

# 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 23, 1965

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

Prayer by the Rev. Mr. Francis Spitzer of Hallowell.

The journal of yesterday was read and approved.

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

Report of the Committee on Public Utilities on Bill "An Act relating to Liability of Railroads for Property and Personal Damages of Employees in Motor Vehicles on Railroad Business" (S. P. 268) (L. D. 812) reporting Leave to Withdraw.

Came from the Senate read and accepted.

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

### **Ought Not to Pass**

Report of the Committee on Public Utilities reporting "Ought not to pass" on Bill "An Act relating to Rates and Charges of Contract Motor Carriers" (S. P. 305) (L. D. 1006)

Came from the Senate read and accepted.

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

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

Report of the Committee on Business Legislation on Bill "An Act relating to Organization of Small Loan Companies" (S. P. 348) (L. D. 1127) reporting same in a new draft (S. P. 509) (L. D. 1479) under title of "An Act relating to Organization of Loan Companies" and that it "Ought to pass"

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

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

### **Recommitted**

Report of the Committee on Business Legislation on Bill "An

Act relating to Coercion in Placing Insurance on Real and Personal Property" (S. P. 395) (L. D. 1218) reporting same in a new draft (S. P. 510) (L. D. 1480) under same title and that it "Ought to pass"

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

In the House:

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

Mr. BERNARD: Mr. Speaker and Members of the House: This bill was okayed by the Committee on Business Legislation voting unanimously, but the new draft was changed since the time of voting. I now move that we recommit this bill to the Committee on Business Legislation.

Thereupon, the Bill was recommitted to the Committee on Business Legislation in non-concurrence and sent up for concurrence.

### **Ought to Pass**

Report of the Committee on Judiciary reporting "Ought to pass" on Bill "An Act relating to Public Notice in Probate Proceedings" (S. P. 294) (L. D. 909)

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.

### **Orders**

Mr. Dumont of Augusta presented the following Order and moved its passage:

WHEREAS, it has been learned that May 8 is the 81st birthday of a great and dedicated former President of these United States, Harry S. Truman,

BE IT ORDERED, that the members of the Maine House of Representatives extend to Mr. Truman their congratulations and their very best wishes not only for this year, but hopefully for the many years which lie ahead;

AND BE IT FURTHER ORDERED, that the Clerk of the House be directed to send an

attested copy of this Order to this gentleman from Missouri.

The Order received passage.

Mr. Beane of Moscow presented the following Order and moved its passage:

WHEREAS, it has been learned that our friend and colleague, the Honorable Catherine H. Carswell, has been hospitalized at the Mercy Hospital in Portland,

BE IT ORDERED, that the House of Representatives wish her a speedy recovery;

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

The Order received passage.

(Off Record Remarks)

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

Mr. BERNARD: Mr. Speaker, if I am in order I would like to inquire to see if the Clerk is in possession of House Paper 486, L. D. 639.

The SPEAKER: The gentleman from Sanford, Mr. Bernard, makes an inquiry if the House is in possession of L. D. 639, which is Bill "An Act relating to Maintenance of State Highways in Certain Municipalities." And the Chair will answer in the affirmative.

Mr. BERNARD: Mr. Speaker, I now move that we reconsider our action whereby this bill was indefinitely postponed on April 22 and wish to speak on that motion.

The SPEAKER: The gentleman from Sanford, Mr. Bernard, now moves we reconsider our action whereby this bill and its accompanying papers were indefinitely postponed on April 22. The gentleman may proceed.

Mr. BERNARD: Mr. Speaker, Members of the House: Yesterday I voted against this measure because the arguments against the bill had led me to believe that this document was not in the best interests of my town and community. I since then have had the opportunity to double check the facts and figures presented by both the proponents and the op-

ponents. Accordingly, I found that this bill as it will be amended would give welcome relief to many property owners in several communities throughout the state. Therefore, I urge you to support the motion to reconsider.

The SPEAKER: The Chair recognizes the gentleman from Waldoboro, Mr. Waltz.

Mr. WALTZ: Mr. Speaker, Ladies and Gentlemen of the House: I'll be brief. I have no intent to attempt to sell you a bill of goods. However, with respect to this particular bill I would like to point out that it was debated quite extensively yesterday and it seems to me that the ground was quite well covered. I want to point this out to you, based upon the present budget if this bill should go through the money will have to be taken from Highway Construction, or Special Aid Roads, or Town Road Improvement Fund. I think that most of us appreciate the assistance that we have been getting yearly from the state with respect to this Town Road Improvement Fund, also from the Special Aid. The maintenance requirement that is set up in the bill is predicated entirely upon their experience over the past several years. Obviously, a million and a half dollars for the biennium cannot come from maintenance funds.

It would seem to me that if this bill should pass, it will have to be taken from one of these other three funds that I have suggested. The matter is entirely in your hands. I am, myself, perfectly satisfied with the way the money has been appropriated and spent. I shall vote against this motion and, as I said previously, it is entirely in your hands as to whether or not you wish to go along either with Mr. Bernard or myself. Thank you.

Mr. Young of Gouldsboro requested a division.

The SPEAKER: The gentleman from Gouldsboro, Mr. Young, has requested a division. All those in favor of reconsidering our action whereby this was indefinitely postponed will kindly rise and remain

standing until the monitors have made and returned the count.

A division of the House was had.

Sixty-four having voted in the affirmative and fifty-eight having voted in the negative, the motion prevailed.

The SPEAKER: The question before the House now is on the motion to accept the Minority "Ought to pass" Report.

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

On motion of Mr. Anderson of Orono it was

ORDERED, that Daniel Donovan and Alan Harding of Presque Isle be appointed to serve as Honorary Pages for today.

Mr. LEVESQUE of Madawaska: Mr. Speaker, I have been asked to make this remark that if the little gentleman from Presque Isle, Mr. Harding, requests unanimous consent to briefly address the House, that it be denied him. (Laughter)

The SPEAKER: Daniel and Alan are the children of our Senate Majority Floor Leader, Floyd Harding of Aroostook. Daniel is thirteen years old and he attends the seventh grade at Cunningham High School in Presque Isle; Alan, eleven years old, and he is in the sixth grade at Cunningham Junior High School in Presque Isle. I assume, also, that these are the children of Mrs. Harding. On behalf of the House the Chair welcomes these two boys and we hope that you will enjoy your duties as honorary pages for the day. (Applause)

Mr. Sahagian of Belgrade presented the following Resolution and moved its passage:

WHEREAS, Fifty years ago, on April 24, 1915, the Government of Turkey ordered the commencement of a systematic plan of Massacre of the Armenian nation which before its termination was to take the awful toll of 1,000,000 lives, with an additional 1,000,000 displaced, ill and in want, marked forever by the terrible experiences of the first modern genocide which, on the confessions of Adolph Hit-

ler himself who, in 1941 in ordering a minority people to its Golgotha asked, "Who today remembers the Armenian Massacres" served as the prototype, inspiration and model of the German Nazi pogroms; and

WHEREAS, The beginnings of the Armenian Martyrdom marked at the same time the opening of the many important contributions to the Allied war effort in World War I by the Armenian nation, affectionately termed "The Little Ally" by Woodrow Wilson, President of the United States of America, and

WHEREAS, The awful sacrifice of the Armenian nation in the cause of virtuous government, freedom, justice and human rights the enormous proportions of which are reflected in the fact that Armenia, although one of the smallest Allies of the Western alliance, suffered more casualties than any other member of that alliance, serves to remind us that mankind is indeed ready to perish in the interest of noble causes nearer and dearer to the human heart than life itself; and

WHEREAS, In this the Fiftieth Anniversary Year of the 1915 Turkish genocide of the Armenian Nation it would behoove all citizens of This State to remember those innocent men, women and children who perished to the sword of violence, to honor their memory and pay tribute to their self-sacrifice, while at the same time reminding those who would in our day indulge in mass murder that Americans indeed do remember the genocides of 1915 and, in remembering signify their readiness to raise a powerful voice against those forces which would unleash the terrible weapon of genocide; we therefore

RESOLVE, to give full recognition to the Gubernatorial proclamation making Saturday, April 24, 1965, Armenian Martyr's Day and urge that proper recognition be accorded to this grievous and solemn occasion.

The SPEAKER: The Chair recognizes the gentleman from Dover-Foxcroft, Mr. Meisner.

Mr. MEISNER: Mr. Speaker, I humbly suggest that the members

of this House stand for a moment of silence in memory of these brave and wonderful people who gave their all for freedom.

Thereupon, the members stood for a moment of silence.

The Resolution then received passage.

### **Senate Order Out of Order**

From the Senate: The following Order:

ORDERED, the House concurring, that when the Senate and House adjourn, they adjourn to meet on Tuesday, April 27th. (S. P. 516)

Came from the Senate read and passed.

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

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

### **House Reports of Committees Leave to Withdraw**

Mr. Anderson from the Committee on Appropriations and Financial Affairs on Bill "An Act Providing Funds for a School Library Supervisor in the Department of Education" (H. P. 187) (L. D. 242) reported Leave to Withdraw.

Mr. Healy from same Committee reported same on Resolve Providing for a Study of Public School Laws" (H. P. 393) (L. D. 505)

Mr. Bernard from the Committee on Business Legislation reported same on Bill "An Act relating to Interest Rate for Licensed Small Loan Agencies" (H. P. 455) (L. D. 609)

Mr. Levesque from the Committee on Labor reported same on Bill "An Act relating to Costs of Witness and Attorney Fees under Workmen's Compensation Act" (H. P. 826) (L. D. 1259)

Reports were read and accepted and sent up for concurrence.

### **Ought Not to Pass Tabled and Assigned**

Mr. Bishop from the Committee on Appropriations and Financial Affairs reported "Ought not to pass" on Resolve in favor of Reed

Plantation for School Construction Aid (H. P. 34) (L. D. 46)

Report was read.

(On motion of Mr. Storm of Sherman, tabled pending acceptance of Committee Report and specially assigned for Friday, April 30.)

Mr. Dunn from the Committee on Appropriations and Financial Affairs reported "Ought not to pass" on Resolve to Provide Funds for Construction of a Water Storage Dam Across the Weskeag River (H. P. 191) (L. D. 246)

Report was read and accepted and sent up for concurrence.

### **Covered by Other Legislation**

Mr. Richardson from the Committee on Judiciary on Bill "An Act relating to Number of Official Court Reporters" (H. P. 586) (L. D. 778) reported "Ought not to pass," as covered by other legislation.

Mrs. Baker from the Committee on Labor reported same on Bill "An Act Permitting Injured Employee under Workmen's Compensation Act to Choose Physician from Panel Named by Employer" (H. P. 393) (L. D. 1190)

Mr. Levesque from same Committee reported same on Bill "An Act relating to Defenses for Employers Employing Five or Less Workmen and to Certain Farm Laborers under Workmen's Compensation Law" (H. P. 638) (L. D. 863)

Same gentleman from same Committee reported same on Bill "An Act to Provide Witness and Attorney Fees under Workmen's Compensation Act" (H. P. 640) (L. D. 865)

Reports were read and accepted and sent up for concurrence.

