

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

***One Hundred and Eighth
Legislature***

OF THE

STATE OF MAINE

Volume I

January 5, 1977 to May 25, 1977

KJ PRINTING
AUGUSTA, MAINE

HOUSE

Thursday, March 3, 1977

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

Prayer by the Reverend Lawrence W. Hathorne of the Sixth Street Congregational Church, Auburn.

The journal of yesterday was read and approved.

The following Communication was taken up out of order by unanimous consent:

Office of the Secretary of State
March 2, 1977

To Edwin H. Pert,
Clerk of the House of Representatives
of the One Hundred
and Eighth Legislature;

In compliance with the Constitution and laws of the State of Maine, I hereby certify that a Special Election was held on February 24, 1977, for the purpose of electing a Representative to the One Hundred and Eighth Legislature from Representative District 89; that at said election Courtney E. Stover of West Bath, having received a plurality of all the votes cast in said election, as contained in a report submitted to the Governor on March 2, 1977, appears to have been elected a Representative to the One Hundred and Eighth Legislature.

IN WITNESS WHEREOF, I have caused the Great Seal of the State of Maine to be hereunto affixed this second day of March in the year of our Lord, One Thousand Nine Hundred and Seventy-seven.

(Signed) MARKHAM L. GARTLEY
Secretary of State

The Communication was read and ordered placed on file.

The following Communication was taken up out of order by unanimous consent:

Office of the Secretary of State
March 2, 1977

To the Honorable John L. Martin,
Speaker of the House of
Representatives of the
One Hundred and Eighth Legislature;

In compliance with the Constitution and laws of the State of Maine, I have the honor to herewith report the return of votes cast for Representative to the One Hundred and Eighth Legislature in Representative District 89 at a Special Election held on February 24, 1977, according to a review of the returns made by the Governor, to fill the vacancy that existed in that district, as follows:

William J. Hennessey, West Bath	491
Courney E. Stover, West Bath	568
Wayne Hamilton, Brunswick (Write-in)	1

(Signed) MARKHAM L. GARTLEY
Secretary of State

The Communication was read and ordered placed on file.

At this point, the Chair appointed Mr. Palmer of Nobleboro to escort Mr. Courtney E. Stover of West Bath to the Governor's Office to subscribe to the oath of office to enter upon his official duties.

Papers from the Senate

The Following Joint Order, an Expression of Legislative Sentiment recognizing that: Cindy Rand of Hampden Academy has reached the 1,000 point mark in her schoolgirl basketball career. (S. P. 218)

Came from the Senate read and passed.

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

Non-Concurrent Matter

Bill "An Act to Reestablish the Shade Tree Planting Programs in the Department of

Conservation" (H. P. 512) (L. D. 631) which was referred to the Committee on Natural Resources in the House on February 24, 1977.

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 Relating to Residency Requirements of Municipal Employees" (S. P. 192) (L. D. 589) which was referred to the Committee on Local and County Government in the House on February 24, 1977.

Came from the Senate with that Body having adhered to its former action whereby the Bill was referred to the Committee on Labor in non-concurrence.

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

Non-Concurrent Matter

Bill "An Act to Clarify the Laws Governing Vehicles Overtaking and Passing" (H. P. 17) (L. D. 26) which was passed to be engrossed as amended by House Amendment "A" (H-22) in the House on February 22, 1977.

Came from the Senate passed to be engrossed as amended by Senate Amendment "A" (S-22) in non-concurrence.

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

Messages and Documents

The following Communication:
THE SENATE OF MAINE
AUGUSTA

March 2, 1977

Honorable Edwin H. Pert
Clerk of the House
108th Legislature
Augusta, Maine 04333
Dear Mr. Pert:

The Senate voted today to Adhere on Bill, "An Act Relating to Reapportionment" (Emergency) (H. P. 58) (L. D. 79).

Respectfully,

Signed: MAY ROSS
Secretary of the Senate

The Communication was read and ordered placed on file.

Petitions, Bills and Resolves

Requiring Reference

The following Bills and Resolutions were received and referred to the following Committees:

Agriculture

Bill "An Act Concerning Cruelty to Animals" (H. P. 581) (Presented by Mr. Drinkwater of Belfast) (Cosponsor: Mrs. Hutchings of Lincolnville)

(Ordered Printed)
Sent up for concurrence.

