

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Seventh
Legislature*

OF THE

STATE OF MAINE

1975

KENNEBEC JOURNAL
AUGUSTA, MAINE

HOUSE

Thursday, March 6, 1975

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

Prayer by the Rev. Gene F. Gillen of Augusta.

The journal of yesterday was read and approved.

Papers from the Senate

From the Senate: The following Joint Order: (S. P. 266)

WHEREAS, The Legislature has learned of the Outstanding Achievement and Exceptional Accomplishment of Foxcroft Academy Ponies State Champions — Class B Basketball for the Academic Year 1975

We the Members of the Senate and House of Representatives do hereby Order that our congratulations and acknowledgement be extended; and further

Order and direct, while duly assembled in session at the Capitol in Augusta, under the Constitution and Laws of the State of Maine, that this official expression of pride be sent forthwith on behalf of the Legislature and the people of the State of Maine.

Came from the Senate read and passed. In the House, the Order was read and passed in concurrence.

From the Senate: The following Joint Order: (S. P. 267)

WHEREAS, The Legislature has learned of the Outstanding Achievement and Exceptional Accomplishment of Jay Gould of Farmington, Maine Recipient of the Eagle Scout Award

We the Members of the Senate and House of Representatives do hereby Order that our congratulations and acknowledgement be extended; and further

Order and direct, while duly assembled in session at the Capitol in Augusta, under the Constitution and Laws of the State of Maine, that this official expression of pride be sent forthwith on behalf of the Legislature and the people of the State of Maine.

Came from the Senate read and passed. In the House, the Order was read and passed in concurrence.

From the Senate: The following Joint Order: (S. P. 270)

WHEREAS, The Legislature has learned of the Outstanding Achievement and Exceptional Accomplishment of the Bangor High School Swim Team New England Champions for the Year 1975

We the Members of the Senate and House of Representatives do hereby Order that our congratulations and acknowledgment be extended; and further

Order and direct, while duly assembled in session at the Capitol in Augusta, under the Constitution and Laws of the State of Maine, that this official expression of pride be sent forthwith on behalf of the Legislature and the people of the State of Maine.

Came from the Senate read and passed. In the House, the Order was read and passed in concurrence.

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

Reports of Committees Ought Not to Pass

Report of the Committee on Natural Resources reporting "Ought Not to Pass" on Bill "An Act to Amend the Wastewater Treatment Plant Operator Statute" (S. P. 111) (L. D. 376)

Was placed in the Legislative Files without further action pursuant to Joint Rule 17-A.

Leave to Withdraw

Report of the Committee on Fisheries and Wildlife reporting "Leave to Withdraw" on Bill "An Act Limiting Complimentary Hunting and Fishing Licenses to State, National and International Leaders" (S. P. 75) (L. D. 215)

Came from the Senate read and accepted.

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

Divided Report

Majority Report of the Committee on Health and Institution Services reporting "Ought Not to Pass" on Bill "An Act to Repeal the Statutes on Boards of Visitors to State Institutions" (S. P. 5) (L. D. 5)

Report was signed by the following members:

- Messrs. CURRAN of South Portland
- KENNEDY of Gray
- LOVELL of Sanford
- SPROWL of Hope
- HENNESSEY of Bath
- GOODWIN of South Berwick
- Mrs. MORIN of Old Orchard Beach
- Mrs. POST of Owls' Head
- Mrs. LAVERTY of Millinocket

— of the House.

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

Report was signed by the following members:

- Messrs. HICHENS of York
- GREELEY of Waldo
- of the Senate.
- Mr. LaPOINTE of Portland

— of the House.

Came from the Senate with the Majority "Ought Not to Pass" Report accepted and sent for concurrence.

In the House: Reports were read. On motion of Mr. Good of South Berwick, the Majority "Ought not to pass" Report was accepted in concurrence.

Petitions, Bills and Resolves Requiring Reference

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

Agriculture

Bill "An Act Increasing the Maximum State Payment for Grade Sheep Killed by Dogs or Wild Animals" (H. P. 786) (Presented by Mr. Torrey of Poland)

Bill "An Act Making Potato Processors Subject to Certain Provisions of the Licensing and Bonding Statutes for the Bonding of Potatoes" (H. P. 794) (Presented by Mr. Albert of Limestone) (Ordered Printed)

Sent up for concurrence.

Appropriations and Financial Affairs

Bill "An Act to Require the State to Pay Expenses Incurred by District Attorneys" (H. P. 774) (Presented by Mr. Palmer of Nobleboro) (Ordered Printed)

Sent up for concurrence.

Tabled and Assigned

Resolve, Providing Funds for the Maintenance of Ocean Beaches (H. P. 787) (Presented by Mrs. Morin of Old Orchard Beach) (Cosponsor: Mr. Higgins of Scarborough)

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

(Ordered Printed)
Sent up for concurrence.
(On motion of Mrs. Morin of Old Orchard Beach, tabled pending reference and tomorrow assigned.)

Business Legislation

Bill "An Act Requiring the Disclosure of Information in Certain Used Car Sales and Concerning Used Car Warranties" (H. P. 757) (Presented by Mrs. Boudreau of Portland)

Bill "An Act Concerning the Maine Consumer Credit Code and the Insurance Statutes" (Emergency) (H. P. 789) (Presented by Mrs. Clark of Freeport) (Cosponsor: Mr. Pierce of Waterville) (Ordered Printed)

Sent up for concurrence.

Education

Bill "An Act Relating to the Borrowing Capacity of School Administrative District No. 43" (Emergency) (H. P. 755) (Presented by Mr. Fraser of Mexico)

Bill "An Act to Increase the Fee for Registration of Teachers" (H. P. 781) (Presented by Mr. Fenlason of Danforth) (Ordered Printed)

Sent up for concurrence.

Election Laws

Bill "An Act Concerning the Size of Municipal Populations in the Statute Requiring or Authorizing the Appointment of Boards of Registration" (H. P. 752) (Presented by Mr. Bustin of Augusta)

Bill "An Act to Provide for Date of Election on Applications for Absentee Voting" (H. P. 796) (Presented by Mrs. Berube of Lewiston) (Ordered Printed)

Sent up for concurrence.

Fisheries and Wildlife

Bill "An Act Relating to Hunting Buck Deer" (H. P. 766) (Presented by Mrs. Tarr of Bridgton)

Bill "An Act to Increase the Fees for Fishing Licenses Issued to Nonresidents" (H. P. 788) (Presented by Mr. Higgins of Scarborough)

Bill "An Act to Establish Beaver, Coyote and Otter as Endangered Species" (H. P. 767) (Presented by Mrs. Tarr of Bridgton) (By request)

Bill "An Act to Commence the Ice Fishing Season on January 15th" (H. P. 797) (Presented by Mr. Churchill of Orland) (Ordered Printed)

Sent up for concurrence.

Health and Institutional Services

Bill "An Act Amending Laws Relating to Coeducational Program in Juvenile Training Centers" (H. P. 772) (Presented by Mr. Perkins of South Portland)

Bill "An Act to Amend the Eating, Lodging and Recreational Place Licensing Law" (H. P. 788) (Presented by Mr. Curran of South Portland) (Ordered Printed)

Sent up for concurrence.

Human Resources

Bill "An Act to Create the Maine Human

Rights Appeal Board" (H. P. 765)
(Presented by Mr. Ault of Wayne)
(Ordered Printed)
Sent up for concurrence.

Judiciary

Bill "An Act Relating to the Disposal of Certain Personal Property by Law Enforcement Agencies" (Emergency) (H. P. 769) (Presented by Mr. Perkins of South Portland)

Bill "An Act Concerning the Appellate Division of the Supreme Judicial Court" (H. P. 771) (Presented by Mr. Perkins of South Portland)

Bill "An Act Relating to Expungement of Records of Arrest" (H. P. 782) (Presented by Mr. Ingegneri of Bangor)

Bill "An Act to Amend the Age of Juveniles under the Juvenile Statutes" (H. P. 792) (Presented by Mr. Joyce of Portland)

Bill "An Act Relating to Procedure in the District Court Concerning Juveniles and to Certain Records of the District and Superior Courts Concerning Juveniles" (H. P. 803) (Presented by Mr. Perkins of South Portland)

(Ordered Printed)
Sent up for concurrence.

Labor

Bill "An Act to Enable the State to Recover 100 Percent of the Cost of Extended Benefits under Certain Conditions as Provided by Federal Legislation" (Emergency) (H. P. 758) (Presented by Mr. Hobbins of Saco) (Approved for introduction by a majority of the Committee on Reference of Bills pursuant to Joint Rule 10)

Bill "An Act to Permit Owners of Motor Transport Companies who are Assenting Employers under the Workmen's Compensation Act to Refuse to Insure Themselves or Their Families under That Act" (H. P. 783) (Presented by Mr. Dyer of South Portland)

(Ordered Printed)
Sent up for concurrence.

Legal Affairs

Bill "An Act to Increase the Size of Claim Allowable under the Jurisdiction of the Small Claims Court" (H. P. 770) (Presented by Mr. Goodwin of South Berwick)

Bill "An Act Placing Professional and Exhibition Wrestling Matches and Shows under the Jurisdiction of the Maine Boxing Commissioners" (H. P. 799) (Presented by Mr. Kelleher of Bangor)

(Ordered Printed)
Sent up for concurrence.

