

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

Tuesday, March 16, 1965

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

Prayer by the Rev. Mr. Glendon Gammon of the Baptist Church, Lee.

The members stood at attention during the playing of the National Anthem.

The journal of the previous session was read and approved.

Papers from the Senate

From the Senate:

Bill "An Act Eliminating Motor Vehicle Dealer Registration Board" (S. P. 458) (L. D. 1403)

Came from the Senate referred to the Committee on State Government.

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

Tabled and Assigned

From the Senate: The following Order:

ORDERED, the House concurring, that the Legislative Research Committee is directed to study the salaries of legislative personnel paid from the Legislative Appropriation for the purpose of determining the fair and equitable compensation of such personnel; and be it further

ORDERED, that the committee report the results of its study to the 103rd Legislature (S. P. 465)

Came from the Senate read and passed.

In the House, the Order was read.

(On motion of Mr. Levesque of Madawaska, tabled pending passage in concurrence and tomorrow assigned.)

Senate Reports of Committees Leave to Withdraw

Report of the Committee on Highways on Bill "An Act Appropriating Moneys for Construction of a Road for Elliottsville Plantation" (S. P. 146) (L. D. 387) reporting Leave to Withdraw.

Came from the Senate read and accepted.

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

Ought Not to Pass

Report of the Committee on Highways reporting "Ought not to pass" on Resolve Designating Interstate Highway System in Penobscot County as "John F. Kennedy Memorial Highway" (S. P. 192) (L. D. 572)

Report of the Committee on Public Utilities reporting same on Bill "An Act relating to Promotion of Locomotive Engineers without Experience" (S. P. 385) (L. D. 1201)

Came from the Senate read and accepted.

In the House, Reports were read and accepted in concurrence.

The SPEAKER: The Chair at this time would like to recognize in the balcony of the House, sixty pupils of the 7th and 8th grades of the Webster Elementary School of Sabattus, accompanied by their teachers Mr. Bellwood and Mr. Dupal. They are the guests of the gentleman from Webster, Mr. Wood.

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

Ought to Pass in New Draft

Report of the Committee on Highways on Bill "An Act Increasing the Reimbursement of Towns for Snow Removal" (S. P. 262) (L. D. 811) reporting same in a new draft (S. P. 455) (L. D. 1391) under title of "An Act relating to Payments to the State by Municipalities for Winter Maintenance on State Highways" and that it "Ought to pass"

Came from the Senate with the Report read and accepted and the New Draft passed to be engrossed.

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

Mr. Hunter of Clinton offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to S. P. 455, L. D. 1391, Bill, "An Act Relating to Payments to the State by Municipalities for Winter Maintenance on State Highways."

Amend said Bill by striking out all of the Title and inserting in place thereof the following: 'An Act Increasing Reimbursement to Towns for Snow Removal.'

Further amend said Bill by striking out everything after the enacting clause and inserting in place thereof the following:

"R. S., T. 23, Sec. 1005, amended. The first paragraph of section 1005 of Title 23 of the Revised Statutes is amended to read as follows:

'Towns, organized plantations and unincorporated townships, having a valuation of more than \$400,000 which clear state aid highways and town ways to the satisfaction of the commission and when necessary apply sand, gravel or other materials to a width of not less than 7 feet through the center of the road within a reasonable length of time after surface of the road becomes slippery, shall be reimbursed for the cost thereof to the extent of \$65 \$80 per mile on the highways or town ways designated as provided in section 1002.' "

The SPEAKER: The gentleman from Clinton, Mr. Hunter, may now proceed.

Mr. HUNTER: Mr. Speaker and Ladies and Gentlemen of the House: This redraft might be alright if we did not have a better program already in operation. This program has been carried by the past Legislatures and all it needs is to be brought up to date. I have great respect for the Highway Committee, but I do disagree very strongly with them on this redraft L. D. 1391. We do have a choice, I feel a better choice, and I feel that you of this House should have the opportunity to make that choice. This amendment, that I have attached to this redraft L. D. 1391, covers a much broader base and would benefit

and give tax relief to a great many more towns and cities and is a lot more fairer to all. I am going to compare the redraft and the amendment for you.

First, the redraft, L. D. 1391. At present the towns and cities are reimbursing the state \$40 per mile for plowing snow and sanding of state roads that run through their town. This redraft would eliminate the towns from paying this \$40 per mile, but there is a catch. The towns that have no state road would get nothing, not one cent. Those towns that have very small mileage of state roads would receive very little benefit from this redraft. At present there are 3250 miles of state roads that would come under this redraft at a cost to the State Highway Department of \$130,000. Remember, that these state roads are concentrated in a few areas. I feel that a town that has a state road is lucky in the first place and they are lucky to get by on \$40 per mile.

Now for your other choice, the amendment. At present the towns and cities are being reimbursed by the State Highway Department \$65 per mile on all state-aid and town roads. Now all routed roads are not state roads. The biggest part of them are state-aid roads and would come under the amendment. This program was initiated back in 1927 by a Legislator to help small towns that had large mileage of town roads and a small tax income. At that time they were to be reimbursed one-half their cost not to exceed \$25. In 1931, four years later, it was amended so that the towns received \$50 per mile for plowing and sanding. In 1953, twenty-two years later, it was raised to \$65, a raise of \$15. In the last twelve years there has been a tremendous increase in the cost to the towns for plowing snow and sanding with the public demanding more and more service. This amendment would raise the state reimbursement from \$65 to \$80 per mile, another raise of \$15 which would bring

this program nearer to present day costs and up to date. This is only fair and reasonable. This amendment covers 10,778 miles of town roads and state-aid roads at a cost to the Highway Department of \$160,000. This is only \$30,000 different between the two programs and I don't think \$30,000 comparing the difference it is going to do, would make much difference with the Highway Department.

In short, it boils down to this, do we want to spend \$130,000 and cover 3250 miles of state roads and help only those towns that are lucky enough to have a large mileage of state roads; or do we want to spend \$160,000 and cover 10,778 miles of town roads and help give tax relief to a great many more towns in the State of Maine, especially the small towns that the program was set up to help in the first place? At the Committee hearing there were many supporters of this \$15 raise going from \$65 to \$80, and no opposition. Now the choice is up to you, ladies and gentlemen of this House, do you want to cover 3250 miles of state roads or do you want to cover 10,778 miles of town roads and spread tax relief over three times the area? I hope that each one of you will assess your own area before making any decision. Thank you.

The SPEAKER: The question before the House is on the motion of the gentleman from Clinton, Mr. Hunter, that we adopt House Amendment "A".

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

Mr. ROSS: Mr. Speaker, Members of the House: We had five snow removal bills before the Highway Committee. It seems as though everybody wanted to get into the act. They all had a fair hearing. They all came out unanimous ought not to pass. We came up with this bill as more or less of a compromise, something that we thought would be satisfactory to everybody. Under the \$40 a mile, which the towns have now been paying to the state, 426 towns will benefit. If you raise it from

\$65 to \$80 a mile, 362 towns will benefit. Now as I told you, this—all these bills had a fair hearing, and it was the unanimous opinion of the Highway Committee that they be turned down and we came up with this one. And I think that the amendment should not pass.

