

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

Monday, March 28, 1977

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

Prayer by the Reverend Curtis Beach of the First Congregational Church, Blue Hill.

The members stood at attention during the playing of the National Anthem by the Deer Isle-Stonington High School Band.

The journal of the previous session was read and approved.

Papers from the Senate

Bill "An Act Concerning Euthanasia of Cats and Dogs" (S. P. 333) (L. D. 1092)

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

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

Bill "An Act Concerning Confidential Financial Records" (S. P. 324) (L. D. 1084)

Bill "An Act Concerning Ritual Burial by Certain Religious Groups" (S. P. 325) (L. D. 1085)

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

In the House, referred to the Committee on Business Legislation in concurrence.

Bill "An Act Relating to the Definition of Deed under the Real Estate Transfer Laws" (S. P. 327) (L. D. 1086)

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

In the House, on motion of Ms. Clark of Freeport, referred to the Committee on Judiciary in non-concurrence and sent up for concurrence.

Bill "An Act Relating to Conduct of Examinations" (S. P. 321) (L. D. 1078)

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

In the House, referred to the Committee on Business Legislation in concurrence.

Bill "An Act Concerning Post-graduate Training in the Field of Osteopathic Medicine" (S. P. 318) (L. D. 1076)

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

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

Tabled and Assigned

Bill "An Act Relating to Negotiability of Teacher Employment" (S. P. 330) (L. D. 1089)

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

In the House, on motion of Mr. Quinn of Gorham, tabled pending reference in concurrence and tomorrow assigned.

Bill "An Act to Prohibit Voter Registration after 12 Noon on Election Day" (S. P. 323) (L. D. 1080)

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.

RESOLVE, Authorizing Alban E. Cyr Sr., and Cyr Brothers Meatpacking, Inc., and Cyr Food, Inc., of Caribou to Bring Civil Action Against an Agency of the State of Maine (Emergency) (S. P. 328) (L. D. 1087)

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 Relating to Workmen's Compen-

sation for State Law Enforcement and Institution Personnel" (S. P. 331) (L. D. 1090)

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

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

Bill "An Act Permitting 10 Traps to a Trawl in Waters Adjacent to Kittery" (S. P. 332) (L. D. 1091)

Bill "An Act to Impose a 4-Quart Limit on the Taking of Smelts Throughout the Entire Smelting Season" (S. P. 320) (L. D. 1077)

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

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

Bill "An Act to Exempt Antiques from the Personal Property Tax" (S. P. 322) (L. D. 1079)

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

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

Bill "An Act Requiring the Secretary of State to Give Notification Without Cost when the Renewal of Motor Vehicle Registrations are Due" (S. P. 326) (L. D. 1081)

Bill "An Act Concerning the Expiration of Motor Vehicle Inspection Stickers" (S. P. 329) (L. D. 1088)

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

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

Bill "An Act to Base Adjustments of Teacher and State Employee Retirement Allowances on the Consumer Price Index" (S. P. 317) (L. D. 1075)

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

In the House, referred to the Committee on Veterans and Retirement in concurrence.

Reports of Committees

Divided Report

Tabled and Assigned

Majority Report of the Committee on Local and County Government reporting "Ought to Pass" on Bill "An Act to Remove Restrictions on the Salary of County Commissioners who Hire Full-time County Administrators" (S. P. 154) (L. D. 394)

Report was signed by the following members:

Messrs. O'LEARY of Oxford
JACKSON of Cumberland
— of the Senate.

Messrs. HICKEY of Augusta
DRINKWATER of Belfast
GRAY of Rockland
McPHERSON of Elliot
HENDERSON of Bangor
STOVER of West Bath
— 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. HICHENS of York
— of the Senate.

Mrs. MARTIN of Brunswick
Mrs. BERUBE of Lewiston
Messrs. LaPLANTE of Sabattus
TRUMAN of Biddeford
— of the House.

Came from the Senate with the Majority "Ought to Pass" Report accepted and the Bill passed to be engrossed.

In the House: Reports were read.
Mr. Henderson of Bangor moved the House

accept the Majority "Ought to Pass" Report in concurrence.

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

Mr. LaPLANTE: Mr. Speaker and Members of the House: I signed the Minority "Ought Not to Pass" Report, and I feel at this time that in some of the counties this law would be acceptable and in some others it would not. I think it should be left up to the county delegations as to the preference of the pay to some of the commissioners, and I would suggest that we defeat the "ought to pass" report and I would make a motion to accept the Minority "Ought Not to Pass" Report.

