

# MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Second  
Legislature*

OF THE

STATE OF MAINE

1965

DAILY KENNEBEC JOURNAL  
AUGUSTA, MAINE

**HOUSE**

Wednesday, April 28, 1965

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

Prayer by the Rev. Mr. Richard P. Poulin of Auburn.

The journal of yesterday was read and approved.

**Papers from the Senate  
Senate Reports of Committees  
Ought Not to Pass  
Covered by Other Legislation**

Report of the Committee on Labor on Bill "An Act to Revise Certain Portions of Workmen's Compensation Law" (S. P. 210) (L. D. 591) reporting "Ought not to pass", as covered by other legislation.

Came from the Senate read and accepted.

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

**Ought to Pass with  
Committee Amendment**

Report of the Committee on Appropriations and Financial Affairs on Bill "An Act to Provide Aerial Photos of Maine's Forest Lands" (S. P. 279) (L. D. 841) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

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

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

Committee Amendment "A" was read by the Clerk as follows: COMMITTEE AMENDMENT "A" to S. P. 279, L. D. 841, Bill, "An Act to Provide Aerial Photos of Maine's Forest Lands."

Amend said Bill, in section 2, by striking out in the 3rd line the figure "\$25,000" and inserting in place thereof the figure "\$15,000"; and by striking out in the 4th line the figure "\$25,000" and inserting in place thereof the figure "\$15,000"

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

Report of the Committee on Appropriations and Financial Affairs on Resolve Appropriating Money to Continue Review of Maine Criminal Statutes (S. P. 445) (L. D. 1384) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

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

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

Committee Amendment "A" was read by the Clerk as follows: COMMITTEE AMENDMENT "A" to S. P. 445, L. D. 1384, Resolve, Appropriating Money to Continue Review of Maine Criminal Statutes.

Amend said Resolve by striking out in the last 2 lines before the Statement of Facts the words "the purposes of this resolve have been accomplished" and inserting in place thereof the words "June 30, 1967"

Committee Amendment "A" was adopted in concurrence and the Resolve assigned for second reading tomorrow.

Report of the Committee on Judiciary on Bill "An Act Increasing Salaries of Official Court Reporters" (S. P. 164) (L. D. 494) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

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

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

Committee Amendment "A" was read by the Clerk as follows: COMMITTEE AMENDMENT "A" to S. P. 164, L. D. 494, Bill, "An Act Increasing Salaries of Official Court Reporters."

Amend said Bill, in the 5th line, by striking out the figure "11" and inserting in place thereof the following: "11 12"; and by striking out in the 11th line the underlined figure "\$10,000" and inserting in

place thereof the underlined figure '\$9,000'

Further amend said Bill, in section 2, by striking out in the 2nd line the figure "\$12,375" and inserting in place thereof the figure '\$10,875' and by striking out in the 3rd line the figure "\$16,500" and inserting in place thereof the figure '\$14,500'

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

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

Report of the Committee on Agriculture on Bill "An Act relating to Use of Moneys Received from the Potato Tax" (S. P. 421) (L. D. 1356) reporting same in a new draft (S. P. 490) (L. D. 1453) under same title and that it "Ought to pass"

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

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

(On motion of Mr. Bragdon of Perham, tabled pending second reading and specially assigned for Wednesday, May 5.)

#### **Ought to Pass**

Report of the Committee on Taxation reporting "Ought to pass" on Bill "An Act relating to Exemption from Sales Tax of Boats Sold to Nonresidents" (S. P. 504) (L. D. 1470)

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

In the House, the Report was read.

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

Mr. BERNARD: Mr. Speaker, Members of the House: I would like to ask a question of any member of Taxation if they could answer something that has been bugging me. We have a report here and according to my knowledge that if you have a three hundred foot yacht and you live in Boston,

you take your yacht up here to Kennebunkport, you leave it here for the winter, you tell the gentleman I want you to repair a board in it and I want you to paint it. As I understand the report, these people do not have to pay taxes, but on the other hand, if we have got our own people here in the State of Maine that have only got a fourteen foot dory, they have to pay the taxes. I wish somebody would clear this up for me.

The SPEAKER: The gentleman from Sanford, Mr. Bernard, has posed a question to any member of the House and any member of the House may answer if he so desires.

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

Mr. COTTRELL: Mr. Speaker and Ladies and Gentlemen of the House: There is a little confusion I think, in Mr. Bernard's mind. This is a bill that pertains to the Bath Iron Works. Now, I can't explain the whole thing. The purpose of this bill is to take the sales tax from boats built in Maine which are going to be shipped out immediately. The Bath Iron Works has always been working on contracts with the government and there has been no question of sales tax. Now, they have an opportunity to make a bid on fifty-five million dollars of merchant ships. They are trying to expand their business into a new field. And if there was a sales tax placed on this type of a package and sale, it would amount to about nine million dollars which would put them completely out of the competitive bidding field on these boats.

Now, we had the hearing on this and we immediately after the hearing tried to get this through, which we have, because this bid must be in by May 15, and the bill that Mr. Bernard speaks about is a bill concerning pleasure boats and that will come up later. And so I hope that we do not delay in getting this through our legislative process, this bill, 1470.

The SPEAKER: Is it the pleasure of the House to accept the "Ought to pass" Committee Report?

Thereupon, the Committee Report was accepted in concurrence, the Bill read twice and assigned for third reading tomorrow.

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

### Divided Report

Majority Report of the Committee on Labor reporting "Ought to pass" on Bill "An Act relating to Costs and Attorney's Fees under Workmen's Compensation Law" (S. P. 417) (L. D. 1312)

Report was signed by the following members:

Mr. O'LEARY of Oxford  
 Mrs. CHISHOLM  
                     of Cumberland  
 Mr. SMITH of Cumberland  
                     — of the Senate.  
 Messrs. DUMONT of Augusta  
           GAUVIN of Auburn  
           BEDARD of Saco  
           LEVESQUE  
                     of Madawaska  
                     — of the House.

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

Report was signed by the following members:

Mr. BENSON  
                     of Southwest Harbor  
 Mrs. BAKER of Winthrop  
 Mr. KITTREDGE  
                     of South Thomaston  
                     — of the House.

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

In the House: Reports were read.

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

Mr. RICHARDSON: Mr. Speaker, Members of the House: I move that the "ought not to pass" report be accepted in non-concurrence and I would speak briefly to the matter.

The SPEAKER: The gentleman may proceed.