Local and County Government

Bill "An Act to Increase the Annual Salaries of Certain County Officials by 20 Percent" (H. P. 784) (Presented by Mr. Talbot of Portland)

Bill "An Act Establishing a Fee for Approved Blanks and Forms Furnished by Registers of Probate" (H. P. 785) (Presented by Mr. Talbot of Portland)

Bill "An Act Relating to Salaries of Jury Commissioners and County Officers in Lincoln County" (H. P. 800) (Presented by Mr. Palmer of Nobleboro) (Approved for introduction by a Majority of the Committee on Reference of Bills pursuant to Joint Rule 10)

Bill "An Act to Repeal Specific Line Category Cuts with Regard to County Budgets" (H. P. 805) (Presented by Mr. Dam of Skowhegan)
(Ordered Printed)

Sent up for concurrence.

Liquor Control

Bill "An Act Relating to Distribution of Wine to Retail Stores" (H. P. 753) (Presented by Mr. Bowie of Gardiner)

Bill "An Act Relating to Services Provided by Private Clubs under the Liquor Laws" (H. P. 793) (Presented by Mr. Farnham of Hampden)
(Ordered Printed)

Sent up for concurrence.

Natural Resources

Bill "An Act to Increase the Salaries of the Register of Deeds and the Deputy Register of Deeds of Cumberland County" (H. P. 776) (Presented by Mr. Hewes of Cape Elizabeth)

Bill "An Act to Increase the Salary of the Treasurer of Cumberland County" (H. P. 779) (Presented by Mr. Hewes of Cape Elizabeth) (Cosponsor: Mr. Mulkern of Portland)

Bill "An Act to Specify the Future Use of Certain Lands in the City of Portland" (H. P. 768) (Presented by Mrs. Najarian of Portland)

Bill "An Act to Authorize the Board of Environmental Protection to Grant a Time Schedule Variance to Users and Planned Users of Proposed Municipal or Quasi-Municipal Waste Treatment Facilities" (H. P. 780) (Presented by Mr. Hall of Sangerville)

(Ordered Printed)
Sent up for concurrence.

Public Lands

Resolve, Authorizing the Director of the Bureau of Forestry to Convey by Sale the Interest of the State in Certain Land in Piscataquis County" (H. P. 754)

(Presented by Mr. Dudley of Enfield)
(Ordered Printed)

Sent up for concurrence.

State Government

Bill "An Act to Provide Low Cost Financing through the Maine State Housing Authority for Nursing Homes and Similar Facilities for Persons of Low Income" (H. P. 756) (Presented by Mrs. Post of Owls Head)

Bill "An Act Relating to the Chief of the State Police Serving as Acting Commissioner of Public Safety" (H. P. 801) (Presented by Mr. Greenlaw of Stonington)

(Ordered Printed)
Sent up for concurrence.

Taxation

Bill "An Act to Clarify the Definition of Homestead under the Elderly Homeholders Tax and Rent Refund Act" (H. P. 762) (Presented by Mr. Churchill of Orland) (Later Reconsidered)

Bill "An Act to Increase the Income Limits under the Elderly Homeholders Tax and Rent Refund Act" (H. P. 763) (Presented by Mr. Churchill of Orland) (Later Reconsidered)

Bill "An Act Exempting Certain Uses of Gas and Electricity from Taxation under the Sales and Use Tax Law" (H. P. 764) (Presented by Mr. Ault of Wayne)

Bill "An Act to Raise the Tax on Beer, Wine and Other Alcoholic Beverages to Provide Operating Funds for Alcohol Treatment Facilities" (H. P. 773) (Presented by Mr. Susi of Pittsfield)

Bill "An Act Relating to a State Income Tax Deduction for Student Tuition Payments" (H. P. 777) (Presented by Mr. Hewes of Cape Elizabeth)

Bill "An Act to Establish the Maine Forestry District Fire Protection Fund" (H. P. 778) (Presented by Mr. Doak of Rangeley)

Bill "An Act to Exempt Incorporated Nonprofit Volunteer Literacy Programs from the Sales Tax" (H. P. 790) (Presented by Mrs. Lewis of Auburn)

Bill "An Act to Exempt Sales of Gravestones from the Sales and Use Tax" (H. P. 795) (Presented by Mr. Jensen of Portland)

(Ordered Printed)
Sent up for concurrence.

Transportation

Resolve, to Reimburse Richard Lufkin of Thorndike for Property Damage Caused by Water Runoff from State Highway" (H. P. 804) (Presented by Mr. Tozier of Unity)

(Ordered Printed)
Sent up for concurrence.

Veterans and Retirement

Resolve, Providing a Minimum Service Retirement Allowance under the State Retirement Law for John B. Cottrell, Jr. (Emergency) (H. P. 775) (Presented by Mrs. Najarian of Portland)

Bill "An Act Concerning Burial in the Maine Veterans Memorial Cemetery" (H. P. 791) (Presented by Mr. Davies of Orono)

Bill "An Act Relating to Out-of-State Service Credit under the State Retirement System" (H. P. 798) (Presented by Mrs. berube of Lewiston)

Bill "An Act Relating to the State Police Retirement System" (H. P. 802) (Presented by Mr. Greenlaw of Stonington)

(Ordered Printed)
Sent up for concurrence.

Orders

Mr. MacLeod of Bar Harbor presented the following Joint Resolution and moved its adoption: (H. P. 760)

IN MEMORIAM

Having Learned Of The Death Of
THE HONORABLE DONALD W.
MacLEOD
OF BAR HARBOR

The Senate and House of Representatives of the State of Maine do hereby extend their sincere heartfelt condolences and sympathy to the bereaved family and friends of the deceased; and further

While duly assembled in session at the State Capitol in Augusta under the Constitution and Laws of the State of Maine, do herein direct that this official expression of sorrow be forthwith sent to the family of the deceased on behalf of the Legislature and the people of the State of Maine.

The Resolution was read.

The SPEAKER: The Chair recognizes the gentleman from Bar Harbor, Mr. MacLeod.

Mr. MacLEOD: Mr. Speaker and Members of the House: For a matter of information to the members of the House, Donald W. MacLeod was my uncle, served in the 90th, and 91st Legislatures and also in the Senate in the 99th Legislature.

Two items which I would like to mention at this time, which I think were very dear to his heart, he has left for the State of Maine, he was one of the original organizers of what is now the Maine Automobile Dealers Association and was its third president. Also, during his term in the Maine House, what is now the Transportation Committee, in those days

he served on the Towns and County Committee, and they formed the commission which was instrumental in establishing what is now the Maine Turnpike.

Thereupon, the Joint Resolution was adopted and sent up for concurrence.

Mr. Morton of Farmington presented the following Joint Order and moved its passage: (H. P. 759)

WHEREAS, The Legislature has learned of the Outstanding Achievement and Exceptional Accomplishment of Mt. Blue High School of Farmington Girls Field Hockey Team Kennebec Valley Conference Champions for the Academic Year 1975

We the Members of the House of Representatives and Senate do hereby Order that our congratulations and acknowledgement be extended; and further

Order and direct, while duly assembled in session at the Capitol in Augusta, under the Constitution and Laws of the State of Maine, that this official expression of pride be sent forthwith on behalf of the Legislature and the people of the State of Maine.

The Order was read and passed and sent for concurrence.

On motion of Mr. Binnette of Old Town, it was

ORDERED, that Luman Mahany of Easton be excused for the week of March 4 for health reasons.

Mr. Fenlason of Danforth presented the following Joint Order and moved its passage: (H. P. 806)

WHEREAS, The Legislature has learned of the Outstanding Achievement and Exceptional Accomplishment of East Grand High School of Danforth Class D Girls Basketball State Champions in the Academic Year 1975

We the Members of the House of Representatives and Senate do hereby Order that our congratulations and acknowledgement be extended; and further

Order and direct, while duly assembled in session at the Capitol in Augusta, under the Constitution and Laws of the State of Maine, that this official expression of pride be sent forthwith on behalf of the Legislature and the people of the State of Maine.

The Order was read and passed and sent for concurrence.

Mrs. Goodwin of Bath presented the following Joint Resolution and moved its adoption: (H. P. 807)

IN MEMORIAM

Having Learned Of The Death Of
THE HONORABLE RODNEY E. ROSS,
JR.

OF BATH

The Senate and House of Representatives of the State of Maine do hereby extend their sincere heartfelt condolences and sympathy to the bereaved family and friends of the deceased; and further

While duly assembled in session at the State Capitol in Augusta under the Constitution and Laws of the State of Maine, do herein direct that this official expression of sorrow be forthwith sent to the family of the deceased on behalf of the Legislature and the people of the State of Maine.

The Resolution was read.

The SPEAKER: The Chair recognizes the gentlewoman from Bath, Mrs. Goodwin.

Mrs. GOODWIN: Mr. Speaker, Ladies and Gentlemen of the House: It is with profound regret that I present this resolution in memory of my former colleague from the City of Bath.

Rodney Ross was, without question, one of the most dedicated and one of the most tireless legislators this honorable body will ever see. His friendship knew no party lines nor philosophical differences. Even in the most heated debates, he never lost his sense of humor and he never carried a legislative grudge over into his personal relationships. He encouraged young people to enter politics and was the first person to talk to me seriously about my running for office, and he later used to kid me about the monster he had created.

Rodney served seven terms in the House of Representatives and one in the Senate, and he delighted in telling how he was the only man who ever missed being elected Governor by just one vote. Yet his first love was this House. For him, this was where the action was; this was his other home.

It has been said that of those to whom much is given, much is required, and Rodney gave much to his State, to his community, to all who knew him. The lives of many were enriched because Rodney Ross walked this way and we shall sorely miss him.

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

Mr. JALBERT: Mr. Speaker and Members of the House: Since 1945, I have enjoyed a great deal of levity and a great deal of laughter and sorrow in this House, which I also consider one of my homes. This is a day of truly great sorrow for me.

