

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

Friday, April 16, 1965

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

Prayer by the Rev. Mr. John Hoffman of Strong.

The journal of yesterday was read and approved.

Papers from the Senate

From the Senate:

Bill "An Act Providing for a Study and Revision of Maine Corporate Law" (S. P. 500) (L. D. 1466)

Bill "An Act relating to Penalty for Indecent Exposure" (S. P. 501) (L. D. 1467)

Came from the Senate referred to the Committee on Judiciary.

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

From the Senate:

Bill "An Act relating to the Change of Name of Association of Historical Societies and Museums" (S. P. 497) (L. D. 1465)

Came from the Senate referred to the Committee on Legal Affairs.

In the House, referred to the Committee on Legal Affairs in concurrence.

From the Senate:

Bill "An Act Creating the Investment of State Funds Law" (S. P. 502) (L. D. 1468)

Resolve Proposing an Amendment to the Constitution Affecting Apportionment of Penobscot County for the Election of Senators (S. P. 503) (L. D. 1469)

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

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

From the Senate:

Bill "An Act relating to Exemption from Sales Tax of Boats Sold to Nonresidents" (S. P. 504) (L. D. 1470)

Came from the Senate referred to the Committee on Taxation.

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

**Senate Reports of Committees
Leave to Withdraw**

Report of the Committee on Judiciary on Bill "An Act relating to the Possession of Firearms and the Carrying and Registration of Firearms Capable of Being Concealed" (S. P. 431) (L. D. 1365) reporting Leave to Withdraw.

Report of the Committee on Labor reporting same on Bill "An Act Providing for Compulsory Retirement of Teachers at Age 65" (S. P. 404) (L. D. 1355)

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 Appropriations and Financial Affairs on Bill "An Act Providing Subsidy to Driver Education" (S. P. 393) (L. D. 1315) reporting Leave to Withdraw, as covered by other legislation.

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 Appropriations and Financial Affairs reporting "Ought not to pass" on Bill "An Act Authorizing a Study of the Feasibility of Creating a Central State Printing Department" (S. P. 174) (L. D. 540)

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 Election Laws reporting "Ought to pass" on Bill "An Act relating to Location of Voters' Marks on Ballots" (S. P. 397) (L. D. 1221)

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

In the House, the Report was read and accepted in concurrence, the Bill read twice and assigned the next legislative day.

Ought to Pass with Committee Amendment

Report of the Committee on Business Legislation on Bill "An Act to Incorporate the Maine Dental Service Corporation" (S. P. 260) (L. D. 809) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

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

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

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

COMMITTEE AMENDMENT "A" to S. P. 260, L. D. 809, Bill, "An Act to Incorporate the Maine Dental Service Corporation."

Amend said Bill by striking out in the last 2 lines the words and punctuation "**and its funds and property shall be exempt from taxation**"

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 Health and Institutional Services on Bill "An Act to Authorize State Participation in Federally Aided Health Facilities Programs" (S. P. 364) (L. D. 1131) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Came from the Senate with the Report read and accepted and the Bill passed to be engrossed as amended by Committee Amendment "A" and Senate 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. 364, L. D. 1131, Bill, "An Act to Authorize State Participation in Federally Aided Health Facilities Programs."

Amend said Bill by inserting after section 1 the following section:

"Sec. 2. R. S., T. 22, §1703, amended. The first sentence of section 1703 of Title 22 of the Revised Statutes is amended to read as follows:

"The department shall have authority to accept any federal law now in effect or hereafter enacted which makes federal funds available for public health services of all kinds including the construction of hospitals and health centers and to meet such federal requirements with respect to the administration of such funds as are required as conditions precedent to receiving federal funds." "

Further amend said Bill by renumbering section 2 to be section 3.

Committee Amendment "A" was adopted in concurrence.

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

SENATE AMENDMENT "A" to S. P. 364, L. D. 1131, Bill, "An Act to Authorize State Participation in Federally Aided Health Facilities Programs."

Amend said Bill by striking out all of the last underlined paragraph, except the single quotation mark, before the emergency clause.

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

Divided Report Tabled and Assigned

Report "A" of the Committee on Inland Fisheries and Game on Bill "An Act relating to Bounty on Foxes" (S. P. 243) (L. D. 753) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was signed by the following members:

Messrs. MANUEL of Aroostook

HOFFSES of Knox

McDONALD

of Piscataquis
—of the Senate.

Messrs. ROBERTS

of South Berwick
POULIN of Skowhegan
—of the House.

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

Report was signed by the following members:

Messrs. ANDERSON of Ellsworth
GAUDREAU of Lewiston
BALDIC of Waterville
CHAMPAGNE of Fairfield
COOKSON of Glenburn
—of the House.

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

In the House: Reports were read.

The SPEAKER: The Chair recognizes the gentleman from Ellsworth, Mr. Anderson.

Mr. ANDERSON: Mr. Speaker, I move we accept the "ought not to pass" report.

The SPEAKER: The gentleman from Ellsworth, Mr. Anderson, moves that we accept Report "B", the "Ought not to pass" Report.

Whereupon, on motion of Mr. Poulin of Skowhegan, tabled pending the motion of Mr. Anderson of Ellsworth to accept Report "B" the "Ought not to pass" Report and specially assigned for Tuesday, April 20.

Non-Concurrent Matter

Bill "An Act to Revise the Real Estate Law" (H. P. 579) (L. D. 771) which was passed to be engrossed as amended by Committee Amendment "A" and House Amendment "A" in the House on April 6.

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

In the House: On motion of Mrs. Kilroy of Portland, the House voted to recede and concur with the Senate.

Non-Concurrent Matter

An Act Creating a Department of Indian Affairs (H. P. 777) (L. D.

1031) which was passed to be enacted in the House on April 13 and passed to be engrossed as amended by Committee Amendment "A" on April 2.

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

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

Orders

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

WHEREAS, it has been learned that Maine's largest textile strike since 1955 was averted in Lewiston late Thursday night as representatives of the Textile Workers Union of America and shop stewards of two of the state's largest textile companies accepted a 5% hourly wage increase offer.

BE IT ORDERED, that the House of Representatives commend the T W U A representatives and director, management officials of the Bates Manufacturing Company and the West Point-Pepperell Manufacturing Company, employees and others who contributed to the successful and outstanding accord; and

BE IT FURTHER ORDERED, that the Clerk of the House be directed to send an attested copy of this Order to the above appropriate parties.

The Order received passage.

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

WHEREAS, the members of the House have learned that today is the 75th birthday of Mr. NADEAU of Biddeford,

BE IT ORDERED, that the members extend to Mr. Nadeau their congratulations and their best wishes not only for today but for the years ahead.

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

Mr. NADEAU: Mr. Speaker, Ladies and Gentlemen of the House: I have received your good wishes and thank you for saying them, and I ask God that He be as good to you as He has been to me. Thank you. (Applause)

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

Tabled

Mrs. Carswell of Portland presented the following Order and moved its passage:

ORDERED, the Senate concurring, that the Legislative Research Committee is directed to study the problem relating to guardianship and custodial supervision of retarded persons, both in and out of state institutions, and report the results of its study, together with any recommended legislation, to the 103rd Legislature.

(On motion of Mr. Anderson of Orono, tabled pending passage and unassigned.)

On motion of Mr. McKinnon of South Portland, it was

ORDERED, that Romeo Laberge and Norman Laberge, both of Auburn, be appointed to serve as Honorary Pages for today.

The SPEAKER: Romeo, Junior, is twenty years old, a graduate of St. Dominic's High School, is now attending Auburn, Maine School of Commerce where he is majoring in accounting. Norman, who is eighteen years old, is a graduate of St. Dominic's High School and he is now attending the Catholic University of America in Washington, D. C. where he is majoring in civil engineering. Both of these boys are the sons of the gentleman from Auburn, Mr. Laberge. On behalf of the House the Chair welcomes you and we hope that you will enjoy your duties as temporary pages for the day. (Applause)

House Reports of Committees Ought to Pass in New Draft

Mrs. Baker from the Committee on Legal Affairs on Bill "An Act to Grant a New Charter to City of Biddeford" (H. P. 518) (L. D. 671) reported same in a new draft (H. P. 1087) (L. D. 1475) under same title and that it "Ought to pass"

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

Ought to Pass Printed Bill

Mr. Cote from the Committee on Legal Affairs reported "Ought to pass" on Bill "An Act relating to Rules for and Enforcement of Channel Lines by Municipal Officers" (H. P. 835) (L. D. 1062)

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

Divided Report

Report "A" of the Committee on Legal Affairs reporting "Ought to pass" on Bill "An Act Establishing Daylight Saving Time for All Year" (H. P. 998) (L. D. 1330)

Report was signed by the following members:

Messrs. SHIRO of Kennebec
JACQUES

of Androscoggin
—of the Senate

Messrs. COTE of Lewiston
LIBHART of Brewer
CONLEY of Portland

—of the House.

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

Report was signed by the following members:

Mrs. SPROUL of Lincoln
—of the Senate.

Mrs. WHEELER of Portland
Messrs. BOISSONNEAU

of Westbrook

HUNTER of Clinton
Mrs. BAKER of Orrington
—of the House.

Reports were read.

The SPEAKER: The Chair recognizes the gentleman from Orono, Mr. Anderson.

