

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, March 1, 1973

Senate called to order by the President.

Prayer by the Hon. Walter Hichens of Eliot.

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, the House adjourns to Monday, March 5 at 2 o'clock in the afternoon and the Senate adjourns to 4 o'clock in the afternoon. (S. P. 394)

Which was Read and Passed.

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

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

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

In the Senate February 22, 1973, referred to the Committee on Judiciary.

Comes from the House, referred to the Committee on Agriculture, in non-concurrence.

Thereupon, the Senate voted to Recede and Concur.

Joint Resolution

In the Year of Our Lord One Thousand Nine Hundred and Seventy-Three

Joint Resolution Memorializing Congress to call a Convention for the Purpose of Amending the United States Constitution Relative to Abortion

WE, your Memorialists, the Senate and House of Representatives of the State of Maine in the One Hundred and Sixth Legislative Session **a s s e m b l e d**, most respectfully present and petition your Honorable Body as follows:

WHEREAS, medically and scientifically a human embryo or fetus exists as a living and growing human individual from the moment of conception; and

WHEREAS, the moment of birth represents merely an identifiable point along the course of human development and not the beginning of human life; and

WHEREAS, respect for human life has been a hallmark of civilized society for millennia; and

WHEREAS, the Maine Legislature has supported and shown concern for the life of the unborn child by rejecting all attempts to liberalize, modify or change the State's abortion law; and

WHEREAS, the United States Supreme Court has withdrawn all legal protection from an entire class of human beings, namely, the unborn; and

WHEREAS, the Maine Legislature wishes to voice its disapproval of the United States Supreme Court's decision; now, therefore, be it

RESOLVED: That we, your Memorialists, pursuant to Article V of the United States Constitution, do hereby make application to the Congress of the United States to call a convention for the sole and exclusive purpose of proposing to the several states a constitutional amendment which shall provide as follows:

1. As used in the Fifth and Fourteenth Articles of Amendment to the Constitution of the United States, dealing with the deprivation of life, the word "person" shall apply to every human being from the moment of **c o n c e p t i o n**, regardless of age, illness or infirmity.

2. Nothing herein shall prohibit any state from adopting such laws as are necessary to preserve the life of the expectant mother.

3. Congress and the several states shall have the power to enforce this amendment by appropriate legislation; and be it further

RESOLVED: That this application shall constitute a continuing application for such convention pursuant to Article V until the Legislatures of two-thirds of the states shall have made like applications and such convention shall have been called by the Congress of the United States unless previously rescinded by this

One Hundred and Sixth Legislature; and be it further

RESOLVED: That certified copies of this resolution be immediately transmitted by the Secretary of State to the President of the Senate and the Speaker of the House of Representatives of the United States Congress, to each Member of the Maine Congressional Delegation and to the Legislatures of each of the several states attesting the adoption of this resolution by the One Hundred and Sixth Legislature of the State of Maine. (H. P. 857)

Comes from the House, Read and Adopted as Amended by House Amendment "A" (H-67).

Which was Read.

The **PRESIDENT:** The Chair recognizes the Senator from York, Senator Hichens.

Mr. HICHENS: Mr. President and Members of the Senate: Ever since the Supreme Court ruling on abortion, people have been asking what can be done to question that decision. A joint resolution very similar to the one before us is on my desk, which I was prepared to offer.

This one is acceptable to me and, regardless of the credit for such presentation, I am very much in favor of passage of this resolution. I could go on this afternoon into a lengthy discourse explaining my reasons for passage of the resolution, but feel that a letter signed by 29 members of many religious organizations throughout the State tells it as it is, and I would read that letter.

"To All Men of Good Will,

"We, as citizens of the State of Maine, and as moral leaders wish it known that we believe:

I. A vote for this memorial is a vote for precious time; time to debate a most serious issue of human rights, time to allow all feelings for and against to be heard in a national forum.

II. And furthermore, a vote in favor of this memorial is a vote that affirms the right of all citizens of Maine who respect life be heard above the all-consuming decision of the United States Supreme Court.

"If you believe in open debate, if you believe in citizens rights,

if you understand the seriousness of what you will do here this afternoon vote in favor of this memorial. We refuse to be consumed in the fire of expediency and muted by a court decision which has not allowed us to control what we feel is most precious: that is, the right to debate issues bearing directly on the right of all men to life.