When I heard from Mary Frances Ross, Rodney's wife, last night, it left me in a state of shock. It was only a few days ago that I spoke to Rodney to dissuade any thinking about his passing on. I would like to state to you that the fact that he was defeated for an office had nothing to do with his death. He suffered — and I know what these periods are — periods of great depression. Oftentimes he talked to me, either personally or on the phone, to ask me how you cope with a situation like that, knowing that my chronic illnesses have created a like problem at times with me. And the only answer I could give him was, "Rodney, just think it out. There is no medicine, there is no cure, just time."

I was dumfounded last year when he told me that he was not going to sit again in the House. When I say about a man, this man was a gentleman, the word applies in every sense of every letter to Rodney Ross, Jr. He was not only a legislative friend, he was a personal friend. The lady from Bath, Mrs. Goodwin, put it well when she said he could take a situation gracefully. He was human.

We stood so often shoulder to shoulder fighting together. I can also recall how we stood apart. I recall his reading his pro-abortion bill in his room at the Senator and saying to me, "Read me yours." I would say mine is here. (Pointed to head). Rodney prepared his speeches — wrote them. He was the best reader I ever knew in my entire life. I cannot read a speech that I prepare; neither am I, certainly this morning, a William Jennings Bryan, but I speak from my heart.

Those of you who did not know Rodney Ross missed the tremendous privilege of knowing a thoroughly honest, dedicated

gentleman. He knew, for instance, that I actually and literally suffered on Friday morning if I lost a bill. Walking up, he would put his arm around me and say, Louie, you have got Tuesday, get on a winner. And every Tuesday morning, I would struggle to get on a winner and he would just turn and smile.

I do not have the words, and I wish I could find them, to tell you about this man. The State of Maine, the City of Bath, and the people of Maine have lost, truly, a great person, a person of fantastic compassion, a person who never wanted to hear you speak ill of anyone, and that virtue I always envied him for.

I certainly commend the words of the lady from Bath, Mrs. Goodwin, and I know every member of this House feels who knew him, men like the gentleman from Bridgewater, Mr. Finemore — I mean, last night I got about ten calls from people who knew how badly I felt. The more the calls came in, the worse I did feel. We have lost a good friend. This House has lost a good friend, lost a fixture, a sincere and honest one. It is a sad, sad day for us, and it certainly is a sad, sad day for me.

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

Mr. BIRT: Mr. Speaker, Ladies and Gentlemen of the House: I think when a good friend passes from our midst, we are saddened. But in a much really greater sense, we are also more likely to reflect on the opportunity of having the chance to know him, to appreciate his friendship and his contributions. This is particularly true today in speaking of Rodney Ross.

I remember my first meeting with Rodney at a party in the Blaine House at the beginning of the 102nd Legislature. Since that time, I grew to know Rodney well, grew to enjoy him, to enjoy his friendship and the contributions that he made to this body. It was rather ironic this morning when I walked in and picked up the L. D.'s in front of me. The first one I saw was one that was very close to Rodney, one that he had tried for a long while to do, to make some corrections in the Executive Council so that it could be a continuing body. I was talking with a friend last night, and he said that Rodney had given him a copy of that bill and hoped that he might introduce it.

Rodney contributed much to this body. He was one of the most conscientious legislators that I have known, an excellent orator, a studious legislator, he did his homework well, and he made some real contributions in his delivery, his work and every part of his whole legislative process. I think he felt this was, as some of us have felt, a second home to him, a place where he could really enjoy the opportunity to do the things that he could do to make some contributions to the betterment of our state.

I think probably in ending I thought I might best remember Rodney, and I wish that I could deliver it with the excellence that he did, is the poetry that he used to deliver of Robert Service. At least once every session he always would somehow find an opportunity to do this. I think we all appreciate the opportunity in having had the chance to know Rodney, to have served in the Legislature with him, and I think the Legislature was a better place for his having been with us.

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

Mr. FINEMORE: Mr. Speaker and

Members of the House: I came here in 1953 and in 1955 Rodney came in. I hope I can say this and not break down, because we were great friends. We had more breakfasts together probably than any two people in the House, and a lot of lunches. He was an early riser, and he was the finest, the finest Representative I think that ever came into this House. He worked his bills, he was friends with everybody, he helped everyone. He was a friend to the 151 members of this House. This morning I mourn his going.

Thereupon, the Joint Resolution was adopted and sent up for concurrence.

By unanimous consent, ordered sent forthwith to the Senate.

House Reports of Committees Ought Not to Pass

Mr. Usher from the Committee on Fisheries and Wildlife on Bill "An Act Establishing the Town of Southport in Lincoln County as a Wildlife Management Area" (H. P. 220) (L. D. 276) reporting "Ought Not to Pass"

Mr. Tozier from the Committee on Fisheries and Wildlife on Bill "An Act to Increase the Amount of Trout, Salmon, Togue and Black Bass which may be Legally Possessed" (H. P. 296) (L. D. 345) reporting "Ought Not to Pass"

Mr. Dow from Committee on Fisheries and Wildlife on Bill "An Act to Provide a Bounty on Coyote under the Inland Fish and Game Laws" (H. P. 391) (L. D. 483) reporting "Ought Not to Pass"

Mr. Jalbert from the Committee on Appropriations and Financial Affairs on Bill "An Act Appropriating Funds for the Payment of Overtime in State Employment at the Rate of One and One-half Times the Employee's Hourly Rate of Pay" (H. P. 445) (L. D. 541) reporting "Ought Not to Pass"

Reports were read and placed in the Legislative Files without further action pursuant to Joint Rule 17-A.

Leave to Withdraw

Mr. MacLeod from the Committee on Appropriations and Financial Affairs on Bill "An Act to Establish Salaries for Full-time District Attorneys Equal to the Salaries of Superior Court Justices" (H. P. 506) (L. D. 628) reporting Leave to Withdraw

Mr. Fraser from the Committee on Transportation on Bill "An Act Relating to Learner's Permits" (H. P. 365) (L. D. 459) reporting Leave to Withdraw

Reports were read and accepted and sent for concurrence.

Referred to Committee on Fisheries and Wildlife

Mr. Jalbert from the Committee on Appropriations and Financial Affairs on Bill "An Act Providing Compensation for Members of Inland Fisheries and Game Advisory Council" (H. P. 542) (L. D. 658) reported that it be referred to the Committee on Fisheries and Wildlife

Report was read and accepted, the Bill referred to the Committee on Fisheries and Wildlife and sent up for concurrence.

Divided Report

Majority Report of the Committee on Fisheries and Wildlife reporting "Ought to Pass" on Bill "An Act to Repeal the Bounty on Bobcats" (H. P. 287) (L. D. 339)

Report was signed by the following members:

Messrs. McNALLY of Hancock
PRAY of Penobscot

GRAFFAM of Cumberland
— of the Senate.

Messrs. KAUFFMAN of Kittery
PETERSON of Caribou
DOW of West Gardiner
MacEACHERN of Lincoln
MARTIN of St. Agatha
WALKER of Island Falls
TOZIER of Unity
USHER of Westbrook
MILLS of Eastport

— of the House.

Minority Report of same Committee reporting "Ought Not to Pass" on same Bill.

Report was signed by the following member:

Mr. CHURCHILL of Orland
— of the House.

Reports were read.

The SPEAKER: The Chair recognizes the gentleman from Eastport, Mr. Mills.

Mr. MILLS: Mr. Speaker, Ladies and Gentlemen of the House: I move the adoption of the "Ought to Pass" Report.

The SPEAKER: The gentleman from Eastport, Mr. Mills, moves adoption of the Majority "Ought to Pass" Report.

The Chair recognizes the gentleman from Dixfield, Mr. Rollins.

Mr. ROLLINS: Mr. Speaker, Ladies and Gentlemen of the House: On our desks this morning, by the request of Representative Cooney from Sabattus, we have a flyer that says the bounty does not do the job. Well, I would say that Mr. Cooney admits that there is a job to do. I would be perfectly happy if the department would come up with something that did the job rather than the bounty. I feel that they haven't done this. I would like to read to you from a biologist report that I have that says, "The early Maine coyote in the 1930's from 1936 to 1944 there were 35 of these animals taken to the Wildlife Laboratory at the University of Maine." This was the start of the thing, then in 1968 to 1974 there were over 130 taken to the laboratory. This shows the extent of the population increase in the State of Maine, which I am very much aware of and I wonder if the department is.

The feeling is, apparently, that we have to live with these animals, and there is also in the back part of this pamphlet that I have that tells about the coyote in California. In the past 81 years, since 1897, over 500,000 coyotes have been killed in California at a cost of \$30 million. Coyote numbers are now considered to be high in this state.

I think that we do have some worry about this animal, not only for our deer herd but also for the possibility of a rabies epidemic, and I realize that I am swimming against the tide this morning.

The SPEAKER: The Chair recognizes the gentleman from Houlton, Mr. Carpenter.

Mr. CARPENTER: Mr. Speaker, Ladies and Gentlemen of the House: I rise this morning in opposition to the motion from my friend from Eastport, Mr. Mills. It is ironic that in my maiden speech I should be opposing something rather than supporting something, but I have with me a series of pictures provided to me by a constituent of mine from the Houlton area. The first pictures I have, I have a picture of a small buck deer, medium sized doe, and a large doe. Three of our deer which we value very highly and do a lot in this House to keep and to regulate, they were all killed by bobcat.

I also received Mr. Cooney's leaflet this morning saying that the bounty does not do the job. I think in the case of the bobcat in Maine, perhaps a bounty is an exception. I have talked to many woodsmen and veteran wardens. Almost without exception, if you talk to a veteran woodsman in the State of Maine, he will agree with you that the bobcat does great damage to the deer herd. Bobcat hunting in my area is not as much of a sport as it is work. You need snowshoes, you need a dog, normally, or some other mode of transportation other than the snowshoes. I maintain that if you remove the bounty from the bobcat, hunters won't hunt them. Consequently, you are going to decimate or in some way harm your deer herds in the State of Maine.