Business Legislation

Bill "An Act Modifying Financial Institutions' Exemption from the Statutory Provisions Governing Unfair Trade Practices" (H. P. 582) (Presented by Mrs. Gill of So. Portland) (Cosponsor: Mr. Boudreau of Waterville)

Bill "An Act Pertaining to Suits by the Attorney General on Behalf of Consumers" (H. P. 583) (Presented by Mrs. Gill of South Portland) (Cosponsor: Mr. Boudreau of Waterville)

Bill "An Act to Assure Uniformity in Insurance Discrimination Provisions" (H. P. 584) (Presented by Mrs. Kany of Waterville) (Ordered Printed)
Sent up for concurrence.

Education

Bill "An Act Relating to Special Education

Tuition and Board" (Emergency) (H. P. 585) (Presented by Mrs. Mitchell of Vassalboro) (Ordered Printed)

Sent up for concurrence.

Fisheries and Wildlife

Bill "An Act Concerning the Operation of Unregistered Snowmobiles on the Property of the Snowmobile's Owner" (H. P. 586) (Presented by Mr. Churchill of Orland)

(Ordered Printed)
Sent up for concurrence.

Health and Institutional Services

Bill "An Act Appropriating Funds to the Department of Human Services for Emergency Medical Training of Ambulance and Rescue Personnel" (H. P. 587) (Presented by Mr. Drinkwater of Belfast) (Cosponsors: Mr. Tozier of Unity, Mr. Shute of Stockton Springs, Mrs. Hutchings of Lincolnville)

Bill "An Act to Further Amend the 1975 Dental Health Act" (H. P. 588) (Presented by Mr. Mills of Eastport) (Ordered Printed)
Sent up for concurrence.

Judiciary

Bill "An Act Concerning Criminal Trespass" (H. P. 589) (Presented by Mr. Drinkwater of Belfast) (Cosponsors: Mr. Tozier of Unity, Mrs. Hutchings of Lincolnville)

Bill "An Act Relating to Description of Recorded Mortgages" (H. P. 590) (Presented by Mr. Hickey of Augusta) (Ordered Printed)
Sent up for concurrence.

Local and County Government

Bill "An Act to Increase Certain Fees of Registers of Deeds" (Emergency) (H. P. 591) (Presented by Mr. Hickey of Augusta)

Bill "An Act Concerning Municipal Appropriations to a Volunteer Fire Department" (H. P. 592) (Presented by Mr. Carroll of Limerick) (Ordered Printed)
Sent up for concurrence.

Natural Resources

Bill "An Act to Clarify the Great Ponds Alteration Act" (H. P. 593) (Presented by Miss Brown of Bethel) (Ordered Printed)
Sent up for concurrence.

Tabled and Assigned

Bill "An Act to Clarify Procedures Concerning the Issuance of General Obligation Bonds for Indian Housing Mortgage Insurance" (H. P. 594) (Presented by Mrs. Kany of Waterville) Committee on State Government was suggested.

(On motion of Mr. Pearson of Old Town, tabled pending reference and specially assigned for Tuesday, March 8.)

State Government

RESOLUTION, Proposing an Amendment to the Constitution to Provide for the Selection and Bonding of the Treasurer of State in Accordance with Statutory Provisions (H. P. 595) (Presented by Mr. Curran of South Portland)

RESOLUTION, Proposing an Amendment to the Constitution to Reduce the Number of Signatures Necessary on Petitions to Initiate Legislation (H. P. 596) (Presented by Mr. Talbot of Portland)

Bill "An Act to Establish a Citizens' Service Center" (H. P. 597) (Presented by Mr. Henderson of Bangor) (Cosponsor: Mrs. Kany of Waterville) (Ordered Printed)
Sent up for concurrence.

Tabled and Assigned

Bill "An Act Relating to the Regulation of the Blueberry Industry" (H. P. 598) (Presented by Mr. Connors of Franklin)

Committee on Taxation was suggested.
(On motion of Mr. Carey of Waterville, tabled pending reference and specially assigned for Tuesday, March 8.)

Taxation

Bill "An Act to Extend the Sales Tax Exemption for Child Day Care Facilities" (H. P. 599) (Presented by Mrs. Boudreau of Portland)

Bill "An Act to Expedite the Collection of Sales Tax on the Rental of Automobiles" (H. P. 600) (Presented by Mrs. Chonko of Topsham)
(Ordered Printed)
Sent up for concurrence.

Transportation

Bill "An Act to Require Red Reflectors on Certain Long Logs Hauled at Night" (H. P. 601) (Presented by Mr. Churchill of Orland)
(Ordered Printed)
Sent up for concurrence.