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

Mr. Anderson from the Committee on Appropriations and Financial Affairs on Bill "An Act Re-activating the Maine Governor's Committee on Aging" (H. P. 793) (L. D. 1071) reported same in a new draft (H. P. 1094) (L. D. 1490) under title of "An Act Continuing the Committee on Aging" and that it "Ought to pass"

Mr. Richardson from the Committee on Judiciary on Bill "An Act to Authorize Municipalities to Finance Industrial and Recreational Projects" (H. P. 822) (L. D. 1113) reported same in a new draft (H. P. 1091) (L. D. 1487) under same title and that it "Ought to pass"

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

The SPEAKER: Will the Sergeant-at-Arms at this time escort the gentleman from Milbridge, Mr. Kennedy, to the rostrum for the purpose of acting as Speaker pro tem.

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

#### **Tabled and Assigned**

Mr. Bedard from the Committee on Labor on Bill "An Act relating to Time of Payments of Benefits under Employment Security Law" (H. P. 824) (L. D. 1054) reported same in a new draft (H. P. 1092) (L. D. 1488) under same title and that it "Ought to pass"

Report was read.

(On motion of Mr. Gifford of Manchester, tabled pending acceptance of Committee Report and specially assigned for Friday, April 30.)

Mr. Huber from the Committee on Transportation on Bill "An Act to Clarify the Motor Vehicle Laws" (H. P. 666) (L. D. 893) reported same in a new draft (H. P. 1093) (L. D. 1489) 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 Bills**

Mr. Bishop from the Committee on Appropriations and Financial Affairs reported "Ought to pass" on Bill "An Act Appropriating Moneys to Supplement Loans by Maine School Building Authority" (H. P. 298) (L. D. 401).

Mr. Berman from the Committee on Judiciary reported same on Bill

"An Act relating to Fees of Clerks of the Judicial Courts" (H. P. 632) (L. D. 839)

Mr. Cote from the Committee on Legal Affairs reported same on Bill "An Act relating to Chairman and Membership of Board of Finance of City of Lewiston" (H. P. 354) (L. D. 457)

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

#### **Ought to Pass with Committee Amendment**

Mr. Anderson from the Committee on Appropriations and Financial Affairs on Bill "An Act relating to Funeral Expenses of Recipients of Aid to the Aged, Blind or Disabled" (H. P. 578) (L. D. 770) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Bill read twice.

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

COMMITTEE AMENDMENT "A" to H. P. 578, L. D. 770, Bill, "An Act Relating to Funeral Expenses of Recipients of Aid to the Aged, Blind or Disabled."

Amend said Bill in the 6th line by striking out the underlined figure "\$225" and inserting in place thereof the underlined figure '\$190'

Further amend said Bill by striking out all of section 2 and inserting in place thereof the following:

'Sec. 2. Appropriation. There is appropriated from the General Fund to the Department of Health and Welfare, the sum of \$20,000 for the fiscal year ending June 30, 1966 and the sum of \$26,667 for the fiscal year ending June 30, 1967 to carry out the purposes of this Act. The breakdown shall be as follows:

Department	1965-66	1966-67
HEALTH AND WELFARE		
Aid to the Aged, Blind or Disabled		
All Other	\$20,000	\$26,667'

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

**Tabled and Assigned**

Mr. Bishop from the Committee on Appropriations and Financial Affairs on Bill "An Act to Authorize the Construction of Housing for the University of Maine and the Issuance of Not Exceeding \$6,000,000 Bonds of the State of Maine for the Financing Thereof" (H. P. 264) (L. D. 346) which was recommitted, reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Bill read twice.

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

COMMITTEE AMENDMENT "A" to H. P. 264, L. D. 346, Bill, "An Act to Authorize the Construction of Housing for the University of Maine and the Issuance of not Exceeding \$6,000,000 Bonds of the State of Maine for the Financing Thereof."

Amend said Bill, in section 8, by adding at the end before the period the words 'upon the approval of the Director of Public Improvements.'

The SPEAKER: pro tem: The Chair recognizes the gentleman from Freeport, Mr. Graham.

Mr. GRAHAM: Mr. Speaker, Ladies and Gentlemen of the House: This is my bill. I move for the indefinite postponement of Committee Amendment "A." This amendment would place the University of Maine program under the Bureau of Public Improvements. Surely, the trustees and engineering staff at the University of Maine are competent to supervise this program. To bring in another party will only make for red tape, delay and duplication of effort which could cost the state more money. The State of Maine stands behind this loan but none of the money is taxpayers' money. The loan will be paid off by the fees from the students who occupy the dormitories. This is a very carefully drawn bill. It has proved its legality and economic feasibility in a previous loan now being paid off. To amend this bill will be to weaken it and perhaps to impair its legality. It might also lessen the marketability of the bonds. I therefore urge the

indefinite postponement of Committee Amendment "A".

The SPEAKER pro tem: The question before the House now is on the motion of the gentleman from Freeport, Mr. Graham, that Committee Amendment "A" be indefinitely postponed.

The Chair recognizes the gentleman from Portland, Mr. Edwards.

Mr. EDWARDS: Mr. Speaker, Ladies and Gentlemen: I move this matter be tabled until the next legislative day.

The SPEAKER pro tem: The gentleman from Portland, Mr. Edwards, now moves that this matter be tabled until the next legislative day pending the adoption of Committee Amendment "A" and the motion of the gentleman from Freeport, Mr. Graham, that Committee Amendment "A" be indefinitely postponed.

Mr. Levesque of Madawaska requested a division.

The SPEAKER pro tem: The gentleman from Madawaska, Mr. Levesque, moves that the vote for tabling be by division.

All those in favor of tabling this matter until the next legislative day will please rise and remain standing in your places until the monitors have made and returned the count.

A division of the House was had.

Three having voted in the affirmative and one hundred four having voted in the negative, the motion did not prevail.

The SPEAKER pro tem: The pending question is the motion of the gentleman from Freeport, Mr. Graham, that Committee Amendment "A" be indefinitely postponed.

The Chair recognizes the gentleman from Portland, Mr. Edwards.

Mr. EDWARDS: Mr. Speaker, Members of the House: My reason for requesting that this matter be tabled was to find out whether or not this amendment was necessary at all. It is my understanding that all capital improvements of the University automatically are under the Bureau of Public Improvements and we have a bill before our committee that is directly concerned with this. I thought it might give us a chance to shed light on it before action was taken.



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

Mr. PIKE: Mr. Speaker, Members of the House: I am the gentleman in the woodpile who introduced the other bill to take the Bureau of Public Improvements out—remove the University of Maine from the jurisdiction. This, I believe, was a mistake when the Legislature passed it in 1957. I thought so then; I think so now. I think we are compounding an error to leave—to put this particular amendment on this particular bill where I see no justification whatsoever for it being. And I do hope that you support the motion of the gentleman from Freeport, Mr. Graham, to indefinitely postpone this amendment.

The SPEAKER pro tem: The Chair recognizes the gentleman from Augusta, Mr. Katz.

Mr. KATZ: Mr. Speaker, Ladies and Gentlemen: One of the more controversial measures that we will face next week will be a debate on this very subject. So rather than debate the measure twice as to whether or not the University should or should not be under BPI I would suggest that we go along with this amendment today and let's debate it just a single time next week.

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

Mr. BISHOP: Mr. Speaker, Members of the House: I hope that you go along with the suggestion of Mr. Katz because I don't think this is the proper vehicle to settle this question on. The reason this amendment was added was because apparently in other self-liquidating issues, it had been interpreted that they would not be under the supervision of BPI, so that is why this was added. If the House desires to make a change, I think it should be done in case of the bill to except the U of M from the BPI and not here. I hope that you will support the amendment.

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

Mr. JALBERT: Mr. Speaker, Members of the House: I would like to echo the remarks of the

gentleman from Augusta, Mr. Katz and the gentleman from Presque Isle, Mr. Bishop because I think in any event the situation will be resolved adequately by the other vehicle.

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

Mr. LIBHART: Mr. Speaker, Members of the House: I think if we take the suggestion of my friend from Augusta, Mr. Katz, we are going to really get ourselves in a position that we don't want to get into. If we amend this bill now and require in it that these — the financing described will be subject to the approval of the Bureau, and if next week we take the University of Maine out from under the supervision of the Bureau then it may very well be that the attorneys who are examining the issue of bonds on this bill will be wondering whether or not the Bureau is still going to be there and probably out of complete caution they will require the Bureau to be involved for this particular loan regardless of what we do next week.

Now, under these circumstances I think Mr. Edward's suggestion that we table this until the other bill comes up next week and debate them at the same time is the most intelligent one.

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

Mr. BISHOP: Mr. Speaker, I now move that this be tabled for one week.

The SPEAKER pro tem: The gentleman from Presque Isle, Mr. Bishop, now moves that this matter be tabled for one week pending the motion of the gentleman from Freeport, Mr. Graham, that Committee "A" be indefinitely postponed.

Mr. Anderson of Orono requested a division.

The SPEAKER pro tem: The gentleman from Orono, Mr. Anderson, has requested a division. All those in favor of tabling this matter for Friday, April 30, will please rise and remain standing in your places until the monitors have made and returned the count.

A division of the House was had.

Sixty-eight having voted in the affirmative and fifty-one having voted in the negative, the motion prevailed.

Mr. Dunn from the Committee on Appropriations and Financial Affairs on Bill "An Act Reactivating the Governor's Committee on Children and Youth" (H. P. 387) (L. D. 500) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Bill read twice.

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

COMMITTEE AMENDMENT "A" to H. P. 387, L. D. 500, Bill, "An Act Reactivating the Governor's Committee on Children and Youth."

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

Further amend said Bill in section 6 by striking out in the 2nd line the figure "\$5,000" and inserting in place thereof the figure "\$3,000" and by striking out in the 3rd line the figure "\$5,000" and inserting in place thereof the figure "\$3,000"

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

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

Mr. Healy from the Committee on Appropriations and Financial Affairs on Bill "An Act Appropriating Moneys for Study of Maine Motor Vehicle Laws" (H. P. 388) (L. D. 871) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Bill read twice.

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

COMMITTEE AMENDMENT "A" to H. P. 388, L. D. 871, Bill, "An Act Appropriating Moneys for Study of Maine Motor Vehicle Laws."

Amend said Bill in the first line of section 1 by striking out the words "Maine Highway Safety

Committee" and inserting in place thereof the words 'Secretary of State'

Further amend said Bill in the 2nd line of section 2 by striking out the figure "\$5,000" and inserting in place thereof the figure "\$2,000"

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

Mr. Bernard from the Committee on Business Legislation on Bill "An Act Revising the Savings Banks Laws" (H. P. 620) (L. D. 857) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Bill read twice.

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

COMMITTEE AMENDMENT "A" to H. P. 620, L. D. 857, Bill, "An Act Revising the Savings Banks Laws."

Amend said Bill, in section 5, by striking out in the 7th line the underlined figure "5%" and inserting in place thereof the underlined figure "2%"

Further amend said Bill, in section 10, by striking out in the first line of that part designated "B" the underlined words "At the end of" and inserting in place thereof the underlined word "In"; and by striking out in the 11th line of that part designated "C" the underlined word "profits" and inserting in place thereof the underlined word "premiums"

Further amend said Bill, in section 10, by inserting after the underlined paragraph designated "E", the following underlined paragraph:

**"F. This section shall not apply to investments by insurance companies organized by the general or special laws of the State."**

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

Mr. Boissonneau from the Committee on Legal Affairs on Bill "An Act Providing for a Council-Manager Form of Government for Town of Limestone" (H. P. 520)

(L. D. 693) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Bill read twice.

