

# MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Second  
Legislature*

OF THE

STATE OF MAINE

1965

DAILY KENNEBEC JOURNAL  
AUGUSTA, MAINE

## HOUSE

Wednesday, February 17, 1965

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

Prayer by the Rev. Mr. Donald E. Jacques of St. Patrick's Church, Portland.

The journal of yesterday was read and approved.

The following papers were taken up out of order by unanimous consent:

### STATE OF MAINE

Office of the Secretary of State  
February 17, 1965

To the Honorable  
Dana W. Childs  
Speaker of the House  
of Representatives  
of the One Hundred  
and Second 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 Representatives to the One Hundred and Second Legislature in the City of Rockland at a Special Election held February 15, 1965, according to a review of the returns made by the Governor and Council, to fill the vacancy caused by the resignation of John L. Knight of Rockland, as follows:

Paul R. Huber of Rockland, 1017 votes.

Ronald E. Flag of Rockland, 317 votes.

(Signed)

KENNETH M. CURTIS  
Secretary of State

### STATE OF MAINE

Office of the Secretary of State  
February 17, 1965

To Jerome G. Plante,  
Clerk of the House  
of Representatives of the  
One Hundred and  
Second Legislature:

In compliance with the Constitution and laws of the State of Maine, I hereby certify that a Special Election was held in the City of Rockland on February 15,

1965 for the purpose of electing a Representative to the One Hundred and Second Legislature to fill the vacancy caused by the resignation of John L. Knight of Rockland; that at said election Paul R. Huber of Rockland, having received a plurality of all votes cast in said election, as contained in a report submitted to the Governor and Council under date of February 17, 1965, appears to have been elected a Representative to the One Hundred and Second Legislature.

IN WITNESS WHEREOF, I have caused the Great Seal of the State of Maine to be hereunto affixed this seventeenth day of February in the year of our Lord one thousand nine hundred and sixty-five and of the Independence of the United States of America, the one hundred and eighty-ninth.

(Signed)

KENNETH M. CURTIS

(Seal)

Secretary of State

The Communications were read and ordered placed on file.

On motion of Mr. Levesque of Madawaska, the following Resolution:

RESOLVED that Paul R. Huber of Rockland is hereby declared duly elected Representative to the One Hundred and Second Legislature.

The Order was received out of order by unanimous consent, read and adopted.

The SPEAKER: The Chair understands that the gentleman from Rockland, Mr. Huber is in the rear of the House, and the Chair will request the gentleman from South Thomaston, Mr. Kittredge, to escort Mr. Huber to the Governor's office for the purpose of being sworn in.

Subsequently, Mr. Kittredge reported that the necessary oaths had been taken by Mr. Huber of Rockland.

### Papers from the Senate

From the Senate:

Bill "An Act Creating the State Airport Authority" (S. P. 359) (L. D. 1139)

Came from the Senate referred to the Committee on Appropriations and Financial Affairs.

In the House, referred to the Committee on Appropriations and Financial Affairs in concurrence.

From the Senate:

Bill "An Act relating to Organization of Small Loan Companies" (S. P. 348) (L. D. 1127)

Bill "An Act relating to Licensing Small Loan Agencies" (S. P. 350) (L. D. 1125)

Bill "An Act Revising the Laws Relating to Registration of Physicians and Surgeons" (S. P. 351) (L. D. 1126)

Bill "An Act relating to Production Quotas for Debit Insurance Agents" (S. P. 363) (L. D. 1130)

Came from the Senate referred to the Committee on Business Legislation.

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

From the Senate:

Bill "An Act to Authorize State Participation in Federally Aided Health Facilities Programs" (S. P. 364) (L. D. 1131)

Came from the Senate referred to the Committee on Health and Institutional Services.

In the House, referred to the Committee on Health and Institutional Services in concurrence.

From the Senate:

Bill "An Act to Provide for Partial Discontinuance of Highways" (S. P. 365) (L. D. 1132)

Came from the Senate referred to the Committee on Highways.

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

From the Senate:

Bill "An Act Affecting Certain Statutes Pertaining to Court Process and Procedure in Criminal Cases and to Kindred Matters" (S. P. 356) (L. D. 1140)

Came from the Senate referred to the Committee on Judiciary.

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

From the Senate:

Bill "An Act relating to Credit for Military Service under State Retirement Law" (S. P. 366) (L. D. 1133)

Came from the Senate referred to the Committee on Retirements and Pensions.

In the House, referred to the Committee on Retirements and Pensions in concurrence.

From the Senate:

Bill "An Act to Provide Special Lobster and Crab Licenses in York County and to Establish a Lobster Fund for York County" (S. P. 367) (L. D. 1134)

Came from the Senate referred to the Committee on Sea and Shore Fisheries.

In the House, referred to the Committee on Sea and Shore Fisheries in concurrence.

From the Senate:

Bill "An Act Revising the Motor Vehicle Dealer Registration Law" (S. P. 368) (L. D. 1135)

Bill "An Act relating to Size of Temporary Number Plates for Motorcycles" (S. P. 369) (L. D. 1136)

Bill "An Act relating to Number Plates on Motorcycles" (S. P. 370) (L. D. 1137)

Bill "An Act relating to Operation of Motorcycles While Learning to Drive" (S. P. 371) (L. D. 1138)

Came from the Senate referred to the Committee on Transportation.

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

### **Senate Reports of Committees Ought to Pass Tabled and Assigned**

Report of the Committee on Labor reporting "Ought to pass" on Bill "An Act Exempting Firemen from Waiting Period under Workmen's Compensation" (S. P. 42) (L. D. 213)

In the House, the Report was read.

(On motion of Mr. Gifford of Manchester, tabled pending acceptance of the Committee Report and

specially assigned for Tuesday, February 23.)

On motion of the gentlewoman from Windham, Mrs. Harvey, House Rule 25 was suspended for the remainder of today's session in order to permit smoking.

Report of the Committee on Legal Affairs reporting "Ought to pass" on Bill "An Act Permitting Merger of Maine General Hospital with Maine Medical Center" (S. P. 69) (L. D. 130)

Report of same Committee reporting same on Bill "An Act relating to Traffic Ordinances" (S. P. 98) (L. D. 265)

Report of the Committee on Veterans and Military Affairs reporting same on Bill "An Act to Extend the Military Law to Females" (S. P. 105) (L. D. 272)

Report of same Committee reporting same on Resolve Designating U. S. Route No. 2 as the 43rd Infantry Division Memorial Highway (S. P. 156) (L. D. 396)

Came from the Senate with the Reports read and accepted and the Bills and Resolve passed to be engrossed.

In the House, Reports were read and accepted in concurrence, the Bills read twice, Resolve read once, and assigned the next legislative day.

#### **Ought to Pass with Senate Amendment**

Report of the Committee on Business Legislation reporting "Ought to pass" on Bill "An Act relating to Group Life Insurance for State Employees Retired for Other Than Occupational Liability" (S. P. 57) (L. D. 118)

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

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

Senate Amendment "A" was read by the Clerk as follows:

SENATE AMENDMENT "A" to S. P. 57, L. D. 118, Bill "An Act Relating to Group Life Insurance

for State Employees Retired for Other Than Occupational Liability."

Amend said Bill in the Title by striking out the word "Liability" and inserting in place thereof the word 'Disability'

Senate Amendment "A" was adopted in concurrence and the Bill assigned for third reading the next legislative day.

#### **Ought to Pass with Committee Amendment Tabled and Assigned**

Report of the Committee on Education on Bill "An Act relating to Part-Time School Attendance" (S. P. 59) (L. D. 120) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Came from the Senate with the Report read and accepted and the Bill passed to be engrossed as amended by Committee Amendment "A."

In the House, the Report was read.

(On motion of Mr. Lane of Waterville, tabled pending acceptance of the Committee Report and assigned the next legislative day.)

The SPEAKER: The Chair at this time would request the gentleman from South Thomaston, Mr. Kittredge, to escort the gentleman from Rockland, Mr. Huber, to seat 148 which is being assigned to him by the Speaker. (Applause)

The following Communication:  
STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
AUGUSTA

February 17, 1965

Honorable Dana W. Childs  
Speaker of the House of  
Representatives  
Augusta, Maine  
Honorable Sir:

I, David J. Kennedy, do hereby resign my temporary position on the Joint Standing Committee on Transportation, effective as of this date.

Yours very respectfully,  
(Signed)  
DAVID J. KENNEDY

The Communication was received out of order by unanimous consent, read and ordered placed on file.

The Speaker appointed the following member to fill the vacancy on the Joint Standing Committee on Transportation:

Mr. HUBER of Rockland

Report of the Committee on Sea and Shore Fisheries on Bill "An Act to Correct Errors and Inconsistencies in the Sea and Shore Fisheries Law" (S. P. 100) (L. D. 267) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Came from the Senate with the Report read and accepted and the Bill passed to be engrossed as amended by Committee Amendment "A."

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

Committee Amendment "A" was read by the Clerk as follows: COMMITTEE AMENDMENT "A" to S. P. 100, L. D. 267, Bill, "An Act to Correct Errors and Inconsistencies in the Sea and Shore Fisheries Laws."

Amend said Bill by adding after section 3, a new section, as follows:

"Sec. 4. R. S., T. 12, Sec. 4251, sub-Sec. 1, additional. Section 4251 of Title 12 of the Revised Statutes is amended by adding a new subsection 1, to read as follows:

**'1. Joint municipal programs and funds authorized. Any municipality by vote of its legislative body may authorize its municipal officers to enter into an agreement with any number of other municipalities for any joint shellfish conservation program approved by the commissioner, and may raise and appropriate money for that joint program.'**"

Further amend said Bill by re-numbering sections 4 to 6 to be 5 to 7, respectively.