Orders

An Expression of Legislative Sentiment (H. P. 579) recognizing that: Medomak Valley High School has won the Class B — Western Maine Basketball Championship for the academic year 1977

Presented by Mr. Blodgett of Waldoboro.
The Order was read and passed and sent up for concurrence.

A Joint Resolution (H. P. 580) in memory of: Dr. William V. Kirk who practiced medicine 57 years in Eagle Lake and Northern Maine.

Presented by Mr. Martin of Eagle Lake.
The Resolution was read and adopted and sent up for concurrence.

At this point, Mr. Palmer of Nobleboro reported that he had discharged the duty with which he was charged and Courtney E. Stover had subscribed to the oath of office and was ready to enter upon his duties.

The SPEAKER: The Chair welcomes the gentleman from West Bath, Mr. Stover, as a member of this House and assigns him to Seat No. 30. (Applause, the members rising)

Mr. Stover was also assigned to the Committee on Local and County Government.

**House Reports of Committees
Divided Report**

Majority Report of the Committee on Fisheries and Wildlife reporting "Ought to Pass" as amended by Committee Amendment "A" (H-51) on Bill "An Act to Provide that the First 5 days of Deer Season Shall be for Maine Residents Only" (H. P. 11) (L. D. 20)

Report was signed by the following members:

Messrs. PRAY of Penobscot
USHER of Cumberland
— of the Senate

Messrs. McKEAN of Limestone
MacEACHERN of Lincoln
MILLS of Eastport
ROLLINS of Dixfield
PEARSON of Old Town

— of the House

Minority Report of the same Committee reporting "Ought Not to Pass" on same Bill.
Report was signed by the following members:

Mr. REDMOND of Somerset
— of the Senate.

Messrs. TOZIER of Unity
DOW of West Gardiner
PETERSON of Caribou
GILLIS of Calais
MASTERMAN of Milo
— of the House.

Reports were read.

The SPEAKER: The Chair recognizes the gentleman from West Gardiner, Mr. Dow.

Mr. DOW: Mr. Speaker, I move that we accept the Minority "Ought Not to Pass" Report and would speak for a few minutes on my motion.

The SPEAKER: The gentleman from West Gardiner, Mr. Dow, moves that the House accept the Minority "Ought Not to Pass" Report. The gentleman may proceed.

Mr. DOW: Mr. Speaker, Ladies and Gentlemen of the House: As this bill has been amended, it will increase the hunting for residents only for Saturday in the northern zone and Saturday in the southern zone.

It looks like I am voting against motherhood or anything else of that nature, so I would like to give you a couple of reasons why I have signed the "ought not to pass." Statisticwise, more deer have been killed or harvested on Saturdays and holidays and I am very afraid that if we open up two more Saturdays, with the commissioner's right to close the season at any time, we in fact might lose more days on the end of the season, instead of gaining we are going to be losing.

This is an industry that brings in a lot of money to the state, and to close especially the northern part of the state where there are a lot of camps, etc., we will be losing a lot of money to the state industry, which is hunting and fishing. For safety reasons too, because the department usually sets the season to start on Monday for the harvesting of deer for the safety aspect, if we have two more Saturdays in there, we will have more people in the woods and more chance for accidents.

The SPEAKER: The Chair recognizes the gentleman from Orland, Mr. Churchill.

Mr. CHURCHILL: Mr. Speaker, Ladies and Gentlemen of the House: I want to go on record as opposing the indefinite postponement by my good friend Mr. Dow from West Gardiner for the simple reason that I feel that the taxpayers of the State of Maine pay taxes on this woodland and property throughout the state, the abandoned farms, and I feel it is only fair that they have the first whack at the deer herd.

As far as putting more hunters into the state, we have other bills coming up that will increase the pressure on the deer herd much more than this will.

This is a good bill and a lot of people would like to see a hunting season for residents only. My own preference would be the last for the residents, but I very much favor this and everyone I have talked with is in favor of a resident deer season, at least for one week.

The SPEAKER: The Chair recognizes the gentleman from Limerick, Mr. Carroll.

Mr. CARROLL: Mr. Speaker, Ladies and Gentlemen of the House: When my colleague, Mr. Dow, said to speak against this bill he was speaking against motherhood, he was a hundred percent right, he just spoke against motherhood, because fatherhood is part of motherhood, you know that as well as I do, and the fathers go out into the forests, and some of the mothers, to hunt. But what disturbs me a great deal, my legislation asked for five days, and the committee, in their wisdom, asked me if I would settle for one apple instead of a bushel, so I said all right, I will accept this amendment. In good faith I accepted it and in good faith they gave it a majority "ought to pass" report.

