

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

LEGISLATIVE RECORD

OF THE

*One Hundred and Sixth*

*Legislature*

OF THE

STATE OF MAINE

1973

KENNEBEC JOURNAL  
AUGUSTA, MAINE

**SENATE**

Thursday, April 19, 1973

Senate called to order by the President.

Prayer by the Rev. William A. Dunstan of Gardiner.

Reading of the Journal of yesterday.

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

Bill, "An Act Amending the Uniform Flag Law." (H. P. 500) (L. D. 653)

(Recalled from Governor's Office pursuant to Joint Order (H. P. 1430))

In the Senate April 3, 1973, Passed to be Engrossed as Amended by Committee Amendment "A" (H-122), in concurrence.

Comes from the House, Passed to be Engrossed as Amended by Committee Amendment "A" and House Amendment "A" (H-221), in non-concurrence.

Thereupon, the Senate voted to Recede and Concur.

**Non-concurrent Matter**

Resolution, Proposing an Amendment to the Constitution Changing the Tenure of Office of Sheriff to Four-year Terms. (S. P. 294) (L. D. 841)

In the Senate April 17, 1973, Passed to be Engrossed as Amended by Committee Amendment "A" (S-73).

Comes from the House, Resolution and accompanying papers, Indefinitely Postponed, in non-concurrence.

Mr. Speers of Kennebec moved that the Senate Insist.

Mr. Berry of Cumberland then moved that the Senate Recede and Concur.

Thereupon, on motion by Mr. Clifford of Androscoggin, Tabled and Tomorrow Assigned, pending the motion by Mr. Berry of Cumberland to Recede and Concur.

**Non-concurrent Matter**

Bill, "An Act Relating to Personal Recognizances in Violation of Baxter State Park Laws and Regulations." (H. P. 624) (L. D. 822)

In the House April 11, 1973, the Bill Passed to be Engrossed as

Amended by Committee Amendment "A" (H-202).

In the Senate April 17, 1973, the Majority Ought Not to Pass report Read and Accepted, in non-concurrence.

Comes from the House, that Body having Insisted and Asked for a Committee of Conference.

On motion by Mr. Tanous of Penobscot, the Senate voted to Adhere.

**Non-concurrent Matter**

Bill, "An Act Establishing an Open Season on Moose." (H. P. 32) (L. D. 39)

In the House April 2, 1973, Passed to be Engrossed as Amended by Committee Amendment "A" (H-141).

In the Senate April 4, 1973, Bill and accompanying papers, Indefinitely Postponed, in non-concurrence.

Comes from the House, that Body having Insisted.

Mr. Anderson of Hancock then moved that the Senate Adhere.

The PRESIDENT: The Chair recognizes the Senator from Somerset, Senator Clanchette.

Mr. CIANCHETTE: Mr. President and Members of the Senate: I rise to support Senator Anderson, and I would just like to say a word. I think this open season on moose here is a little ridiculous, and I hope the Senate will go along with the motion of Senator Anderson of Hancock.

When I see this open season on moose, it is just like jacking deer under a light, and I would like to show why I think that open season on moose would be similar to jacking deer under a light. As you know, the light will attract the deer. He will stand there and look at that light, and you have an opportunity to shoot him. It is absolutely no sport at all. Well, I think the same thing can happen to the moose in the daytime. With a simple little device, just a piece of birch bark rolled up, you can stand back in the woods and (demonstrating with call device), so that moose will come right to you. You can sit right down there and shoot the moose. Now, I claim that is no sport at all, and we don't need anything like that in

Maine. The next time I go hunting moose, it will be with my call and a camera. (Applause)

The PRESIDENT: Is it now the pleasure of the Senate that the Senate adhere?

The motion prevailed.