Further amend said Bill by adding at the end thereof, the following:

"Sec. 8 R. S., T. 12, Sec. 4252, sub-Sec. 5, additional. Section 4252 of Title 12 of the Revised Statutes

is amended by adding a new subsection 5, to read as follows:

**'5. Ordinances may grant privileges to municipalities having conservation agreements. Any ordinance adopted under this section may grant shellfish digging license privileges to the residents of any municipality which has a joint shellfish conservation agreement with the municipality enacting the ordinance.'**"

Senate Amendment "A" was adopted in concurrence and the Bill assigned for third reading the next legislative day.

Report of the Committee on Taxation on Resolve Reimbursing Certain Municipalities on Account of Property Tax Exemptions of Veterans (S. P. 47) (L. D. 218) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Came from the Senate with the Report read and accepted and the Resolve passed to be engrossed as amended by Committee Amendment "A."

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

Committee Amendment "A" was read by the Clerk as follows: COMMITTEE AMENDMENT "A" to S. P. 47, L. D. 218, Resolve Reimbursing Certain Municipalities on Account of Property Tax Exemptions of Veterans.

Amend said Resolve, in the 2nd line, by striking out the figure "\$289,529.29" and inserting in place thereof the figure '\$289,853.63.'

Further amend said Resolve by striking out the line which reads:

"Harpswell  
578.04 2,419.88 2,997.92"

and inserting in place thereof the line:

"Harpswell  
578.04 2,744.22 3,322.26

Further amend said Resolve by striking out all of the last line, before the Statement of Facts, and inserting in place thereof the following:

"Totals  
\$140,706.22 \$149,147.41 \$289,853.63"

Committee Amendment "A" was adopted in concurrence and the

Resolve assigned for second reading the next legislative day.

### **Divided Report**

Majority Report of the Committee on Education reporting "Ought not to pass" on Bill "An Act to Authorize the Municipalities of Belgrade, Mercer, New Sharon, Norridgewock and Smithfield to Form a School Administrative District" (S. P. 40) (L. D. 211)

Report was signed by the following members:

Messrs. SNOW of Cumberland  
FALON of Penobscot  
— of the Senate.  
Messrs. LEVESQUE  
of Madawaska  
GRAHAM of Freeport  
CARROLL of Limerick  
Mrs. HANSON of Lebanon  
— of the House.

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

Report was signed by the following members:

Mr. MENDELL of Cumberland  
— of the Senate.  
Mr. GIFFORD of Manchester  
— of the House.

Came from the Senate with the Majority Report accepted.

In the House: Reports were read.

On motion of Mr. Levesque of Madawaska, the Majority "Ought not to pass" Report was accepted in concurrence.

### **Non-Concurrent Matter**

Bill "An Act Permitting Certain Corporations to Hold Stockholder Meetings Outside of State" (H. P. 619) (L. D. 827) which was referred to the Committee on Business Legislation in the House on February 2.

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

In the House: On motion of Mr. Levesque of Madawaska, the House voted to recede and concur with the Senate.

### **Non-Concurrent Matter**

Bill "An Act relating to Amending Provisions of Charters and By-laws of Corporations Relating to

Preemptive Rights" (H. P. 644) (L. D. 869) which was referred to the Committee on Legal Affairs in the House on February 2.

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

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

### **Non-Concurrent Matter**

An Act relating to Publication of Fish and Game Regulations (H. P. 133) (L. D. 157) which was indefinitely postponed on passage to be enacted in non-concurrence in the House on February 12.

Came from the Senate with that body voting to insist on its former action whereby the Bill was passed to be engrossed as amended by Committee Amendment "A" and asking for a Committee of Conference.

In the House:

The SPEAKER: The Chair recognizes the gentleman from Milinocket, Mr. Crommett.

Mr. CROMMETT: Mr. Speaker, I don't exactly know what the intention of the Senate was when I asked to have this bill killed in the House. This is my bill. And the amendment does not do anything for the bill. A few days ago the gentleman from Bath, Representative Ross, spoke to you about the importance of keeping these amendments.

Now the amendments are very important to any bill, and sometimes after a certain number of amendments are attached to a bill, the bill itself, the original bill does not mean anything. I just happened to catch this. I have been discussing this and I would hope that somebody would table this for me. I don't think that I can do it. If somebody will be courteous enough to table this so that I can get my message across.

Thereupon, on motion of Mr. Levesque of Madawaska, the House voted to insist and join in a Committee of Conference.

### **Petitions, Bills and Resolves Requiring Reference**

The following Bills were received and, upon recommendation

of the Committee on Reference of Bills, were referred to the following Committees:

**Appropriations and Financial Affairs**

Bill "An Act Providing for Loans to Students Attending Tax Supported Teacher-Preparing Institutions" (H. P. 957) (Presented by Mr. Gifford of Manchester)  
(Ordered Printed)  
Sent up for concurrence.

**Business Legislation**

Bill "An Act Requiring Bonding of Fire Insurance Companies for Payment of Losses in Event of Bankruptcy or Discontinuance from Business" (H. P. 958) (Presented by Mr. Lane of Waterville)  
(Ordered Printed)  
Sent up for concurrence.

**Education**

Bill "An Act relating to Minimum Number of School Days in Secondary Public Schools" (H. P. 959) (Presented by Mr. Brewer of Bath)  
(Ordered Printed)  
Sent up for concurrence.

**Inland Fisheries and Game**

Bill "An Act Permitting Sunday Hunting for Rabbits During Open Season" (H. P. 960) (Presented by Mr. Beane of Moscow)  
(Ordered Printed)  
Bill "An Act Repealing Narragansett Game Sanctuary, Town of Gorham" (H. P. 961) (Presented by Mr. Knight of Westbrook)  
(Ordered Printed)  
Sent up for concurrence.

**Judiciary**

Bill "An Act relating to Requests for Information from Filing Officer under the Uniform Commercial Code" (H. P. 962) (Presented by Mr. Brennan of Portland)  
(Ordered Printed)  
Sent up for concurrence.

**Legal Affairs**

Bill "An Act for Licensing Private Detectives and Watch, Guard and Patrol Agencies" (H. P. 963) (Presented by Mr. Conley of Portland)  
(Ordered Printed)

Bill, "An Act relating to Licensing of Embalmers, Funeral Directors and Funeral Homes" (H. P. 964) (Presented by Mr. Wight of Presque Isle)  
(Ordered Printed)  
Sent up for concurrence.

**Liquor Control**

Bill "An Act relating to Definition of Part-Time Class A Restaurant under Liquor Law" (H. P. 965) (Presented by Mr. Lent of Scarborough)  
(Ordered Printed)  
Sent up for concurrence.

**Sea and Shore Fisheries**

Bill "An Act Providing Additional Fee for Lobster Licenses for Conservation in the Lobster Industry" (H. P. 966) (Presented by Mr. Lent of Scarborough)  
(Ordered Printed)  
Sent up for concurrence.

**Towns and Counties**

Bill "An Act Providing Public Dump for Forest City, Washington County" (H. P. 967) (Presented by Mr. Mills of Eastport)  
(Ordered Printed)  
Sent up for concurrence.

The SPEAKER: The Chair at this time would like to recognize in the balcony of the House thirty-eight pupils of the 7th and 8th Grades, Junior High School, Waynflete School, an independent elementary and secondary school located in Portland, accompanied by their teachers, Mrs. Jackson, who teaches Social Studies; Mr. Dickison, who teaches Science; Mrs. Quirk, who teaches Mathematics; and Mr. Palmer, who teaches English. They are the guests of Representative Carswell of Portland.

On behalf of the House, the Chair welcomes you and hopes that your visit will be both educational and enjoyable. (Applause)

**Joint Resolution**

Mr. Benson of Southwest Harbor and Mr. Lane of Waterville presented the following Joint Resolution: (H. P. 969)

WHEREAS, the State and the cities and towns thereof have embarked upon an intensive program

of industrial, recreational and agricultural development; and

WHEREAS, a "favorable business and industrial climate" is acknowledged to be a major factor in the advancement of such a development program; and

WHEREAS, the success of such a program means more jobs, more payrolls, new sources of revenue and greater prosperity for all our people; and

WHEREAS, the creation and continuance of a "favorable business and industrial climate" can only be attained by strict adherence to a set of well-defined principles and conditions; and

WHEREAS, these principles and conditions are generally recognized and defined as follows:

1. An atmosphere in which the triumvirate of government, management and labor live cooperatively and harmoniously in full recognition of their interdependence and mutual interests;

2. A friendly and understanding attitude on the part of government at all levels and a willingness on the part of government, within its proper sphere of activity, to do all within its power to keep Maine industry and commerce in a competitive position;

3. An attitude on the part of our people which clearly indicates to industry (both existing and potential) that they are sincerely wanted;

4. Careful and prudent planning activities with an eye to present needs and future efficient growth of the State;

5. Vigorous community attitudes which reflect concern for continuing and expanding payroll revenues by making more attractive the ease and cost of doing business in this State;

6. Sound, stable and adequate financial institutions and established machinery for capital generation;

7. An informed, intelligent and productive labor force dedicated to pride in product, and which endorses the profit motive as the source of job security and benefits for all; now, therefore, be it

RESOLVED: That the Senate and House of Representatives of

the 102nd Maine Legislature shall examine all proposed legislation in terms of its effect upon the "favorable business and industrial climate" of the State and shall determine whether such legislation may have any deterrent effect upon the business and industrial climate of the State as outlined, and be it further

RESOLVED: That copies of this Resolution be transmitted by the Secretary of the Senate to the Governor and the heads of all departments of the State Government with the request that they examine their own discretionary acts in terms of the effect upon the "favorable business and industrial climate" of Maine.