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

The SPEAKER: The gentleman from Orono, Mr. Anderson, now moves we accept Report "A", "Ought to pass."

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

Mr. GILBERT: Mr. Speaker, Members of the House: I don't feel that that would be really advisable. I think that if the representatives in this House who come from rural areas who have children or can remember when they had children that went to school and when they were in the first grade, if you stop and think perhaps what time they are starting now, you start them an hour earlier than you are starting them now, it's pretty rough on them. We are picking up youngsters in a good many towns in the first grade right now in rural areas and I think probably also in the larger areas at seven o'clock standard time, and that would be the equivalent of six o'clock standard time if we got onto this. When it's cold weather that other hour in the morning is worth a good deal more to the youngster in bed than it is to him in the afternoon. As far as us old duffers are concerned I don't think it perhaps makes too much difference to us, but I don't really feel that that is good legislation.

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

Mr. POULIN: Mr. Speaker, Members of the House: I would like to report a grievance I get from my son, "How come the sun comes up so early and we have to wait so long before we go to school?" I don't believe what time they go to bed and what time they get up has too much to do with it. It depends on the parents. As long as they get their number of hours of sleep that time will make no difference. He would rather have daylight saving time than he would standard time.

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

Mr. BERNARD: Mr. Speaker, Members of the House: The gentleman talked about the early morn-

ing, one hour earlier. Well, I have two children twelve and fourteen that go to bed at nine o'clock every night under our regular time now and they'll go to bed at the same time. One thing I would like to point out to the members of the House, that I have to work most of the time until six o'clock and I don't have a chance to go out and enjoy sports and different things that I could enjoy with my children if I had that extra hour.

The SPEAKER: The Chair recognizes the gentleman from Kingman Township, Mr. Starbird.

Mr. STARBIRD: Mr. Speaker, Members of the House: In regard to the rural areas, up in my way in the past most of the farmers once they found out what daylight saving was all about, they took it on their own many times to keep their clocks ahead all winter regardless of the way the state went. I know many cases in Prentiss and Webster and Springfield especially where the farmers, you go into their house they may be on daylight saving time in the winter. This is kind of confusing to me at times, but they seem to like to get up that extra hour earlier. They like to keep their clock that way all the year around.

Mr. Bussiere of Lewiston requested a division.

The SPEAKER: The gentleman from Lewiston, Mr. Bussiere, requests a division. Is the House ready for the question? The question before the House is on the motion of the gentleman from Orono, Mr. Anderson, that we accept Report "A" "Ought to pass." All those in favor of accepting the "Ought to pass" Report will kindly rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Seventy-two having voted in the affirmative and forty-four having voted in the negative, Report "A" "Ought to pass" was accepted, the Bill read twice and assigned the next legislative day.

Passed to Be Engrossed

Bill "An Act to Make Allocations from Bond Issue for Construction and Equipment of Pollu-

tion Abatement Facilities" (S. P. 178) (L. D. 544)

Bill "An Act Creating the Office of State Archivist" (H. P. 768) (L. D. 1012)

Bill "An Act relating to Operation of Homemaker Service by Department of Health and Welfare" (H. P. 806) (L. D. 1093)

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

Bill "An Act Increasing Renewal Fee of Certificate to Practice Chiropractic" (H. P. 996) (L. D. 1346)

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

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

Mr. BUSSIÈRE: Mr. Speaker, Ladies and Gentlemen of the House: This week the chiropractor bill was defeated after a long discussion and I see that somebody put a bill in to do away with the chiropractor altogether, by increasing the renewal fee. I don't agree with that. If we don't want to recognize them at least we should give them the time to survive. And I will now move that this bill and all of its papers be indefinitely postponed.

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

The Chair recognizes the gentleman from Portland, Mrs. Carswell.

Mrs. CARSWELL: Mr. Speaker and Members of the House: Do not indefinitely postpone this bill. This bill provides that a chiropractor — the State Board of Chiropractors can raise some money for the educational courses which they have every year; and this is to keep the chiropractor up on things that are going on.

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

Mr. LENT: Mr. Speaker, Ladies and Gentlemen: To enlighten my colleague from Lewiston I would like to state that this was introduced by me at their request. It is only an increase of five dollars per certificate per year and it does furnish additional money for expenses, so he can rest assured that they are in favor of it.

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

Mr. BUSSIÈRE: Mr. Speaker and Members of the House: As the gentlewoman from Portland, Mrs. Carswell, mentioned there, I would go along with her if it was going to raise money to hire some professional lobbyists to pass a bill next year. (Laughter)

Thereupon, Mr. Bussiere withdrew his motion to indefinitely postpone, and the Bill was passed to be engrossed and sent to the Senate.

Bill "An Act relating to the Reporting of Traffic Accidents" (H. P. 1025) (L. D. 1388)

Bill "An Act Appropriating Moneys for Maine Civil War Commission" (H. P. 1082) (L. D. 1471)

Resolve Providing Funds for Conservation Education (H. P. 192) (L. D. 247)

Resolve Appropriating Money to Continue Preparation of Court Rules of Criminal Procedure (H. P. 418) (L. D. 530)

Resolve relating to Taxation of Hungry Island in the County of Lincoln (H. P. 1086) (L. D. 1472)

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

Amended Bills Tabled and Assigned

Bill "An Act Requiring Permits to Dam Waters for Recreational Purposes" (S. P. 342) (L. D. 1087)

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

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

Mr. PAYSON: Mr. Speaker, Ladies and Gentlemen: I would like to hear a short debate on this bill, L. D. 1087, and if it would be better to table it until another day I would like to have somebody do it. Otherwise I have two questions which I would like to ask.

Thereupon, on motion of Mr. Kennedy of Milbridge, the Bill and accompanying papers were tabled pending passage to be engrossed and specially assigned for Wednesday, April 21.

Bill "An Act to Revise the Forestry Laws" (S. P. 436) (L. D. 1377)

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

Amended Third Reader Amended

Bill "An Act Appropriating Funds to Construct Windbreak on Bridge Between Old Town and Indian Island" (H. P. 386) (L. D. 499)

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

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

Mr. BINNETTE: Mr. Speaker, I would like to offer House Amendment "A" to House Paper 386, L. D. 499, and that is to have the funds to pay for this windbreak come out of the highway funds.

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

HOUSE AMENDMENT "A" to H. P. 386, L. D. 499, Bill, "An Act Appropriating Funds to Construct Windbreak on Bridge between Old Town and Indian Island."

Amend said Bill by striking out in the 5th and 6th lines from the end the words "Unappropriated Surplus of the General Fund" and inserting in place thereof the words 'General Highway Fund'

Committee 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 relating to Equipment and Inspection of Motor Vehicles" (H. P. 671) (L. D. 898)

Bill "An Act Repealing Westbrook Sewerage District and Transferring Assets to City of Westbrook" (H. P. 1039) (L. D. 1413)

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.

Amended Third Reader Tabled and Assigned

Resolve Authorizing Director of Bureau of Public Improvements to Convey Certain Land in Hallowell (H. P. 552) (L. D. 723)

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

(On motion of Mr. Carroll of Limerick, tabled pending passage to be engrossed and specially assigned for Wednesday, April 21.)

The following paper from the Senate was taken up out of order by unanimous consent:

The following Order:

ORDERED, the House concurring, that when the Senate and House adjourn, they adjourn to meet on Tuesday, April 20th (S. P. 507)

Came from the Senate read and passed.

In the House the Order was read and passed in concurrence.

Constitutional Amendment Failed of Final Passage

Resolve Proposing an Amendment to the Constitution Providing for the Appointment of the Secretary of State by the Governor (S. P. 223) (L. D. 682)

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

The SPEAKER: The Chair recognizes the gentleman from Madawaska, Mr. Levesque, and inquires for what purpose does he rise?

Mr. LEVESQUE: Mr. Speaker, to make a motion. Because of the nature and the importance of this

document I now ask that when the vote is taken it be taken by the yeas and nays.

The **SPEAKER**: The gentleman from Madawaska, Mr. Levesque, now moves that when the vote is taken it be taken by the yeas and nays. For the Chair to order a roll call it must have the expressed desire of one-fifth of the members present. All those in favor of the vote on this bill being taken by the yeas and nays will kindly rise and remain standing until the monitors have made and returned the count.

A sufficient number arose.

The **SPEAKER**: Obviously more than one-fifth having arisen the yeas and nays are in order. The question before the House is on the final passage of this Constitutional Amendment. If you are in favor of this Resolve being finally passed when the roll is called you will answer "yes"; if you are opposed to its passage you will answer "no." The Clerk will call the roll.

ROLL CALL

YEA—Anderson, Orono; Baldic, Beane, Bedard, Benson, Mechanic Falls; Bernard, Binnette, Bishop, Boissonneau, Bradstreet, Brennan, Bussiere, Carroll, Carswell, Champagne, Childs, Conley, Cote, Cottrell, Crommett, Curran, Dostie, Drigotas, Drouin, Dudley, Dumont, Edwards, Eustis, Faucher, Fecteau, Fraser, Mexico; Fraser, Rumford; Gaudreau, Gauvin, Gilbert, Gillan, Graham, Harvey, Bangor; Harvey, Windham; Haugen, Hawkes, Healy, Huber, Hunter, Durham; Jalbert, Keyte, Kilroy, Knight, Laberge, Lebel, Lent, Levesque, Libhart, Lowery, Martin, McKinnon, Mills, Mitchell, Nadeau, Palmer, Pitts, Poulin, Ruby, Sawyer, Searles, Starbird, Stoutamyer, Sullivan, Wuori.