### **Joint Resolution STATE OF MAINE**

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

Joint Resolution in Opposition to Reduced or Substitute Telegraph Service at Augusta, the Capital City of the State of Maine

WE, your Memorialists, the House of Representatives and Senate of the State of Maine in the One Hundred and Sixth Legislative Session assembled, most respectfully present and petition the Federal Communications Commission and all appropriate divisions thereof, as follows; and

WHEREAS, the Western Union Telegraph Company applied on March 8, 1973, to the Federal Communications Commission for permission to discontinue its present Class 1 teleprinter-operated office on Water Street, Augusta, with substitute service to be provided by Depot News, Water Street, Augusta; and

WHEREAS, the adequacy of such service is of vital concern to Maine citizens with Augusta being the seat of State and County Government, and containing the main offices of Central Maine Power Company, Federal agencies and Veterans Administration; and

WHEREAS, the existing Class 1 office at Augusta is an experienced, competent and confidential operation, all of which may be lost through substitute service of lesser class; and

WHEREAS, the Legislature utilizes and depends upon this service, both for outgoing and incoming messages, with particular emphasis on the latter; and

WHEREAS, closure of the present office will have serious impact on the ability of such Departments of Transportation and Motor Vehicles to promptly and economically receive or transmit

by telegram vital information; and

WHEREAS, in addition to uncooperative clerks receiving incoming telegrams, there is a considerable time lag in delivery of telegrams using the Centralized Telephone Bureau of Western Union at Moorestown, New Jersey as proposed; and

WHEREAS, the Federal Communications Commission approves or disapproves applications of this nature and considers all relevant opinions in reviewing said application; now, therefore, be it

RESOLVED: That we, your Memorialists, respectfully recommend and urge the Federal Communications Commission and all applicable divisions thereof to take immediate and appropriate action to dismiss application No. T-D-20042-A now before the Domestic Services and Facilities Division of the Commission and to continue the existing Class 1 telegraph service in the Capital City of Augusta, Maine at its present location and level; and be it further

RESOLVED: That a duly authenticated copy of this Memorial be transmitted forthwith by the Secretary of State to said Commission and Division of the United States Government at Washington, D.C. (H. P. 1445)

Comes from the House, Read and Adopted.

Which was Read and Adopted in concurrence.

### **House Papers**

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

The PRESIDENT: The Chair would like to announce that we have a very distinguished visitor with us this morning, Mrs. Gladys M. Spellman, President of the National Association of Counties. Mrs. Spellman is a County Council member from Prince Georges County, Maryland, the first woman ever elected to office in the National Association of Counties and also the first woman ever elected to the Governing Board of Prince Georges County, Maryland, a

populous suburban county adjacent to Washington, D.C.

Mrs. Spellman is accompanied here to the Senate Chamber this morning by Paul Reny, a former member of this body and President of the Maine County Commissioners Association. Paul is accompanied by his wife, Pat, who I understand is a City Council member in Saco, and the first woman to be elected to the City Council in Saco. They are also accompanied by Mr. Robert Barter, Vice President of the Maine County Commissioners Association; Mr. Roland Landry, Executive Secretary of the Maine County Commissioners Association; Mr. Earl Banks, accompanied by Mrs. Banks, Past President of the Maine County Commissioners Association.

I would like to ask the Sergeant-at-Arms to escort Mrs. Spellman to the rostrum for any remarks she might care to make. (Applause)

Thereupon, the Sergeant-at-Arms escorted Mrs. Spellman to the rostrum where she addressed the Senate as follows:

Mrs. SPELLMAN: Thank you very much, Mr. President. I felt that I was privileged to be here on a day when we had such an interesting demonstration. That is beautiful and it will be something that I will go home with. I thoroughly agree with your sentiments.

It is a real pleasure to be here because my coming here indicates that there are things afoot here in the State of Maine. The first step in any reform is to recognize that reform is needed, and we have gone beyond that step here in the State of Maine; we are about to do something on reforming government.

I have just recently been appointed to a commission — I serve on four of my Governor's commissions — and I have just recently been appointed to his newest one, and the one that we think is the most important, one to study the reorganization of our state government.

I was stunned some months ago when I first came into Maine to learn how impotent county govern-

ment is here. It became very, very apparent that the lack of home rule has seriously impaired the responsiveness of county government and the quality of county services, and that it has created a log jam right here in the state legislature, with county budgets not moving as they should, with 2,000 — I understand you folks will have gone through 2,000 bills before you leave in this session — many, many of which really could best be handled on the local level.

I had the great privilege of serving on the President's Advisory Commission on Intergovernmental Relations when we studied Legislatures, and we found truly that in many cases the legislature was the weakest link in the states' governments because they were so bogged down with studying local matters, because they had not moved to put government closer to the people.

Now, we are at this point at a new era in government. I am a Democrat, but I must give a great deal of credit to our Republican President, who is attempting to put government back into the state and into the local levels. And this is the time when state and local government officials can't afford to miss a chance to prove that what we have been saying all along, that government works best when it is closest to the people, that government close to the people can really be an effective instrument for bringing about the change and improvement in the lives of our people.