I want you all to know here today that the people of the State of Maine have an inherited right to first choice in the State of Maine and first preference in the State of Maine, that the man with the dollar bill doesn't always buy the Maine product. So we should, in all sincerity and fairness to our citizens of the State of Maine, give to our citizens the first preference,

and that is one day in the southern zone and another day in the northern zone, which are Saturdays, to go deer hunting. I think this is only right, it is only proper. I am willing to settle for this but I am not going to settle for anything less.

I can assure you, if they want to readvertise this bill, I will fill that civic center with Maine residents who want first whack at the deer.

When they speak of giving them the last five days, which was suggested to me at the committee hearing, I pointed out to them that when I invite a friend to a banquet, I don't serve him the crumbs that are left over from a feast, I like to allow him to sit down to a table that is laden with a bountiful harvest, and that is what we have in the first days of deer hunting.

I have great concern about the way this department is being run, but I will be compassionate to this department today and in return for my compassion I ask for your vote. I think every man in here who represents the people of the State of Maine should give the people of the State of Maine just this little morsel that I am asking for, and it is not asking for much. I should have gone down fighting for five days, but I will settle for the first Saturday in the southern zone and the first Saturday in the northern zone. I urge you all not to accept the minority "ought not to pass" report and then we will go on and accept the majority "ought to pass" report.

The SPEAKER: The Chair recognizes the gentleman from Limestone, Mr. McKean.

Mr. McKEAN: Mr. Speaker, Ladies and Gentlemen of the House: I signed the majority report on this bill and I use this rationale — I feel I should support what I signed.

The safety problem was brought up, but traditionally, we in the State of Maine are safety minded, and since we, the people of the State of Maine, will be the only ones hunting deer on that particular Saturday, I feel that the safety doesn't pose a problem to us.

Another thing, we in the State of Maine are not a real rich community, therefore, we find that we have to work five days a week. We find when Monday comes along, if we can get off work, we have to compete with the people out of state hunting on the same day. Therefore, I felt that we the people, the taxpayers, owe ourselves and the other people in this state something of benefit and I felt that this was a benefit to our citizens. I wish you would support the "ought to pass" report.

The SPEAKER: The Chair recognizes the gentleman from Unity, Mr. Tozier.

Mr. TOZIER: Mr. Speaker, Ladies and Gentlemen of the House: I voted "ought not to pass" on this report. I represent 12 towns in Waldo County, the heart of the hunting area in the State of Maine.

Where I come from, 80 percent of the hard core Maine hunters hunt for three or four weeks ahead of time anyway and the other 20 percent hunt from the 4th of July on, so they do not need this bill. I would like to move indefinite postponement of this bill and all its accompanying papers.

The SPEAKER: The Chair recognizes the gentleman from Milo, Mr. Masterman.

Mr. MASTERMAN: Mr. Speaker, Ladies and Gentlemen of the House: I feel like Mr. McKean does, that I should rise as I did sign the "ought not to pass" and I think I should explain why.

When I first saw this bill I was quite excited and I thought, great, I would love, as a Maine citizen, to have an extra week of hunting. But then as I listened to the debate that went on in the testimony, it dawned on me that this was unfair. The out-of-stater pays so much for licenses — it happens to be \$60.50; we pay a fee to do the same thing, to hunt for a certain number of days which is set up by the Fisheries

and Wildlife Department, what they think is a reasonable and safe time to hunt and not deplete the herd to any damage and extent. For this reason, I think it ought not to pass because I see it as very discriminatory, and most of you all recognize now that I am against discrimination in any form.

The SPEAKER: The Chair recognizes the gentleman from Lincoln, Mr. MacEachern.

Mr. MacEACHERN: Mr. Speaker, Ladies and Gentlemen of the House I urge you not to vote for the postponement of this bill. We have a beautiful recreational state, I would like to enjoy it and I am sure that everyone else does, but we have nothing sacred to the resident in Maine at this time. This is one little thing that we could do for our own people that would be sacred to them. I feel that we should vote against this motion and go along and pass the majority report and give our own people something. It is only one day; it is not going to deplete the herd by any great amount. I feel that we should give our Maine people something.

The SPEAKER: The Chair recognizes the gentleman from Calais, Mr. Gillis.