Mr. RICHARDSON: Ladies and Gentlemen of the House: If you will look at this bill, which is

No. 1312, you will note that when proceedings are taken under Workmen's Compensation Law under so-called Section 95, this bill would permit the Commission to require the employer to pay attendance fees of witnesses, and more seriously, I have no objection to the attendance fee of witnesses but the bill as it is presently drawn also would permit the Commission to tax the employer for the attorney's fee. There are several things wrong with this.

First of all it is inconsistent with the intent and the spirit of the Workmen's Compensation law which is to provide a speedy disposition of a Workmen's Compensation claim. Secondly, the argument has been made, and I am sure some of you have heard it, that other states do this. This is not the case. What other states do is require that the fee that the attorney charges the worker is subject to Workmen's Compensation Board approval, the purpose being to protect the employee who has been injured from his own attorney.

I submit to you that this is unwise legislation. It is inconsistent with the vast majority of law in other states. And I think it is a step backwards. I urge you to accept the "ought not to pass" report in non-concurrence.

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

Mr. LEVESQUE: Mr. Speaker, Ladies and Gentlemen of the House: This document is no different than any of the other states. It is an act to authorize the Commission to pay for the attorney's fee under Workmen's Compensation. And this is purely not being paid by the employee as was stated from the previous gentleman. This is covered under the insurance provisions that is carried by the employer either through the Workmen's Compensation Commission or, if they are self insured, covered by a bond which they pay the fee to the insurance company that covers them. So, it is my sincere belief this morning that you will not go along with adopting the minority "ought not to pass" report and I will make

the motion to accept the majority "ought to pass" report the same as the other branch has done previously. I request a division.

The SPEAKER: Is the House ready for the question? The question before the House is on the motion of the gentleman from Cumberland, Mr. Richardson, that we accept the minority "ought not to pass" report.

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

Mr. BENSON: Mr. Speaker and Ladies and Gentlemen: I would like to concur most heartily with the remarks of the gentleman from Cumberland, Mr. Richardson. This in effect is doing almost—passing legislation almost the same as asking an employer to pay a grocery bill for an employee. There is very little difference between the two, and I could not add much to what the gentleman from Cumberland, Mr. Richardson, has already said, but I would certainly ask that you support his motion to accept the "ought not to pass" report.

The SPEAKER: The question before the House is on the motion of the gentleman from Cumberland, Mr. Richardson, that we accept the Minority "Ought not to pass" Report and a division has been requested.

All those in favor of accepting the Minority "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.

Sixty having voted in the affirmative and sixty-seven 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 in concurrence, the Bill read twice and assigned for third reading tomorrow.

#### **Non-Concurrent Matter**

Bill "An Act Authorizing the Appointment of the Commissioner of Agriculture by the Governor" (S. P. 219) (L. D. 678) which was indefinitely postponed in non-concurrence in the House on April 20.

Came from the Senate with House Amendment "A" indefinitely postponed and the Bill passed to be engrossed as amended by Senate Amendment "A" in non-concurrence.

In the House:

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

Mr. LEVESQUE: Mr. Speaker, I now move that we recede and concur with the Senate.

The SPEAKER: The gentleman from Madawaska, Mr. Levesque, now moves that we recede and concur with the Senate.

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

Mr. GILBERT: Mr. Speaker, Members of the House: I do not like the bill. Now, the fact that it is a Democratic Party bill and I run on the Democratic ticket doesn't make me like it a mite better. I wouldn't like it if I was a Republican and I had run on the Republican ticket and it was in the Republican platform. It smells of dictatorship. You are using our Commissioner of Agriculture for a political plum. It makes no difference who is governor. He is going to have a friend somewhere who has done him a favor. Generally speaking, our governors have little or no knowledge, practical knowledge of agriculture. Our present governor does. When you get a lawyer, regardless of his intentions, who is going to appoint a Commissioner of Agriculture, I am awfully afraid that he just might appoint someone who he owes a favor rather than someone who he feels would do agriculture some good. I think in those few words I have made my position clear and I hope that the motion to recede and concur is defeated.

The SPEAKER: The question before the House is on the motion of the gentleman from Madawaska, Mr. Levesque, that we now recede and concur with the Senate. Is this the pleasure of the House?

The motion prevailed.

#### **Non-Concurrent Matter**

Bill "An Act Requiring Permits to Dam Waters for Recreational

Purposes" (S. P. 342) (L. D. 1087) which was indefinitely postponed in non-concurrence in the House on April 23.

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

In the House:

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

Mr. COOKSON: Mr. Speaker, Ladies and Gentlemen of the House: The other day I arose to speak in opposition to this bill, and since then I have dug up the amendment, the Committee Amendment to the bill, and have checked it over and I find that that makes the bill even worse, because of the fact it says provided that no such application or permit shall be required before constructing, repairing, rebuilding or altering a dam, the purpose of which is to create an impoundment to be principally used for manufacturing, industrial, or utility purposes. I think that is where we need the dams the worst. As far as the dams for recreational purposes, just as I said the other day, this would prevent any person from digging a farm pond, which there are thousands in the state, without first receiving a permit and to me this isn't a good bill and I would at this time wish to adhere to our former action.

The SPEAKER: The gentleman from Glenburn, Mr. Cookson, now moves that we adhere to our former action.

Is this the pleasure of the House?  
The motion prevailed.

#### **Non-Concurrent Matter**

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" which Report and Bill were recommended to the Committee on Business Legislation in non-concurrence in the House on April 23.

Came from the Senate with that body voting to insist on its former

action whereby the Bill was passed to be engrossed and asking for a Committee of Conference, with the following Conferees appointed on its part:

Messrs. BROWN of Hancock  
CARTER of Kennebec  
BERNARD of Penobscot

In the House: On motion of Mr. Levesque of Madawaska, the House voted to insist and join in a Committee of Conference.

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

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

#### **Claims**

Resolve to Reimburse Delmont R. Hawkes, of Standish, for Well Damage (H. P. 1098) (Presented by Mr. Kennedy of Milbridge)  
(Ordered Printed)  
Sent up for concurrence.

#### **Orders**

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

Mr. LUND: Mr. Speaker, may I inquire whether L. D. 639 is in possession of the House.

The SPEAKER: The gentleman from Augusta, Mr. Lund, makes an inquiry whether L. D. 639 is in possession of the House and the answer is in the affirmative.

Mr. LUND: Mr. Speaker, I move that the House reconsider its action of yesterday whereby L. D. 639 was indefinitely postponed.

