Majority and the Minority Floor Leaders offices for your convenience. We will be sending these petitions to the Federal Communications Commission and to the presidents of all the television networks of CBS, ABC and NBC.

I hope you will take the opportunity to express your opposition by signing these petitions.

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

Mr. HANCOCK: Mr. Speaker and Ladies and Gentlemen of the House: I had missed this, missed it entirely and I would like to thank the gentlelady from Madison for calling it to my attention. Now, she says, "protest this." I would suggest to you that there is this new device out that is available to any of us who have TV sets and its called an off and on button. And anyone who doesn't want this intrusion in their house, merely has to push that button.

**House Reports of Committees
Leave to Withdraw**

Mr. Good from the Committee on Fisheries and Wildlife reporting Leave to Withdraw on Bill "An Act Regulating Speed of Motorboats on the Songo and Crooked Rivers, Cumberland County" (H. P. 741) (L. D. 954)

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

**Leave to Withdraw
Covered by other Legislation**

Mr. Dyar from the Committee on County Government reporting Leave to Withdraw as Covered by Other Legislation on Bill "An Act Relating to Payments to the Law Library of Androscoggin County" (H. P. 451) (L. D. 600)

Same gentleman from same Committee reporting same on Bill "An Act Relating to Payments to the Hancock County Law Library" (H. P. 580) (L. D. 771)

Same gentleman from same Committee reporting same on Bill "An Act Relating to Payments to Penobscot County Law Library" (H. P. 611) (L. D. 809)

Reports were read and accepted and sent up for concurrence.

**Consent Calendar
First Day**

(S. P. 105) (L. D. 250) Bill "An Act Relating to Purchase of Blind-made Products by State and Political Subdivisions" — Committee on Health and Institutional Services reporting "Ought to pass" as amended by Committee Amendment "A" (S-49)

(S. P. 269) (L. D. 794) Bill "An Act Providing Funds for Treatment of Cystic Fibrosis" (Emergency) — Committee on Appropriations and Financial Affairs reporting "Ought to pass"

(H. P. 789) (L. D. 1025) Bill "An Act to Increase Examination and Registration Fees for the Board of Examiners of Psychologists" — Committee on Health and Institutional Services reporting "Ought to pass" as amended by Committee Amendment "A" (H-154)

(S. P. 367) (L. D. 1081) Bill "An Act Providing Funds for a Fishway at Pitcher Pond in Lincolnville" — Committee on Appropriations

and Financial Affairs reporting "Ought to pass"

(S. P. 433) (L. D. 1338) Resolve Providing Funds for Portrait of Honorable Margaret Chase Smith — Committee on Appropriations and Financial Affairs reporting "Ought to pass"

(S. P. 434) (L. D. 1339) Bill "An Act to Increase the Authorized Bonding Limit of the Maine State Housing Authority" (Emergency) — Committee on Appropriations and Financial Affairs reporting "Ought to pass"

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

**Consent Calendar
Second Day**

(H. P. 51) (L. D. 58) Bill "An Act Relating to Applicability of Workmen's Compensation to Certain Employees" (C. "A" - H-151)

(H. P. 60) (L. D. 72) Bill "An Act Broadening the Sales and Use Tax Exemption on Water and Air Pollution Control Facilities"

(H. P. 222) (L. D. 295) Bill "An Act to Provide Special Probation in Criminal Non-support Cases"

(H. P. 489) (L. D. 643) Bill "An Act Raising the Maximum Age of a Juvenile Offender" (C "A" - H-152)

(H. P. 604) (L. D. 802) Bill "An Act Relating to Penalties for Violation of Baxter State Park Laws and Regulations"

(H. P. 619) (L. D. 817) Bill "An Act Relating to Control of School Water Supplies"

(S. P. 283) (L. D. 830) Bill "An Act Clarifying Sprinkler System Requirements in Boarding Homes"

(H. P. 670) (L. D. 875) Bill "An Act Repealing State Educational Conventions"

(H. P. 676) (L. D. 883) Bill "An Act Including Surviving Spouse of Owner under Certain Motor Vehicle Laws" (C "A" H-153)

(H. P. 689) (L. D. 896) Bill "An Act Defining Wholesale Life Insurance"

(H. P. 691) (L. D. 898) Bill "An Act Defining Health Insurance on a Franchise Plan"

(H. P. 692) (L. D. 899) Bill "An Act Relating to School Statistics"

(S. P. 349) (L. D. 1016) Bill "An Act Relating to Federally Funded Food Programs"

(H. P. 1006) (L. D. 1328) Bill "An Act Relating to Collection of Excise Tax in Unorganized Places"

(H. P. 1017) (L. D. 1336) Bill "An Act Relating to Tuitional Equalization Fund for Maine Students Entering Maine Private Colleges" (Emergency)

(H. P. 1114) (L. D. 1450) Bill "An Act Providing for a State-wide Open Deer Season"

(H. P. 1334) (L. D. 1660) Bill "An Act Relating to Railroad Bridge Guards"

(H. P. 1335) (L. D. 1661) Bill "An Act Relating to Permits for Out-of-Door Fires Issued to Licensed Guides"

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

Passed to Be Engrossed

Bill "An Act Relating to Penalty for Operation of Motor Vehicle under the Influence of Intoxicating Liquor" (S. P. 251) (L. D. 702)

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

Tabled and Assigned

Bill "An Act Permitting a Dollar Check-off on Income Tax Returns for Election Campaign Fund" (H. P. 1010) (L. D. 1324)

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 tomorrow assigned.)

Bill "An Act to Place the Position of Director, Bureau of Aeronautics and Director, Bureau of Waterways in the Classified Service" (S. P. 162) (L. D. 417) (Emergency)

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

Finally Passed Emergency Measure

Resolve, to Authorize Granting an Easement on State Land to

Auburn Sewerage District. (H. P. 768) (L. D. 1002) (C. "A" H-129)

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 none against, and accordingly the Resolve was finally passed, signed by the Speaker and sent to the Senate.

Emergency Measure

Resolve Enabling Certain Conveyances by Governor and Council to Safeguard the Mortgage Insurance Fund of the Maine Industrial Building Authority (S. P. 411) (L. D. 1256)

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. 113 voted in favor of same and 6 against, and accordingly the Resolve was finally passed, signed by the Speaker and sent to the Senate.

Emergency Measure

Resolve Authorizing School Construction in City of Eastport (H. P. 1089) (L. D. 1282)

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 one against, and accordingly the Resolve was finally passed, signed by the Speaker and sent to the Senate.

Passed to Be Enacted

An Act Increasing the Number of Superior Court Justices and Official Court Reporters (S. P. 61) (L. D. 187) (H. "B" H-123) as amended by H. "A" (H-136) thereto.