Mr. GILLIS: Mr. Speaker, Ladies and Gentlemen of the House: I signed the minority report for the following reasons: The greatest influx of non-resident hunters into the State of Maine for deer hunting is during the first week of hunting and Thanksgiving week, and Thanksgiving week is primarily for the native sons coming home to spend the holidays with Ma and Pa and Grandfather and Grandmother, etc.

If this majority report is accepted, it will kill off the bulk of non-resident hunting licenses, primarily due to the \$60 non-resident license fee plus the shortened season, and this is only going to drive the non-resident hunters into other states for deer hunting.

I believe it was estimated that approximately 70 people attended the public hearing. Out of that 70 people, only two or three were in favor of this bill.

Acceptance of the majority report will create a hardship on the hunting campowners, the guides, the local independent grocery stores, the Ma and Pa type stores, plus an effect on the general economy and a loss of revenue will certainly be brought about for the Inland Fisheries and Game Department, a loss which they cannot afford. Acceptance of the majority report, coupled with last year's increase to \$60 for a non-resident hunting license, will drive the out-of-state hunters to other states and the State of Maine cannot afford this loss.

I ask your support in defeating the majority report.

The SPEAKER: The Chair recognizes the gentleman from Orland, Mr. Churchill.

Mr. CHURCHILL: Mr. Speaker, Ladies and Gentlemen of the House: I am not here to represent the sport organizations, I am not here to represent the sporting campowners throughout the state, I am here to represent the native residents of our state. I certainly hope that you will show compassion for your own residents of this state and the landowners of this state to vote for the majority "ought to pass" report and also, if we cannot give them five days, let's give them that Saturday before hunting season. At least give them that to show that we are thinking of them. Never mind the out-of-staters. Myself, I don't care if they never come into the state and I think the majority of the people feel the same way.

Please don't vote to indefinitely postpone this bill. Let's accept the majority "ought to pass" and attach the amendment for one day to this bill.

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

Mr. MILLS: Mr. Speaker, Ladies and

Gentlemen of the House: As you heard the testimony here today, you have heard various ideas expressed pro and con on this bill. There were the same arguments back and forth in committee but, nevertheless, this has been a growing swell across the State of Maine for the past six years to my knowledge, that they want something done for their own local citizens who maintain the taxes the year round to carry the load in general.

If we were to pass this out on an indefinite postponement, we are doing our own citizens a great disservice. There is no question about it, the facts prove it. I would move that you defeat the motion of indefinite postponement.

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

Mr. CONNERS: Mr. Speaker, Ladies and Gentlemen of the House: I am one of those sporting campowners and I see no reason why we should not have the residents of the State of Maine be able to hunt for the Saturday preceding the open season. I do not see where it is going to interfere in my operation of my camps for three weeks. I hope you defeat the motion to indefinitely postpone.

The SPEAKER: The Chair recognizes the gentleman from Unity, Mr. Tozier.

Mr. TOZIER: Mr. Speaker, Ladies and Gentlemen of the House: If you pass this bill today to open the hunting for one day before the rest of the hunting season opens, you will be killing an extra estimated 3,500 deer.

The SPEAKER: The Chair recognizes the gentleman from Waterville, Mr. Boudreau.

Mr. BOUDREAU: Mr. Speaker, Ladies and Gentlemen of the House: In response to the gentleman who said that the hard core Maine hunter hunts for three weeks before the season opens anyway, there have been allegations that some of these hard core hunters have many deers hung up when the out-of-staters come into the state and if the out-of-staters do not get a deer, they can always buy one.

I will tell you an instance where I saw an out-of-stater with a deer. I don't know much about deer, but this deer looked to me like he had been dead for about three weeks. I said, "when did you shoot that deer?" The guy said, "I shot it this morning." There was no blood dripping out of the deer, the deer was ice cold. I don't know where he got it, but I think this law would help in stopping poachers from selling deer to out-of-staters.

The SPEAKER: The Chair recognizes the gentleman from Corinth, Mr. Strout.

Mr. STROUT: Mr. Speaker, Ladies and Gentlemen of the House: When this bill originally came out to allow five days, natives only, I was opposed to this provision. Having spent some time in the last two or three weeks talking with business people that are in this type of operation across the State of Maine, they see no real hardship to allow the Saturday before hunting season to natives only. If you were to grant a five-day season, I think this could create some hardships. But where the committee saw fit to amend this bill to allow one day only in the northern and southern zones, I think it is imperative on us, as members of this House, that we allow the natives of the State of Maine to have one day to hunt before the out-of-state residents come in here and take us over.