I have two more pictures showing seven bobcat that were taken off deer in a two-day period in the Houlton area. If you want to know where the bobcat in the State of Maine is right now, you find your nearest deer yard where the deer are, that is where the bobcat are. We are losing a great many deer each year to the bobcat in the State of Maine. I feel that if the bounty is removed the incentive for hunting the bobcat will also be removed and will do great damage to the deer herd.

I would request that my colleagues join me in opposition to the motion of the gentleman from Eastport.

The SPEAKER: The Chair recognizes the gentleman from Enfield, Mr. Dudley.

Mr. DUDLEY: Mr. Speaker and Members of the House: It just so happens that I live in an area where this predator does a lot of harm, and it is awfully hard to explain briefly to you people the necessity of the bounty.

I have traveled in the woods as a young man and trapped and followed these animals. They would like to tell you from some department or from a biologist standpoint that they only tackle weak animals and lame animals and old animals and so forth. Now, I can tell you from first-hand experience, a bobcat jumps on any animal that he can jump on. He doesn't care if it is a big buck, a small doe or a young lamb, he will kill anything that he can leap onto. I have seen many, many cases where they have. As a matter of fact, only last week my son had some traps set around a deer that the bobcat were eating that they had killed, and he had had luck because the traps froze in, but I expect maybe this week he will have caught this particular one. This is a common thing in my area.

I would like to tell you that when you get south of Bangor, the woods areas are small enough so they use dogs, they tree them and they are quite successful, but when you get up in my area north of Bangor where the woods are great, they lose their dogs and it is very ineffective with dogs unless you have a highly trained dog, and most people don't have a highly trained dog.

I am sorry that the gentleman from Eastport, Mr. Mills, has come down here and gotten so oriented that he listens to the department rather than the people he represents, because, I am sure — I am well acquainted in the Grand Lake Stream area and the area from which he comes and I know many people there that feel as strongly as I do about keeping this bear bounty. I hope this doesn't happen to a lot of you legislators. A lot of people come down here and they get so oriented and carried off with the goings on down here

that they get to believe these people and they forget about the people they are representing. This has never happened to me in all the years I have been here. I have never been carried away to that extent. I always return weekends and consult with the woman that I have lived with for a long time and also the people that I represent. So I never lose track of the people back home is what I am trying to tell you. I am sure this is a case this morning, or this man wouldn't have made this type of a motion.

I am not concerned with this piece of paper that Representative Cooney put around this morning. I seldom can agree with the man, although he may have some good ideas. I am not interested in what they do in Connecticut or Ohio or Michigan or Illinois or Idaho or any other state. I am interested in the people that I represent in an area north of Bangor.

I hope this motion doesn't carry, and if there is some way we could work out a compromise, I would even go so far as to tell you this morning that I believe it is not necessary to have a bounty on bobcats south of Bangor. As a matter of fact, I don't believe there are that many bobcats. They are not a nuisance in this area. I haven't seen one since I have been in Augusta around town anywhere. But I have seen a lot of people that are an authority on them around here, that knows all about them that has never seen one and never trapped one and doesn't know the habits of the animal, this is a common thing around these halls. But I happen to know about them, seen them, trapped them as a young man and only recently seen what they have done to our deer herd.

So what I am trying to tell you as briefly as I can is that if this bill could stay alive, I would be willing to amend it that this wouldn't take effect anything south of Bangor or in that general area, because we divided the state for hunting purposes and we can divide it for bobcat hunting.

Now, let me tell you another thing, this isn't bankrupting the state. This doesn't cost a lot of money. So they will say well, if you divide the state, you are going to have someone sneaking across and bring one across that was caught down in maybe Waterville or Kittery. So what? \$15. This wouldn't bankrupt the state either, but this would make people feel better, perhaps, if they accomplished something, that they had done something the department wanted or that some biologist from Vermont or Connecticut or Rhode Island or somewhere recommended. But I want to do what the people that we represent recommend. In my area they feel very strongly about this, very strongly, and in Mr. Mills area I am sure they feel just as strongly, unless he has got a biologist living there that maybe came from New York or Virginia. A lot of them come from Virginia, and the conditions are different down there. But I get my advice first hand and I hope you do, and if you do, this morning you will not pass the motion before the House. If you feel that strongly, we will amend the bill that it will be ineffective or we will not pay a bounty south of Bangor or south of Augusta or we won't pay one for the City of Augusta, say. That's where this thing seems to derive from, so we will save those people from paying a bounty from this area.

I do hope this morning that you listen to someone that knows something about the problem and I feel that I speak knowingly. I didn't get my information from a

biologist from the other department or any of these places and I hope you will be kind enough to keep the bill alive and not pass the motion before the House.

Mr. Rollins of Dixfield requested a vote.

The SPEAKER: The Chair recognizes the gentleman from Eastport, Mr. Mills.

Mr. MILLS: Mr. Speaker, Ladies and Gentlemen of the House: I am very much touched that Representative Dudley does care so much for me. It is amazing; I didn't know he had them kind of tendencies. But, nevertheless, what we are discussing here is a bounty on bobcat.

Now, I have always been an ardent supporter for the past ten years in this House to support the bounty on bobcat, but there is another reason which takes precedence here — that is the matter of money. Now, what we are attempting to do is to not take the bounty off the bobcat, and not put one on the coyote, because the financial status of the department is in pretty tough circumstances. There are other minor items that as time goes on we will have to consider seriously, and to keep the department on a financial feasible basis without going into the general fund is the prime reason for removing the bounty on bobcat.

They may say that this is a minor item or call it what you will, but it is an effort to balance out the feasible operation of this department on dedicated funds.

The SPEAKER: The Chair recognizes the gentleman from Livermore Falls, Mr. Lynch.

Mr. LYNCH: Mr. Speaker, Ladies and Gentlemen of the House: I would like to ask a question. The gentleman said he was going to save some money. Could we have the experience of the department over the last one, two or three years as to what it did cost?

The SPEAKER: The gentleman from Livermore Falls, Mr. Lynch, poses a question through the Chair to any member who cares to answer.

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

Mr. COONEY: Mr. Speaker, Ladies and Gentlemen of the House: This is a bill that I sponsored in the 105th Legislature as a freshman legislator, and I guess I have developed kind of a feeling for it in the last two terms. I am really very grateful for the good work that the Fisheries and Wildlife Committee has done on it.

In answer to the question about the cost, the cost has remained fairly constant over the last ten or so years, roughly \$8,000 to \$10,000 a year. Since the bounty has been in existence, just the bobcat bounty, it has cost the state about a half a million dollars. Now, that is over a lot of years, but it is also a lot of money.

Maine has just one bounty left on a wild animal. This legislature has had the wisdom to take the bounty off several other animals in past years, each time with no bad effects, each time with success.

Now, the fact is that our Department of Fish and Game now pays out a bounty of \$15 on each animal for a total of about \$10,000 a year. It is pure and simply a senseless waste of our money.

Now, it is fitting that as bounties are repealed across the nation, as they have been gradually abolished in our own state, that we complete the process this morning by removing the last bounty on our books.

The main thing that we should analyze as we talk today is the intent of a bounty. And if you haven't thought about it, you ought to think about what you put a bounty

on for. The main intent of a bounty is to decrease an animal population; that is the pure and simple fact. You want to decrease some animal population supposedly because it is undesirable. Well, on this point, I want you to ask yourself two questions. First of all, is the Maine bobcat an undesirable creature? Make that first determination. Well, my personal answer is, and I hope your answer, absolutely not, it is not an undesirable creature. He is desirable as a species just like any other; he is desirable as a natural predator and nobody seems to make that point. He is increasingly important to the sportsmen as a game animal. He is important to naturalists and in the most basic terms, he is a key part of the balance of nature. The answer to our first question is that the bobcat is not undesirable; he is a desirable animal.

Secondly, even if you disagree with me on whether or not the bobcat is desirable, we must also ask this question and the answer is most certainly clear. Is our bounty actually achieving its purpose of decreasing the bobcat population and thus helping the deer population? The answer here supported by years of Fish and Game Department figures, supported by all of the state-wide organizations representing thousands of people, which I passed out to you on your desks, supported by many other states who dealt with this bounty issue is no, the bounty does not achieve its purpose of reducing predator population or the impact. It is a failure and it should be repealed.

Now, these two points should be enough, but the volume of evidence to support the repeal of this bounty increases every year. The trend nationally and in Maine is to abolish bounties. In Maine, the last few years we have repealed the bounties on porcupine, on bear, both with good results. In fact, we are now killing more bear as a game animal than we ever killed when there was a bounty on it. People are paying big money to come in here and hunt game, whereas before it was a bounty hunters game. So, lets finish our work with the repeal of the bounty on bobcat.

Some would tell you that the bobcat kills deer, and they are absolutely right, and that we must protect the deer with a bounty on his natural predator. The fact is that bounties paid out for the last ten years indicate the same number of bobcats are killed and the deer population has gone up and down too during this period. Surely the bobcat is not the key problem for the deer population. If we were to have a bounty on an animal that hurts the deer population, it would have to be on the dog. And, I don't suggest that nor do I think any of you would. I don't think we should suggest having a bounty on the bobcat, certainly a lesser predator.

Now, if there is a specific local problem, as Mr. Dudley talks about in his area, a predator problem, then the answer that the Fish and Game Department here and across the country has, is that you need some kind of what they call bullseye control where a professional trapper, one of our Fish and Game Wardens goes in and eradicates a particular problem, but we don't need a statewide bounty on one of our natural species.