The SPEAKER: The gentleman from Augusta, Mr. Lund, now moves that we reconsider our action whereby House Paper 486, L. D. 639, Bill "An Act relating to Maintenance of State Highways in Certain Municipalities" was indefinitely postponed. Is this the pleasure of the House?

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

Mr. ROSS: Mr. Speaker, I didn't think I would have to get up again on this bill. The 101st Legislature

got to be known as the reversible 101st. I hate to think what this one is going to be called. This bill was indefinitely postponed on Thursday. It was resurrected from the grave on Friday. It was indefinitely postponed on Tuesday and here we go again today. I should think it would have run its course. I again move for indefinite postponement.

The SPEAKER: The question before the House is the reconsideration motion. Is the House ready for the question?

The question before the House is on the motion of the gentleman from Augusta, Mr. Lund, that we reconsider our action whereby this Bill was indefinitely postponed.

Mr. Stoutamyer of Madison requested a division.

The SPEAKER: The gentleman from Madison, Mr. Stoutamyer, requests a division. All those in favor of reconsidering our action whereby this Bill 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.

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

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

ORDERED, that Miss Lee Wlodkoski of Manchester, New Hampshire, be appointed to serve as Honorary Page for today.

The SPEAKER: Lee is the sister of John Wlodkoski who is one of our Assistant Attorney Generals. On behalf of the House, the Chair welcomes you, Lee, and we hope that you will enjoy your duties as honorary page for the day.

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

ORDERED, the Senate concurring, that the Legislative Finance Officer be authorized to appoint a temporary Assistant Legislative Finance Officer, with the approval

of the President of the Senate and Speaker of the House, to assist him in carrying out his duties until such time as a permanent Assistant Legislative Finance Officer is appointed by the Legislative Research Committee. (H. P. 1100)

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

Mr. KATZ: Mr. Speaker, may I inquire through the Chair the price tag on this please?

The SPEAKER: The gentleman from Augusta, Mr. Katz, has made an inquiry. The Chair will answer that where appointments will be made by approval of the President of the Senate and the Speaker of the House, that the salary of the individual will be determined by the President of the Senate and the Speaker of the House.

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

Mr. BERRY: Mr. Speaker, I wonder if I might direct an inquiry to the Chair, sir. I was wondering what the term or length of the appointment might be.

(Off Record Remarks)

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

Mr. LUND: Mr. Speaker, I would be very interested to have somebody explain for my benefit the necessity of this appointment, if there is a need for it.

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

Mr. JALBERT: Mr. Speaker, I didn't get the question. Was the question what's the need for the position? Well, I was one of those who strongly opposed the job originally to a point where I stayed out of the office for a couple of years, but broadening my mind, I started to go in and find out if I was right or wrong, and the present Finance Officer not only is an advisor to the legislators, but off-sessions he has several committees that he is secretary of or part of, or report to him. And the work load is getting greater and greater all the



time. I think the need is very, very important, if that answers your question.

The SPEAKER: Is the House ready for the question? Is it the pleasure of the House that this order receive passage? All those in favor will say aye; all those opposed say no.

A viva voce vote being taken, the motion prevailed.

Sent up for concurrence.

On the part of the House, the Speaker appointed the following Conferees on the disagreeing action of the two branches of the Legislature on Bill "An Act relating to Coercion in Placing Insurance on Real and Personal Property," S. P. 510, L. D. 1480: Messrs. HARRIMAN of Hollis  
BERNARD of Sanford  
McKINNON  
of South Portland

On the part of the House, the Speaker appointed the following Conferees on the disagreeing action of the two branches of the Legislature on Bill "An Act Designating Androscoggin Game Preserve as a Game Management Area," H. P. 696, L. D. 934: Messrs. GILBERT of Turner  
PALMER of Phillips  
CHAMPAGNE  
of Fairfield

#### House Reports of Committees Ought Not to Pass

Mr. Edwards from the Committee on State Government reported "Ought not to pass" on Bill "An Act Increasing Salary of Commissioner of Labor and Industry" (H. P. 23) (L. D. 26)

Report was read and accepted and sent up for concurrence.

#### Ought to Pass Printed Bill

Mr. Starbird from the Committee on State Government reported "Ought to pass" on Bill "An Act Increasing Salary of Legislative Finance Officer" (H. P. 252) (L. D. 320)

Report was read and accepted, the Bill read twice and tomorrow assigned.

#### Ought to Pass with Committee Amendment

Mr. Katz from the Committee on State Government on Bill "An Act Increasing Salary of the Adjutant General" (H. P. 544) (L. D. 716) 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. 544, L. D. 716, Bill, "An Act Increasing Salary of the Adjutant General."

Amend said Bill, in the 5th line, by striking out the underlined figure "\$13,500" and inserting in place thereof the underlined figure '\$12,500'

Further amend said Bill, in the 2nd line from the end, by striking out the figure "\$3,500" and inserting in place thereof the figure '\$2,500'; and by striking out in the 3rd line from the end the figure "\$2,620" and inserting in place thereof the figure '\$2,084'

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

Mr. Pitts from the Committee on State Government on Bill "An Act Increasing Salaries of Members of Harness Racing Commission" (H. P. 545) (L. D. 717) 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. 545, L. D. 717, Bill, "An Act Increasing Salaries of Members of Harness Racing Commission."

Amend said Bill in the 6th line by striking out the underlined figure "\$2,000" and inserting in place thereof the underlined figure '\$1,500'

Further amend said Bill by striking out in the 10th line the figure "\$2,600" and inserting in place thereof the figure '\$1,600' and by striking out in the 11th line

the figure "\$2,600" and inserting in place thereof the figure "\$1,600"

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

Mr. Starbird from the Committee on State Government on Bill "An Act Increasing Compensation of Members of Personnel Board" (H. P. 253) (L. D. 321) 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. 253, L. D. 321, Bill, "An Act Increasing Compensation of Members of Personnel Board."

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

'Personal Services \$565 \$750'

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

#### **Divided Report Tabled and Assigned**

Majority Report of the Committee on Industrial and Recreational Development reporting "Ought not to pass" on Resolve to Provide Underwater Weed Cutter for Department of Inland Fisheries and Game (H. P. 337) (L. D. 440)

Report was signed by the following members:

Mr.     HOFFSES of Knox  
                    — of the Senate.

Messrs. FORTIER of Waterville  
           PAYSON of Falmouth  
           NORTON of Caribou  
           LITTLEFIELD

                    of Hampden  
           TRUMAN of Biddeford  
                    — of the House.