Mr. Carroll of Limerick requested a roll call. The SPEAKER: For the Chair to order a roll call, it must have the expressed desire of one fifth of the members present and voting. Those in favor will vote yes; those opposed will vote no.

A vote of the House was taken, and more than one fifth of the members present having expressed a desire for a roll call, a roll call was ordered.

The SPEAKER: The pending question before

the House is on the motion of the gentleman from Unity, Mr. Tozier, that this Bill and all its accompanying papers be indefinitely postponed. Those in favor will vote yes; those opposed will vote no.

ROLL CALL

YEA — Carter, F.; Connolly, Cox, Devoe, Dow, Durgin, Fenlason, Gillis, Hunter, Kane, Kilcoyne, Lunt, Martin, A.; Masterman, Maxwell, McBreairty, McPherson, Peakes, Peterson, Smith, Talbot, Tozier.

NAY — Aloupis, Ault, Austin, Bachrach, Bagley, Beaulieu, Bennett, Benoit, Berry, Berube, Biron, Birt, Blodgett, Boudreau, A.; Boudreau, P.; Brenerman, Brown, K. L.; Brown, K. C.; Bunker, Burns, Bustin, Byers, Carey, Carroll, Carter, D.; Chonko, Churchill, Clark, Conners, Cote, Cunningham, Curran, Davies, Dexter, Diamond, Drinkwater, Dudley, Dutremble, Elias, Flanagan, Fowle, Garsoe, Gill, Goodwin, H.; Goodwin, K.; Gould, Gray, Green, Greenlaw, Hall, Henderson, Hickey, Higgins, Hobbins, Howe, Huber, Hughes, Hutchings, Immonen, Jackson, Jacques, Jalbert, Jensen, Joyce, Kany, Kelleher, Kerry, Laffin, LaPlante, LeBlanc, Littlefield, Lizotte, Locke, Lougee, Lynch, MacEachern, Mackel, Mahany, Marshall, Masterton, McHenry, McKean, McMahon, Mills, Mitchell, Moody, Morton, Nadeau, Najarian, Nelson, M.; Nelson, N.; Norris, Palmer, Pearson, Peltier, Post, Prescott, Quinn, Raymond, Shute, Silsby, Spencer, Sprowl, Stover, Strout, Stubbs, Tarr, Teague, Theriault, Tierney, Torrey, Trafton, Truman, Twitchell, Valentine, Whittemore, Wilfong, Wood, Wyman.

ABSENT — Carrier, Gauthier, Lewis, Perkins, Rideout, Rollins, Tarbell, Tyndale.

Yes, 22; No, 119; Absent, 8; Vacant, 1.

The SPEAKER: Twenty two having voted in the affirmative and one hundred nineteen in the negative, with eight being absent, the motion does not prevail.

The pending question now before the House is on the motion of the gentleman from West Gardiner, Mr. Dow, that the Minority "Ought Not to Pass" Report be accepted. Those in favor of that motion will vote yes; those opposed will vote no.

A vote of the House was taken.

25 having voted in the affirmative and 113 having voted in the negative, the motion did not prevail.

Thereupon, the Majority "Ought to pass" Report was accepted and the Bill read once. Committee Amendment "A" (H-51) was read by the Clerk and adopted and the Bill assigned for second reading the next legislative day.

Consent Calendar

First Day

In accordance with House Rule 49, the following items appeared on the Consent Calendar for the First Day:

(S. P. 119) (L. D. 278) Bill "An Act Relating to Livestock Disease Control". Committee on Agriculture reporting "Ought to Pass"

(S. P. 114) (L. D. 273) Bill "An Act Relating to Cruelty to Animals" — Committee on Agriculture reporting "Ought to Pass"

(S. P. 81) (L. D. 189) Bill "An Act Relating to Public Utilities Commission Declarations of Public Convenience and Necessity Required by Statute" — Committee on Public Utilities reporting "Ought to Pass" as amended by Committee Amendment "A" (S-19)

(S. P. 41) (L. D. 84) Bill "An Act Concerning those Buildings which must be made Accessible to Physically Handicapped" — Committee on Human Resources reporting "Ought to Pass" as amended by Committee Amendment "A" (S-20)

No objections being noted, the above items were ordered to appear on the Consent Calendar of March 8, under listing of the Second Day.