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

Mr. DUDLEY: Mr. Speaker, Members of the House: I want to concur with everything that the honorable gentleman from Brownville, Mr. Ross, has just said. I am sure that he speaks for all of the committee. We worked hard. We put in a lot of hours trying to work out something that would be more satisfactory, would do something to the most—what we thought was the most people, and we think that the others that had bills in which numbered quite a few were willing to go along with this as a compromise and I hope the House will see fit and not pass this amendment.

The SPEAKER: The Chair recognizes the gentleman from Durham, Mr. Hunter.

Mr. HUNTER: Mr. Speaker and Ladies and Gentlemen of the House: I studied this amendment over and I concur with the gentleman from Clinton, Mr. Hunter, who happens to be no relative of mine, and it's a fair amendment and it would be good for the small towns, and the medium sized towns and the big towns and I am going to vote for it.

The SPEAKER: The Chair recognizes the gentleman from Clinton, Mr. Hunter.

Mr. HUNTER: Mr. Speaker, Ladies and Gentlemen: I will name over a few towns that have no state roads that will get nothing from this: Harpswell, North Yarmouth, Industry, Brookline, Brooksville, Deer Isle, Fayette, Durham, Cape Elizabeth, Appleton, Cushing, Friendship, North Haven, Owl's Head, Vinalhaven, Alna, Bremen, Bristol, South Bristol, Southport, Westport, Andover, Bucksfield, Denmark, Hebron, Sumner, Water-

ford, Bradford, Eddington, Dexter, Levant, Georgetown, Phippsburg, Hartland, Pleasant Ridge, St. Albans, Isleboro, Monroe, Thorndike, Stonington, Wells, Smithfield. These are only a few and these are the ones that have got the large mileage of roads that would get nothing under the state road deal and I have a whole list on another page here of the towns that won't get nowhere near as much, will get only about half as much. So I am going to stay by and say that we should pass this and I'll give you a little of the cost of plowing and sanding in the average town. The cost of plowing and sanding would cost around \$230 a mile. We give back \$65, which still leaves us a \$165. State roads would get plowed for \$40. I think most places are happy to get a road plowed for \$40 when it costs them a \$165 on the other ones which is about four times as much. Let's not leave these towns that have no state roads out of this program. And also, let's not forget that the towns with small mileage of state roads are going to get very little out of this. The ones that are going to benefit are the ones where the state roads are concentrated. Our state roads are concentrated more in some areas than in others. I feel that these towns should not be left out in the cold. Thank you.

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

Mr. ROSS: Mr. Speaker, Members of the House: I don't want to belabor this issue with my good friend, the gentleman from Clinton, Mr. Hunter, but if he wants towns named I have got six or seven sheets of them here. I could tie us up all morning reading the 462 towns that will benefit from it.

The SPEAKER: The Chair recognizes the gentleman from Madison, Mr. Stoutamyer.

Mr. STOUTAMYER: Mr. Speaker, Ladies and Gentlemen of the House: I think the members of this House realize that no committee could come up with a bill that is going to make everybody

happy. The committee did go into this and studied it quite carefully and this is a bill that the committee recommended as the best bill for the state at large.

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

Mr. DUDLEY: Mr. Speaker, Members of the House: I would like to move that we indefinitely postpone the amendment.

The SPEAKER: The question before the House now is on the motion of the gentleman from Enfield, Mr. Dudley, that House Amendment "A" be indefinitely postponed.

Mr. Hunter from Clinton requested a division.

The SPEAKER: A division is requested on the indefinite postponement of House Amendment "A". Is the House ready for the question? All those in favor of House Amendment "A" to Bill "An Act relating to Payments to the State by Municipalities for Winter Maintenance on State Highways." S. P. 455, L. D. 1391, 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.

Forty-eight having voted in the affirmative and seventy-three having voted in the negative the motion did not prevail.

The SPEAKER: The question now before the House is whether we adopt House Amendment "A". Is this the pleasure of the House?

Thereupon House Amendment "A" was adopted and the New Draft assigned for third reading tomorrow.

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

Ought to Pass

Report of the Committee on Inland Fisheries and Game reporting "Ought to pass" on Bill "An Act Regulating the Running and Training of Dogs in Training Areas Enclosed with Rabbit-Proof Fences" (S. P. 244) (L. D. 754)

Report of the Committee on Retirements and Pensions reporting same on Bill "An Act relating to Service Retirement of Liquor Inspectors" (S. P. 324) (L. D. 1046)

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

In the House, Reports were read and accepted in concurrence, the Bills read twice and tomorrow assigned.

Referred to Committee on Judiciary

Report of the Committee on Claims on Resolve to Reimburse Fred P. Haskell of New Gloucester for Fire Damage (S. P. 185) (L. D. 550) reporting that it be referred to the Committee on Judiciary.

Came from the Senate with the Report read and accepted and the Resolve referred to the Committee on Judiciary.

In the House, the Report was read and accepted and the Resolve referred to the Committee on Judiciary in concurrence.

Divided Report

Majority Report of the Committee on State Government on Bill "An Act Exempting Motor Vehicles of Forestry Department and Baxter State Park Authority from Registration" (S. P. 251) (L. D. 761) reporting same in a new draft (S. P. 462) (L. D. 1393) under title of "An Act Exempting State-Owned Motor Vehicles and Trailers from Registration and to Provide Special Plates for U. S. District Attorney and Assistant U. S. District Attorneys" and that it "Ought to pass"

Report was signed by the following members:

Messrs. STERN of Penobscot
MAXWELL of Franklin
WILLEY of Hancock
— of the Senate.

Messrs. PITTS of Harrison
DOSTIE of Lewiston
EDWARDS of Portland
STARBIRD of Kingman
Township
BERRY of Cape Elizabeth
LIBHART of Brewer
— of the House.

Minority Report of same Committee reporting "Ought not to pass" on same Bill.

Report was signed by the following member:

Mr. KATZ of Augusta
— of the House.

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

In the House: Reports were read. The Majority "Ought to pass" Report was accepted in concurrence, the New Draft read twice and tomorrow assigned.

Non-Concurrent Matter Tabled and Assigned

Resolve Designating Maine Turnpike as "The Maine Gold Star Memorial Highway" (H. P. 383) (L. D. 485) which was passed to be engrossed as amended by Committee Amendment "A" in the House on February 26.

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

In the House:

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

Mr. BLOUIN: Mr. Speaker, I move we insist on our former action.

On motion of Mr. Levesque of Madawaska, tabled pending the motion of the gentleman from Sanford, Mr. Blouin, to insist, and specially assigned for tomorrow.

Non-Concurrent Matter

Bill "An Act Regulating Manufacture and Sale of Stuffed Toys" (H. P. 590) (L. D. 782) which was passed to be engrossed in the House on March 9.

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

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

Orders

Mr. Jalbert of Lewiston presented the following Order and moved its passage:

WHEREAS, Lewiston High School has won the Western Maine Double L Basketball Tournament against a well-spirited and sportsmanlike Cheverus team;

BE IT ORDERED, that the members of the House of Representatives extend their congratulations to this team for its victory and wish them and their opponents for the State Championship, Stearns of Millinocket, every good luck;

AND BE IT FURTHER ORDERED, that the Clerk of the House be directed to send an attested copy of this Order to Lewiston High School.

The Order received passage.

On motion of Mr. Jalbert of Lewiston, it was

ORDERED, that Mr. Evans of Freedom be excused from attendance for the duration of his illness.