The Joint Resolution was read and adopted and sent up for concurrence.

#### Orders

The SPEAKER: The House is proceeding under Orders.

The Chair recognizes the gentleman from Old Town, Mr. Binnette.

Mr. BINNETTE: Mr. Speaker, I would like to inquire whether the Clerk has in his possession L. D. 159, Resolve Regulating Fishing in Certain Waters in Penobscot and Piscataquis Counties?

The SPEAKER: The Chair will answer in the affirmative, the Clerk does have such a document in his possession.

Mr. BINNETTE: Mr. Speaker, I would now move that we reconsider our action whereby this Resolve was passed to be engrossed.

The SPEAKER: The gentleman from Old Town, Mr. Binnette, now moves we reconsider our action whereby this matter was passed to be engrossed. Is this the pleasure of the House?

(Cries of "No")

The Chair recognizes the gentleman from Glenburn, Mr. Cookson.

Mr. COOKSON: Mr. Speaker, I believe this bill concerns ice fishing in Cold Stream Pond. Now the Department of Inland Fisheries and Game say that there would be no harm whatsoever in opening this lake to ice fishing, and we passed it out unanimous "Ought to pass." Now I don't know why

this lake shouldn't be fished as well as—the people up there go to the other people's lakes, so I just object to this reconsideration.

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

Mr. BINNETTE: Mr. Speaker, Ladies and Gentlemen: In reply to my good friend Mr. Cookson from Glenburn, I would ask him if he is acquainted with the fact that there is a bill coming before their committee, I think it is number L. D. 388 relative to opening up Cold Stream Pond, and I believe at that time the people will have an opportunity to attend that hearing and express themselves, and the way we passed this Resolve yesterday, they do not have one iota of a chance, so I therefore would like to have a reconsideration of this.

The SPEAKER: Does the Chair understand the gentleman from Old Town, Mr. Binnette, has made an inquiry of the gentleman from Glenburn, Mr. Cookson? The gentleman may answer if he so desires. Apparently the gentleman does not care to answer. The question before the House is the motion of the gentleman from Old Town, Mr. Binnette, that we reconsider our action whereby this was passed to be engrossed. Is this the pleasure of the House?

Mr. Cookson of Glenburn requested a division.

The SPEAKER: The Chair recognizes the gentleman from Mars Hill, Mr. Dickinson.

Mr. DICKINSON: Mr. Speaker, which L. D. are we talking about?

The SPEAKER: House Paper 135, Legislative Document 159, which is a Resolve Regulating Fishing in Certain Waters in Penobscot and Piscataquis Counties. The question before the House is on the motion of the gentleman from Old Town, Mr. Binnette, that we reconsider our action whereby this Resolve was passed to be engrossed.

Is this the pleasure of the House? All those in favor will say aye: those opposed, no.

A viva voce vote being doubted by the Chair, a division of the House was had.

Fifty-eight having voted in the affirmative and sixty-eight having voted in the negative, the motion did not prevail.

Mr. Martin of Eagle Lake presented the following Order and moved its passage:

WHEREAS, the gentleman from Farmington, Mr. Whittier, does not avail himself of an automobile; be it

ORDERED, that the Secretary of State be empowered to transmit House Plates 113 to that member, for the regular fee.

The Order received passage.

### **House Reports of Committees Ought Not to Pass Tabled and Assigned**

Mr. Pitts for the Committee on State Government reported "Ought not to pass" on Bill "An Act relating to Itemized Statements Filed by and Identification Badges for Legislative Council and Agents" (H. P. 100) (L. D. 206)

Report was read.

(On motion of Mr. Crommett of Millinocket, tabled pending acceptance of Committee Report and specially assigned for Wednesday, March 3.)

Mr. Keyte from the Committee on Transportation reported "Ought not to pass" on Bill "An Act Prohibiting Stickers on Motor Vehicles" (H. P. 180) (L. D. 201)

Report was read.

On motion of Mr. Keyte of Dexter, the Report was accepted and sent up for concurrence.

### **Ought to Pass in New Draft New Draft Printed**

Mrs. Wheeler from the Committee on Legal Affairs on Bill "An Act relative to the Granting of Licenses for Certain Businesses and Purposes by the Municipal Officers of the Town of Boothbay Harbor" (H. P. 233) (L. D. 302) reported same in a new draft (H. P. 968) (L. D. 1191) under title of "An Act relating to Granting Licenses by Municipalities for Certain Businesses and Purposes" and that it "Ought to pass"

Report was read and accepted, the New Draft read twice and assigned the next legislative day.

### **Ought to Pass Printed Bills**

Mr. Carroll from the Committee on Education reported "Ought to pass" on Bill "An Act relating to Secondary Facilities in a School Administrative District" (H. P. 269) (L. D. 351)

Mrs. Baker from the Committee on Legal Affairs reported same on Bill "An Act relating to Ex Officio Member of Board of Education of City of Bath" (H. P. 77) (L. D. 87)

Reports were read and accepted, the Bills read twice and assigned the next legislative day.

### **Ought to Pass with Committee Amendment Tabled and Assigned**

Mr. Bussiere from the Committee on Towns and Counties on Bill "An Act Permitting County Commissioners of Somerset County to Combine Certain Unorganized Territory Road Accounts" (H. P. 179) (L. D. 200) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read.

The SPEAKER: The Chair recognizes the gentleman from Skowhegan, Mr. Poulin.

Mr. POULIN: Mr. Speaker, there is only one thing here on the amendment, there is a slight error. The last word "territory" should be "territories". Could that be amended now or shall I table it and have it amended later?

Thereupon, on motion of Mr. Poulin of Skowhegan, the Report and Bill were tabled pending acceptance of the Committee Report and specially assigned the next legislative day.

### **Passed to Be Engrossed**

Bill "An Act relating to Licensing Dogs in Unorganized Territory" (S. P. 51) (L. D. 222)

Bill "An Act to Amend the Charter of the Union Mutual Life Insurance Company" (S. P. 83) (L. D. 227)

Bill "An Act to Adjust Payments for Edmunds School Addition to Coincide with Actual Construction Cost" (S. P. 89) (L. D. 233)

Bill "An Act relating to Certificates of Registration and Instruc-

tors' Licenses under Barber Law" (H. P. 57) (L. D. 69)

Bill "An Act relating to Meetings of the Public Safety Council in Civil Defense and Public Safety" (H. P. 290) (L. D. 372)

Bill "An Act Appropriating Monies to Department of Mental Health and Corrections for Inspection of County Jails" (H. P. 955) (L. D. 1069)

Were reported by the Committee on Bills in the Third Reading, read the third time, passed to be engrossed and sent to the Senate.

### **Amended Bills**

Bill "An Act Providing Construction Aid for the Flander's Bay Community School District" (H. P. 329) (L. D. 432)

Was reported by the Committee on Bills in the Third Reading, read the third time, passed to be engrossed as amended by Committee Amendment "A" and sent to the Senate.

Bill "An Act Providing for Safety Seat Belts for Motor Vehicles" (H. P. 436) (L. D. 565)

Was reported by the Committee on Bills in the Third Reading and read the third time.

The SPEAKER: The Chair recognizes the gentleman from Enfield, Mr. Dudley.

Mr. DUDLEY: Mr. Speaker and Members of the House: In regards to House Paper 436, providing seat belts for motor vehicles as amended. I hope a lot of you have taken the time to read the amendment which I have before me here. I would only like to say this, that I have been in the House at least a couple of times when this very same bill has been before the House and we didn't see fit then to pass it and I don't think we should see fit now.

I would like to cite a few reasons why I feel this way. First of all, I feel that the people that elected me to come down here were reasonably intelligent people and they have a mind of their own, and if they feel as though they need a seat belt they'll purchase one, for which they could stop at any filling station and acquire one. I want to say this, that I want to be the last person in

this House to say that they cannot have a seat belt. I also want to be the last person in this House to say you have got to have one, because I don't think the people that we represent back home appreciate us telling them that they have got to do this or that, buy seat belts or anything else unless it is very necessary.

Now I understand the seat belt—this goes back in the amendment and says it takes place in 1966. Well, if '66 has a problem, I'm sure the Legislature of that date will take care of it. I think we shouldn't be looking ahead to '66. We should be looking to '65. Now, you realize that you can—it's very simple, you can make me put a seat belt in my car but you can never make me hook it if I don't want to. I just took my knife and cut a set out and threw them away because they wore a hole in the seat of my pants, and I suspect others have done the same thing.

Now I see that they have been put in State Police cars, but I have never seen a state police drive into my house with one hooked, into my place of business. They are generally sitting on them the same as I did. They are not there at their pleasure. Some of them would like to have them. Some of them may use them, but you're saying that in this bill, you're saying that everybody has to have them whether they want them or not. In other words, you're saying you have got to have seat belts. I am opposed to the bill and at this time I would like to move that it be indefinitely postponed as it has been many other times in this House.