This is the time when we have got to be thinking big. I have a friend at the White House who says he can measure the worth of a legislator by the way he votes on home rule matters. He says this is where you separate the men from the boys. I take it for granted he thinks we women always vote right; he didn't talk about us. But he said this is where you separate the men from the boys. The boys think in local terms. They think that state legislators are there to take care of each local problem, while the men recognize that these local problems ought to be handled at home and that they are there to take care of the matters that

can be handled only on a state level.

Here in the State of Maine you have really been missing something that is really important. The impotence of county government has robbed your citizens of a vital level of government. It is the destiny of the county to bring America together at the local level. The county is *prima facie* a regional unit of government, a meaningful transition between the purely local government affairs, which are handled by the municipalities, and the state and the federal affairs.

I want to share with you — I know I am taking too long, but I think this is kind of priceless — I got this from the White House just the other day, and it shows us that this whole problem of intergovernmental relations is one that has been around for quite some time. This is a memo sent by Franklin D. Roosevelt on the subject of conservation — and that fits right in with this morning, doesn't it — I think it is kind of priceless. He sent it to Harold Smith, who was the Director of the Budget at the time.

"Memorandum for the Director of the Budget. Dated July 28, 1939. I agree with the Secretary of Interior." Some of you who are old enough to remember will remember that Harold Ickes was then Secretary of the Interior. He says "Please have it carried out so that furbearing animals remain in the Department of the Interior. You might find out if any Alaska bears are still supervised by, A. the War Department, B. the Department of Agriculture, C. the Department of Commerce. They have all had jurisdiction over Alaska bears in the past and many embarrassing situations have been created by the mating of a bear belonging to one department with another bear belonging to another department." He says "P.S. I don't think the Navy is involved, but it may be. Check also on the Coast Guard; you never can tell."

So, you see, back in those days too we had struggles over who was going to do what. Around the states today, I am very happy to say, studies are being made and that

allocations of functions are being assigned to that level of government which can best handle the job. I am hopeful, and frankly I am almost certain, that you will be passing a bill on government reform, that you will be giving home rule to your counties, that you will make them the vital unit of government that they ought to be, and at that time I know that your legislature will be able to do the job for which you were created.

I learned many years ago when I was a little girl that as Maine goes so goes the nation, but you are going to have to rush because around the nation these reforms have been made and are being made, so let's catch up. Thank you very much for inviting us.

Thereupon, the Sergeant-at-Arms escorted Mrs. Spellman to the rear of the chamber amidst the applause of the Senate, the members rising.

#### Committee of Conference

On the disagreeing action of the two branches of the Legislature on Bill, "An Act Relating to Penalty for Death Caused by Violation of Law by Operator of Motor Vehicle", (H. P. 201) (L. D. 274), the President appointed on the part of the Senate the following Conferencees:

Senators: TANOUS of Penobscot  
SPEERS of Kennebec  
BRENNAN  
of Cumberland

#### Communications

STATE OF MAINE  
House of Representatives  
Office of the Clerk  
Augusta, Maine 04330

April 18, 1973

The Honorable Harry N. Star-  
branch

Secretary of the Senate  
106th Legislature

Dear Mr. Secretary:

Representative Hayes E. Gahagan of Caribou resigned as a member of the Joint Standing Committee on Education effective April 17, 1973, and has been appointed to serve on the Joint Standing Committee on State Government effective the same date.

Representative David R. Ault of Wayne has been appointed to

replace Mr. Gahagan on the Joint Standing Committee on Education effective April 17, 1973.

Respectfully,

Signed:

E. LOUISE LINCOLN  
Clerk

Which was Read and Ordered Placed on File.

STATE OF MAINE  
House of Representatives  
Office of the Clerk  
Augusta, Maine 04330

April 18, 1973

The Honorable Harry N. Starbranch

Secretary of the Senate  
106th Legislature

Dear Mr. Secretary:

The House voted today to Adhere to its action whereby on April 11, the Bill, with all its accompanying papers, was indefinitely postponed on Bill "An Act Relating to Definition of Cigarettes under Cigarette Tax Law" (S. P. 567) (L. D. 1698)

Respectfully,

Signed:

E. LOUISE LINCOLN  
Clerk

House of Representatives

Which was Read and Ordered Placed on File.