Consent Calendar Second Day

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

Bill "An Act Concerning a Limitation for Imposing a Penalty for Violations of the Public Utility Regulatory Law" (S. P. 80) (L. D. 188)

Bill "An Act to Require Voters to State Their Name and Address when Voting" (C. "A" H-46) (H. P. 32) (L. D. 49)

Bill "An Act to Modify the Immunity Granted by Statute to a Person Who Testifies Before the Public Utilities Commission on Matters Which May Tend to Incriminate that Person" (H. P. 227) (L. D. 291)

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

Passed to Be Engrossed Amended Bill

Bill "An Act to Clarify the Right of Trust Companies to Invest Funds Held as Trustee Under Certain Retirement Plans" (Emergency) (H. P. 71) (L. D. 99) (C. "A" H-38)

Was reported by the Committee on Bills in the Second Reading, read the second time, passed to be engrossed as amended and sent up for concurrence.

The following paper from the Senate was taken up out of order by unanimous consent: From the Senate: The following Order: (S. P. 230)

ORDERED, the House concurring, that when the House adjourns, it adjourns to 9:30 in the morning on March 8, and when the Senate adjourns, it adjourns to 10 o'clock in the morning on March 8.

Came from the Senate, read and passed.

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

The following paper from the Senate was taken up out of order by unanimous consent:

ORDERED, the House concurring, that notwithstanding Joint Rule 23, all bills and resolves now in the Office of the Director of Legislative Research shall be introduced in complete final form in the appropriate House not later than 5 p.m. on Tuesday, March 29, 1977, and be it further.

ORDERED, that no bill or resolve received by the Director of Legislative Research for drafting shall be in order for introduction in either House after March 8, 1977, unless the director indicates on the bill or resolve that it was prepared after that date.

Came from the Senate read and passed.

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

The following Papers from the Senate appearing on Supplement No. 1 were taken up out of order by unanimous consent:

Bill "An Act to Prohibit Voter Registration After 12 Noon on Election Day" (S. P. 219) (L. D. 683)

Came from the Senate referred to the Committee on Election Laws and ordered printed.

In the House, referred to the Committee on Election Laws in concurrence.

Bill "An Act to Regulate Security Deposits on Residential Rental Units" (S. P. 222) (L. D. 686)

Came from the Senate referred to the Committee on Judiciary and ordered printed.

In the House, referred to the Committee on Judiciary in concurrence.

Bill "An Act to Increase the Salaries of Cer-

tain County Officials of Waldo County" (S. P. 226) (L. D. 688)

Came from the Senate referred to the Committee on Local and County Government and ordered printed.

In the House, referred to the Committee on Local and County Government in concurrence.

Bill "An Act Concerning Standing before the Board of Environmental Protection" (S. P. 220) (L. D. 684)

Bill "An Act to Clarify the Powers of Regional Planning Commissions" (S. P. 221) (L. D. 685)

Came from the Senate referred to the Committee on Natural Resources and ordered printed.

In the House, referred to the Committee on Natural Resources in concurrence.

Resolve, Authorizing the Bureau of Public Lands to Convey the State's Interest in Public Lots in the Town of Osborn, Hancock County, Maine, to the Inhabitants of the Town of Osborn (S. P. 225) (L. D. 687)

Came from the Senate referred to the Committee on State Government and ordered printed.

In the House, referred to the Committee on State Government in concurrence.

Orders of the Day

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

Bill, "An Act to Revise the Laws Relative to the State Military Level for Children's Homes" (H. P. 569) (Committee on Health and Institutional Services suggested)

Tabled — March 2, 1977 by Ms. Goodwin of Bath.

Pending — Reference.

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

Ms. GOODWIN: Mr. Speaker and Members of the House: This is the second time this bill has appeared and it has already been printed as L. D. 412 under a much better title. This one got badly garbled, so I now move that House Paper 569 be indefinitely postponed.

Thereupon, the Bill was indefinitely postponed and sent up for concurrence.

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

Bill, "An Act to Annex the Town of Otisfield to Oxford County" (H. P. 127) (L. D. 160)

Tabled — March 2, 1977 by Mr. Curran of South Portland.

Pending — Passage to be Engrossed.

Mr. CURRAN of South Portland offered House Amendment "A" and moved its adoption.

House Amendment "A" (H-49) was read by the Clerk.