Whereupon, on motion of Mr. Jalbert of Lewiston, tabled pending the motion of Mr. Henderson of Bangor to accept the Majority Report in concurrence and specially assigned for Wednesday, March 30.

**Non-Concurrent Matter
Later Today Assigned**

Bill "An Act to Authorize a School Nursing Health Consultant in the Department of Educational and Cultural Services" (H. P. 868) (L. D. 1061) which was referred to the Committee on Health and Institutional Services in the House on March 16, 1977.

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

In the House: On motion of Mr. Palmer of Nobleboro, tabled pending further consideration and later today assigned.

Non-Concurrent Matter

Bill "An Act to Provide an Excise Tax Credit for Construction and Operation of Breweries within the State" (H. P. 340) (L. D. 431) which was passed to be engrossed in the House on March 17, 1977.

Came from the Senate passed to be engrossed as amended by Senate Amendment "A" (S-40) in non-concurrence.

In the House: On motion of Mr. Birt of East Millinocket, the House voted to recede and concur.

**Petitions, Bills and Resolves
Requiring Reference**

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

Agriculture

Bill, "An Act to Permit the Commissioner of Agriculture to Inspect Meat Plants Doing Business with Firms in Other States" (H. P. 1063) (Presented by Mr. Carroll of Limerick)

Bill, "An Act Concerning the Maine Agricultural Marketing and Bargaining Act of 1973" (H. P. 1064) (Presented by Mr. Carroll of Limerick) (Cosponsor: Mr. Torrey of Poland)

Bill, "An Act to Amend and Repeal Certain Laws Relating to Agriculture" (H. P. 1065) (Presented by Mr. Wilfong of Stow) (Ordered Printed)

Sent up for concurrence.

Business Legislation

Bill, "An Act to Repeal Certain Laws Relating to Corporations" (H. P. 1066) (Presented by Ms. Clark of Freeport) (Cosponsors: Mr. Green of Auburn, Mr. Howe of South Portland)

Bill, "An Act to Amend the Accountancy Statutes" (H. P. 1067) (Presented by Mr. Peterson of Caribou) (Cosponsors: Mr. Rideout of Mapleton, Mr. Lunt of Presque Isle) (Ordered Printed)

Sent up for concurrence.

Education

Bill, "An Act Concerning the Collection and Use of Social Security Numbers by Educational Institutions Receiving State Funds" (H. P.

1068) (Presented by Mr. Howe of South Portland)

Bill "An Act to Provide for Reimbursement of Certain Expenses Incurred by a Maine Band Selected to Participate at the Inauguration Ceremonies of a President of the United States" (H. P. 1069) (Presented by Mr. Hobbins of Saco)

(Ordered Printed)
Sent up for concurrence.

Fisheries and Wildlife

Bill, "An Act Concerning Ice Fishing on Reclaimed Ponds" (H. P. 1070) (Presented by Mr. Henderson of Bangor)

Bill, "An Act to Allow Free Hunting and Fishing Licenses to Maine Residents over 65 and to Disabled War Veterans" (H. P. 1071) (Presented by Mr. Laffin of Westbrook)

(Ordered Printed)
Sent up for concurrence.

Health and Institutional Services

Bill, "An Act Requiring Immunization of Children Prior to Entering Grade School" (H. P. 1072) (Presented by Mrs. Nelson of Portland)

Bill, "An Act Pertaining to Regional Correctional Facilities" (H. P. 1073) (Presented by Mr. Tarbell of Bangor)

(Ordered Printed)
Sent up for concurrence.

Judiciary

Bill, "An Act to Establish an Action in Trespass for Cutting Trees on Land of Another" (H. P. 1074) (Presented by Mr. Hunter of Benton)

Bill, "An Act Relating to Prenatal Scientific Determination of Sex" (H. P. 1075) (Presented by Mrs. Boudreau of Portland)

Bill, "An Act Relating to Eligibility of Offenders for Transfer to Correctional Alternatives and to Authorize Prerelease Community Supervision of Offenders" (H. P. 1076) (Presented by Mr. Tarbell of Bangor)

Bill, "An Act Providing for Mandatory Driver's License Suspension upon Conviction of Vandalism" (H. P. 1077) (Presented by Mrs. Tarr of Bridgton) (Cosponsor: Mrs. Durgin of Kittery)

Bill "An Act to Limit the Duration of Sentence to County Jails" (H. P. 1078) (Presented by Mr. Tarbell of Bangor)

Bill "An Act Relating to Direct Sentencing of Adult and Juvenile Offenders to Halfway Houses and Group Homes" (H. P. 1079) (Presented by Mr. Tarbell of Bangor)