STATE OF MAINE  
House of Representatives  
Office of the Clerk  
Augusta, Maine 04330

April 18, 1973

The Honorable Harry N. Starbranch

Secretary of the Senate  
106th Legislature

Dear Mr. Secretary:

The House voted to Insist and Join in a Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill "An Act Relating to Penalty for Death Caused by Violation of Law by Operator of Motor Vehicle" (H. P. 201) (L. D. 274).

The Speaker of the House appointed the following members to the Committee of Conference:

Mr. McMAHON of Kennebunk

Mrs. BAKER of Orrington

Mr. GAUTHIER of Sanford

Respectfully,

Signed:

E. LOUISE LINCOLN  
Clerk  
House of Representatives

Which was Read and Ordered Placed on File.

### Senate Papers Appropriations and Financial Affairs

Mr. Berry of Cumberland presented Bill, "An Act to Institute a Priority Program Budget System." (S. P. 592)

(Approved by a Majority of the Committee on Reference of Bills pursuant to Joint Rule No. 10).

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

Sent down for concurrence.

### Committee Reports House

#### Ought to Pass

The Committee on Taxation on Bill, "An Act to Exempt Sales to Institutionalized Persons from the Sales Tax." (H. P. 426) (L. D. 575)

Reported that the same Ought to Pass.

Comes from the House, the Bill Passed to be Engrossed.

Which report was Read.

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

Mr. KATZ: Mr. President, I wonder if someone from the committee might explain their thinking. As I understand from glancing at the bill, and it is a very short one, it would exempt patients or inmates at state institutions from paying sales tax on merchandise they might be buying at state operated facilities. It sounds like a very meaningful measure, but is there any thought given to how the purchases might be restricted to these few people? Is there any restraint as to whether or not 10,000 state employees might also be involved in this tax exemption?

The PRESIDENT: The Chair recognizes the Senator from Washington, Senator Wyman.

Mr. WYMAN: Mr. President and Members of the Senate: In answer to the question of Senator Katz, no I don't think there is, and I think that the privilege might be abused, but the cost seemed to be minimal, and it was the feeling

of the committee that the cost would be so minimal that the bill was worthwhile. While I am sure, if it is enacted into law, that it will be abused, as many privileges are, the committee didn't think the abuse would be substantial and, therefore, reported it out ought to pass.

The PRESIDENT: Is the Senate ready for the question?

Thereupon, the Ought to Pass Report of the Committee was Accepted in concurrence, the Bill Read Once and Tomorrow Assigned for Second Reading.

The Committee on Taxation on Bill, "An Act Repealing the Distribution of the Railroad Tax." (H. P. 552) (L. D. 733)

Reported that the same Ought to Pass.

The Committee on Transportation on Bill, "An Act to Prohibit Interference with Signalling or Safety Devices Used for Work on Public Ways." (H. P. 705) (L. D. 910)

Reported that the same Ought to Pass.

The Committee on Legal Affairs on Resolve, Authorizing Conveyance of State Land and Easements to City of South Portland for Sewage Collection and Treatment Project. (H. P. 941) (L. D. 1237)

Reported that the same Ought to Pass.

The Committee on Legal Affairs on Bill, "An Act Relating to Organization of Unincorporated Townships." (H. P. 993) (L. D. 1313)

Reported that the same Ought to Pass.

The Committee on Fisheries and Wildlife on Bill, "An Act Relating to Wild Animals in Captivity." (H. P. 1024) (L. D. 1346)

Reported that the same Ought to Pass.

The Committee on Legal Affairs on Resolve, to Reimburse Bass Shoe Employees Federal Credit Union for Damage to Property by Escapees of Women's Correctional Center. (H. P. 1036) (L. D. 1361)

Reported that the same Ought to Pass.

The Committee on Transportation on Bill, "An Act Relating to

Allocations from the General Highway Fund for the Repair of Certain Bridges in Baxter State Park." (H. P. 1072) (L. D. 1397)

Reported that the same Ought to Pass.

The Committee on Transportation on Bill, "An Act Relating to Additional Roads on Indian Reservations at Pleasant Point and Indian Township." (H. P. 1141) (L. D. 1476)

Reported that the same Ought to Pass.

Come from the House, the Bills and Resolves Passed to be Engrossed.