Maine is the only state in our region with a bounty. Our northern New England neighbors live well without a bounty, as I hope we will. But the fact that we are the only state makes us the victim for what the bounty hunters call bootlegged bobcat, in

other words, animals that are killed somewhere else and are brought in here to retrieve the bounty from our State Department of Fish and Game. It is a small problem, perhaps, but a needless one with repeal.

Now, here is the key point. The things that really control the populations of any species are natural things, food supply, cover, weather and the like. The bounty has little or nothing to do with it. The bounty has not reduced the number of bobcats and the bobcat is not a valid factor in the change in our deer population.

In closing, we can save our financially depressed Department of Inland Fish and Game about \$10,000 a year. We can today pass one of the few conservation measures that we will be likely to pass here this session.

And finally, we can save all Maine citizens a small but I think very real embarrassment of being one of the few states to bounty one of its valuable wild creatures.

The SPEAKER: The Chair recognizes the gentleman from Enfield, Mr. Dudley.

Mr. DUDLEY: Mr. Speaker and Members of the House: I regret that I feel so serious about this. I feel like saying something more than once. The gentleman from Sabattus, Mr. Cooney, has mentioned bullseye. We say bull-something-else, but I won't say it here.

But let me tell you a little bit about bounties, seeing as he wants to deal in bounties. We took away the bear bounties. In my area we have had a lot of problems since we did, and we have on the committee I serve on here in this House. I am on Legal Affairs. We have paid out more in bear damage to beehives alone than we did in bear bounty, and all the other damages that are caused by bear. So what you did when you took away the bears bounty, you merely shifted who pays, whether we pay it out of the general fund or we pay it out of the fish and game funds. So if you take note of the bee damage that has gone through here, just bee damage alone, we have one that I think is coming out of our committee unanimous "ought to pass," for \$1,500 down in the Ellsworth area. We have had several others, and you have let them go through. We had to pay these people because that is part of the agreement when we took away the bear bounty. This is an illustration of what goes on north of Bangor and in my area with the bear damage. We are not satisfied with it, the House decided to do away with it, and that was all right to do away with in Augusta, Lewiston, Portland, and probably in Waterville, but it wasn't a good deal where I come from.

The hedgehog bounty, we got off a little bit better. We did have a natural predator come along known as the fisher. They are a very vicious animal, and they have eaten most all the hedgehogs in the state. So we really don't need a hedgehog bounty because the fisher took care of it. But I don't know of anything that is coming along to eat up the bobcats, and so far we haven't found any predator that eats up the bear.

While I am on my feet, I can tell you that any game warden that could speak privately with you from my area would say, "My God, I wish you would keep the bounty." But he doesn't dare to say anything because he has been told not to by the department down here. The ones I think we should listen to is the warden that is on the force in the area and knows the damage. Every day on his beat he sees

how many of these animals or deer are being destroyed. But what he can't tell you or me, he is being dictated to down here. He will take you out in the back room and privately say, "Don't mention my name, but, boy, this is going to be trouble." I think there is something with a department that is being run that way. These people should be free to call you people up here and tell you what is going on in the area, but they are not free to do so. I can tell you that, too.

In closing, I want to tell you that so far we haven't found a predator that will eat up the bobcat, and we haven't found one that will eat up the bear. Until we do, I think we should keep the bear bounty, and regardless of what you hear, this bullseye stuff over there from Sabattus, we have got to go along and keep this.

The SPEAKER: The Chair recognizes the gentleman from Oakland, Mr. Carpenter.

Mr. CARPENTER: Mr. Speaker, Ladies and Gentlemen of the House: I rise to counter a point that was made. It seems to be that one of the reasons that this bill was put in was to save the department that it came from some money.

I sat on a committee at a public hearing last week for a little over an hour and heard this same department come in and ask for a very superficial name change, simply because some people in the state and around the country were upset with the word "game." I am not sure what the status of this bill is right now, but you will be seeing it around. This bill alone will cost a considerable amount of money, in my opinion. We had no fiscal note on the bill, so I don't have any firm figures.

When you drive down the street here and you look at the big sign that says "Department of Inland and Fisheries and Game" that will have to be replaced. How many wardens do you know that have a patch on their shoulders that is going to have to be replaced? And many other things are involved in just a very simple name change. This is a bill that I have used as an example to some of my constituents back home. They think, you know, it is a very simple thing and should take very little time. This is a bill that I have used to explain to some of the people back home exactly what is involved in some of these things.

So if the department comes in and says they want to remove the bounty on bobcats, I think perhaps they should re-examine the direction that they are using some of their funds in at the present time. Perhaps we could keep the bounty on if we could keep the name what it is now.

The SPEAKER: The Chair recognizes the gentleman from Franklin, Mr. Conners.

Mr. CONNERS: Mr. Speaker, Ladies and Gentlemen of the House: I would like to bring out what testimony was brought into the committee hearing on this bill. They testified that the hunters took less than half of the bobcat that were taken. This leaves the rest to be taken by the trapper. As long as the price of long haired fur stays up, which has only been two years in the last 15 or 20, without the bounty the trapper would never bother to trap bobcat. Therefore, the hunter is only taking about half, less than half, of the population of the bobcat. This leaves the other 400 to 450 animals that won't be bothered with by the trapper, and perhaps the hunter will take a few of those.

But in economics, when they get into this, the Department of Inland Fish and

Game figures that each deer is worth \$300, how many deer will the bobcat have to kill to come up to approximately \$9,000? Very few.

Last weekend, when I was fishing Sunday, we came across a small lamb deer that had been killed by bobcat right on the shore of the lake just inside into the cedar. This is just one that we saw. You follow your old cat hunters down through eastern Maine, Washington and Hancock Counties, and there are a number of deer killed by bobcats. True, we are not reducing the population of the animal, but the animal isn't increasing to kill more deer by keeping the bounty on.

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

Mr. CALL: Mr. Speaker and Members of the House: I am surprised that this bill is back after the trouncing it received during the 105th Legislature. During the 106th Legislature, there was a bill calling for a bounty on dogs. Fortunately it failed of passage. The coyote bounty bill is back, and although a similar bill was defeated during the 106th Legislature, this one may pass, the gentleman from Sabattus notwithstanding.

The SPEAKER: A vote has been requested. The pending question is on the motion of the gentleman from Eastport, Mr. Mills, that the House accept the Majority "Ought to pass" Report on Bill "An Act to Repeal the Bounty on Bobcats," House Paper 287, L. D. 339. All in favor of that motion will vote yes; those opposed will vote no.

A vote of the House was taken.

85 having voted in the affirmative and 31 having voted in the negative, the motion did prevail.

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

Divided Report

Majority Report of the Committee on Fisheries and Wildlife reporting "Ought to Pass" on Bill "An Act Relating to the Use of Leg Hold Traps under the Inland Fish and Game Law" (H. P. 400) (L. D. 489)

Report was signed by the following members:

Messrs. PRAY of Penobscot
GRAFFAM of Cumberland
— of the House

Messrs. CHURCHILL of Orland
TOZIER of Unity
USHER of Westbrook
MacEACHERN of Lincoln
DOW of West Gardiner
KAUFFMAN of Kittery
WALKER of Island Falls
MARTIN of St. Agatha
MILLS of Eastport

— of the House.

Minority Report of same Committee reporting "Ought Not to Pass" on same Bill.

Report was signed by the following members:

Mr. McNALLY of Hancock
— of the Senate.
Mr. PETERSON of Caribou
— of the House.

Reports were read.

On motion of Mr. Mills of Eastport, the Majority "Ought to pass" Report was accepted.

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

Consent Calendar First Day

In accordance with House Rule 49-A, the

following items appear on the Consent Calendar for the First Day:

Bill "An Act Enabling Classification of Residents of State Institutions as Resident Pupils" — Committee on Education reporting "Ought to Pass" (S. P. 143) (L. D. 507)

Bill "An Act Relating to Animal Welfare" — Committee on Agriculture reporting "Ought to Pass" as amended by Committee Amendment "A" (S-17) (S. P. 48) (L. D. 129)

Bill "An Act Relating to the Use of Colored Lights on Certain Fire and Emergency Vehicles" — Committee on Transportation reporting "Ought to Pass" (H. P. 411) (L. D. 499)

Bill "An Act Providing for the Designation of Anatomical Gifts on Motor Vehicle and Motorcycle Operators' Licenses" — Committee on Judiciary reporting "Ought to Pass" as amended by Committee Amendment "A" (H-51) (H. P. 102) (L. D. 109)

Bill "An Act to Protect Physicians Engaged in Peer Review" — Committee on Judiciary reporting "Ought to Pass" as amended by Committee Amendment "A" (H-50) (H. P. 174) (L. D. 204)

No objections being noted, the above items were ordered to appear on the Consent Calendar of March 7 under listing of Second Day.