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

COMMITTEE AMENDMENT "A" to H. P. 520 L. D. 693, Bill, "An Act Providing for a Council-Manager Form of Government for Town of Limestone."

Amend said Bill in Article X by striking out all of section 1003.

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

Mr. Conley from the Committee on Legal Affairs on Bill "An Act relating to Junk Yards" (H. P. 832) (L. D. 1059) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Bill read twice.

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

COMMITTEE AMENDMENT "A" to H. P. 832, L. D. 1059, Bill, "An Act Relating to Junk Yards."

Amend said Bill by striking out all of section 2 and inserting in place thereof the following:

"Sec. 2. R. S., T. 30, § 2451-B, **additional.** Title 30 of the Revised Statutes is amended by adding a new section 2451-B to read as follows:

§ 2451-B. **Definitions**

1. **Automobile graveyard.** "Automobile graveyard" as used in this subchapter shall mean a yard or field used as a place of storage in which there is displayed to the public view 3 or more unserviceable, discarded, worn-out or junked automobiles or bodies or engines thereof.

2. **Junk yard.** "Junked yard" as used in this sub-chapter shall mean a yard or field used as a place of storage in which there is displayed to the public view old, discarded, worn-out or junked plumbing and heating supplies and appliances, including but not limited to stoves and refrigerators, or old, discarded or junked lumber."

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

Mr. Cote from the Committee on Legal Affairs on Bill "An Act to Grant a New Charter for the Town of Scarborough" (H. P. 361) (L. D. 486) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Bill read twice.

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

COMMITTEE AMENDMENT "A" to H. P. 361, L. D. 486, Bill, "An Act to Grant a New Charter for the Town of Scarborough."

Amend said Bill by striking out in the 3rd and 4th lines of section 2 of Article II the following: "be nominated and elected by the registered voters of the entire town and who shall"

Further amend said Bill by striking out all of the last 2 sentences of section 2 of Article II and inserting in place thereof the following:

'One shall be nominated and elected at large from the registered voters of the entire town, and 2 shall be nominated and elected from the registered voters of each of the 6 districts heretofore provided by the registered voters of each respective district.'

Further amend said Bill by striking out all of section 14 of Article II and inserting in place thereof the following:

'Sec. 14. **Fire department.** The Scarborough Fire Department Inc., shall consist of volunteer personnel who shall organize into companies deemed necessary and shall have headquarters in such areas as may be designated by the chief of the fire department and approved by the board of fire commissioners. The members of each fire department company shall annually elect their own officers and a commissioner to serve on the board of fire commissioners. The fire chief and all other officers of the corporation shall be elected in accordance with the bylaws of the corporation at their annual meetings. The chief is authorized

to make such rules and regulations and such orders not inconsistent with the state law or provisions of the charter or any ordinances of the town that may from time to time be enacted. The Scarborough Fire Department Inc., shall file with the town clerk a copy of the corporation bylaws which shall not be inconsistent with the state law or the provisions of the charter or any ordinances of the town that may be from time to time enacted.'

Further amend said Bill by striking out in section 1 of Article IV everything after the first 4 lines and inserting place thereof the following:

'Town of Scarborough. One member shall be nominated and elected at large from the registered voters of the entire town, and one member shall be nominated and elected from the registered voters of each of the 6 districts heretofore provided by the registered voters of each respective district. Each member shall hold office for a term of 3 years and shall serve until his successor is elected and qualified; except, however, that at the first election after the adoption of this charter, the member-at-large, and the 2 district members-elect receiving the highest number of votes, shall serve for 3 years, the 2 district members-elect receiving the next highest number of votes shall serve for 2 years, and the 2 district members-elect receiving the next highest number of votes shall serve for one year. In case of an equal number of votes, the relative position of the members-elect shall be determined by lot.'

Further amend said Bill by striking out all of the first sentence of section 2 of Article IV and inserting in place thereof the following: 'Members of the school committee shall be qualified voters of the town and district members shall reside at the time of their election in the district from which they are elected.'

Further amend said Bill by striking out all of the 2nd paragraph of section 1 of Article VIII and inserting in place thereof the following:

'If, within 10 days after the enactment of any such ordinance, resolution or vote, a petition signed by registered voters of the Town of Scarborough, constituting not less than 10% of the total votes for all candidates for Governor in the Town of Scarborough at the next previous gubernatorial election, is filed with the town clerk requesting its reference to a referendum, the council shall call a public hearing to be held within 30 days from the date of the filing of such petition with the town clerk, and shall within 14 days after said public hearing call a special town election for the purpose of submitting to a referendum vote the question of adopting such ordinance, resolution or vote. Pending action by the voters of the town, the referred ordinances, resolution or vote shall be suspended from going into operation until it has received a vote of the majority of the voters voting on said question.'

Further amend said Bill by striking out all of the first paragraph of section 2 of Article VIII and inserting in place thereof the following:

'Subject to the provisions of section 1, registered voters of the Town of Scarborough, constituting not less than 10% of the total votes for all candidates for Governor in the Town of Scarborough at the next previous gubernatorial election, may at any time petition over their personal signatures for the enactment of any proposed lawful ordinance by filing such petition, including the complete text of such ordinance, with the town clerk. The council shall call a public hearing to be held within 30 days from the date of the filing of such petition with the town clerk, and shall within 30 days after said public hearing call a special town election for the purpose of submitting to a referendum vote the question of adopting such ordinance, unless prior to the call for said town election, such ordinance shall be enacted by the council. Such ordinance shall take effect on the 10th day after the conclusion of such referendum,

provided a majority of those voting thereon, shall have voted in the affirmative.'

Further amend said Bill by striking out all of section 3 of Article VIII.

Further amend said Bill by re-numbering section 4 of Article VIII to be section 3 of Article VIII.

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

At this point, Speaker Childs returned to the rostrum.

**SPEAKER CHILDS:** The Chair thanks the gentleman from Milbridge, Mr. Kennedy, for acting as Speaker pro tem and for the excellent job he did per usual.

Thereupon, the Sergeant-at-Arms escorted the gentleman from Milbridge, Mr. Kennedy, to his seat on the Floor, amid the applause of the House, and Speaker Childs resumed the Chair.

#### **Order Out of Order**

On motion of Mr. Gaudreau of Lewiston, it was

**ORDERED**, that Norman David of Auburn be appointed to serve as Honorary Page for today.

The **SPEAKER:** Norman is the brother of Irene Caron, the Clerk of the Industrial and Recreational Committee. Norman is twelve years old and is in the fifth grade at Fairview Elementary School in Auburn. On behalf of the House the Chair welcomes you, Norman and we hope that you will enjoy your duties as honorary page for the day. (Applause)

The **SPEAKER:** The Chair at this time would like to recognize in the rear of the House, Brenda Baker who has been appointed the living trademark of the Maine potato industry to make consumers more aware of Maine potatoes. Today, April 23, has been proclaimed as "Maine Potato Day" by Governor Reed.

In representing the potato industry, Brenda is appearing on radio and television shows throughout the country and in various supermarkets advising

housewives of the vital role potatoes play in the diet. She acts as general spokesman and public relations girl, equipped with recipe information and background facts.

She is no stranger to the publicity field. She has a wealth of experience in publicity and public relations and was chosen from a field of twenty applicants interviewed for the position. She has the know-how to spark interest in a product so often taken for granted by the housewife. Her experience has included association with a Boston modeling agency and a publicity stint for 20th Century Fox. On whirlwind tours of the country, she has organized and commented fashion shows using costumes from famous films.

Would the Sergeant-at-Arms escort Mrs. Baker to the rostrum for the purpose of addressing the House.

Thereupon, Mrs. Baker was escorted to the rostrum by the Sergeant-at-Arms, amid the applause of the House.

The **SPEAKER:** The Chair certainly has no objection if Mrs. Baker addresses the House. Does anyone else? The Chair hears none and the gentlewoman may proceed.

**Mrs. BAKER:** Thank you, Mr. Speaker, Mr. Plante, and Ladies and Gentlemen: I thank you so much for letting me interrupt you this morning, and I am supposed to be a typical housewife and now I understand why I like my job. I never got applause like that when I did a good day's ironing or a good day's housecleaning. My job, as you may know, is to be a living, talking trademark for the Maine potato industry and it has been a most exciting and challenging job. I have travelled as far as Dallas, Texas, and talked on many radio and television stations about the Maine potato industry; and there have been times when we have been on that radio and television say for an hour or so and we have talked not only about the Maine potato industry but about the State of Maine in general and all its lovely resources and activities that can be had up here.

We have brought you a very special gift this morning, they're hard to get, and they're expensive, and they're a beautiful bag of potatoes that you find on your desks this morning. I hope you're going to enjoy them. Thank you so very much this morning.

Thereupon, Mrs. Baker was conducted to the rear of the Hall of the House, amid applause, the members rising.

The SPEAKER: On behalf of the House, Mrs. Baker, the Chair is most fortunate to have such beauty and talent representing the Maine potato industry and we thank you for your kind remarks.

#### **Passed to Be Engrossed**

Bill "An Act Revising the Urban Renewal Law" (S. P. 316) (L. D. 1042)

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

#### **Third Reader Tabled and Assigned**

Bill "An Act Providing for a Presidential Preference Primary" (H. P. 1015) (L. D. 1378)

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

(On motion of Mr. Jalbert of Lewiston, tabled pending passage to be engrossed and specially assigned for Friday, May 7.)

Bill "An Act relating to Registration Fee for Motor Vehicles Operated Exclusively on Certain Islands" (H. P. 1024) (L. D. 1387)

Resolve to Provide Funds for a Training Vessel at Southern Maine Vocational Technical Institute in South Portland (H. P. 1090) (L. D. 1484)

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

#### **Amended Bills**

Bill "An Act relating to Schedule of Transportation Charges under Milk Commission Law" (S. P. 278) (L. D. 840)

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

Bill "An Act relating to Closed Time on Deer in Southwestern Zone" (S. P. 413) (L. D. 1309)

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 House Amendment "A" in non-concurrence and sent up for concurrence.

#### **Passed to Be Enacted Emergency Measure**

An Act to Clarify Condemnation of Schoolhouse Lots (S. P. 505) (L. D. 1473)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a division was had. 126 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

#### **Emergency Measure**

An Act relative to the Granting of Licenses for Certain Businesses and Purposes by the Municipal Officers of Town of Wells (H. P. 235) (L. D. 304)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a division was had. 124 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

#### **Emergency Measure**

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

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members

elected to the House being necessary, a division was had. 121 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

#### **Finally Passed Emergency Measure**

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

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a division was had. 119 voted in favor of same and 1 against, and accordingly the Resolve was finally passed, signed by the Speaker and sent to the Senate.