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

The Committee on Appropriations and Financial Affairs on Bill, "An Act Providing Funds for Fishway on the Kennebec River." (H. P. 1193) (L. D. 1544)

Reported that the same Ought to Pass.

Comes from the House, the Bill Passed to be Engrossed.

Which report was Read.

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

Mr. SPEERS: Mr. President, I would like to inquire of any member of the Appropriations and Financial Affairs Committee as to whether or not the Department of Inland Fisheries and Game expressed an opinion on this particular bill and what that opinion may have been.

The PRESIDENT: The Senator from Kennebec, Senator Speers, has posed a question through the Chair which any member of the committee may answer if he desires.

The Chair recognizes the Senator from Cumberland, Senator Morrell.

Mr. MORRELL: Mr. President and Members of the Senate: They did express an opinion and were in favor of it.

The PRESIDENT: Is the Senate ready for the question?

Thereupon, the Ought to Pass Report of the Committee was Accepted in concurrence, the Bill

Read Once and Tomorrow Assigned for Second Reading.

The Committee on Agriculture on Bill, "An Act Relating to Delinquent Dog Taxes." (H. P. 1208) (L. D. 1560)

Reported that the same Ought to Pass.

The Committee on Legal Affairs on Resolve, to Reimburse Mrs. Wellington E. Fifield of Patten for Payment of Malt Liquor License. (H. P. 1214) (L. D. 1565)

Reported that the same Ought to Pass.

Come from the House, the Bill and Resolve Passed to be Engrossed.

Which reports were Read and Accepted in concurrence, the Bill and Resolve Read Once and Tomorrow Assigned for Second Reading.

#### **Ought to Pass — As Amended**

The Committee on Legal Affairs on Bill, "An Act to Create Hospital Administrative District No. 1 in Piscataquis, Somerset and Penobscot Counties." (H. P. 515) (L. D. 681)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-222).

The Committee on Transportation on Bill, "An Act Relating to Motorcycle or Motor Driven Cycle Learner's Permit." (H. P. 949) (L. D. 1246)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-223).

The Committee on Agriculture on Bill, "An Act Increasing License Fee for Nurserymen." (H. P. 1019) (L. D. 1342)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-224).

Comes from the House, Passed to be Engrossed as amended by Committee Amendment "A".

The Committee on Business Legislation on Bill, "An Act Relating to Deceptive Price Comparison Advertising under Uniform Deceptive Trade Practices Act." (H. P. 1057) (L. D. 1381)

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-198).

(On motion by Mr. Cox of Penobscot, tabled and Specially Assigned for April 24, 1973, pending Acceptance of the Committee Report.)

The Committee on State Government on Bill, "An Act Providing for Group Insurance for National Guardsmen Called up to State Active Duty." (H. P. 1131) (L. D. 1466)

Reported that the same Ought to Pass as Amended by Committee Amendment "A".

Come from the House, Passed to be Engrossed as Amended by Committee Amendments "A".

Which reports were Read and, except for the tabled matter, Accepted in concurrence, the Bills Read Once and Tomorrow Assigned for Second Reading.

#### **Divided Report**

The Majority of the Committee on Fisheries and Wildlife on Bill, "An Act Excluding Log Rafts from Carrying Life Preservers." (H. P. 1200) (L. D. 1539)

Reported that the same Ought Not to Pass.

Signed:

Senators:

ANDERSON of Hancock  
GRAFFAM

of Cumberland

ALDRICH of Oxford

Representatives:

MORIN of Fort Kent  
DOW of West Gardiner  
PARKS of Presque Isle  
KELLEY of Southport  
CHURCHILL of Orland  
CAMERON of Lincoln  
GOOD of Westfield

The Minority of the same Committee on the same subject matter reported that the same Ought to Pass in New Draft under New Title: "An Act Excluding Log Rafts from Personal Flotation Devices." (H. P. 1422) (L. D. 1746)

Signed:

Representatives:

WALKER of Island Falls  
MILLS of Eastport

Comes from the House, the Minority report Read and Accepted and the Bill, in New Draft, Passed to be Engrossed.

Which reports were Read.

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

Mrs. CUMMINGS: Mr. President, may I ask for an explanation? It sounded to me in the statement of fact that the original bill is a pretty good idea. I would like to know the reason for the two different reports and why Ought Not to Pass.

The PRESIDENT: The Senator from Penobscot, Senator Cummings, has posed an inquiry through the Chair which any member of the committee may answer if they desire.