Minority Report of same Committee on same Resolve reporting same in a new draft (H. P. 1099) (L. D. 1499) under title of "Resolve to Provide for Underwater Weed Cutter" and that it "Ought to pass"

Report was signed by the following members:

Messrs. JACQUES  
                    of Androscoggin

MOORE of Washington  
                    — of the Senate.

Mrs.     KILROY of Portland  
Mr.     BENSON

                    of Mechanic Falls  
                    — of the House.

Reports were read.

(On motion of Mr. Cote of Lewiston, tabled pending acceptance of either Report and specially assigned for Thursday, May 6.)

#### **Divided Report Tabled and Assigned**

Majority Report of the Committee on Retirements and Pensions reporting "Ought to pass" on Bill "An Act relating to Rules Regarding Retirement of Teachers" (H. P. 758) (L. D. 995)

Report was signed by the following members:

Mrs.     CHISHOLM  
                    of Cumberland

Mr.     BOISVERT  
                    of Androscoggin

Mrs.     SPROUL of Lincoln  
                    — of the Senate.

Messrs. HUNTER of Clinton  
           DROUIN of Auburn  
           GLAZIER of Bangor  
           LANG of Belfast  
           BUCK of Southport  
                    — of the House.

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

Report was signed by the following members:

Mrs.     CARSWELL of Portland  
Mr.     GAUDREAU of Lewiston  
                    — of the House.

Reports were read.

(On motion of Mr. Cottrell of Portland, tabled pending acceptance of either Report and specially assigned for Tuesday, May 4.)

The SPEAKER: At this time the Chair would recognize in the balcony of the House 25 students of the Maine History Class of the eighth Grade at Anson Elementary School, accompanied by their Principal, Mr. Kenneth Taylor. They are the guests of the gentleman from Solon, Mr. Faucher.

On behalf of the House, the Chair welcomes this group and we

hope that you will enjoy your visit and we hope it will be both educational and enjoyable. (Applause)

### **Passed to Be Engrossed**

Bill "An Act Eliminating Residence Requirements in Public Assistance" (S. P. 227) (L. D. 686)

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

The Chair recognizes the gentleman from East Millinocket, Mr. Birt.

Mr. BIRT: Mr. Speaker and Ladies and Gentlemen of the House: This L. D. has been around for several sessions and in 1961 it was referred to the Research Committee and they made an investigation of it and I would like to read a few remarks from their report.

During the regular session of the 100th Legislature in 1961, legislation was introduced to abolish the one year resident requirement for each of four programs. The bill was indefinitely postponed and the matter was assigned to this Committee for further study. Basically, the opposition to the elimination of resident requirement is that it will open the gate to greatly increased claims for assistance by indigent persons attracted from other states. It should be noted that there has been no relaxation in the resident requirement in other states, and at the present time there are forty-one states that have a one year resident requirement. One state has a six months resident requirement and eight states do not have any durational resident requirement, but of those eight states, two of them are Alaska and Hawaii which are not contiguous to the mainland of the United States.

Now, two years ago this same bill was in the Legislature and it came out of the Welfare Committee unanimous "ought not to pass." At that time the hearing on the bill, the Maine Municipal Association appeared in opposition and an item in the paper a couple of days before the hearing on this stated the Maine Association of Welfare Directors also opposed this bill.

In further looking into some of the comments that were made at that time, the State of Illinois had run into this problem and had decided to eliminate the resident requirement and immediately afterward they had a flood of people move in with dependent children and inside of a year's time it cost the State of Illinois eight million dollars. And they presently, this was two years ago, presently are putting a law on the books with a good deal more teeth than the present law.

I am afraid that if the State of Maine were to remove the one year resident requirement that they might be very apt to get into the same situation and I would consequently move the indefinite postponement of this bill.

The SPEAKER: The question before the House now is on the motion of the gentleman from East Millinocket, Mr. Birt, that this bill and its accompanying papers be indefinitely postponed and the Chair recognizes the gentleman from Madawaska, Mr. Levesque.

Mr. LEVESQUE: Mr. Speaker and Ladies and Gentlemen of the House: This document has been around or a similar document has been around for a good many years and it has been around for so many years that I think probably the present governor of this state in his inaugural address has made it a part of his duties to inform the Legislature that this is one part that he would like to see revised in our state so that the Department of Health and Welfare could better administer the programs that they are now covering. I think it behooves us here in the Legislature to make some changes in this resident law that we now have on that it makes it expensive to administer because of all the details that the department has to go into. I think the department has signified that they would actually save money by eliminating this residency and all the forms that they have to in order to eliminate somebody that has been in and out of the state, back and forth. So, I think the majority of the House this morning should vote against the motion

of the gentleman from Millinocket, Mr. Birt.

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

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

Mr. STORM: Mr. Speaker, Members of the House: It has truly been said that this bill has been before us for a number of terms. In the 98th session, I believe it was, up until then the resident requirement had been for three years. This same bill to eliminate that entirely was before the Welfare Committee of which I was a member at that time. We amended it in committee to its present form of requiring the one year residence and that has worked very well for quite a number of years now, and I agree that we ought to keep it there. We don't want to open the gates here and make the State of Maine a haven for indigent people moving in.

The SPEAKER: The Chair recognizes the gentleman from Rumford, Mr. Fraser.

Mr. FRASER: Mr. Speaker, Members of the House: As a member of that committee, when we first heard this bill, we heard comments both from the state department and also the various municipal officers. I was in doubt at the time and voted against it. It came out at first six to four "ought not to pass". It later was recommitted. In the meantime I took the matter home and consulted with our town manager and local officials. They said it was a good bill and that I should vote for it. So, I came back and changed my vote to "ought to pass". I think that if town officials want it, it ought to be alright. I am voting for it.

Mr. Levesque of Madawaska requested a division.

The SPEAKER: The gentleman from Madawaska, Mr. Levesque, requests a division. The question before the House is on the motion of the gentleman from East Mil-

linocket, Mr. Birt, that this bill and its accompanying papers be indefinitely postponed. The gentleman from Madawaska, Mr. Levesque, has requested a division. All those in favor of this bill and its accompanying papers being indefinitely postponed will kindly rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

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

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

Bill "An Act relating to Ricker College" (S. P. 482) (L. D. 1442)

Bill "An Act relating to Ricker Classical Institute" (S. P. 511) (L. D. 1482)

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

### Third Reader Tabled and Assigned

Bill "An Act relating to Appointment and Duties of Fire Department Officers as Forest Fire Wardens" (H. P. 105) (L. D. 113)

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

(On motion of Mr. Hammond of Paris, tabled pending passage to be engrossed and specially assigned for Friday, April 30.)