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.

**Enactor
Tabled and Assigned**

An Act Converting Great Pond Plantation into the Town of Great Pond (H. P. 266) (L. D. 373)

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

(On motion of Mr. Bunker of Gouldsboro, tabled pending passage to be enacted and specially assigned for Thursday, April 5.)

An Act Relating to Delivery of Suspensions under the Motor Vehicle Laws (H. P. 314) (L. D. 432)

An Act Relating to Requirement for Filing Proof under Financial Responsibility Law (H. P. 326) (L. D. 444)

An Act Relating to the Design of Buildings Constructed by the State or Political Subdivisions (H. P. 494) (L. D. 648)

An Act to Permit Commissioner of Sea and Shore Fisheries to Suspend Licenses for Violations of Private and Special Laws and Assault on Coastal Wardens (H. P. 504) (L. D. 670)

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 to Specify the Date for Closing of Open Burning Dumps in Maine (S. P. 288) (L. D. 835) (C. "A" S-41)

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

The SPEAKER: The Chair recognizes the gentleman from Lubec, Mr. Donaghy.

Mr. DONAGHY: Mr. Speaker and Ladies and Gentlemen of the House: I would like to have this bill indefinitely postponed and would speak briefly to it.

The SPEAKER: The gentleman from Lubec, Mr. Donaghy, moves the indefinite postponement of item 10 and all its accompanying papers. The gentleman may proceed.

Mr. DONAGHY: Mr. Speaker and Ladies and Gentlemen of the House: The towns are being hard put to find a way to take care of these open burning dumps. It's

a financial burden that few of them can bear and I would like to have a roll call on this.

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

Mr. MARTIN: Mr. Speaker and Ladies and Gentlemen of the House: I wonder if the gentleman from Lubec would very carefully look at the amendment that has been put on by the committee. What the amendment does in effect is to grant a one year additional beyond the present law. And what worries me is that the amendment or the suggestion that this bill be indefinitely postponed would actually force municipalities into a tighter box than the one that the bill, if we were to enact it today, would do. In other words, what I guess I am saying is that the Committee on Natural Resources felt very strongly that an additional one year ought to be given. This one year as I understand it, would agree with the federal deadline and would obviously be in a better position for all towns to comply with. And if we — for those of us who represent small towns, I certainly hope that you would vote against the motion of the gentleman from Lubec.

Mr. Donaghy of Lubec requested permission to withdraw his motion for indefinite postponement, which was granted.

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

Mr. FINEMORE: Mr. Speaker and Ladies and Gentlemen of the House: There is also a Senate Amendment on here that is S-41 and that Senate Amendment extends it to 1975. In other words, as Mr. Martin has said, we are gaining an extra year, although our federal deadline is 1976, October the 1st. So we are still gaining a little time.

I hope you will go along with the bill and not the indefinite postponement.

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 passage to be enacted. All in favor of that motion will vote yes; those opposed will vote no.

ROLL CALL

YEA — Albert, Ault, Baker, Berry, G. W.; Berry, P. P.; Berube, Birt, Bither, Boudreau, Brawn, Briggs, Brown, Bunker, Bustin, Cameron, Carey, Carrier, Carter, Chick, Chonko, Churchill, Clark, Conley, Cooney, Cote, Cottrell, Cressey, C r o m m e t t, Curran, Curtis, T. S., Jr.; Dam, Davis, Deshaies, Donaghy, Dow, Drigotas, Dunleavy, Dunn, Emery, D. F.; Evans, Farley, Farnham, Farrington, Fecteau, Ferris, Finemore, Flynn, Fraser, G a r s o e, Gauthier, Genest, Good, Goodwin, H.; Goodwin, K.; Greenlaw, Hamblen, Hancock, Haskell, Henley, Hobbins, Hoffses, Huber, Hunter, Immonen, Jackson, Jacques, Jalbert, Kelleher, Kelley, Kelley, R. P.; Keyte, Kilroy, Knight, LaCharite, L a P o i n t e, Lawry, LeBlanc, Lewis, E.; Lewis, J.; Littlefield, Lynch, MacLeod, Mahany, Martin, Maxwell, McCormick, M c H e n r y, McKernan, McMahon, McNally, McTeague, Merrill, Morin, L.; Morin, V.; Morton, Murchison, Murray, Najarian, Norris, O'Brien, Palmer, Parks, Perkins, Peterson, Pontbriand, Pratt, Ricker, Rollins, Ross, Santoro, Shaw, S h e l t r a, Shute, Simpson, L. E.; Smith, D. M.; Smith, S.; Snowe, Soulas, Sproul, Stillings, Susi, Talbot, Tanguay, Theriault, Tierney, Trask Trumbull, Tyndale, W a l k e r, Webber, Wheeler, Whitzell, Willard, Wood, M. E.; The Speaker.

NAY — Mills, Rolde.

ABSENT — Binnette, Bragdon, Connolly, Dudley, Dyar, Faucher, Gahagan, Herrick, Hodgdon, Mad-dox, Mulkern, Silverman, White.

Yes, 135; No, 2; Absent, 13.

The SPEAKER: One hundred thirty - five having voted in the af-

firmative and two in the negative, with thirteen being absent, the motion does prevail.

Signed by the Speaker and sent to the Senate.

An Act to Impose a Fee for Waiving the Waiting Period before Marriage (H. P. 646) (L. D. 862)

An Act Relating to Expenditures of the Town Road Improvement Fund (H. P. 685) (L. D. 892)

An Act Relating to Payments to Hospitals (S. P. 308) (L. D. 970)

An Act to Transfer the Maine Historic Preservation Commission to the Department of Educational and Cultural Services (H. P. 772) (L. D. 1006)

An Act Reestablishing a Base Period for all Fishing Regulations (H. P. 791) (L. D. 1027)

An Act Providing for Inclusion of Odometer Reading on Certificate of Registration of Motor Vehicles Returned Upon Transfer of Ownership (H. P. 897) (L. D. 1184) (C. "A" - H-131)

An Act Revising the Laws Relating to the Board of Pesticides Control (H. P. 958) (L. D. 1268)

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 Amending the Law Relating to the Provision of Housing and Meals to State Employees (H. P. 1021) (L. D. 1344)

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

(On motion of Mrs. Berry of Madison, tabled pending passage to be enacted and tomorrow assigned.)

An Act to Clarify the Purpose of the Committee on Maine Public Broadcasting (S. P. 467) (L. D. 1426)

An Act Defining the Boundaries of Richmond's Island Sanctuary (H. P. 1263) (L. D. 1568)

Finally Passed

Resolve in Favor of Down East Community Hospital of Machias (H. P. 530) (L. D. 712)

Resolve Providing Funds for Abilities and Goodwill, Inc. (S. P. 426) (L. D. 1286)

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

The SPEAKER: The Chair recognizes the gentleman from Bangor, Mr. Kelleher.