#### **Passed to Be Enacted**

An Act Providing for an Additional District Court Judge and Relating to Composition of Certain District Court Districts (S. P. 65) (L. D. 126)

An Act relating to Compensation of Reporters in Probate Court (S. P. 286) (L. D. 848)

An Act relating to Public Notice in Probate Proceedings and Return Dates (S. P. 295) (L. D. 910)

An Act relating to Authorized Acts of Dental Hygienists and Penalty for Exceeding Such Authority (S. P. 309) (L. D. 1022)

An Act relating to Jurisdiction of District Courts (S. P. 352) (L. D. 1117)

An Act relating to Membership of Judicial Council (S. P. 430) (L. D. 1364)

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

An Act Revising the Laws Relating to Plumbers (H. P. 591) (L. D. 783)

An Act relating to Definition of Agricultural Societies to Qualify for Stipend (H. P. 602) (L. D. 823)

An Act relating to Operation of Homemaker Service by Department of Health and Welfare (H. P. 806) (L. D. 1098)

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

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

#### **Finally Passed**

Resolve in favor of Carroll Linnell of Benton for Well Damage by Highway Construction (S. P. 473) (L. D. 1425)

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

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

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

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

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

Mr. SULLIVAN: Mr. Speaker, if I may, I would like to get this tabled until the next legislative day.

The SPEAKER: The gentleman from Portland, Mr. Sullivan, now moves that this matter lie upon the table assigned for the next legislative day pending its final passage.

Mr. Waltz of Waldoboro then requested a division.

The SPEAKER: A division has been requested. All those in favor of this resolve lying upon the table assigned for the next legislative day will kindly rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Seven having voted in the affirmative and eighty-nine having voted in the negative, the motion to table did not prevail.

Thereupon, the Resolve was finally passed, signed by the Speaker and sent to the Senate.

**Order Out of Order**

Mr. Libhart of Brewer presented the following Order out of order and moved its passage:

WHEREAS, this House has learned that the son of the gentleman from Pittsfield, Mr. Susi, 17-year-old Peter Susi, has achieved the singular distinction this week of receiving acceptance for admission to Dartmouth College, Princeton University, Amherst College, and Hamilton College, and

WHEREAS, in recognition of his scholastic excellence and an exceptional record on the gridiron with Maine Central Institute in his hometown, all four colleges are offering him four-year scholarships, and

WHEREAS, this House wants to share the pride of his family in an unusual example of the ability of Maine youth, now

THEREFORE be it ordered that this House extend hearty congratulations to Peter Susi, and express warm wishes that his choice of educational institution result in happiness and good fortune, and

BE IT FURTHER ORDERED that an attested copy of this order be prepared by the Clerk of the House and presented to the gentleman from Pittsfield, Mr. Susi.

The Order received passage. (Applause, members rising)

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

Mr. SUSI: Mr. Speaker and Members of the House: I just want to thank you very much for my son and my wife and our family. Thank you. (Applause)

**Orders of the Day**

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

SENATE DIVIDED REPORT—Report "A" (5)—"Ought to pass" as Amended by Committee Amendment "A"—Report "B" (5)—"Ought not to pass"—Committee on Inland Fisheries and Game on Bill, "An Act relating to Bounty on Foxes." (S. P. 243) (L. D. 753) (C. "A" S-120)

Tabled—April 16, by Mr. Poulin of Skowhegan.

Pending—Motion of Mr. Anderson of Ellsworth to accept Report "B" "Ought not to pass." (In Senate, Report "A" Accepted and Bill Passed to be Engrossed as Amended.)

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

Mr. MARTIN: Mr. Speaker, Ladies and Gentlemen of the House: I have been awaiting material and information from the district and from the department. Therefore, I would hope that someone would table this until the next legislative day on Tuesday.

Thereupon on motion of Mr. Anderson of Ellsworth, retabled until Tuesday, April 27, pending the motion of Mr. Anderson of Ellsworth to accept Report "B" "Ought not to pass."

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

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

Tabled—April 16, by Mr. Kennedy of Milbridge.

Pending—Passage to be Enacted.

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

Mr. ROSS: Mr. Speaker, Ladies and Gentlemen of the House: In 1959 when I sponsored this same piece of legislation, at the public hearing the major opponent was our esteemed colleague, Representative Jalbert. Since then he has evidently become enlightened. I hear that he favors this, although I find it a little bit difficult to believe, but as proof let me quote from the Portland Press Herald, Friday, February 19. "A second public hearing on the issue of eliminating straight ticket voting produced no such harmony. Senator Roger V. Snow of Falmouth, the co-sponsor with Senator Richard Willey supported it with Representatives Ross and Jalbert."

I suppose that it is really not too surprising though, because the gentleman from Lewiston is an intelligent man and this legislation is certainly sensible, logical, and equitable. I gather that his



reconsideration is based on the same type of reasoning that led me to support his amendments on nineteen year olds voting and twenty year olds voting.

Several weeks ago, we debated this in the House and the House supported it eighty-nine to forty-two. At that time it was debated at length and so I will not repeat any of the things that I said then. But as I see this issue there are four valid reasons for doing away with the straight box. One is the recognition of the intelligence and common sense of the voters of the State of Maine. Two, it eliminates the possibility of any unfair pressures. Three, it is certainly much fairer to all the candidates on the ticket; and four and last but much more important, it in my mind would promote better government in the State of Maine by encouraging the participation of better qualified candidates. I have always been opposed to pressure groups from either party who try to talk a voter into placing an X at the big box at the top of the ticket for one of two reasons: one, for blind party party loyalty or other for fear of spoiling their ballots. And I think that we should acknowledge the common sense of the great majority of the voters in this State of Maine and this in my opinion is the way that we can do just this. Thank you very much.

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

Mr. JALBERT: Mr. Speaker, Members of the House: I intend to debate this later on, before I do I would like to clarify a little situation and the gentleman from Bath, Mr. Ross, knows it fully well. The day of the hearing I was presenting and had just finished presenting my bill to change the primary from June to September and as I was leaving the room the gentleman from Bath, Mr. Ross, said to me, "How do you feel about the straight ballot?" I said, well you know I am for all those things. And Mr. Ross knows this of course. I think that reporting the thing must have been some bankruptcy hearing reporter who was serving as reporter to Legislature on that

day, so he printed it. I don't believe there is anybody in this House that is more opposed to this bill. I am not going to debate it now, however. I move this bill lie upon the table until April 29.

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

Mr. ROSS: I would request a division on that, please.

The SPEAKER: There is no motion before the House yet.

Mr. JALBERT: I moved that this lie upon the table until April 29—

The SPEAKER: The gentleman debated the tabling motion.

Thereupon, on motion of Mr. Richardson of Cumberland, tabled pending passage to be enacted and specially assigned for Thursday, April 29.

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

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

Tabled—April 16, by Mr. Birt of East Millinocket.

Pending—Final Passage.

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

Mr. BERRY: Mr. Speaker, I move that the rules be suspended for the purpose of reconsideration.

Thereupon, the House voted to suspend the rules and to reconsider its action on March 30 whereby the Resolve was passed to be engrossed.

Mr. BERRY: Mr. Speaker, I now offer House Amendment "A", Filing No. H-225 and move its adoption and would speak briefly to the measure.

The SPEAKER: The gentleman from Cape Elizabeth, Mr. Berry, now offers House Amendment "A" and moves it be adopted and the Clerk will read the Amendment.

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

HOUSE AMENDMENT "A" to H. P. 612, L. D. 804, Resolve, Proposing Amendment to the Constitution Relating to Bond Issues to be Voted Upon by the People.

Amend said Resolve by striking out everything after the Title, except the Referendum, and inserting in place thereof the following:

**"Constitutional amendment.**

**Resolved:** Two-thirds of each branch of the Legislature concurring, that the following amendment to the Constitution of this State be proposed:

**Constitution, Article IX, Section 14, amended.** Section 14 of Article IX of the Constitution is amended to read as follows:

**'Section 14. State debt limit; exception.** The credit of the State shall not be directly or indirectly loaned in any case, except as provided in section 14-A. The Legislature shall not create any debt or debts, liability or liabilities, on behalf of the State, which shall singly, or in the aggregate, with previous debts and liabilities hereafter incurred at any one time, exceed two million dollars, except to suppress insurrection, to repel invasion, or for purposes of war; and excepting also that whenever two-thirds of both Houses shall deem it necessary, by proper enactment ratified by a majority of the electors voting thereon at a general or special election, the Legislature may authorize the issuance of bonds on behalf of the State at such times and in such amounts and for such purposes as approved by such action, but this shall not be construed to refer to any money that has been, or may be deposited with this State by the Government of the United States, or to any fund which the State shall hold in trust for any Indian tribe or in trust for any purpose. Notwithstanding the foregoing, whenever two-thirds of both Houses shall deem it necessary, the Legislature, by proper enactment, may authorize the issuance of bonds on behalf of the State at such times and in such amounts and for such purposes as approved by such action; and such enactment shall take effect ninety days after the recess of the Legislature, unless a petition of electors, the number of which shall not be less than one percent of the total vote for Governor cast in the last gubernatorial election preceding the filing of such peti-

tion, and addressed to the Governor and filed in the Office of the Secretary of State within ninety days after the recess of the Legislature, requesting that the bond issue specified in the petition be referred to the people, and thereupon the legislation shall be voted upon and become effective in accordance with Article IV, Part Third, Section 17; the Legislature by its resolve may refer a bond issue to the people for ratification at a general or special election. Whenever ratification by the electors is essential to the validity of bonds to be issued on behalf of the State, the question submitted to the electors shall be accompanied by a statement setting forth the total amount of bonds of the State outstanding and unpaid, the total amount of bonds of the State authorized and unissued, and the total amount of bonds of the State contemplated to be issued if the enactment submitted to the electors be ratified."

Further amend said Resolve by striking out all of the 2nd paragraph of the Referendum and inserting in place thereof the following:

**"Shall the Constitution be amended to authorize the Legislature to enact bond issued, to be ratified by the people upon petition or referral by the Legislature?"**

MR. BERRY: Mr. Speaker and Members of the House: This resolve is an attempt to simplify the ballot procedure and I think that if we recall November third, not the results of November third but the voting on November third, that we will realize that the people in the voting booths had quite a lot of items before them. The idea has presented itself that with reference to bond issues, and with the passing years there are more and more of them, a method might be proposed whereby the electorate would still retain its final approval or disapproval. If desired, the Legislature could exert its right for decision prior to the electorate's decision, and still retain all the built-in safeties which we have under our present Constitutional provisions for bond issues.

Accordingly, this resolve does several things but they are very simple. If this resolve passes, it would put bond issues of any figure in effect ninety days after the Legislature adjourns without any further action by the electorate. However, if one percent of the people who cast their vote for Governor at the previous election file a petition on any particular bond issue it would have to be placed on the next special or general election ballot, and at that time the people would vote on that particular issue. The figure of one per cent seems to be a very reasonable, practical figure. The number of signatures could be obtained with little or no expense and accordingly we would be maintaining the present safeguards we have for approval by the electorate.

In addition, if the Legislature so stipulates it can order any bond issue on the ballot. It would seem that this is a reasonable proposal. Its aim and its result should be the simplification of the voting procedure and nothing else. I would hope that you would support the move for the adoption of the amendment and the ultimate passage of the resolve.

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

Mr. KATZ: Mr. Speaker, I would like to pose a question through the Chair to Mr. Berry. Originally there was a two million dollar figure I believe in it. Has this been removed now?