NAY — Anderson, Ellsworth; Avery, Baker, Orrington; Baker, Winthrop; Benson, Southwest Harbor; Berman, Berry, Birt, Bragdon, Brewer, Buck, Burwell, Cookson, Cressey, Cushing, Davis, Dickinson, Dunn, Erwin, Evans, Farrington, Gifford, Hammond, Hanson, Gardiner; Hanson, Lebanon; Harriman, Hawes, Haynes, Hunter, Clinton; Jewell, Kennedy, Kittredge, Lang,

Lewis, Lincoln, Littlefield, Lund, Lycette, Meisner, Millay, Mosher, Payson, Peaslee, Pendergast, Pike, Prince, Rackliff, Richardson, Stonington; Roberts, Ross, Bath; Ross, Brownville; Sahagian, Scott, Storm, Susi, Waltz, Ward, Watts, White, Guilford; Whittier, Wood, Young.

ABSENT — Blouin, Bourgoin, Carter, Crosby, D'Alfonso, Danton, Doyle, Fortier, Glazier, Harvey, Woolwich; Hoy, Jordan, Katz, Lane, Norton, Richardson, Cumberland; Roy, Truman, Wheeler, Wight, Presque Isle.

Yes, 69; No, 62; Absent, 20.

The **SPEAKER**: The Chair will announce the vote. Sixty-nine having voted in the affirmative and sixty-two in the negative, with twenty being absent, sixty-nine not being two-thirds of those present and voting, this Constitutional Amendment fails to receive passage.

Sent up for concurrence.

Constitutional Amendment Tabled and Assigned

Resolve Proposing an Amendment to the Constitution Pledging Credit of State for Guaranteed Loans for Recreational Purposes (H. P. 582) (L. D. 774)

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

(On motion of Mr. Gilbert of Turner, tabled pending final passage and specially assigned for Wednesday, April 21).

Passed to Be Enacted Bond Issue Emergency

An Act Providing a Bond Issue in the Amount of One Million Two Hundred and One Thousand Dollars for a Vocational Educational Institute in Penobscot County (H. P. 4) (L. D. 4)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. In accordance with the provisions of Section 14 of Article IX of the Constitution a two-thirds vote of the House being necessary, a division was had. 125 voted in favor of same and none against, and accordingly the Bill was passed to enacted, signed

by the Speaker and sent to the Senate.

Passed to Be Enacted

An Act Appropriating Funds for the Establishment of a Speech and Hearing Referral and Training Center at the Farmington State Teachers College (S. P. 79) (L. D. 224)

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

An Act to Provide Funds for Expansion of Home Teaching Programs for the Blind (H. P. 12) (L. D. 12)

An Act relating to Death Benefits for Members of the State Police (H. P. 13) (L. D. 13)

An Act relating to Qualifications and Fees under Nursing Law (H. P. 581) (L. D. 773)

An Act relating to Publication of Notice of Hearings on Rules and Regulations of Department of Inland Fisheries and Game (H. P. 815) (L. D. 1106)

An Act Establishing a Commercial Standard for Maine White-Cedar Shingles (H. P. 947) (L. D. 1283)

An Act Defining Interest on Loans (H. P. 990) (L. D. 1335)

An Act relating to Duties of Department of Health and Welfare Concerning Water Supplies (H. P. 994) (L. D. 1344)

Were reported by the Committee on Engrossed Bills as truly and strictly engrossed, passed to be enacted, signed by the Speaker and sent to the Senate.

Enactor

Tabled and Assigned

An Act Defining a Public School (H. P. 1069) (L. D. 1444)

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

(On motion of Mr. Levesque of Madawaska, tabled pending enactment and specially assigned for Wednesday, April 21.)

An Act relating to Advisory Committee of Health and Welfare (H. P. 1070) (L. D. 1445)

Finally Passed

Resolve Allocating Money to Repair Fish Screen at Outlet of Kezar Lake (H. P. 118) (L. D. 142)

Resolve to Provide Funds for the Purchase of Copies of the "History of Madison" (H. P. 1055) (L. D. 1431)

Were reported by the Committee on Engrossed Bills as truly and strictly engrossed, the Bill passed to be enacted, Resolves finally passed, all signed by the Speaker and sent to the Senate.

Orders of the Day

The Chair laid before the House the first item of Unfinished Business:

An Act Clarifying the Laws relating to the Division of Geological Survey in Department of Economic Development. (S. P. 117) (L. D. 343)

Tabled—April 9, by Mr. Mills of Eastport.

Pending—Passage to be Enacted.

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

Mr. MILLS: Mr. Speaker, I now move for enactment.

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

Mr. LITTLEFIELD: Mr. Speaker, I wish to debate this bill.

The SPEAKER: The gentleman may proceed.

Mr. LITTLEFIELD: Mr. Speaker, Members of the House: This bill, L.D. 343, was presented at the request of DED and if this Legislature hadn't meet this year, DED would have continued on under their present Chapter 38-A just as they did last year and continued their work. I am definitely opposed to this new bill under Section 651. The powers and duties are spelled out and it states that they shall be performed. If this Legislature passes this bill, then there will be no point in blaming the DED because they have spent a lot of money next year. The blame will be right here in this House. No department can possibly perform the duties spelled out in this bill without an addi-

tional hundreds of thousands of dollars.

Now, I wrote to the Associate Professor of Structural Geology at Louisiana State University and sent this bill and he went through it point by point, and he also took it up with the full Professor of Geology there and the State Geologist in the State of Louisiana and I will read a couple of paragraphs. He says:

"It is not the function of the State to furnish private industry with consultants. State geologists should seek out new mining industry, foster the development of new areas, and develop new mineral products. They should be available for consultation on matters generally available through publication, etc., but they should not substitute for private enterprise by acting as a 'geologist' for private concerns. Private geologists and consultants should be used to 'explore the mineral resources of the state' for a private company. The state geologist only does it for the whole state and he publishes his results for all . . ."

He says: "I showed this proposed legislation to our" Louisiana "State Geologist and he had two points to make. First, he felt as I do that the Geological Survey must be independent of the Academic Departments, but he also felt quite strongly that it should be associated with the University" of Maine.

"Secondly, his reaction to paragraph three, was, like mine, very unfavorable. He has found that small corporations and local interests can be very demanding on the one hand; and then if all does not go well, they want to 'sue' the state for giving them false or misleading information."

Now, this is information from men who are qualified to discuss this bill and I move that this bill and all its papers be indefinitely postponed.

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

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

Mr. MILLS: Mr. Speaker, am I in order to debate on this bill?

The SPEAKER: The gentleman is in order.

Mr. MILLS: Mr. Speaker, Ladies and Gentlemen of the House: I wish to state at this time that additional borings in Washington County by the Dolson Company Limited of Canada, on new borings in Alexander on the airline on the Frost farm, they have uncovered copper, zinc and some gold. There is no complete detailed report on the percentages at this time. Now, I went over to see Mr. Doyle, our state geologist, yesterday afternoon. There is quite a story involved in what has been said here this morning which I will not go into detail on.

Now, as far as the vast sums of money are concerned it is less than \$70,000 in that section there and he says he is fully capable of operating under that figure. There is no question in my mind but what the state should have its own geologist. There is no question but what this bill should be passed as it is printed. The "shall" in there is a directive. It is taken from the same code lines as what the Nevada Mining Laws are today. There is no doubt but what this is something that will be attempted to be amended in the Senate replacing the word "shall" by the "may" as we have had a copy of that amendment given to us. If it is amended in the Senate from the word "shall" to the word "may" it means that political intrigue can enter into the geological situation in the State of Maine by pressuring our state geologist.

Now, this bill here in its entirety is a clarification of what the duties are of the state geologist. He is going along with this bill. He is firmly in favor of this bill, because as he tells it to me, he says it makes no difference whether I sit here or somebody else sits here, this will clarify what the duties are of our state geologist and make him responsible to the authority in the State of Maine.

Now as far as the DED is concerned, they know that this is a very necessary thing for their de-

partment. They're fully satisfied with the work of this man and his reports that they receive. I see no reason why this bill shouldn't be passed as it is for the further production in the State of Maine of a taxable piece of property. There is a criterion here in the involvement of this bill which specifies his duties as he would like to have them. The fact is this, that under our forestry taxation laws, just the surface of the earth is subject to taxation by the individuals who hold it. Now, if it is a provable thing that there are lodes underneath pieces of forestry which are hinted at and suggested at but have never been proven, then that property in the opinion given to me is that that is a mineral mining property and is vastly subject to increased taxation. There is no question but what we are missing a bet on the taxation problem here in the State of Maine by trying to handicap our state geologist. And when this indefinite postponement vote is taken, I request a division.

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

Mr. BUSSIERE: Mr. Speaker, Members of the House: I am in favor of this motion raised by Mr. Littlefield. I think the so-called debt department there which is under investigation is not only spending the taxpayers money but wasting most of it; it is promoted by an advertising salesman, no wonder. And I move that this bill and all its papers, and I agree with Mr. Littlefield, and I request a division on this.

