

# 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

**SENATE**

Thursday, February 15, 1973  
Senate called to order by the President.

Prayer by the Rev. Douglas Robbins of Augusta.

Reading of the Journal of yesterday.

**Joint Order**

Out of Order and Under Suspension of the Rules:

On motion by Mr. Sewall of Penobscot,

**ORDERED**, the House concurring, that when the Senate and House adjourn, they adjourn to Tuesday, February 20, at 10 o'clock in the morning. (S. P. 296)

Which was Read and Passed.

Under further suspension of the rules, sent down forthwith for concurrence.

**Papers from the House  
Non-concurrent Matter**

Resolve, Appropriating Funds to the Bath-Brunswick Mental Health Association for a Federally Funded Expanded Program. (S. P. 108) (L. D. 253)

In the Senate February 8, 1973, Passed to be Engrossed as Amended by Committee Amendment "A" (S-7).

Comes from the House, Passed to be Engrossed as Amended by Committee Amendment "A" and House Amendment "A" (H-27) in non-concurrence.

On motion by Mr. Morrell of Cumberland, the Senate voted to recede from its action whereby the Resolve was Passed to be Engrossed.

On further motion by that same Senator, and under suspension of the rules, the Senate voted to reconsider its action whereby Committee Amendment "A" was Adopted and, on subsequent motion by the same Senator, Committee Amendment "A" was Indefinitely Postponed in non-concurrence.

On motion by the same Senator, House Amendment "A" was Read and Adopted in concurrence, and the Resolve, as Amended and Passed to be Engrossed in non-concurrence.

Sent down for concurrence.

**Non-concurrent Matter**

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

In the Senate February 8, 1973, Passed to be Engrossed.

Comes from the House, Passed to be Engrossed as Amended by House Amendment "A" (H-28), in non-concurrence.

Thereupon, the Senate voted to Recede and Concur.

The **PRESIDENT**: The Chair at this time would ask the Sergeant-at-Arms to escort the Senator from Cumberland, Senator Berry, to the rostrum to act as President pro tem.

Thereupon, he Sergeant-at-Arms escorted Mr. Berry of Cumberland to the rostrum where he assumed the duties of President pro tem, and the President retired from the Senate Chambers.

**House Papers**

Bills, Resolves and Resolution today received from the House requiring Reference to Committees were acted upon in concurrence.

**Committee Reports  
House****Ought to Pass**

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

Reported that the same Ought to Pass.

Comes from the House, the Bill Indefinitely Postponed.

The **PRESIDENT** pro tem: The Chair recognizes the Senator from Hancock, Senator Anderson.

Mr. **ANDERSON**: Mr. President and Members of the Senate: I think we are all concerned about our rapidly diminishing deer herd, and the Fisheries and Wildlife Committee felt that this might save a great many deer. In order to make it a little more palatable, I want to prepare an amendment, and I would be very grateful if one of my colleagues would move to table this until Wednesday, February 21.

The PRESIDENT pro tem: The Chair recognizes the Senator from Franklin, Senator Shute.

Thereupon, on motion by Mr. Shute of Franklin, tabled and specially assigned for February 21, 1973, pending Acceptance of the Committee Report.

#### **Ought to Pass in New Draft**

The Committee on Natural Resources on Bill, "An Act Classifying Pleasant Lake, Aroostook County." (H. P. 171) (L. D. 213)

Reported that the same Ought to Pass in New Draft under Same Title (H. P. 663) (L. D. 765)

Comes from the House, the Bill in New Draft Passed to be Engrossed.

Which report was Read and Accepted, the Bill in New Draft Read Once and Tomorrow Assigned for Second Reading.

#### **Senate Ought to Pass**

Mr. Schulten for the Committee on Liquor Control on Bill, "An Act Repealing the Bond for a Manufacturer's Liquor License." (S. P. 126) (L. D. 303)

Reported that the same Ought to Pass.

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

Reported the same Ought to Pass.

Mr. Shute for the Committee on Transportation on Bill, "An Act Relating to Apportionment of Cost of Reconstruction of Railroad Grade Separation Structures on Nonfederal Aid-State Aid Highways." (S. P. 136) (L. D. 348)

Reported that the same Ought to Pass.

Mr. Shute for the Committee on Transportation on Bill, "An Act to Allocate Moneys from the Highway Fund for State Aid Construction." (S. P. 161) (L. D. 416)

Reported that the same Ought to Pass.

Mr. Tanous for the Committee on Judiciary on Bill, "An Act Providing for an Additional District Court at Large." (S. P. 65) (L. D. 188)

Reported that the same Ought to Pass.