On motion of Mr. Gaudreau of Lewiston, it was

ORDERED, that Roland P. Hachey and Donald Provencher, both of Lewiston, be appointed to serve as Honorary Pages for today.

The SPEAKER: Donald Provencher is a Junior and Roland Hachey is a Senior at Lewiston High School. Both of these boys are very active in junior local politics in the City of Lewiston.

On behalf of the House, the Chair hopes that you enjoy your duties as Honorary Pages for the day. (Applause)

On motion of Mrs. Wheeler of Portland, it was

ORDERED, that Rabbi Harry Z. Sky of Portland be invited to officiate as Chaplain of the House on Wednesday, March 31, 1965.

On motion of Mr. Laberge of Auburn, it was

ORDERED, that Rev. Richard T. Poulin of Auburn be invited to officiate as Chaplain of the House on Wednesday, April 28, 1965.

House Reports of Committees Leave to Withdraw

Mr. Wuori from the Committee on Election Laws on Bill "An Act

Establishing Voting Districts in Certain Towns" (H. P. 948) (L. D. 1284) reported Leave to Withdraw.

Mr. Libhart from the Committee on Legal Affairs reported same on Bill "An Act Establishing a Personnel Law for Certain Employees of City of Lewiston" (H. P. 515) (L. D. 668)

Mrs. Wheeler from same Committee reported same on Bill "An Act Repealing Urban Renewal Laws" (H. P. 706) (L. D. 944)

Same member from same Committee reported same on Bill "An Act Repealing Certain Municipal Planning and Zoning Laws" (H. P. 707) (L. D. 945)

Reports were read and accepted and sent up for concurrence.

Ought Not to Pass

Mr. Fraser from the Committee on Claims reported "Ought not to pass" on Resolve in favor of Joseph T. Sewall of Boothbay Harbor for Land Damage (H. P. 459) (L. D. 613)

Mr. Boissonneau from the Committee on Legal Affairs reported same on Bill "An Act relating to Position of Drivers of Motor Vehicles" (H. P. 645) (L. D. 870)

Mr. Cote from same Committee reported same on Bill "An Act relating to Number of Passengers in Front Seat of Motor Vehicles" (H. P. 646) (L. D. 874)

Same gentleman from same Committee reported same on Bill "An Act Prohibiting Alien Contractors from Furnishing Board and Lodging to Hunters" (H. P. 647) (L. D. 875)

Mr. Libhart from same Committee reported same on Bill "An Act relating to Litter Law Enforcement" (H. P. 596) (L. D. 788)

Mrs. Wheeler from same Committee reported same on Bill "An Act relating to Penalty for Dumping Litter on Highways" (H. P. 836) (L. D. 1063)

Reports were read and accepted and sent up for concurrence.

Tabled and Assigned

Mr. Starbird from the Committee on State Government reported "Ought not to pass" on Resolve

Proposing an Amendment to the Constitution to Provide for Election of Members of Executive Council (H. P. 375) (L. D. 477) Report was read.

(On motion of Mr. Ross of Bath, tabled pending acceptance of Committee Report and specially assigned for Wednesday, March 24)

Mr. Huber from the Committee on Transportation reported "Ought not to pass" on Bill "An Act Permitting Signal Lights on Motor Vehicles of News Gathering Organizations" (H. P. 669) (L. D. 896)

Report was read and accepted and sent up for concurrence.

Ought to Pass in New Draft New Drafts Printed

Mr. Sawyer from the Committee on Public Utilities on Bill "An Act Providing for Public Utilities Commission Determination of Utility Debt Retirement" (H. P. 714) (L. D. 952) reported same in a new draft (H. P. 1031) (L. D. 1400) under title of "An Act Providing for Public Utilities Commission Determination of Debt Retirement" and that it "Ought to pass"

Mr. Lebel from the Committee on Transportation on Bill "An Act relating to Motor Vehicle Mufflers" (H. P. 294) (L. D. 376) reported same in a new draft (H. P. 1032) (L. D. 1401) under same title and that it "Ought to pass"

Reports were read and accepted, the New Drafts read twice and tomorrow assigned.

Ought to Pass Printed Bills

Mr. Crosby from the Committee on Transportation reported "Ought to pass" on Bill "An Act relating to Waiver of Motor Vehicle Operator License Examinations for Members of Armed Forces" (H. P. 670) (L. D. 897)

Mr. Huber from same Committee reported same on Bill "An Act relating to Transportation of Vehicles for Body Repair without Inspection Stickers" (H. P. 667) (L. D. 894)

Mr. Storm from same Committee reported same on Bill "An Act relating to Temporary Motor Vehicle Operators' Licenses" (H. P. 672) (L. D. 899)

Mr. Fraser from the Committee on Welfare reported same on Bill "An Act relating to Parental Responsibility to Support Children Receiving Aid to Dependent Children" (H. P. 885) (L. D. 1182)

Mrs. Ruby from same Committee reported same on Bill "An Act Authorizing Department of Health and Welfare to Offer Complimentary Services under Social Security Act" (H. P. 910) (L. D. 1238)

Reports were read and accepted, the Bills read twice and tomorrow assigned.

Ought to Pass with Committee Amendment

Mr. Hawes from the Committee on Election Laws on Bill "An Act relating to Procedure for Registration of Voters" (H. P. 883) (L. D. 1180) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Bill read twice.

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

COMMITTEE AMENDMENT
"A" to H. P. 883, L. D. 1180, Bill "An Act Relating to Procedure for Registration of Voters."

Amend said Bill by striking out all of the 5th, 6th, 7th, 8th, 9th and 10th underlined lines and inserting in place thereof the following:

'1. Application. In addition to the procedure provided by section 102, a person may register to vote by completing an application which shall be designed by the Secretary of State, containing the following information: '

Committee Amendment "A" was adopted and the Bill assigned for third reading tomorrow.

Mr. Pendergast from the Committee on Public Utilities on Bill "An Act Amending the Charter of the Waterville Sewerage District" (H. P. 362) (L. D. 464) reported

"Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Bill read twice.

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

COMMITTEE AMENDMENT "A" to H. P. 362, L. D. 464, Bill, "An Act Amending the Charter of the Waterville Sewerage District."

Amend said Bill, in section 1, by striking out all of the 13th and 14th lines and inserting in place thereof the following: 'liens, attachments and claims for municipal taxes.'

Further amend said Bill, in section 3, by striking out all of the 10th and 11th lines and inserting in place thereof the following: 'excepting only claims for taxes. Real estate, for the'

Further amend said Bill, in section 5, by striking out all of the 11th and 12th lines and inserting in place thereof the following: 'Attachments and claims for taxes, and shall'

Committee Amendment "A" was adopted and the Bill assigned for third reading tomorrow.

Mr. Martin from the Committee on Taxation on Bill "An Act Repealing the Tax on Express Companies and Parlor Cars" (H. P. 659) (L. D. 886) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Bill read twice.

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

COMMITTEE AMENDMENT "A" to H. P. 659, L. D. 886, Bill, "An Act Repealing the Tax on Express Companies and Parlor Cars."

Amend said Bill by adding at the end thereof the following:

'Sec. 6. Effective date. This Act shall become effective on January 1, 1966.'

Committee Amendment "A" was adopted and the Bill assigned for third reading tomorrow.