The SPEAKER: The Chair recognizes the gentleman from Fal-mouth, Mr. Payson.

Mr. PAYSON: Mr. Speaker, Ladies and Gentlemen of the House: I suggested that that word "shall" be changed to "may." At the time of the hearing it was brought out that it was alright to make it a permissive thing for the state geologist to go around and investigate these properties. They thought it was inadvisable that it would be demanded that he should do so, because in lots of

cases he would interfere with the private operations of other private geologists. This was brought up at the hearing. As far as I know there were no political implications in it.

It has been said on the floor today that the present geologist said he could get along exactly as well the way he is operating now as if this bill is passed. That also was brought up at the hearing and he said the same thing at that time. Therefore, I think this bill is entirely unnecessary and I think it should be indefinitely postponed.

The SPEAKER: The Chair recognizes the gentleman from Mechanic Falls, Mr. Benson.

Mr. BENSON: Mr. Speaker, Members of the House: This bill is very simple. It will give our state geologist the title of state geologist, so when he goes to a mining operation he will be acting as the state geologist. There is no money involved whatsoever. It is just putting him under the personnel law. It is very simply a title change. Thank you.

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

Mr. LITTLEFIELD: Mr. Speaker, may I answer the gentleman who has just spoken. The law as it reads now gives him the right to be state geologist. I will read it to you, "The commissioner may employ a state geologist to serve at the pleasure of the commission. The state geologist as herebefore appointed shall perform such duties as shall be required of him by law or assigned to him by the commissioner and he shall act as division director." He already has the right.

The SPEAKER: Is the House ready for the question? The question before the House is on the motion of the gentleman from Hampden, Mr. Littlefield that this bill and its accompanying papers be indefinitely postponed. The gentleman from Eastport, Mr. Mills, has requested a division.

All those in favor of this Bill "An Act Clarifying the Laws relating to the Division of Geological Survey in Department of

Economic Development," Senate Paper 117, L. D. 343, being indefinitely postponed will kindly rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Thirty-two having voted in the affirmative and eighty-six 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.

The Chair laid before the House the second item of Unfinished Business:

SENATE REPORT — "Ought not to pass" as Covered by Other Legislation — Committee on Labor on Bill, "An Act Revising the Minimum Wage Law." (S. P. 433) (L. D. 1367)

Tabled — April 13, by Mr. Levesque of Madawaska.

Pending — Acceptance in concurrence. (Assigned for later in Tuesday's session.)

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

The Chair laid before the House the third item of Unfinished Business:

HOUSE REPORT—"Ought not to pass"—Committee on State Government on Resolve, Proposing an Amendment to the Constitution Changing the Date of the General Election." (H. P. 547) (L. D. 718)

Tabled—April 2, by Mr. Bussiere of Lewiston.

Pending—Acceptance.

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

Mr. BUSSIÈRE: Mr. Speaker, Ladies and Gentlemen of the House: I introduced the same bill two years ago and it was defeated and I introduced it again this year. I think that this was the biggest mistake ever made in this House here by changing the date of the election. And by going back to

the September date which was the first in the nation we will regain the spotlight that we lost. It cost some two million dollars of free advertising that you cannot buy. I think it deserves a lot of consideration. It was the biggest mistake that a House has ever made by changing the date. Especially a state like the State of Maine where the winter strikes sometimes earlier and keeps the people away from the polls and I would like to be privileged if I can to retable this bill for another week.

The SPEAKER: The Chair at this time would like to recognize in the balcony of the House, twenty-five students of the History and Government Class of Newport High School. They are accompanied by their teacher Mr. Donald LeBlanc and they are the guests of the gentleman from Newport, Mr. Bradstreet. On behalf of the House the Chair welcomes you and we hope that your visit will be both educational and enjoyable. (Applause)

The SPEAKER: The question before the House is the acceptance of the "Ought not to pass" Committee Report. The motion of the gentleman from Lewiston, Mr. Bussiere, is out of order.

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

Mr. LEVESQUE: Mr. Speaker, I move the acceptance of the "Ought not to pass" report.

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

Mr. ROSS: Mr. Speaker, Ladies and Gentlemen of the House: On this one issue I would certainly agree with my good friend from Lewiston, Mr. Bussiere; if it were at all possible I would favor this legislation. On most things, once this House makes up its mind to do something, we can change our mind a couple of years later if we so desire. But on this item, once we changed the date of our general election the Congress has forbidden our changing this back. I heard this as a rumor a few years ago and so I did a little research this year relative to an-

other bill that is on our table, a Presidential Preferential Primary. And for your information and edification let me read to you what I did find. Article I, Section 4 of the United States Constitution provides:

"The Times, Places and Manner of holding Elections for Senators and Representatives, shall be prescribed in each State by the Legislature thereof; but the Congress may at any time by Law make or alter such Regulations, except as to the Places of Chusing Senators."

And then the Congress passed this Law:

"The Tuesday next after the 1st Monday in November, in every even numbered year, is established as the day for the election, in each of the States and Territories of the United States, of Representatives and Delegates to the Congress commencing on the 3rd day of January next thereafter. This section shall not apply to any State that has not yet changed its day of election, and whose constitution must be amended in order to effect a change in the day of the election of State officers in said State."

And we did do just that. We amended our Constitution, we changed, so the Congress forbids our changing back, unfortunately.

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

Mr. BUSSIÈRE: Mr. Speaker, Members of the House: I would like to read an editorial from the Bangor Daily News when I introduced this bill here. It reads in part:

"The promotional value" of the state "is great, . . . in dollars and cents. September voting centered the nation's attention on Maine. The trend here was a straw in the wind. Maine was in the front page headlines of newspapers across the country and was featured in national magazines and in political commentary and reports on television."

All that has disappeared since Maine has changed the date of the election and also the five electoral votes were ignored.

"Maine's need to expand and improve its promotional efforts is well known."

At that time, when I introduced that bill two years ago, there were two bills from the debt department for two million dollars for advertising industrial and recreational. "Much more effective — and at no cost to the taxpayer — would be putting Maine back in the spotlight by restoring its 'first in the nation' election." Thank you.

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

Mr. JALBERT: Mr. Speaker and Members of the House: I started to present this bill back in 1945, my very first term here. I took several clobberings. Finally a few years ago the bill passed. It was presented to the people for referendum and the people accepted it overwhelmingly. I don't put a price tag on what publicity we get. I assure you one thing, that Maine certainly didn't go unnoticed in that last election. Of course, I can hardly be surprised at the change of mind of the Bangor Daily News, if I look around at the tempo of this present Legislature. I assure you one thing, that I had to go under surgery on the day after the election. I was allowed to listen to TV until ten o'clock, I was told. When I had heard that Pemaquid had gone Democratic I turned the TV off because being married to a very fine lady from Pemaquid I have had to look under rocks to find members of my party there.

As far as the gentleman from Bath, Mr. Ross, I don't blame him at all for wanting to wish he could go along with the gentleman from Lewiston, the eloquent gentleman from Lewiston, Mr. Bussiere, because when he heard that Goldie had been nominated, he wore out fourteen pairs of shoes and all of his knuckles by rapping at doors. He really went to work and I'm still wondering what in heck he is doing here with that avalanche that hit Bath.

So that this bill here, I think it has to a point served well. I can remember back in 1960 when the first test of the change of election date was made. I got a telegram from a then strong party member of the friendly opposition who is here in the lobby, telling me that the Republican party ought to throw me a testimonial, but after the avalanche of November of this year it appears that the offer was withdrawn.

Now, I believe seriously that this is sound legislation. I think we get just as much publicity as we would do the other way if that's to be an issue. I think certainly, as far as bad weather and all that, the record will show that the last two elections have turned out the largest number of people to the polls by far than ever before. If you will look at the record you will find that before when we used to vote in September and November on presidential years the number would be as much as 100,000 less in September than in November. And I think we are all here interested in having the people go to the polls to vote as many and as often as possible. I move indefinite postponement of this bill and its accompanying papers.

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

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

Mr. BUSSIERE: Mr. Speaker, as I said before, that it was the greatest mistake ever made by changing the date of the election but I am happy to find out this morning that the gentleman who introduced that piece of legislation was gentleman enough to admit that he was the one that made the mistake.

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

Mr. JALBERT: Mr. Speaker, Members of the House: In answer to the very eloquent gentleman from Lewiston, Mr. Bussiere, if

I would start enumerating the mistakes that he has made here I sometimes wonder whether it's not a mistake that he's here at all.

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

Mr. POULIN: Mr. Speaker and Ladies and Gentlemen of the House: I would like to remind Mr. Bussiere — I should say I would like to have had him with me in England in 1944 when the results were given on the Roosevelt election and taken the ribbing that we did. We were just a few from Maine, and the rest from all over the country. Now if you call that good advertising or publicity, I don't know.

Mr. Bussiere of Lewiston requested a division.

The SPEAKER: The gentleman from Lewiston, Mr. Bussiere, has requested a division. All those in favor of this Resolve "Proposing an Amendment to the Constitution Changing the Date of the General Election," House Paper 547, L. D. 718, 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. One hundred nineteen having voted in the affirmative and seven having voted in the negative, the motion prevailed.

Sent up for concurrence.

The Chair laid before the House the fourth item of Unfinished Business:

An Act to Eliminate Straight Ballot Voting in Elections. (S. P. 191) (L. D. 571)

Tabled—April 2, by Mr. Roy of Winslow.