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

Mr. CURRAN: Mr. Speaker and Members of the House: Just a brief explanation of the amendment. L. D. 160 deals with the annexation of the Town of Otisfield, the process by which it would be annexed into the County of Oxford. Many of us of the Cumberland County Delegation have some serious reservations, along with local selectmen and city councilors and commissioners, about the bill in its original form, which separates any financial obligation to the county. This amendment removes that section to the financial obligation and does put in some wording so that the commissioners of Cumberland County and the selectmen of the Town of Otisfield, upon the effective date of this act, could sit down and talk about the bonded indebtedness which was incurred while that town was a member of Cumberland County.

I would urge the support of this amendment and the Bill, L. D. 160.

The SPEAKER: The Chair recognizes the

gentlewoman from Bridgton, Mrs. Tarr.

Mrs. TARR: Mr. Speaker, Men and Women of the House: Of course you know that this amendment deals with the civic center. I am getting so I hate to even mention that name in conjunction with Otisfield, but this does deal with that. My first reaction, of course, was to strongly oppose this amendment. I guess I would rather fight than switch.

I have been in close contact with the selectmen of Otisfield, I have kept them aware of what was happening, and they have advised me to let this amendment go, so I will not oppose this amendment, and good luck and let Otisfield go to Oxford County.

Thereupon, House Amendment "A" was adopted.

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

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

Bill, "An Act to Correct Errors and Inconsistencies in Laws of Maine" (Emergency) (S. P. 186) (L. D. 531)

Tabled — March 2, 1977 by Mr. Tierney of Lisbon Falls.

Pending — Passage to be Engrossed.

Mr. PEARSON of Old Town offered House Amendment "C" and moved its adoption.

House Amendment "C" (H-53) was read by the Clerk.

The SPEAKER: The Chair recognizes the gentleman from Old Town, Mr. Pearson.

Mr. PEARSON: Mr. Speaker, Ladies and Gentlemen of the House: This amendment deals with a very small section of the Errors and Inconsistencies Bill, and it deals with the scholarships for North American Indians, and there has been some concern expressed on the reservation in Old Town by the Governor of the reservation and his council as to whether this amendment is proper at this time, this change, I should say, in the Errors and Inconsistencies.

There will be another chance later on in the session for another errors and inconsistencies bill, and if we could have time to look this item over, we were not aware of it until yesterday afternoon, we could deal with it later when the tribe has had a chance to consider the measure.

The SPEAKER: Under Rule 55, the Chair recognizes the Representative of the Penobscot Tribe, Mr. Goslin.

Mr. GOSLIN: Mr. Speaker, Ladies and Gentlemen of the House: I am Ernest Goslin, the Penobscot Indian Representative. At a meeting last night of the Governor and Council of the Penobscot Indian Tribe, they voted to reject any word changes in considering our laws. The thing is that we have in our private and special laws that any word changes, any legislation dealing with the Penobscot Indian Reservation has first got to come to the Indian Representative and to the Governor and Council, which in this case has not been done.

I just want to say again that we cannot accept this, we will not accept it, and we wish that you would strike it from the record.

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

Mr. SPENCER: Mr. Speaker and Members of the House: On behalf of the Judiciary Committee, I would like to apologize to the Indian Representative. The change here was not a change of substance, but in the future we will be sure that any changes, whether substantive or not, are first cleared with the Indian Representative and the Council.

Thereupon, House Amendment "C" was adopted.

Mr. Burns of Anson offered House Amendment "B" and moved its adoption.

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

The SPEAKER: The Chair recognizes the gentleman from Anson, Mr. Burns.

Mr. BURNS: Mr. Speaker, Ladies and Gentlemen of the House: This amendment is offered — it was passed into law under Chapter 465 in the 107th Legislature. A member of the third house and a member of the Executive Branch got together and bagged the committee and made a substantive change in the law by removing two paragraphs that had been heard in public hearing, had been debated on the floor of the House and had been passed into law. It was a very small item in the last Errors and Inconsistencies Bill and it just deleted these two paragraphs. I move that they be placed back in the law at this time.

Thereupon, House Amendment "B" was adopted.

On motion of Mr. Tierney of Lisbon Falls, tabled pending passage to be engrossed as amended and specially assigned for Tuesday, March 8.

The SPEAKER: The Chair would like to inform the members of the House that the Clerk will be returning on Monday, and the Chair would like to take this opportunity to thank the Assistant Clerk, Debbie Bedard, for an excellent job during the Clerk's absence, and I am sure we all appreciate it. (Applause, the members rising)

(Off Record Remarks)

On motion of Mr. Carter of Winslow,
Adjourned until Tuesday, March 8, at nine
thirty in the morning.