Divided Report

Majority Report of the Committee on Claims on Resolve to Reimburse William Young of Alton for

Well and Other Property Damage Resulting from Highway Construction (H. P. 396) (L. D. 508) reporting same in a new draft (H. P. 1033) (L. D. 1402) under title of Resolve to Reimburse William Young of Alton for Well Damage Resulting from Highway Construction" and that it "Ought to pass"

Report was signed by the following members:

Messrs. NORRIS of Oxford
MCDONALD

of Piscataquis
— of the Senate.

Messrs. SUSI of Pittsfield
HARVEY of Woolwich
FRASER of Mexico
HARVEY of Bangor
DROUIN of Auburn

Mrs. LINCOLN of Bethel
— of the House.

Minority Report of same Committee reporting "Ought not to pass" on same Resolve.

Report was signed by the following members:

Mr. JUTRAS of York
— of the Senate.

Mr. BREWER of Bath
— of the House.

Reports were read.

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

Mr. COOKSON: Mr. Speaker, I move that we accept the Majority "Ought to pass" Report.

The SPEAKER: The gentleman from Glenburn, Mr. Cookson, moves that we accept the Majority "Ought to pass" Report.

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

Mr. BREWER: Mr. Speaker, Members of the House: As the signer of the Minority Report, one of the signers, I would like to speak a few minutes stating my views in opposition to this bill. But I would like just to explain to the House the original bill which we were faced with, for your information. We had a claim for \$5,900 which included land damage, lumber damage, gravel taken without permission. It is the opinion of the Attorney General that the Claims Committee should not be involved with land damage claims and I wholeheartedly agree that

we have set up procedures to handle land damage claims through the Land Damage Board, and therefore from there to our courts.

Now, so that brings us back to this redraft pertaining to this particular well. Now, in well claims due to road construction we have two types of responsibility—the responsibility of the state where the contractor is not negligible in following out the plans as set up by the State, and we have the contractor responsibility. Now this particular bill; first I would like to point out the state's responsibility. Route 95 went by this man's property or severed this man's property. Now to the nearest right of way to Route 95 is approximately 800 feet through bog land. Now the second phase of this construction was on Route 16 coming into 95. The Highway Department authorized the contractor to remove gravel from that highway. Now, this was done. Now the nearest construction on Route 16 to this well was approximately 300 feet. Now the depths of excavation on Route 16 was never lower than 10 to 12 feet above the bottom of the well 300 feet away. To me, there was no responsibility as far as the state goes on those two construction jobs.

Now I will point out to you the responsibility of the contractor. The contractor purchased four and a half acres of land adjacent to this property and they excavated that land up to within 125 feet of the well. Now the excavation of the pit was 10 to 12 feet below the bottom of the well. Now further excavation of that pit for a sump tank was 16 to 18 feet below the well 125 feet away from which this sump tank the contractor used water from to sprinkle the construction project on Route 95. Now I realize it's much easier and much cheaper for an aggrieved person to come before the Legislature and get an award of this type rather than through the courts against the contractor who's responsibility it is in this particular case.

I therefore now move indefinite postponement of this bill.

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

Mr. Binnette of Old Town requested a division.

The SPEAKER: The gentleman from Old Town, Mr. Binnette, requests a division.

The Chair recognizes the gentleman from Pittsfield, Mr. Susi.

Mr. SUSI: Mr. Speaker, Members of the House: This claim was in two major parts. The first part was—in my opinion, the most important part was the land damage. The second part was well damage. Now in my opinion and I believe in the opinion of the majority of the Claims Committee, the well damage portion of the claim was the weaker portion of the claim. However, there was the land damage element; this land damage element involved the taking or the severing of about thirteen acres of a total of some twenty odd acres that this person owned. Now it's true that this was a modest place, a place I believe was valued at something like three or four thousand dollars; but there was approximately a half of the acreage of this place taken or severed by the state and the state offered the amount of \$15 and you heard it correctly, the state offered \$15.

Now it is true as my friend, Mr. Brewer, has mentioned that we do have a prescribed procedure here in this state for state citizens to recover more than what is offered by the State Highway Commission. The instrument is the Land Damage Board. However, the history has been, the last records that I have seen, the Land Damage Board has offered thirty-eight percent on the average more than what the State Highway Commission has initially offered for any particular property or for any damages incurred by property owners.

Now if the Land Damage Board performed in its usual average manner, these people

stand to receive approximately \$21 for the loss of some half of the land which they owned with their place. I believe that it was the feeling of the Claims Committee that this was a ridiculous situation which deserved correction and that even though we may be technically incorrect in stepping into the field of land damage, that we were serving justice by doing so, and I hope that you vote against the indefinite postponement of this bill. Thank you.

The SPEAKER: Is the House ready for the question? The question before the House is on the motion of the gentleman from Bath, Mr. Brewer, that this Resolve to Reimburse William Young of Alton for Well Damage Resulting from Highway Construction, H. P. 1033, L. D. 1402 and its accompanying papers be indefinitely postponed and the gentleman from Old Town, Mr. Binnette, has requested a division. All those in favor of this Resolve 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.

Twenty-seven having voted in the affirmative and ninety-nine having voted in the negative, the motion did not prevail.

The SPEAKER: The question before the House now is on the motion of the gentleman from Glenburn, Mr. Cookson, that we accept the Majority "Ought to pass" Report. Is this the pleasure of the House?

Thereupon the Majority "Ought to pass" Report was accepted, the New Draft read once and assigned for second reading tomorrow.

Divided Report Tabled and Assigned

Majority Report of the Committee on State Government reporting "Ought to pass" on Resolve Proposing an Amendment to the Constitution to Eliminate the Office of Treasurer of State (H. P. 256) (L. D. 326)

Report was signed by the following members:

Messrs. STERN of Penobscot
MAXWELL of Franklin
WILLEY of Hancock
— of the Senate

Messrs. DOSTIE of Lewiston
PITTS of Harrison
STARBIRD
of Kingman Township
EDWARDS of Portland
LIBHART of Brewer
— of the House.

Minority Report of same Committee reporting "Ought not to pass" on some Resolve.

Report was signed by the following members:

Messrs. BERRY
of Cape Elizabeth
KATZ of Augusta
— of the House.

Reports were read.

(On motion of Mr. Doyle of Caribou, tabled pending acceptance of either Report and tomorrow assigned.)

Divided Report

Majority Report of the Committee on State Government reporting "Ought not to pass" on Resolve Proposing an Amendment to the Constitution Changing the Tenure of Office of the Governor to Two-Year Terms (H. P. 548) (L. D. 719)

Report was signed by the following members:

Messrs. MAXWELL of Franklin
WILLEY of Hancock
— of the Senate.

Messrs. PITTS of Harrison
DOSTIE of Lewiston
EDWARDS of Portland
STARBIRD of Kingman
Township
LIBHART of Brewer
BERRY of Cape Elizabeth
KATZ of Augusta
— of the House.

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

Report was signed by the following member:

Mr. STERN of Penobscot
— of the Senate.

Reports were read.

The Majority "Ought not to pass" Report was accepted and sent up for concurrence.