Mr. KELLEHER: Mr. Speaker, is the House in possession of L. D. 1409, An Act to Reconstitute and Place a Public Member on the Maine Real Estate Commission?

The SPEAKER: The Chair would answer in the affirmative. An Act to Reconstitute and Place a Public Member on the Maine Real Estate Commission, Senate Paper 459, L. D. 1049, is in the possession of the House.

Mr. KELLEHER: Mr. Speaker, I move that we reconsider our action of yesterday whereby we passed this bill to be enacted.

Whereupon, Mr. Curtis of Orono requested a vote on the motion.

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

A vote of the House was taken.

71 having voted in the affirmative and 61 having voted in the negative, the motion did prevail.

The SPEAKER: The Chair recognizes the gentleman from Biddeford, Mr. Sheltra.

Mr. SHELTRA: Mr. Speaker and Ladies and gentlemen of the House: I would like to preface my remarks by saying that I was born and brought up in the real estate business. And I also happened to attend the public hearing on this bill. It was worthy of note that at this particular hearing, the only proponent for this bill was its sponsor. And in no way was it proven that the Real Estate Commission

as such, as it is today, was remiss in their duties in any way.

As a real estate broker of York County since 1945, and I have witnessed many, many transactions, I certainly have never seen any discrepancy with probably the exception of one ruling where the Real Estate Commission had to be involved for, let's say, foul play.

In the first place when an individual or couple desire to buy a home the loan is well scrutinized. Ninety-nine chances out of a hundred a bank is involved. Not only is the bank involved, but at times the government is involved, whether it be a VA or FHA loan or what have you. So, consequently, the consumer is very well protected. For the commercial buyer themselves who buy property frequently, they always surround themselves with a battery of lawyers anyway so they are assured that no foul play exists.

I think that the commission, as is, has done a very fine job. For instance, I can't see a consumer being on these boards, regardless of whether its the Real Estate Commission or any commission, for the simple reason for an example, if you had say a physical diagnosis and one doctor said you had disease X and another doctor said you had disease L, would you like to have a layman come in and make the decision as to what's wrong with you? I mean this field has become very sophisticated. We need all the expertise that can be had, that can be mustered, and I think any commission needs expertise. So I am very much in favor of this reconsideration motion and I would like to see this bill voted down "ought not to pass."

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

Mr. JALBERT: Mr. Speaker and Ladies and Gentlemen of the House: On one occasion recently, and that was the only occasion ever I had reason to appear before the Real Estate Commission made up of a gentleman from Damariscotta, Mr. MacKechnie, a gentleman from Portland, Mr. Kilroy, who happens to be the son of our own Mrs. Kilroy, and a gentleman

from Biddeford, Mr. Aube. They had made a decision that in my opinion was not a decision that should have been made. I went before the commission, I explained the situation to them, the commission came to Auburn to a meeting and listened to a barrage the likes of which I have never heard, took it very gracefully. We all learned a lot from the meeting. We learned the examinations were sent immediately to be corrected by computer.

This commission as well as other commissions I have not been very familiar with, but I certainly wanted to get up yesterday, but the vote came up before I had a chance to. I think this present group is doing a splendid job. I think what is eventually going to have to happen is a bill whereby possibly a salesman might have to serve an apprenticeship of say three years before he becomes a broker. In other words, I think there is possibly, subsequently, some legislation that would take care of that. In any event, the no vote on this bill would indicate a feeling of security towards this present commission and frankly, in my humble opinion, they are deserving of it.

The SPEAKER: The Chair recognizes the gentleman from Westbrook, Mr. Deshaies.

Mr. DESHAIES: Mr. Speaker and Ladies and Gentlemen of the House: This bill did not come before my committee, and I do not have the benefit of comments made at the public hearing. However, it would seem to me that this commission or any other commission is made up of professionals in the business who are interested in policing and upgrading their own profession.

Adding a public member would serve no useful purpose. If we are suggesting we don't trust the members of this commission or any other commission, if that is the case, then replace them. But having a public member in my opinion would serve no one.

The SPEAKER: The Chair recognizes the gentleman from Orono, Mr. Curtis.

Mr. CURTIS: Mr. Speaker and Ladies and Gentlemen of the

House: If we can go over this again briefly as we discussed it yesterday, there are several changes that are made in this proposed law.

The bill came out in a redraft from the committee unanimous "ought to pass." One of the changes shortens the time period from 10 years to 5 years in which a person must have been in the profession before being eligible to serve on the board. There is an increase of two members on the board proposed, from three to five. One of those members would have to be a broker and one would be, just one out of five would be a representative of the public.

I agree that certainly the greatest interest shown in this bill has been from those members of the profession who earn their living in the practice the profession of real estate brokerage. But I suggest that this is an appropriate way for the legislature to recognize the fact that the other end of the contracts that are provided are the public and that this would be an appropriate way for the public to be represented on this board.

The SPEAKER: The Chair recognizes the gentleman from Hampden, Mr. Farnham.

Mr. FARNHAM: Mr. Speaker and Ladies and Gentlemen of the House: Probably it is an exercise in futility for me to speak here this morning because it is very apparent that the opponents to this bill have done their homework to the nth degree.

It seems to me that years ago some president being inaugurated said the only thing we have to fear is fear itself. It seems to me that applies to this debate this morning. Are we afraid to have someone sitting on this board who does not have a vested interest in the matter? I request that when the vote is taken it be by the yeas and nays.

The SPEAKER: The Chair recognizes the gentleman from Lubec, Mr. Donaghy.

Mr. DONAGHY: Mr. Speaker and Ladies and Gentlemen of the House: I am a real estate broker. I am not afraid to have a public member on the board because of

some wrongdoing. I do not care to have a public member on the board because we need all the expertise on this that we can acquire. This will be the only board of this nature, whether it be lawyers or accountants, oil burner salesmen or installers, plumbers, what have you, that does have to have a public member on their board.

It implies that — Judge Roberts who put in the bill originally feels that the real estate people should be different from the attorneys because I am sure that he wouldn't want a public member examining people as to whether or not they were qualified to judge whether or not a person is qualified to be a real estate broker and this chiefly what these people do, is set up the examinations and the requirements to protect the public from possible fraud. And they have been doing a good job. I don't see any need for changing it by putting someone on that board that doesn't have the expertise and knowledge of what the problems are in the real estate business, and I hope that you will vote against this bill.