Sincerely,

Reverend Alfred Hunt, Bradley Baptist Church, Bradley, Maine

Reverend Charles A. Bray, Court Street Baptist Church, Auburn, Maine

Reverend Jack Christenson, Old Town United Baptist Church, Old Town, Maine

Reverend Kenneth Connor, Trinity Episcopal Church, Lewiston, Maine

Reverend Daniel Downs, Indian Island Baptist Church, Indian Island, Maine

Mr. Donald Fadden, Layman, Columbia Street Baptist Church, Bangor, Maine

Reverend Herman C. Frankland, Bangor Baptist Church, Bangor, Maine

Reverend Robert Gass, Pentecostal Assembly, Bangor, Maine

Reverend Stanton W. Gavitt, Stevens Mills Church, Auburn, Maine

Reverend Louis George, Essex Street Baptist Church, Bangor, Maine

Reverend Jon K. Gray, Church of the Nazarene, Bangor, Maine

Reverend R. Paul Heath, East Auburn Baptist Church, Auburn, Maine

Reverend Philip Hughey, Brewer Calvary Baptist Church, Brewer, Maine

Rabbi Henry Isaacs, Bangor, Maine

Reverend Karl Kingsbury, Rumford Point Congregational Church, Rumford Point, Maine

Reverend Anthony Lombardi, South Lewiston Baptist Church, Lewiston, Maine

Reverend Hubert O. McGeorge, Wesleyan Methodist Church, Bangor, Maine

Reverend Donald Miller, Trinity Orthodox Presbyterian Church, Lewiston, Maine

Reverend Harold McElwaine, St. Paul's Episcopal Church, Portland, Maine

Reverend Lawrence W. Shaw, Church of the Good News, Rumford, Maine

Reverend David Smith, First Congregational Church, Brewer, Maine

Reverend Bernard J. Stonehouse, Pilgrim Orthodox Presbyterian Church, Bangor, Maine

Reverend Charles A. Waugaman, Harpswell Baptist Church, Harpswell, Maine

Reverend William White, St. Paul's Episcopal Church, Brunswick, Maine

Rabbi David Berent, Lewiston, Maine

Reverend Clyde Bailey, Glenwood Square Baptist Church, Portland

Rev. Louis Berube, Pres. Senate of Priests, Catholic Diocese of Maine

Rev. Thomas Powell, American Sunday School Union

Rev. Donald Cogle, Assembly of God, Lewiston

I, therefore, Mr. President, move adoption of the joint resolution as amended by House Amendment H-67.

The PRESIDENT: The Secretary will read House Amendment "A".

House Amendment "A", Filing No. H-67, was Read.

The PRESIDENT: The Chair recognizes the Senator from Androscoggin, Senator Clifford.

Mr. CLIFFORD: Mr. President and Members of the Senate: In past decades in our country the rights of all of our citizens, various people in our society, have been expanding through legislation and through judicial decision. Several weeks ago a United States Supreme Court decision abruptly closed off the expansion of rights in one area; that is the area of abortion and the area of unborn children.

I don't think this is the proper forum to discuss the pros and cons of abortion, but all this memorial attempts to do, Mr. President and Members of the State, is to give our society, our people, a chance to debate this all-important issue because it will provide in the Congress, if the issue is debated, a

public forum where the constitutional amendment to which the memorial makes reference can be discussed and debated by all people in society.

Even if it passes the Congress, it still has to come back and be debated in all 50 states and passed by three-fourths of them, or 38 states. So it seems to me, Mr. President, that the issue really is not the pros and cons of abortion, but whether or not an issue as important as this, affecting a large segment of our society, the unborn children, should have a public forum and, rather than be closed off, that the issue should be allowed to continue in the Congress of the United States and the legislatures of the 50 states.

I join Senator Hichens in urging adoption of this resolution, Mr. President. Thank you.

The PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Berry.

Mr. BERRY of Cumberland: Mr. President and Members of the Senate: I am speaking now not as the Majority Floor Leader but as a member of this body, and I am speaking in opposition to the motion for passage.

I disagree with the statements of the two previous speakers that the issue is not abortion. Very plainly the wording of the memorial is abortion and it so states therein. The issue of at what state a fetus shall be considered life is stated in here from the very beginning. I find, however, that it is not the philosophy that we are discussing here that I consider the principal issue, but rather the interference with the balanced doctrine of our lawmaking and enforcing process in the United States.