Consent Calendar Second Day

In accordance with House Rule 49-A, the following items appear on the Consent Calendar for the Second Day:

Bill "An Act Requiring Security Deposits for Insurance Companies Transacting Business in Maine" (C. "A" H-43) (H. P. 276) (L. D. 329)

Bill "An Act to Clarify the Laws of the Passamaquoddy Tribe of Indians" (C. "A" H-44) (H. P. 279) (L. D. 331)

Bill "An Act to Allow Municipalities to Permit the Sale of Malt Liquor in All Restaurants, Class A Taverns and Taverns on Sunday" (C. "A" H-45) (H. P. 338) (L. D. 421)

Bill "An Act to Repeal Provisions Against Obstructions in Windows of Malt Liquor Licensed Restaurants" (H. P. 313) (L. D. 386)

Bill "An Act Creating the New Portland Water District" (Emergency) (H. P. 359) (L. D. 456)

Bill "An Act to Revise the Statutes Concerning the Board of Bar Examiners" (S. P. 123) (L. D. 409)

Bill "An Act to Clarify Questions on Local Option Under Liquor Law" (S. P. 79) (L. D. 219)

Bill "An Act Increasing the Authorized Indebtedness of the Lincoln Water District" (Emergency) (C. "A" H-48) (H. P. 466) (L. D. 568)

Bill "An Act to Eliminate the 10-day Advance Notice Requirement on License Applications to Sell Liquor at Certain Gatherings" (S. "A" S-15) (S. P. 102) (L. D. 357)

No objections having been noted at the end of the Second Legislative Day, the Senate Papers were passed to be engrossed in concurrence, and House Papers were passed to be engrossed and sent to the Senate for concurrence.

On motion of Mr. McKernan of Bangor, the House reconsidered its action of earlier in the day whereby Bill "An Act to Clarify the Definition of Homestead under the Elderly Householders Tax and Rent

Refund Act," House Paper 762, was referred to the Committee on Taxation.

On further motion of the same gentleman, tabled pending reference and specially assigned for Tuesday, March 11.

On motion of Mr. McKernan of Bangor, the House reconsidered its action of earlier in the day whereby Bill "An Act to Increase the Income Limits under the Elderly Householders Tax and Rent Refund Act," House Paper 763, was referred to the Committee on Taxation.

On further motion of the same gentleman, tabled pending reference and specially assigned for Tuesday, March 11.

Second Reader Tabled and Assigned

Bill "An Act Relating to Experimental Signs at Railroad Crossings" (Emergency) (S. P. 109) (L. D. 363)

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

(On motion of Mr. Rolde of York, tabled pending passage to be engrossed and tomorrow assigned.)

Passed to Be Engrossed

Bill "An Act to Remove the Restriction Concerning the Tenure of Hairdressing Members of the Board of Cosmetology" (H. P. 750) (L. D. 861)

Bill "An Act Establishing a Symbol to Indicate Buildings and Facilities Accessible to Handicapped and Elderly Persons" (H. P. 749) (L. D. 860)

Bill "An Act to Allow Class A Restaurants Issued a Special Amusement Permit by the State Liquor Commission to Charge Admission in Designated Areas" (H. P. 390) (L. D. 482)

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

Bill "An Act Authorizing the Department of Environmental Protection to License Privately-owned Septic Waste Disposal Sites" (Emergency) (H. P. 154) (L. D. 209) (C. "A" H-47)

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

On motion of Mr. Dam of Skowhegan, the House reconsidered its action of yesterday whereby Committee Amendment "A" (H-47) was adopted.

The same gentleman offered House Amendment "A" to Committee Amendment "A" and moved its adoption.

House Amendment "A" to Committee Amendment "A" (H-53) was read by the Clerk.

The SPEAKER: The Chair recognizes the gentleman from Skowhegan, Mr. Dam.

Mr. DAM: Mr. Speaker, Ladies and Gentlemen of the House: The reason for presenting this amendment is, if you would look at L. D. 209 and read in here "whereas the operation of those sites cannot be licensed under present provisions of Maine law" and then it goes on with the rest of the language in the bill, well, what I would like to point out to the House, and mainly as a matter of record, is that even though the Department of Environmental Protection, according to this bill, did not have the right to license and approve sites, they have been doing this in many, many of the municipalities across this state.

The other thing I would like to point out and have in the record is that when the municipal officers of these municipalities

call the Department of Environmental Protection, they receive no answer. When they wrote to the department, they received no answer also.

The other thing I want the record to show is that when I called the department, I was told that it was none of my business where the site was going to be located in my municipality or any other municipality, that if I wanted to find out where it was, I could find out on my own. I do not believe this is the way a state agency ought to operate. I feel that the selectmen or the councilmen, aldermen, whatever you might have, should have a right to decide or have a little input on what is on in their municipalities. No state agency, regardless, should come into that town, city, and tell these people what is going to be shoved down their throats, especially when it was in violation of the law to begin with.

What this amendment to the committee amendment does is to allow for those municipalities that already have sites approved by the Department of Environmental Protection, even though they had no right to do it, it allows the municipalities, the municipal officers, to review those applications for their approval or disapproval. I hope the amendment receives passage.

The SPEAKER: The Chair recognizes the gentleman from Kittery, Mr. Kauffman.

Mr. KAUFFMAN: Mr. Speaker and Members of the House: I agree with Representative Dam on this one hundred percent. I, too, have gone through this hassle with the Department of Environmental Protection to get a man to even come and look over the site for a septic tank disposal. I think the learned gentleman from Skowhegan has expressed my views, and I hope you will vote to approve the amendment.

The SPEAKER: The Chair recognizes the gentleman from Windham, Mr. Peterson.

Mr. PETERSON: Mr. Speaker, Ladies and Gentlemen of the House: When this bill originally came before the committee, it did not provide for municipal review; it only provided for DEP consideration. The committee in its wisdom felt that the municipal officials should have some input and, in fact, veto power whether or not a private septic tank disposal site should be allowed. Therefore, we included the language that would include municipal review, because I feel that the department can come in for enough criticism on its own without getting into an area that is extremely controversial.

I concur with the amendment that Representative Dam of Skowhegan has sponsored. It allows municipalities that have already had private disposal sites licensed by DEP a time to review that site and if they disapproved, they can do away with that site. What the law states is that each municipality shall provide, and what we have found in some municipalities is that some town officials or city officials have not provided an adequate dumping site, which is at a great cost to the consumer, homeowner, who has to have his tank pumped out and needless to say, it has been carried for miles and miles and you pay the mileage wherever that is dumped. This should provide an opportunity for more communities to have more dumping sites. If municipalities don't license or don't approve dumping sites, the Natural Resources Committee will consider in the Special Session a

penalty provision which will mandate that municipalities provide a dumping site.

I would concur and hope that you would support this amendment.

The SPEAKER: The Chair recognizes the gentleman from Woolwich, Mr. Leonard.

Mr. LEONARD: Mr. Speaker, Ladies and Gentlemen of the House: I want to point out a clarification, because our town ran into this before in years past, that there is now a penalty for dumping sites or at least there is a permit required because it comes under another law and that is the — I have forgotten the exact terminology — but it has to do with junk cars and waste disposal areas, and it requires that you have a public meeting in the town, the same as you would if you were asking for a junkyard permit. It is up to the local authorities whether they, in fact, issue that permit. If they choose not to, then the dumping site is not permitted.

The SPEAKER: The Chair recognizes the gentleman from Skowhegan, Mr. Dam.

Mr. DAM: Mr. Speaker, Ladies and Gentlemen of the House: The previous speaker mentioned another section of the law which related to junk cars. That is under the Nuisance Law; it is also spelled out in the same section of the statute, "dilapidated buildings and dangerous situations," but that part of the law is very vague. I doubt very much, and I cannot speak for the cities because cities operate under charters, very few of the 413 municipalities in this state operate under charters — there are few — there are more coming into existence every year but still your small towns like to retain, the people like to retain that feeling that they have control over a town government and not put some of this stuff into a charter that has been suggested. If they do not have a charter provision that has been reviewed by the court, it is almost impossible to get a conviction under the section of the statutes relating to public nuisances.

Since the gentleman mentioned junk cars, which has nothing to do with this, but he referred to that section, the court in my district just throw these out because of the statute being so gray in that area.

I do want to commend the committee for putting this amendment in and also there is section in the statutes now in Title 30, Section 4104, that says each municipality shall provide, but as Mr. Peterson says, the Representative, that it may be necessary to write a little penalty in here in the Special Session to make some of these municipalities get off their duff and do what they are supposed to do, because they have been holding up.

My own belief on this is that we need this in the law because going back to the existing laws in the existing section, there is so much gray matter there that has to be ironed out in the future that this would eliminate the gray matter entirely.

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

Mr. SPENCER: Mr. Speaker, Ladies and Gentlemen of the House: I would like to pose a question through the Chair to anyone who might be able to answer it with reference to Committee Amendment "A". It says, "Before making application to the Department of Environmental Protection for approval of any site, such persons shall first have the written approval for the site location from the municipality in which it is located." My question is whether that shouldn't be municipal officers and

whether if you use the word municipality, it might require a vote of the town. I don't know the answer to that.

The SPEAKER: The gentleman from Standish, Mr. Spencer, poses a question through the Chair to anyone who might wish to answer.

The Chair recognizes the gentleman from Skowhegan, Mr. Dam.

Mr. DAM: Mr. Speaker, Ladies and Gentlemen of the House: This may require some research, but it is my personal opinion that this would not require a municipal vote, because going back to Title 30, it is spelled out quite well what the municipal officers can do, and this is actually a public safety, public health thing. And even going back into the section governing your town health officer appointed, I think that there is enough authority there. The question also asked this morning by one Representative, shouldn't there be a time limit for the review, and my answer was, no, I didn't think it was necessary because, again, Mr. Peterson asked this question, that I don't think it is necessary because there is enough in Title 30 as far as municipalities are concerned when you look at the provisions set up and the mechanism for board of appeals to check on when you have been denied an approval of something, there is also enough of a precedent set up in the various ordinances as far as the time limit your municipal officers have to review it, so I didn't think it was necessary for that time limit at all, no more than I think it is necessary to say "municipal officers" here.

Thereupon, House Amendment "A" to Committee Amendment "A" (H-3) was adopted.

Committee Amendment "A" as amended by House Amendment "A" thereto was adopted.