The SPEAKER: The Chair recognizes the gentleman from Sanford, Mr. Gauthier.

Mr. GAUTHIER: Mr. Speaker and Members of the House: In reply to my dear friend, Mr. Donaghy, I feel that this is a start in the right direction. I think it is about time. I am not saying that these people are not doing a good job but I think that to protect the public and to protect everybody, one member won't — there will be one member out of five and I feel that this is a start in the right direction, that we should do this in every commission, that the people should be represented as a whole by at least one member.

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

Mr. SIMPSON: Mr. Speaker I move for the indefinite postponement of this bill and all its accompanying papers and would like to speak to my motion.

The SPEAKER: The gentleman from Standish, Mr. Simpson moves the indefinite postponement of L.

D. 1409. The gentleman may proceed.

Mr. SIMPSON: Mr. Speaker and Ladies and Gentlemen of the House: As I said yesterday, I am speaking to you as a realtor. I would like to answer the gentleman from Sanford. As I said yesterday, I personally am not opposed to putting a consumer on boards. But I want to see a consumer on all boards. I don't want to see just the real estate profession singled out to the point that somebody is saying we are the bad boys, because we are not. I would like to have one person stand on this House floor and state that the real estate commission has done something wrong, that we are not acting in the best interests of Maine's people. I don't think anybody can stand here and tell us that.

Some people will say that we have a tenant-landlord problem in the State of Maine. If we do, it is not because of the realtors. They are not even involved in that type of a situation. I believe that the profession is above board all the way down the line. If you want to start singling out individuals, then let's take and put an amendment on this bill to the point where we increase all commissions, all agencies, all boards in the State of Maine by two and put one person on there as a consumer. Ladies and gentlemen, I don't believe that we are acting in the right perspective when we start singling out one particular board. Therefore, I would ask that you indefinitely postpone this particular bill and when the bill comes along from the gentleman from Eagle Lake, Mr. Martin, that would put a consumer on all boards, then let's talk about all boards.

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

Mr. JALBERT: Mr. Speaker and Members of the House: I would wholeheartedly concur with the gentleman from Standish, Mr. Simpson. You know, I would like to make a comment that might apply itself to the gentleman from Hampden, Mr. Farnham, about the lobby having done its work well, the opponents having lobbied very well on this bill. Nobody lobbied

me. I voted the other way yesterday and I went to the gentleman from Standish, Mr. Simpson, and told him that I had made a mistake and I was going to change my mind. I happen to be one of those idiots that when I am shown that I am wrong, I admit it. And I am solidly behind the gentleman from Standish, Mr. Simpson. He is absolutely right. I don't want to point the finger at three fine gentlemen. If they are going to point the finger, point the finger at anybody or nobody. And in this instance it spells nobody.

The SPEAKER: The Chair recognizes the gentleman from Sanford, Mr. Gauthier.

Mr. GAUTHIER: Mr. Speaker and Members of the House: I would like to answer Mr. Simpson by saying that in my remarks I mentioned that these gentlemen, I have nothing against them. They are doing a good job but I feel that every commission should have a member of the public on there. I think that this is good for everybody.

And I will tell you one thing — and I would like to answer Mr. Simpson in this way: I was for two sessions on the Business Legislation Committee, which at that time was labeled like the lawyers were when you had Judiciary and you had all lawyers on that committee. And that is the reason why I got off the committee, because I felt that all that was on there was insurance agents and I don't think it is right. Right or wrong, these gentlemen might be honest.

We were honest on the Business Legislation Committee but I didn't feel that all agents should be on there and I think that the last two years ago on Judiciary, it has been mentioned that it has been much better since we have lawyers on that committee and also that we have laymen on there. And I have been told by many past members that this is a better way of doing it and I am very much in favor of that. I am not knocking anybody but I feel that there shouldn't be all the same profession on the same commission.

The SPEAKER: The Chair recognizes the gentleman from Westbrook, Mr. Carrier.

Mr. CARRIER: Mr. Speaker and Members of the House: I realize that everybody is entitled to their own opinion and I am not here to condemn them even if they don't agree with me. However, I do think, at least it is my belief, that these commissions have been put on there — everytime they put a new commission, it is for the protection usually of the people of this state. I think that by putting a consumer on such commissions it would actually set for sure a new precedent and probably a dangerous one.

I do feel that anybody appointed to any commission should be based on his qualifications. And I think that these commissions, if you look at them, most of them are people that have been exposed to the trade, that have been in the trade or that have been — you don't put a layman on a medical commission and you don't put an insurance man on a real estate commission either. And I think that in order to get the best for the people of Maine, that you have to have qualified people and this is the basis upon which these Commissions were set.

Now the proposed changes as made by the committee — and I think they did the best they could under the circumstances — but I think the proposed changes of five years in the real estate business as compared to no time for a consumer to be on the commission is ridiculous; because to those of us who have licenses, it would be very easy to turn in our licenses and then apply to be on the commission as a consumer. I do not like the proposition of the thing that anybody will be appointed to the commission because I am not totally happy with the recent appointments to certain commissions or to certain committees.

So therefore, I think that we do not need a consumer representative on any of the commissions and I will always vote against such; not due to the fact that they do not know what they are doing, but due to the fact that actually on anything at anytime you must have

qualifications in order to serve on such boards when it concerns the benefit of so many people in this state. Therefore, I urge you and I ask of you to support the motion for indefinite postponement.

The SPEAKER: The Chair recognizes the gentleman from Hampden, Mr. Farnham.

Mr. FARNHAM: Mr. Speaker and Members of the House: I didn't realize that the real estate boys felt that they were on trial. Certainly no one of the committee has implied or insinuated in any way that there was anything illegal going on in the board. The gentleman from Standish, Mr. Sampson — Simpson, excuse me. We just use the Sampson when we are mad at you, Larry. I have lost my train of thought. Jack Norris says that isn't hard to do.

The gentleman from Standish, Mr. Simpson, says that probably we should have someone on all the boards and that he would like to see it and we have the vehicle before us in L. D. 1679 which adds public members to the chiropractors, pharmacist and a dozen other boards and he can add all he wants after that time.

Mr. Speaker and Ladies and Gentlemen, I would suggest a roll call when we vote on this.

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

Mr. JALBERT: Mr. Speaker and Members of the House: In my remarks I mentioned that I was an idiot. I certainly am not going to say that about the gentleman from Hampden, Mr. Farnham, because I know him and respect him much too highly for that. But I did say that I was one of those idiots that can change his mind. You see, it just goes to show you that I was right. Even the gentleman from Hampden, Mr. Farnham, can change his mind because he changed Mr. Simpson's name and I don't think that is right.

The SPEAKER: The Chair recognizes the gentleman from Biddeford, Mr. Sheltra.