One of the whereases in the memorial says this: "Whereas the Maine Legislature wishes to voice its disapproval of the United States Supreme Court's decision..." I think this is a particularly important thing for us to consider today. Are you prepared, as a member of the Maine State Senate, to say that you in your capacity as a member of the Senate, representing approximately 33,000 people from your district, are you

prepared to say that you represent the thinking of a majority of your people when you vote that you disapprove of the United States Supreme Court decision? I personally am not.

Of course, I have not canvassed the people in my district to the extent that it would be necessary to determine how 33,000 people of all ages felt on the subject. I do honestly believe that the majority of the people in my district do not believe this, and this is the major reason for me voting against the passage of this memorial.

I say again that we are interfering with the balanced American lawmaking process in that we are tying down very specifically what the resultant constitutional amendment will be as outlined in the first section where it says "As used in the Fifth and Fourteenth Articles of Amendment to the Constitution of the United States, dealing with the deprivation of life, the word 'person' shall apply to every human being from the moment of conception, regardless of age, illness or infirmity." Now, that very plainly is the basic doctrine of abortion as we have discussed it here in the halls of the legislature for many, many sessions. Consequently, I do not think we can slough off today the responsibility for voting intelligently on this issue for two reasons: First, we are voting on the issue of shall every person have the right to determine what she wants to do; to not have inflicted upon her the doctrine of another religion which may not be hers. Are we willing to say that those of particular religious persuasions can follow their own convictions and their own teachings without the law to tell other people that they must conform with the doctrines which they do not believe in. I think these are the two issues here.

As a Senator representing your district, are you faithfully voting in accordance with a majority of the people in your district? Secondly, are you voting to determine that everybody in the country, every woman, shall be subject to the laws and religious doctrines of a particular religion

without total freedom of choice? I hope you will vote against the passage of this memorial.

The PRESIDENT: The Chair recognizes the Senator from Penobscot, Senator Tanous.

Mr. TANOUS: Mr. President and Members of the Senate: I rise to oppose my good friend, Senator Berry from Cumberland. When he mentions that we are attempting to interfere with the Court's prerogative, I certainly disagree with his conclusion. It is a right of the people, an inherent right that the people have under our Constitution, to take action in the manner which this memorial seeks to take to bring about a constitutional convention in the hopes of amending our Constitution. And if we are to vote in favor of this particular proposal, are we to believe in his statement that we are interfering with our individual rights? Certainly he cannot be serious when he suggests that this action would be an interference with our system. We should have no Constitution in this country if this is the law of the land.

When we speak of the Constitution, I think it was the understanding of the vast majority of people in this country that the unborn child had also the protection of our Constitution, for if you will recall, every citizen under the Constitution has a right to life, liberty, and the pursuit of happiness. But because of a ruling by the U.S. Supreme Court, apparently they have considered the unborn child as a nonentity, an individual without life. And so, apparently, because of this ruling of the U.S. Supreme Court, we must now seek to change our Constitution so there will be no doubt in the minds of men of exactly what we mean by "the right to life", and this is what this concerns.

Many of you through discourse in this chamber have often questioned the rulings of our U.S. Supreme Court. Certainly all of you have questioned the right of the Supreme Court to rule that our children can no longer pray in schools. Yet, ironic as it may seem, ladies and gentlemen, we here open up every session with

prayer, and yet we are not permitted to allow our children to open their classroom daily activities with prayer, and only because the Supreme Court of this country has said so. This is certainly an irony upon ironies.

Some of you have told me many times as you have appeared before the Judiciary Committee or in this particular chamber that our U.S. Supreme Court has tied the hands of our law enforcement officials in the areas of search and seizure. You have often debated that they have set the criminals free on the street. And finally our U. S. Supreme Court has ruled that an unborn child doesn't have the right to life. I ask your support on this resolution. Thank you.

The PRESIDENT: The Chair recognizes the Senator from Kennebec, Senator Joly.

Mr. JOLY: Mr. President and Members of the Senate: I rise to support this resolution. I might point out that sometimes our courts are forced to render their decisions on their interpretations of the law. Sometimes when we are aggravated by decisions made by our courts, it is really that they are limited. When they are limited, and when they make decisions that the general public and the majority of our people do not want, it is up to us to change the laws. This is what we are attempting to do today.

The PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Brennan.

Mr. BRENNAN: Mr. President and Members of the Senate: As I see this resolution, it is merely a message being sent down to Congress to tell the Congress that the State of Maine wants to go on record through its legislature that it is not particularly happy with the decision rendered by the U.S. Supreme Court on January 22nd last.

I don't think it is anything unusual because abortion bills have been presented to the Maine Legislature several times during the past sessions, and it is my recollection that they have been defeated by a substantial margin. So I do think we have some feeling

for what the views are of the people in Maine in reference to abortion, if they can be reflected by the fact that these abortion bills have been defeated in the past.

Personally, I am opposed to the concept of liberalizing abortion because I wonder what the next step is. I frankly feel that the next step would be as far as euthanasia, killing the deformed, severely retarded, or the aged. So I think this is the proper process, the proper vehicle to use to put our people in Congress on notice of what the Maine Legislature feels about that decision. Thank you.

The PRESIDENT: The Chair recognizes the Senator from Androscoggin, Senator Clifford.

Mr. CLIFFORD: Mr. President and Members of the Senate: The purpose of my speaking again is merely to point out something which the distinguished Senator from Cumberland, Senator Berry, indicated was in the memorial which I believe has been removed, and that is the part that says the legislature wishes to voice its disapproval of the United States Supreme Court decision. It is my understanding that that has been amended out of the resolution.

The second area I just wanted to discuss was that he seemed to indicate that this was something that was being pushed just by one particular religion. I think if we will recall the list of names read by the Senator from York, Senator Hichens, it seems to me that all major religions in our society were represented on that list. I really think it is an issue, not of religion, but of civil rights. Thank you, Mr. President.

The PRESIDENT: Is the Senate ready for the question? Is it now the pleasure of the Senate to adopt House Amendment "A"?

The Chair recognizes the Senator from York, Senator Hichens.

Mr. HICHENS: Mr. President, I request a roll call please.

The PRESIDENT: A roll call has been requested. In order for the Chair to order a roll call, it requires the affirmative vote of at least one-fifth of those Senators present and voting. Will all those Senators in favor of ordering a roll

call please rise and remain standing until counted.

Obviously more than one-fifth having arisen, a roll call is ordered. The pending question before the Senate is the adoption of House Amendment "A" to House Paper 857. A "Yes" vote will be in favor of adopting House Amendment "A"; a "No" vote will be opposed.

The Secretary will call the roll.

ROLL CALL

YEAS: Senators Aldrich, Anderson, Berry, Brennan, Cianchette, Clifford, Conley, Cox, Cummings, Cyr, Danton, Fortier, Graffam, Greeley, Hichens, Huber, Joly, Kelley, Marcotte, Minkowsky, Morrell, Olfene, Peabody, Roberts, Sewall, Shute, Speers, Tanous, and Wyman.

NAYS: Senator Schulten and President MacLeod.

ABSENT: Senators Katz and Richardson.

A roll call was had, 29 Senators having voted in the affirmative, and two Senators having voted in the negative, with two Senators absent, House Amendment "A" was Adopted in concurrence.

The PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Berry.

Mr. BERRY: Mr. President, I would urge that the members of this body vote against passage of this measure, and I would ask that a roll call be taken.

The PRESIDENT: A roll call has been requested. Under the Constitution, in order for the Chair to order a roll call, it requires the affirmative vote of at least one-fifth of those Senators present and voting. Will all those Senators in favor of ordering a roll call please rise and remain standing until counted.

Obviously more than one-fifth having arisen, a roll call is ordered. The question now before the Senate is the adoption of Joint Resolution Memorializing Congress to Call a Convention for the Purpose of Amending the United States Constitution Relative to Abortion, as amended. A "Yes" vote will be in favor of adopting the resolution, as amended; a "No" vote will be opposed.

The Secretary will call the roll.

ROLL CALL

YEAS: Senators Aldrich, Anderson, Brennan, Cianchette, Clifford, Conley, Cox, Cyr, Danton, Fortier, Graffam, Greeley, Hichens, Joly, Kelley, Marcotte, Minkowsky, Olfene, Peabody, Roberts, Shute, Speers, Tanous, and Wyman.

