

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 Seventh
Legislature*

OF THE

STATE OF MAINE

1975

KENNEBEC JOURNAL
AUGUSTA, MAINE

HOUSE

Friday, April 4, 1975

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

Prayer by the Rev. John W. Mingus of Cherryfield.

The journal of yesterday was read and approved.

Papers from the Senate

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

Reports of Committees Ought Not to Pass

Report of the Committee on Local and County Government reporting "Ought Not to Pass" on Bill "An Act Concerning Paid Vacations and Sick Leave of County Employees" (S. P. 250) (L. D. 822)

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

Leave to Withdraw

Committee on Local and County Government reporting Leave to Withdraw on Bill "An Act Concerning Court Holidays and the Closing of Public Offices in County Buildings on Court Holidays" (S. P. 251) (L. D. 823)

Came from the Senate read and accepted.

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

Referred to Fisheries and Wildlife

Committee on Local and County Government on Bill "An Act to Prevent Hunting in Areas Near Dumps in Unorganized Territories and Plantations of the State" (S. P. 205) (L. D. 695) reporting that it be referred to the Committee on Fisheries and Wildlife

Came from the Senate with the Report read and accepted and the Bill referred to the Committee on Fisheries and Wildlife.

In the House, the Report was read and accepted and the Bill referred to the Committee on Fisheries and Wildlife in concurrence.

Ought to Pass in New Draft

Committee on State Government on Bill "An Act to Require Public Hearings on Appointments of Commissioners and Department Heads" (S. P. 45) (L. D. 97) reporting "Ought to Pass" in New Draft under New Title Bill "An Act to Require Public Hearings on the Appointments of Departmental Commissioners" (S. P. 429) (L. D. 1377)

Came from the Senate with the Report read and accepted, and the New Draft passed to be engrossed.

In the House, the Report was read and accepted in concurrence, the New Draft read once and assigned for second reading the next legislative day.

Ought to Pass with Committee Amendment

Committee on Appropriations and Financial Affairs reporting "Ought to Pass" as amended by Committee Amendment "A" (S-42) on Bill "An Act Providing Funds for Treatment of Cystic Fibrosis" (S. P. 126) (L. D. 412)

Came from the Senate with the Report read and accepted and the Bill passed to be engrossed as amended.

In the House, the Report was read and accepted in concurrence, Committee Amendment "A" (S-42) was read by the

Clerk and adopted in concurrence and the Bill assigned for second reading the next legislative day.

Non-Concurrent Matter

Bill "An Act to Amend the General Assistance Laws" (H. P. 1032) (L. D. 1320) which was referred to the Committee on Health and Institutional Services in the House on March 21.

Came from the Senate referred to the Committee on Appropriations and Financial Affairs in non-concurrence.

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

Non-Concurrent Matter

Bill "An Act to Redirect the Use of Plumbing Permit Fees" (H. P. 1092) (L. D. 1371) which was referred to the Committee on Legal Affairs in the House on March 24.

Came from the Senate referred to the Committee on Appropriations and Financial Affairs in non-concurrence.

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

Non-Concurrent Matter Tabled and Assigned

Bill "An Act to Authorize Bond Issue in the Amount of \$6,500,000 for the Construction and Renovations of Higher Education Facilities at the University of Maine" (H. P. 1061) (L. D. 1341) which was referred to the Committee on Appropriations and Financial Affairs in the House on March 24.

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

In the House: On motion of Mr. Smith of Dover-Foxcroft, tabled pending further consideration and specially assigned for Monday, April 7.

Non-Concurrent Matter

Bill "An Act to Protect Families with Children and Recipients of Certain Benefits Against Discrimination in Rental Housing" (H. P. 273) (L. D. 327) which was indefinitely postponed in the House on March 26.

Came from the Senate passed to be engrossed as amended by Senate Amendment "A" (S-44) in non-concurrence.

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

Non-Concurrent Matter

Resolve, Providing a Minimum Service Retirement Allowance Under the State Retirement Law for Bertha Cargill Rogers. (Emergency) (H. P. 379) (L. D. 472) on which the Minority "Ought to Pass" Report was read and accepted and the Bill passed to be engrossed in the House on April 1.

Came from the Senate with the Majority Ought Not to Pass Report read and accepted in non-concurrence.

