

# 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, March 17, 1965

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

Prayer by the Rev. Mr. William J. Kelly of St. Martha's Parish, Kennebunkport.

The journal of yesterday was read and approved.

**Papers from the Senate  
Senate Reports of Committees  
Leave to Withdraw**

Report of the Committee on Election Laws on Bill "An Act Authorizing a Mobile Unit for Registering Voters in Municipalities" (S. P. 283) (L. D. 845) 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 Transportation reporting "Ought not to pass" on Bill "An Act relating to Signaling Devices on Motor Vehicles Used by State Liquor Inspectors" (S. P. 345) (L. D. 1090)

Report of same Committee reporting same on Bill "An Act relating to Lights Used On Motor Vehicles Operated by State Liquor Inspectors" (S. P. 346) (L. D. 1091)

Came from the Senate read and accepted.

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

**Covered by Other Legislation**

Report of the Committee on State Government reporting Leave to Withdraw on Resolve Proposing an Amendment to the Constitution Creating the Office of Lieutenant Governor and Providing for Succession of Office of the Governor (S. P. 46) (L. D. 217), as covered by other legislation.

Came from the Senate read and accepted.

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

**Ought to Pass**

Report of the Committee on Education reporting "Ought to pass" on Bill "An Act relating to Commercial Driver Education Instructors Appointed by Secretary of State" (S. P. 199) (L. D. 580)

Report of the Committee on Judiciary reporting same on Bill "An Act relating to Trespass on Lands of the University of Maine" (S. P. 357) (L. D. 1120)

Report of the Committee on Public Utilities reporting same on Bill "An Act relating to Authority of Water Companies to Acquire Property" (S. P. 322) (L. D. 1019)

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

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

**Ought to Pass with  
Committee Amendment**

Report of the Committee on Judiciary on Resolve Authorizing Mary Howe Goodall and Stanley Howe to Bring Civil Action Against the State of Maine (S. P. 196) (L. D. 575) 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 and the Resolve read once.

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

**COMMITTEE AMENDMENT**  
"A" to S. P. 196, L. D. 575, Resolve, Authorizing Mary Howe Goodall and Stanley Howe to Bring Civil Action Against the State of Maine.

Amend said Resolve in the 11th line by striking out the figure "1963" and inserting in place thereof the figure '1965'

Further amend said Resolve by striking out in the 2nd and 3rd lines from the end the words "of the Superior Court"

Committee Amendment "A" was adopted in concurrence and

the Resolve assigned for second reading the next legislative day.

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

Report of the Committee on Judiciary on Bill "An Act relating to the Validation of Certain Instruments" (S. P. 312) (L. D. 1025) 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 and the Bill read twice.

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

**COMMITTEE AMENDMENT "A"** to S. P. 312, L. D. 1025, Bill, "An Act Relating to the Validation of Certain Instruments."

Amend said Bill by striking out all of the last underlined sentence which reads as follows: "**This section shall apply to all foreclosures of mortgages legal or equitable.**"

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

#### **Amended in Senate**

Report of the Committee on Judiciary on Resolve Authorizing Margarete E. Putnam, Administratrix of the Estate of Weldon Putnam, to Bring a Death Action Against the State of Maine (S. P. 197 (L. D. 578) 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" and Senate Amendment "A".

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

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

**COMMITTEE AMENDMENT "A"** to S. P. 197, L. D. 578, Resolve, Authorizing Margarete E. Putnam, Administratrix of the Estate of Weldon Putnam, to Bring a Death Action Against the State of Maine.

Amend said Resolve by striking out all of the emergency preamble.

Further amend said Resolve by striking out in the 25th line the figure "1963" and inserting in place thereof the figure '1965'

Further amend said Resolve by inserting after the word "individuals" in the 13th line from the end the following: 'provided that said administratrix shall be precluded from invoking the Revised Statutes, Title 16, section 1, subsection 2, known as the Dead Man's Statute, and provided that the State of Maine shall be precluded from pleading the statute of limitations as a defense'

Further amend said Resolve by striking out all of the emergency clause.

Committee Amendment "A" was adopted in concurrence. Senate Amendment "A" was read by the Clerk as follows:

**SENATE AMENDMENT "A"** to S. P. 197, L. D. 578, Resolve, Authorizing Margarete E. Putnam, Administratrix of the Estate of Weldon Putnam, to Bring a Death Action Against the State of Maine.

Amend said Resolve in the 4th and 5th lines from the end by striking out the words "of the Superior Court"

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

The **SPEAKER**: The Chair would like to recognize in the balcony of the House thirty pupils of Belgrade High School, accompanied by Vernal Finemore, Principal and Eldora Strickland, Instructor. They are the guests of Representative Sahagian of Belgrade. On behalf of the House the Chair welcomes you and hopes that your visit will be both educational and enjoyable. (Applause)

Also, the Chair would like to recognize in the balcony twenty-nine pupils in the Team Teaching Project at Rockland District

High School, accompanied by Fred Perkins. They are the guests of Representative Huber of Rockland. On behalf of the House, the Chair welcomes you and hopes that your visit will be both educational and enjoyable. (Applause)

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

The following Bills, approved by a majority of the Committee on Reference of Bills for appearance on House Calendar, less than one-tenth of the members present objecting, were received and referred to the following Committees:

#### **Legal Affairs**

Bill "An Act to Provide for the Surrender by Long Island Plantation of its Organization" (H. P. 1034) (Presented by Mr. Richardson of Stonington)

(Ordered Printed)

Sent up for concurrence.

#### **Transportation**

Bill "An Act relating to Marking of Body Capacity of Vehicles Transporting Certain Materials" (H. P. 1035) (Presented by Mr. Cookson of Glenburn)

(Ordered Printed)

Sent up for concurrence.

#### **Orders**

On motion of Mr. Martin of Eagle Lake, it was

ORDERED, that the male members of the House extend sincere appreciation for the "greens," which has been learned were paid for by the lovely "lassies" of the House.

On motion of Mr. Bourgoin of Fort Kent, it was

ORDERED, that Larry Fitzherbert of Fort Kent be appointed to serve as Honorary Page for today.

The SPEAKER: Larry is the grandson of the gentleman from Fort Kent, Mr. Bourgoin. He was sixteen years old this last Monday and he is a sophomore at the Fort Kent Community High School. On behalf of the House Larry, the Chair welcomes you and we hope

that you enjoy your duties as Honorary Page for today. (Applause)

On motion of Mr. Poulin of Skowhegan, it was

ORDERED, that all Irishmen, please stand up to be recognized, in observance of Saint Patrick's Day.

Whereupon, various members arose.

Mr. Levesque of Madawaska presented the following Order and moved its passage:

ORDERED, the Senate concurring, that the 102nd Legislature convey to the President of the Canal National Bank, Mr. Widgery Thomas, Sr., its appreciation for their assistance in helping us celebrate Maine's 145th birthday;

AND BE IT FURTHER ORDERED, that the Secretary of the Senate be directed to send an attested copy of this Joint Order care of the above party. (H. P. 1036)

The Order received passage and was sent up for concurrence.

On motion of Mr. Libhart of Brewer, it was

ORDERED, that Rev. Richard P. Rice of Brewer be invited to officiate as Chaplain of the House on Tuesday, March 30, 1965.