Mr. SHELTRA: Mr. Speaker and Ladies and Gentlemen of the House: I would like to clarify one point. Ninety percent of my income

is not derived from the real estate business. So I speak here as somebody who has had expertise in the field but my income does not come from that direction.

I would like to further state that my prime interest here is our taxpayers. I am not against lay people either. But I feel that we are creating further bureaucracy. We are creating additional jobs and for no good reason. The commission is operating very well, very efficiently as it is. Why spend more of our taxpayers' dollars; because if this goes on you can see the way things are turning now, that you have laymen on every commission that we have. So if you total that all up in expenditures, it is one heck of another bill that has to be divided amongst our taxpayers. I hope that you will vote to indefinitely postpone this bill.

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

Mr. BUSTIN: Mr. Speaker and Ladies and Gentlemen of the House: I am in the unenviable position this morning of going against my signature on a committee report because the bill did come out unanimously "ought to pass" and I let it go out because I didn't have too many strong feelings about it. But I am going against the report this morning, I do not feel too bad about it, since my House chairman set the precedent for it last week. The reason I am doing it is because of the rationale that has been expressed by many people and just now by Mr. Sheltra.

There is absolutely no abuse involved in this commission. I pressed this issue, I pressed for this in the questioning when the bill was presented. Was there any abuse, did anybody think that anything was wrong? Was there even any appearance of abuse? And the answer was always no. So why should we put two more people on it, one of which is going to take an awful long time every time this group sits down to try to explain to that public member just exactly what's happening.

I think it is costly; I do not think there is a need for it, and

I support the motion to indefinitely postpone.

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 Standish, Mr. Simpson, that L. D. 1409 be indefinitely postponed. All those in favor of that motion will vote yes; those opposed will vote no.

ROLL CALL

YEA — Albert, Ault, Berry, G. W.; Berube, Birt, Bither, Boudreau, Bragdon, Brown, Briggs, Brown, Bunker, Bustin, Cameron, Carey, Carrier, Chonko, Churchill, Conley, Cottrell, Cressey, Curran, Davis, Deshaies, Donaghy, Drigotas, Dudley, Dunn, Emery, D. F.; Evans, Farley, Farrington, Finemore, Flynn, Fraser, Garsoe, Genest, Hamblen, Hancock, Haskell, Henley, Herrick, Hoffses, Huber, Hunter, Immonen, Jackson, Jalbert, Kelleher, Kelley, Kelley, R. P.; Keyte, Kilroy, Knight, Lacharite, Lawry, LeBlanc, Littlefield, Lynch, MacLeod, Mahany, Martin, Maxwell, McCormick, McNally, Merrill, Mills, Morin, V.; Morton, Murchison, Norris, Parks, Pontbriand, Ricker, Rollins, Ross, Santoro, Shaw, Sheltra, Shute, Simpson, L. E.; Snowe, Soulas, Sproul, Susi, Theriault, Trask, Trumbull, Tyndale, Walker, Webber, Wheeler, Willard, Wood, M. E.

NAY — Baker, Berry, P. P.; Carter, Chick, Clark, Cooney, Cote, Crommett, Curtis, T. S., Jr.; Dam, Dow, Dunleavy, Farnham, Fecteau, Ferris, Gahagan, Gauthier, Good, Goodwin, H.; Goodwin, K.; Greenlaw, Hobbins, Jacques, LaPointe, Lewis, E.; Lewis, J.; McHenry, McKernan, McMahon, McTeague, Morin, L.; Murray, Najarian, O'Brien, Palmer, Perkins, Peterson, Pratt, Rolde,

Smith, D. M.; Smith, S.; Stillings, Talbot, Tanguay, Tierney, Whitzell.

ABSENT — Binnette, Connolly, Dyar, Faucher, Hodgdon, Maddox, Mulhern, Silverman, White.

Yes, 94; No, 46; Absent, 9.

The SPEAKER: Ninety-four having voted in the affirmative and forty-six in the negative, with nine being absent, the motion does prevail.

Sent up for concurrence.

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

Mr. NORRIS: Mr. Speaker, I move that we reconsider our action and hope you all vote against me.

The SPEAKER: The gentleman from Brewer, Mr. Norris, moves the House reconsider its action whereby we indefinitely postponed this Bill. All in favor of reconsideration say yes; those opposed will say no.

A viva voce vote being taken, the motion did not prevail.

Orders of the Day

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

Bill "An Act Relating to Control of Outdoor Advertising" (H. P. 274) (L. D. 380) (Emergency)

Tabled — March 29, by Mr. Birt of East Millinocket.

Pending — Acceptance of "Ought to pass" Report.

Thereupon, the Report was accepted and the Bill read once.

Committee Amendment "A" (H-147) was read by the Clerk and adopted. The Bill was assigned for second reading tomorrow.

Mr. Simpson of Standish was granted unanimous consent to address the House.

Mr. SIMPSON: Mr. Speaker and Ladies and Gentlemen of the House: Yesterday we had quite a debate on so-called billboard signs and what have you and I am in definite agreement that this bill should pass but I can't let it go without at least placing some remarks on the record and I hate to do that but I really feel as though I am going to in this instance. Because as I read Committee Amendment "A", and I would like to call your attention to it and really look at the

ambiguity that's in it, it says something like this: That no persons, firm or corporation shall erect or maintain any legible, legible advertisement that can be seen from any portion of the interstate system, including ramps and interchange areas or any portion of the primary system or any portion of a scenic highway and so forth.

My only thought is that as I take a look at this, who is going to determine what's legible, what is not? As I come into Augusta and as I start up onto the ramp and I take a look over to that shopping center and I see Zayres or I see the Holiday Inn or I see the other signs over there, to me those are legible and I just seriously question whether we would like to take and put this type of amendment on the books.

I could certainly support a distance factor, but when I take a look at this, I think it's really ridiculous.

Mr. Rolde of York was granted unanimous consent to address the House.

Mr. ROLDE: Mr. Speaker and Ladies and Gentlemen of the House: I would just add one clarifying statement to what the gentleman from Standish has said. This bill would not, and this amendment too, would not apply to on-premise signs. So they would not apply to the situation he has described.

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

House Order relative to House Rule 49-A.

Tabled — March 29, by Mr. Martin of Eagle Lake.

Pending — Passage.

On motion of Mr. Martin of Eagle Lake, retabled pending passage and specially assigned for Thursday, April 5.

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

Bill "An Act to Create the Maine Coastal Development Corporation as a Body Corporate and Politic" (H. P. 1267)

Tabled — March 29, by Mr. Birt of East Millinocket.

Pending — Reference.