In the House: On motion of Mr. Theriault of Rumford, the House voted to insist and ask for a Committee of Conference.

Messages and Documents

The following Communication:
STATE OF MAINE
BUREAU OF PUBLIC IMPROVEMENTS
AUGUSTA

April 1, 1975

Hon. John L. Martin
Speaker of the House
and Members of the
One Hundred and Seventh Legislature
Gentlemen:

In accordance with the provisions of Title 5, M.R.S.A., Section 1742, I present the accompanying Recommended Priorities for Capital Improvement Requests submitted to the One Hundred and Seventh Legislature for the fiscal years 1975-76 and 1976-77.

Respectfully submitted,

Signed:

RICHARD G. BACHELDER
Director

The Communication was read and ordered placed on file.

Petitions, Bills and Resolves Requiring Reference

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

Appropriations and Financial Affairs

Bill "An Act Appropriating Funds to Renovate Indian Dwellings on the Penobscot Indian Reservation" (H. P. 1377) (Presented by Mr. Binnette of Old Town)

Bill "An Act to Provide Funds for Employment Opportunities for Maine's Reservation Indians" (H. P. 1378) (Presented by Mr. Binnette of Old Town) (Ordered Printed)

Sent up for concurrence.

Election Laws

Bill "An Act Relating to Political Fundraising by State Employees" (H. P. 1382) (Presented by Mrs. Boudreau of Portland) (Ordered Printed)

Sent up for concurrence.

Human Resources

Bill "An Act Further Defining the Definition of 'North American Indians Residing in Maine'" (H. P. 1375) (Presented by Mr. Binnette of Old Town) (Ordered Printed)

Sent up for concurrence.

Fisheries and Wildlife

Bill "An Act Exempting Members of Maine's Indian Tribes from the Atlantic Salmon Fishing Stamp Fee" (H. P. 1376) (Presented by Mr. Binnette of Old Town)

Committee on Reference of Bills suggested the Committee on Human Resources.

On motion of Mr. Mills of Eastport, referred to the Committee on Fisheries and Wildlife, ordered printed and sent up for concurrence.

Human Resources cont'd.

Bill "An Act Revising the Laws Pertaining to the Penobscot Indians of Maine" (H. P. 1380) (Presented by Mr. Binnette of Old Town) (Ordered Printed)

Sent up for concurrence.

Judiciary

Bill "An Act to Authorize any Alleged Rape Victim to Obtain a Physical Examination by her own Physician and at the Expense of the County in which the Alleged Rape Took Place" (H. P. 1372) (Presented by Mr. Quinn of Gorham) (Cosponsor: Mr. Jensen of Portland) (Ordered Printed)

Sent up for concurrence.

Bill "An Act to Establish the Death Penalty for any Person who Murders a Police Officer while Committing a Felony" (H. P. 1383) (Presented by Mr. Laffin of Westbrook) (Cosponsors: Mr. Dam of Skowhegan, Mr. Gould of Old

Town, Mr. MacEachern of Lincoln)

Committee on Reference of Bills suggested the Committee on Judiciary.

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

Mr. COONEY: Mr. Speaker, Ladies and Gentlemen of the House: Mr. Laffin just received a note from me, I believe, in which I told him what my intention was. It is something that is very rarely ever done here, and I hope you will forgive me the discourtesy which I am about to show to the process we have, but it is a matter of conscience on my part that I make the motion that we indefinitely postpone this bill at this time.

It seems to me that the issue is a simple limited one and we can send it to committee, and I am sure that is probably what you will do, but in my own case I feel it is a true measure of our civilization as individuals, as people in Maine, as Americans, as people of the human community, what our feelings are on the death penalty. I for one feel it is one of the most demeaning things that we have had in our history and that it is something that we have evolved from and we should not retreat to.

So, I do make the motion to indefinitely postpone. I am sure that you will prevail today, or I would expect you probably would, but an act of conscience on my own part requires that I take this action at this early time.

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

Mr. PALMER: Mr. Speaker, Ladies and Gentlemen of the House: I rise to oppose that motion. I think regardless of what our feelings may be on this piece of legislation, it is given in good will. There are many here who feel as the sponsor does and many who do not. I think there are citizens out here in the state who would like to speak one way or the other on it, and I think it is rather ridiculous that we pick out one piece of legislation at this point of the game and say we can't even sent it to a committee hearing. I hope you will not go along with this motion to indefinitely postpone.