Pending—Passage to be Enacted.

On motion of Mr. Kennedy of Milbridge, retabled pending passage to be enacted and specially assigned for Tuesday, April 20.

The Chair laid before the House the fifth item of Unfinished Business:

An Act Providing Only One Way to Split a General Election Ballot (H. P. 884) (L. D. 1181)

Tabled—April 2, by Mr. Binnette of Old Town.

Pending—Passage to be Enacted.

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

Mr. BINNETTE: Mr. Speaker, I am still waiting for the Attorney General to have some parts of this bill corrected, and I would like to table it to April 23.

Thereupon, on motion of Mr. Cookson of Glenburn, tabled pending passage to be enacted and specially assigned for Friday, April 23.

The Chair laid before the House the sixth item of Unfinished Business:

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

Tabled—April 2, by Mr. Danton of Old Orchard Beach.

Pending—Passage to be Enacted.

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

Mr. BERNARD: Mr. Speaker and Members of the House: I would like to table this bill for a week.

The SPEAKER: The gentleman from Sanford, Mr. Bernard, now moves that this matter lie upon the table assigned for April 23 pending its passage to be enacted.

Mr. Lund of Augusta requested a division.

The SPEAKER: The gentleman from Augusta, Mr. Lund, requests a division. All those in favor of this bill lying upon the table assigned for April 23 will kindly rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Thirty-eight having voted in the affirmative and eighty-five having voted in the negative, the motion did not prevail.

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

Mr. LUND: I move for enactment.

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

Mr. BUSSIERE: Mr. Speaker, I would like to make another motion on this bill.

The SPEAKER: The gentleman is in order.

Mr. BUSSIERE: Mr. Speaker, I move that this bill and all its accompanying papers be indefinitely postponed.

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

Mr. Benson of Southwest Harbor requested a division.

The SPEAKER: The gentleman from Southwest Harbor, Mr. Benson requests a division on the motion. All those in favor of this bill 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.

Fourteen having voted in the affirmative and one hundred three 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.

The Chair laid before the House the seventh item of Unfinished Business:

HOUSE REPORT — "Ought to pass" as Amended by Committee Amendment "A"—Committee on Towns and Counties on Bill, "An Act Authorizing County Commissioners for York County to Make a Loan for Construction of a Sewage Treatment and Disposal System for its Courthouse and Jail." (H. P. 571) (L. D. 741) (C. "A" H-153)

Tabled—April 2, by Mr. Bernard of Sanford.

Pending—Acceptance.

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

Mr. BERNARD: Mr. Speaker and Members of the House: I don't like to retable bills, but in this instance we were waiting for a report from the Water Improvement Commission. We received that report yesterday and we will have a York

County Delegation causus next week. I would like to see Mr. Pendergast table this bill until the 23rd of April.

Thereupon, on motion of Mr. Pendergast of Kennebunkport, retabled pending acceptance and especially assigned for Friday, April 23.

The Chair laid before the House the eighth item of unfinished business.

HOUSE REPORT — Committee on Liquor Control on Bill, "An Act relating to Definition of Restaurant under Liquor Law." (H. P. 754) (L. D. 991) reporting same in a New Draft (H. P. 1058) (L. D. 1434) under title of "An Act Defining Class A Taverns under Liquor Law," and that it "Ought to pass".

Tabled—April 2, by Mr. Eustis of Dixfield.

Pending—Acceptance.

The SPEAKER: The Chair recognizes the gentlewoman from Lebanon, Mrs. Hanson.

Mrs. HANSON: Mr. Speaker, Ladies and Gentlemen of the House: This bill sets up a brand new liquor outlet throughout Maine called the Class A Tavern. All that can be sold there is package snacks, tobacco and malt liquor. Oh, yes, women are permitted there also. We women appreciate all this thought extended toward us by the sponsor of the bill and thank him for his special consideration. However, we wish to turn the offer down. We women do not want dives for women folks to go into. As far as this bill helping minors out we think this would be detrimental to minors who have to go there to seek their mothers. This doesn't in any way regulate the places that now sell to minors. It only opens up new outlets. Let's kill this bill. When the vote is taken I would ask for a roll call vote. Thank you.

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

Mr. BERNARD: Mr. Speaker and Members of the House: This was a very well debated bill. Even the dries went along one hun-

dred per cent on this bill with us. Rev. Meisner was very happy to see that this bill would go through. He voted with us on the bill.

This would take out minors from what we call now restaurants. You go into a restaurant today. You don't know if it's a restaurant serving food or if it's just a place that's going to serve beer. Now, we already have taverns in the State of Maine. This bill was put in to take out the minors out of what they call beer joints. Now, when you're riding along with your family and you want to go into a restaurant, when you see the sign restaurant it will be a restaurant. And when you see a sign Class A Tavern, it will be a Class A Tavern.

I think this is a wonderful bill where we don't have to worry about taking our families into a beer joint. I hope this bill goes through.

The SPEAKER: The Chair recognizes the gentleman from Houlton, Mr. Lycette.

Mr. LYCETTE: Mr. Speaker and members of the House: I rise with some trepidation to speak on such a controversial issue as a liquor bill. However, I hope my humble logic in this argument may be convincing.

As you know, if this bill is passed Maine for the first time would have liquor outlets known as Class A Taverns. Such a place would serve no food and women as well as men could be bona fide customers.

It is true that those under twenty-one could not legally be patrons, but this proviso would be ineffective in many instances because of the difficulty in identifying them as minors. Furthermore, I think you will find there is no penalty if the tavern-keeper sees fit to wink at the restriction.

Although, I do not partake of liquor, my friends know that I am no crank on this proposition. From time immemorial man has partaken of liquor. No one denies his constitutional right to do so and as long as the basic law of fermentation persists, he going to have it. If everyone drank with

moderation perhaps these liquor issues would not be so fervently discussed, but after pounding the beat for eleven years and operating a big jail for thirty more years, I know there are thousands who cannot or will not drink with moderation. To them, taverns are just another medium by which they become inebriated. Many of my middle - of - the - road friends voted out Prohibition on the premise that hard liquor and beer would be dispensed under strict regulations. As one of my contemporaries stated the other day, we can go too far with the liberalization of our liquor laws, especially since it has come to the time where we all have to travel by car.

I like the lyrics of that old ballad "There is a Tavern in our Town," but I trust this ditty will never exemplify such a place in my town or in this state. Thank you.

The SPEAKER: The Chair recognizes the gentleman from Old Orchard Beach, Mr. Danton.

Mr. DANTON: Mr. Speaker, Ladies and Gentlemen of the House: I am concerned as to whether or not this type of a licensee or a business will have to go through the town first and obtain a permit or a license and then apply for the beer or liquor license from the State Liquor Commission. I feel that the town should have or that the licensing board of the town should have first opportunity to either accept or deny a person serving liquor in the municipality, and for that reason I would like to ask any member of the committee as to whether or not the licensee will have to go before the municipality first and obtain a license and then apply for a liquor license from the state.

The SPEAKER: The gentleman from Old Orchard Beach, Mr. Danton, has posed a question to any member of the Liquor Control Committee and any member may answer if he so desires.

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

Mr. LUND: Mr. Speaker and Ladies and Gentlemen of the

House: I would answer the question of the gentleman from Old Orchard Beach, Mr. Danton, in the affirmative. That the bill as drawn would give the town the opportunity to turn down a request for permit because on the second page of the bill if you look at L. D. 1434, you will see that tavern-keeper is added to the present provision calling for victualers license. I would also point out that this was a provision requested by Mr. Danton, which I incorporated in the redraft at his request.

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

Mr. MILLS: Mr. Speaker, Ladies and Gentlemen of the House: I would also like to pose a question. I have been informed that this law has been suggested by our law enforcement officers in the State of Maine. That under this setup here of a Class A classification that any officer, municipal or otherwise, sheriff and so forth, can observe and report any violations that they observe for stricter control over what is happening in these places. Can anybody on the Committee inform me if this is so?

The SPEAKER: The gentleman from Eastport, Mr. Mills, has posed a question to any member of the Liquor Control Committee and the Chair recognizes the gentleman from Augusta, Mr. Lund.

Mr. LUND: Mr. Speaker, would the gentleman care to restate his question please?

The SPEAKER: Would the gentleman from Eastport, Mr. Mills, kindly restate his question?

Mr. MILLS: The question sir, is this—under this classification law as so set up, doesn't this give the law enforcement officers more authority to observe and correct any conditions they find wrong in these taverns?

The SPEAKER: The gentleman may answer the question if he so desires.

Mr. LUND: I would attempt to answer in this way. I don't think the basic mechanics of law enforcement are changed. As was pointed out in a comment by one of the previous speakers, the only penalty which would apply if a minor

were permitted to be present is the same penalty that we have today, if a minor is illegally served in a licensed premise and that is by administrative action taking away the license of the proprietor. This is an action that would take place before the Hearing Examiner. However, this would give assistance to the law enforcement officers in that they would be able to by checking keep out of the premises completely any minors which they saw there.

I have discussed this provision of the bill with the present Assistant County Attorney in this county and Mr. Bruce Chandler, a member of the Majority Party, and he was quite enthusiastic over this provision and felt it was a good one.