Bill "An Act Authorizing Intermittent Service of Sentences of Confinement" (H. P. 1080) (Presented by Mr. Tarbell of Bangor)

Bill "An Act to Authorize Conditional Discharge as a Sentencing Disposition" (H. P. 1081) (Presented by Mr. Tarbell of Bangor)

Bill "An Act to Authorize Sentencing Courts to Specify Places of Confinement of Persons Convicted of Crimes and to Remove Age Restrictions on Sentencing to the Maine Correctional Center" (H. P. 1082) (Presented by Mr. Tarbell of Bangor)

Bill "An Act to Provide a Mandatory Sentence for Leaving the Scene of an Accident which Results in Death or Injury" (H. P. 1083) (Presented by Mr. Tarbell of Bangor) (Cosponsor: Mrs. Locke of Sebec)

(Ordered Printed)
Sent up for concurrence.

Labor

Bill "An Act to Increase the Minimum Wage to \$2.75 an Hour" (H. P. 1084) (Presented by Mr. Maxwell of Jay)

Bill "An Act Relating to Time Limitation on Providing Written Reasons for Termination of Employment" (H. P. 1085) (Presented by Mr. Nadeau of Sanford)

(Ordered Printed)
Sent up for concurrence.

Legal Affairs

Bill "An Act to Require Fire Detection Systems in All New Residential Construction" (H. P. 1086) (Presented by Mr. Curran of South Portland) (Cosponsor: Mr. Martin of Eagle Lake)

(Ordered Printed)
Sent up for concurrence.

Local and County Government

Bill "An Act Concerning Listing of Tax Exempt Real Property for Town Reports" (H. P. 1087) (Presented by Mr. Davies of Orono)

Bill "An Act Converting Hammond Plantation into the Town of Hammond" (H. P. 1088) (Presented by Mr. Smith of Mars Hill)

(Ordered Printed)
Sent up for concurrence.

Natural Resources

Bill "An Act Concerning the Storage of Nuclear Waste in Maine" (H. P. 1089) (Presented by Mr. Wilfong of Stow) (Cosponsor: Mr. Spencer of Standish)

(Ordered Printed)
Sent up for concurrence.

Public Utilities

Bill "An Act Prohibiting a Utility from Automatically Passing on Fuel Cost Increases to Customers by a Fuel Adjustment Clause" (H. P. 1090) (Presented by Mr. Kelleher of Bangor) (Cosponsor: Mr. Carey of Waterville)

Bill "An Act to Amend and Repeal Certain Laws Relating to Public Utilities" (H. P. 1091) (Presented by Mr. Wilfong of Stow) (Cosponsor: Mr. Davies of Orono)

Bill "An Act Relating to Public Utility Electrical Transmission Lines and Gas and Oil Pipelines" (H. P. 1092) (Presented by Mr. Hall of Sangerville)

RESOLVE, Appropriating Funds for Repair of the Dam at the Outlet of Stetson Pond (H. P. 1094) (Presented by Mr. Littlefield of Hermon)

Bill "An Act to Provide Lifeline Electrical Services" (H. P. 1093) (Presented by Mr. Connolly of Portland)

(Ordered Printed)
Sent up for concurrence.

State Government

Bill "An Act Relating to the Procurement of Engineer and Architectural Services by Competitive Bidding" (H. P. 1095) (Presented by Mr. Carter of Winslow)

(Ordered Printed)
Sent up for concurrence.

Taxation

Bill "An Act to Exempt the Brick Store Museum at Kennebunk from the Sales Tax" (H. P. 1096) (Presented by Mr. Tyndale of Kennebunkport)

Bill "An Act to Increase the Amount of Relief under the Elderly Householders Tax and Rent Refund Act" (H. P. 1097) (Presented by Mr. McBreaity of Perham)

Bill "An Act to Provide a Trade-in Credit on Camp Trailers under the Sales and Use Tax Law" (H. P. 1098) (Presented by Mr. Maxwell of Jay)

(Ordered Printed)
Sent up for concurrence.

Transportation

Bill "An Act Concerning the Renewal of Special License Plates" (H. P. 1099) (Presented by Mr. Boudreau of Waterville)

Bill "An Act Concerning Axle Weight Limits for Vehicles Hauling Certain Special Loads" (H. P. 1100) (Presented by Mr. Martin of Eagle Lake)

Bill "An Act to Allow Limited Operation of an

Unregistered Motor Vehicle" (H. P. 1101) (Presented by Mr. Kelleher of Bangor)

(Ordered Printed)
Sent up for concurrence.

