

# MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Fifth  
Legislature*

OF THE

STATE OF MAINE

Volume II

May 5, 1971 to June 15, 1971

KENNEBEC JOURNAL  
AUGUSTA, MAINE

**Non-Concurrent Matter**

Bill "An Act to Authorize Bond Issue in the Amount of \$3,090,000 for the Development and Improvement of State Park Facilities, Improvements to Various Airports and Maintenance Building at Augusta" (H. P. 176) (L. D. 234) which was passed to be engrossed as amended by Committee Amendment "A" as amended by House Amendment "A" thereto in the House on June 2.

Came from the Senate passed to be engrossed as amended by Committee Amendment "A" as amended by House Amendment "A" and Senate Amendment "A" thereto in non-concurrence.

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

**Non-Concurrent Matter**

Bill "An Act relating to Prevention by Landowners of Acquisition of Rights-of-way, Easements and Public Rights by Dedication" (H. P. 708) (L. D. 954) which was passed to be engrossed as amended by House Amendment "B" in the House on May 28.

Came from the Senate passed to be engrossed as amended by House Amendment "B" as amended by Senate Amendment "B" thereto in non-concurrence.

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

**Non-Concurrent Matter****Tabled and Assigned**

Bill "An Act relating to Certain Laws Relative to Great Ponds" (H. P. 1374) (L. D. 1791) which was passed to be engrossed in the House on June 1.

Came from the Senate indefinitely postponed in non-concurrence.

In the House:

The SPEAKER: The Chair recognizes the gentleman from Hope, Mr. Hardy.

Mr. HARDY: Mr. Speaker, Ladies and Gentlemen of the House: I would move that we reconsider our action whereby this bill was passed to be engrossed for the purpose of an amendment.

The SPEAKER: The Chair would advise the gentleman that the

motions to consider are recede and concur, insist and adhere.

Thereupon, on motion of Mr. Hardy of Hope, the House voted to recede from passage to be engrossed.

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

House Amendment "A" (H-431) was read by the Clerk.

The SPEAKER: The Chair recognizes the gentleman from Augusta, Mr. Lund.

Mr. LUND: Mr. Speaker, Ladies and Gentlemen of the House: This bill provides, I think, an interesting case study for anybody to look at, anybody who thinks that the need for concern for the environment is over and all we have to do is sit back and just count our blessings. This bill, which I sponsored originally at the request of the Forestry Commissioner, represented an effort to clarify the standards to be used by the Forestry Commissioner in issuing permits for the alteration or filling of great ponds or tributaries thereto.

The existing law imposes upon the Commissioner of Forestry the obligation of regulating this aspect of the State of Maine, the great ponds and the tributaries thereto. The committee amendment removed all reference to the tributaries so that it would have withdrawn the authority to exert any control over the tributaries to great ponds.

The committee redraft, which is 1791, also removed all present legislative control over the bulldozing of streams in Maine. It used to be a grand tradition that if you had trouble driving logs in a stream you would just bulldoze the stream, and some years ago the Maine Legislature said that you can't bulldoze more than 500 feet in a mile. But the committee redraft would have removed all prohibition against bulldozing, and I understand that the amendment which is now being offered by Mr. Hardy would patch up the rule of the bulldozing of streams.

However, I also find that there are a number of other provisions in the committee redraft which really ought to be fixed up if this

bill is to be enacted, and I would hope that someone might table the bill for a couple of days to give us a chance to review exactly what the committee redraft does and see if any additional amendments can be drawn. I would hope that someone might table this for two days.

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

Mr. SMITH: Mr. Speaker. I move that this item lie on the table for two legislative days.

The SPEAKER: The gentleman from Waterville, Mr. Smith, moves that L. D. 1791 be tabled and assigned for Thursday, June 10, pending the adoption of House Amendment "A". All in favor of tabling will vote yes; those opposed will vote no.

A vote of the House was taken, 96 having voted in the affirmative and 6 having voted in the negative, the motion did prevail.

### Orders

Mr. Silverman of Calais presented the following Joint Order and moved its passage:

WHEREAS, music once described as the universal language of mankind causes eloquent thought to flow among the greatest of nations; and

WHEREAS, sentiments of glory and pride flowed in abundance as the Calais Memorial High School Band performed at the Annual Maritime Band Festival in Moncton, New Brunswick; and

WHEREAS, the discipline and enthusiasm displayed by this talented band was described as one of the most remarkable aspects of the festival and as "Ambassadors of Good Will" they were considered without peers; and

WHEREAS, this pleasant interlude not only reflects great credit on the participants and their community but has imparted an inspiring international image of Maine youth, as well; now therefore, be it

ORDERED, the Senate concurring, that the Members of the House of Representatives and Senate of the 105th Maine Legislature extend to the combined membership of the Calais Memorial High

School Band, its director, school principal and city manager a message of gratitude for an outstanding accomplishment along with our best wishes for continual success in their efforts to bring recognition and honor to their community, State and nation; and be it further

ORDERED, that copies of this Joint Order, duly authenticated, be immediately transmitted by the Secretary of the Senate to Mr. Joseph D. Driscoll, Mr. Philip Q. Flagg and Mr. Harry J. Pascoe in recognition of the band's inspiring performance. (H. P. 1393)

The Joint Order received passage and was sent up for concurrence.

### Tabled and Assigned

Mr. Norris of Brewer presented the following Joint Order and moved its passage:

ORDERED, the Senate concurring, that the members and legal clerks of the Joint Standing Committees on Judiciary and Legal Affairs, who have not heretofore received a set of the 1964 revision of the Maine Revised Statutes Annotated as Members of the Legislature or committee clerks, be provided with copies.

(On motion of Mr. Martin of Eagle Lake, tabled pending passage and tomorrow assigned.)

The SPEAKER: The Chair recognizes the gentleman from Perham, Mr. Bragdon.

Mr. BRAGDON: Mr. Speaker, I would inquire if L. D. 42 is in the possession of the House.

The SPEAKER: The answer is in the affirmative. Bill "An Act Repealing the Poll Tax," Senate Paper 14, L. D. 42, on which the House adhered on yesterday.

Mr. BRAGDON: Mr. Speaker, I would move that we reconsider our action of yesterday.

The SPEAKER: The gentleman from Perham, Mr. Bragdon, moves that the House reconsider its action of yesterday whereby it adhered on this matter. The Chair will order a vote. All in favor of reconsidering whereby we adhered will vote yes; those opposed will vote no.

A vote of the House was taken.