The SPEAKER: The Chair recognizes the gentleman from Lebanon, Mrs. Hanson.

Mrs. HANSON: Mr. Speaker, I move indefinite postponement.

The SPEAKER: The question before the House now is the indefinite postponement of this bill and its accompanying papers.

The Chair recognizes the gentleman from Sanford, Mr. Bernard.

Mr. BERNARD: Mr. Speaker, Members of the House: I know that most of the time some of the people in the House vote against a liquor bill just because the quotation, the mark, is liquor. This is not a question of whether we are going to liberalize liquor or not. We have got fifteen so-called—you can call them restaurants or beer joints down here on Water Street. I only ask you ladies and gentlemen of the House, let's take the kids out of these places.

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

Mr. KITTREDGE: Mr. Speaker, in view of the lateness of the hour and the fact that today is Good Friday, I now move that we adjourn.

Mr. Levesque of Madawaska requested a division.

The SPEAKER: A division has been requested. The question before the House now is on the motion of the gentleman from South Thomaston, Mr. Kittredge, that we now adjourn. The gentleman from

Madawaska, Mr. Levesque, has requested a division.

Does the gentleman intend to adjourn without day?

Mr. KITTREDGE: Until next Tuesday.

The SPEAKER: Any particular time?

Mr. KITTREDGE: At your convenience sir.

The SPEAKER: Does the gentleman care to state a time if he desires to adjourn?

Mr. KITTREDGE: I move that we now adjourn until ten o'clock on Tuesday next.

The SPEAKER: The question before the House now is on the motion of the gentleman from South Thomaston, Mr. Kittredge, that we adjourn until ten A.M. Tuesday. And the gentleman from Eastport, Mr. Mills, has requested a division. All those in favor of adjourning until next Tuesday at ten A.M. will kindly rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Two having voted in the affirmative and ninety-five having voted in the negative, the motion did not prevail.

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

Mr. MILLS: Mr. Speaker, on the motion that we had under consideration to indefinitely postpone, I ask for a division on that also sir.

The SPEAKER: A division has been requested.

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

Mr. GILBERT: Mr. Speaker, I have just one question I would like to pose to any member of the Committee who will answer it. We have been talking about getting the kids out of these restaurants having these places, but I haven't understood yet, does this bill take licenses away from these restaurants that are now selling beer? I don't see how we are going to get the kids out of the restaurants and the places we are trying to get them out of by opening up more, unless we are going to take licenses away from those that have already got

them. I wish somebody would tell me that.

The SPEAKER: The gentleman from Turner, Mr. Gilbert, has posed a question through the Chair to any member of the House who may answer if they so desire.

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

Mr. LUND: Mr. Speaker, I would request permission to answer the question and also add some comments of my own.

The SPEAKER: The gentleman may proceed.

Mr. LUND: Mr. Speaker, this bill originated with the problem of so-called restaurants which we now have at the present time. Under the law, in order to sell malt liquor, and I would point out that this bill applies only to the sale of malt liquor, and not to the sale of hard liquor, under the present law in order to sell malt liquor for consumption on the premises, one has to have a restaurant. There is no requirement in the law that the restaurant serve a certain percentage of its gross in food. There is only the requirement that the restaurant be able to serve food. So as the result, we have a large number of establishments which have a kitchen and at the time that the premises are inspected for the purpose of getting their license, they have food on hand. If nobody orders the food that they have on hand, the food is thrown out as it spoils, or is sent elsewhere because nobody orders it, so we do not have a percentage requirement on food.

The licensees felt that it was a waste to have this food when nobody was ordering it, and I think there was a good deal of agitation to get rid of the food requirement.

At the hearing, members of the restaurant industry appeared in favor of the bill generally, but some of them pointed out that it was anomalous to have a so-called restaurant that didn't serve food. When they were questioned they by and large agreed that if it were called by some other name than

a restaurant, that their objections would be eliminated, so this document 1434 was drawn as a redraft describing this establishment as a Class A Tavern. This eliminates any problem of misleading the public to go there, but it has some other consequences that I think would be distinctly advantageous to the orderly sale of liquor in this state.

In the first instance, the community as pointed out by the question of the gentleman from Old Orchard Beach, Mr. Danton, the community would have the opportunity if an establishment were not being run in an orderly fashion, to object at the time application were made for a tavern-keepers license. I believe this type of objection has been successful in Old Orchard Beach and in other communities where an orderly establishment is not being run.

Secondly, this establishment would be listed under the referendum question under the topic of 'tavern' so that a community would only have this type of an establishment if it voted in favor of taverns on the referendum question. At the present time, there is a very serious problem, according to many law enforcement officers, with under age youngsters in our so-called restaurants. Because they are described as restaurants, youngsters cannot be denied permission to be there, and if the youngster orders a coke and if some hard liquor is put into the coke and they are drinking a spiked drink, it is a very difficult enforcement problem, but since it is a restaurant and the youngster is entitled to order food or be there for the consumption of soft drinks, it is a difficult problem to control. So in redrafting this bill, since there was no need for any youngsters to be there with no food being served, it was provided that no minors would be permitted on the premises.

Now an objection or a comment has been made to me that there is no criminal provisions to enforce this, and I would point

out that criminal provisions are not always the most effective way to enforce regulations. If the only remedy is through criminal process, it is possible in most of our counties to waive hearing and appeal the case and the case may not come up for four or five or six or more months. In the meantime, the restaurant establishment can continue to serve, and so it is not as quick and effective an enforcement as administrative action against the license. For these reasons, I feel that this bill ought not to be indefinitely postponed. It, I think, presents an opportunity for us to control what is a growing problem and to control it in an effective manner in this state.

Mrs. Hanson of Lebanon requested a roll call vote.

The SPEAKER: The gentleman from Lebanon, Mrs. Hanson, has requested a roll call vote on the motion to indefinitely postpone.

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

Mr. COTE: Mr. Speaker, as chairman of the Liquor Control Committee I am a little bit perturbed this morning by some of the actions of the dry lobby. If there is a bill that was worked over sincerely in the interest of all concerned of the people of this state, this is the bill. The same people, they go to the newspapers and give out stories that we should investigate this and investigate that, that we should clear up our liquor industry, and when the Liquor Control Committee decides to do a little bit of something about it, underhanded they try to kill it. Why? Is it to keep their jobs as lobbyists a little bit longer, a few years longer? They try to becloud every issue that ever comes up on liquor. I am getting a little bit tired of this lobbying. I think it's wrong. We're trying to do something for the morals of the people. We are trying to keep the minors out of these so-called restaurants, and these same people who want the same thing that we are trying to do, try to becloud the issue and work underneath to try to kill a bill of this type.

The only thing this bill is doing, it is not creating new outlets, it changes the name from restaurant to Class A Tavern. That is the only thing it does, besides eliminating the food, because on the food question they may have all the food they want in the restaurant but if nobody comes in and buys it, they don't have to sell it. It is time that we called a spade a spade and took this in hand, and I hope that the motion to indefinitely postpone does not prevail.

The SPEAKER: The Chair recognizes the gentleman from Farmingdale, Mr. Peaslee.

Mr. PEASLEE: Mr. Speaker, unless I am very much mistaken, we passed a law a short time ago to have identification cards for these youngsters from twenty-one to twenty-five, and it seems to me that this is a darn good law that they are trying to get here to keep the kids out of there because of this identification tag deal. I am in favor of this bill, and I hope you will all go along with it.

The SPEAKER: Is the House ready for the question? The question before the House is on the motion of the gentleman from Lebanon, Mrs. Hanson, that this Bill "An Act Defining Class A Taverns under Liquor Law," H. P. 1058, L. D. 1434 be indefinitely postponed, and she has moved that when the vote is taken it be taken by the yeas and nays. For the Chair to order the yeas and nays, it must have the expressed desire of one-fifth of the members present. All those in favor of the vote being taken by the yeas and nays will kindly rise and remain standing until the monitors have made and returned the count.

A sufficient number arose.

The SPEAKER: Obviously, more than one-fifth having arisen, a roll call is in order.

The SPEAKER: The Chair will request the Page to escort the gentleman from Cape Elizabeth, Mr. Berry, to the rostrum to serve as Speaker pro tem.

Thereupon, Mr. Berry assumed the Chair as Speaker pro tem and Speaker Childs retired from the Hall.

The SPEAKER pro tem: The question before the House is on the motion of the gentlewoman from Lebanon, Mrs. Hanson, that this bill be indefinitely postponed. If you are in favor of indefinite postponement, you will answer yes when your name is called; if you are opposed to indefinite postponement, you will answer no when your name is called. The Clerk will call the roll.

ROLL CALL

YEA — Anderson, Ellsworth; Baker, Winthrop; Berman, Bragdon, Davis, Dunn, Erwin, Evans, Graham, Hammond, Hanson, Lebanon; Huber, Jewell, Kennedy, Kittredge, Lincoln, Littlefield, Lycette, Mosher, Prince, Rackliff, Roberts, Ross, Brownville; Ruby, Sahagian, Sawyer, Storm, Walt, White, Guilford; Whittier, Young.