Veterans and Retirement

Bill "An Act to Repeal Certain Laws Relating to Defense and Veterans Services" (H. P. 1102) (Presented by Mr. Wyman of Pittsfield)

(Ordered Printed)
Sent up for concurrence.

Orders

An Expression of Legislative Sentiment (H. P. 1058) recognizing that: Charles Grover of Eliot is retiring as Road Commissioner of Eliot after 22 years of dedicated service to that municipality and this State (Presented by Mr. McPherson of Eliot)

The Order was read and passed and sent up for concurrence.

An Expression of Legislative Sentiment (H. P. 1059) recognizing that: William G. Hartwell of Anson, after having completed 40 years as tax collector of Anson, has been reelected to that position for a 41st term (Presented by Mr. Burns of Anson)

The Order was read and passed and sent up for concurrence.

An Expression of Legislative Sentiment (H. P. 1062) recognizing that: The International Moot Court Team of the University of Maine School of Law has won the New England Regional Round of the 1977 Phillip C. Jessup International Moot Court Competition (Presented by Mr. Hughes of Auburn) (Cosponsors: Mr. Spencer of Standish, Mr. Tierney of Lisbon Falls, Mr. Morton of Farmington)

The Order was read.

The SPEAKER: The Chair recognizes the gentleman from Farmington, Mr. Morton.

Mr. MORTON: Mr. Speaker, Ladies and Gentlemen of the House: Just a quick note. You might be surprised to find my name associated with all those lawyers on this particular order, but I am particularly proud that two of the aspiring lawyers that were on this team were graduates from Mt. Blue High School. They are Denise Bradley of Farmington and Steve Hammond of Portland.

Thereupon, the Order received passage and was sent up for concurrence.

On Motion of Mr. Nadeau of Sanford, it was ORDERED, that J. P. Marcel Lizotte of Biddeford be excused March 28th, 29th, 30th and 31st for personal reasons.

House Reports of Committees

Ought Not to Pass

Mr. Biron from the Committee on Legal Affairs on Bill "An Act to Require that the Purchase Price of Tickets for Motor Vehicle Racing Events that are Cancelled be Refunded" (H. P. 491) (L. D. 610) reporting "Ought Not to Pass"

Was placed in the Legislative Files without further action pursuant to Joint Rule 20, and sent up for concurrence.

Leave to Withdraw

Mr. Spencer from the Committee on Judiciary on Bill "An Act to Define the Moment of Death" (H. P. 35) (L. D. 52) reporting "Leave to Withdraw"

Report was read.

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

Mr. SPENCER: Mr. Speaker and Members of the House: The Committee on Judiciary felt that it was appropriate for certain comments to be made in conjunction with the withdrawal of L. D. 52, An Act to Define the Moment of Death.

We were concerned that any negative action

taken by the legislature might be construed as a prohibition in the State of Maine of the utilization of the brain death criterion for the pronouncement of death. The committee was concerned that without some recorded statement, such a negative implication might arise. Therefore, I, as House Chairman of the Judiciary Committee, advise the legislature of the reason for the committee's action.

The committee conducted an extensive hearing on this legislative proposal. We heard testimony from Counsel to the Maine Medical Association and the Maine Hospital Association, physicians engaged in the utilization of brain death as a means of determining death for purposes of organ transplantation, members of the clergy, representatives of the Maine Right to Life Committee and other members of the public. All of the witnesses who appeared before the committee agreed that the concept of brain death is necessary. All of them recognized that the concept has been utilized for several years in the State of Maine as a valid and legal means of determining death in certain circumstances.

As indicated at the hearing, a determination of death on the basis of total and irreversible cessation of brain function is the only basis upon which to secure viable organs for transplant purposes. If the pronouncement of death were delayed until the heart actually stopped beating, the organs would undergo so much deterioration that a successful transplant would be jeopardized.

Last year in Maine, 22 kidneys were removed on the basis of brain death criterion. Testimony indicated that approximately 150 Maine citizens are currently waiting for kidney transplants.

Several witnesses felt that statutory codification of the concept of brain death was unnecessary and inappropriate. These witnesses felt that the physician was best able to make the determination as to when death occurred and that such a determination would be based upon the customary standards of medical practice.

All of the witnesses were in agreement that the utilization of brain death, as determined by the physician, was a lawful means of determining death in the State of Maine. The committee agrees with that position.

As a result of the public hearing, the sponsor of the legislation and the committee determined that the concept of brain death is lawful in the State of Maine. It was the opinion of the sponsor and the committee that it was unnecessary to enact legislation specifically recognizing this concept by statute, inasmuch as we believed such a concept is recognized as part of the common law of Maine and inasmuch as there has been no question concerning the validity of this concept ever raised in this state.