Passed to Be Engrossed

Bill "An Act Authorizing Use of Ditto Marks in Preparing Lists under Election Law" (S. P. 281) (L. D. 843)

Bill "An Act relating to Time Polls Must Remain Open on Election Day" (S. P. 282) (L. D. 844)

Bill "An Act relating to Use of Transporter Registration Plates by Wreckers and Service Vehicles" (S. P. 443) (L. D. 1379)

Bill "An Act to Clarify the Law with Respect to Municipal Investments" (H. P. 309) (L. D. 412)

Bill "An Act Authorizing the Municipalities of Acton, Alfred, Limerick, Lyman, Newfield, Shapleigh and Waterboro to Form a School Administrative District" (H. P. 322) (L. D. 425)

Bill "An Act relating to Definition of Cigarettes under Cigarette Tax Law" (H. P. 555) (L. D. 726)

Bill "An Act relating to Exemption of Certain Real Estate from Taxation" (H. P. 556) (L. D. 727)

Bill "An Act relating to Definition of 'Storage' and 'Use' in Sales and Use Tax Law" (H. P. 658) (L. D. 885)

Bill "An Act relating to Certain Fees of Registers of Deeds" (H. P. 664) (L. D. 891)

Bill "An Act relating to Management of Insurance Organizations During Periods of Acute Emergency" (H. P. 683) (L. D. 920)

Bill "An Act relating to Payments by Baxter State Park Authority to Maine Forestry District" (H. P. 719) (L. D. 963)

Bill "An Act to Incorporate the Allied Loan Company" (H. P. 725) (L. D. 963)

Bill "An Act to Incorporate Plymouth Capital Finance Company" (H. P. 726) (L. D. 964)

Bill "An Act to Incorporate the Federal Finance Company" (H. P. 727) (L. D. 965)

Were reported by the Committee on Bills in the Third Reading, read the third time, passed to be

engrossed and sent to the Senate.

Third Reader Tabled and Assigned

Bill "An Act Increasing Fees of Registers of Deeds" (H. P. 763) (L. D. 1000)

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

(On motion of Mr. Cote of Lewiston, tabled pending passage to be engrossed and specially assigned for Friday, March 26.)

Bill "An Act relating to Election of Clerks and Secretaries of Trust Companies" (H. P. 795) (L. D. 1072)

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

Third Reader Tabled and Assigned

Bill "An Act Authorizing Municipalities to Establish Park and Conservation Commissions" (H. P. 897) (L. D. 1207)

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

The SPEAKER: The Chair recognizes the gentleman from Biddeford, Mr. Truman.

Mr. TRUMAN: Mr. Speaker, Ladies and Gentlemen of the House: I would be—

The SPEAKER: Does the gentleman request that Item 17 be set aside?

Mr. TRUMAN: No.

The SPEAKER: The gentleman may proceed.

Mr. TRUMAN: I would be remiss if I did not point out to you that this bill conveys broad powers to the park commissioners of a community who might have little or no experience in these matters. It seems to me that this is another piece of legislation that further erodes the rights of voters. It gives broad authority to a few people in the town or city to determine what may be very costly undertakings. It even puts them in the advertising business. The brush is broad. The voter is deprived of expressing his will

periodically in undertakings that mean great expense. Both the Water Improvement Commission and the Inland Fishery and Game Department have long experience and much knowledge regarding water conservation and wildlife preserves. Let us not open and allow inexperienced people to have such authority. For this reason, I oppose this bill and urge you to join me. I move this bill be indefinitely postponed and the vote be taken by division.

The SPEAKER: The gentleman from Biddeford, Mr. Truman, now moves that item 17, Bill "An Act Authorizing Municipalities to Establish Park and Conservation Commissions," and its accompanying papers be indefinitely postponed.

The Chair recognizes the gentleman from Falmouth, Mr. Payson.

Mr. PAYSON: Mr. Speaker, Ladies and Gentlemen: I voted ought to pass in committee and I wish to change the vote to ought not to pass — I mean to indefinite postponement.

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

Mr. LUND: Mr. Speaker, I move that item 17 be tabled until Friday.

The SPEAKER: The gentleman from Augusta, Mr. Lund, now moves that this matter lie upon the table assigned for next Friday.

Mr. Truman of Biddeford requested a division.

The SPEAKER: The gentleman from Biddeford, Mr. Truman, requests a division on the tabling motion. All those in favor of this matter lying upon the table assigned for next Friday pending the motion for indefinite postponement will kindly rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Forty-eight having voted in the affirmative and seventy-two having voted in the negative, the motion did not prevail.

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

gentleman has requested a division.

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

Mr. LUND: Mr. Speaker, Members of the House: In view of the fact that this bill came out of the committee with only one ought not to pass vote, having had its first readings, I am not prepared to debate the merits of this measure today, so I am going to try to point out what I can on short notice in relation to the comments which have been made in opposition to this bill.

In the first instance, the argument has been raised that this takes powers away from the voters. I would suggest that if you read L. D. 1207 you would see that the Park and Conservation Commissioners will be chosen by ballot in the communities. This would mean that the voters would have the opportunity to express their choice as to the people who would carry on the functions of their local park or conservation commissions. The purpose of this legislation is two-fold. To provide for the individual municipalities a central point at which information and advice can be gathered relating to conservation of land within a community. We have not yet here in Maine reached the point where conservation of land is a pressing problem, but we are rapidly approaching that time. We have already seen some interest in opposition to the matter of draining marshlands or building highways through them.

The chief purpose of this legislation is to enable each community to establish a body to serve in an advisory capacity to acquire through gift or through purchase, if the community sees fit to appropriate money, to acquire marshland, open areas, for parks for the benefit of the community.

It comes as a particular surprise to me to see that it is a member of the present majority party here in Maine who rises in opposition to this measure in view of the presidential awareness of the need for conservation and preservation of beauty in our communities. As I said in the beginning, I am not prepared—was

not prepared this morning to discuss the merits of the measure in full. I regret that I will not have that opportunity. I hope that there will be some others who may have some interest in the matter of conservation and preservation of open areas and parks in our communities.

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

Mr. LIBHART: Mr. Speaker, Members of the House: I am somewhat surprised to see my friend from Biddeford, Mr. Truman, indicate that this was a new grant, or at least suggest that this is a new grant of powers to municipalities. First of all, it is not a new grant. It is simply an enlargement of a grant of powers that are already existing in our statute books. It allows municipalities to do more things with their parks in conservation of lands than they did before, particularly in the area of grants, and devises, and trusts and this sort of thing that we are beginning to see a lot more of because of the frequent tax treatment that is given to such devises in our — by the federal government. We are going to see rather more of these things. It seems to me that if we are going to have grants of this kind of power to our municipalities now, that we should at least give them the tools with which to make effective these particular gifts to the community. I think this is the intent of this bill. This isn't going to grant the municipalities any gigantic powers that are going to overturn our form of government, and any suggestion as such is, of course, not true.

Now, I for one among the minority party, was happy to see introduced into this House a bill which would allow by a change in the Constitution, a great deal of home rule in our municipalities. It is my understanding that the sponsor of this bill has seen fit to request it be withdrawn, and I am very distressed to hear this. It seems to me that this is an area in which we should be going. We should be enlarging the powers of our local people to con-

duct their own affairs and this is another attempt to do that.

It surprises me also to see a member of the now majority party suggesting that this is not the type of legislation that we want and I certainly hope that you will defeat his motion for indefinite postponement.

The SPEAKER: The Chair recognizes the gentleman from Presque Isle, Mr. Bishop.