NAY—Anderson, Orono; Avery, Baker, Orrington; Baldic, Beane, Bedard, Benson, Mechanic Falls; Benson, Southwest Hbr.; Bernard, Berry Pro tem; Binnette, Birt Bishop, Boissonneau, Bradstreet, Brennan, Brewer, Buck, Burwell, Bussiere, Carroll, Carswell, Champagne, Conley, Cookson, Cote, Cottrell, Cressey, Crommett, Curran, Cushing, Danton, Dickinson, Dostie, Doyle, Drigotas, Drouin, Dudley, Dumont, Edwards, Eustis, Farrington, Faucher, Fecteau, Fortier, Fraser, Mexico; Fraser, Rumford; Gaudreau, Gauthin, Gifford, Gilbert, Gillan, Hanson, Gardiner; Harvey, Bangor; Harvey, Windham; Harvey, Woolwich; Haugen, Hawes, Hawkes, Haynes, Hunter, Clinton; Hunter, Durham; Jalbert, Kilroy, Knight, Laberge, Lang, Lebel, Lent, Levesque, Lewis, Libhart, Lowery, Lund, Martin, McKinnon, Millay, Mills, Mitchell, Nadeau, Palmer, Payson, Peaslee, Pendergast, Pike, Pitts, Poulin, Richardson, Cumberland; Richardson, Stonington; Ross, Bath; Roy, Scott, Searles, Starbird, Stoutamyer, Sullivan, Susi, Ward, Watts, Wood, Wuori.

ABSENT — Blouin, Bourgoin, Carter, Crosby, D'Alfonso, Glazier, Harriman, Healy, Hoy, Jordan, Katz, Keyte, Lane, Meisner,

Norton, Truman, Wheeler, Wight, Presque Isle.

Yes, 31; No. 101; Absent, 18.

The SPEAKER pro tem: The Chair will announce the vote. Thirty-one having voted in the affirmative, one hundred and one having voted in the negative, with eighteen absent, the motion for indefinite postponement is lost.

Thereupon, the Committee "Ought to pass" Report was accepted, the New Draft read twice and assigned for third reading the next legislative day.

The Chair laid before the House the ninth item of Unfinished Business:

Resolve, Proposing an Amendment to the Constitution relating to Bond Issues to be Voted Upon by the People. (H. P. 612) (L. D. 804)

Tabled — April 6, by Mr. Berry of Cape Elizabeth.

Pending — Final Passage.

On motion of Mr. Birt of East Millinocket, retabled pending final passage and specially assigned for Tuesday, April 20.

The Chair laid before the House the tenth item of Unfinished Business:

An Act relating to Election of Certain Municipal Officials. (H. P. 470) (L. D. 623)

Tabled—April 6, by Mr. Farrington of China.

Pending—Passage to be Enacted

On motion of Mr. Bragdon of Perham, retabled pending passage to be enacted, and specially assigned for Thursday, April 22.

The Chair laid before the House the eleventh item of Unfinished Business:

An Act relating to Boards of Registration in Certain Towns. (H. P. 471) (L. D. 624)

Tabled—April 6, by Mr. Binnette of Old Town.

Pending—Passage to be Enacted.

On motion of Mr. Binnette of Old Town, the House voted to suspend the rules and to reconsider its action whereby this matter was passed to be engrossed as amend-

ed by Committee Amendment "A" and Senate Amendment "A" on April 2.

Mr. Binnette of Old Town then offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to H. P. 471, L. D. 624, Bill, "An Act Relating to Boards of Registration in Certain Towns."

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

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

"Sec. 2. R. S., T. 21, § 43, sub-§ § 1-3, amended. Sub-sections 1 to 3 of section 43 of Title 21 of the Revised Statutes are amended to read as follows:

1. Term of office. Each member **nominated by the city committees** and appointed by the municipal officers shall serve for 3 years and until his successor is appointed and sworn. The **3rd** member appointed by the Governor **municipal officers** shall serve for 4 years and until his successor is appointed and sworn.

2. Chairman of the board. The **3rd** member appointed by the Governor **municipal officers** is chairman of the board.

3. Vacancy. When there is a vacancy on the board, the municipal officers shall appoint a qualified person nominated by the city committee of the party of the former incumbent to fill the vacancy for the remainder of the term.

A. Exception. When there is a vacancy in the office of chairman of the board, the Governor, with the advice and consent of the Council, **municipal officers** shall appoint a qualified person to fill the vacancy for the remainder of the term."

House Amendment "A" was adopted.

On motion of Mr. Dickinson of Mars Hill, the House voted to reconsider its action whereby House Amendment "A" was adopted.

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

Mr. DICKINSON: Mr. Speaker, I have just had an opportunity to read this amendment and it throws quite a different light on the bill that we considered in committee. I would move for the indefinite postponement of the amendment.

The SPEAKER pro tem: The gentleman from Mars Hill, Mr. Dickinson, moves that House Amendment "A" be indefinitely postponed.

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

Mr. BINNETTE: Mr. Speaker, in answer to the gentleman from up in Mars Hill, this amendment has only to do with the legal aspects. The Attorney General, after looking over this bill, found that the word Governor was left in and it was contradictory to the intent of the bill, and therefore, that was the purpose of this amendment to correct it to prevent any future legal action.

The SPEAKER pro tem: The question before the House is on the motion of the gentleman from Mars Hill, Mr. Dickinson, that House Amendment "A" be indefinitely postponed.

Mr. Levesque of Madawaska requested a division.

The SPEAKER pro tem: A division has been requested. The Chair recognizes the gentleman from Milbridge, Mr. Kennedy.

Mr. KENNEDY: Mr. Speaker, I would request the Clerk to read the amendment.

House Amendment "A" was read by the Clerk again.

The SPEAKER pro tem: The Chair recognizes the gentleman from Milbridge, Mr. Kennedy.

Mr. KENNEDY: Mr. Speaker, I would pose a question through the Chair to the gentleman from Old Town, Mr. Binnette, if this amendment is not a departure from our election laws.

The SPEAKER pro tem: The gentleman from Milbridge, Mr. Kennedy, has posed a question through the Chair to the gentleman from Old Town, Mr. Binnette, who may answer if he wishes.

Mr. BINNETTE: Mr. Speaker, in answer to the gentleman from Mil-

bridge, perhaps it is a departure from the municipal laws, but due to the fact that they found that you have these towns that have 5,000 or more in order to carry that through, they would either have to be appointed the same as cities, and it was brought out that they would rather have it appointed by their own officers in their own communities, so that is why we put that in.

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

Mr. ROSS: Mr. Speaker, I would just like to call the attention of the members of the House, when the Clerk read the amendment, he did not read the changes. For instance, now the third member is appointed by the Governor. This deletes Governor and adds municipal officers in all of the instances mentioned.

Thereupon, on motion of Mr. Kennedy of Milbridge, the Bill was tabled pending the motion of Mr. Dickinson of Mars Hill to indefinitely postpone House Amendment "A" and specially assigned for Wednesday, April 21.

Order out of order

On motion of Mr. Anderson of Orono, it was

ORDERED, that Marilyn and Kenneth Ruby, both of Bangor, be appointed to serve as Honorary Pages for today.

The Order received passage.

The SPEAKER pro tem: Marilyn and Kenneth are the children of our good friend, Representative Christine Ruby of Bangor, (Applause)

The Chair laid before the House the twelfth item of Unfinished Business:

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

Tabled—April 7, by Mr. Sawyer of Brunswick.

Pending—Second Reading.

On motion of Mr. Sawyer of Brunswick, retabled pending second reading and specially assigned for Wednesday, April 21.

The Chair laid before the House the thirteenth item of Unfinished Business:

HOUSE REPORT—"Ought not to pass"—Committee on Appropriations and Financial Affairs on Bill, "An Act Appropriating Monies for Sprinkler System at State Military and Naval Children's Home." (H. P. 28) (L. D. 40)

Tabled—April 7, by Mrs. Carswell of Portland.

Pending—Acceptance.

Thereupon, the "Ought not to pass" Report was accepted and sent up for concurrence.

The Chair laid before the House the fourteenth item of Unfinished Business:

HOUSE REPORT—"Ought to pass" as Amended by Committee Amendment "A"—Committee on Business Legislation on Bill, "An Act relating to Unlawful Practices Under Unfair Sales Act." (H. P. 989) (L. D. 1334) (C. "A" H-178)

Tabled—April 7, by Mr. Sahagian of Belgrade.

Pending—Acceptance.

The SPEAKER pro tem: The Chair recognizes the gentleman from Belgrade, Mr. Sahagian.

Mr. SAHAGIAN: Mr. Speaker, I would like to table this for next Tuesday because there has been a new draft and a new amendment to be offered to this bill.

The SPEAKER pro tem: The gentleman is debating a tabling motion.

Thereupon, on motion of Mr. Bernard of Sanford, tabled pending acceptance of the Committee Report and specially assigned for Tuesday, April 20.

The Chair laid before the House the fifteenth item of Unfinished Business:

HOUSE REPORT—"Ought to pass" as Amended by Committee Amendment "A"—Committee on Taxation on Bill, "An Act Repealing Property Tax Exemption for Pleasure Boats in the State for Storage or Repair." (H. P. 760) (L. D. 997) (C. "A" H-181)

Tabled—April 7, by Mr. Benson of Southwest Harbor.

Pending—Acceptance.

The SPEAKER pro tem: The Chair recognizes the gentleman from Bristol, Mr. Lewis.