For these reasons, the committee recommends that this body accept the request of the sponsor and the committee that it was unnecessary to enact legislation specifically recognizing this concept by statute, inasmuch as we believed such a concept is recognized as part of the common law of Maine and inasmuch as there has been no question concerning the validity of this concept ever raised in this state.

I apologize to the members of the House for taking so much time.

Thereupon, the Report was accepted and sent up for concurrence.

Ought to Pass in New Draft New Draft Printed

Mr. Kelleher from the Committee on Public Utilities on Bill "An Act to Exempt Small Water Districts from Regulation by the Public Utilities Commission" (Emergency) (H. P. 12) (L. D. 21) reporting "Ought to Pass" in New Draft (H.P. 1060) (L. D. 1116)

Report was read and accepted, the New Draft read once and assigned for second reading tomorrow.

Divided Report

Majority Report of the Committee on Transportation reporting "Ought Not to Pass" on

Bill "An Act to Repeal Provision for Lighted Headlamp on Motorcycles Using the Highway" (H. P. 208) (L. D. 267)

Report was signed by the following members:

Messrs. GREELEY of Waldo
McNALLY of Hancock
— of the Senate.

Messrs. LUNT of Presque Isle
CARROLL of Limerick
STROUT of Corinth
LITTLEFIELD of Hermon
JENSEN of Portland
BROWN of Mexico
ELIAS of Madison
McKEAN of Limestone
Mrs. HUTCHINGS of Lincolnville
— of the House.

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

Report was signed by the following members:

Mr. MINKOWSKY of Androscoggin
— of the Senate.

Mr. JACQUES of Lewiston
— of the House.

Reports were read.

On motion of Mr. Carroll of Limerick, the Majority "Ought Not to Pass" Report was accepted and sent up for concurrence.

Consent Calendar

First Day

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

(H. P. 384) (L. D. 472) RESOLVE, Authorizing the Purchase of 'University of Maine at Farmington — A Study of Education Change, 1864 to 1974 — Committee on Education reporting "Ought to Pass" as amended by Committee Amendment "A" (H-85)

(H. P. 219) (L. D. 283) Bill "An Act Relating to Representation of Maine Maritime Academy on the Post Secondary Education Commission of Maine" — Committee on Education reporting "Ought to Pass" as amended by Committee Amendment "A" (H-86)

(H. P. 279) (L. D. 344) Bill "An Act Concerning the Required Height of Motorcycle Handlebars" — Committee on Transportation reporting "Ought to Pass"

No objections being noted, the above items were ordered to appear on the Consent Calendar of March 29, 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:

(H. P. 289) (L. D. 370) Bill "An Act to Revise the Method of Funding Water Pollution Abatement Planning"

(H. P. 353) (L. D. 446) Bill "An Act to Transfer to Central Maine General Hospital School of Nursing, a Corporation, the Authorization Heretofore Granted to Central Maine General Hospital a Corporation with a School of Nursing, to confer Associate in Applied Science Degrees in Nursing" (Emergency)

(S. P. 169) (L. D. 486) Bill "An Act to Amend the Charter of the Belfast and Moosehead Lake Railway" (Emergency) (C. "A" S-36)

(S. P. 182) (L. D. 496) Bill "An Act to Authorize the State Librarian to Purchase Town Histories and other Maine Histories for Distribution to Public Libraries and Schools" (C. "A" S-35)

(S. P. 89) (L. D. 213) Bill "An Act Relating to the Purchase of Insurance by the Maine Insurance Advisory Board" (C. "A" S-34)

(S. P. 90) (L. D. 214) Bill "An Act Relating to Vehicle Sizes and Weights" (Emergency)

(S. P. 184) (L. D. 584) Bill "An Act to Require Notice and Hearing to Counties When Ordered to Pay Surveyor's Fee"

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

Passed to Be Engrossed

Bill "An Act to Require that Newly-Constructed or Reconstructed Public Buildings be Made Accessible to the Physically Handicapped" (S. P. 307) (L. D. 969)

Bill "An Act to Authorize General Fund Bond Issue in the Amount of \$30,000,000 for Planning, Construction and Equipment of Pollution Abatement Facilities" (H. P. 496) (L. D. 615)

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

Second Reader

Tabled and Assigned

Bill "An Act Pertaining to Rat Control on Public Dumps" (H. P. 387) (L. D. 477)

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

The SPEAKER: The Chair recognizes the gentleman from New Gloucester, Mr. Cunningham.