The Chair recognizes the Senator from Hancock, Senator Anderson.

Mr. ANDERSON: Mr. President and Members of the Senate: I feel that having a life preserver or some means of flotation on a raft is much more essential than in a boat. There is no rail around a raft and particularly a boy could very easily tumble into the water and drown. So that was the idea of it. Mr. President, while I am on my feet, I move indefinite postponement of both reports and all accompanying papers.

The PRESIDENT: The Senator from Hancock, Senator Anderson, now moves that L. D. 1539 be indefinitely postponed in non-concurrence. Is this the pleasure of the Senate?

Thereupon, the Bill and Reports were Indefinitely Postponed in non-concurrence.

Sent down for concurrence.

#### Divided Report

The Majority of the Committee on Business Legislation on Bill, "An Act Relating to Coverage of Treatment by Psychologists under Health and Accident Insurance Contracts." (H. P. 513) (L. D. 678)

Reported that the same Ought Not to Pass.

Signed:

Senators:

COX of Penobscot  
MARCOTTE of York

Representatives:

JACKSON of Yarmouth  
HAMBLEN of Gorham  
MADDOX of Vinalhaven  
TRASK of Milo  
O'BRIEN of Portland

BOUDREAU of Portland  
DESHAIES of Westbrook  
DONAGHY of Lubec

The Minority of the same Committee on the same subject matter reported that the same Ought to Pass in New Draft under New Title: "An Act Relating to Coverage for Treatment by Psychologists in Health and Accident Policies and Plans." (H. P. 1444) (L. D. 1859)

Signed:

Senator:

KATZ of Kennebec

Representatives:

CLARK of Freeport

TIERNEY of Durham

Comes from the House, the Majority report Read and Accepted.

Which reports were Read.

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

Mr. COX: Mr. President and Members of the Senate: L. D. 678 is similar to two other bills that we have already decided. It mandates under the law payments of the insurance contract, and I move acceptance of the Majority Ought Not to Pass in concurrence.

The PRESIDENT: The Senator from Penobscot, Senator Cox, now moves that the Senate accept the Majority Ought Not to Pass Report of the Committee in concurrence. Is this the pleasure of the Senate?

Thereupon, the Majority Ought Not to Pass Report of the Committee was Accepted in concurrence.

#### Senate

##### Ought to Pass

Mr. Morrell for the Committee on Appropriations and Financial Affairs on Bill, "An Act Providing Funds for Development of an International Conference Center on Peaks Island." (S. P. 381) (L. D. 1127)

Reported that the same Ought to Pass.

Mr. Morrell for the Committee on Appropriations and Financial Affairs on Bill, "An Act Providing Funds for Director of the State Crime Laboratory." (S. P. 446) (L. D. 1413)

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 in New Draft**

Mr. Hichens for the Committee on Health and Institutional Services on Bill, "An Act to Amend Definitions in Ambulance Service Licensing." (S. P. 170) (L. D. 425)

Reported that the same Ought to Pass in New Draft under same title (S. P. 591) (L. D. 1863)

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

#### **Second Readers**

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

##### **House**

Bill, "An Act Relating to Advertising Costs in Processing Wetland Applications." (H. P. 811) (L. D. 1074)

Bill, "An Act Limiting Sunday Harness Racing." (H. P. 900) (L. D. 1188)

Bill, "An Act Relating to Board of Trustees of Bath Water District." (H. P. 1431) (L. D. 1789)

Bill, "An Act Relating to Extending Open Season on Bear and Hunting Bear with Dogs." (H. P. 1432) (L. D. 1790)

(On motion by Mr. Greeley of Waldo, temporarily set aside.)

Bill, "An Act Relating to Municipal Tax Base Sharing." (H. P. 1433) (L. D. 1791)

Bill, "An Act Increasing Reimbursement to Secondary School Students from Coastal Island for Board." (H. P. 1434) (L. D. 1792)

Bill, "An Act Prohibiting Hunting, Trapping and Fishing on Passamaquoddy Indian Land by Non-Indians." (H. P. 1435) (L. D. 1793)

Bill, "An Act to Validate Land Title in the Wildlands." (H. P. 1436) (L. D. 1794)

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

The President laid before the Senate the matter temporarily set

aside at the request of Mr. Greeley of Waldo:

Bill, "An Act Relating to Extending Open Season on Bear and Hunting Bear with Dogs." (H. P. 1432) (L. D. 1790)

The PRESIDENT: The Chair recognizes the Senator from Waldo, Senator Greeley.