The Bill was passed to be engrossed as amended and sent up for concurrence.

Bill "An Act Eliminating the Need for a License to Sell Prophylactic Rubber Goods" (H. P. 262) (L. D. 309)

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

Mr. DeVane of Ellsworth offered House Amendment "A" and moved its adoption.

House Amendment "A" (H-52) was read by the Clerk.

The SPEAKER: The Chair recognizes the gentleman from Ellsworth, Mr. DeVane.

Mr. DeVANE: Mr. Speaker, Ladies and Gentlemen of the House: The subject matter of L. D. 309 for licensing of the sale of these particular items came from the Maine Management and Cost Survey. Page 135, item 30, recommended that the State Legislature eliminate the requirement for a license to sell prophylactic rubber goods. Fees generated from the sale of these licenses amount to no less than \$500 annually. Services are not rendered and no inspection control is performed. Elimination of the requirement of a license will rectify a situation and will move an obsolete function from the bureau. Acting on this suggestion, the State Department of Health and Welfare drafted a bill repealing the licensing requirement. A license has been required for several decades — I believe back in the 20's. To get a license, one had to operate a pharmacy. The plain and simple fact is that wholesalers have been selling these items in this state since about 1945 to any buyer

who wished to buy them and they are available everywhere.

The Committee on Business Legislation unanimously denied a request to withdraw L. D. 309, because the committee unanimously felt that the licensing of these items was superfluous, their quality was controlled by the federal government and the licensing requirements should be done away with. It is a farce, but to simply do as the bill suggests, dispense with the licensing requirement, would provide that any vendor, any seller, in any circumstance, in any situation they wished, might sell these goods, and perhaps they should.

This amendment is suggested for one thing, for the sensibilities of a great many people who prefer not to see these items publicly displayed — would rather not be confronted with them. If you have been in states and jurisdictions where they are ubiquitous, it seems to me that they can be ubiquitous without being conspicuous, and it does nobody any harm.

I direct your attention, notwithstanding the official document I have in my pocket designating me as prude of the year. I assure you that I will be willing to discuss this in great detail at any level with anybody who cares to engage, but I would rather not — but I will.

This amendment would place a single limitation on the sale of rubber prophylactic goods in this state. It says, "No retail seller except a pharmacy of sanitary or prophylactic rubber or other articles for the prevention of venereal disease shall publicly display such articles. Such articles may be sold by vending machines in restrooms in buildings." That was the concession to people who feel that the traumatic experience of an adolescent is an overwhelming consideration. It seems to me that adolescents can promote anything they wish. For some reason they manage to get hold of most goods, and I seriously do not entertain the argument that there is a desirous adolescent in this state who cannot avail themselves to these items. However, the amendment would allow the sale by a seller in vending machines. It would allow their sale anywhere, but to public display only in pharmacies.

The SPEAKER: The Chair recognizes the gentlewoman from Freeport, Mrs. Clark.

Mrs. CLARK: Mr. Speaker, Ladies and Gentlemen of the House: I would ask for a ruling from a Chair relative to the germaneness of the amendment which has been presented by the gentleman from Ellsworth, Mr. DeVane.

The SPEAKER: The Chair would rule that the amendment is not germane. The original bill deals with the need to sell; the amendment deals with the need of sales. Therefore, the amendment is not entertained.

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

Mr. LOVELL: Mr. Speaker, Ladies and Gentlemen of the House: I would move indefinite postponement of this bill and all its accompanying papers and would speak briefly to that motion.

The SPEAKER: The gentleman from Sanford, Mr. Lovell, moves that this bill and all its accompanying papers be indefinitely postponed and the gentleman may proceed.

Mr. LOVELL: Mr. Speaker, Ladies and Gentlemen of the House: When I entered this bill, I didn't realize that it would cause

so much difficulty and consternation and grievance and cause me so much embarrassment, not only from the Pharmaceutical Association but also from the Department of Health.

If you postpone this bill, only for a few months, in the Special Session in September, which I am sure we will have, we will enter another bill which will be satisfactory to this entire membership. If you postpone this bill now, it is not going to hurt anything. This law has been in effect for 25 or 30 years. There is not going to be any shortage of the product. There is not going to be any increase in price and no inflation, but it will take some money away from the state. The new bill which will be presented in September will increase the state's take five times to what it gets now, which is certainly worthwhile.

I would request a division. Not to belabor this point, but I would appreciate it very much if you would relieve me from having this bill. I asked Leave to Withdraw, but the committee seemed to like the bill and the chairman of the committee didn't want to withdraw it, but I would like to indefinitely postpone it now and I thank you very much.

The SPEAKER: The Chair recognizes the gentlewoman from Newcastle, Mrs. Byers.

Mrs. BYERS: Mr. Speaker, Ladies and Gentlemen of the House: I feel that we must defend this bill as a good bill. It came out of our committee and everybody thought the bill should pass. We all, without going into it in great detail and without stretching it out of proportion — I would like to say that every member of the committee thought this was a good bill. We all favored it and we hope that it will pass and you will not vote for indefinite postponement.

The SPEAKER: The Chair recognizes the gentleman from Dexter, Mr. Peakes.

Mr. PEAKES: Mr. Speaker, Ladies and Gentlemen of the House: I voted on the majority "ought to pass" on this bill. After much soul-searching, I felt that the advantages of preventing venereal disease and other diseases far outweighed the problems of having these things out to the immediate eye, and I strongly hope that we keep this bill and it is passed.

The SPEAKER: The Chair recognizes the gentleman from Enfield, Mr. Dudley.

Mr. DUDLEY: Mr. Speaker, Ladies and Gentlemen of the House: I hope this bill passes. This will only correct something that has been going on all my lifetime. It has been a well known fact that you can purchase this item at almost any filling station and they have to be a little bit secluded about it because it is violating the law. I see no reason for them to violate the law. This bill should pass and they wouldn't have to.

I want to tell you that the Department of Health and Welfare feels so strongly about these that you don't really have to buy them, they will give you all you want. They have a very good variety. They give them through the family planning, so the purchase of them is not that severe. But I do think we should pass the bill and made them readily available, then the people who sell them will no longer have to violate the law. You might not have known that but it is a fact. They feel they want to make them readily available to the extent that they furnish them free.

I hope the bill passes. A lot could be said about this bill but it would only be a joking matter. For the druggist to control it a hundred percent, I don't think it is right,

and I think this bill will make them readily available. There is still a need for them, even with the pill.

Mr. Farnham of Hampden moved the previous question.

The SPEAKER: For the Chair to entertain a motion for the previous question, it must have the expressed desire of one third of the members present and voting. All those in favor of the Chair entertaining the motion for the previous question will vote yes; those opposed will vote no.

A vote of the House was taken, and more than one third of the members present having expressed a desire for the previous question, the motion for the previous question was entertained.

The SPEAKER: The question now before the House is, shall the main question be put now? This question is debatable for five minutes by any member. Is it the pleasure of the House that the main question be put now. All in favor will vote yes; those opposed will vote no.

A vote of the House was taken. 115 having voted in the affirmative and 11 having voted in the negative, the main question was ordered.

The SPEAKER: The pending question is on the motion of the gentleman from Sanford, Mr. Lovell, that this bill and all accompanying papers be indefinitely postponed. All in favor of that motion will vote yes; those opposed will vote no.

A vote of the House was taken. 41 having voted in the affirmative and 96 having voted in the negative, the motion did not prevail.

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

Passed to Be Enacted Emergency Measure

An Act to Clarify the Powers of Kittery Water District (H. P. 164) (L. D. 210)

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. 135 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Orders of the Day

Mr. Dam of Skowhegan presented the following Order and moved its passage:

WHEREAS, it appears to the House of Representatives of the 107th Legislature that the following are important questions of law and that the occasion is a solemn one; and

WHEREAS, it is the desire of the 107th Legislature to enact legislation with regard to the fiscal responsibilities of the counties and of the Legislature with respect to the counties; and

WHEREAS, there is pending before the House of the 107th Legislature a Bill entitled "An Act to Repeal Specific Line Category Costs with Regard to County Budgets," House Paper No. 805, Legislative Document No. ; and

WHEREAS, it is important that the Legislature be informed as to the answers to the important and serious legal questions hereinafter raised; now, therefore, be it

ORDERED, that the Justices of the Supreme Judicial Court are hereby respectfully requested to give to the House, according to the provisions of the

Constitution on its behalf, their opinion upon the following questions, to wit:

QUESTION NO. I:

Is Title 30 M.R.S.A. §253-A entitled "specific line categories" null and void because it is inconsistent with the powers and authority given to the county commissioners by statute, to manage the affairs of the county?

QUESTION NO. II:

If Title 30 M.R.S.A. §253-A is affirmed by the court as being in full force and effect, may the county commissioners of all counties borrow, within the authorizations given by the Legislature in Title 30 M.R.S.A. §404 and Title 30 M.R.S.A. §407, to keep the county in operation within the provisions of the law?

QUESTION NO. III:

If Title 30 M.R.S.A. §253-A is voided by the court, may the county commissioners of all counties borrow, within the authorizations given by the Legislature in Title 30 M.R.S.A. §404 and Title 30 M.R.S.A. §407, to keep the county government operating within the provisions of the law, regardless of the limitations set by the commissioners in their budgets?

QUESTION NO. IV:

If Title 30 M.R.S.A. §253-A is affirmed by the court as being in full force and effect, are the county commissioners of all counties liable under Title 30 M.R.S.A. §59 or any other statutes or legal precedents for failure to properly manage county affairs?

QUESTION NO. V:

If Title 30 M.R.S.A. §253-A is affirmed by the court as being in full force and effect, are the county commissioners of each county responsible to the Legislature and not directly to the people who elect them for the manner in which they discharge their duties?