Mr. Crommett of Millinocket presented the following Order and moved its passage:

WHEREAS, Stearns High School of Millinocket has won the Eastern Double L Tournament against a well-spirited and sportsmanlike Presque Isle 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, Lewiston High School, every good luck, and be it recognized that the gentleman from Millinocket, Mr. Crommett, has spotted 5 points to the gentleman from Lewiston, Mr. Jalbert, and that the loser entertain the other party to a steak dinner;

AND BE IT FURTHER ORDERED, that the Clerk of the

House be directed to send an attested copy of this Order to Stearns High School.

The Order received passage.

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

Mr. JALBERT: Mr. Speaker, with those five points, I guarantee you that I'll be eating on the gentleman from Millinocket, Mr. Crommett.

Mr. Fortier of Waterville presented the following Order and moved its passage:

WHEREAS, the Waterville "Pee-Wee" Hockey team has been victorious for the second time in a row in winning the New England "Pee-Wee" Hockey Championship;

BE IT ORDERED, that the members of the House of Representatives extend their congratulations to this team for their efforts and wish them every success at the National "Pee-Wee" Hockey play-offs in the state of Michigan;

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

The Order received passage.

#### House Reports of Committees Leave to Withdraw

Mr. Anderson from the Committee on Inland Fisheries and Game on Bill "An Act Creating an Inland Fisheries and Game Commission" (H. P. 918) (L. D. 1246) reported Leave to Withdraw.

Mr. Baldic from same Committee reported same on Bill "An Act Repealing Narragansett Game Sanctuary, Town of Gorham" (H. P. 961) (L. D. 1296)

Mr. Poulin from same Committee reported same on Bill "An Act Providing Free Deer Hunting Season for Veterans" (H. P. 951) (L. D. 1287)

Mr. Roberts from same Committee reported same on Bill "An Act Permitting Sunday Hunting for Rabbits During Open Season" (H. P. 960) (L. D. 1295)

Mr. Gillan from the Committee on Judiciary reported same on Bill "An Act relating to Effect of Re-

cording of Plans of Lots on Rights-of-Way" (H. P. 740) (L. D. 977)

Reports were read and accepted and sent up for concurrence.

#### Ought Not to Pass

Mr. Baldic from the Committee on Inland Fisheries and Game reported "Ought not to pass" on Resolve Regulating Fishing in South Branch of Dead River (H. P. 274) (L. D. 356)

Same gentleman from same Committee reported same on Bill "An Act relating to Open Season on Deer in Southwestern Zone" (H. P. 489) (L. D. 642)

Same gentleman from same Committee reported same on Bill "An Act relating to Boundaries of Central and Northern Zones for Deer Season" (H. P. 810) (L. D. 1102)

Same gentleman from same Committee reported same on Bill "An Act relating to Beaver Skins to be Tagged" (H. P. 811) (L. D. 1103)

Mr. Champagne from same Committee reported same on Resolve Closing Brooks Flowing into Aziscoos Lake to Fishing (H. P. 273) (L. D. 355)

Same gentleman from same Committee reported same on Resolve Opening Certain Portion of Rangeley Stream to Fly Fishing (H. P. 278) (L. D. 360)

Reports were read and accepted and sent up for concurrence.

#### Tabled and Assigned

Mr. Cookson from the Committee on Inland Fisheries and Game reported "Ought not to pass" on Resolve relating to Fish Screen at Outlet of Rangeley Lake (H. P. 227) (L. D. 294)

Report was read.

The SPEAKER: The Chair recognizes the gentleman from Phillips, Mr. Palmer.

Mr. PALMER: Mr. Speaker, I move that we accept the Resolve for the Report.

The SPEAKER: The Chair understands the gentleman from Phillips, Mr. Palmer, now moves that we substitute the Resolve for

the Report. Is this the pleasure of the House?

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

Mr. COOKSON: Mr. Speaker and Members of the House: As you members of the House are probably aware, the last session of the Legislature we passed a bill whereby these resolves could be heard before the Inland Fisheries and Game Commissioners. Therefore, all of these resolves that we have passed out "Ought not to pass" we felt should be brought before this Commission rather than the Legislature, so — we also amended the bill which was passed in the last session allowing these bills to be heard more frequently from now on. That was the reason we passed these out "Ought not to pass."

Thereupon, on motion of Mr. Palmer of Phillips, tabled pending his motion to substitute the Resolve for the Report and specially assigned for Tuesday, March 23.

Mr. Cookson from the Committee on Inland Fisheries and Game reported "Ought not to pass" on Resolve Opening Rangeley and Mooselookmeguntic Lakes to Fly Casting (H. P. 276) (L. D. 358)

Same gentleman from same Committee reported same on Bill "An Act Creating Two Zones for Deer Hunting" (H. P. 700) (L. D. 938)

Mr. Gaudreau from same Committee reported same on Resolve relating to Stocking Rangeley Lake with Togue (H. P. 277) (L. D. 359)

Reports were read and accepted and sent up for concurrence.

#### **Tabled and Assigned**

Mr. Gaudreau from the Committee on Inland Fisheries and Game reported "Ought not to pass" on Bill "An Act Providing for a Uniform Deer Hunting Season" (H. P. 812) (L. D. 1104)

Report was read.

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

Mr. BUSSIÈRE: Mr. Speaker, I would like to table item 16 un-

til next Thursday — a week from next Thursday.

The SPEAKER: The gentleman from Lewiston, Mr. Bussiere, now moves that this matter lie upon the table assigned for April 1, pending acceptance of the Committee Report.

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

Mr. LEVESQUE: Mr. Speaker, Ladies and Gentlemen of the House: I only want to debate the time of the tabling of this bill, and I would certainly appreciate the fact that it is very important that this be tabled for a week but not for two weeks, because I think there is time enough there for people who want to look into this bill for one week, it would be sufficient to look into it, and if the matter is not cleared within this one week period, they would have another opportunity to retable it pending further investigation on this bill, but it certainly is my opinion that for one week it would give the individual or individuals involved enough time in this one week period, that it be tabled for only one week, and I would so move if this motion is defeated.

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

Mr. BUSSIÈRE: This is what I intend to do, Mr. Speaker. Today is the 17th. I would like to table this until the 26th. No session on Thursday. One week.

The SPEAKER: The Chair understands the gentleman from Lewiston, Mr. Bussiere, withdraws his motion that this matter lie on the table until April 1, and he now moves that this matter lie upon the table until March 26 pending acceptance of the Committee Report. Is this the pleasure of the House?

The motion prevailed.

Mr. Poulin from the Committee on Inland Fisheries and Game reported "Ought not to pass" on Resolve Regulating Ice Fishing on Upper Hadlock Pond, Hancock County (H. P. 336) (L. D. 439)

Mr. Roberts from same Committee reported same on Resolve Closing Part of Kennebago River to Fishing (H. P. 275) (L. D. 357)

Same gentleman from same Committee reported same on Bill "An Act Providing for State-Wide Open Deer Season in Month of November" (H. P. 488) (L. D. 641)

Mr. Lebel from the Committee on Transportation reported same on Bill "An Act relating to Width of Motor Vehicles" (H. P. 873) (L. D. 1170)

Reports were read and accepted and sent up for concurrence.

#### **Covered by Other Legislation Tabled and Assigned**

Mr. Bradstreet from the Committee on Agriculture reported Leave to Withdraw on Bill "An Act Creating Facility Improvement Fund for Certain Recipients of Stipend Fund" (H. P. 853) (L. D. 1263, as covered by other legislation.

Report was read.

(On motion of Mr. Roy of Winslow, tabled pending acceptance of Committee Report and specially assigned for Thursday, March 25.)