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

Mr. ROLDE: Mr. Speaker, Ladies and Gentlemen of the House: I would agree with the gentleman from Nobleboro, Mr. Palmer. I may very well share some of the feelings of the gentleman from Sabattus, but I do believe this bill should have a hearing.

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

Mr. LAFFIN: Mr. Speaker, Ladies and Gentlemen of the House: This kind of caught me off guard, and I want to be a gentleman about this because I want to remember where I am. I don't know how to approach this or to answer the question because all our homework is involved in going to committee. I am going to ask for a division.

I have been here for three months and I have never heard of one bill not having a hearing. When people's consciences are involved, I believe we should have a separation of church and state. I have many other things I would like to say, but I won't at this time.

I am sure that nobody endorses cop killers in this legislature. I am hoping they don't. I ask for a division on this, Mr. Speaker.

The SPEAKER: The pending question is

on the motion of the gentleman from Sabattus, Mr. Cooney, that this Bill be indefinitely postponed. All in favor of indefinite postponement will vote yes; those opposed will vote no.

A vote of the House was taken. 8 having voted in the affirmative and 103 having voted in the negative, the motion did not prevail.

Thereupon, the Bill was referred to the Committee on Judiciary, ordered printed and sent up for concurrence.

Bill "An Act to Require that an Arrested Person be Allowed to Make a Telephone Call at No Cost to the County or Municipality" (H. P. 1384) (Presented by Mr. Carey of Waterville)

(Ordered Printed)
Sent up for concurrence.

Appropriations and Financial Affairs

Bill "An Act Concerning Off-duty Court Appearances by State Police Officers" (H. P. 1387) (Presented by Mr. Tierney of Durham)

Committee on Reference of Bills suggested the Committee on Judiciary.

On motion of Mr. Tierney of Durham, referred to the Committee on Appropriations and Financial Affairs, ordered printed and sent up for concurrence.

Labor

Bill "An Act to Define the Responsibilities of the Bureau of Labor and the Public Employees Labor Relations Board" (H. P. 1371) (Presented by Mr. Kelleher of Bangor)

(Ordered Printed)
Sent up for concurrence.

Judiciary

Bill "An Act Concerning Preliminary Injunction and Temporary Restraining Order under the Labor and Industry Statutes" (H. P. 1385) (Presented by Mr. Tierney of Durham)

Committee on Reference of Bills suggested the Committee on Labor.

On motion of Mr. Tierney of Durham, referred to the Committee on Judiciary, ordered printed and sent up for concurrence.

Legal Affairs

Bill "An Act to Legalize Gambling" (H. P. 1388) (Presented by Mr. Carey of Waterville) (Cosponsor: Mr. Faucher of Solon)

(Ordered Printed)
Sent up for concurrence.

Local and County Government

Bill "An Act Creating Knox County Commissioner Districts" (H. P. 1373) (Presented by Mrs. Post of Owls Head)

(Ordered Printed)
Sent up for concurrence.

Legal Affairs

Bill "An Act to Clarify the Location of Certain Islands as being within the Territorial Limits of the Town of Deer Isle" (H. P. 1374) (Presented by Mr. Greenlaw of Stonington)

Committee on Reference of Bills suggested the Committee on Local and County Government.

On motion of Mr. Greenlaw of Stonington, referred to the Committee on Legal Affairs, ordered printed and sent up for concurrence.

State Government

Bill "An Act to Insure Citizen Participation in the Promulgation, Amendment and Repeal of Agency Rules" (H. P. 1379) (Presented by Mrs. Berry of Madison) (Cosponsors: Mr. Palmer of Nobleboro, Mr. Kelleher of Bangor, Mr. Teague of Fairfield)

Bill "An Act to Determine the Method of Resignation of Appointed Officials" (H. P. 1386) (Presented by Mr. Carey of Waterville)

(Ordered Printed)
Sent up for concurrence.

Taxation

Bill "An Act Revising the Rate Tables for Tax Imposed on the Income of Individuals" (H. P. 1347) (Presented by Mr. Cooney of Sabattus) (Cosponsors: Mr. Wagner of Orono, Mr. Davies of Orono)

(Ordered Printed)
Sent up for concurrence.