The SPEAKER: The gentleman from Augusta, Mr. Katz, poses a question through the Chair to the gentleman from Cape Elizabeth, Mr. Berry, who may answer if he so desires.

Mr. BERRY: The original resolve provided that any bond issue over three million dollars would automatically go to the people and any bond issue under three million dollars would go into effect within ninety days unless a petition signed by five percent of the voters was presented. This was removed, and the present resolve with the amendment would provide for any bond issue in any amount to be covered by the provisions of the

act. The two million dollar figure which is left in the amendment is the present writing in the Constitution. It was put in many, many years ago and was a safeguard built in to provide a means of financing state government if the state should find itself without funds say, on May 1st and the fiscal year had two more months to go. The two million dollars as mentioned in this amendment is the present law and is not being changed.

The SPEAKER: Is the House ready for the question? The question before the House is on the motion of the gentleman from Cape Elizabeth, Mr. Berry, that we adopt House Amendment "A". Is this the pleasure of the House?

The motion prevailed.

Thereupon, the Resolve was passed to be engrossed as amended in non-concurrence and sent to the Senate.

The Chair laid before the House the fourth 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 16, by Mr. Bernard of Sanford.

Pending—Acceptance.

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

Mr. FECTEAU: Mr. Speaker, I move that Committee Amendment "A" to House Paper 989 filed under H-178 be indefinitely postponed.

The SPEAKER: That question is not before the House yet.

The question before the House now is the acceptance of the Committee report. The Chair recognizes the gentlewoman from Bangor, Mrs. Ruby.

Mrs. RUBY: Mr. Speaker, Ladies and Gentlemen of the House: I dislike to well, to oppose and disagree with a gentleman who is as earnest as Mr. Fecteau is about this bill. However, I have a few facts that I would like to bring to your attention and I hope that you will bear with me.

Competition in any business is always very, very great. For example, let's take the man who has the dress shop. Styles, materials and colors present a great problem to him. He must, in a sense, "keep up with the Joneses." Now, if you have ever tried to keep up with the Joneses you can realize that this will be very, very costly. The public's demand varies but the merchant must always be prepared to meet the demand.

I have worked in a dress shop and I have been present when my employer has had to buy dresses. It is fantastic the number of styles, materials, and assortment of colors and prints that are shown for his approval. There is something for everyone and he must buy something for everyone, again to meet public demand. I can sympathize with him; the decision is great!

Now most wholesalers sell by the lot or quantity. For example Lot No. 9, Style 344 may be purchased but you must buy three or six or more. Now, he has got to determine is he going to be able to sell three or six or more? Maybe yes, maybe no; however, in order to meet public demand, and again keep up with the Joneses, he must gamble and buy the six, hoping his judgment is good and they will sell. Now this decision must be made with each and every style, material and color.

If he buys in quantity and many do not sell, then what is he supposed to do? This bill as I read it says I may not have a bargain sale. I must make a decision. Shall I let this merchandise stay in the boxes and pay a personal property tax on it or shall I give it to charity and write it off? Why shouldn't I be allowed to buy in quantity leaders to attract people to my place of business with the hope of marking some of my better merchandise down and move it? As a prospective purchaser I know that these leaders may not be what I want but again will meet the demand of some that do. There is no law that says I must buy these or anything else unless I choose to do so. Take it or leave it.

This bill, as I see it, says if I do advertise a bargain I must meet quantity demand. Now just how un-

reasonable can we get? How do I know what the demand will be?

I am willing to look at this thing with an open mind and I previously was going to move for indefinite postponement of this bill, and all its accompanying papers. However, if the gentleman from Biddeford, Mr. Fecteau, can convince me that this is a good bill I am willing to listen to him. Thank you very much.

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

Mr. FORTIER: Mr. Speaker, I would like to table this until Tuesday next.

Thereupon, the Bill and accompanying papers was tabled pending acceptance of the Committee Report and specially assigned for Tuesday, April 27.

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

SENATE REPORT—"Ought to pass"—Committee on Education on Bill, "An Act relating to Fixing the Number of Personnel at the State Teachers Colleges and State Vocational - Technical Institutes." (S. P. 189) (L. D. 554)

Tabled—April 14, by Mr. Dunn of Denmark.

Pending — Acceptance in concurrence.

The SPEAKER: The Chair recognizes the gentleman from Denmark, Mr. Dunn.

Mr. DUNN: Mr. Speaker, I move this be retabled until Tuesday, May 4.

The SPEAKER: The gentleman from Denmark, Mr. Dunn, now moves that this matter lie upon the table assigned for May 4 pending the acceptance of the committee report.

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

Mr. LEVESQUE: Mr. Speaker, I see no need for this late date so I ask for a division on this when the vote is taken.

The SPEAKER: The gentleman from Madawaska, Mr. Levesque, requests a division. All those in favor of this matter lying upon the table until May 4 will kindly rise

and remain standing until the monitors have made and returned the count.

The Chair recognizes the gentleman from Presque Isle, Mr. Bishop, and inquires for what purpose does he rise. Does he care to address the Chair?

Mr. BISHOP: I would like to speak to the time of tabling.

The SPEAKER: Will the membership kindly take their seats?

The gentleman may proceed if he wishes to discuss the time of tabling.

Mr. BISHOP: Mr. Speaker, Members of the House: I haven't had any chance to discuss this with the gentleman from Denmark, but I believe his purpose in tabling this is that we, the Appropriations Committee is considering two other bills which have a connection with this.

The SPEAKER: All those in favor of this matter lying upon the table assigned for May 4 will kindly rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

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

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

HOUSE REPORT — "Ought not to pass" — Committee on Transportation on Bill, "An Act relating to Temporary Number Plates for Dealers of Camp and House Trailers." (H. P. 573) (L. D. 743)

Tabled — April 15, by Mr. Dickinson of Mars Hill.

Pending — Acceptance.

The SPEAKER: The Chair recognizes the gentleman from Moscow, Mr. Beane.

Mr. BEANE: Mr. Speaker, Ladies and Gentlemen of the House: A few moments ago on page 3, item 14, we accepted the committee report on L. D. 893. This L. D. 893 completely replaces this L. D. 743. I believe that Mr. Dickinson from Mars Hill didn't realize this at the time he tabled it. I now move that we accept the

"ought not to pass" report on L. D. 743.

The SPEAKER: The question before the House now is on the motion of the gentleman from Moscow, Mr. Beane, that we accept the "ought not to pass" committee report.

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

Mr. RICHARDSON: Mr. Speaker, I move that this lie upon the table until the next legislative day.

The SPEAKER: The gentleman from Cumberland, Mr. Richardson, now moves that this matter lie upon the table assigned for the next legislative day pending the acceptance of the "ought not to pass" report. Is this the pleasure of the House?

Thereupon the Bill was retabled until Tuesday, April 27, pending the acceptance of the "Ought not to pass" Committee report.

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

Bill, "An Act Requiring Permits to Dam Waters for Recreational Purposes." (S. P. 342) (L. D. 1087) (C. "A" S-122)

Tabled — April 16, by Mr. Kennedy of Milbridge.

Pending — Passage to be Engrossed.

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

(Later Reconsidered and Indefinitely Postponed in non-concurrence)

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

Resolve, Authorizing Director of Bureau of Public Improvements to Convey Certain Land in Hallowell. (H. P. 552) (L. D. 723) (C. "A" H-220)

Tabled — April 16, by Mr. Carroll of Limerick.

Pending — Passage to be Engrossed.

On motion of Mr. Binnette of Old Town, retabled until Wednesday.

day, May 5, pending passage to be engrossed.

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

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

Tabled — April 16, by Mr. Gilbert of Turner.

Pending — Final Passage.

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

Mr. GILBERT: Mr. Speaker, Ladies and Gentlemen of the House: My objection to this bill, if I have one and I think I have, is that I can find nothing in it that would prevent myself for instance if I wanted to invest a million dollars in a recreation project and I can convince the people who control this ten million which we are about to make available if we do, from providing the whole million, and then if my venture doesn't prove successful, telling the State of Maine who guaranteed my credit that I guess I'll let them have it and I had nothing to start with, and so what can they do but take it. Now, that is why I think it is a bad business. Perhaps I'm wrong but I searched the statutes and I couldn't find anything that would make the borrower put in any money of his own. And I feel that when we do that that we aren't guaranteeing loans, I feel that we are going into the recreation business. Perhaps we want to go into the recreation business and compete against the people who are now in it. Personally, I don't feel that that is a line that the State should get into.

Now, I may be wrong. I intended to make a motion to indefinitely postpone this. This bill is co-sponsored. I am a freshman and kind of a greenhorn. Perhaps I am wrong. If the sponsors of the bill could explain this to convince me that that isn't right and convince the majority of the people that I'm not right, I'd be very

happy to listen. I would hope that the sponsors would clarify this.

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

Mr. KATZ: Mr. Speaker, Members of the House: The gentleman, Mr. Gilbert, has a sponsor very close at hand. This is a constitutional amendment and as such doesn't go into any details. There is presently in the Committee on State Government a suggested enabling act which will presumably be passed by a subsequent Legislature and this will very clearly limit the participation by the loaning agencies to seventy-five percent of the project. So the borrower is still going to have to turn up twenty-five percent. And if the experience of the Maine Industrial Building Authority runs true to form, if anybody is smart enough to talk these hardboiled, penurious bankers out of this money, he is smart enough to make his business succeed.

The SPEAKER: The Chair recognizes the gentleman from York, Mr. Erwin.

Mr. ERWIN: Mr. Speaker, Members of the House: Very briefly if I may, this is one more tool in our arsenal to try to help Maine get off dead center. There was some discussion I understand among the trustees, if that's the name for them, of the MIBA as to whether or not in the beginning they could themselves make loans for recreational purposes. Apparently, they decided on advice of counsel that they couldn't. Certainly, if the experience of the MIBA can be looked at, and it's good and I understand that we haven't lost five cents out of that yet, this is another useful and I believe necessary tool for us to help develop the natural resources in the State of Maine. We have apparently not yet arrived at the kind of thinking that they have in Vermont and New Hampshire with respect to the promotion and the building of these recreational areas, particularly with respect to ski resorts. But this gives us a way, it is just another way, in which we can help ourselves, lift ourselves by our boot-

straps, and I would certainly hope in the name of honest progress that you would support this resolve to amend the Constitution.

The SPEAKER: The question before the House is on the final passage of this Constitutional Amendment.

This being a Constitutional Amendment and a two-thirds vote of all the members elected to the House being necessary, a division was had. 120 voted in favor of same and 3 against, and accordingly the Resolve was finally passed, signed by the Speaker and sent to the Senate.

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

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

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

Pending—Passage to be Enacted.

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

Mr. STARBIRD: Mr. Speaker, Members of the House: In view of the fact that this is now in the Attorney General's office and he doesn't like the construction of the new draft and has some serious misgivings about it and would like a little more time, I would like someone to table this until next week perhaps.

Thereupon, on motion of Mr. Levesque of Madawaska, retabled pending passage to be enacted and specially assigned for Wednesday, May 5.