Mr. BISHOP: Mr. Speaker, Ladies and Gentlemen of the House: The objection that I have heard voiced in my locality to this act is that it extends the power to appropriate land for this purpose to another body which would be the Park Commission. The objection that I have heard is that the municipality already has this authority and the same body which determines the budget and the capacity to pay should continue to be the body which would appropriate the land for that purpose.

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

Mr. FORTIER: Mr. Speaker, Ladies and Gentlemen of the House: I am the House Chairman of the Committee that heard this bill. There was one dissenting voice at this time. It got a majority "ought to pass" report of course. The gentleman from Biddeford, Mr. Truman has used the term "broad brush" in giving powers to these Park and Conservation Commissions. I never heard a broader brush used than in the prepared statement that he made regarding these powers. Mr. Lund is the sponsor of this bill. It got a fair hearing and I would urge that the motion to indefinitely postpone be defeated.

The SPEAKER: The Chair recognizes the gentleman from Biddeford, Mr. Truman.

Mr. TRUMAN: Mr. Speaker, and Ladies and Gentlemen of the House: I was the only member of the minority supporting this measure. Just shortly, Mr. Payson of Falmouth was also supporting. The comment from the gentleman from Augusta, Mr. Lund, that we have pressing prob-

lems. There are parts of Maine that man hasn't walked on yet. Allowing municipalities to form Park Commissions and Conservation Commissions which they have no experience, you are all very well aware of who are elected to office generally. You will entrust these people to spend money or to waste money. I believe it will be a waste of money because they are inexperienced when it comes to dealing with wet lands and marshlands. They haven't had the problems of growing with this field. This belongs with the Water Commission and the Inland Fishery and Game and I move the question.

The SPEAKER: The Chair understands that the gentleman from Biddeford, Mr. Truman, has now moved the previous question. In order for the Chair to entertain the previous question it must have the consent of one-third of the members of the House. All those in favor of the Chair entertaining the motion for the previous question will kindly rise and remain standing until the monitors have made and returned the count.

A sufficient number rose.

The SPEAKER: A sufficient number having arisen, the motion for the previous question is entertained.

The question before the House now is, shall the main question be put? This question is debatable for no more than five minutes by any one member. The question before the House is, shall the main question be put now?

The Chair recognizes the gentleman from Cumberland, Mr. Richardson.

Mr. RICHARDSON: Mr. Speaker, Members of the House: I must confess to you that I have not yet made up my mind on this, but it absolutely amazes me that we are going to again shut off the opportunity of the sponsor of this legislation, who in this instance happens to be my friend from Augusta, Mr. Lund, to shut him off without an opportunity to discuss the merits of the bill. Now I would love to be out of here by the fifteenth of May and I

am sure that the gentle lady from Portland, Mrs. Carswell, would too, but for heavens sake let's give the man an opportunity to be heard.

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

Mrs. CARSWELL: Mr. Speaker, Members of the House: I too think that the gentleman should be heard. (Applause)

The SPEAKER: All those in favor of the main question being put now will say aye.

The Chair recognizes the gentleman from Turner, Mr. Gilbert.

Mr. GILBERT: Mr. Speaker, Ladies and Gentlemen of the House: I think that probably there are a lot of people here who have little or no knowledge of it. First I would say that this is only permissive legislation. I hope that—

The SPEAKER: The gentleman will not discuss the merits of the bill. The question before the House is, shall the main question be put now?

Mr. GILBERT: I hope that it won't be.

The SPEAKER: All those in favor of the main question being put now will say aye; all those opposed will say no.

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

The SPEAKER: The question now before the House is on the motion of the gentleman from Biddeford, Mr. Truman, that this bill and accompanying papers be indefinitely postponed. This matter is still debatable.

The Chair recognizes the gentleman from Turner, Mr. Gilbert.

Mr. GILBERT: Mr. Speaker, Ladies and Gentlemen of the House: As I said before, this is only permissive legislation. I hope it is non-partisan. I am sure that we have both parties in all the towns in the state.

I would also like to tell my good friend, the gentleman from Biddeford, Mr. Truman, that although the bill says that they have the authority, it doesn't prevent them in using their authority

to hire someone who does know how to do these things and I would also like to tell the ladies and gentlemen of this House that in all of our state now, I think, that we have what is known as the United States Conservation Service, a team of experts in every district, the state is broken up into districts, who are trained in the handling of land and water. They are always available and more than willing to help in any of these projects. And I think that that might alleviate some of the fears.

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

Mr. LUND: Mr. Speaker, Members of the House: Some of the remarks of the opponents to this measure have reminded me of various arguments which may be raised and I simply want to point out one or two of them.

As has been stated, this is permissive legislation. I am not aware of any provision in here which gives a Conservation Commission any right to raise money. It only has such money as it could receive by gift or could be appropriated by the town. It does not have the right of eminent domain, as I read the bill, so there is no need to become excited about arbitrary exercise of government powers. But I must confess that I do not share the feelings of the gentleman from Biddeford, Mr. Truman. I do not share this apparent abiding suspicion of the ability of our small towns in Maine to carry on affairs within their own borders. We have often here in the House and in private conversations and elsewhere I know, heard expressions of mistrust of the activities of Federal government, of mistrust of the activities of our state departments.

Not to discuss the merits of these comments, I would simply point out that if our towns through their own bodies, and this would be a body of the town elected by the town, are not capable of administering the town affairs it would seem that nobody ought to be able to. It would seem to me

this is a significant step to enable our towns to effectively carry on matters within their borders subject to the reasonable control of the voters and the control of the town itself in what funds are made available to it and this would be an important step forward for our state, one which has been taken in other states and will prove of benefit here.

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

Mr. COTTRELL: Mr. Speaker, Members of the House: I would like to make a motion to have this tabled until March 19 pending the motion for indefinite postponement.

The SPEAKER: The question before the House now is on the motion of the gentleman from Portland, Mr. Cottrell, that this matter lie upon the table assigned for March 19 pending the motion of the gentleman from Biddeford, Mr. Truman, that this bill and its accompanying papers be indefinitely postponed.

The Chair recognizes the gentleman from Falmouth, Mr. Payson.

Mr. PAYSON: Mr. Speaker, Ladies and Gentlemen of the House: The Town of Falmouth happens to have its own—

The SPEAKER: There is a tabling motion before the House. This is not debatable except as to time.

Mr. Truman of Biddeford requested a division.

The SPEAKER: The gentleman from Biddeford, Mr. Truman, requests a division.

The question before the House at this time is on the motion of the gentleman from Portland, Mr. Cottrell, that Bill "An Act Authorizing Municipalities to Establish Park and Conservation Commissions," House Paper 897, L. D. 1207, lie upon the table assigned for Friday, March 19. All those in favor of this matter lying upon the table assigned for March 19 will kindly rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

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

Third Reader Tabled and Assigned

Resolve Appropriating Funds for a Motor Vehicle Registration Service and Storage Building (S. P. 82) (L. D. 226)

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

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

Mr. BUSSIERE: Mr. Speaker, I now move that item 18 be tabled and assigned for March 31st.

The SPEAKER: The question before the House is on the motion of the gentleman from Lewiston, Mr. Bussiere, that this matter lie upon the table assigned for March 31st. The Chair recognizes the gentleman from Lewiston, Mr. Jalbert.

Mr. JALBERT: Mr. Speaker and Members of the House: I would like to speak on the timing of the motion.