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

Mr. LEONARD: Mr. Speaker, in reference to non-concurrent matters, L. D. 327, I would like to move that we reconsider our action whereby we voted to recede and concur.

The SPEAKER: The Chair understands the gentleman from Woolwich, Mr. Leonard, moves the House reconsider its action of earlier in the day whereby it voted to recede and concur with the Senate on Bill "An Act to Protect Families with Children and Recipients of Certain Benefits Against Discrimination in Rental Housing," House Paper 273, L. D. 327.

Thereupon, Mr. Henderson of Bangor requested a division.

The SPEAKER: The pending question is on the motion of the gentleman from Woolwich, Mr. Leonard, that the House reconsider its action whereby it voted to recede and concur with the Senate. All in favor of that motion will vote yes; those opposed will vote no.

A vote of the House was taken. 66 having voted in the affirmative and 43 having voted in the negative, the motion did prevail.

The SPEAKER: The pending question now before the House is the motion to recede and concur.

The Chair recognizes the gentleman from Bangor, Mr. Henderson.

Mr. HENDERSON: Mr. Speaker, Ladies and Gentlemen of the House: For those of you who don't remember, L. D. 327 has to do with discrimination in rental housing with respect to two items, one, families with children and the second element in that was families who are receiving public assistance. Because of the debate the other day and the obvious unlikelihood that the House, not to mention the Senate, would pass the problem of discrimination with families with children, there are some reasonable arguments in that respect and yet there were no strong feelings with respect to the notion of discriminating against people solely because they were receiving public assistance.

I talked with Senator Trotsky and he agreed to amend this bill so that it now only applies to discrimination of people who receive public assistance. What the bill says is only the second section of the original bill. As far as obtaining loans and obtaining rental housing, the landlords in fact may not discriminate against people who are seeking rental housing solely because they are in receipt of public

assistance, whether that is SSI, Social Security, General Assistance or any other kind. The source of their income, the argument is, it should not be a relevant fact. The size of the family is still an item which may be used to deny a person a housing unit. If the person does not want to rent to people with children, that would not be the case.

I would also point out that the Senate did have reservations along the same lines with the House with respect to families, but they felt that this part would be an appropriate change and improvement in our law, and hope that you would vote to recede and concur.

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

Mr. LEONARD: Mr. Speaker, I stand to be corrected. I apologize to the House. There have been so many amendments to this bill that I didn't — I saw a yellow one, pink ones and blue ones and I am afraid that I am in error, so I withdraw my motion.

Thereupon, the House voted to recede and concur.

House Reports of Committees Ought Not to Pass

Mrs. Martin from the Committee on Local and County Government on Bill "An Act Increasing Salaries of Clerk and Deputy Clerk of Courts of Cumberland County" (H. P. 79) (L. D. 118) reporting "Ought Not to Pass"

Mrs. Berube from the Committee on Local and County Government on Bill "An Act Increasing the Borrowing Capacity of the Town of Medway" (Emergency) (H. P. 227) (L. D. 283) reporting same.

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

Leave to Withdraw

Mr. Walker from the Committee on Local and County Government on Resolve, Providing for Purchase of Copies of History of Glenburn (H. P. 214) (L. D. 269) reporting Leave to Withdraw

Mr. Carpenter from the Committee on Local and County Government on Resolve, Providing for Purchase of Copies of History of Kenduskeag (H. P. 216) (L. D. 271) reporting same.

Mrs. Berube from the Committee on Local and County Government on Resolve, Providing for Purchase of Copies of History of Limington, Maine (H. P. 446) (L. D. 542) reporting same

Reports were read and accepted and sent up for concurrence.

Referred to the Committee on Transportation

Mr. Dam from the Committee on Local and County Government on Bill "An Act Relating to Snow Removal on Accepted Ways" (H. P. 734) (L. D. 917) reporting that it be referred to the Committee on Transportation.

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

Ought to Pass in New Draft New Draft Printed

Mr. Henderson from the Committee on Local and County Government on Resolve, Providing for Purchase of Copies of History of Popham Beach, Maine (H. P. 51) (L. D. 63) reporting "Ought to Pass" in New Draft, under New Title Resolve,

Providing for Purchase of Copies of Town Histories (H. P. 1381) (L. D. 1410)

Report was read and accepted, the New Draft Read once and assigned for second reading the next legislative day.