### Third Reader Amended

Bill "An Act Permitting the Establishment of Private Shooting Preserves" (H. P. 491) (L. D. 644)

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

Mr. Millay of Bowdoinham offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to H. P. 491, L. D. 644, Bill, "An

Act Permitting the Establishment of Private Shooting Preserves."

Amend said Bill, in the Title, by striking out the word "Private" and inserting in place thereof the word 'Commercial'

Further amend said Bill by striking out all of the 5th line and inserting in place thereof the following: **'COMMERCIAL SHOOTING PRESERVES'**

Further amend said Bill, in that part designated "Sec. 2471", by striking out in the 2nd line the underlined word "private" and inserting in place thereof the underlined word 'commercial'

Further amend said Bill, in that part designated "Sec. 2472", by inserting before the underlined figure "1%" the underlined figure and word '1/10th of'

Further amend said Bill, in that part designated "Sec. 2481" by striking out in the last line the underlined words "Game Protection Fund" and inserting in place thereof the underlined words 'Department of Inland Fisheries and Game'

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

### Third Reader Amended

Bill "An Act Authorizing Public Utilities Commission to require the Interchange of Electric Energy" (H. P. 846) (L. D. 1147)

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

Mr. Erwin of York offered House Amendment "A" and moved its adoption.

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

**HOUSE AMENDMENT "A" to H. P. 846, L. D. 1147, Bill, "An Act Authorizing Public Utilities Commission to Require the Interchange of Electric Energy."**

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

**"The Public Utilities Commission, in the interest of public convenience and necessity, is empowered to order any company**

**which is municipally, cooperatively or privately owned and which is principally engaged in the manufacture, transmission, distribution or sale of electricity directly to the public or to be used ultimately by the public for lighting, heating or power to temporarily transport electric energy over its transmission or distribution facilities at a reasonable charge and in such manner as the commission shall direct when such transmission will alleviate an electric power shortage within this State which exists by reason of an emergency. Whenever the commission, upon its own motion or upon application of any such company, after due notice to all interested parties and an opportunity for a hearing, makes findings based upon substantial evidence that an emergency exists and that such action is necessary and appropriate in the public interest, which action is not detrimental to the interests of investors and consumers, it may by order direct such company to establish physical connection of its transmission or distribution facilities with the facilities of one or more other such company to sell energy to, to exchange energy with, to transmit or distribute energy for any other such company or companies for a temporary period provided that the commission shall have no authority to compel any such company to sell, exchange, transmit or distribute energy when to do so would impair its ability to render adequate service to its customers or would require it to enlarge its generating facilities for such purposes. The commission may prescribe the terms and conditions of the arrangement to be made between the companies affected by any such order, including the compensation or reimbursement reasonably due to any of them, and in the case of a new physical connection, the apportionment of costs between them or among them provided that a company making application for or receiving the benefit of a connection which will inure to its sole benefit shall assume the entire cost of such connection.'"**

House Amendment "A" was adopted, the Bill passed to be en-

grossed as amended and sent to the Senate.

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

Resolve Appropriating Moneys for Location of Vocational Educational Institute in Kennebec County (H. P. 1097) (L. D. 1494)

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

(On motion of Mr. Roy of Winslow, tabled pending passage to be engrossed and specially assigned for Tuesday, May 4.)

### **Amended Bills**

Bill "An Act Authorizing Public Utilities Commission to Revoke Dormant Truck Permits" (S. P. 323) (L. D. 1020)

Bill "An Act Increasing Salary of Reporter of Decisions" (S. P. 328) (L. D. 1050)

Bill "An Act Increasing Salaries of Clerks of the Law Court" (S. P. 329) (L. D. 1051)

Bill "An Act relating to Compensation of and Per Diem Fees of Deputy Sheriffs" (H. P. 261) (L. D. 331)

Bill "An Act Increasing Salary of Commissioner of Inland Fisheries and Game" (H. P. 628) (L. D. 835)

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

### **Amendment Indefinitely Postponed**

Bill "An Act Increasing Certain Fees to Town Clerks" (H. P. 869) (L. D. 1166)

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

On motion of Mr. Katz of Augusta, the House voted to reconsider its action of April 27 whereby Committee Amendment "A" was adopted.

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

Mr. KATZ: Mr. Speaker, I now move the indefinite postponement

of Committee Amendment "A" and would like to speak to the motion.

This bill is an attempt to raise certain fees paid to the city clerks and the town clerks for registering certain legal documents, and actually it is an attempt to make these services self-sustaining. It raises, for example, one fee from fifty cents to a dollar; another one from a dollar to two dollars, and I think the bill as originally drawn bears merit. The Committee Amendment "A" was a downgrading of the proposed increases. I think the bill as it originally stands is a good one, and I would hope that you would go along with the indefinite postponement of Committee Amendment "A".

The SPEAKER: The question before the House is the motion of the gentleman from Augusta, Mr. Katz, that Committee Amendment "A" be indefinitely postponed. All those in favor of the indefinite postponement of Committee Amendment "A" will say aye; those opposed, no.

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

Eighty-three having voted in the affirmative and twenty-three having voted in the negative, the motion did prevail.

Thereupon, the Bill was passed to be engrossed without amendment and sent to the Senate.

Bill "An Act Establishing Clerk of Courts in Androscoggin County as Full-Time" (H. P. 939) (L. D. 1275)

Bill "An Act Permitting Municipalities to Designate Historic Areas" (H. P. 1008) (L. D. 1340)

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

### **Passed to Be Enacted**

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

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

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

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

**Enactor Amended  
Passed to Be Engrossed**

An Act Providing for Election of School Board of City of Old Town (H. P. 506) (L. D. 659)

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

On motion of Mr. Binnette of Old Town, the House voted to suspend the rules and to reconsider its action of March 9 whereby the Bill was passed to be engrossed.

On further motion of the same gentleman, the House voted to suspend the rules and to reconsider its action of March 5 whereby Committee Amendment "A" was adopted.

On motion of Mr. Binnette of Old Town, Committee Amendment "A" was indefinitely postponed.

Whereupon, the same gentleman offered House Amendment "A" and moved its adoption.

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

**HOUSE AMENDMENT "A"** to H. P. 506, L. D. 659, Bill, "An Act Providing for Election of School Board of City of Old Town."