The SPEAKER: The gentleman may proceed.

Mr. JALBERT: Mr. Speaker and Members of the House: I certainly will vote to table the bill as requested by my colleague from Lewiston, the gentleman from Lewistoo, Mr. Bussiere. However, I would like to ask him if he would make his timing — if he would withdraw his motion and then make another motion tabling this one week from today. I do this, talking about time, because I am not a leader, I am not trying to set any policy, but I certainly have been around here long enough to know what happens to us when we start tabling for a month and five weeks and six weeks. Now if you want to be here until July, it is perfectly all right with me, because I have got plenty of time, because I told my insurance people that they are going to see the longest period of convalescence they have ever seen in their lives, so whether I am here or not, it makes no difference. But some of you, like George Hunter and all of you that have got to do your milking and take care of things,

and that takes time. I would like the gentleman to withdraw his motion and make another motion tabling until a week from today.

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

Mr. BUSSIERE: Mr. Speaker, I will withdraw my previous motion.

The SPEAKER: The gentleman from Lewiston, Mr. Bussiere, withdraws his motion that this matter be tabled until March 31. The gentleman may proceed.

Mr. BUSSIERE: Mr. Speaker, I will make another one to table until March 25.

The SPEAKER: The gentleman from Lewiston, Mr. Bussiere, now moves this matter be tabled until March 25.

The Chair recognizes the gentleman from Madawaska, Mr. Levesque, and the Chair will remind the gentleman that a tabling motion is not debatable.

Mr. LEVESQUE: Mr. Speaker, I move this be tabled for March 24.

The SPEAKER: The question before the House is on the motion of the gentleman from Lewiston, Mr. Bussiere, that this matter be tabled until March 25; the tabling motion which is the longest length of time has the priority.

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

Mr. BENSON: Mr. Speaker, March 25 is a Thursday.

The SPEAKER: Matters which are tabled until a Thursday would automatically go to the following legislative day. Is it the pleasure of the House that this matter lie upon the table assigned for March 25?

The motion prevailed.

Resolve Discharging Town of Brooks from Part of the Indebtedness to State for Preparation of Agreement for Dissolution of School Administrative District No. 3 (H. P. 419) (L. D. 531)

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

The SPEAKER: The Chair at this time would like to recognize in the balcony of the House, thirty students from the Rockland District High School. They are here with their leader, Mr. Perkins, and they are the guests of the gentleman from Rockland, Mr. Huber.

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

Amended Bills

Bill "An Act relating to Approval of School Building Plans" (S. P. 114) (L. D. 341)

Bill "An Act to Clarify the Civil Liability of Civil Defense Shelter Owners" (H. P. 633) (L. D. 858)

Were 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.

Enactor

Tabled and Assigned

An Act relating to Publication of Foreclosure Notices (S. P. 208) (L. D. 589)

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

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

Mr. LIBHART: Mr. Speaker and Members of the House: On this item 1 there are a couple of small technicalities that need slight amendments and I hope that someone will table this for me until tomorrow.

Thereupon, on motion of Mr. Jalbert of Lewiston, tabled pending passage to be enacted and tomorrow assigned.

On motion of Mr. Jalbert of Lewiston,

Recessed for three minutes.

After Recess

Called to order by the Speaker.

An Act relating to Term of Single Municipal Assessors (S. P. 246) (L. D. 756)

An Act relating to Approval of Appointment of Assistant County Attorney for Kennebec County (S. P. 299) (L. D. 913)

An Act to Clarify Law Relating to Junked Automobiles (H. P. 512) (L. D. 665)

An Act to Extend the Charter of the R. and T. Cement Railroad Company (H. P. 599) (L. D. 791)

Finally Passed

Resolve Providing Pension for Mrs. Viola R. Townsend of Hudson (H. P. 370) (L. D. 472)

Resolve Providing for a State Pension for Floyd Merrill of Bath (H. P. 371) (L. D. 473)

Resolve in favor of Lloyd Magoon of Mattawamkeag (H. P. 464) (L. D. 618)

Were reported by the Committee on Engrossed Bills as truly and strictly engrossed, Bills passed to be enacted, Resolve finally passed, all 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 Establishing Representative Town Meetings in the Town of Fort Fairfield." (H. P. 423) (L. D. 567)

Tabled—March 9, by Mr. Rackliff of Easton.

Pending—Passage to be Engrossed.

Mr. Rackliff of Easton offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to H. P. 423, L. D. 567, Bill, "An Act Establishing Representative Town Meetings in the Town of Fort Fairfield."

Amend said Bill in the 5th line by striking out the figure "1965" and inserting in place thereof the figure "1966."

Further amend said Bill in subsection (g) of section 3 by striking out in the 2nd and 4th lines the words "board of registration" and inserting in place thereof the

words 'registrar of voters'; and by striking out in the 4th line the word and figures "March 1, 1965" and inserting in place thereof the word and figures 'July 1, 1966'; and by striking out in the 6th line the words "board of registration" and inserting in place thereof the words 'registrar of voters'

Further amend said Bill in subsection (h) of section 3 by striking out in the 5th and 6th and 12th and 13th lines the words "board of registration" and inserting in place thereof the words 'registrar of voters'

Further amend said Bill in subsection (j) of section 3 by striking out in the 1st line the words "board of registration" and inserting in place thereof the words 'registrar of voters' and by striking out the word "they" and inserting in place thereof the word 'he'; and by striking out in the 4th line the word "they" and inserting in place thereof the word 'he'

Further amend said Bill in subsection (b) of section 4 by striking out in the last line the word "name" and inserting in place thereof the word 'names'

Further amend said Bill in section 6 by relettering subsections (d), (e) and (f) to be (c), (d), and (e), respectively.

Further amend said Bill in subsection (b) of section 7 by striking out in the 2nd line the figures "1966" and inserting in place thereof the figures '1967'; and by striking out in the last line the figures "1965" and inserting in place thereof the figures '1966'

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 second tabled and today assigned matter:

Bill "An Act relating to Number and Boundaries of Wards in City of Calais." (H. P. 513) (L. D. 666).

Tabled — March 9, by Mr. Davis of Calais.

Pending — Passage to be Engrossed.

On motion of Mr. Davis of Calais, retabled pending passage to be engrossed and tomorrow assigned.

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

Bill "An Act relating to Meridian Lines and Standards of Length in Aroostook County." (H. P. 663) (L. D. 890)

Tabled—March 9, by Mr. Bragdon of Perham.

Pending—Passage to be Engrossed.

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

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

An Act Establishing a State Board of Pesticides Control. (S. P. 420) (L. D. 1329)

Tabled—March 9, by Mr. Pike of Lubec.

Pending—Passage to be Enacted.

On motion of Mr. Mills of Eastport, retabled pending passage to be enacted and specially assigned for Tuesday, March 30.

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

HOUSE DIVIDED REPORT

—Majority (8) "Ought to pass" as Amended by Committee Amendment "A" — Minority (2) "Ought not to pass" Committee on State Government on Resolve, Authorizing the Director of the Bureau of Public Improvements to Convey Certain Land in Hallowell to City of Hallowell." (H. P. 551) (L. D. 722) (C. "A" H-103)

Tabled—March 10, by Mr. Gifford of Manchester.

Pending—Acceptance of Either Report.

The SPEAKER: The Chair recognizes the gentleman from Manchester, Mr. Gifford.