The SPEAKER: The gentleman from Enfield, Mr. Dudley, now moves that this bill and its accompanying papers be indefinitely postponed.

The Chair recognizes the gentleman from Sherman, Mr. Storm.

Mr. STORM: Mr. Speaker, this bill had a very thorough hearing in our Transportation Committee last week. Many, many people appeared in favor of it. We did not have a single opponent. I realize that there is no way you can make a person use seat belts if they don't wish to use them. How-

ever, I think that they are a coming thing. We had a great many objections some years ago to signal lights on our automobiles. Now they have been accepted and everyone recognizes that they're a necessity. I think the same thing is true of seat belts, because they are definitely a safety measure just as well as the signal lights are, and it's only a question of the people becoming accustomed to them before they will be universally adopted. The law as to this bill that we are referring to does not require that they be installed in second-hand vehicles. It does not take effect until the new 1966 models come out.

Personally, I installed a set in my car, which is not a 1966, this fall, and I use them all the time and I am getting so that I like them. I can't say that my wife has accepted them wholly yet, but definitely I think there is merit in this bill and I hope that the motion of the gentleman, my good friend from Enfield, does not prevail.

The SPEAKER: The Chair recognizes the gentleman from Mars Hill, Mr. Dickinson.

Mr. DICKINSON: Mr. Speaker, after having logged a few thousand hours piloting aircraft, I can appreciate the necessity for seat belts. While we don't need them at all times, they come in mighty handy when we do need them.

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

Mr. LANE: Mr. Speaker, Members of the House: I would like to know if this applies to school buses, too. What worries me about this bill more than anything else, is today we are passing a bill that you have got to have seat belts. I am afraid that in two years from now some legislator will come back and make it compulsory to use it. I don't want to be stopped by the state troopers every day to find out if I am using a seat belt or not.

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

Mr. BREWER: Mr. Speaker, Members of the House: In answer to the gentleman from Waterville,

Mr. Lane, this bill does not provide seat belts for buses. That is the reason for the amendment. One instance here, defining an automobile as a passenger car.

It was just two years ago that we were debating this same bill on the floor of the House, and in that short period of time on our highways there have been better than four hundred killed and more than seventeen thousand injured, and many of these people have been maimed for life. Now, the people that have been killed on the highways in the State of Maine in the past two years are three times the numbers that sit in these seats today. Some of them may have been friends of yours and they may have been close relatives. It is not the intention of this bill to make anyone wear seat belts, but I believe it is our duty as Legislators to provide safety factors for the citizens of our State.

Now the argument about telling people they have to do this and do that, in this case with the intention of defeating the bill, but we do that day in and day out for the health and the welfare and the safety of our citizens. We do it in our regulations by the State Police in the inspection of automobiles. You have a hole in your floorboard and you must get it fixed. We tell them they have to get it fixed before they can put the car on the road. Now that is a safety factor. Now should we disregard the advice of the people that are concerned with highway safety, your public health service, your National Medical Association, on the national level; our Maine State Police, our Highway Safety Council, on the local level? Recently, the U. S. Post Office announced that they were installing forty thousand seat belts in their vehicles and many of the large business concerns in the state are doing likewise. As you know, the state vehicles have been supplied with seat belts for quite some time now.

Now Maine was the last State in the Union to adopt direction lights. The last State in the Union.

Now that is a safety factor and you know it and I know it. I would hope that we would not be the last state to adopt the seat belts. I would hope that we would join the other twenty-six states that have already adopted this type of legislation, and I would hope that the motion of the gentleman from Enfield, Mr. Dudley, does not prevail.

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

Mr. CONLEY: Mr. Speaker, as a co-sponsor of this measure with my friend from Bath, Mr. Brewer, I have before me a document that was prepared by the Maine State Police pointing out the comparison between 1964 and 1963. I think these facts are very important and I think that they should be weighed and considered by every member of the House before they vote here this morning. I would like to point out that there were 14% more drivers involved in accidents; there were 88% more drivers who had seat belts installed while involved in accidents; there were 42% more drivers who were using installed seat belts while involved in accidents. This data tends to show that the driver using his installed seat belt as compared with the driver who chose to sit on his installed seat belt experienced a 2% reduction in fatal accident involvement and an 89% reduction in personal injury accident involvement. So my friends of the House, I hope that this motion does not prevail.

The SPEAKER: The Chair recognizes the gentleman from Enfield, Mr. Dudley.

Mr. DUDLEY: Mr. Speaker, I hope the people don't get the insinuation that the accidents we have had, the many deaths in Maine, that they have been contributed wholly to seat belts. Now I am at a busy intersection where quite a few people have been killed. I think there has been so many killed at this particular intersection that they have lost track of it by now. This I have called to the attention many times to highway safety and nothing has

been done about it. In other words, I thought the highway safety was designed to try to save lives in Maine and try to correct these places where people get killed consistently year after year after year. Only last week there is a couple still on the danger list that probably won't live from this same intersection that we have been talking about. Instead of that, they spend their time every year talking about seat belts.

Now I don't say that they're not alright. I'd like to have you people have them if you want them, but what I can't understand and what I fail to see is how we're going to make people use them. Just putting them in the car doesn't make them use them. It's like taking a horse down to water, the water's there and the horse is there, but you can't make him drink, and besides people have to pay for this, people that might not want them. Now if you are insinuating that the people killed in this State were directly to seat belts, a lot of these people killed were pedestrians and those that was killed in my presence, ones that I viewed, seat belts wouldn't help them one iota; but to correct that intersection, which would take a very small amount of money, to correct the intersection would save a few lives every year; highway safety has done nothing to correct these bad intersections where people have been hurt and they still harp on seat belts, like to have you think that seat belts would save these people. Well that's not so and it's contrary to what they would like to have you believe. Thank you.

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

Mr. CONLEY: Mr. Speaker, in a short reply to my friend, Mr. Dudley from Enfield, I know a little bit of horses, about horses, and I know if you tie one up at the watering trough long enough he will drink, so I believe that people will wear these belts after they are installed in their car.

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

Mr. BREWER: Mr. Speaker, Members of the House: We are not saying that seat belts are going to save every life on the highways. In talking with the State Police, the one that handles the statistics, they feel that at least twenty-five that they know of last year would have been saved and possibly more. Now the injury factor is a thing that we have to consider when we talk about seventeen thousand injuries over a period of two years. You know a lot of these injuries come back to haunt us in our rehabilitation programs. That is another thing that we have to consider. A lot of our poor citizens require help from the state financially and help for their families. Now if we can lessen the factor of injuries on our highways, we can also lessen to some extent our rehabilitation programs. Thank you.

The SPEAKER: The Chair recognizes the gentleman from Sanford, Mr. Blouin.

Mr. BLOUIN: Mr. Speaker, Ladies and Gentlemen of the House: I rise in support of Mr. Dudley's motion, not because I feel or I think that the bill is a bad bill, because I think that the bill is a pretty good bill, but I hate to be forced to buy a seat belt when I don't want to buy one, and that is the only objection that I have about this bill. This bill says that everybody will have to buy these seat belts if it were accepted. Therefore, I move for a division.

The SPEAKER: The Chair recognizes the gentleman from Brownville, Mr. Ross.

Mr. ROSS: Mr. Speaker, Members of the House: As the only member of the Legislature who is also a member of the Maine Highway Safety Committee, I have to hope that Mr. Dudley's motion to indefinitely postpone is defeated. I also sat in on the sessions where these bills were drawn up and I can assure that we didn't present any bills for consideration that we didn't think were necessary and I certainly hope the motion is defeated.

The SPEAKER: The Chair recognizes the gentleman from Lewiston, Mr. Cote.

Mr. COTE: Mr. Speaker, Members of the House: I am against this seat belt bill. The main reason, I haven't been able to find a set of belts yet that would fit me. (laughter) This is an old chestnut that has been in this House here for the last six years, under the guise of safety. A few days ago I heard that the drinking driver caused all the accidents, but now it's the lack of seat belts, to save lives; but with all levity aside I put seat belts in this way — if anybody wants to put them in their car and use them, well and good, but I don't think it should be mandatory for everyone to have them. Thank you.

The SPEAKER: The Chair recognizes the gentlewoman from Portland, Mrs. Carswell.

Mrs. CARSWELL: Mr. Speaker and Members of the House: I would feel quite remiss if I didn't get up here and speak today on this bill. Referring to the gentleman from Bath, Mr. Brewer's remarks when he said it would cut down on the number of deaths, well I too say this, because we received a letter edged in black last summer. Peter Carswell was driving in an automobile and he was thrown sixty-five feet and landed on the back of his head. He was dead on arrival. Had he had a seat belt the chances are he would have been saved, and this is how the report came out. So I definitely support this bill.

The SPEAKER: Is the House ready for the question? The question before the House is on the motion of the gentleman from Enfield, Mr. Dudley, that this Bill and its accompanying papers be indefinitely postponed. The gentleman from Sanford, Mr. Blouin, has requested a division. All those in favor of this Bill "An Act Providing for Safety Seat Belts for Motor Vehicles," House Paper 436, L. D. 565, and its accompanying papers being indefinitely postponed will kindly rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Fifty-three having voted in the affirmative and eighty-four having voted in the negative, the motion did not prevail.

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

The SPEAKER: The Chair recognizes the gentleman from Augusta, Mr. Katz, and inquires for what purpose does the gentleman rise?

Mr. KATZ: If I am in order sir, I would like to move for reconsideration of item 3 on page 7, Bill "An Act relating to Granting Licenses by Municipalities for Certain Businesses and Purposes," L. D. 1191.

