

MAINE STATE LEGISLATURE

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OF THE

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Legislature*

OF THE

STATE OF MAINE

Volume II

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KENNEBEC JOURNAL
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The SPEAKER: Sixty having voted in the affirmative and sixty having voted in the negative, with thirty being absent, the motion does not prevail.

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

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

Mr. GILL: Mr. Speaker and Members of the House: I just thought I would like to stand up and give your arm a rest from that gavel, respectfully.

I never like to stand up to oppose any kind of appropriations for our brothers on the Reservation, our red brothers. However, I would like to suggest that I don't feel this would be one of the strongest priority items upon the Appropriations table. I would ask you to oppose the passage of this legislation, and I would request a division.

The SPEAKER: The pending question is passage to be engrossed as amended by Committee Amendment as amended by House Amendment "A" thereto. A vote has been requested. All in favor of this Bill being passed to be engrossed as amended will vote yes; those opposed will vote no.

A vote of the House was taken.

65 having voted in the affirmative and 59 having voted in the negative, the motion did prevail.

Sent to the Senate.

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

Bill "An Act relating to Certain Laws Relative to Great Ponds" (H. P. 1374) (L. D. 1791) — In Senate, indefinitely postponed in non-concurrence. — In House, receded from passage to be engrossed.

Tabled—June 14, by Mrs. Brown of York.

Pending — Adoption of House Amendment "A" (H-431)

Thereupon, Mr. Hardy of Hope withdrew House Amendment "A".

Mr. Lund of Augusta offered House Amendment "C" and moved its adoption.

House Amendment "C" (H-458) was read by the Clerk.

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

House Amendment "A" to House Amendment "C" (H-464) was read by the Clerk and adopted. House Amendment "C" as amended by House Amendment "A" thereto was adopted.

The SPEAKER: The Chair recognizes the gentleman from Brewer, Mr. Norris.

Mr. NORRIS: Mr. Speaker and Members of the House: Could the gentleman from Augusta, Mr. Lund, just explain very briefly to us what this does, please?

The SPEAKER: The gentleman from Brewer, Mr. Norris, poses a question through the Chair to the gentleman from Augusta, Mr. Lund, who may answer if he chooses.

The Chair recognizes that gentleman.

Mr. LUND: Mr. Speaker and Ladies and Gentlemen: The present law relating to Great Ponds also applies to regulation to tributaries to great ponds. The two amendments together limit the application of the law to those tributaries which are capable of being floated, and also exempts the application of the law to public works projects to the extent of 200 feet along the shore of the tributary and private ways crossing tributaries to the extent of 100 feet. And this concerns this prohibition against bulldozing.

The two amendments, I think, substantially embody the thoughts that were presented earlier but move the bill forward.

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

Mr. BRAUN: Mr. Speaker, I would like to ask a question through the Chair to Mr. Lund. He said this was floated. Did he mean floated or flooded?

The SPEAKER: The gentleman from Oakland, Mr. Brawn, poses a question through the Chair to the gentleman from Augusta, Mr. Lund, who may answer if he chooses.

The Chair recognizes that gentleman.

Mr. LUND: Mr. Speaker and Ladies and Gentlemen: I will try to find the language within the amendment. On page three of House Amendment "C", "For the purposes of this section tributary rivers or streams shall mean those tributary rivers or streams that are capable of floating watercraft."

The SPEAKER: The Chair recognizes the gentleman from Freeport, Mr. Marstaller.

Mr. MARSTALLER: Mr. Speaker, a question to Mr. Lund or anyone who can answer it. This bill as now amended, if a person has a cottage on a pond and he has a little beach there and he hauls a load of sand there every now and then to keep this beach in good shape, does he now have to pay a fee and get permission to put another load of sand in?

The SPEAKER: The gentleman from Freeport, Mr. Marstaller, poses a question through the Chair to the gentleman from Augusta, Mr. Lund, who may answer if he chooses.

The Chair recognizes that gentleman.

Mr. LUND: Mr. Speaker and Members of the House: It is difficult to answer a question such as this offhand, but I think the answer is no. But if the answer is yes, then that is so under the present law, and this amendment does not change that. This amendment doesn't establish a control over the great ponds which was not there before. There is presently control over the great ponds. This bill was designed to establish guidelines under which the Forestry Commissioner could grant or deny the approval, and this bill does not extend control with respect to the shore of the great ponds where it did not exist prior to the enactment of this bill.

Thereupon, the Bill was passed to be engrossed as amended by House Amendment "C" as amended by House Amendment "A" thereto in non-concurrence and sent up for concurrence.

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

HOUSE DIVIDED REPORT — Majority (9) "Ought to pass" with Committee Amendment "A" (H-

389) — Minority (4) Ought not to pass" — Committee on Judiciary on Bill "An Act Providing for a Full-time County Attorney for Cumberland County" (H. P. 194) (L. D. 332)

Tabled — June 14, by Mr. Hewes of Cape Elizabeth.

Pending — Acceptance of either Report.

On motion of Mr. Hewes of Cape Elizabeth, retabled pending acceptance of either Report and tomorrow assigned.

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

Bill "An Act to Correct Errors and Inconsistencies in the Education Laws" (S. P. 277) (L. D. 860) — In Senate, passed to be engrossed as amended by Committee Amendment "A" (S-237) — In House, Committee Amendment "A" adopted.

Tabled — June 14, by Mr. Martin of Eagle Lake.

Pending — Passage to be engrossed.

The SPEAKER: The Chair recognizes the gentleman from Eagle Lake, Mr. Martin.

Mr. MARTIN: Mr. Speaker and Members of the House: If you will recall, this item had been tabled two days ago by the gentleman from Lewiston, Mr. Jalbert, retabled yesterday because he was absent. Before he left this afternoon I spoke to him and he indicated to me that there was no problem, and I would therefore move passage to be engrossed.

Whereupon, the Bill was passed to be engrossed as amended by Committee Amendment "A" and sent to the Senate.

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

Bill "An Act to Revise the Site Location of Development Law" (H. P. 1373) (L. D. 1790)

Tabled — June 14, by Mr. Parks of Presque Isle.

Pending — Passage to be engrossed.

Mr. Evans of Freedom offered House Amendment "A" and moved its adoption.