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

Bill, "An Act relating to Boards of Registration in Certain Towns." (H. P. 471) (L. D. 624) (C. "A" H-50) (S. "A" S-87) (H. "A" H-207)

Tabled—April 16, by Mr. Kennedy of Milbridge.

Pending—Motion of Mr. Dickinson of Mars Hill to indefinitely postpone House Amendment "A". (Specially assigned for Wednesday, April 21st)

On motion of Mr. Cote of Lewiston, retabled pending the motion

of Mr. Dickinson of Mars Hill to indefinitely postpone House Amendment "A" and specially assigned for Wednesday, April 28.

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 16, by Mr. Sawyer of Brunswick.

Pending — Second Reading. (Specially assigned for Wednesday, April 21st)

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

Mr. JALBERT: Mr. Speaker, has there been an amendment presented to this Committee Amendment?

The SPEAKER: There is no amendment. Committee Amendment "A" has been adopted in the Senate, it has not been adopted in the House.

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

Mr. JALBERT: Mr. Speaker, Members of the House: This act revising the laws relating to registration of physicians and surgeons, this amendment would render unlawful laboratories of the Health and Welfare for they are under the supervision of a PhD in Bacteriology and a chemist. It would also render unto the laboratories of the Department of Agriculture, of the University of Maine, all the law enforcement laboratories of this state a statute which would prohibit them from exercising their duties in the laboratory unless they are under the supervision of a physician. This would also render any laboratory, private laboratory, illegal under its present supervision. I spoke to Dr. Fisher of the State Health and Welfare Bureau and he completely opposes this amendment. He doesn't even want to bother to try to revise it in any form. He also stated that this amendment may even cause some problem in hospitals where there may be some question as to who employs all the various kinds of technicians covered by this

amendment. Therefore, I move the indefinite postponement of this amendment.

The SPEAKER: The question before the House is the second reading.

Thereupon, the bill was given its second reading.

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

COMMITTEE AMENDMENT "A" to S. P. 351, L. D. 1126, Bill, "An Act Revising the Laws Relating to Registration of Physicians and Surgeons."

Amend said Bill by adding at the end the following new section:

"Sec. 10. R. S., T. 32, § 3153, additional. Title 32 of the Revised Statutes is amended by adding a new section 3153 to read as follows:

'§ 3153. Technical personnel

The technical personnel of laboratories in the State of Maine, where roentgenology or radiology is practiced, of all clinical laboratories for the diagnosis of human disease, including examination of various forms of human specimens, of all establishments where physical agents are used for therapeutic and diagnostic purposes including electroencephalograms and radioactive substances, and the administration of chemical substances for the production of anesthesia, shall be under the employ and supervision of a physician licensed in this State, or under the medical supervision required for a licensed hospital or infirmary.'"

Thereupon on motion of Mr. Jalbert of Lewiston, Committee Amendment "A" was indefinitely postponed in non-concurrence and the Bill assigned for third reading the next legislative day.

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

Mr. COOKSON: Mr. Speaker, Ladies and Gentlemen of the House: Item 7 which we have just passed to be engrossed, in my estimation is a real bad bill. And it is An Act Requiring Permits to Dam Waters for Recreational Purposes, that's the way it reads. This would mean that you can't even dam up a little spring behind your house or if you had a little spring

behind your house and you wanted to make a swimming pool or anything else, that you are not allowed to dam this water.

The SPEAKER: I understand that the gentleman is making a motion whereby this was passed to be engrossed? He may proceed.

Mr. COOKSON: If this read to be on brooks and streams I would have no objection, but it doesn't. The bill just simply reads, "A person, political subdivision, firm or corporation must apply for and receive a written permit from the Commissioner of Inland Fisheries and Game before constructing, repairing, rebuilding or altering a dam for the purpose of which is to create an impoundment for the use in part or wholly for recreational purposes." I now move for the indefinite postponement of this bill and any accompanying papers.

The SPEAKER: The question before the House is the reconsideration motion. The gentleman from Glenburn, Mr. Cookson, now moves that we reconsider our action whereby this bill, Senate Paper 342, L. D. 1087, was passed to be engrossed. Is this the pleasure of the House?

Mr. Payson of Falmouth requested a division.

The SPEAKER: The gentleman from Falmouth, Mr. Payson, requests a division. All those in favor of reconsidering our action whereby this bill was passed to be engrossed will kindly rise and remain standing until the monitors have made and returned the count.

A division of the House was had. Sixty-five having voted in the affirmative and fifty-three having voted in the negative, the motion prevailed.

The SPEAKER: The question before the House now is on the motion of the gentleman from Glenburn, Mr. Cookson, that this bill and its accompanying papers be indefinitely postponed. Is the House ready for the question?

All those in favor of this bill and its accompanying papers being indefinitely postponed will say aye; those opposed will say no.

A viva voce vote being taken, the motion prevailed.

Sent up for concurrence.



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

An Act relating to Labeling of Imported Meats Sold in Retail Stores, (S. P. 360) (L. D. 1122)

Tabled — April 20, by Mr. Kennedy of Milbridge.

Pending — Motion of Mr. Kennedy of Milbridge to Indefinitely Postpone. (Specially assigned for Wednesday, April 21st)

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

Mr. KENNEDY: Mr. Speaker, Ladies and Gentlemen of the House: The gentleman from Waterville, Mr. Lane, and I having made several concessions, and I concede to him this morning that he does know more about meat than I do, and he has convinced me that the department in Washington is not right relative to this document, and that the bad features in the document have been removed by amendment, or will be, I now withdraw my motion for indefinite postponement.

The SPEAKER: The gentleman from Milbridge, Mr. Kennedy, now withdraws his motion that this bill be indefinitely postponed.

Thereupon, the House voted to recede and concur with the Senate.

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

DIVIDED REPORT — Majority (6)—“Ought to pass” as Amended by Committee Amendment “A”—Minority (4)—“Ought not to pass”—Committee on State Government on Bill, “An Act relating to Powers of Board of Trustees of Maine Maritime Academy.” (H. P. 877) (L. D. 1173) (C. “A”—H-221)

Tabled — April 15, by Mr. Richardson of Stonington.

Pending — Motion of Mr. Edwards of Portland to accept Minority “Ought not to pass” Report. (Specially assigned for Thursday, April 22nd)

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

Mr. EDWARDS: Mr. Speaker, Ladies and Gentlemen of the House: I said when I asked for the acceptance of the Minority Report that if the Academy would meet with us and tell us exactly what they wanted, that I would offer an amendment. They have done this, and I have the amendment here.

Therefore, I withdraw my motion to accept the “ought not to pass” Report and move acceptance of the “ought to pass” Report.

The SPEAKER: The gentleman from Portland, Mr. Edwards, now withdraws his motion to accept the Minority “Ought not to pass” Report. He now moves we accept the Majority “Ought to pass” Report. The gentleman may proceed.

Mr. EDWARDS: If this motion carries, then I will offer House Amendment “C” to this bill which will satisfy the objections to it.

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

Mr. KITTREDGE: Mr. Speaker, if I am in order I would like to speak briefly to the motion, and I would like to thank the gentleman from Portland, Mr. Edwards, for acting in such a generous and magnanimous way. Am I in order sir, to speak to the motion?

The SPEAKER: The motion is the acceptance of the ought to pass report.

Mr. KITTREDGE: Yes sir, I realize that.

The SPEAKER: The gentleman may proceed.

Mr. KITTREDGE: Mr. Speaker, Ladies and Gentlemen of the House. I would like to speak to you this morning, not as a Legislator, but as a Trustee of the Maine Maritime Academy and as a senior Naval Officer with 26 years of total service.

Few people in the State of Maine realize what a truly fine school they have in the Maine Maritime Academy. The late Captain Nutting, told me when he was acting superintendent, that last year's graduating class of 67 engineering students were offered a choice of 132 job placements. The

lowest starting pay for any of these openings was \$9,300 a year. The highest offer was \$12,000 and I think you will agree with me that \$12,000 a year is very good pay for a 22 year old boy.

In many cases, I believe much of this money comes back to Maine. Mr. Theodore Truman, who is a Trustee of the Maine Maritime Academy and the distinguished brother of the gentleman from Biddeford, Mr. Plato Truman, told me that as a result of going to sea after graduating from the Academy, he was able to save enough money to buy a motel in Biddeford. And I believe that most of the boys who graduate and represent Maine throughout the world, desire to return to Maine once their sailing days are over.

Now the Maine Maritime Academy is in a highly competitive business. It furnishes officers for a shrinking American Merchant Marine. At the present time, I regard the Academy as being the best in the business and to stay in business it has to remain that way. Consequently, the principal policy problem facing the Board of Trustees is how to continuously maintain and improve the school's standards.

Ladies and gentlemen, what this school needs most at the present time is stability. And I want to emphasize this point. The Maine Maritime Academy needs stability more than anything else. It has had four superintendents in the past two years and if you visit the Academy, the instability of the last few years is readily apparent in the building program that has taken place. The original buildings of the school were of a traditional brick and mortar design. The new dormitories look like wooden, Alpine ski lodges and the Quick Gymnasium is a stuccoed, concrete building with a school of blue tile fish plastered over the front of it. I repeat, this school needs stability.

The Board of Trustees can provide the stability of high academic standards by maintaining our agreed policy of not allowing the school to expand over the present 500 student level, but only the close cooperation of the Federal

Government, the State of Maine, and the parents of the students can provide for stability in the school's physical plant. And only you, the Legislature, can permit the planned programming of a previously authorized one million dollar bond issue which will provide specifically for dining facilities, a student union or lounge, where the students can meet with their parents, and an athletic field. L. D. 1173 does not ask for new loan authority. It does not ask for any money from the State. It simply asks for your permission to have planned stability in the building program of the institution of higher academic learning with the lowest subsidy from the State, and therefore I urge you to support the motion of the gentleman from Portland, Mr. Edwards.

The SPEAKER: The question before the House is the motion of the gentleman from Portland, Mr. Edwards, that the Majority "Ought to pass" Report be accepted. Is this the pleasure of the House?

The motion prevailed, the ought to pass report accepted and the Bill read twice.

Mr. Edwards of Portland offered House Amendment "C" and moved its adoption.

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

HOUSE AMENDMENT "C" to H. P. 877, L. D. 1173, Bill, "An Act Relating to Powers of Board of Trustees of Maine Maritime Academy."

Amend said Bill by striking out the first line after the amending clause and inserting in place thereof the following:

"The board may borrow money, not in excess of \$1,000,000 \$475,000"

Further amend said Bill by striking out the 6th, 7th and 8th lines from the end and inserting in place thereof the following: 'construction of dormitories with kitchen facilities a student union with dining facilities and secure the'

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

Mr. LIBHART: Mr. Speaker, Ladies and Gentlemen of the

House: If I understood Captain Rogers, who is Superintendent of the Academy, when he spoke to our committee when we invited him back and a couple of the members of the Board of Trustees along with him, what they would really like to have from us is an extension of the present existing law which authorizes the Academy to borrow a million dollars for the purposes stated in the bill.

Now may I ask through the Chair from my fellow committee member Mr. Edwards from Portland, whether or not House Amendment "C" has been approved by the Trustees or by Captain Rogers.

The SPEAKER: The gentleman from Brewer, Mr. Libhart, poses a question through the Chair to the gentleman from Portland, Mr. Edwards, who may answer if he so desires.