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

**"Sec. 1. P. & S. L., 1945, c. 49, Art. IV, §3, amended.** Section 3 of Article IV of chapter 49 of the private and special laws of 1945 is amended by adding after the 2nd sentence, a new sentence, as follows: **'The petition of a candidate for the school board shall be signed by not less than 25 nor more than 100 qualified voters of the ward wherein the candidate is to be elected, of if a candidate at large, the petition shall be**

**signed by not less than 25 nor more than 100 qualified voters of the city.'**

**Sec. 2. P. & S. L., 1945, c. 49, Art. VI, §1, repealed and replaced.** Section 1 of Article VI of chapter 49 of the private and special laws of 1945 is repealed and the following enacted in place thereof:

**'Sec. 1. Composition, election, tenure of office.** The school board shall consist of 7 members. One shall be elected at large by the registered voters of the entire city. One shall be elected from each of the 6 wards by the voters of the ward.

**They shall hold office for a term of 3 years and until their successors are elected and qualified with the following exceptions:** At the first election after the effective date of this Act the 2 members from wards receiving the largest number of votes shall serve for 3 years, the 2 members from wards receiving the next largest number of votes shall serve for 2 years and the 2 members from wards receiving the smallest number of votes shall serve for one year. If for any reason a vacancy shall exist in the membership of the school board, the vacancy shall be filled forthwith by appointment by the city council for the unexpired term.'

**Referendum; effective date.** This Act shall take effect 90 days after adjournment of the Legislature, only for the purpose of permitting its submission to the legal voters of the City of Old Town at the next regular city election or at a special election to be called and held for the purpose. Such special election shall be called, advertised and conducted according to the law relating to municipal elections; provided that the board of registration in said City of Old Town shall not be required to prepare, nor the city clerk to post, a new list of voters.

The city clerk shall prepare the required ballots, on which he shall reduce the subject matter of this Act to the following question: "Shall the Act Providing

for election of School Board of City of Old Town, passed by the 102nd Legislature, be accepted?" The voters shall indicate by a cross or check mark placed against the words "Yes" or "No" their opinion of the same.

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

The result of such election shall be declared by the municipal officers of the City of Old Town and due certificate thereof shall be filed by the city clerk with the Secretary of State."

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

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An Act Amending the Charter of the City of Augusta (H. P. 516) (L. D. 669)

An Act relating to Marking of Body Capacity of Vehicles Transporting Certain Materials (H. P. 1035) (L. D. 107)

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

#### Orders of the Day

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

Thereupon, Mr. Levesque assumed the Chair as Speaker pro tem amid the applause of the House and Speaker Childs retired from the Hall.

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

SENATE DIVIDED REPORT—Report "A" — "Ought to pass" as Amended by Committee Amendment "A" — Report "B"—"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 23, by Mr. Anderson of Ellsworth.

Pending — Motion of Mr. Anderson of Ellsworth to accept Report "B" "Ought not to pass." (In Senate, Report A accepted)

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

Mr. ANDERSON: Mr. Speaker, I now withdraw my motion whereby I moved acceptance of Report "B" "ought not to pass."

The SPEAKER pro tem: The gentleman from Ellsworth, Mr. Anderson, withdraws his motion. The gentleman may proceed.

Mr. ANDERSON: Mr. Speaker, I now move indefinite postponement of both reports and accompanying papers and would speak to the motion.

The SPEAKER pro tem: The gentleman from Ellsworth, Mr. Anderson, now moves that the reports be indefinitely postponed. The gentleman may proceed.

Mr. ANDERSON: Mr. Speaker, Ladies and Gentlemen of the House: Relating to this bill, placing a bounty on foxes, it would almost seem that just a very few of the Aroostook County Delegation are intent on pushing the Inland Fisheries and Game Department off the dedicated revenue basis. The Department suffered a severe economic blow a few days ago when the bill relating to aliens was passed after having previously been postponed, but thanks to Mr. Martin yesterday this has been resolved to the satisfaction of all parties.

I have the highest respect for the gentleman from Eagle Lake, Mr. Martin, both as a person and as a Legislator. I only wish we could have more young men of his calibre who would interest themselves in the political field.



There has been a bill in for Sunday hunting on deer in a section of Aroostook County which failed passage. There has been a bill in to increase the bounty on bobcats by a member of the Aroostook delegation. There is a bill coming in for open season on moose in Aroostook County, and now along comes a bill for a four dollar bounty on foxes in that county.

These legislators seem to be thinking only of their own particular section and not of the welfare of the whole state. This bill to pay a four dollar bounty on foxes would certainly cripple the Fish and Game Department. The Department would not only be financing the killing of foxes in the northern section of the state, but all over the state, and also the bordering section of Canada. Canadians would simply bring the pelts across the border to their state-side friends and they would split the bonus. The total bounty paid on porcupine by the Agricultural Department at fifty cents each from July 1, 1963 to June 30, 1964 was eleven thousand seventy-five dollars and fifty cents. In comparison can you visualize the staggering amount the department would pay for bounty on foxes at four dollars per head? The only bounty that I believe in is the bounty on bobcats. I know from seeing with my own eyes that they take a heavy toll on our deer herd. I would never go along with an increase in this bounty. Fifteen dollars, in my humble opinion, is incentive enough for bobcat hunters to go after them. I wonder how many of you know that the bobcat, outside of the bear, is the only animal in our Maine woods that has no predator.

Mr. Speaker, ladies and gentlemen, thanks for your indulgence and Mr. Speaker, when the vote is taken I move it be taken by division.

The SPEAKER pro tem: The motion before the House now is that both reports be indefinitely postponed and the gentleman from Ellsworth, Mr. Anderson, has requested a division.

The Chair recognizes the gentleman from Camden, Mr. Haynes.

Mr. HAYNES: Mr. Speaker, Members of the House: I would like to rise in support of my friend, Mr. Anderson of Ellsworth. Bounties are a relic of the dark ages, buffalo hide hunters and Wyatt Earp. We might not realize, but in Maine here back before the 1700's we had a bounty on male Indians of age over sixteen. For the bright new age of twenty-year voters I think that we ought to modernize our thinking in regard to bounties. Game management officials of the modern age throughout the United States and Canada are united in condemning bounties as outmoded, inefficient and simply a drain on the taxpayers for the financial benefit of a small group of bounty hunters.

The Inland Fish and Game operates with its own funds derived from fishing and hunting license fees. Due to rising costs we now have 1362 L. D. which will raise the fees of all fishing and hunting licenses. As bounties must be paid from the same source, this fox bounty will only drain the money from the fees and this will merely be to subsidize a small group of bounty hunters at the expense of the sportsman and the rest of the state.