#### **Ought to Pass Printed Bills Tabled and Assigned**

Mr. Bradstreet from the Committee on Agriculture reported "Ought to pass" on Bill "An Act Revising Law Relating to Facility Improvement Fund for Agricultural Fairs" (H. P. 615) (L. D. 1008)

Report was read.

(On motion of Mr. Roy of Winslow, tabled pending acceptance of Committee Report and specially assigned for Thursday, March 25.)

Mr. Anderson from the Committee on Inland Fisheries and Game reported "Ought to pass" on Bill "An Act relating to Extending Hunting Season" (H. P. 63) (L. D. 74)

Mr. Lebel from the Committee on Transportation reported same on Bill "An Act relating to Taxation of Vehicles" (H. P. 668) (L. D. 895)

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

#### **Referred to Committee on Legal Affairs**

Mr. Cookson from the Committee on Inland Fisheries and Game on Bill "An Act relating to Use of Power Boats on North Pond, Oxford County" (H. P. 813) (L. D. 1105) reported that it be referred to the Committee on Legal Affairs.

Report was read and accepted, the Bill referred to the Committee on Legal Affairs and sent up for concurrence.

The SPEAKER: The Chair would like to recognize at this time in the balcony of the House fifty-two seniors in the American Government Class from Skowhegan High School, accompanied by their teachers, Mr. David Mattsen and Mr. Richard Benner. They are the guests of the Representative from Skowhegan, Mr. Poulin.

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

#### **Referred to Committee on Industrial and Recreational Development**

Mr. Gaudreau from the Committee on Inland Fisheries and Game on Resolve to Provide Underwater Weed Cutter for Department of Inland Fisheries and Game (H. P. 337) (L. D. 440) reported that it be referred to the Committee on Industrial and Recreational Development.

Report was read.

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

Mr. LITTLEFIELD: Mr. Speaker, Members of the House: I move that this Resolve to Provide Underwater Weed Cutter for Department of Inland Fisheries and Game be recommitted to the Committee on Inland Game and Fisheries for their decision.

The SPEAKER: The gentleman from Hampden, Mr. Littlefield, now moves that this matter be recommitted to the Committee on Inland Fisheries and Game.

The Chair recognizes the gentleman from Lewiston, Mr. Gaudreau, and will remind the gentleman that the merits of this bill are not debatable on a recommitment, but he may proceed.

Mr. GAUDREAU: I just wanted to give the reason why—

The SPEAKER: The gentleman may proceed.

Mr. GAUDREAU: The Committee on Inland Fisheries and Game feel that their duty is for the preservation of game and the fish and they feel that the weeds in the ponds are good for the fish and game. So they do not feel that it belongs under the Department of Fish and Game. That's the reason they feel that this is more an act for boating or swimming, so it should go under recreation. That is why the Committee felt and the Department feels it should go under this Committee.

Mr. Anderson of Ellsworth requested a division.

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

Mr. LITTLEFIELD: Mr. Speaker, Members of the House: If you want this weed cutter buried under ten feet of water, send it over to the Industrial and Recreational Development Committee. I withdraw the motion.

The SPEAKER: The motion is now withdrawn. The question before the House is shall we accept the Committee Report and have this matter referred to the Committee on Industrial and Recreational Development. Is this the pleasure of the House?

Thereupon the Committee Report was accepted, the Resolve referred to the Committee on Industrial and Recreational Development and sent up for concurrence.

#### Ought to Pass with Committee Amendment

Mr. Richardson from the Committee on Judiciary on Bill "An Act relating to Civil Actions Against Heads of State Institutions" (H. P. 817) (L. D. 1108) 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. 817, L. D. 1108, Bill, "An Act Relating to Civil Actions Against Heads of State Institutions."

Amend said Bill by striking out in the first line the underlined abbreviation and figure "Sec. 1."

Further amend said Bill by striking out all of section 2.

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

The SPEAKER: The Chair recognizes the gentleman from Milbridge, Mr. Kennedy, and inquires for what purpose does the gentleman arise?

Mr. KENNEDY: I rise for the purpose of requesting a ten minute recess for a Republican caucus.

The SPEAKER: The gentleman from Milbridge, Mr. Kennedy, now moves that we recess for ten minutes and the Chair understands that the gentleman would like to have this Republican caucus in Room 228. Is it the pleasure of the House that we now recess for ten minutes?

The motion prevailed.

#### After Recess

Called to order by the Speaker.

#### Divided Report

Majority Report of the Committee on State Government on Resolve Proposing an Amendment to the Constitution to Abolish the Council and Make Changes in the Matter of Gubernatorial Appointments and Their Confirmation (H. P. 6) (L. D. 6) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was signed by the following members:

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

Messrs. PITTS of Harrison  
LIBHART of Brewer  
DOSTIE of Lewiston

STARBIRD  
of Kingman Township  
EDWARDS of Portland  
— of the House.

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

Report was signed by the following members:

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

Reports were read.

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

Mr. LEVESQUE: Mr. Speaker and Ladies and Gentlemen of the House: It is my sincere feeling this morning that in order to expedite matters of this kind coming up before us that the members of the Majority Party will not ask that this matter be debated on the first, second or third reading; that we refrain or keep our remarks until it comes up for enactment for the merits or demerits of this particular piece of legislation. So it is only for the purpose of expediency that we want to ask that of you this morning, to expedite legislative matters we ask that you debate the merits or demerits of this bill when it comes up for final enactment and not necessarily at every stage that it is going to come up before the House. Thank you.

The SPEAKER: The Chair recognizes the gentleman from Cape Elizabeth, Mr. Berry.

Mr. BERRY: Mr. Speaker, I agree one hundred per cent with the gentleman from Madawaska, Mr. Levesque, and in proof of it I now move that we accept the Majority "Ought to pass" Report. I would just make one or two more remarks.

The SPEAKER: The gentleman may proceed. The question before the House now is on the motion of the gentleman from Cape Elizabeth, Mr. Berry, that we accept the Majority "Ought to pass" Report.

Mr. BERRY: Mr. Speaker and Members of the House: As the gentleman from Madawaska, Mr.

Levesque, said — the matter can be pushed through by a majority vote to the enactment stage. However, in the interest of speedy legislation, but in order to provide ample discussion, if we were all to agree that we can debate the matter at the enactment stage I feel that this will give us ample opportunity to study the matter and the other matters of this like nature. I would hope that this would go through on this basis.

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

The motion prevailed, the Majority Report was accepted and the Resolve read once.

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

COMMITTEE AMENDMENT  
"A" to H. P. 6, L. D. 6, Resolve, Proposing an Amendment to the Constitution to Abolish the Council and Make Changes in the Matter of Gubernatorial Appointments and Their Confirmation.

Amend said Resolve by striking out all of the 6th paragraph designated "Section 8" and inserting in place thereof the following:

"Section 8. To nominate officers. He shall nominate, and, with the advice and consent of the council Senate, appoint all judicial officers (except judges of probate), coroners, and notaries public; and he shall also nominate and with the advice and consent of the council, appoint all other civil and military officers, whose appointment is not by this Constitution, or shall not by law be otherwise provided for except the land agent, and every such nomination shall be made seven days, at least, prior to such appointment."

Further amend said Resolve by inserting after the 8th paragraph, the following:

"Constitution, Article V, Part First, Section 13, amended, Section 13 of Part First of Article V of the Constitution is amended by

adding at the end thereof, the following paragraph:

**“The Governor may convene the Senate for the sole purpose of confirming his appointments.”**

Further amend said Resolve by inserting at the end of the 5th paragraph from the end the following:

‘; and be it further

**Resolved:** That the effective date of this Resolve shall be January 1, 1967.’

Committee Amendment “A” was adopted and the Resolve assigned for second reading the next legislative day.