Mr. EDWARDS: Mr. Speaker, when I asked Captain Rogers if he would accept House Amendment "C" his answer was yes, he would prefer to have carte blanche with a million dollars, but he said this is their specific need now, and he could give us no other specific need.

He also said that there is no concrete plan as yet. So until such time as such a plan should be presented, I would think that we would keep this legislative authority within the legislature where it belongs.

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

Mr. LIBHART: Mr. Speaker, may I ask one further question from the gentleman from Portland, Mr. Edwards. Is there a need to reduce the present existing authority of a million dollars to \$475,000 in the opinion of the Superintendent of the Academy?

The SPEAKER: The gentleman from Brewer, Mr. Libhart, poses a question through the Chair of the gentleman from Portland, Mr. Edwards, who may answer if he so desires.

Mr. EDWARDS: Mr. Speaker, I did not ask the Superintendent of the Academy that question, so I can't give you his opinion on it.

However, I have struck this down because this is the amount, in fact, this is \$75,000 over what they think they may need, so we have left them \$75,000 worth of leeway to build this student union with the dining facilities. They have more than enough money to do this.

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

Mr. LIBHART: Mr. Speaker, I move this L. D. lay on the table until the next legislative day.

The SPEAKER: The gentleman from Brewer, Mr. Libhart, now moves this matter lie upon the table assigned for the next legislative day pending the adoption of House Amendment "C".

Mr. Kittredge of South Thomaston requested a division.

The SPEAKER: A division has been requested. All those in favor of this matter lying upon the table assigned for the next legislative day will kindly rise and remain standing until the monitors have made and returned the count.

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

Mr. Libhart was granted unanimous consent to speak a fourth time.

Mr. LIBHART: Mr. Speaker, Ladies and Gentlemen of the House: As I have been unable to get the time I need to call Captain Rogers to determine whether or not this amendment is going to be detrimental to the future of the Academy, I feel I must speak on the amendment itself.

The last Legislature gave the Academy a rather blank check up to a million dollars to do certain things there. That authority has not as yet been used. In developing plans, it was determined that other facilities were required than those required in the original legislation. This is the purpose of the original bill.

Now it seems to me that with this Academy progressing the way it is, a pride to all of us, with trustees in whom we have a great deal of faith, those of us who are familiar with the Academy and

very much interested in it, that the original limitation of a million dollar borrowing capacity for Academy purposes was not unreasonable in any way. I can't imagine these reasonable people on this Board of Trustees borrowing for purposes of the Academy in an unreasonable manner. First of all, the banks, which are the source of their revenue, would not allow it. These would be self-amortizing borrowings. The delegation of authority to the Academy, in my opinion, would not be extensive. It seems to me with this particular educational institution and some of the others we have in the state, it is time for us here in the Legislature to agree that we have a Board of Trustees charged with the day to day running of these institutions, and that we should relinquish this age old custom in this legislature of hanging on to the bitter end to every minor detail of the operation of the government of the State of Maine.

I have been distressed during the session of this Legislature to see that this legislature is reluctant to relieve itself of any of the prerogatives it has had over the years, and in my opinion, many of these prerogatives do not conform with our belief in the separation of powers in our form of government, and here again we see the same thing going on. It seems to me, if we can't trust these Trustees at the Maine Maritime Academy to use a borrowing capacity of a million dollars for Maritime Academy purposes, then something is wrong. I hope that we defeat this amendment, House Amendment "C" and that we pass the bill as it was originally written.

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

Mr. KITTREDGE: Mr. Speaker and Members of the House: As one of the Trustees of the Academy, I would again like to call to your attention that this is a very specialized school, and two things that happened in this particular thing that required the change in the language of the previous authorization of the 101st Legislature.

First was, that the trustees do not plan any further extension or further expansion of this school over the present 500 limit. Therefore, the words which were in the previous authorizing legislation required change. These words were 'dining-dormitory facilities.' We don't need the new dormitories. We simply need the dining facilities. That's the first thing.

The second point I would like to bring to your attention is that the remarks attributed to Captain Rogers today have been taken entirely out of context. Captain Rogers brought with him the latest blueprints from the architects and he was asked for an estimate of this, which he tried to refuse to give, and when he did give it, he gave it purely as an estimate from the architect, and this is the basis of that amendment.

And finally, anticipating this, I wrote a letter to Dr. Scott, President of the Board of Trustees, and he is also President of the State Teachers College at Farmington, and I won't bore you with the entire contents of this letter, except that in the last paragraph I said to him: My reason for making the request of him to explain the purpose of L. D. 1173 is that I would like to use your letter as a basis of support for this bill by the leadership of both parties in the Maine Legislature, and it is my intention to approach the aforementioned leadership on this basis. I have received replies from Dr. Scott and I have given the replies to both members—or the senior members of this House.

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

Mr. LEVESQUE: Mr. Speaker and Ladies and Gentlemen of the House: I think probably it has been very well pointed out here this morning that the need for the million dollars is not there, and that we should go along with the amended bill presented by the gentleman from Portland, Mr. Edwards, and I think probably the gentleman from Brewer, Mr. Libhart, also realizes that after what has transpired through the news media as recent as of last year, I think

probably the needs are there, so let's give the Maritime Academy what they actually need to make sure that the Academy is going to be going ahead rather than hold the status quo.

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

Mr. KENNEDY: Mr. Speaker and Ladies and Gentlemen of the House: I think this problem has been resolved, and as the gentleman from South Thomaston, Mr. Kittredge, has alerted the House, that all of the compromises have been worked out. The gentleman from Portland, Mr. Edwards who was in the minority on the Minority Report is satisfied. I would assume now that the committee is satisfied. The Trustees of the Maritime Academy are satisfied, and now, Mr. Speaker, I move the previous question.

The SPEAKER: The gentleman from Milbridge, Mr. Kennedy, now moves the previous question. In order for the Chair to entertain the motion for the previous question, it must have the expressed desire of one-third of the members present. All those in favor of entertaining the motion for the previous question will kindly rise and remain standing until the monitors have made and returned the count.

A sufficient number arose.

The SPEAKER: Obviously, more than one-third having arisen, the previous question is in order. The question now before the House is, shall the main question be put now? This is debatable for no more than five minutes and is not debatable on the merits of the bill.

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

Mr. EDWARDS: Mr. Speaker, I rise to a point of parliamentary inquiry. Is it necessary to indefinitely postpone the committee amendment before this amendment is adopted?

The SPEAKER: It is not. The question before the House is, shall the main question be put now? All those in favor of the main question being put now say aye; those opposed, no.

A viva voce vote being taken, the main question was ordered.

The SPEAKER: The question before the House now is on the adoption of House Amendment "C". Is it now the pleasure of the House that we adopt House Amendment "C"?

Thereupon, House Amendment "C" was adopted on a viva voce vote.

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

COMMITTEE AMENDMENT "A" to H. P. 877, L. D. 1173, Bill, "An Act Relating to Powers of Board of Trustees of Maine Maritime Academy."

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

**'evidences of indebtedness or obligations of the school for the construction of dormitories with kitchen facilities, dining facilities, student union, or any other self-amortizing public improvement, including land acquisition in connection therewith, or in anticipation of appropriated state or federal funds and secure the'**

On motion of Mr. Edwards of Portland, Committee Amendment "A" was indefinitely postponed, and the Bill assigned for third reading the next legislative day.

The Chair laid before the House the fifteenth 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 Transportation on Bill, "An Act relating to Penalty for Weight Violations of Trucks." (H. P. 158) (L. D. 181) (C. "A" H-218)

Tabled—April 15, by Mr. Evans of Freedom.

Pending—Motion of Mr. Huber of Rockland to accept Minority "Ought not to pass" Report. (Specially assigned for Thursday, April 22nd)

The SPEAKER: The Chair recognizes the gentleman from Moscow, Mr. Beane.

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

House: This bill came out of Committee nine to one "ought to pass." You can imagine my surprise when I learned that the gentleman who made the motion to accept the minority "ought not to pass" was one of the gentlemen who signed the majority report. I hope that you vote against his motion.

The SPEAKER: The Chair recognizes the gentleman from Rockland, Mr. Huber.

Mr. HUBER: Mr. Speaker and Members of the House: This appears to be a relatively innocent looking bill. I am not absolutely sure that it is. In response to my friend the gentleman from Moscow, there is no excuse for my personal failure to be aware of some of the related subjects on one particular related bill, this one which was heard by another committee.

This comes under Title 29, Section 1654 which has six short paragraphs in it and establishes as it stands now mandatory fines for specific amounts, the so-called ladder scale, over the allowed weights. Well the point of just hearing the bill was a little bit disturbing since we had to in the case of hearing testimony we were listening to people discussing and confessing to violations of law, and if the law is oppressive and hard to live with, perhaps we should be studying the law a little more carefully and not necessarily the penalty.

About the only kind thing that can be said for the particular document that is laying before you right now is that it apparently allows the offender to plead his case in court when the guilty circumstance is warranted. Incidentally, some of the complaining testimony which went into the testimony that was heard on this particular bill, was to the effect that some of the judges in hearing cases of overweight, were including the ten percent and the fifteen percent tolerances, and some of them were not.

Now the related bill—of course when the tolerances were not allowed, you found the truckers way, way, way over weight. The related bill is L. D. 152 which apparently was heard at approximately the same time and reported out at ap-

proximately the same time by the Highway Committee, and spells out specifically, apparently for the first time in the law, that the fifteen percent and ten percent, and I believe it has been amended now to half of the ten percent tolerance, will be allowed when the excess weight. That bill, incidentally, is on the table in the Senate. And also, incidentally, I understand that we were not the first one to hear this bill. I think the Public Utilities Committee heard it once. On two bills related to the six paragraphs in section 1654 and purely as an academic question, how come such closely related subjects don't get into the same basket?

The real point here, if you will note, is that we have scratched the first five paragraphs of section 1654. Paragraph 4, for the purposes of this title, weights as indicated by any type of stationary or portable scales approved by the State Highway Commission and tested within twelve calendar months prior to the time of use by a person and method approved by said Commission shall be deemed accurate.

Now to the best of my very humble knowledge, I can find nowhere else in title 29 which covers this, makes this official. And as far as I am concerned right now, the way this reads, it makes enforcement of the weight laws extremely difficult, if not actually unenforceable.

The SPEAKER: The question before the House is the motion of the gentleman from Rockland, Mr. Huber, that the minority report be accepted.

Mr. Beane of Moscow requested a division.

The SPEAKER: A division has been requested. The Chair recognizes the gentleman from Lewiston, Mr. Bussiere.

Mr. BUSSIERE: Mr. Speaker and Members of the House: The Committee on Transportation, majority nine to one, voted in favor of this bill with an amendment that was introduced at an executive session to make it more uniform and the man who is opposed to the bill today is one of

them that happened to sign the majority report. I hope that you vote against the motion.

The SPEAKER: The Chair recognizes the gentleman from Van Buren, Mr. Lebel.