QUESTION NO. VI:

Must any changes in specific line categories of the county budget be made at or immediately subsequent to the public hearing held thereon and are the provisions of Title 30 M.R.S.A. §252 which states that "... the county tax for both said years shall be granted by the Legislature. ..." to be construed as being mandatory and not permissive?

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

On motion of Mr. Birt of East Millinocket, tabled pending passage and tomorrow assigned.

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

Joint Order Relative to Legislative Council Study Distribution of Social Service Funds. (S. P. 180) — In Senate, read and passed as amended by Senate Amendment "A" (S-14)

Tabled — March 4, by Mr. Rolde of York Pending — Adoption of Senate Amendment "A"

On motion of Mr. Rolde of York, retabled pending the adoption of Senate Amendment "A" and specially assigned for Tuesday, March 11.

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

House Order, Relative to Amending House Rule 10 (Jalbert)

Tabled — March 5, by Mr. Rolde of York Pending Passage

The SPEAKER: The Chair recognizes the gentleman from York, Mr. Rolde.

Mr. ROLDE: Mr. Speaker and Members of the House: I tabled this item the other

day. We have had considerable discussion over this House Order for amending House Rule 10. It is my understanding that the gentleman from Lewiston, Mr. Jalbert, is going to offer another order concerning House Rule 10, that will try a slightly different approach than in his first order. So I, therefore, move the indefinite postponement of this particular order.

Thereupon, on motion of Mr. Rolde of York, the Order was indefinitely postponed.

Mr. Jalbert of Lewiston presented the following Order and moved its passage:

ORDERED, that House Rule 10 be repealed and the following enacted in place thereof:

10. When two or more members rise at the same time, the Speaker shall name the person to speak; in other instances, the Speaker shall recognize the member who shall rise first and address the chair.

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

Pursuant to House Rule 54, tabled pending passage and tomorrow assigned.

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

House Order, Relative to Amending House Rule 10 (Palmer)

Tabled — March 5, Pursuant to House Rule 54

Pending — Passage

The SPEAKER: The Chair recognizes the gentleman from Nobleboro, Mr. Palmer.

Mr. PALMER: Mr. Speaker and Members of the House: I will move to kill this order, but I would like to first of all speak briefly to it.

I think my opposition to the original change the gentleman from Lewiston made to House Rule 10 should be explained. First of all, I would like to say it had nothing to do with my respect for and the integrity of the present Speaker of the House, for whom I do have great respect, and I feel is eminently fair, nor does it have anything to do with any prior Speaker of the House I have ever served under. So it is not really empirical at all, it is philosophical, it's apprehensive.

I want to say that the new order which the gentleman from Lewiston, Mr. Jalbert, is putting down now could be accepted, because basically it is the same thing we have in House Rule 10 at the very moment.

My objection to the original one which, as you recall, deleted the last sentence, but in all cases the member who shall rise first and address the Chair first shall speak.

My objection there was the point that in effect we did that we denied anyone the right of an appeal should they speak to the Chair and not be recognized. Most all parliamentary law is made to protect a minority. In this particular case I am not talking about the minority Republican party in this House, the minority Democratic party of another House, I am talking about minorities within our parties, minority views which are philosophical, minority views in many ways. I am sure that there could be an occasion in the future when someone could, some tyrannical person could, because of race, color, creed, bias or prejudice deny someone the right to speak, so that was my opposition. It still would be my opposition to such an order. I want to say, too, that I feel that in this day when we are all promoting openness in government, when we are asking our committees to open their

doors and let the light of sunshine come in and let all of our people be heard, that we should also let them be heard here on the floor of the House. So I do accept the new order which the gentleman from Lewiston, Mr. Jalbert, has entered, but certainly would reject, dreadfully, the one that he put in in the first place.

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

Mr. JALBERT: Mr. Speaker and Members of the House: I am delighted that my very, very, very dear friend from Nobleboro, Mr. Palmer, finally sees the light, and I would just like to throw a little more light on the subject, that if he would join me and go down into the library he can find the same thing I found in Mason's which I think is the best, and I think the learned gentleman from Nobleboro, Mr. Palmer, will agree with me supersedes Reed's or Robert's or Cushing's. I believe in Mason's and it says, "The rules of the House of Representatives leaves all questions of order to the Speaker of the House subject to an appeal." Now, that is the rule, those are the rules, and whatever he would rule I can stand here and take an objection to it and I can bring it to the Maine Supreme Court if I want to. I know that you have got to learn something everyday and I know from these words the gentleman from Nobleboro has learned something. I don't care if he wants to argue it all day long, I don't fight the rules I live by them, and I go along to indefinitely postpone this order.

The SPEAKER: The Chair recognizes the gentleman from Nobleboro, Mr. Palmer.

Mr. PALMER: Mr. Speaker, Ladies and Gentlemen of the House: I would like to answer the lovable gentleman from Lewiston in just one moment. I would simply say that I do appreciate all the lessons he teaches me. This one here, however, is a new one, because this rule today which was introduced is identical to the rule which it is replacing.

The SPEAKER: The Chair recognizes the gentleman from York, Mr. Rolde.

Mr. ROLDE: Mr. Speaker, Ladies and Gentlemen of the House: I believe that House Rule 54 prevents us from discussing this second order that has just been put in. I would take issue with the gentleman in the other corner. I will do that tomorrow when it is proper to debate this second order.

Thereupon, on motion of Mr. Palmer of Nobleboro, the Order was indefinitely postponed.

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

Mr. KELLEHER: Mr. Speaker, is the House in possession of L. D. 525?

The SPEAKER: The Chair would answer in the affirmative. It is House Paper 431, L. D. 525, An Act relating to Fines, Suspensions and Revocations Levied by the Harness Racing Commission. The Chair recognizes the gentleman from Bangor, Mr. Kelleher.

Mr. KELLEHER: Mr. Speaker, as I understand the position of the bill right now, it is up for enactment, and I so move.

Thereupon, the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

(Off Record Remarks)

The SPEAKER: The Chair recognizes the gentlewoman from Madison, Mrs. Berry.

Mrs. BERRY: Mr. Speaker, Ladies and Gentlemen of the House: I think you have seen on your desks this morning notes from Ed Pert. I would like to refer to them although I don't know if it was intentional or not as Mr. Pert was not in the House last year when the ERA was taken up, but I would like to refer to a paragraph there that says who is on the statue of the Dome. In regards to this information it is interesting to note the figure on the dome of this building is a woman and a symbol of wisdom no less. As the majority of this body last year voted for ERA, including the men which are a majority of about 10 to 1, we should expect an order immediately demanding that there be placed along side of this wise female, a male, so that there would be equality on the dome of the capitol. It should, of course, be no less than 12 feet high and no less than 15 feet with its arms extended to help this woman carry the torch. It should be also noted that this woman has been on this dome since 1911. Where have you men been?

Mr. Mills of Eastport, was granted unanimous consent to address the House.

Mr. MILLS: Mr. Speaker, Ladies and Gentlemen of the House: As you know, I am your House Chairman on Inland Fish and Game. Now, I don't see any need for Representative Carpenter from Houlton to apologize for what he said here on the floor of the House this morning. I think what he said was germane to the subject. I think what he said was very tight to the question, and I don't think that any member of this House that is new to the House should want to apologize for the remarks they make. I invite competition in my committee.

(Off Record Remarks)

The SPEAKER: The Chair recognizes the gentleman from York, Mr. Rolde.

Mr. ROLDE: Mr. Speaker, Ladies and Gentlemen of the House: I would like to direct the attention of the House to Item 1 under "unassigned matters" at the end of your House Advance Journal and Calendar. This is a House Report from the Committee on State Government that I tabled on January 30th, and it deals with a constitutional amendment proposing single member districts for the House of Representatives. The reason that I tabled it on January 30th, and it has been held so long was the need to amend various provisions in the constitutional amendment. It has taken quite sometime to prepare that amendment. You may notice that amendment now is ready and is on your desks. Therefore, for purposes of debating this entire matter, I would now move that this matter be removed from the table.

Thereupon, the following unassigned matter was taken from the table:

House Report "Ought to Pass" as amended by Committee Amendment "A" (H-6), from the Committee on State Government on Resolution, Proposing an Amendment to the Constitution to Provide Single Member Districts for the House of Representatives. (H. P. 19) (L. D. 27)

Tabled January 30, by Mr. Rolde of York.

Pending Acceptance of Report. Thereupon, the Report was accepted and Resolution read once. Committee Amendment "A" (H-6) was read by the Clerk.

The SPEAKER: The Chair recognizes the gentleman from York, Mr. Rolde.

Mr. ROLDE: Mr. Speaker, because

Committee Amendment "A" is incorporated in the amendment that we will discuss, I now move the indefinite postponement of Committee Amendment "A".

Thereupon, on motion of Mr. Rolde of York, Committee Amendment "A" was indefinitely postponed.

The Resolution was assigned for second reading tomorrow.

The SPEAKER: The Chair would appoint the following members to attend the funeral of Rodney Ross, Jr., tomorrow at ten o'clock:

HENNESSEY of Bath
GOODWIN of Bath
LEONARD of Woolwich
CHONKO of Topsham
LEWIN of Augusta
PALMER of Nobleboro
DAM of Skowhegan
BIRT of East Millinocket
FARNHAM of Hampden
JALBERT of Lewiston
FINEMORE of Bridgewater
MARTIN of Eagle Lake

On motion of Mrs. Goodwin of Bath, in memory of Rodney E. Ross, Jr., the House stood adjourned until twelve o'clock noon tomorrow.