Mr. Speers for the Committee on Judiciary on Bill, "An Act Relating to the Franklin Judicial Division of the District Court." (S. P. 103) (L. D. 248)

Reported that the same Ought to Pass.

Which reports were Read and Accepted, the Bills Read Once and Tomorrow Assigned for Second Reading.

#### **Ought to Pass — As Amended**

Mr. Tanous for the Committee on Judiciary on Bill, "An Act Relating to Cruelty to Animals." (S. P. 106) (L. D. 251)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (S-14).

Which report was Read and Accepted and the Bill Read Once. Committee Amendment "A" was Read and Adopted and the Bill, as Amended, Tomorrow Assigned for Second Reading.

#### **Second Readers**

The Committee on Bills in the Second Reading reported the following:

##### **House**

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

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

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

Which were Read a Second Time and Passed to be Engrossed, in concurrence.

##### **House — As Amended**

Bill, "An Act Relating to the Control of Dogs." (H. P. 5) (L. D. 5)

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

Which were Read a Second Time and Passed to be Engrossed, as Amended, in concurrence.

**Enactors**

The Committee on Engrossed Bills reported as truly and strictly engrossed the following:

An Act Relating to Working Capital of the Bureau of Alcoholic Beverages. (S. P. 128) (L. D. 305)

(On motion by Mr. Sewall of Penobscot, placed on the Special Appropriations Table.)

An Act Permitting Municipalities to Regulate Bicycle Traffic by Ordinance. (H. P. 107) (L. D. 127)

An Act Relating to Administration of the State Income Tax. (H. P. 220) (L. D. 293)

Which, except for the tabled matter, were Passed to be Enacted and, having been signed by the President, were by the Secretary presented to the Governor for his approval.

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Resolve, Authorizing the State Tax Assessor to Convey by Sale the Interest of the State in Certain Lands in the Unorganized Territory. (S. P. 57) (L. D. 140)

Which was Finally Passed and, having been signed by the President, was by the Secretary presented to the Governor for his approval.

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Resolve, Providing for Purchase of Copies of History of Millinocket (S. P. 86) (L. D. 232)

(On motion by Mr. Sewall of Penobscot, placed on the Special Appropriations Table)

Resolve, to Reimburse R. B. Swan & Son of Brewer for Loss of Beehives by Bear. (H. P. 149) (L. D. 182)

(On motion by Mr. Sewall of Penobscot, placed on the Special Appropriations Table.)

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Resolve, Appropriating Funds for the Perambulation of the Maine-New Hampshire Boundary Line. (S. P. 115) (L. D. 182)

The PRESIDENT pro tem: The Chair recognizes the Senator from Kennebec, Senator Katz.

Mr. KATZ: Mr. President and Members of the Senate: This bill, of course, refers to the New Hampshire border. A good deal of the New Hampshire border is on the western part of the state, and I understand that in this permissive society there has been a certain

amount of perambulation and other goings on in the western part of the state. I would just like to raise the question with the Senator from Franklin, Senator Shute, whether he thinks it is proper that the state underwrite the cost of this permissive society or not.

The PRESIDENT pro tem: The Senator from Kennebec, Senator Katz, has posed a question to the Senator from Franklin, Senator Shute, who may answer if he so desires.

The Chair recognizes that Senator.

Mr. SHUTE: Mr. President and Members of the Senate: Since my perambulations of the Maine-New Hampshire border and the Oxford County territory are pretty well limited to fishing in ponds on the border area, I don't know as I am too well acquainted with this. I would suggest that the question might be referred to the Senator from Oxford who has jurisdiction over this part of the wildlands.

The PRESIDENT pro tem: The Chair recognizes the Senator from Penobscot, Senator Sewall.

Thereupon, on motion by Mr. Sewall of Penobscot, placed on the Special Appropriations Table.

**Emergencies**

An Act Appropriating Funds for an International Arrivals Building at Bangor International Airport. (H. P. 175) (L. D. 217)

(On motion by Mr. Sewall of Penobscot, tabled and Tomorrow Assigned, pending Enactment.)

An Act Appropriating Funds for Replacement Volumes of the Revised Statutes. (S. P. 85) (L. D. 231)

(On motion by Mr. Sewall of Penobscot, placed on the Special Appropriations Table.)

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An Act to Amend the Charter of Bowdoin College. (S. P. 80) (L. D. 197)

This being an emergency measure and having received the affirmative votes of 30 members of the Senate, was Passed to be Enacted and, having been signed by the President, was by the Secretary presented to the Governor for his approval.

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(Off Record Remarks)

The Adjournment Order having been returned from the House, Read and Passed in concurrence, on motion by Mr. Sewall of

Penobscot, adjourned until Tuesday, February 20, at ten o'clock in the morning.