Mr. GREELEY: Mr. President and Members of the Senate: It appeared to me this morning that the Senator from Somerset, Senator Cianchette, has opened the hunting season, so I would like to continue and say a few words on hunting bear. I have got to admit that the situation I have in mind is a little bit unusual but, the way I understand it, did happen.

The situation I have in mind is that three fellows decided they wanted to go bear hunting, so they hired or rented a camp for a week. They had been out for four or five days and hadn't even seen a bear, so two of the fellows got fed up on the bear hunting and said they were going to remain in the camp, but one of the hunters was kind of a cocky little guy, and he had been bragging about how good he was at bear hunting, but the other two hadn't listened to him. So he said he was going to get up early in the morning and going out, and when he came back he was going to bring them back a bear.

Well, he got up early and it was pretty dusky, and he started out from the camp. He hadn't gone but just a short distance when he saw an object. He couldn't make out what it was so he thought he would investigate. So he walked up, and it turned out to be a bear. Well, it frightened him so that he dropped his gun and he started for the camp with the bear after him. He got right up in front of the camp door and tripped and fell flat. Well, the bear was so close behind him and going so fast that he went right on over this little fellow, hit the camp door and went inside. So, this hunter jumped up quick. He realized what was going on, so he grabbed the door and shut the door. He shut the bear in there. "There," he said, "you

two fellows skin that one and I will go run in another one." (Laughter)

The PRESIDENT: Is it now the pleasure of the Senate that Legislative Document 1790 be passed to be engrossed in concurrence?

Thereupon, the Bill was Passed to be Engrossed in concurrence.

Resolve, to Reimburse Berkshire Mutual Insurance Company for Damage to Property of Leonard Smith by Highway Construction. (H. P. 353) (L. D. 468)

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

#### House — As Amended

Bill, "An Act to Create a Commission to Prepare a Revision of the Probate Laws and the Administration Thereof." (H. P. 1045) (L. D. 1373)

Bill, "An Act Increasing Nonresident Hunting License Fee." (H. P. 188) (L. D. 265)

Bill, "An Act to Provide for Nomination of the Commissioner of Educational and Cultural Services by the State Board of Education." (H. P. 654) (L. D. 868)

Bill, "An Act Exempting Blind Property Owners from Real Property Tax." (H. P. 1047) (L. D. 1366)

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

#### Senate

Bill, "An Act Relating to Maternity Benefits for Unmarried Health Insurance Policyholders and Minor Dependents of Health Insurance Policyholders." (S. P. 373) (L. D. 1099)

Bill, "An Act Creating the Free Flow of Information Act." (S. P. 583) (L. D. 1795)

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

Sent down for concurrence.

#### Senate — As Amended

Bill, "An Act Appropriating Funds for Expansion and Improvement of the Biddeford Municipal Airport." (S. P. 518) (L. D. 1649)

Which was Read a Second Time and Passed to be Engrossed, as Amended.

Sent down for concurrence.

#### Enactors

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

An Act Providing for the Maine Property Insurance Cancellation Control Act. (S. P. 231) (L. D. 666)

An Act Relating to Raptors for Use in Falconry. (S. P. 571) (L. D. 1734)

An Act to Clarify the Maine Litter Control Act. (H. P. 144) (L. D. 177)

An Act Relating to Penalty for Reckless Driving. (H. P. 195) (L. D. 268)

An Act to Require Safety Glazing in Hazardous Locations. (H. P. 465) (L. D. 613)

An Act Exempting Beehives from the Personal Property Tax. (H. P. 541) (L. D. 723)

An Act Relating to Use of Unofficial Certificates of Motor Vehicle Inspection. (H. P. 547) (L. D. 728)

An Act Relating to Adoption of Persons into the Penobscot Tribe of Indians. (H. P. 614) (L. D. 812)

An Act Relating to Wage Date for Preference to Maine Workmen and Contractors. (H. P. 911) (L. D. 1200)

An Act Establishing a State Tuition Equalization Fund for Maine Students Attending Maine Private Institutions of Higher Education. (H. P. 927) (L. D. 1225)

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

An Act Providing Funds for Psychiatric Aides at Pineland Hospital and Training Center. (H. P. 956) (L. D. 1266)

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

An Act Changing Name of Maine Association of Real Estate Boards. (H. P. 987) (L. D. 1307)

An Act Increasing Inheritance Exemption for a Surviving Spouse and Children. (H. P. 1062) (L. D. 1386)

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

An Act Regulating Airmobiles. (H. P. 1168) (L. D. 1503)

An Act Relating to Bids and Contracts in School Administrative Districts. (H. P. 1176) (L. D. 1513)

An Act Relating to Disposal of Septic Tank or Cesspool Waste. (H. P. 1416) (L. D. 1710)

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.