Consent Calendar First Day

In accordance with House Rule 49-A, the following item appears on the Consent Calendar for the First Day:

(H. P. 643) (L. D. 796) Bill "An Act to Aid Municipalities in the Purchase of Surplus State Property" — Committee on Local and County Government reporting "Ought to Pass"

No objections being noted, the above item was ordered to appear on the Consent Calendar of April 7, under listing of the Second Day.

Consent Calendar Second Day

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

Bill "An Act Establishing the Code of Fair Practices and Affirmative Action as the Equal Opportunity Standard for State Financial Agencies" (C. "A" H-120) (H. P. 410) (L. D. 516)

No objections having been noted at the end of the Second Legislative Day, the House Paper was passed to be engrossed and sent up for concurrence.

Second Reader Tabled and Assigned

Bill "An Act Relating to Liability of Natural Gas Distributors" (S. P. 419) (L. D. 1267)

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

Mr. Spencer of Standish offered House Amendment "A" and moved its adoption.

House Amendment "A" (H-125) was read by the Clerk.

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

Mr. SPENCER: Mr. Speaker, Ladies and Gentlemen of the House: The purpose of this amendment is to clarify the situation where the damage to the pipeline of a natural gas company is caused by natural disaster and to relieve the pipeline company from liability in that event.

The amendment also clarifies the circumstances under which the jury can reduce the damage award of the natural gas company where the jury finds or the trier of fact finds that the escape of the gas was caused by someone other than the gas company or where the gas escaped from the gas company's pipeline, but due to the negligence of a third party, an explosion was touched off.

This bill, with this amendment, has been very carefully worked out by the majority of the Judiciary Committee. It shifts the burden of proof to the gas company where the gas has escaped from the portion of the system under its control.

It is my understanding that this bill was passed by both Houses in a previous session and that at the last minute the guns were brought in and trained on the legislature and the vote was reversed. I think this bill has been carefully worked out. I think the members of the Judiciary Committee, on both sides of the issue, can present the issue fully and fairly, and I hope that we will debate this today and dispose of it today, one way or the other.

The SPEAKER: The Chair recognizes

the gentleman from Cape Elizabeth, Mr. Hewes.

Mr. HEWES: Mr. Speaker, Ladies and Gentlemen of the House: I move that this matter be tabled two legislative days pending the adoption of House Amendment "A".

Thereupon, Mr. Hobbins of Saco requested a division.

The SPEAKER: The pending question is on the motion of the gentleman from Cape Elizabeth, Mr. Hewes, that this matter be tabled pending the adoption of House Amendment "A" and specially assigned for Tuesday, April 8. All in favor of that motion will vote yes; those opposed will vote no.

A vote of the House was taken.

71 having voted in the affirmative and 35 having voted in the negative, the motion did prevail.

Passed to Be Engrossed

Bill "An Act Providing Compensation for Members of Inland Fisheries and Game Council" (H. P. 542) (L. D. 658)

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

Orders of the Day

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

House Divided Report — Majority (8) "Ought Not to Pass" — Minority (5) "Ought to Pass" as Amended by Committee Amendment "A" (H-115) — Committee on Education on Bill "An Act to Prohibit Corporal Punishment of Pupils." (H. P. 275) (L. D. 417)

Tabled — April 2, by Mr. Connolly of Portland.

Pending — Acceptance of either Report. On motion of Mr. Connolly of Portland, retabled pending acceptance of either Report and specially assigned for Monday, April 7.

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

An Act Relating to Definition of Retail Sale under Sales and Use Tax Law (H. P. 537) (L. D. 672)

Tabled — April 2, by Mr. Rolde of York.

Pending — Motion of Mr. Connolly of Portland to Reconsider Passage to be Enacted.

The SPEAKER: The Chair recognizes the gentleman from Portland, Mr. Connolly.

Mr. CONNOLLY: Mr. Speaker, Ladies and Gentlemen of the House: This bill went through the House very quickly the other day, and I guess I have a suspicious mind, particularly when it talks about tax exemptions for industry. But I have talked with the sponsor of the bill, I have talked with the people that are lobbying for the bill, and at this point I just can't find anything wrong with it. So I am going to withdraw my motion.

Thereupon, Mr. Connolly of Portland was granted permission to withdraw his motion to reconsider.