The SPEAKER: The Chair would like to recognize in the balcony of the House at this time five Campfire Girls from Portland, accompanied by Mrs. Bojarczuk and Mrs. Vacca. They are the guests of the gentlewoman from Portland, Mrs. Wheeler.

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

#### Passed to Be Engrossed

Bill “An Act Regulating the Running and Training of Dogs in Training Areas Enclosed with Rabbit-Proof Fences” (S. P. 244) (L. D. 754)

Bill “An Act relating to Service Retirement of Liquor Inspectors” (S. P. 324) (L. D. 1046)

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 Amended

Bill “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” (S. P. 462) (L. D. 1393)

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

Mr. Katz of Augusta offered House Amendment “A” and moved its adoption.

House Amendment “A” was read by the Clerk as follows:

HOUSE AMENDMENT “A” to S. P. 462, L. D. 1393, Bill, “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.”

Amend said Bill, in the Title, by striking out the words “and to Provide Special Plates for U. S. District Attorney and Assistant U. S. District Attorneys”

Further amend said Bill by striking out all of section 1.

Further amend said Bill by striking out the underlined abbreviation and figure “Sec. 2.” at the beginning of the 13th line.

House Amendment “A” was adopted, the Bill passed to be engrossed as amended in non-concurrence and sent up for concurrence.

Bill “An Act relating to Transportation of Vehicles for Body Repair without Inspection Stickers” (H. P. 667) (L. D. 894)

Bill “An Act relating to Waiver of Motor Vehicle Operator License Examinations for Members of Armed Forces” (H. P. 670) (L. D. 897)

Bill “An Act relating to Temporary Motor Vehicle Operators’ Licenses” (H. P. 672) (L. D. 899)

Bill “An Act relating to Parental Responsibility to Support Children Receiving Aid to Dependent Children” (H. P. 885) (L. D. 1182)

Bill “An Act Authorizing Department of Health and Welfare to Offer Complementary Services under Social Security Act” (H. P. 910) (L. D. 1238)

Bill “An Act Providing for Public Utilities Commission Determination of Debt Retirement” (H. P. 1031) (L. D. 1400)

Bill “An Act relating to Motor Vehicle Mufflers” (H. P. 1032) (L. D. 1401)

Resolve to Reimburse William Young of Alton for Well Damage Resulting from Highway Construction (H. P. 1033) (L. D. 1402)

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

#### Amended Bills Amended

Bill "An Act Amending the Charter of the Waterville Sewerage District" (H. P. 362) (L. D. 464)

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

Mr. Lane of Waterville offered House Amendment "A" and moved its adoption.

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

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

Amend said Bill by adding at the end the following:

**Referendum; effective date.** This Act shall take effect 90 days after adjournment of the Legislature only for the purpose of permitting its submission to the legal voters of the City of Waterville at the next regular municipal election.

The city clerk shall prepare the required ballots, on which he shall reduce the subject matter of this Act to the following question: "Shall the Act Amending the Charter of the Waterville Sewerage District, passed by the 102nd Legislature, be accepted?" and the voters shall indicate by a cross or check mark placed against the words "Yes" or "No" their opinion of the same.

This Act shall take effect for all the purposes hereof immediately upon its acceptance by a majority vote of the legal voters voting at said election; provided that the total number of votes cast for and against the acceptance of this Act at said election equaled or exceeded 20 per cent of the total vote for all candidates for Governor in said city at the next preceding gubernatorial election.

The result of such election shall be declared by the municipal officers of the City of Waterville

and due certificate thereof shall be filed by the city clerk with the Secretary of State.'

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

Bill "An Act Repealing the Tax on Express Companies and Parlor Cars" (H. P. 659) (L. D. 886)

Bill "An Act relating to Procedure for Registration of Voters" (H. P. 883) (L. D. 1180).

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.

#### Amendment Indefinitely Postponed

Bill "An Act Increasing Reimbursement to Towns for Snow Removal" (S. P. 455) (L. D. 1391)

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: I think now that we have had time to look this over. Yesterday we thought that we were accepting an amendment, but actually instead of an amendment it was a substitute of the amendment for the bill. The committee report was unanimous on the bill and this changes the whole bill. Actually it just exchanges the bill for the amendment which really isn't an amendment, and I would like to say this—that in the best judgment of this Committee on Highways of which I'm Chairman, we came out with a report, the very best one we could come out with, it favored 426 towns in the State of Maine. This amendment favors 362 towns in the State of Maine. I think you may have made a mistake when you accepted the amendment and it took me a little time to look it over and look into it and it may have you people.

I now move the indefinite postponement of the amendment.

The SPEAKER: The Chair understands the gentleman from Enfield, Mr. Dudley, now moves we reconsider our action whereby we adopted House Amendment "A".

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

Mr. ROSS: Mr. Speaker, Ladies and Gentlemen of the House: Just to clarify the situation a little bit. This amendment is an exact replica of L. D. 435 which is on the table for this coming Friday. The only thing is that now it was put before us as an amendment instead of waiting for the bill to take its chances and I would say that that bill came out unanimously ought not to pass along with four others along the same line.

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

Mr. HUNTER: Mr. Speaker, Ladies and Gentlemen of the House: I would have liked to have had this bill recommitted to the Committee, but didn't seem to get too much response on it, and I know of no other way of amending it other than with that bill to get the same results, which are the results I think that this House wants. We don't want to leave anyone out in the cold. I think they should all be included, and as far as their list goes of 462 names, I'll say this—out of that list every single one is included in that amendment. The only ones left out are the ones that the towns are under \$400,000 in valuation and those towns are very well taken care of right now. It only costs them \$35 a mile to sand and plow their roads and the state pays all the rest. So I don't think they should be considered. I think the other ones are the ones that need the help, the ones in the amendment. And if you subtract them out of that list, you'll find that every single one of those are included in the amendment and they get their fair share. If they have got a lot of state roads, they don't get as much, but they get their fair share on all the roads that they have. Thank you.

Mr. Ross of Brownville requested a division.

The SPEAKER: The question before the House is on the motion of the gentleman from Enfield, Mr. Dudley that we reconsider our action whereby on March 16 we adopted House Amendment "A". All those in favor of reconsidering our action whereby we adopted House Amendment "A" will kindly rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Ninety-one having voted in the affirmative and thirty-one having voted in the negative, the motion prevailed.

The SPEAKER: The question before the House now is on the motion of the gentleman from Enfield, Mr. Dudley, that we indefinitely postpone House Amendment "A". Is this the pleasure of the House?

The motion prevailed.

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

Mr. HUNTER: Mr. Speaker, I would like to have this tabled until next Tuesday so that we can all get more information on this. I am sure that I am right on this and I want everybody to have the right information.

The SPEAKER: The gentleman has debated the tabling motion. It is not in order.

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

Mr. KITTREDGE: Mr. Speaker, I move that this matter be tabled until Tuesday, 23 March.

The SPEAKER: The question before the House now is on the motion of the gentleman from South Thomaston, Mr. Kittredge, that this matter lie upon the table assigned for March 23, pending its passage to be engrossed. Is this the pleasure of the House?

Mr. Dudley of Enfield requested a division.

The SPEAKER: All those in favor of this matter lying upon the table until March 23 will kindly rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Sixty-one having voted in the affirmative and sixty-six having voted in the negative, the motion did not prevail.