Mr. LEBEL: Mr. Speaker and Members of the House: I think this bill we don't understand at all. The way it is now the truck driver that had a load is overloaded about two thousand pounds, if he is brought up in court he has got to pay a \$250 fine. Let's say a truck pays a license for 50,000 pounds, he pays \$375 and his tolerance is 5,000 pounds, so he can — and he can put 55,000 pounds on his truck. If we will say they weigh him and if he has got we will say 57,000 pounds, what they do, they cut down the tolerance to 5,000 pounds, they make him pay for 7,000 pounds, which the fine is \$250. The truck drivers don't want the fine to be taken away. What they want to do is to go in court and have a chance to pay their fine, but the way it is set now by the book, they don't have no choice. If they are overweight only 2,000 pounds, they have to pay a \$250 fine. That's what the truck drivers don't want, so let's see that we don't kill this bill. This is a good bill and we should pass it. Thank you.

The SPEAKER: The Chair recognizes the gentleman from Rockland, Mr. Huber.

Mr. HUBER: Mr. Speaker, perhaps I missed the point there or failed to get it across. The bill that is on the table in the Senate would take care of the misunderstanding as far as the tolerances are concerned.

Now may I also say a word on behalf of the truckers. If you will look closely again, you will find that this L. D. 181 has been amended by the committee to read: on subsequent conviction, this is after the first offense, on subsequent conviction a fine of not more than \$500. Now you are running into the situation where you either must know the judge fairly well or you have got to have a pretty good lawyer, because it looks to me as though in the long

run both directly and indirectly this could do the trucking interests more harm than good. You could find yourself overweight by 2,000 pounds or 2,500 pounds and under the mandatory fine at the present moment it would be \$40 plus \$10, \$50; if this were your second offense and you ran into a judge some blue Monday morning and he was a little bit disagreeable, he might just as well say it's \$500 and be disagreeable about it. This way they know exactly what the fine is going to be, and it appears to me that it might be just a matter of opinion whether you want to take the chance with the lawyer or the judge, or whether you would like to know in advance what is going to happen when you commit the sin of overweight.

The SPEAKER: The question before the House is the motion of the gentleman from Rockland, Mr. Huber, to accept the Minority "Ought not to pass" Report. A division has been requested. All those in favor of the acceptance of the "ought not 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.

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

Thereupon, on motion of Mr. Levesque of Madawaska, the Majority "Ought to pass" Report was accepted and the Bill read twice.

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

COMMITTEE AMENDMENT "A" to H. P. 158, L. D. 181, Bill, "An Act Relating to Penalty for Weight Violations of Trucks."

Amend said Bill, in the last line, by striking out the underlined figure "\$150" and inserting in place thereof the underlined figure "\$500"

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

The SPEAKER: The Chair recognizes the gentleman from Brew-

er, Mr. Libhart, and inquires for what purpose does he rise?

Mr. LIBHART: Mr. Speaker, I rise for the purpose of requesting that we reconsider our action whereby we passed the fourteenth unfinished business and I would speak briefly to my motion.

The SPEAKER: The question before the House now is on the motion of the gentleman from Brewer, Mr. Libhart, that—

This is an assigned matter, his motion is not in order. The motion is not in order where the matter has been assigned for the next legislative day.

Is there objection to taking up papers from the Senate out of order? The Chair hears none, the Clerk will read the papers.

From the Senate: The following Order:

Whereas, there are only 2,300 dairy farmers left in the State of Maine, the core of a 40 million dollar industry of vital importance to the economy of the State, and much discrimination exists among this group, inasmuch as there are 800 on the Maine market and 1,500 on the Boston market with those on Maine market getting 47 cents per cwt. more than those on the Boston market; and

Whereas, much of their market is seriously affected by the importation of out-of-state milk coming into the State to supply Federal Bases—and this in itself constitutes a considerable amount of the Class 1 milk consumed in Maine; and

Whereas, the cost of production of milk in the producer level has shown a steady increase due to local tax increases and rising costs of freight and farm equipment, and there has been a corresponding decrease in the amount of profit for the producer; and

Whereas, there are varied interpretations and applications of the Federal Standards by individual inspectors and the present standards applied seem to vary from dairy farm to dairy farm; and

Whereas, the milk produced in Maine is of the highest standard and quality, but there is no means

of discerning where the milk comes from when purchased by the consumer either through labeling or other means of identification to protect both the producer and the consumer; and

Whereas, in the year 1964 only Maine and New Hampshire showed a definite decline in shipments to the Massachusetts - Rhode Island market and all other states, Massachusetts, Connecticut, Upper New York, Rhode Island and Vermont, were either stable or showed an increase; and

Whereas, the Federal Standards as interpreted by the individual inspectors are not consistent in their application between these seven states on the Massachusetts-Rhode Island market; and

Whereas, there is a variation in the charging of rates for trucking of milk from producer to the dairy regardless of the distance involved; and

Whereas, the producer on the Maine market has no definite time period whereby he can expect payment for his milk delivered to the dairy, and this causes undue hardship on the producer; and

Whereas, there have been charges of inequities of pricing at the consumer level; and

Whereas, there is much disagreement on many factors which now and in the future will affect a sound milk marketing program in Maine. There is need of further research, study and dissemination of the elected information to our dairy industry and to Maine consumers; now, therefore, be it

ORDERED: the House concurring, that a joint interim committee be created consisting of the President of the Senate and 3 senators to be named by the President of the Senate, the Speaker of the House of Representatives and 4 Representatives to be named by the Speaker of the House, organized to conduct hearings and research to carry out the purpose of this order; and be it further

ORDERED: That said committee shall have the power to call and summons witnesses and records and to administer oaths; and be it further



ORDERED: That said committee shall report its findings and recommendations to the 103rd Legislature; and be it further

ORDERED: That the sum of \$5,000 be appropriated from the legislative appropriation to cover expenses of said committee. (S. P. 517)

Came from the Senate, read and passed.

In the House: The Order was read.

The SPEAKER: It is now the pleasure of the House this order receive passage?

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

Mr. LANE: Mr. Speaker, Ladies and Gentlemen of the House: I just received this order. To me it looks a little complicated. Some of the order we took care of in legislation where two bills were pending about this order and I think that we should study this order a little more and I would like to table this until the next legislative day.

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

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

Mr. JALBERT: Mr. Speaker, Members of the House: I think the order is self-explanatory. As far as I am concerned, when my party decided to talk in the platform committee about studying the milk problem or fixing the prices on retail level, I went to the platform committee and opposed it. I opposed it at the convention and I certainly oppose it vehemently on the floor of the House and in caucus. I have read this order. I feel it's fair. I don't see anything wrong with it. Anybody that's got anything to hide is wrong anyway. I think this will smoke the proposition out and we will have a clearer picture come the next session of the Legislature and I certainly hope that the order has passage.

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

Mr. LEVESQUE: Mr. Speaker and Ladies and Gentlemen of the House: I think this morning that you have this order before you and it behooves each and

every one of you to make sure that you take this under consideration. We have heard before this Legislature all kinds of remarks made regarding the dealer and farmer relationship with the milk problem in the State of Maine on the retail level.

Now, it is my understanding this morning that this order is going to study the problem of the relationship between the farmers and the dealers and report to the Legislature as to this problem, if there is a problem that exists. So I urge your consideration for the immediate passage of this order.

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

Mr. KENNEDY: Mr. Speaker and Ladies and Gentlemen of the House: There is only one thing that disturbs me relative to this order, this joint order that is before us, is due to the fact that the matter is not referred to the Legislative Research Committee, but rather is being referred to a special interim committee requiring the appropriation of \$5,000. Perhaps someone could inform the House as to the reason this is an interim committee rather than being referred to the Legislative Research Committee.

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

Mr. JALBERT: Mr. Speaker, in answer to the gentleman from Milbridge, Mr. Kennedy, and knowing also that he himself appointed me on the Research Committee, I at first had the same thought in mind, but then when it was explained to me that this is a very complex problem, it required several hearings, in view of the fact that the Research Committee is going to have its hands full anyway, it was thought that it would be best to set up a separate interim committee.

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

Mr. LANE: Am I in order to make a motion to table this until the next legislative day?

The SPEAKER: The gentleman has debated a tabling motion on

one occasion. The Chair will rule that he is not in order.

Mr. LANE: I move that this be tabled until the next legislative day.

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

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

Mr. LITTLEFIELD: Mr. Speaker, I move this order be tabled until the next legislative day.

The SPEAKER: The question before the House is on the motion of the gentleman from Hampden, Mr. Littlefield, that this matter lie upon the table assigned for the next legislative day. The Chair will remind the gentleman from Eastport, Mr. Mills, this is not debatable.

Mr. Mills of Eastport requested a division.

The SPEAKER: The question before the House now is shall this lie upon the table until the next legislative day and a division has been requested. All those in favor of this matter lying upon the table until the next legislative day will kindly rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

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

The SPEAKER: The question before the House now is shall this motion receive passage.

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

Mr. LANE: Mr. Speaker, Members of the House: I move this order be indefinitely postponed.

The SPEAKER: The question before the House now is on the motion of the gentleman from Waterville, Mr. Lane, that this order be indefinitely postponed.

Mr. Levesque of Madawaska requested a division.

The SPEAKER: The gentleman from Madawaska, Mr. Levesque, requests a division. All those in favor of this order being indefinitely postponed will kindly rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

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

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

Mr. LANE: Mr. Speaker, Members of the House: I move that this be tabled until later in the session.

The SPEAKER: The gentleman from Waterville, Mr. Lane, now moves this matter lie upon the table unassigned.

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

Mr. JALBERT: Mr. Speaker, is his motion in order?

The SPEAKER: The motion has the effect to lie upon the table unassigned.

Mr. Jalbert of Lewiston requested a division.

The SPEAKER: The gentleman from Lewiston, Mr. Jalbert, requests a division. All those in favor of this matter lying upon the table unassigned will kindly rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

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

The SPEAKER: Is it now the pleasure of the House that this order receive passage?

The motion prevailed.

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

Mr. JALBERT: Mr. Speaker, I move that we reconsider our action whereby we passed this order and when you vote, vote against me.

The SPEAKER: The gentleman from Lewiston, Mr. Jalbert, now moves that we reconsider our action whereby this order received passage.

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

Mr. BENSON: Mr. Speaker, I realize full well that we wouldn't get very far in reconsidering, but I think that the study committees

during the interim are going to have difficulty in passing one another in the corridor out here. We are passing studies right and left and I think the Legislative Research Committee, which is formed for the sole purpose of carrying out these directives for the Legislature, could very well be employed to study this one and I would hope that the motion of the gentleman from Lewiston, Mr. Jalbert, might be passed so that we could amend this order to delegate the Legislative Research Committee to do just that. Thank you.

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

Mr. LEVESQUE: Mr. Speaker, Ladies and Gentlemen of the House: The gentleman from Southwest Harbor, Mr. Benson, has said that we might not be able to join in the halls after we adjourn because of the different orders and

committees. I would suggest to the members of the Legislature and from the last three times that I have been here that it will be no different than it has been for the last eight years.

The SPEAKER: Is the House ready for the question? The question before the House is on the motion of the gentleman from Lewiston, Mr. Jalbert, that we reconsider our action whereby this order received passage. All those in favor of reconsidering our action will say aye; all those opposed will say no.

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

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#### Off the Record Remarks

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On motion of Mr. Jalbert of Lewiston

Adjourned until Tuesday, April 27, at ten o'clock in the morning.