Mr. LEWIS: Mr. Speaker and Ladies and Gentlemen of the House: In reference to L. D. 997, I have talked with two other members of the House who were particularly interested in this bill, and there seems to be a slight difference of opinion regarding the wording of the bill in its present form. Therefore, I would move that this be recommitted to the Committee on Taxation.

Mr. Levesque of Madawaska requested a division.

The SPEAKER pro tem: The gentleman from Bristol, Mr. Lewis, now moves that this bill and its accompanying papers be recommitted to the Committee on Taxation. A division has been requested. All those in favor of recommitment will kindly rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

One hundred four having voted in the affirmative and four having voted in the negative, the motion prevailed.

Sent up for concurrence.

The Chair laid before the House the sixteenth item of Unfinished Business:

DIVIDED REPORT — Majority (9)—"Ought to pass" as Amended by Committee Amendment "A" — **Minority (1)**—"Ought not to pass" — Committee on Labor on Bill, "An Act relating to Payments Under Employment Security Law for Dependent Children." (H. P. 828) (L. D. 1056) (C. "A" H-150)

Tabled—April 7, by Mr. Levesque of Madawaska.

Pending — Acceptance of Either Report.

On motion of Mr. Levesque of Madawaska, retabled pending acceptance of either report and specially assigned for Thursday, April 22.

The Chair laid before the House the seventeenth item of Unfinished Business:

DIVIDED REPORT — Majority (8)—"Ought not to pass"—**Minority (2)** — "Ought to pass" — Com-

mittee on Towns and Counties on Bill, "An Act relating to Expenses and Travel of County Commissioners of Aroostook County." (H. P. 900) (L. D. 1210)

Tabled—April 9, by Mr. Bishop of Presque Isle.

Pending—Motion of Mr. Crommett of Millinocket to accept Majority "Ought not to pass" Report. (Specially assigned for Wednesday, April 14th)

On motion of Mr. Bragdon of Perham, retabled pending the motion of Mr. Crommett of Millinocket to accept the Majority Report and specially assigned for Thursday, April 22.

The Chair laid before the House the eighteenth item of Unfinished Business:

DIVIDED REPORT — Majority (9)—"Ought not to pass"—**Minority (1)**—"Ought to pass"—Committee on Appropriations and Financial Affairs on Bill, "An Act to Remove Floating Islands in Toddy Pond in Surry." (H. P. 385) (L. D. 498)

Tabled—April 9, by Mr. Anderson of Ellsworth.

Pending—Motion of Mr. Bishop of Presque Isle to accept Majority "Ought not to pass" Report. (Specially assigned for Wednesday, April 14th)

The SPEAKER: The Chair recognizes the gentleman from Ellsworth, Mr. Anderson.

Mr. ANDERSON: Mr. Speaker, I move the acceptance of the Ought to pass" Report and would like to speak to the motion.

The SPEAKER pro tem: The question before the House is the motion of the gentleman from Presque Isle, Mr. Bishop, that the Majority "Ought not to pass" Report be accepted. The gentleman may debate the question.

Mr. ANDERSON: Mr. Speaker, this bill which you have before you, L. D. 498, to remove floating islands in Toddy Pond, was prompted by an unusual occurrence. You might say it was a prank of Old Dame Nature. Now begging your indulgence for a moment I would like to read an article and it may clarify my pre-

sentation better than I could. In the first place the title is a little mixed up there, it says: Floating Islands. It is not, it is a floating island. "Floating Island Appears in Hoddy, Startles Camper Surry, the road was familiar. The camp looked the same, but Miss Abbie Ingalls thought last Friday morning that her eyes were deceiving her when she saw a large island parked in the cove in front of the camp. It hadn't been there Wednesday. Estimated to be at least 200 hundred feet long and up to fifty feet in width, the brush covered floating island with some half dozen trees appeared from no one knows where and camp owners, Miss Ingalls and Miss Lena Cunningham are wondering what to do about it. The Ingalls-Cunningham camp, seven miles out of Surry village on Route 176 was built last summer for rental purposes and the two women are concerned about rental prospects since swimming and boating are blocked by the island which lies within several yards from shore."

I might say that last summer they didn't have one rental. We submit that this is a menace to life, health and property. Now back in 1945, this same condition occurred at Lake Corundell and at that time it was established that it was the responsibility of the Forestry Department and that is under Chapter 128, Private and Special Laws of 1945 and at that time five thousand dollars was appropriated to remove the island. This bill is identical with that one there.

Now, boys swimming here are bound to get on this island and there was a very near fatality there last summer when one boy broke through this island, and they had to put planks on the island and get out to him and snake him out of there. Now, the water, it completely covers off and encloses a cove and there is a terrible odor from decaying vegetation. And this is certainly a menace to health. Miss Cunningham and Miss Ingalls have made a very conscientious effort to remove this island. They had two

so-called bees when all the villagers turned out. They had five five motor boats there, outboard motors, boats with powerful motor trying to move it and men waded out into the water with long poles but every attempt was futile. And then they had the thought that they might saw through it and break it up into sections with chain saws, but this proved to be too dangerous. And then they had the thought that it might be dynamited, but we contacted a contractor and he said you couldn't possibly blow it out with dynamite. It was just a puff and that's all it would do, just make a little hole in it.

Now, at the hearing, Austin Wilkins, the Commissioner of Forestry, pleaded with the Committee, Appropriations Committee, to remove this menace. He was behind it one hundred per cent, but they evidently chose to ignore his pleadings. It seems that this is just another case of State House brush-off, giving no consideration to the aggrieved taxpayer. If the document fails passage, the only recourse will be to enter a bill asking permission to sue the state. I submit the cost of the two hearings would remove the menace to health, life and property which this floating island entails.

Now, the appropriation was for five thousand dollars. I don't think it will cost nearly that much and the unexpended balance would revert to the general fund. I certainly hope that the "ought not to pass" motion does not prevail.

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

Mr. BISHOP: Mr. Speaker, Ladies and Gentlemen of the House: This matter was heard before the Appropriations Committee and to my recollection the only proponent was Mr. Anderson. The two ladies reported to be concerned about it did not appear, for what may have been very good reasons. Mr. Wilkins did appear. It is not my recollection or at least my interpretation of his remarks that he pleaded. He indicated that on one previous occasion by private

and special law, the department had attempted to remove a similar floating island from I think Lake Corundell or something like that. And the difficulties of doing this were discussed at some length. Apparently, it is a very difficult thing to remove and I think that when we attempt to correct things done by the forces of nature or even sometimes by the hand of man, we're going to undertake a tremendous expense for the state if we are going to assume the responsibility for all these things. There are many lakes where there is driki, flooded areas with trees remaining, all kinds of things that would be nice to improve but I don't think that we can afford it. Mr. Wilkins also indicated that the contractor who attempted to remove the other island felt that he lost money on the deal, and after hearing all the difficulties that were encountered, in a moment of weakness for which I sincerely appologized, I asked Mr. Anderson if the intent was to load it with money and sink it, for which I apologize again, but that was my feeling.

I hope that you will go along with the unanimous report "ought not to pass".

The SPEAKER pro tem: The Chair recognizes the gentleman from Ellsworth, Mr. Anderson.

Mr. ANDERSON: Mr. Speaker, Members of the House: I would like to say that the Forestry Commissioner, Mr. Wilkins, was amazed when he heard the report "ought not to pass". Now, this isn't something that is going to happen every month or every year. The last time it happened was twenty years ago. It may never happen again.

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

Mr. BRAGDON: Mr. Speaker, I listened very attentively to Mr. Anderson's presentation of the facts on this thing and I think from that presentation I gathered that he had, that those that had attempted to remove this island, namely the owners of the property, became fully aware of the

tremendous problem and the tremendous difficulties that were involved in doing this thing. I am sure that the Appropriations Committee in their considerations had all kinds of sympathy for people getting into these situations but we did visualize the tremendous job and Mr. Wilkins went over with us the problems that they run into when they let a contract to do a job of similar nature as has already been called to your attention. I certainly, sincerely, sympathize with the owners of the property; however, I feel that it is perhaps not the problem of the state and that was the feeling of the committee in their unanimous report.

The SPEAKER pro tem: The question before the House is on the motion of the gentleman from Presque Isle, Mr. Bishop, that the House accept the Majority "ought not to pass" report.

Mr. Anderson of Ellsworth requested a division.

The SPEAKER pro tem: The gentleman from Ellsworth, Mr. Anderson, has requested a division. All those in favor of accepting the "Ought not to pass" report on Bill "An Act to Remove Floating Islands in Toddy Pond in Surry," House Paper 385, L. D. 498, will kindly rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

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

Sent up for concurrence.

At this point, Speaker Childs returned to the rostrum.

The SPEAKER: The Chair would like to thank the gentleman from Cape Elizabeth, Mr. Berry, for acting as Speaker pro tem and for the fine job he did.

Thereupon, the Sergeant-at-Arms escorted the gentleman from Cape Elizabeth, Mr. Berry, to his seat on the Floor, amid the applause

of the House, and Speaker Childs resumed the Chair.

Mrs. Ruby of Bangor was granted unanimous consent to briefly address the House.

Mrs. RUBY: Mr. Speaker, I would sincerely like to thank the

House for honoring my two children this morning. (Applause)

On motion of Mr. Levesque of Madawaska,

Adjourned until Tuesday, April 20, at ten o'clock in the morning.