The SPEAKER pro tem: The Chair will interrupt for the purpose of recognizing fifty-five pupils of the Saint Louis School of Auburn, accompanied by their teachers Sister Marie Bienvenu, Sister Marie Therese-de-l'Enfant Jesus. Among this group of pupils who participated in extra curricular activities are the following: Elaine Bussiere, runner-up in Civic Oration Contest sponsored by Modern Woodmen of America; Lucille Dupuis, Spelling Bee City Champion sponsored by Portland Sunday Telegram; Philippe Dupont, has been presented a certificate of award from the Humane Association for "Animals in Art" Poster Contest, and Paul Potvin of the seventh grade who won first award trophy in Civics Oration Contest.

This group are the guests of the gentleman from Auburn, Mr. La-

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

The SPEAKER pro tem: The motion before the House is the motion of the gentleman from Ellsworth, Mr. Anderson, that we indefinitely postpone both Reports and the Bill and has requested a division. All those in favor of the motion of the gentleman from Ellsworth, Mr. Anderson will, kindly rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

One hundred seventeen having voted in the affirmative, and four having voted in the negative, the Reports and Bill were indefinitely postponed in non-concurrence and sent up for concurrence.

The Chair laid before the House the second 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 23, by Mr. Fortier of Waterville.

Pending—Acceptance.

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

Mr. SAHAGIAN: Mr. Speaker, I move for indefinite postponement of L. D. 1334 and all its accompanying papers, and I wish to speak on the motion briefly.

The SPEAKER pro tem: The gentleman from Belgrade, Mr. Sahagian, now moves that the bill and all its accompanying papers be indefinitely postponed. The gentleman may proceed.

Mr. SAHAGIAN: Mr. Speaker, Ladies and Gentlemen of the House: I rise today to offer a few words on L. D. 1334 and amendment Filing 178. This bill and amendment I believe are an invasion of constitutional rights. Do you realize that the bill and amendment actually forbids a businessman from conducting his

own business the way he sees it fit, and further, actually forbids you and I or any consumer from buying merchandise at a price agreed upon by the parties involved? Ladies and gentlemen, we cannot afford a bill such as this. It stifles free enterprise and our constitutional rights, I believe. Thank you.

The SPEAKER pro tem: The Chair recognizes the gentleman from China, Mr. Farrington.

Mr. FARRINGTON: Mr. Speaker, Ladies and Gentlemen of the House: I have no great objections to this bill except that I think it is ambiguous, intolerable, incompatible, unorthodox, atrocious, conflicting, undemocratic, unfair, unsound, unworthy, uncalled for and unnecessary. Now I would think no more of it if we had a bill before us to disallow erasers on pencils. I support the prevailing motion. I ask for a division.

The SPEAKER pro tem: The gentleman from China, Mr. Farrington, requests a division.

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

Mr. FECTEAU: Mr. Speaker, Members of the House: As the sponsor of the bill, at least, I should be able to give my reasons for putting in such a bill. I have been in the retail business for twenty-three years. I am not afraid of competition, but I want fair competition. I have been noticing in the last five or six years where some of these outlets are advertising different items and I think some of you members must have experienced the same way that I have experienced it. You read the ads and the following morning you try to avail yourself of these certain items and you cannot. I agree that a man should run his own business the way he sees fit, but when he takes the advertising industry to run his business the false way, I think it is about time that we should do something about it.

Lots of times I have been going myself to some of these places, furniture businesses, grocery places, linoleum places where they advertise these things and they are not available. Now, they are going

to tell me they can't make a clearing sale. Now this bill, the fair sales bill, reads as follows on number 1203: A clearance sale where merchandise is sold in bona fide clearance sales, if advertised so. Now, why don't they do these things. If they only have one item to sell, why don't they put on the paper as one item for sale? Then if they have a thousand, then we won't be traveling miles and miles for nothing. If there is only one to be had, then it's up to the person if he wants to go for nothing.

I ask the people of the House to vote with me on this bill.

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

Mr. BERNARD: Mr. Speaker, Members of the House: I think it may be well to look at the previous speaker from South China who owns, as I understand it, a department store. We have been in the IGA for the last forty years. I think Representative Harriman will bear me out, when the IGA advertises turkeys at thirty-nine cents a pound, you can buy turkeys at thirty-nine cents a pound. Now, this item that Mr. Fecteau is talking about is a practice that is being put on at the present time in York County. Now, I don't know if you are having the same difficulty in your county, but last week in York County, potatoes were advertised at a dollar ninety cents for a hundred pounds! Now, I know that you people in the House know that this is impossible. Now, we went into that store at nine o'clock in the morning. We are sorry sir, we ran out of potatoes. Last Friday morning, we had another large grocery chain that advertised lobsters at fifty-nine cents a pound! Ladies and gentlemen, lobsters are wholesaling at a dollar forty cents a pound.

Now, we know that they can't distribute these products that they are advertising and this is what this bill does. Stop them. It doesn't say if they have any products on hand that they cannot mark them down. This bill only asks that these people show proof that if they are going to advertise lobsters at forty-nine cents a pound that they show

that they have bought lobsters, not just advertising them.

Now some of the fellows out in the lobby are spreading unfair statements about this law knowing well that it is not true. They seem to fail to want to read the original laws on the books now that makes several exceptions. From what I have already heard from these boys, every one of their arguments have been covered by the law by statutory exceptions. In other words, the new no-limit law would not affect any merchant who wants to discontinue a line, have a clearance sale, an isolated transaction, perishable merchandise, liquidation sale, sales to charitable or relief agencies, sales to the state or its political sub-divisions when the price is made in good faith to meet competition or sales made under direction of the court.

Gentlemen, this is one of the most fairest bills that ever came before this House. These people are falsely advertising seven days and seven nights a week. They don't have the product. They are just trying to get the people in their stores. I would like to see a division when this vote is taken and I hope that you people realize and over the weekend go into these stores and see if you can purchase these items that they are trying to advertise.

The SPEAKER pro tem: The Chair recognizes the gentlewoman from Bangor, Mrs. Ruby.

Mrs. RUBY: Mr. Speaker and Ladies and Gentlemen of the House: I agree somewhat in part with the remarks of the gentleman from Saco, Mr. Bedard, and I do sympathize with Mr. Fecteau. However, I do not think this bill is saying what he wants it to say. And in fairness to him and so that he will know that I do have some feeling for his bill and for him, I would like to move that this be tabled for one week with the hope of coming up with an amendment that will say what he wants it to say.