NAYS: Senators Berry, Cummings, Huber, Morrell, Schulten, Sewall, and President MacLeod.

ABSENT: Senators Katz and Richardson.

A roll call was had, 24 Senators having voted in the affirmative, and seven Senators having voted in the negative, with two Senators absent, the Joint Resolution, as Amended, was Adopted in concurrence.

(See action later in today's session.)

Joint Order

WHEREAS, the Lisbon High School basketball team was undefeated in regular season play; and

WHEREAS, the "Greyhounds" were the clear champions of the Mountain Valley Conference for the 1972-1973 season; and

WHEREAS, this outstanding and exciting team has represented their families, schools and community in an exemplary way, both on and off the court, in the true tradition of champions; and

WHEREAS, the Town of Lisbon is proud of these young men for their hard work and superlative accomplishment; now, therefore, be it

ORDERED, the Senate concurring, that the Members of the 106th Maine Legislature, now assembled in regular session, take this opportunity to extol and commend the Lisbon High School basketball team and their head coach, Laddie Deemer, for their accomplishment in the field of sports and wish them continued success in their efforts to honor their school, community and State; and be it further

ORDERED, that a suitable copy of this Order be transmitted to the principal, Keith Cunningham, and the aforementioned coach. (H. P. 953)

Comes from the House, Read and Passed.

Which was Read and Passed in concurrence.

House Papers

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

Communications

STATE OF MAINE

Department of

Educational and Cultural Services
Augusta, Maine 04330

February 28, 1973

Mr. Harry N. Starbranch

Secretary of the Senate

106th Legislature

Dear Mr. Starbranch:

Submitted herewith are copies of An Act Relating to Exceptional Children prepared by the Department of Educational and Cultural Services and the State Board of Education as directed by the special session of the 105th Legislature.

Respectfully,

Signed:

CARROLL R. McGARY

Commissioner

Which was Read and with accompanying papers Ordered Placed on File.

210 North Delaware

Independence, Missouri 64050

February 22, 1973

Dear Ms. Lincoln:

Thank you so much for the Joint Resolution adopted by the 106th Legislature of the State of Maine in memory of my husband.

It is especially gratifying to receive such kind and warm sentiments.

Sincerely,

Signed:

BESS W. TRUMAN

Ms. E. Louise Lincoln

Clerk of the House

House of Representatives

State of Maine

Augusta, Maine 04330

(H. P. 921)

Comes from the House, Read and Ordered Placed on File.

Which was Read and Ordered Placed on File in concurrence.

Stonewall, Texas

February 20, 1973

Dear Mrs. Lincoln:

It was heartwarming to receive the tribute to my husband from the members of the 106th Legislature of the State of Maine and comforting to know you are sharing my loss.

Please convey my deep appreciation to all who joined in your generous expression of sympathy and friendship.

Sincerely,

Signed:

Lady Bird Johnson

(H. P. 920)

Comes from the House, Read and Ordered Placed on File.

Which was Read and Ordered Placed on File in concurrence.

Senate Papers

Appropriations and Financial Affairs

Mr. Conley of Cumberland presented Bill, "An Act Providing Funds for Development of an International Conference Center on Peaks Island." (S. P. 381)

Which was referred to the Committee on Appropriations and Financial Affairs and Ordered Printed.

Sent down for concurrence.

Business Legislation

Mr. Brennan of Cumberland presented Bill, "An Act Revising Interest Charges of Industrial Loan Companies and Industrial Banks." (S. P. 382)

The same Senator presented Bill, "An Act Clarifying Interest Charges on Personal Loans in Excess of \$2,000." (S. P. 383)

Which were referred to the Committee on Business Legislation and Ordered Printed.

Sent down for concurrence.

Education

Mr. Danton of York presented Bill, "An Act Relating to Union School Meetings." (S. P. 384)

Which was referred to the Committee on Education and Ordered Printed.

Sent down for concurrence.

Fisheries and Wildlife

Mr. Danton of York presented Bill, "An Act Relating to Raptors for Use in Falconry." (S. P. 385)

Which was referred to the Committee on Fisheries and Wild-

life and Ordered Printed.

Sent down for concurrence.