On motion of Mr. Birt of East Millinocket, referred to the Committee on Natural Resources, ordered printed and sent up for concurrence.

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

Bill "An Act to Revise the Election Laws" (S. P. 493) (L. D. 1535)

Tabled April 2 by Mr. Martin of Eagle Lake.

Pending — Passage to be engrossed.

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

Mr. ROSS: Mr. Speaker and Ladies and Gentlemen of the House: I would like to present Senate Amendment "A" under filing S-47, move its adoption and request that the Page give the amendment to the Clerk. And while he is doing this, let me explain the new procedure in amendments. Formerly we just had them signed and had them distributed to the members of the House and had the Clerk keep the originals. This was very confusing for her. Now you will sign the original, have it reproduced and distributed, but get back the original and present it in person, through the Page, to the Clerk.

Whereupon Senate Amendment "A" (S-47) was read by the Clerk.

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

Mr. MARTIN: Mr. Speaker, a parliamentary question.

The SPEAKER: The gentleman may pose his question.

Mr. MARTIN: Mr. Speaker, the gentleman from Bath can't introduce a Senate Amendment.

Mr. ROSS: Mr. Speaker, may I answer that question?

The SPEAKER: The gentleman may proceed.

Mr. ROSS: This amendment was adopted by the Senate, but we never did adopt it, and parliamentarily we have to adopt an amendment. This was unusual.

I doubt if Mr. Martin is too upset when I finish.

This Amendment increases the residency requirements from 30 to 45 days. It must be presented, since it has been adopted in the other body. However, if we adopted it here, it would cause a great many problems.

The Supreme Court would allow 45 days for persons changing their residency within the state, but they would not allow more than 30 days if they came into the state from without. We have a bill on 30 days for both within and without. That is awaiting a court decision. I really believe that although I presented the amendment and offered that we adopt it for parliamentary reasons, that it would be in order if somebody would now indefinitely postpone it.

THE SPEAKER: The Chair recognizes the gentleman from East Millinocket, Mr. Birt.

MR. BIRT: Mr. Speaker and Ladies and Gentlemen of the House: In agreement with the comments that are made by the gentleman from Bath, the fact that this question is under consideration by the Maine Supreme Court at the present time, I would move the indefinite postponement of this amendment.

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

MR. JALBERT: Mr. Speaker and Ladies and Gentlemen of the House: I am going along but I do not know, Mr. Speaker. You might be able to join me. I would like to have the gentleman from Bath, Mr. Ross, tell me how he knows how the court is going to go one way or another. I am friendly somewhere along the line with some members of the court, and I think its a little difficult to find out how they are going to go. But he has got the secret key. He doesn't have to answer me now but I would like to have him tell me later on.

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

MR. BUSTIN: Mr. Speaker, I would pose a question through the Chair to either the gentleman from

Bath or the gentleman from East Millinocket. Will the effect of indefinite postponement be to put the bill back as it was originally printed with the 30 day requirement?

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

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

MR. ROSS: It will put the bill back the way it originally was and there may be others who want to offer other amendments to this section, I don't know.

Thereupon, Senate Amendment "A" was indefinitely postponed.

Mr. Brawn of Oakland offered House Amendment "A" and moved its adoption.

House Amendment "A" (H-156) was read by the Clerk.

On motion of Mr. Birt of East Millinocket, tabled pending adoption of House Amendment "A" and specially assigned for Thursday, April 5.

Mrs. Murchison of Mattawamkeag presented the following Order and moved its passage:

ORDERED, that Bion Tolman and Roberta Stratton of Mattawamkeag be appointed Honorary Pages for today.

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

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

Bill "An Act to Designate One Dollar of Income Tax Refunds to Political Parties" (H. P. 321) (L. D. 439)

Tabled — April 2, by Mr. Birt of East Millinocket.

Pending — Acceptance of either Report.

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

MR. ROSS: Mr. Speaker and Ladies and Gentlemen of the House: Before the Election Laws Committee this year, there were two bills pertaining to the one dollar checkoff for use by both political party candidates. The

other one was passed in its first reading yesterday and tabled today. This one before us now was tabled yesterday for today. The full situation is rather complicated and, frankly, I doubt in the State of Maine if it would bring in very much money.

One of the reasons that the proponents gave in favor of these bills was to allow the average person to make a small contribution and feel that he was thus being a participant in the election process. L. D. 439 we are now talking about refers only to people who receive refunds. Out of 386,000 persons paying taxes, 240 receive refunds. The others would not be covered.

L. D. 1324 on the last page, which we passed yesterday, if we do decide to vote on it, should be amended in two places. It refers only to those who have a liability and does not mention refunds and this would exempt 275,000 persons who might like to participate.

Also, on the other bill on page 2, there is a phrase, "Other than nonresident aliens." We never could get anybody to define that phrase for us. So that, I think, should be stricken out because nobody understands it.

I had prepared an amendment to take care of both of these under H-155 and if you want to vote on this first one, you would accept that tomorrow. But if you want to vote on this one, in my opinion there should be some changes in this. So I would suggest that it also be tabled for one legislative day.

On motion of Mr. Snowe of Auburn, tabled pending acceptance of either Report and specially assigned for Thursday, April 5.

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

Bill "An Act Relating to the Rights of a Person under Guardianship to Vote" (H. P. 723) (L. D. 929)

Tabled — April 2, by Mr. Martin of Eagle Lake.

Pending — Acceptance of either Report.

On motion of Mr. Martin of Eagle Lake, retabled pending

acceptance of either Report and tomorrow assigned.

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

Bill "An Act Relating to Permanent Compensation for Particular Injuries under the Workmen's Compensation Law" (H. P. 748) (L. D. 961)

Tabled — April 2, by Mr. Hobbins of Saco.

Pending — Motion of Mr. Brown of Augusta to accept Majority "Ought not to pass" Report.

The SPEAKER: The Chair recognizes the gentleman from Presque Isle, Mr. Dunleavy.

Mr. DUNLEAVY: Mr. Speaker, Ladies and Gentlemen of the House: This bill seeks to assure that fair compensation is paid to workers who are injured on the job. Most salaried employees in Maine are covered by workmen's compensation insurance.

Now, our workmen's compensation law sets up legal presumptions that the loss of a specific toe or a finger entitles the claimant to a specific lump sum payment for that loss. In the case of the middle finger, that is 28 weeks.

The same type of treatment is given to hands and to feet in the law. In the case of the loss of a hand, for example, the claimant would be entitled to 165 weeks. Now, figuring \$70 as the average compensation rate, this would mean a worker losing a middle finger would receive a lump sum payment of about \$1,900; whereas, losing the whole hand, this would entitle him to about \$11,500, almost six times as much.