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

Bill "An Act to Establish the Maine Building Code" (H. P. 1346) (Committee on Reference of Bills Suggested Committee on State Government)

Tabled — April 3, by Mrs. Najarian of Portland

Pending — Reference

On motion of Mrs. Najarian of Portland,

referred to the Committee on Legal Affairs, ordered printed and sent up for concurrence.

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

Bill "An Act Relating to Dealers in Used Personal Property" (H. P. 502) (L. D. 618)

Tabled — April 3, by Mr. Stubbs of Hallowell.

Pending — Motion of same gentleman to Indefinitely Postpone Bill and Accompanying Papers.

Thereupon, Mr. Stubbs of Hallowell was granted permission to withdraw his motion for indefinite postponement.

On motion of the same gentleman, under suspension of the rules, the House reconsidered its action whereby House Amendment "A" as amended by House Amendment "A" was adopted.

On motion of the same gentleman, under suspension of the rules, the House reconsidered its action whereby House Amendment "A" to House Amendment "A" was adopted, and the Amendment was indefinitely postponed.

On further motion of the same gentleman, House Amendment "A" was indefinitely postponed.

The same gentleman offered House Amendment "C" and moved its adoption.

House Amendment "C" (H-124) was read by the Clerk.

The SPEAKER: The Chair recognizes the same gentleman.

Mr. STUBBS: Mr. Speaker, Ladies and Gentlemen of the House: This amendment is the result of much work and much compromise between all parties concerned.

The first sentence in this amendment is acceptable to the antique dealers in the area. It has also been reviewed with me and several members of this House. It would require that all purchases by dealers in excess of \$75 and anything they receive in trade, the dealer must keep the name, the address and the registration number of the person he purchased this item from.

~~The second sentence is the amendment that was previously adopted and offered by the gentleman from Hope, Mr. Sprowl. The third is within the original bill and it refers to the penalties that would be applied if anybody violated this section. The fourth and last part is the portion that exempts charitable organizations, which was an amendment offered previously by the gentlewoman from Freeport, Mrs. Clark.~~

As I say, I think that this solves the problem, would put a good law on the books and protect the public and enable us to enforce the law so that we could control some of the fencing problems that have been prevalent among some of the dishonest dealers.

The original law that is now on the books had a loophole in it whereby anybody who wished to avoid keeping records could say he didn't buy the item, he obtained it in trade. Here, he must keep records of anything that was received in trade.

The SPEAKER: The Chair recognizes the gentleman from Kennebunk, Mr. McMahan.

Mr. McMAHON: Mr. Speaker, Ladies and Gentlemen of the House: I watched with some dismay as my original House Amendment "A" was whisked off this bill. By the time I got to it and tried to compare it with the new amendment, I wasn't sure then and I am still not sure whether the new amendment answers my objection,

but I do have a question. The new amendment in the fourth sentence down goes back to the requirements of the bill and requiring that a value with the description and so on be listed in a book kept for the purpose. Well, I don't have any objection to that. My House Amendment "A" which is now off the bill would have allowed a signed receipt in lieu of the listing in the book, simply because some dealers, namely two of my constituents who deal in large volumes and reselling of used furniture, presently take signed receipts now as their records.

I looked further down in the bill, about half way down in the amendment, House Amendment "C," where it says "the book or the signed receipt," and I am glad that provision was kept in that place in the amendment. However, it was deleted in the first part of the amendment, and I am wondering whether this inconsistency requires further correction in House Amendment "C"? I pose that as a question to Mr. Stubbs. If his answer is in the affirmative, I hope it is his intention to insert the words "or signed receipt" up in the first portion of the amendment so that it will be like House Amendment "A" which is now off. That is probably pretty confusing, but I hope that someone can answer that question.

The SPEAKER: The Chair recognizes the gentleman from Hallowell, Mr. Stubbs.

Mr. STUBBS: Mr. Speaker and Members of the House: I have no objection to the gentleman and it was not my intention to delete that portion and I am sorry that it was deleted.

Thereupon, on motion of Mrs. Clark of Freeport, tabled pending the adoption of House Amendment "C" and specially assigned for Monday, April 7.

(Off Record Remarks)

On motion of Mr. Rolde of York,
Adjourned until Monday, April 7, at one o'clock in the afternoon.