Judiciary

Mr. Richardson of Cumberland presented Bill, "An Act Relating to Witness Immunity in Civil Cases Commenced by the State." (S. P. 386)

Which was referred to the Committee on Judiciary and Ordered Printed.

Sent down for concurrence.

Liquor Control

Mr. Danton of York presented Bill, "An Act Relating to Liquor Purchased from State Liquor Stores." (S. P. 387)

Which was referred to the Committee on Liquor Control and Ordered Printed.

Sent down for concurrence.

State Government

Mr. Cianchette of Somerset presented Bill, "An Act Relating to Competitive Bids and Fair Minimum Wages for Construction of Public Improvements." (S. P. 388)

Mr. Danton of York presented Bill, "An Act Relating to Membership on the Advisory Board of the Department of Commerce and Industry." (S. P. 389)

Which were referred to the Committee on State Government and Ordered Printed.

Sent down for concurrence.

Transportation

Mr. Wyman of Washington presented Resolve, Designating Kennebassis Road in Indian Township, Washington County, as a State Road. (S. P. 390)

Mr. Huber of Knox presented Bill, "An Act Providing Funds for Continued Operation of Regular Ferry Service between Rockland and Matinicus Island." (S. P. 391)

Which were referred to the Committee on Transportation and Ordered Printed.

Sent down for concurrence.

Orders

On motion by Mr. Berry of Cumberland,

ORDERED, the House concurring, that the communication together with Bill, "An Act Creating the Power Authority of Maine", Initiated Bill (I. B. 1) and accompanying petitions, be referred to the Joint Standing Committee on Judiciary for an investigation and report as to the sufficiency of the petitions; with the power on the part of the Committee to subpoena witnesses. (S. P. 392)

Which was Read and Passed.

Sent down for concurrence.

On motion by Mr. Berry of Cumberland,

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

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

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

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

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

The committee with the assistance of the Department of Military, Civil Defense and Veterans Services shall arrange an appropriate reception to be held on a day designated as Maine Viet Nam Veterans Day on the part of the 106th Maine State Legislature to express the deep and lasting gratitude of the people of the State of Maine for the services and sacrifices of their fellow Maine citizens in the military service of their country. (S. P. 393)

Which was Read.

Thereupon, on motion by Mr. Berry of Cumberland, tabled until later in today's session, pending Passage.

Committee Reports**Senate****Leave to Withdraw — Covered by Other Legislation**

Mr. Anderson for the Committee on Fisheries and Wildlife on Bill, "An Act Regulating the Use of Power Boats on Upper Lead Mountain Pond and Alligator Lake, Hancock County." (S. P. 39) (L. D. 96)

Reported that the same be granted Leave to Withdraw, Covered by Other Legislation.

Which report was Read and Accepted.

Sent down for concurrence.

Second Readers

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

House

Bill, "An Act to Authorize Satellite Centers for Vocational Education." (H. P. 176) (L. D. 218)

Bill, "An Act Relating to Vocational Education." (H. P. 239) (L. D. 320)

Bill, "An Act Relating to Penalty for Sale of Liquor in Violation of Law." (H. P. 355) (L. D. 470)

Bill, "An Act Relating to Census and Membership in the Passamaquoddy Tribe of Indians." (H. P. 826) (L. D. 971)

Bill, "An Act Relating to Biennial Elections of the Passamaquoddy Tribe of Indians." (H. P. 827) (L. D. 972)

(On motion by Mr. Hichens of York, tabled and specially assigned for March 8, 1973, pending Passage to be Engrossed.)

Which were Read a Second Time and, except for the tabled matter, Passed to be Engrossed in concurrence.

House — As Amended

Bill, "An Act to Repeal the Poll Tax." (H. P. 17) (L. D. 17)

(On motion by Mr. Sewall of Penobscot, tabled and Tomorrow Assigned, pending Passage to be Engrossed.)

Bill, "An Act Relating to Deer Doing Damage to Blueberry Lands." (H. P. 290) (L. D. 364)

Bill, "An Act to Clarify the Municipal Records Law." (H. P. 178) (L. D. 220)

Bill, "An Act Increasing Renewal Fee of Certificate to Practice Chiropractic and Increasing Compensation of Board of Chiropractic Examination and Registration." (H. P. 224) (L. D. 297)

Which were Read a Second Time and, except for the tabled matter, Passed to be Engrossed, as Amended, in concurrence.