An Act to Authorize Portland Renewal Authority to Provide Relocation Assistance to Other Governmental Agencies. (H. P. 777) (L. D. 1009)

Comes from the House, Indefinitely Postponed.

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

Mr. JOLY: Mr. President and Members of the Senate: In view of the fact that it has been learned that this bill is already law on the books, I move we indefinitely postpone this in concurrence.

The PRESIDENT: The Senator from Kennebec, Senator Joly, now moves that L. D. 1009 be indefinitely postponed in concurrence. Is this the pleasure of the Senate?

Thereupon, the Bill was Indefinitely Postponed in concurrence.

Resolve, in Favor of George W. Mitchell of Peter Dana Township, for Personal Injuries. (H. P. 1015) (L. D. 1334)

Resolve, Providing Funds for Saco Valley Association for Retarded Children. (H. P. 1094) (L. D. 1431)

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

### Emergencies

An Act Making Additional Appropriations from the General Fund for the Expenditures of State Government and for Other Purposes for the Fiscal Year Ending June 30, 1973. (S. P. 572) (L. D. 1735)

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

Island Falls, Merrill, Oakfield and Smyrna. (H. P. 1175) (L. D. 1512)

These being emergency measures and having received the affirmative votes of 27 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 Retirement Benefits Under the State Retirement Law for Earl A. Haines of Brunswick. (H. P. 57) (L. D. 67)

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

### Orders of the Day

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

House Report — from the Committee on Public Utilities — Bill, "An Act Relating to Railroad Crossings." (H. P. 815) (L. D. 1082) Ought to Pass.

Tabled — April 18, 1973 by Senator Brennan of Cumberland.

Pending — Acceptance of Report.

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

Mr. BRENNAN: Mr. President and Members of the Senate: When I was looking at this bill I noticed that it was introduced by request. As I understand it, what it calls for is that it would impose costs on municipalities to pay some portion of whatever cost the railroads have to set up crossings at streets and protective devices. I would like to try to find out from some member of the Public Utilities Committee just what it will cost the cities and towns, and what the rationale or reason is for the change in the law, and as to whether or not there was any opposition to it? I would be very pleased if somebody from the Public Utilities Committee could help me out on that before I vote.

The PRESIDENT: The Senator from Cumberland, Senator Brennan, has posed an inquiry through the Chair which any member of the Committee may answer if they desire.

The Chair recognizes the Senator from Penobscot, Senator Cummings.

Mrs. CUMMINGS: Mr. President and Members of the Senate: I haven't any figures here as to the cost, but I remember it was supposed to be a minor bill because of the word "town ways". Apparently there are very few roads that are still designated as town ways. As I remember it, the testimony said that there would be perhaps six of these, and they felt that even though it was by request that the railroads certainly would go along with this, and we got no opposition from the towns at all.

The PRESIDENT: Is it now the pleasure of the Senate to accept the Ought to Pass Report of the Committee in concurrence?

Thereupon, the Ought to Pass Report of the Committee was Accepted in concurrence, the Bill Read Once and Tomorrow Assigned for Second Reading.

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

Bill, "An Act Creating the Maine Veterans Small Business Loan Authority Board and Establishing a Mortgage Insurance Fund." (S. P. 164) (L. D. 419)

Tabled — April 18, 1973 by Senator Sewall of Penobscot.

Pending — Enactment.

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

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

Bill, "An Act Establishing a County Records Board." (S. P. 569) (L. D. 1709)

Tabled — April 18, 1973 by Senator Speers of Kennebec.

Pending — Passage to be Engrossed.

On motion by Mr. Speers of Kennebec, retabled and Specially Assigned for April 23, 1973, pending Passage to be Engrossed.

On motion by Mr. Sewall of Penobscot,

Adjourned until 9:30 tomorrow morning.