Thereupon, Bill "An Act Increasing Reimbursement to Towns for Snow Removal," S. P. 455, L. D. 1391, was passed to be engrossed and sent to the Senate.

**Passed to Be Enacted  
Emergency Measure**

An Act relating to Number of School Directors in a School Administrative District (S. P. 238) (L. D. 748)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a division was had. 133 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

**Finally Passed  
Emergency Measure**

Resolve Designating May Mountain in Island Falls as Robinson Mountain (H. P. 954) (L. D. 1290)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a division was had. 136 voted in favor of same and none against, and accordingly the Resolve was finally passed, signed by the Speaker and sent to the Senate.

**Passed to Be Enacted**

An Act Authorizing Androscoggin County to Raise Money for Garage and Court House Capital Improvements (S. P. 154) (L. D. 1124)

An Act relating to Duties of Pawnbrokers (S. P. 207) (L. D. 588)

An Act relating to Valuation of Shares of Joint Owners for Inheritance Tax Purposes (S. P. 233) (L. D. 691)

An Act Permitting Municipalities to Provide for Single Assessor (S. P. 245) (L. D. 755)

An Act relating to Boards of Assessment Review in Certain Municipalities (S. P. 247) (L. D. 757)

An Act relating to Ways to Great Ponds (S. P. 252) (L. D. 762)

An Act Increasing Payments to Lincoln County Law Library (S. P. 253) (L. D. 763)

An Act Providing Remedies for the Unauthorized Practice of Law (S. P. 288) (L. D. 850)

An Act relating to Loans by Banks to Development Credit Corporation of Maine (S. P. 450) (L. D. 1385)

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.

An Act relating to Tandem Axle Weights (H. P. 60) (L. D. 335)

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

The SPEAKER: The Chair recognizes the gentleman from Scarborough, Mr. Lent.

Mr. LENT: Mr. Speaker, we ask that this item be recommitted to the Highway Committee to be considered with other weight bills.

The SPEAKER: The gentleman from Scarborough, Mr. Lent, now moves that this matter be recommitted to the Committee on Highways.

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

Mr. BUSSIÈRE: Mr. Speaker, Members of the House: The Committee on Transportation, the majority report that is, nine-one. The only opponent was what used to be called Maine Central Railroad and we have given a lot of consideration to every one of those bills and every time on all major trucking bills, the only opponent is the Maine Central and I am very much against a recommitment of this bill to the Highway Committee and I will ask a division on this motion to recommit.

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

Mr. ROSS: Mr. Speaker, Ladies and Gentlemen of the House: As a member of the Committee on Highways, I am not looking for any more work, that is for sure, but we have had several of these weight bills before us and it seems to me we should have all of them.

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

Mr. GIFFORD: Mr. Speaker and Ladies and Gentlemen of the House: I rise in opposition to the motion to commit this bill to the Committee on Highways. I do not see where it can be recommitted to them. It has never been committed in the first place.

This bill was originally referred to the Committee on Transportation. There was a hearing held on it, a good hearing well attended, a discussion over a period of several hours. The report came out of that Committee nine to one that the bill ought to pass. It has sailed through this House without a voice of opposition, and we now run into this attempt to commit it to another committee, either for hearing, for revision, a combination with other bills, or for what purpose we do not know. Certainly, if another committee is to hear this bill and if it is to be given the proper consideration which it and every other bill before us deserves, it would be necessary for this committee to schedule hearings anew upon it. And it would impress me that this is only duplication of effort.

I would suggest to you further that this bill is not in conflict with any other bill which is before this Legislature. It is a very simple bill. It does not attempt to do what any other bill proposes, nor does it attempt to do anything in conflict with the proposal of any other bill. There is absolutely no necessity for consideration of this particular proposal in the light of others before the Highway Committee or the Transportation Committee. I would submit to you this

morning, ladies and gentlemen, that no useful purpose will here be served by committing L. D. 335 at this late stage to the Committee on Highways.

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

Mr. BUSSIERE: Mr. Speaker, Ladies and Gentlemen of the House: Something I forgot to mention. The one who signed the committee "ought not to pass" report happened to be a member of the Transportation Committee and also the Highway Committee.

The SPEAKER: The question before the House is on the motion of the gentleman from Scarborough, Mr. Lent, that this bill now be committed to the Committee on Highways, and the gentleman from Lewiston, Mr. Bussiere, has requested a division.

The Chair recognizes the gentleman from Cape Elizabeth, Mr. Berry.

Mr. BERRY: Mr. Speaker and Members of the House: I must take issue with my good friend, the gentleman from Manchester, Mr. Gifford, when he says this is not an involved bill. In looking at the Legislative Document I see rows of columns of figures here that seem to specify exactly what is going to happen. I am a little bit, not suspicious, but I just wonder if in the background this bill might not possibly increase the weight on our highways.

The SPEAKER: The Chair will remind the gentleman that a commitment motion is not debatable as far as the main question and the merits of the bill are concerned. If the gentleman is debating whether it should be committed to Highways or not he is in order. If he is debating the merits of the bill he is out of order.

Mr. BERRY: Thank you, Mr. Speaker. I am pointing out that this bill has certain common characteristics with other bills which have been referred to the State Highway Committee.

The SPEAKER: The gentleman may proceed.

Mr. BERRY: Thank you, Mr. Speaker. We have been through the years persistently faced with the question of are we going to have legislation like this passed. I think that one committee alone can judge on matters like this. I don't bring up the merits of this bill or the lack of merits of this bill. I do say that the bill can increase weight, and if it can increase weight, it should be considered by the committee which is considering other bills of like nature. I would hope the motion for commitment would prevail.

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

Mr. LEVESQUE: Mr. Speaker, Ladies and Gentlemen of the House: I think that this document has received a fair hearing and is not in conflict with any other legislation before us. I think the committee has done well by this bill and I see no reason why this particular document should be referred to another committee for another hearing and to reappear before us here in this House.

The SPEAKER: Is the House ready for the question? The question before the House is on the motion of the gentleman from Scarborough, Mr. Lent, that this Bill now be committed to the Committee on Highways and the gentleman from Lewiston, Mr. Bussiere, has requested a division. All those in favor of this Bill "An Act relating to Tandem Axle Weights," H. P. 60, L. D. 335, now being committed to the Committee on Highways will kindly rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

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

Thereupon, the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

An Act relating to the Transportation of Refrigerated Products (H. P. 107) (L. D. 115)

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

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

Mr. STOUTAMYER: Mr. Speaker, Ladies and Gentlemen of the House: In view of the fate of item 12, I now withdraw my motion that this item be set aside.

Thereupon, the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

An Act relating to Decisions under Liquor Law Pending Appeal (H. P. 138) (L. D. 161)

An Act relating to Sale of Publications of Department of Inland Fisheries and Game (H. P. 216) (L. D. 284)

An Act relating to Definition of Average Weekly Wages under Workmen's Compensation Law (H. P. 232) (L. D. 301)

An Act Increasing Fees for Inspections and Inspection Certificates for Elevators (H. P. 507) (L. D. 660)

An Act relating to Definition of Elevator under Elevator Laws (H. P. 509) (L. D. 662)

An Act to Classify Interstate Tributaries of the Androscoggin River Between New Hampshire and Maine (H. P. 525) (L. D. 699)

An Act relating to Classification of Dunstan River, in Town of Scarborough, Cumberland County (H. P. 527) (L. D. 701).