The SPEAKER: The gentleman is in order. The gentleman may proceed.

Mr. KATZ: Mr. Speaker, Ladies and Gentlemen: I would refer your attention to L. D. 1911. L. D. 1191 is a committee bill. It was put on our desks for the first time. It is rather an interesting bill and a long one. It squeezed through very, very quickly. I would like to refer the attention of the House to this rather lengthy bill which is three or four pages. Apparently the committee was faced with a problem in a locality, a problem of licensing in the town of Boothbay Harbor. At the committee hearing, as I understand it, several other communities expressed a desire to have local problems solved and the result has been a committee L. D. that covers the entire State of Maine.

Mr. Speaker, referring to the bill, it would permit local licensing of a long, long list of varied retail and entertainment activities. For example, it would require licenses for billiard tables but not indoor golf. It would require licensing for boxing and wrestling shows, but presumably not pro-basketball. It would require local licensing for organ grinders, but presumably not for transient accordionists; for auctioneers, for animal drawn vehicles, but presumably not for dogsleds. I am in the retail business and the idea of local licensing all over the state for a long, long variety of activities is just absolutely appalling to me. Before this sneaks through too much further and before it goes much faster, I would like to slow

down the process and direct the attention of the members to the implication of this seemingly reasonable bill.

The SPEAKER: The Chair will have to apologize to the gentleman from Augusta, Mr. Katz, for not having stopped him sooner. The gentleman's motion is out of order.

### Passed to Be Enacted

An Act to Revise the Laws Relating to the District Court (S. P. 67) (L. D. 128)

An Act Clarifying Excise Taxes and Fees for Camp Trailers (H. P. 8) (L. D. 8)

An Act relating to Time for Dragging for Scallops in Harrington River and Pleasant River, Washington County (H. P. 159) (L. D. 182)

An Act Exempting Certain Non-resident Aircraft and Pilots from Registration under Maine Aeronautics Act (H. P. 162) (L. D. 184)

An Act relating to Appointment, Rank and Duties of Assistant Adjutants General (H. P. 163) (L. D. 185)

An Act relating to False Registration of Livestock (H. P. 183) (L. D. 238)

An Act Increasing Compensation of Trustees of Mexico Sewer District (H. P. 285) (L. D. 367)

An Act to Increase Borrowing Capacity of the Fort Fairfield Utilities District (H. P. 366) (L. D. 468)

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 relating to State Retirement Benefits for Certain Teachers (H. P. 788) (L. D. 931)

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

On motion of Mrs. Carswell of Portland, the House voted to reconsider its action whereby this Bill was passed to be engrossed, on February 10, and to table the Bill pending passage to be engrossed and specially assigned for Friday, February 19.

Resolve Appropriating Moneys for Search of Lost Persons in the Woodlands of the State (S. P. 92) (L. D. 236)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed, finally passed, 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 Providing for Licensing Private Diagnostic Laboratories." (H. P. 771)

Tabled—February 9, by Mr. Anderson of Orono.

Pending—Reference.

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

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

HOUSE DIVIDED REPORT — Majority (7) "Ought not to pass" — Minority (3) "Ought to pass" — Committee on State Government on Resolve Transferring Ownership of Rockland Airport to State of Maine. (H. P. 165) (L. D. 186)

Tabled—February 10, by Mr. Katz of Augusta.

Pending—Motion of Mr. Kittredge of So. Thomaston to accept Minority "Ought to pass" Report.

The SPEAKER: The Chair recognizes the gentleman from South Thomaston, Mr. Kittredge.

Mr. KITTREDGE: Mr. Speaker, in view of the fact that the gentleman from Rockland, Mr. Huber, has just been seated this morning, and in order to give him time to be brought up to date on all of the ramifications of this particular bill, I would respectfully invite someone to table this bill for one week.

Thereupon, on motion of Mr. Birt of East Millinocket, the Reports and Bill were tabled pending the motion of Mr. Kittredge of South Thomaston to accept the Minority "Ought to pass" Report

and specially assigned for Wednesday, February 24.

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

An Act relating to Hunting on Mount Desert Island, Hancock County. (H. P. 132) (L. D. 156)

Tabled—February 12, by Mr. Kennedy of Milbridge.

Pending—Passage to be Enacted.

The SPEAKER: The Chair recognizes the gentleman from Southwest Harbor, Mr. Benson.

Mr. BENSON: Mr. Speaker, I introduced this item as a safety measure for the people of Mount Desert Island, and I had found that there were objectionable features to the bill and had the committee amend this for me. Even after the amendment I still find that there are objectionable features, I therefore move the indefinite postponement of this bill and all accompanying papers.

The SPEAKER: The gentleman from Southwest Harbor, Mr. Benson, now moves the indefinite postponement of this Bill and its accompanying papers. Is this the pleasure of the House?

The motion prevailed. Sent up for concurrence.

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

Bill "An Act Providing for Adult Identification Cards under Liquor Law." (H. P. 149) (L. D. 172)

Tabled—February 16, by Mr. Erwin of York.

Pending—Passage to be Engrossed.

Mr. Beane of Moscow offered House Amendment "A" and moved its adoption.

House Amendment "A" was read by the Clerk as follows:

HOUSE AMENDMENT "A" to H. P. 149, L. D. 172, Bill, "An Act Providing for Adult Identification Cards Under Liquor Law."

Amend said Bill in the 5th line by inserting after the underlined word "State" the underlined words "or nonresident in the State"

Further amend said Bill in the 20th line by inserting after the underlined words "enforcement of-

ficer" the underlined words "in carrying out his duties relating to liquor"

Further amend said Bill in the 3rd paragraph from the end by striking out, in the last 2 lines, the underlined words "and shall be punished by a fine of \$50, which fine shall not be suspended"

House Amendment "A" was adopted, the Bill passed to be engrossed as amended and sent to the Senate.

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

Bill "An Act Repealing the Law Regulating the Canning of Herring." (H. P. 95) (L. D. 104)

Tabled—February 16, by Mr. Mills of Eastport.

Pending—Third Reading.

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

Mr. MILLS: Mr. Speaker, I move that this be removed from the table and ordered for passage.

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

Mr. LIBHART: Mr. Speaker and Ladies and Gentlemen: I have prepared House Amendment "A" under Filing H-8 and I move the amendment be substituted for the bill.

The SPEAKER: The Chair would inquire what was the gentleman's motion.

Mr. LIBHART: Mr. Speaker, my motion is that my amendment, House Amendment "A", which is prepared and distributed under Filing H-8, be substituted for the bill.

The SPEAKER: The question before the House is on the motion of the gentleman from Brewer, Mr. Libhart, that we now substitute the amendment for the bill. The gentleman may proceed if he so desires.

Mr. LIBHART: Mr. Speaker, Members of the House: You will note that the bill itself struck out all of the section 3851, title 12, of the 1964 Revised Statutes. Now the effect of this striking out would allow, in conjunction with L. D. 103, our canneries to pack herring the year-round. Now to me there will be times over the years in which our industry should be al-

lowed to pack in the winter time, and perhaps this last year is one of those years. Now I am sure that this bill wouldn't be here this year if the pack hadn't been very small during 1964. Now in my opinion, if we eliminate these whole sections from title 12 we are not accomplishing what we, in my opinion, should do. My amendment would leave these sections on the books, it would take care of the problem of canning only Canadian fish; but it would also allow the Commissioner of Agriculture on November 1 of each year, thirty days before the end of the normal season, to make a determination whether or not the pack had reached the million and a quarter cases and if the pack had not reached the million and a quarter cases in that year, then the foregoing sections would be suspended, and we would be allowed to pack for the remainder of the winter until the law would normally come on again in the spring.

Now it seems to me that this makes a great deal of sense. First of all, the present law was enacted as a conservation measure. The people who enacted it recognized that in the wintertime about the only way that we can catch fish in Maine is by purse seining them. If you have read the papers this summer you will have seen that one of our largest cannery would like us to stop completely purse seining, his reason being that in purse seining, purse seining normally produces a lower quality fish. Now I would think that this is particularly more so in the wintertime because when you purse seine fish in the wintertime, the weather being what it is, you very likely will take the fish out of the purse seine before you have a chance to eliminate the feed. Now we have been canning fish this winter, all Canadian fish. I have seen reports as to their quality; the amount canned has not been anywhere near what we thought it was going to be. I think the big point is that they are all Canadian fish. Now my reason for this amendment is that I believe that if we do not get the pack, we

should allow Maine fishermen to provide the fish that we might pack during the winter, and if we don't allow this amendment, in my opinion, we are not going to allow Maine fishermen to catch the fish.

Additionally, it seems to me in a year in which we get a good pack there is absolutely no need for allowing packing to continue through the winter. You might say that the people will regulate themselves; there isn't any need to pack, they won't pack. I have heard this argument. I predict if you don't adopt my amendment, and you do pass the bill, that you will see several canneries packing in the middle of the winter when there is no need to pack. They will be packing, in my opinion, inferior grade, and in my opinion what our industry needs is a higher grade pack, a better pack, and I think that we can accomplish this best by allowing fishing in the summertime, particularly when you have got a better chance of having the stop fishermen as well as the purse seine fishermen get you a better quality. Therefore, I hope that this House will see fit to pass the bill as I have amended it.

The SPEAKER: The Chair recognizes the gentleman from Lubec, Mr. Pike.