Bill, "An Act Relating to Real Estate Brokers' Trust Accounts." (H. P. 372) (L. D. 501)

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

Sent down for concurrence.

Enactors

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

An Act Relating to Reports of Continuous Revision by Director of Legislative Research. (S. P. 92) (L. D. 238)

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

An Act Repealing Certain Exemptions from Weekly Payment of Wages. (H. P. 29) (L. D. 36)

An Act to Provide a Feasibility Study for a Turnpike Facility from Houlton to the Northern Boundary of Maine. (H. P. 223) (L. D. 296)

(On motion by Mr. Greeley of Waldo, placed on the Special Highway Appropriations Table.)

An Act Relating to Animal Disease Appraisal and Indemnity. (H. P. 251) (L. D. 332)

An Act Placing the Board of Veterinary Examiners within the Department of Agriculture. (H. P. 253) (L. D. 334)

(On motion by Mr. Berry of Cumberland, tabled and specially assigned for March 8, 1973, pending Enactment.)

An Act Relating to Brucellosis. (H. P. 255) (L. D. 335)

An Act to Amend the Maine Commercial Feed Law of 1971. (H. P. 259) (L. D. 339)

An Act Providing for Voluntary Water Quality Monitors. (H. P. 793) (L. D. 945)

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

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

Resolve, Authorizing the Forest Commissioner to Convey Certain Lands in Southwest Harbor, Hancock County. (H. P. 792) (L. D. 944)

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

Emergencies

An Act Relating to Borrowing Capacity of Community School District Consisting of the Towns of Crystal, Dyer Brook, Island Falls, Merrill, Oakfield and Smyrna. (H. P. 380) (L. D. 509)

An Act Relating to Agricultural Cooperative Agreements. (H. P. 300) (L. D. 402)

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

Emergency

Resolve, Providing Funds for Repair of Cathance Lake Dam and Pleasant River Lake Dam, Washington County. (H. P. 287) (L. D. 361)

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

Orders of the Day

The President laid before the Senate the following tabled and specially assigned matter:

Joint Resolution Proposing A Legislative Address by Lt. Commander Mark Gartley. (S. P. 362)

Tabled — February 28, 1973 by Senator Berry of Cumberland.

Pending — Adoption.

The PRESIDENT: The Chair recognizes the Senator from Aroostook, Senator Kelley.

Mr. KELLEY: Mr. President and Members of the Senate: It has

come to my attention that Lt. Commander Gartley would prefer to visit with the other POW's on an appropriate occasion. I would think that Senator Berry's Order, S. P. 393, which will shortly be discussed, would be that type of appropriate occasion for Lt. Commander Gartley to be here with the other POW's. Accordingly, I would move that my Joint Resolution now before the Senate, S. P. 362, be withdrawn.

The PRESIDENT: The Senator from Aroostook, Senator Kelley, requests permission to withdraw Senate Paper 362. Is this the pleasure of the Senate?

Thereupon, Joint Resolution Proposing a Legislative Address by Lt. Commander Mark Gartley, Senate Paper 362, was withdrawn.

The President laid before the Senate the Joint Order, Senate Paper 393, tabled earlier in today's session by Mr. Berry of Cumberland.

The PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Berry.

Mr. BERRY: Mr. President and Members of the Senate: The Senate will recall that an order had been previously introduced to set aside a particular day for the legislature to welcome back to Maine on the appropriate occasion the six prisoners of war the State of Maine had sent to the recent conflict. It has seemed advisable, as Senator Kelley of Aroostook has indicated, that the purport of the order be expanded to include all those who served in the Vietnam War, those who not only were prisoners of war but the actual veterans who have come back, the Missing in Actions, and all those who through their service have come to the defense of their country. Accordingly, this order is somewhat similar in objective but broader, and I would urge your support for its passage.

The PRESIDENT: Is it now the pleasure of the Senate that this Joint Order receive passage?

Thereupon, the Joint Order received Passage.

Sent down for concurrence.

Reconsidered Matter

Mr. Tanous of Penobscot moved that the Senate Reconsider its prior action whereby it Adopted Joint Resolution Memorializing Congress to Call a Convention for the Purpose of Amending the United States Constitution Relative to Abortion, H. P. 857.

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

(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 Monday, March 5, at four o'clock in the afternoon.