The middle finger is the one used primarily for lifting. Its loss to a laboring man as far as functional use of his hand is involved is greater than one sixth. It could be as much as one half or more. Now, this bill is not covered in the law. If it were, it should have no effect on the workmen's compensation insurance rates paid by the employers.

I have a letter here from the Deputy Commissioner of insurance indicating that the statistics which they have immediately on hand do not lend themselves to a

immediate mathematical evaluation of this legislative document. They have estimated that the maximum increase in compensation premiums that would result from the enactment of this legislation, legislative document, is approximately 7 percent. However, this is a maximum effect and the actual effect could be significantly less.

Now, I do not want to increase the workmen's compensation premiums of employers but I do want all — not only some — injured employees to be treated with equal fairness. It will be especially helpful, if this bill is enacted, to the claimant who is not represented by an attorney. It will help the working man. I ask for a roll call vote on this question.

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

Mr. BROWN: Mr. Speaker and Members of the House: At the hearing on this bill, the gentleman — the very able gentleman from Presque Isle made a very fine presentation. He still is. But the testimony at the hearing indicated from the members of the Industrial Accident Commission that this legislation was not necessary, that this law is already inherent in our statutes, in our case law and therefore, all we are doing is adding something to the statute books which is unnecessary. It is for this reason that the majority of the committee came out "ought not to pass."

I conferred with Commissioner Keaney as of yesterday morning and he said all four of our commissioners feel the same way. For that reason I hope you will vote to accept the majority "ought not to pass" report.

The SPEAKER: The Chair recognizes the gentleman from Presque Isle, Mr. Dunleavy.

Mr. DUNLEAVY: Mr. Speaker, Members of the House: This measure is not covered in the law. Common practice at the Industrial Accident Commission hearings is to see which finger is missing and to apply the legal presumptions set out by Section 56 of this act.

This is a presumption which might be overcome by evidence

sufficient to rebut it, but many claimants don't have lawyers and don't know how to overcome a legal presumption. Indeed, some lawyers have trouble doing it.

In the rush of cases, some employees are treated unfairly. We can help them by passing this bill. I ask you to vote against the motion of the gentleman from Augusta, Mr. Brown.

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 Augusta, Mr. Brown, that the House accept the Majority "Ought not to pass" Report on L. D. 961, Bill "An Act Relating to Permanent Compensation for Particular Injuries under the Workmen's Compensation Law." Those in favor will vote yes; those opposed will vote no.

ROLL CALL

YEA — Ault, Baker, Berry, G. W.; Birt, Bither, Brawn, Brown, Bunker, Cameron, Carrier, Chick, Davis, Deshaies, Donaghy, Dudley, Dunn, Evans, Farnham, Farrington, Finemore, Flynn, Fraser, Garsoe, Good, Hamblen, Haskell, Henley, Hoffses, Hunter, Immonen, Jackson, Kelley, Knight, LeBlanc, Littlefield, MacLeod, Mahany, Maxwell, McCormick, McKernan, McMahan, McNally, Merrill, Morton, Murchison, Norris, Palmer, Perkins, Pratt, Shaw, Shute, Simpson, L. E.; Smith, S.; Snowe, Soulas, Sproul, Stillings, Susi, Trask, Tyndale, White, Willard, Wood, M.E.; The Speaker.

NAY — Albert, Berry, P. P.; Berube, Boudreau, Bragdon, Bustin, Carey, Carter, Chonko, Churchill, Clark, Conley, Cote, Cottrell, Crommett, Curran, Curtis, T. S., Jr.; Dam, Dow, Drigotas, Dunleavy, Emery, D. F.; Farley,

Fecteau, Ferris, G a h a g a n , Gauthier, Genest, Goodwin, H.; Goodwin, K.; Greenlaw, Hancock, Hobbins, Jacques, J a l b e r t , Kelleher, Kelley, R. P.; Keyte, Kilroy, LaCharite, LaPointe, Lawry, Lewis, E.; Lewis, J.; Lynch, Martin, M c H e n r y , McTeague, Morin, L.; Morin, V.; Murray, Najarian, O'Brien, Parks, Peterson, Pontbriand, Ricker, Rolde, Rollins, Ross, S a n t o r o , Sheltra, Silverman, Smith, D. M.; Talbot, Tanguay, Theriault, Tierney, Trumbull, Walker, Webber, Wheeler, Whitzell.

ABSENT — Binnette, Briggs, Connolly, Cooney, Cressey, Dyar, Faucher, Herrick, Hodgdon, Huber, Maddox, Mills, Mulkern.

Yes, 64; No, 73; Absent, 13.

The SPEAKER: Sixty-four having voted in the affirmative and seventy-three having voted in the negative, with thirteen being absent, the motion does not prevail.

Thereupon, the Minority "Ought to pass" Report was accepted, the Bill read once and assigned for second reading tomorrow.

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

Bill "An Act Relating to Certain Permanent Impairment Compensation under Workmen's Compensation Law" (H. P. 598) (L. D. 789)

Tabled — April 2 by Mr. McTeague of Brunswick.

Pending — Motion of Mr. Brown of Augusta to accept Majority "Ought not to pass" report.

The SPEAKER: The Chair recognizes the gentleman from Presque Isle, Mr. Dunleavy.

Mr. DUNLEAVY: Mr. Speaker, Ladies and Gentlemen of the House: This is another bill that will assist the working man who is not represented by an attorney at a w o r k m e n ' s compensation hearing.

Frequently, the employee finds himself in a position negotiating with an insurance adjustor or an attorney for an insurance company. He does not have a lawyer of his own and he is able to be convinced to sign papers and do things against his best interests.

Now, the Industrial Accident Commissioner, while it is his duty to see that the employee is treated fairly, frequently has one morning a month where he has to hear maybe 150, 100 cases. Now, these things just slip by him very easily.

I ask you to vote against Mr. Brown's motion, and I ask for a roll call.

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

Mr. BROWN: Mr. Speaker, Ladies and Gentlemen of the House: The argument on this bill is just the same as we had on the previous one, that is it covered by existing legislation.

I would also call to your attention that there are provisions whereby counsel fees are paid in these hearings. Some of you may not be aware of it. The majority "ought not to pass" report was based on the statements of the commissioner to the effect that this is already covered by the statutes.

The SPEAKER: The Chair recognizes the gentleman from Biddeford, Mr. Farley.

Mr. FARLEY: Mr. Speaker, Members of the House: To give you a little background on this problem here, I signed the majority "ought not to pass" report, the reason being that we were supposed to have these commission hearings before our committee.