Mr. CUNNINGHAM: Mr. Speaker, Ladies and Gentlemen of the House: Over the weekend, I discussed with some town fathers this law requiring that licensed people be hired for rat control on local town dumps. In the hustle and bustle this morning, it was impossible for me to get a proper amendment prepared. We did get one amendment prepared, but I understand that there is another title to which this bill refers and there will need to be another amendment prepared.

I am asking that someone table this for two legislative days so that the proper amendment can be ready for presentation.

Whereupon, on motion of Mr. Palmer of Nobleboro, tabled pending passage to be engrossed and specially assigned for Wednesday, March 30.

Passed to Be Enacted Emergency Measure

"An Act to Expand Protective Services to Mentally Retarded Individuals" (H. P. 322) (L. D. 413)

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. 114 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.

Passed to Be Enacted

"An Act to Improve the Viability and Efficiency of Local Conservation Commissions" (H. P. 236) (L. D. 299) (C. "A" H-63)

"An Act Concerning the Administration of the Office of the Chief Medical Examiner" (H. P. 298) (L. D. 354)

"An Act Appropriating Funds for the Purchase of Sets of "The History of Old Broadway" by Jasper J. Stahl" (H. P. 286) (L. D. 368)

"An Act Appropriating Funds for the Purchase of Copies of "Archaeological Excavations at Pemaquid, Maine, 1965-1974, by Helen Camp" (H. P. 334) (L. D. 425) (C. "A" H-62)

"An Act Relating to Powers of District Court Judges to Order Persons Produced for Trial" (H. P. 376) (L. D. 465)

"An Act Pertaining to Hospital Liens" (H. P. 379) (L. D. 468)

"An Act Amending the Aggravated Unlawful Gambling Statute" (H. P. 149) (L. D. 179) (C. "A" H-68)

"An Act to Adjust Allocation of Funds from Certain Public Lands" (H. P. 168) (L. D. 206) (C. "A" H-72)

Were reported by the Committee on Engrossed Bills as truly and strictly engrossed, passed to be enacted, signed by the Speaker and sent to the Senate.

**Enactor
Tabled and Assigned**

"An Act to Provide for Legislative Review and Automatic Termination of State Agency Rules" (H. P. 173) (L. D. 211) (C. "A" H-56, S. "A" S-37)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed.

The SPEAKER: The Chair recognizes the gentleman from Lisbon Falls, Mr. Tierney.

Mr. TIERNEY: Mr. Speaker, Men and Women of the House: L. D. 211 is what I consider to be one of the most excellent bills which has been sponsored during this session, sponsored by my good friend, the gentleman from Nobleboro, Mr. Palmer.

What the bill does essentially is, it is a sunset law for state agencies rules. Prior to the abolition of our House Appropriation Table, this would have set here in the House for some time because there is an appropriation on it. However, before we say goodbye to this bill, I would like to call your attention to the fact that there is another piece of legislation dealing with sunset legislation dealing with agencies and boards.

Because these two issues are extremely important and because I would like to make sure that these two bills are coordinated, I would like to ask someone to table this bill for two legislative days.

The SPEAKER: The Chair recognizes the gentleman from Gorham, Mr. Quinn.

Mr. QUINN: Mr. Speaker, I move that this bill be tabled for two legislative days.

Whereupon, Mr. Palmer of Nobleboro requested a roll call vote.

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. All those desiring a roll call vote 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 is on the motion of the gentleman from Gorham, Mr. Quinn, that this matter be tabled pending passage to be enacted and specially assigned for Wednesday, March 20. All those in favor of that motion will vote yes; those opposed will vote no.

ROLL CALL

YEA — Bachrach, Beaulieu, Bennett, Benoit, Berry, Berube, Biron, Blodgett, Brenerman, Brown, K. C.; Burns, Bustin, Carrier, Carroll, Carter, D.; Chonko, Clark, Connolly, Cote, Cox, Curran, Davies, Diamond, Dow, Dudley, Dutremble, Elias, Flanagan, Fowlie, Gauthier, Goodwin, H.; Goodwin, K.; Green, Greenlaw, Hall, Henderson, Hickey, Hobbins, Howe, Hughes, Jacques, Jalbert, Jensen, Joyce, Kany, Kilcoyne, LaPlante, LeBlanc, Locke, MacEachern, Mahany, Martin, A.; Maxwell, McHenry, Mitchell, Nadeau, Najarian, Pearson, Post, Prescott, Quinn, Raymond, Rideout, Spencer, Talbot, Theriault, Tierney, Tozier, Trafton, Truman, Twitchell, Tyndale, Valentine, Wilfong, Wyman, The Speaker.