An Act relating to Retirement of Employee Option by Local Districts under Maine State Retirement System (H. P. 535) (L. D. 709)

An Act relating to Payments to Androscoggin County Law Library (H. P. 565) (L. D. 735).

An Act Increasing Indebtedness of Jay Village Water District (H. P. 611) (L. D. 803)

An Act relating to Service Retirement of Members in Hazardous Employment in Department of Mental Health and Corrections (H. P. 654) (L. D. 882)

An Act Increasing the Compensation of the Trustees of the Port-

land Water District (H. P. 679) (L. D. 906)

An Act relating to Licensing of Children's Homes and Defining Day Care Facilities (H. P. 693) (L. D. 930)

An Act Clarifying the Offense of Affray (H. P. 703) (L. D. 941)

An Act Changing the Designation of Clerk of the Public Utilities Commission to Secretary of the Commission (H. P. 713) (L. D. 951)

An Act relating to Payment of Insurance Premiums of School Employees (H. P. 730) (L. D. 968)

An Act Clarifying the Education of Penobscot and Passamaquoddy Indian Children (H. P. 733) (L. D. 971)

An Act Authorizing Municipalities to Raise Money for Assistance to Water or Sewer Districts (H. P. 757) (L. D. 994)

An Act Creating the Newport Water District (H. P. 764) (L. D. 1001)

An Act Creating a Sewer District in the Town of Newport (H. P. 765) (L. D. 1002)

An Act Creating a Sewer District in the Town of Corinna (H. P. 766) (L. D. 1003)

An Act relating to State Retirement Benefits for Certain Teachers and Increasing Pensions for Certain Retired School Superintendents (H. P. 788) (L. D. 931)

An Act relating to Amount Paid by State or Railroad Corporation in Abolishment of Grade Crossings (H. P. 844) (L. D. 1145)

An Act Providing for Area Directional Sign for Sebago and Long Lakes on Maine Turnpike (H. P. 917) (L. D. 1240)

#### Finally Passed

Resolve Providing a Pension for Paul Caron of Wallgrass Plantation (H. P. 537) (L. D. 711)

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 relating to Executions on Civil Judgment." (S. P. 232) (L. D. 690)

Tabled—March 12, by Mr. Healy of Portland.

Pending—Passage to be Engrossed.

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

Mr. HEALY: Mr. Speaker, Ladies and Gentlemen of the House: This Legislative Document 690, "An Act relating to Executions on Civil Judgment," came out of committee unanimous ought to pass. And here I am on my feet, undertaking to reverse the collective opinion of this legal tribunal. I assure you that I wouldn't be up here except that when this matter was heard before it had the able and articulate advocates—from Augusta, Mr. Lund and from Cumberland, Mr. Richardson in opposition to it. My remarks are going to be very brief.

These civil judgments come about mostly from poor buying, high-pressure selling, and a loose credit system by these small loan companies. People are lured into furniture shops to buy this gaudy furniture at these high prices. They go in for a second hand automobile; in two or three months the transmission falls out or the pistons blow out of the side of the car. They have no further use for it. Come the time when they have lost some of their time and employment, they find themselves behind the eight-ball with the small loan companies, got behind in a couple of payments. They harass them, badger them, call on them at their place of employment until they are driven almost to a mental institution. Then some of these lawyers take ahold and they drive them nearly mad.

Ladies and gentlemen, I can see more teeth in this new bill and it would be sinful to set up this proposition that would give this pressure group more leverage over these people. And I would hope that the membership of this House would have compassion on these people and indefinitely post-

pone this bill with all, if any, of its accompanying papers, and when the vote is taken I ask for a division.

The SPEAKER: The question before the House now is on the motion of the gentleman from Portland, Mr. Healy, that this bill and its accompanying papers be indefinitely postponed and he has requested a division.

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

Mr. LIBHART: Mr. Speaker, Ladies and Gentlemen: I don't like to repeat the remarks that we had the other day on this very bill. I am not going to debate with Mr. Healy the suggestions he makes. He is probably right in at least ninety-five percent of what he says, particularly about the lawyers. I have always heard that one way to surely kill a bill is to label it a lawyer's bill, and that should be the end of it. Well I hope that this isn't the case today. This is a sheriff's bill and it is designed solely to allow the sheriffs to complete their duties without going through a ritual, and this is exactly what it is, that has been in our system for two or three hundred years.

The only thing this bill does is to allow a judgment to remain in the hands of the sheriff without his going through the formality of going back to the attorney, who gave it to him originally, and request that he write on it four or five words and then take it to the clerk of courts and request that she reissue it, all of which is time consuming and all of which is done automatically. Automatically. There is no way around this. No matter what you think of small loan companies, or used car dealers, or attorneys, this is all it does. And for the sake of expediting sheriffs' work, this bill should be passed.

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

Mr. RICHARDSON: Mr. Speaker and Members of the House: First of all, I would like to indicate to the members of the House that I am most flattered to be included in the groups of persons

that have been discussed here, sheriffs, used car dealers and furniture dealers. However, I do want the House to realize that I believe that the gentleman from Portland, Mr. Healy, has a very excellent point, and this is the point which I tried to make unsuccessfully some days ago, and I have no reason to believe I will be any more successful now, but I do remind you that there is no time limitation. If you pass this bill, there will be no time limitation whatever except as to the judgment itself; the sheriff can carry this thing around for years following this judgment debtor around, and when he can catch him, the man is in trouble.

Now I don't agree with Mr. Libhart, the gentleman from Brewer, that this is a purely automatic procedure. I think if the creditor and the attorney involved with the creditor believe that they really have something going here, they can go through this little formality, and I don't think that I am willing to trade the very real and very definite harassment that exists just to make an administrative job easier. I urge you to vote in support of the motion to indefinitely postpone this bill.

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

Mr. POULIN: Mr. Speaker and Members of the House: I really didn't intend to speak on this bill. You were talking about these poor people that get involved with these so-called finance companies and all. The finance companies start out and don't know whether that credit is any good or not. I have seen times when they said yes, as long as you have gone through bankruptcy your credit is good. You try and collect a \$14.00 bill through a lawyer and see how much you get out of it. I think it is about time that we poor people that have to work for a living do not have to support these people that don't want to work and try to keep up their obligations.

The SPEAKER: The question before the House is on the motion of the gentleman from Portland, Mr. Healy, that Bill "An Act relat-

ing to Execution on Civil Judgment," Senate P. 232, L. D. 690, be indefinitely postponed, and that gentleman has requested a division.

All those in favor of the indefinite postponement of this bill will kindly rise and remain standing until the monitors have made and returned the count.

A division of the House was had. One hundred nineteen having voted in the affirmative and thirteen having voted in the negative, the motion did prevail, the Bill was indefinitely postponed in non-concurrence and sent up for concurrence.

The SPEAKER: The Chair at this time is very honored to recognize in the rear of the House and to welcome two very distinguished gentlemen from our Pacific coastal State of California. They are the Hon. George N. Zenovich and the Hon. Vernon L. Sturgeon. These gentlemen form a bi-partisan team visiting the New England States for the purpose of explaining the problems California faces with respect to reapportionment and to attempt to enlist interest and support from California's sister-states.

Mr. Zenovich is a California Assemblyman, and Mr. Sturgeon is a member of the State Senate.

Would the Sergeant-at-Arms escort these two distinguished gentlemen to the rostrum please?

Whereupon, the Honorables Vernon L. Sturgeon and George N. Zenovich were escorted to the rostrum by the Sergeant-at Arms, amid applause of the House, the members rising.