The SPEAKER pro tem: The question before the House now is on the motion of the gentlewoman from Bangor, Mrs. Ruby that this item lie upon the table for one week.

The Chair recognizes the gentleman from Sanford, Mr. Bernard. Mr. BERNARD: Mr. Speaker, I move that this item be tabled for one week.

Mr. Farrington of China requested a division.

The SPEAKER pro tem: The gentleman from Sanford, Mr. Bernard has moved that this lie upon the table for one week and the gentleman from China, Mr. Farrington, has requested a division.

All those in favor of this bill lying upon the table for one week will rise and remain standing until the monitors have made and returned the count, pending the motion of the gentleman from Belgrade, Mr. Sahagian, that this bill be indefinitely postponed.

A division of the House was had.

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

The Chair laid before the House the third 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 23, by Mr. Richardson of Cumberland.

Pending—Motion of Mr. Beane of Moscow to accept "Ought not to pass" Report.

On motion of Mr. Richardson of Cumberland, retabled pending the motion of Mr. Beane of Moscow, and specially assigned for Friday, May 7.

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

Resolve, Proposing an Amendment to the Constitution Providing for Annual Legislative Sessions. (S. P. 44) (L. D. 215) (C. "A" S-68)

Tabled—April 9, by Mr. Ross of Bath.

Pending—Final Passage.

On motion of Mr. Richardson of Cumberland, retabled pending final passage and specially assigned for Tuesday, May 4.

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

HOUSE REPORT—"Ought not to pass"—Committee on Appropriations and Financial Affairs on Bill, "An Act Repealing the Law Requiring Assessment of Municipalities in Aid to Dependent Children Grants." (H. P. 445) (L. D. 599)

Tabled—April 22, by Mr. Levesque of Madawaska.

Pending—Acceptance.

On motion of Mr. Bragdon of Perham, retabled pending acceptance of the Committee Report and specially assigned for Tuesday, May 4.

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

Bill, "An Act relating to Conveyance of Secondary School Pupils." (H. P. 465) (L. D. 619)

Tabled—April 22, by Mr. Dickinson of Mars Hill.

Pending — Passage to be Engrossed.

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

Mr. DICKINSON: Mr. Speaker, Ladies and Gentlemen of the House: It is my belief that this bill would work considerable hardship on some of the towns transporting students to a number of schools.

Since tabling the bill, I have had an opportunity to check with representatives of some of those towns and confirm that belief. I know that those representatives can shed a lot more light on their own situations than I. However, I would like to move for the indefinite postponement of this bill.

The SPEAKER pro tem: The gentleman from Mars Hill, Mr. Dickinson, now moves that this bill be indefinitely postponed.

On motion of Mr. Evans of Freedom, tabled pending the motion of Mr. Dickinson of Mars Hill, and specially assigned for Wednesday, May 5.

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

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 23, by Mr. Cote of Lewiston.

Pending—Motion of Mr. Dickinson of Mars Hill to Indefinitely Postpone House Amendment "A".

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

Mr. Binnette of Old Town requested a division.

The SPEAKER pro tem: A division has been requested. The Chair recognizes the gentleman from Mars Hill, Mr. Dickinson.

Mr. DICKINSON: Mr. Speaker and Members of the House: When we last considered this item, I mentioned the reasons for indefinite postponement as being that this amendment throws an entirely different complexion on the L. D. which the Committee on Election Laws considered. That was the reason for my motion to indefinitely postpone.

The SPEAKER pro tem: The question before the House is the motion of the gentleman from Mars Hill, Mr. Dickinson, that House Amendment "A" be indefinitely postponed. A division has been requested. All those in favor of the indefinite postponement of House Amendment "A" will kindly rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

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

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

At this point, Speaker Childs returned to the rostrum.

SPEAKER CHILDS: The Chair thanks the gentleman from Madawaska, Mr. Levesque, for acting as Speaker pro tem and for the fine job that he did.

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

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

HOUSE REPORT — "Ought not to pass" — Committee on Towns and Counties on Bill, "An Act Creating a Second Assistant County Attorney for Androscoggin County." (H. P. 867) (L. D. 1164)

Tabled — April 27, by Mr. Drigotas of Auburn.

Pending — Acceptance.

The SPEAKER: The Chair recognizes the gentleman from Auburn, Mr. Drigotas.

Mr. DRIGOTAS: Mr. Speaker and Members of the House: As the sponsor of this L. D. 1164, I am deeply disappointed of course in the Committee's Report "Ought not to pass" on this bill. I tabled this yesterday so that I could inform the County Attorney of Androscoggin County, Mr. Laurier Raymond, of the Committee's Report.

Naturally, he too was deeply disappointed. However, this hard-working, conscientious barrister took the news graciously. I will say this, I think that the Committee erred in its report, not knowing perhaps the circumstances and the burden that this office of his now is subjected to because of this new court reapportionment. And perhaps in defense of the Committee, they weren't fully aware of all these facts, but, however, he said if this is the committee's report, he will accept it. I don't know, I just wonder if perhaps there shouldn't be a Committee of Conference on this, so that they could reconsider.

The SPEAKER: The gentleman is making a parliamentary in-

quiry. We are now discussing the acceptance of a committee report, and the only way there would be a committee of conference is if the other branch ended up not accepting the committee report, and substituting the bill for the report. Does the gentleman now desire to substitute the bill for the report?

Mr. DRIGOTAS: Mr. Speaker, in deference to what Mr. Raymond the County Attorney said, he will accept the Committee Report.

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

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

Bill, "An Act relating to Powers of Board of Trustees of Maine Maritime Academy." (H. P. 221) (L. D. 1173) (C. "A" H-221) (L. "B" H-239)

Tabled—April 27, by Mr. Levesque of Madawaska.

Pending—Motion of Mr. Jalbert of Lewiston to Indefinitely Postpone House Amendment "B."

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

Mr. JALBERT: Mr. Speaker and Members of the House: I have spoken to all of the parties involved in this, and we have agreed that we would meet and straighten out this situation, so I would now ask some member to retable this bill until a week from Tuesday.

Thereupon, on motion of Mr. Levesque of Madawaska, the Bill was tabled pending the motion of Mr. Jalbert of Lewiston to indefinitely postpone House Amendment "B" and specially assigned for Tuesday, May 11.

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On motion of Mr. Levesque of Madawaska,

Adjourned until nine o'clock tomorrow morning.