NAY — Aloupis, Ault, Austin, Bagley, Birt, Boudreau, P.; Brown, K. L.; Bunker, Byers, Carter, F.; Churchill, Conners, Cunningham, Devoe, Dexter, Drinkwater, Durgin, Fenlason, Garsoe, Gill, Gillis, Gould, Gray, Higgins, Huber, Hunter, Hutchings, Immonen, Jackson, Kane, Laffin, Lewis, Lunt, Mackel, Marshall,

Masterman, Masterton, McBreaarty, McKean, McPherson, Moody, Morton, Palmer, Peltier, Perkins, Peterson, Rollins, Shute, Silsby, Smith, Sprowl, Stover, Strout, Tarr, Teague, Torrey, Whittemore.

ABSENT — Boudreau, A.; Carey, Kelleher, Kerry, Littlefield, Lizotte, Lougee, Lynch, McMahon, Mills, Nelson, M.; Nelson, N.; Norris, Peakes, Stubbs, Tarbell, Wood.

Yes, 76; No, 57; Absent, 17; Vacant, 1.

The SPEAKER: Seventy-six having voted in the affirmative and fifty-seven in the negative, with seventeen being absent, the motion does prevail.

"An Act Relating to Notification of Results of Election Contests by the Commission on Governmental Ethics and Election Practices" (H. P. 318) (L. D. 409) (C. "A" H-67)

"An Act to Provide for the On-premises Sale of Alcoholic Beverages by Indoor Racquet Sport Clubs" (H. P. 436) (L. D. 543) (C. "A" H-71)

"An Act Concerning Chemical Control of Vertebrate Animals" (H. P. 800) (L. D. 812) (H. "A" H-73, S. "A" S-38)

"An Act to Provide for the Purchase of Certain Town Histories" (H. P. 876) (L. D. 899)

"An Act Relating to Work Probation in Lieu of Fine" (S. P. 303) (L. D. 898)

"An Act to Remove Service Facilities from Tax Exemption Granted to the Maine Turnpike Authority" (H. P. 42) (L. D. 59) (C. "A" H-57)

Were reported by the Committee on Engrossed Bills as truly and strictly engrossed, passed to be enacted, signed by the Speaker and sent to the Senate.

Orders of the Day

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

Bill "An Act to Place the Office of Energy Resources in the State Planning Office" (S. P. 314) (L. D. 1034) — In Senate, Referred to Committee on State Government.

Tabled — March 24, 1977 by Mr. Davies of Orono.

Pending — Reference in concurrence.

Thereupon, the Bill was referred to the Committee on State Government in concurrence.

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

Bill "An Act Concerning the Advertising of Proposed Marine Resources Regulations" (H. P. 831) (L. D. 1004) — In House, referred to Committee on Marine Resources March 15. — In Senate, referred to Committee on State Government in non-concurrence.

Tabled — March 24, 1977 by Mr. Jackson of Yarmouth.

Pending — Further Consideration.

On motion of Mrs. Post of Owls Head, the House voted to insist.

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

Bill "An Act to Regulate the Circulating of Initiative or Referendum Petitions" (H. P. 223) (L. D. 287)

Tabled — March 24, 1977 by Mr. Talbot of Portland.

Pending — Passage to be Engrossed.

On motion of Mr. Quinn of Gorham, retabled pending passage to be engrossed and specially assigned for Wednesday, March 30.

Mr. Palmer of Nobleboro was granted unanimous consent to address the House.

Mr. PALMER: Mr. Speaker, Ladies and Gentlemen of the House: I will be very brief, but I must admit to you that I was a little bit upset a few moments ago when a bill which I sponsored and indeed the Majority Leader said was one of the finer bills we have before the legislature this session was tabled for two days and it may end up being tabled unassigned with

the PUC bills, for all I know, for the rest of this session.

I want to bring a few things out about this bill because I think it was a travesty to allow that to happen. One, this bill went before the State Government Committee. There was not one word of opposition at the time of the hearing. It came out of the State Government Committee with a unanimous "ought to pass" report. It has gone through this House and the other body without one word of opposition, and this morning it comes to the point of enactment and we table it. We table it for nothing more than purely raw, political reasons because there is another bill having to do with agencies which happens to be a Democrat bill.

I have no fight with the fact that there is a Democrat bill here on agencies. I have not expressed opposition to that bill. As a matter of fact, that bill and this bill can pass together and one would not conflict with the other whatsoever. I just see this as something which is purely partisan, which is going to extend this session if we continue to do this sort of thing.