The SPEAKER: Would there be objection from any member of the House if either one or both of these gentlemen wish to address the House? The Chair hears none.

HON. VERNON L. STURGEON: Thank you, Mr. Speaker. Mr. Speaker and Members of the House: The term "House" is a little strange to me. We call ours an Assembly, but it is a very great privilege and an honor to be invited to speak to your group today.

First, I bring to you the greetings of the California Legislature and the people of the State of

California. Maine, and New England is something that I have read about in the history books and I have had a deep interest in history, from the time I was in about the third grade, as I recall, and it has been a very, very interesting and wonderful experience to be able to visit this part of the country. This is my first visit here. Occasionally, we slip off on a side road and look at some of the country off of your beautiful highways, and we are trying to figure out some way to make our districts contiguous by water, which is one of the rulings by the Supreme Court, so that we might carve ourselves out a little district some place in New England.

The hospitality of New England is something to behold. We have certainly learned something from you folks in that field since we have been here. We came in Sunday night, and we have been treated like old friends ever since that time. We were warned before we came to this House that this is where we might have a little bit of trouble. We were told before we came to Massachusetts that we would have a little bit of trouble there. The President tem in the Senate was very frank, he said something like this, that it took the Democrats two hundred years to get control and they weren't just about to give it back, and of course we can understand that kind of language.

California is a unique state as every state is unique. All of our problems are different. Our mission here is to tell our story on reapportionment and hope we can find more than half who would agree with us. We were reapportioned in 1926 in our Senate. Our Assembly, which is made up of eighty members, is reapportioned every ten years on a population basis, but in 1926 the people of California, and I am talking about the people of California, not the Legislature, by the initiative process, reapportioned the State Senate to put it on a basis of population and geography, not just population. I am sure you are

familiar with the vast expanse we have there, but under this system, this modified federal system, one senator may not serve more than three counties, some of our senators do, and one county may not have more than one senator, and this is the case in many counties. In 1928, after the people had initiated this, the Legislature refused to go along and they referred it back to the people by the referendum process. At that time the people slapped them down even harder than they did in 1926. Since that time, there have been three further elections on a one-man, one-vote basis. All of the people of California who wanted to vote on it and were registered properly, and we don't discriminate in our registration, were permitted to vote, and each time they restated, re-affirmed their position on the apportionment of the California Senate. The last time was only two years ago.

In 1960, there was also an election and every one of the fifty-eight counties voted to retain our present system. In 1962, on a statewide basis, we had a plurality of about 300,000 who supported our position to maintain California Senate as it presently exists.

Our problems in California on reapportionment are not political at all. Standing here before you is a Republican. I should be in favor of reapportionment if it was political because California stands to gain in the Republican side of the Senate some five to six seats. One of our fears, and I say this as a Republican, that people who are much further to the right than I am, will be elected. Southern California, where the heavy population exists, is very conservative. It is the stronghold of the John Birch Society. Northern California is more on the liberal side and usually elects Democrats. So in this case, Democrats are the ones who will be taking, if I may use the word, a pasting. But, as a Californian, I do not believe that this would be good for California.

We are not suggesting how Maine or any other state should reapportion themselves or whether they should. I am suggesting that

the people of Maine do have that decision to make for themselves. I think they should be allowed to make their own decision, on a one-man, one-vote basis to say how they want to be represented. We would hope that you would be sympathetic to let California make their decision too on a one-man, one-vote basis and this is the way we have done it for a total now of five times.

We are under court order to reapportion by the first of July. We are working diligently to try to comply with that court order. I am a member of the reapportionment committee, one of two Republicans, I should say, out of a thirteen man committee. However, the partisanship was not a consideration in appointing that committee. I am also a member of the Rules Committee and the Rules Committee made the appointments.

The way the map presently looks, one of these districts will be seven hundred miles long and one hundred fifty miles wide at its widest point, narrowing down to about a hundred miles wide. Now imagine one man trying to represent 400,000 people in a district seven hundred miles long. That's what we are faced with. In contrast we have a district cut in Los Angeles County of only a few square blocks where a man can walk around his district in a few minutes. He can stand on top of an apartment house and see his entire district. The only solution to this that we can see is a constitutional amendment passed out to the states from Congress in which we ask that each state be allowed to apportion one House on some basis other than population. We are asking that all of the people in the states be permitted to vote on this, complying with the one-man, one-vote basis. We have one further provision in our resolution which we have passed and that is that the right to vote not be abridged by the usual reasons, race, color, creed, national origin.

I hope that we find some sympathy as we have found hospitality in Maine. Thank you very much. (Applause)

The SPEAKER: The Senator remarked that on this particular interim committee on reapportionment there were thirteen on it, I believe, and only two Republicans. I would say that the Democratic Party in California must be a very liberal party sending the gentleman, a Republican, all the way from California to Maine, and also have a great deal of respect for the Senator. We thank you for your kind and interesting remarks.

Whereupon, the distinguished guests were escorted to the rear of the Hall of the House by the Sergeant-at-Arms, amid applause, the members rising.

The Chair laid before the House the second tabled and today assigned matter, Bill "An Act Authorizing the Leasing by the State of Wing of Community General Hospital, Fort Fairfield, to the Hospital." (S. P. 163) (L. D. 493)

Tabled—March 12, by Mr. Ross of Bath.

Pending — Adoption of House Amendment "A". (H. "A" H-97)

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

Mr. ROSS: Mr. Speaker and Ladies and Gentlemen of this House: I have nothing against the County of Aroostook. On the contrary, it is magnificent country and they have many, many, wonderful people there. As a matter of fact, a few weeks ago, my sister married a man who came from Aroostook and his brothers still live there, so I guess that I am some half way related.

However, some of the proposals made by the County seem to me to be a bit grandiose. I well remember the hospital in Fort Fairfield. I wonder if all of the facts were presented to the committee which heard this bill. Some of the members of that committee told me this morning that there was no opposition there. Well that probably is so because there are not many of us left who remember the situation in 1959. At that time they had a double-barreled effort; both as an item in the supplemental budget and in a separate bill

was a proposition to build an addition to their private hospital out of state funds under the supposition that it be used for Northern Maine TB Sanitarium. The need was never evidenced and it was so reported by many knowledgeable persons. However, the bill went through after the sponsor assured the Appropriations Committee and the Legislature that if the state no longer needed it for this purpose the community would be only too happy to pay a fair price to acquire the addition. The cost was \$558,000. It is a brand new addition. It has never been used in its entirety and they now consider a fair price to be one dollar. I am not going to belabor this issue. I think that you all received a letter from the administrator of this hospital and in it he stated that the cost to the state was \$12,000 a year to maintain this building.

We could defeat the entire bill with a clear conscience, because left in the present account is \$84,000 for maintenance. Parts of the hospital are being used so we could continue to operate it in this manner for seven additional years without an extra appropriation. But I am not trying to defeat this bill, for I don't believe that that would be fair, and certainly I think that all of us want to have someone utilize this excellent facility. I firmly believe that an equitable arrangement can be worked out in a completely new draft of some type, and since we're talking about \$558,000 I now move that this bill and its accompanying papers be referred to the Committee on Appropriations and Financial Affairs.

The SPEAKER: The gentleman has debated the commitment motion. The Chair understands that the gentleman from Cumberland, Mr. Richardson, now moves that this matter be committed to the Committee on Appropriations and Financial Affairs.