The real culprit here is the hearing examiners. In some areas the attorney representing the employee has a reasonable fee. In some areas they do not. In the areas that they do not, the attorney available to the employee in most cases is inexperienced and the attorney representing the insurance company, an expert in his field, the employee usually comes out the loser. That is the reason for the problem here.

The SPEAKER: The Chair recognizes the gentleman from Cumberland, Mr. Garsoe.

Mr. GARSOE: Mr. Speaker, Ladies and Gentlemen of the House: I would like to add my voice to this, too. The testimony

at the hearing brought out that this was indeed inherent in the law. The bulk of the testimony in support of this seemed to be directed at the inability of inexperienced attorneys to suggest satisfactory settlements.

The commission did oppose this, insisted it was there, that these rights are safeguarded by commission review and that this particular bill, the question turns more on medical evidence than legal evidence. I do not think that this bill is so much a bad bill that it just is not a good bill or a necessary bill.

The SPEAKER: The Chair recognizes the gentleman from Presque Isle, Mr. Dunleavy.

Mr. DUNLEAVY: Mr. Speaker, Ladies and Gentlemen of the House: I have the deepest respect for the Commissioner of the Industrial Accident Commission, but while a lawyer, the Commissioner of the Industrial Accident Commission admitted to me in a telephone conversation that it has been many years since he sat in on a workmen's compensation hearing.

Now, frequently these cases are decided by an unrepresented claimant sitting down with an attorney for an insurance company and the attorney for the insurance company pointing out to the claimant what he is entitled to and putting before him an approved agreement for his signature and then the attorney for the insurance company explains to the Industrial Accident Commission just how he has provided this man with his fair compensation.

Now, there are frequently claimants who do not understand the law and who do not have an opportunity to look at the case law themselves. These are the people that this bill seeks to help. If you look at it, it adds six lines to the law. That is not going to be an imposition on anybody and it will keep an insurance company lawyer from misrepresenting to claimants what they are entitled to. They cannot ethically misrepresent something if it is clearly specified in the law. Something that is in the case law is something else

entirely and only an attorney usually has access to that or ever bothers to read it.

I ask you to vote against the motion.

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

Mr. ROSS: Mr. Speaker, I have a question I would like to ask the gentleman from Biddeford, Mr. Farley, because as I understood him, he said that he signed the majority report. That would be ought not to pass and not for the bill. Did he mean that?

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 Biddeford, Mr. Farley.

Mr. FARLEY: Mr. Speaker and Ladies and Gentlemen of the House: All this bill does is clarify what we thought at that time was in the bill. This six lines will make it specific. I think the committee was unanimous in our thinking that there was a problem here. Some of us felt there was a problem with the commission, some felt that the problem was with the bill. At that time I thought the problem was with the commission and I signed the majority "ought not to pass" report. My feeling hasn't changed, but this bill would clarify it and I will go along with that now.

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 Augusta, Mr. Brown, that the House accept the Majority "Ought not to pass" Report on L. D. 789, Bill "An Act Relating to Certain Permanent Impairment Compensation under Workmen's Compensation Law."

All in favor will vote yes; those opposed will vote no.

ROLL CALL

YEA — Ault, Baker, Bither, Bragdon, Brown, Bunker, Cameron, Carrier, Cressey, Curtis, T. S., Jr.; Davis, Deshaies, Dudley, Dunn, Evans, Farnham, Farrington, Flynn, Garsoe, Hamblen, Haskell, Henley, Hoffses, Huber, Hunter, Immonen, Jackson, Kelleher, Kelley, Knight, LeBlanc, Lewis, J.; Littlefield, MacLeod, Maxwell, McCormick, McNally, Merrill, Morton, Murchison, Parks, Pratt, Shaw, Simpson, L. E.; Soulas, Sproul, Trask, Trumbull, Walker, White, Wood, M. E.

NAY — Albert, Berry, G. W.; Berry, P. P.; Berube, Birt, Boudreau, Brawn, Bustin, Carey, Carter, Chick, Chonko, Churchill, Clark, Conley, Cote, Cottrell, Crommett, Curran, Dam, Dow, Drigotas, Dunleavy, Emery, D. F.; Farley, Fecteau, Ferris, Finemore, Fraser, Gahagan, Gauthier, Genest, Good, Goodwin, H.; Goodwin, K.; Greenlaw, Hancock, Hobbins, Jacques, Jalbert, Keyte, Kilroy, LaCharite, LaPointe, Lawry, Lewis, E.; Lynch, Mahany, Martin, McHenry, McKernan, McMahon, McTeague, Mills, Morin, L.; Morin, V.; Mulkern, Murray, Najarian, Norris, O'Brien, Palmer, Perkins, Peterson, Pontbriand, Rolde, Rollins, Ross, Santoro, Sheltra, Shute, Silverman, Smith, D. M.; Smith, S.; Stillings, Susi, Talbot, Tanguay, Theriault, Tierney, Tyndale, Webber, Wheeler, Whitzell, Willard.

ABSENT — Binnette, Briggs, Connolly, Cooney, Donaghy, Dyar, Faucher, Herrick, Hodgdon, Kelley, R. P.; Maddox, Ricker, Snowe.

Yes, 51; No, 85; Absent 13

The SPEAKER: Fifty-one having voted in the affirmative and eighty-five having voted in the negative, with thirteen being absent, the motion does not prevail.

Thereupon, the Minority "Ought to pass" Report was accepted, the Bill read Once and assigned for second reading tomorrow.

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

Bill "An Act Pertaining to Unlicensed Dogs" (S. P. 345) (L. D. 1044)

Tabled — April 2, by Mr. Birt of East Millinocket.

Pending — Passage to be Engrossed.

The SPEAKER: The Chair recognizes the gentleman from East Millinocket, Mr. Birt.

Mr. BIRT: Mr. Speaker, Ladies and Gentlemen of the House: Last week we reconsidered our action whereby this bill was passed to be engrossed which puts the bill back in the second reading. We found at the time that it was passed to be engrossed and right after that that there had been a Senate amendment adopted. So we are in the same position as we were on a previous bill this morning that will require the introduction of Senate Amendment S-45 and I would move the adoption of that amendment.

Whereupon Senate Amendment "A" (S-45) was read by the Clerk and adopted.

Thereupon, the Bill was passed to be engrossed as amended and sent to the Senate.

Mr. Farrington of South China was granted unanimous consent to address the House.

Mr. FARRINGTON: Mr. Speaker and Ladies and Gentlemen of the House: Hopefully, the Standing Committee on County Government will have the budgets on the floor of the House by Thursday. We respectfully ask the cooperation of all delegations to work as profusely as possible so we can meet this deadline.

(Off Record Remarks)

On motion by Mr. Birt of East Millinocket,

Adjourned until nine o'clock tomorrow morning.