Mr. GIFFORD: Mr. Speaker, I move the Majority "Ought to pass" Report be accepted.

The SPEAKER: The question before the House now is the motion

of the gentleman from Manchester, Mr. Gifford, that the Majority Report be accepted.

Mr. Starbird of Kingman Township requested a division.

The SPEAKER: A division has been requested. The Chair recognizes the gentleman from Portland, Mrs. Carswell.

Mrs. CARSWELL: Mr. Speaker, Members of the House: I haven't had a chance to find this bill in my book, but would the gentleman explain whether or not this takes land from the Girls Training Center?

The SPEAKER: The gentlewoman from Portland, Mrs. Carswell, has made an inquiry to the gentleman from Manchester, Mr. Gifford, who may answer if he so desires.

The Chair recognizes the gentleman from Manchester, Mr. Gifford.

Mr. GIFFORD: Mr. Speaker, in response to the question of the gentlewoman from Portland, Mrs. Carswell, I would state that this resolve authorizes and directs the Bureau of Public Improvements to convey to the City of Hallowell a parcel or parcels of land which are now part of the farming property of the Stevens Training Center at Hallowell. These parcels are separate and apart from the land on which the Training Center stands; have been used only for the purposes of farming by the Stevens Training Center, an operation which it is contemplated will within the next two years be discontinued.

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

Mrs. CARSWELL: Mr. Speaker and Members of the House: I am very much opposed to this bill. I feel that Stevens Training Center is one of our state institutions that has had the least done for it. I do think perhaps this Legislature will do something to start making this a real training center. Therefore, I talked with the superintendent and others and they are very, very much opposed to encroachment in this territory.

Therefore, I hope that this bill does not pass.

The SPEAKER: The Chair recognizes the gentleman from Manchester, Mr. Gifford.

Mr. GIFFORD: Mr. Speaker, Ladies and Gentlemen of the House: I had hoped that it would not be necessary this morning to take up the time in debate of 151 Legislators on a matter of relatively minor consequence to the people of the entire State of Maine. However, it appears that that will be impossible. L. D. 722, previously explained in answer to the question of the gentlewoman from Portland, Mrs. Carswell, seeks to have the state convey to the City of Hallowell a tract of land comprising roughly forty-five acres, which has been used by that institution for a considerable period of years in its farming operations. Its acquisition by the state goes back to the days when farming operations were popular by state, county and local institutions. It goes back to the day of the town and county poor farms. Modern concept of a training center for girls does not embody farming operations, and at the present time the Department of Mental Health and Corrections has under consideration the discontinuance of this program. And we have the assurances of that department that this discontinuance will probably take place within the next two years.

I should like to describe this piece of land to you this morning in order that you may have a more clear understanding of the proposal before you. This parcel of land is separate and apart from that on which the Stevens Training Center rests. To get to it, you must venture out onto a busy highway which goes from Hallowell, through the Town of Manchester and points west and northwest of this area. You must then pass through a built-up section, a residential section of Hallowell for approximately a quarter of a mile, turn left off the highway through a vacant lot on the opposite side of the highway from

the Stevens Training Center and then walk for several hundred feet into what is essentially a back field in order to stand upon this particular piece of property.

And I would submit to you this morning, ladies and gentlemen, that such a piece of property could not logically be used by the Stevens Training Center for any expansion program which it might undertake. Not only is it on the opposite side of the highway, it is not contiguous to the property now being used. Furthermore, the Maine Turnpike runs through the middle of it. And by no stretch of the imagination could it be deemed to be useful in any long range program for Stevens Training Center. It can, however, be most useful to the City of Hallowell in its plans for development of light industry in that community.

In proposing this resolve to you, conferences have been held with the department, with the Superintendent of the Stevens Training Center, and as amended by Committee Amendment "A" this resolve has the approval of the department, has the approval of the Superintendent of the Training Center, who has specifically stated to us that she sees no future value to the center of this piece of property.

I would submit to you in conclusion, ladies and gentlemen, that we have in many communities in the State of Maine a basic problem as the State expands its operations and takes land in those communities for State purposes. This removes land from the tax rolls. This removes land from other productive use, and when an opportunity such as this arises, to return a piece of land which has no further value to the State of Maine, to productive use in a community, I certainly feel this should be done, and I hope you will support the motion for acceptance of the Majority "Ought to pass" Report on L. D. 722.

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

Mrs. CARSWELL: Mr. Speaker and Members of the House: I am familiar with the fact that no longer are some of these farms useful insofar as training purposes for some of our institutions. I do feel that the State is giving away land all the time, and later on it is going to have to be purchased for much more than what it was sold for. However, now that some more facts have been brought forth by the gentleman from Manchester, Mr. Gifford, I would hope that somebody would table this matter so that I could find out the Superintendent's feeling.

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

Mr. BINNETTE: Mr. Speaker, I heartily concur with the lady from Portland, Mrs. Carswell, in regards to that matter. Being on the Institutional Committee, I would like to see this tabled until March 19.

Thereupon, the Reports and Resolve were tabled pending the motion of Mr. Gifford of Manchester to accept the Majority Report and specially assigned for Friday, March 19.

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

An Act to Authorize the Town of Pownal to Form a School Administrative District. (H. P. 47) (L. D. 59)

Tabled—March 12, by Mr. Gilbert of Turner.

Pending—Passage to be Enacted.

The SPEAKER: The Chair recognizes the gentleman from Turner, Mr. Gilbert.

Mr. GILBERT: Mr. Speaker, Ladies and Gentlemen of the House: I want to very briefly tell you why I tabled this. I have no quarrel with the intent of this bill; my quarrel is with the methods. First, this is a very good example of the unfairness and inequities of the so-called Sinclair Law. The law states that if you can join with other towns to form a district, you will receive a ten percent bonus on

your operational subsidy. Also, the same percent of construction aid, less the ten percent bonus that you would receive in operational aid. It further states that any single administrative unit which operates a secondary school of 700 pupils automatically becomes eligible for these same benefits without doing anything. Therefore, every city in the State of Maine became eligible for the extra benefits the moment the bill became law, without doing anything at all different from what they were doing. Whereas now some ten or twelve years later, a large majority of the people whom it was supposed to have helped, the Town of Pownal being only one of many, who still find it impossible to find a way to make these extra funds available. That is where my objection is. I do not believe we should do for one town what we aren't ready to do for all towns, and it doesn't seem reasonable to me that we should do it one town at a time. We should have legislation which all towns in similar circumstances could use.

In order to allow me to pursue my thoughts a little further, which I have already stated, I move

this article be tabled until April 6.

The SPEAKER: The gentleman's motion is out of order.

The Chair recognizes the gentleman from Hampden, Mr. Littlefield.

Thereupon, on motion of Mr. Littlefield of Hampden, the Bill was tabled pending enactment and specially assigned for Friday, March 26.

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

An Act Authorizing Expenditure of Moneys by Oxford County for Economic and Recreational Development. (H. P. 176) (L. D. 197)

Tabled—March 12, by Mr. Levesque of Madawaska.

Pending—Passage to be Enacted.

On motion of Mr. Fraser of Mexico, retabled pending passage to be enacted and specially assigned for Friday, March 19.

On motion of Mr. Pendergast of Kennebunkport,

Adjourned until ten o'clock tomorrow morning.