Mr. PIKE: Mr. Speaker, I find this line of thought a little bit difficult to follow through, but I'll try to put myself together as best I can.

This law as it now stands on the books does go back to about 1883, and really to the mists of antiquity, and was probably passed as a conservation measure, although my memory, which reaches ridiculously far back, tells me that it was regarded in as early as 1901 as a measure of market and production control. Now I don't think I am wrong when I say that the Maine sardine industry is the only industry in the State which by Statute is a seasonal industry. It has seemed to me for some time that after more than eighty years it might be considered to have grown up and pretty near time that it was weaned. It is in our competitive system generally regarded that a

person produces what he thinks he can sell at a price where he can make a fair profit. If he is wrong about it, he takes a spanking.

The law as it is really prohibits our Maine fishermen from catching fish along our shores for the purpose of canning during the winter. There was a rather ridiculous situation last week in Washington County where on the Canadian side there was an immense body of fish in Grand Manan which it was legal for everybody to take, but they were so full of feed that nobody could possibly pass them as sardines, so they didn't go to the factories. At the same time on the opposite shore there was another large body of fish, clean and pretty and would pass any inspection, which we could not take as sardines although they were eminently fit for it. As a result, both of them went to the grinding plants. Now the grinding plants, the people that make oil and meal and artificial pearls and that lovely thing that gives the iridescence to ladies' fingernails, they're not to be disregarded either. They're not prohibited by this law as it stands now or as the amendment proposed would do it. They're not prohibited from taking all the fish they can use and they are doing the same. At the moment the payroll in Eastport on grinders runs to about \$3,000 a week. Perhaps my point that this law has been used as a production and market limitation device is well instanced in part of the amendment that's offered. It says the Commissioner—and I am not sure whether it is the Commissioner of Agriculture or Sea and Shore Fisheries—may, will determine if the pack is below a million and a quarter cases, he can open it up until it gets up there.

Well, this I think is foreign to our whole American system of operation. I also think that if you ask either of the Commissioners that he would probably say, well that would be a power he didn't want, and it would be a power that probably would be illegal for him to use. I suspect our Department of Justice might land on

us with both feet, and I speak for the Maine Sardine Industry in this, that it had more tie-ins with the Anti-trust Law, the last time I looked, than any other industry in the United States. It has not been strictly law-abiding.

Now if this law, legislative document 104, is passed, it will open up the Maine coast to Maine fishermen by any method by which it is proper to catch fish or feasible to catch fish in the winter. At the moment they are forbidden to catch fish for canning purposes. This includes not only our Maine sardine plants but also includes the much lamented catfood plant, late of Lubec, now in New Bedford, Massachusetts which—one of the reasons they left here was they put catfood in cans and they couldn't use American fish in the winter.

I would like to touch on another point, although no one can prove it either way. This packing of fish in the winter is an expensive operation. I would say that those who have chosen not to pack this winter have shown eminently fine business judgment. Those who have packed have lost small pieces of their shirts. In the ordinary year where the sardines are selling at about the cost of packing or a little above or most lamentably considerably below, nobody is going to involve themselves, in my belief, in the extra cost of packing during the winter. I believe it would be more or less self-regulating. I should like to see this industry released from mother's apron strings and be put on a straight competitive basis as our other industries are. I therefore hope that we do not accept the amendment and that we do pass the legislative document.

**THE SPEAKER:** The Chair recognizes the gentleman from Stonington, Mr. Richardson.

**MR. RICHARDSON:** Mr. Speaker, I would like to point out that we do have a precedent in having a closed season on our fishing industry because our scallop season is licensed for twelve months out of the year, but is also closed from the 15th day of April until the first day of November.

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

Mr. LIBHART: Mr. Speaker, Ladies and Gentlemen: I hope you will not be confused by the suggestion that this bill would run into some problems as to its legality. This measure, as I say, although it has some ramifications as a business regulation measure, is designed for conservation. There isn't any court in this country, Federal or Local, that is going to say that an act of this Legislature regulating the fishing season by referring to the number of cases packed is illegal. Now that is a prediction I will make flatly. I have had a little experience in this legal business and I think that my thinking along that line should be respected. I welcome the suggestion of my colleague from Stonington, Mr. Richardson, that we regulate closed seasons all the time.

The third point that I think we are making is that when you vote on this bill or my amendment you are voting in respect to a presently existing industry, and in my opinion, your analysis should be simply this: Is this industry one which needs more or less regulation? If you feel that it needs less regulation, don't vote for my bill, because my bill is more regulation. If on the other hand you agree with me that this is an important industry in the State of Maine, you agree with me that years and years ago we heard and we still hear that the industry will regulate itself, those who are familiar with this industry will be the first to tell you that it has been unable to regulate itself, it is a mass of disagreements, the packers can't agree as to what is good for their industry. You will see more bills before us this year on this industry. This won't be the first. In my opinion, this industry needs more regulation rather than none, and if you agree with me I hope you will vote for my amendment.

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

Mr. MILLS: Mr. Speaker, there are a few facts that have not

been touched on with this bill. There was a court decision in Machias, Maine, in which it was found legal for the cannery to pack Canadian fish. There is no regulation against it. Now those factories in Eastport that did this canning they employed over 240 people. This brought a payroll into Eastport, a depressed city, between \$5,000 and \$6,000 a week. In my opinion, these people have a legal right, they have a primary right to work if they want to. They have a right to earn a living in the wintertime. If the cannery along the coast see fit that they can accept these fish which are inspected under the Department of Agriculture inspectors, which is part of the United States pure food laws, these fish are graded and set aside in certain categories.

Now there isn't any reason why we should be having a law on the books that was passed in 1883, which goes back a little bit further than that, by research in the old time newspapers I found that the hermetically sealed sardine can was invented prior to 1883, and it originated down there in Eastport on the canneries there. These people in the old days they packed unlimited amounts of sardines, they made a large amount of money, practically fortunes, and when the New York and Philadelphia money found this out, they started moving in on the coast of Maine and they built something like thirty more canneries. Now those people there were coming in onto something that was practically a family setup along the coast of Maine. These people that didn't want to pack in the wintertime went to Bermuda and Florida and came back around the first of April to can sardines for the next season. As far as the conservation measure is concerned, we have a large number of Russian ships that are taking everything they can collect out of the ocean off the coast of Massachusetts. They process this material and send it back to the countries that they trade with. We have a restrictive law against our Maine boats taking any herring in the wintertime during this so-called closed season which I asked for repeal of.

Now just imagine the ridiculous part of this situation. The Russians take all the fish and lobsters and crabs and anything they can get they take and process down there. It is a matter of record. We have a closed season; these sardines swim the whole length of the coast of Maine, they cross the international boundary line and go over into Canada, and the MacLean Factories over there are packing the year-round on the same sardines that we think are so ridiculous to take on account of the Red Feed so-called, which is nothing but the shrimp they feed on. Now along the Maine coast, we have had these sardine factories that have been folding up. Since I have been down there in Eastport as a Harbor Master, I have been instrumental in going over to Pembroke and watching the Abernathy which had a very high rating in packing sardines go out of business. The MacLean Brothers came over there and brought all that machinery at auction. They stayed there, let it set there. They went back over to Canada, they built another sardine factory over there beyond Black's Harbor on a little cove over in there, and then when they were ready they came over and took this machinery over there to Black's Harbor and set it up in a new building and they are packing the year-round with the machinery that the Maine packers couldn't use.

I think we had ought to give these Maine boats a chance to go out and take these sardines. They can't take—under this law they can't go out and take these and sell them to Canadian markets or sell them down in Massachusetts markets. When they have the right to do this thing, these per hog-head prices that they get is \$7.00 a hoghead to the fertilizer factory or the paste Mearl factory that make the pearl essence, but if they can bring these fish in and they pass inspection and they have to come through Eastport there for clearance out of Canadian waters, local waters they don't have to clear Customs, they can get from \$20.00 to \$25.00 a hoghead. Now that's what we're talk-

ing about here this morning and I'm talking about on the repeal of this law, to give our Maine boats a chance to go to work and earn some money to pay their taxes; give them a chance to earn the money to equip their boats and put them in a position where they can get some of the Federal money that is now available passed by Congress last year. There isn't any good reason why this thing shouldn't be repealed in its entirety. I thank you.

Mr. Libhart of Brewer was granted unanimous consent to speak a third time.

Mr. LIBHART: Mr. Speaker, just for the purpose of answering the gentleman from Eastport, Mr. Mills, who I hope would have spoken before I got up to refute what had gone on before. The reason the plants have been closing along the coast of Maine is one, and that's because of over-production. This is the prime factor. Now if you want to continue over-production by allowing us to pack in years in which we have a big pack already by packing in the winter, because some people think that they get an advantage on it, then you should vote for his bill. Over-production is the problem. The other thing that he was talking about was packing Canadian fish. You will notice that my amendment would prevent this. If you will look at sub-title 2, I have asked that "from the coastal waters of Maine" be stricken out, and this would take care of that problem. Thank you.

The SPEAKER: The Chair recognizes the gentleman from Stonington, Mr. Richardson.

Mr. RICHARDSON: Mr. Speaker, I would only like to clarify two points of my worthy colleague from Eastport. There have been roughly 7,000 cases of sardines packed since the first of December. It is doubtful if the labor costs have run over \$3.00 per case, which would mean \$21,000 payroll. Divide that by 240 people which he referred to, would mean \$90,000 for that 240 people in twelve weeks.