The Chair recognizes the gentleman from Presque Isle, Mr. Bishop, and will remind the gentleman that there is a commitment motion before the House and the

merits of the bill are not debatable. He may proceed.

Mr. BISHOP: Mr. Speaker, as a member of the Appropriations Committee I would like to ask you to defeat this motion to commit to Appropriations and Financial Affairs. This does not involve an appropriation of money. On the contrary this is an attempt to save the state \$12,000 a year which is now being expended for the maintenance of this building, and I ask a division.

The SPEAKER: The question before the House is on the motion of the gentleman from Cumberland, Mr. Richardson, that this bill be now committed to the Committee on Appropriations and Financial Affairs and the Chair recognizes the gentlewoman from Portland, Mrs. Carswell.

Mrs. CARSWELL: Mr. Speaker and Members of the House: I do hope that this motion is defeated also. Without debating what happened to the bill at committee, I will say that it had a fair hearing. Can I say that?

The SPEAKER: Yes, the gentlewoman may proceed.

Mrs. CARSWELL: It had a fair hearing. It was a unanimous report ought to pass and I think that this is the proper committee to handle this because it involves mental health funds for community mental health projects. This is exactly what this bill will help in.

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

Mr. JALBERT: Mr. Speaker, Members of the House: I am confused. I mean the gentleman from Presque Isle, Mr. Bishop, said that it should not go to the Appropriations Committee because it does not involve any funds. Yet the Chairman of the Committee that heard it admits that it does involve funds. Now, which is it?

The SPEAKER: The gentleman from Lewiston, Mr. Jalbert, poses a question to the gentlewoman from Portland, Mrs. Carswell, and she may answer if she so desires.

Mrs. CARSWELL: Possibly I should have said there will be federal funds available for this project. The community has already plans to put some money in for a community mental health project.

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

Mr. JALBERT: Mr. Speaker, I move that this lie upon the table for a week.

The SPEAKER: The gentleman from Lewiston, Mr. Jalbert, now moves that this matter lie upon the table for one week from today.

Mr. Bishop of Presque Isle requested a division.

The SPEAKER: The gentleman from Presque Isle, Mr. Bishop, has requested a division on the motion of the gentleman from Lewiston, Mr. Jalbert. The question before the House is that this matter lie upon the table assigned for March 24. All those in favor of this Bill "An Act Authorizing the Leasing by the State of Wing of Community General Hospital, Fort Fairfield, to the Hospital," Senate Paper 163, L. D. 493, lying upon the table assigned for March 24 will kindly rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Eighty-four having voted in the affirmative and forty-five having voted in the negative, the motion prevailed and the Bill was tabled pending the motion of the gentleman from Cumberland, Mr. Richardson, that this matter be committed to the Committee on Appropriations and Financial Affairs, and specially assigned for Wednesday, March 24.

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

SENATE JOINT ORDER—Relative to Legislative Research Committee Study of Legislative Personnel. (S. P. 465)

Tabled—March 16, by Mr. Levesque of Madawaska.

Pending—Passage in concurrence.

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

Mr. LEVESQUE: Mr. Speaker and Ladies and Gentlemen of the House: Briefly, what I would like to say this morning is that these matters being referred to the Legislative Research Committee are going to be very numerous as the Legislature progresses. It is our feeling that these things will be put together towards the end of the legislative session and will be assigned to the Legislative Research Committee, so it is my desire today that these things should be laid aside or on the table and be taken care of by the leadership of both House and Senate at the end of the session of the Legislature so that they will all be referred to the proper committees in their proper respective orders.

Thereupon, on motion of Mr. Anderson of Orono, tabled pending passage in concurrence and unassigned.

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

Resolve, Designating Maine Turnpike as "The Maine Gold Star Memorial Highway." (H. P. 383) (L. D. 485)

Tabled — March 16, by Mr. Levesque of Madawaska.

Pending—Motion of Mr. Blouin of Sanford to insist.

(In Senate, Engrossed as Amended by Committee Amendment "A" as amended by Senate Amendment "A" thereto in non-concurrence.) (S. "A" S-64) (C. "A" H-59)

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

Mr. BLOUIN: Mr. Speaker, Ladies and Gentlemen of the House: On this bill here, this is a bill that was presented by the gentleman from Limerick, Mr. George Carroll. It appeared in our committee and there was no opposition. It is a good bill. There were four or five people that were proponents for the bill. The thing I want to explain is — I understand there are two amendments that go with this bill,

and it seems that there have been some errors in one of the amendments, so I would like to table this bill until Tuesday, March 23.

Thereupon, on motion of Mr. Levesque of Madawaska, tabled pending the motion of Mr. Blouin of Sanford to insist and specially assigned for Tuesday, March 23.

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

HOUSE DIVIDED REPORT — Majority (8) — "Ought to pass" — Minority (2) — "Ought not to pass" — Committee on State Government on Resolve Proposing an Amendment to the Constitution to Eliminate the Office of Treasurer of State. (H. P. 256) (L. D. 326)

Tabled—March 16, by Mr. Doyle of Caribou.

Pending—Acceptance of Either Report.

On motion of Mr. Doyle of Caribou, the Majority "Ought to pass" Report was accepted, the Resolve read once and assigned for second reading the next legislative day.

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

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

Tabled—March 16, by Mr. Jalbert of Lewiston.

Pending—Passage to be Enacted.

On motion of Mr. Libhart of Brewer, the House voted to suspend the rules and to reconsider its action whereby this Bill was passed to be engrossed on March 12.

Mr. Libhart of Brewer offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to S. P. 208, L. D. 589, Bill, "An Act Relating to Publication of Foreclosure Notices."

Amend said Bill by striking out all of the 5th and 6th lines and

inserting in place thereof the following: 'published and printed in whole or in part **having its principal place of business** in the county where the premises are situated, if'

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

Mr. LIBHART: Mr. Speaker and Ladies and Gentlemen of the House: Just to say this is not a lawyers' amendment, this is a newspaper amendment, and the amendment is designed to clear up once and for all the difficulties we have been having on where to publish foreclosure notices.

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

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

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

Tabled — March 16, by Mr. Davis of Calais.

Pending — Passage to be Engrossed.

Mr. Davis of Calais offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to H. P. 513, L. D. 666, Bill, "An Act Relating to Number and Boundaries of Wards in City of Calais."

Amend said Bill by inserting at the beginning of the first line the underlined abbreviation and figure 'Sec. 1.'

Further amend said Bill by striking out, in the 9th and 10th

lines, the underlined words "and in such manner as to preserve as nearly as convenient an equal number of inhabitants in each ward"

Further amend said Bill by inserting before the Referendum, the following section:

"Sec. 2. P. & S. L., 1947, c. 172, Art. II, § 2, repealed and replaced. Section 2 of Article II of chapter 172 of the private and special laws of 1947, as amended by section 2 of chapter 121 of the private and special laws of 1955, is repealed and the following enacted in place thereof:

'Sec. 2. Term of office. The City Council shall consist of 7 members. One of said members shall be a resident of the ward including that section of the city known as Red Beach and one of said members shall be a resident of the ward including that section of the city known as Milltown. All 7 members shall be elected by and from the qualified voters of the City of Calais for a term of 2 years from the 2nd Monday in April next following the date of their election and shall serve until their successors are elected and qualified. There shall continue to be chosen 3 or 4 members, as the case may be, of the city council to fill the office of the members of the city council whose terms expire that year.'

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

On motion of Mrs. Kilroy of Portland,

Adjourned until Friday, March 19 at, 9:30 o'clock in the morning.