This bill has the editorial support of most of the Maine newspapers, it is a good bill, it is a people's bill, it is a bill the people of Maine want. This morning we are delaying action on that bill only for one reason, which is to see what happens to the other bill, and I presume the reasoning would follow that if the other bill fails, we will kill this one too, regardless of how good it may be. I think it is a poor start in a very, very bad direction for this session.

Mr. Tierney of Lisbon Falls was granted unanimous consent to address the House.

Mr. TIERNEY: Mr. Speaker, Men and Women of the House: Very gently, I would like to repeat again the fact that I do favor this bill, that it is indeed a people's bill. I would like to say that it did go to the State Government Committee and for some unforeseen reason, the other sunset bill went to the Performance Audit Committee and so the question of coordination that the gentleman from Nobleboro was so confident that there is no problem, I am not so sure.

I was very saddened to see that he brought up the fact that one was a Democratic bill, one was a Republican bill. As the good gentleman knows, the other sunset bill was cosponsored by the gentleman from Wayne, Mr. Ault, who is a member of the Republican Party and in that nature, I don't feel that it is necessarily partisan.

Of course, we table bills all the time. We extended the courtesy to the gentleman from New Gloucester on dealing with rat control today for two days. It would seem that we could have done at least the same on a bill of significantly more importance. I urge each and everyone of you to study these issues and hopefully we will be able to deal with them in a coordinated, non-partisan fashion.

Mr. Goodwin of South Berwick was granted unanimous consent to address the House.

Mr. GOODWIN: Mr. Speaker, Men and Women of the House: I would just like to bring to your attention the fact that my name is also on Representative Palmer's bill and that I don't consider this a Republican bill at all. I was going to introduce one exactly the same and he allowed me to put my name on it. I went along with the tabling motion as well, but I don't think this should be classified as a Republican or a Democratic bill.

Mr. Palmer of Nobleboro was granted unanimous consent to address the House.

Mr. PALMER: Mr. Speaker, Ladies and Gentlemen of the House: I was not going to respond to the gentleman from Lisbon Falls, Mr. Tierney, because I think it is unnecessary. I will

have to now that Representative Goodwin has said something because I agree with him and perhaps I was in error in calling it a Republican bill. I guess the only reason I did was because the Majority Leader, in calling me this morning to tell me that he was going to table this bill, told me that the Democrats wanted it tabled, so I assumed it must have been because of the sponsor, not the cosponsor, who was a Republican. I apologize for that.

The Chair laid before the House the following matter:

Bill "An Act to Authorize a School Nursing Health Consultant in the Department of Educational and Cultural Services" (H. P. 868) (L. D. 1061) which was tabled earlier in the day and later today assigned pending further consideration.

Thereupon, on motion of Mr. Palmer of Nobleboro, the House voted to recede and concur.

Mr. Cote of Lewiston was granted unanimous consent to address the House.

Mr. COTE: Mr. Speaker, Ladies and Gentlemen of the House: I was very much gratified this morning when I picked up the Portland paper and saw on the front page a "Snowshoe Safari." As you know, I have been with the snowshoe movement for quite a number of years, as other members of this House here, Mr. Raymond, a past president of the American Snowshoe Union, also a past Governor of the Past Presidents Association, Mr. Jalbert, who holds a snowshoe card and I think it is about time that we snowshoers got recognized like the skiers do.

Mr. McKean of Limestone was granted unanimous consent to address the House.

Mr. McKEAN: Mr. Speaker, Ladies and Gentlemen of the House: We had a development this weekend which I think is of great interest to all of us. On Friday, Loring Air Force Base received the new Environmental Impact Report, and a discussion with the Commander at Loring, the report is fairly accurate. They are estimating around a 22 to 26 percent unemployment rate on account of the reduction at the base. The figure of 83 percent reduction still is in the mill. It is the one they are still looking forward to. What will happen now is the report will be filed on the Federal Registry either this past Friday or this coming Friday, because everything is filed on Friday in the Federal Registry. The public hearings will occur 60 days after that. They are looking for the public hearings sometime in between the middle and the end of May. After the public hearings, 30 days later, the results go to the CEQ. After CEQ has made their review, it goes to the President for his review. If the reduction does take place, then they will start, according to their time table, reducing the personnel at the base by approximately October 1 and they will end up around the 1st of January when it leaves between 17 and 20 percent of the people on the base, so that the action this House took earlier is very, very important and has far-reaching meanings for the State of Maine.

(Off Record Remarks)

On motion of Mr. Mackel of Wells,
Adjourned until nine-thirty tomorrow morning.