The second point I would like to clarify is that the important sardine machinery from the Aber-

nathy operation, the only important machinery, was the sealing machines. Those did not go to Canada, but were purchased by the Stinson Canning Company here in Maine.

The SPEAKER: Is the House ready for the question? The question before the House is the motion of the gentleman from Brewer, Mr. Libhart, that we substitute the amendment for the Bill. All those in favor of substituting the amendment for the bill will kindly say aye; those opposed will say no.

A viva voce vote being taken, the motion did not prevail.

Thereupon, the Bill was given its third reading.

The Speaker: The Chair recognizes the gentleman from Stonington, Mr. Richardson.

Mr. RICHARDSON: Mr. Speaker and Members of the House: After World War Two, the shelves of the nation were bare of sardines in view of the fact that Federal Government had demanded eighty-six per cent of the production during the war years and only fourteen per cent went for civilian consumption. In order to supply demand, packers put anything in a can and called it a sardine. This was a period in which, unfortunately, eyes were closed to the quality of the pack and to future sales appeal; and only the present short supply controlled production. The American public rebelled and, in view of the low price of pet foods just then coming onto the market, would not even buy sardines for pets. The demand dropped to an alarming degree and at the same time prices plummeted.

In 1951, the packers asked for legislation setting up much stricter standards for packing and the development of a quality-controlled program. Over the last fifteen years, this has helped to bring a better reputation to packers. The standard setup was arrived at in conjunction with and the help of the National Canners Association, United States Pure Food and Drug, and others.

Since December the first of 1964, the pack of sardines coming from

Washington County, which as has already been pointed out is the only area authorized to pack, has shown a marked increase in sub-standard goods. More than one can in every eight which has been packed in Washington County has fallen into the sub-standard class. Now these cans before they can be put out on the market of the United States must be marked, each individual can, not of high quality, sub-standard goods, but fit for human consumption. For the 1964 packing season before December the first, less than one can on every thousand packed fell into this category. In view of the desire of any industry to show improvement in quality, it does not behoove us to put this grade of merchandise on the market.

It is my sincere opinion that passage of this document is going to hurt the little people the most, the labor force of the sardine factories of Maine and the fishermen of Maine. Most packers cannot gamble too heavily on there being no quantity packed during the winter months and for their own protection will curtail production during the summer months. This will, as it has over past years, have a tendency to depress the price of fish which is paid out to the fishermen, and I can assure you that the seiners will feel this pinch. I have dozens of letters from them urging me to support the defeat of this measure. Because of this necessity of holding down inventories, the workers in the various plants will not have full employment. I would predict that payrolls on a year-round basis will be less than the present setup.

One adverse condition which is presently discernable is that the Canadians will profit more from this measure than our own citizens. Perhaps some feel we should support foreign fishermen, but I think that most of us do not in view of the fact that there is already a bill in the hopper to study the effects of foreign labor on the Maine market.

I would submit that these people who put the law into effect originally did not realize at the time

just how important conservation might be, but that unwittingly our forebears had foresight enough to do something that was admittedly for one purpose, but actually worked for another. To point this conservation theory up, I firmly believe that Machias Bay in Washington County is a good example. For twenty years since this area was heavily fished during the winter months of the war years, no fish to speak of have been caught there. In fact I talked with one lobster fisherman who informed me that he had to import even lobster bait; he couldn't get herring enough in that area for lobster bait. I note from the fishery bulletin released by Fish and Wild Life Service in Washington the latter part of January, that Venezuela, a country that many consider to be backward, has a limited packing season and no purse sein-ing of fish at all.

I would therefore, at this time, move that this bill and all its accompanying papers be indefinitely postponed.

The SPEAKER: The question before the House now is the motion of the gentleman from Stonington, Mr. Richardson, that this bill and accompanying papers be indefinitely postponed.

The Chair recognizes the gentleman from Lubec, Mr. Pike.

Mr. PIKE: Mr. Speaker, Members of the House: I would agree with my friend from Stonington, that the number of sub-standard packs so far is abnormally high. This unfortunately was done by the smallest one of the packers involved and it was due to an error in their packing room. There was no trouble about quality, but they were, as we say in the trade, slack packed. They only put about twelve fish in the can, there ought to have been about fourteen or fifteen, so there wasn't enough to bring up the weight. Nobody but this fellow takes a licking. As Mr. Richardson said, they have to be labeled "sold in the United States" and they have to be sold at a real sacrifice whether sold in the United States or abroad. He is the fellow who suffers, the man who pays the cost of the fish and

the packing. I don't think that he will make that mistake again.

Now really, it seems to me as though that we ought to get away from our leading strings. We ought really to open this coast-wise market up for our American fishermen which it is of course for taking certain fish for oil or meal, but it is not for putting them into cans which are hermetically sealed, which includes sardines and catfood. I do hope that the motion to indefinitely postpone does not prevail.

The SPEAKER: The Chair recognizes the gentleman from Kennebunkport, Mr. Pendergast.

Mr. PENDERGAST: Mr. Speaker, Ladies and Gentlemen of the House: I come from Kennebunkport and approximately one-half of the income of our town comes from fishing, part of it of course from the sardine industry. The other half comes from summer tourist, summer business. The twenty-five or so sardine fishermen in our town, so-called stop seiners, have to wait for these fish to come in on the beaches in the spring, summer and fall before they can trap these fish and therefore catch them. They have asked me to oppose L. D. 104 as it will reduce the price and the amount of fish they expect to sell to these factories during this spring, summer and fall under the present law. I hope you will consider indefinitely postponing this bill.

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

Mr. Libhart of Brewer requested a division.

The SPEAKER: The Chair recognizes the gentleman from Stonington, Mr. Richardson.

Mr. RICHARDSON: Mr. Speaker and Members of the House: I would like to point out that according to our laboratory in Bangor this pack is not good quality. Of the seven thousand cases so far packed, not a single case has fallen under the "fancy" standard grade. Ordinarily the size of the fish to which we are referring here, twelve and up, would be packed by the packer with the idea of getting a fancy

grade in order to put them in key cartons to compete with the Norwegian imports. A fish is like everything else. It more or less hibernates in the winter. These fish are thin, the skin is very soft and the quality is just not there.

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

Mr. LIBHART: Mr. Speaker, Members of the House: One final point. What you do with these sub-standard packs is you put them eventually on the shelves of the store. You read on the can that they are packed in Maine, and you read they are sub-standard. What we need is to have Maine herring pack recognized as good quality fish to compete with the foreign imports, and the more of this type of advertising we get by packing sub-quality fish the worse off our industry is going to be. Certainly since you have not seen fit to accept what I considered a reasonable amendment to Mr. Mill's bill, I certainly hope you will defeat the bill in its entirety by indefinitely postponing it.

The SPEAKER: The question before the House is that this bill and its accompanying papers be indefinitely postponed, and the gentleman from Brewer, Mr. Libhart, has requested a division.

The Chair recognizes the gentleman from Stonington, Mr. Richardson, and inquires for what purpose does the gentleman arise?

Mr. RICHARDSON: In view of the fact of the importance of this bill I think perhaps a roll call vote would very well be in order.

The SPEAKER: The gentleman from Stonington, Mr. Richardson, has requested the yeas and nays. Is the House ready for the question?

The Chair recognizes the gentleman from Frankfort, Mr. Mitchell.

Mr. MITCHELL: Mr. Speaker, as a member of the Sea and Shore Fisheries Committee, I would like to remind the members of the House that this bill was reported out favorable "Ought to pass" by an eight to two majority.

The SPEAKER: The House ready for the question? The yeas and nays are requested. For the Chair to order a roll call it must have the expressed desire of one-fifth of the membership present. Will all those desiring a roll call kindly rise and remain standing until the monitors have made and returned the count.

Less than one-fifth of the Members arose.

The SPEAKER: Obviously less than one-fifth having arisen, a roll call is not in order. A division has been requested by the gentleman from Brewer, Mr. Libhart. All those in favor of this Bill "An Act Repealing the Law Regulating the Canning of Herring." (H. P. 95) (L. D. 104) and its accompanying papers being indefinitely postponed will kindly rise and remain standing until the monitors have made and returned the count.

A division of the House was had. Thirty having voted in the affirmative and ninety-eight having voted in the negative, the motion did not prevail.

Thereupon the Bill was passed to be engrossed and sent to the Senate.

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

HOUSE REPORT — "Ought to pass" as Amended by Committee Amendment "A"—Committee on Public Utilities on Bill "An Act relating to the Freeport Water Company" (H. P. 286) (L. D. 368)

Tabled—February 16, by Mr. D'Alfonso of Portland.

Pending—Acceptance.

On motion of Mr. D'Alfonso of Portland, the "Ought to pass" Report was accepted and the Bill read twice.

Committee Amendment "A" was read by the Clerk as follows:

COMMITTEE AMENDMENT  
"A" to H. P. 286, L. D. 368, Bill, "An Act Relating to the Freeport Water Company."

Amend said Bill by striking out all of the last 2 lines and inserting in place thereof the following: "and convenient for the purposes aforesaid, not exceeding one hundred thousand dollars in amount."

Committee Amendment "A" was adopted and the Bill assigned for third reading the next legislative day.

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

HOUSE ORDER Relative to House Orders Involving Appropriation or Expenditure of Money Not Being Acted Upon Until Same have been Reproduced and Distributed to Each Member's Desk.

Tabled—February 16, by Mr. Katz of Augusta.

Pending—Motion of Mr. Levesque of Madawaska to refer to Committee on Rules and Business of the House.

The SPEAKER: The Chair recognizes the gentleman from South Thomaston, Mr. Kittredge.

Mr. KITTREDGE: Mr. Speaker, Ladies and Gentlemen: I can't understand the reason why there has been so much opposition to this rather simple little order, and I would like to review with you the meaning of this order. It simply means that we shouldn't consider any orders involving either the raising or expending of monies until they have been printed and put on our desks. Now, I am opposed to the principle of sending this to committee. Why am I opposed to it? Because if it gets in committee I am afraid that's the end of it, and we won't see any more ordered. So at this point I would like to request a division.

The SPEAKER: The gentleman from South Thomaston, Mr. Kittredge, has requested a division.

The Chair recognizes the gentleman from Madawaska, Mr. Levesque.

Mr. LEVESQUE: Mr. Speaker and Ladies and Gentlemen of the House: Exactly for the same reason as the previous speaker has said to you, only that this being referred to the Committee on Rules and Business of the House, for the Committee to study and then give a report to the House as to their findings and whether it be good or not so good. So this I believe is just a matter of routine, a matter of formality, rather than to

have something thrown on your desks for you to look or to lose; then you would find that the Committee would study this and would report to the House of its findings. Thank you.

The SPEAKER: The Chair recognizes the gentleman from South Thomaston, Mr. Kittredge.

Mr. KITTREDGE: Mr. Speaker, Ladies and Gentlemen: I would suggest that we could reach a compromise solution here by de-to ask the make-up of the committee now, at which time I would then offer a motion for adoption; and if we got it adopted for this session, then we could refer it to committee and put it on any succeeding session that came along.

The SPEAKER: The Chair recognizes the gentleman from Lewiston, Mr. Jalburt.

Mr. JALBERT: Mr. Speaker, may I ask a question as to who makes up the Committee on Rules and Business of the House?

The SPEAKER: The Chair would inform the gentleman that I believe it is the leadership of both parties, if my memory serves me correctly.

Mr. LEVESQUE of Madawaska: Mr. Speaker, the Rules are made up of the Speaker ex officio, the gentleman from Lewiston, Mr. Hoy, the gentleman from Milbridge, Mr. Kennedy, and the gentleman from Portland, Mr. Cottrell.

The SPEAKER: The Chair was in error. The Chair apologizes to the gentleman from Lewiston, Mr. Jalburt.

Mr. JALBERT: The reason I rose to ask the make-up of the committee is because I knew that the gentleman from Milbridge, Mr. Kennedy, was on the committee, and I am sure on that basis, knowing the gentleman from Milbridge, Mr. Kennedy — knowing him for his fairness, knowing him for his ability, I would assure the gentleman from South Thomaston, Mr. Kittredge, that with he and him on a committee he need have no fear, he will be well protected.

The SPEAKER: Is the House ready for the question? The question before the House is the motion of the gentleman from Madawaska, Mr. Levesque, that this

matter be referred to the Committee on Rules and Business of the House, and the gentleman from South Thomaston, Mr. Kittredge, has requested a division.

All those in favor of this matter being referred to the Committee on Rules and Business of the House, will kindly rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Eighty-three having voted in the affirmative and fifty having voted in the negative, the motion prevailed.

Mr. Berman of Houlton was granted unanimous consent to address the House.

Mr. BERMAN: Mr. Speaker and Members of the House: There is a brief matter which I should really like to call to your attention at this time. Earlier this morning we did something that causes me some concern. We had before us a simple resolve, asking the Commissioner of Inland Fisheries and Game to issue regulations concerning fishing on a certain stream and on ponds and on some lakes; and while I certainly have no quarrel with that bill, we did also adopt a Senate amendment to that bill which concerned the subject matter of a second resolve which is pending before the House. Now on the first resolve there was a public hearing. The second resolve is also entitled to a public hearing. And I think that in the future we should be very careful about adopting any amendment, either through committee, through this House, or through the other body, which is the subject matter of another legislative document which is also entitled to a public hearing.

The SPEAKER: We are proceeding under Orders of the Day.

On motion of Mr. Jalbert of Lewiston, the House voted to take from the table the first tabled and unassigned matter:

RESOLVE, Proposing an Amendment to the Constitution to Eliminate Voting Restrictions on Paupers. (H. P. 9) (L. D. 9)

Tabled — February 10, by Mr. Jalbert of Lewiston.

Pending — Final Passage.

The SPEAKER: The Chair recognizes the gentleman from Lewiston, Mr. Jalbert.

Mr. JALBERT: Mr. Speaker, I did this for two reasons. One was to propose an amendment to the resolve which was brought to my attention. This is not my bill; I knew nothing about it. And the second reason is because as you may recall that the little conflict existed that did we need two-thirds of those elected on a constitutional amendment or two-thirds of those present and voting. The opinion, unofficial and informal, of the Deputy Attorney General, Mr. West — George West, was that we needed two-thirds of those elected. I then asked you to reconsider; you did, and I said I would present an order asking the opinion of the court.

Since then the good Speaker received upon request a communication from the Attorney General, addressed to him, Honorable Dana W. Childs, Speaker of the House, in which it says:

“Re: Number of Votes Required by Article X, Section 4, Constitution of Maine

FACTS:

Article X, Section 4, Constitution of Maine, provides that the legislature, whenever two-thirds of both houses shall deem it necessary, may propose amendments to the Constitution.

QUESTION:

Does the required number of votes mean two-thirds of the members of each house present and voting, providing there is a quorum of each house present?

ANSWER:

Yes.

OPINION:

The United States Supreme Court has held that the word House, as used in the Constitution, means a quorum of its membership, and that the two-thirds vote in each house, which is required in proposing a constitutional amendment, is a vote of two-thirds of the members present, assuming the presence of a quorum, and not a vote of two-thirds of the entire membership.”

And then it goes on to spell out in the letter the various decisions as rendered by the United States Supreme Court, and also the letter refers to Mason's Legislative Manual, Section 512, which I read to the membership last week. Also in conclusion,—

"Strengthening this conclusion is the provision in Article IV, Part 3rd, Section 16, Constitution of Maine, requiring 'a vote of two-thirds of all the members elected to each house' for emergency legislation. The intent of the framers of the Constitution to apply different vote requirements in the two sections above cited becomes apparent when it is considered that the people have the right to vote upon a constitutional amendment; whereas, by enacting an emergency law, the legislature takes away the right of the people to vote upon it by referendum."

And the letter is signed the Honorable Richard J. Dubord, Attorney General.

Now in view of this and all the opinions rendered, it would satisfy all of us; and for that reason I now see no point in asking the opinion of the Supreme Court of the State of Maine. However, now that the matter has been reconsidered, I now move, Mr. Speaker, that we reconsider our action whereby we engrossed this resolve, for the purpose of an amendment.

The SPEAKER: The gentleman from Lewiston, Mr. Jalbert, moves that we reconsider our action whereby this matter was passed to be engrossed.

The Chair recognizes the gentleman from Bath, Mr. Ross.

Mr. ROSS: Mr. Speaker and Members of the House: I gave my support to the gentleman from Lewiston, Mr. Jalbert, the other day on this same matter and I am happy to do the same thing today, but I don't want him to feel that this is any precedent because I can assure him that we will not always be in accord.

Whereupon the House reconsidered its action whereby on January 28 this resolve was passed to be engrossed as amended by Committee Amendment "A".

Mr. Jalbert of Lewiston then offered House Amendment "A" to Committee Amendment "A."

House Amendment "A" to Committee Amendment "A" was read by the Clerk as follows:

HOUSE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to H. P. 9, L. D. 9, Resolve, Proposing an Amendment to the Constitution to Eliminate Voting Restrictions on Paupers under Guardianship.

Amend said Amendment by striking out in the 3rd line from the end the underlined word "**infirmities**" and inserting in place thereof the underlined word "**illness**"

The SPEAKER: The Chair recognizes the gentleman from Lewiston, Mr. Jalbert.

Mr. JALBERT: This also comes from the Attorney General's office in that this would conform itself with all the laws wherein it involves the words "infirmities" and "illness." That is about all that the amendment calls for anyway. And before I move adoption of the amendment I would like to thank the gentleman from Bath, Mr. Ross, in the back of the hall out of his seat, and I want to assure him that we will not always be in accord because he has got a little taxation gem that I am dying to get at. I now move adoption of this amendment.

Thereupon, House Amendment "A" to Committee Amendment "A" was adopted and the Resolve passed to be engrossed as amended.

(Off Record Remarks)

Mr. Binnette of Old Town was granted unanimous consent to address the House briefly.

Mr. BINNETTE: Mr. Speaker, Members of the House: First of all, I want to thank my good friend from Houlton, Mr. Berman, for the splendid remarks which he made relative to the action which we did this forenoon. Now I would like to ask a question of the Chair. Due to the fact that this has been accepted by the House, does it mean that L. D. 388 is thrown out entirely? Do these people who have objected to this bill have

an opportunity to come down here to have a hearing or will there be no hearing?

The SPEAKER: The Chair would inform the gentleman from Old Town, Mr. Binnette, that if there is another piece of legislation which has not already been heard in reference to this matter, and it is my understanding that there is, there certainly will be a public hearing on it. The Chair would also inform the gentleman from Old

Town, Mr. Binnette, that this particular measure will be back before this House again for final enactment; the gentleman at that time may have his opportunity to again express his opinion.

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On motion of Mr. Searles of Bangor,

Adjourned until Friday, February 19, at ten o'clock in the morning.