

# MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Fifth*

*Legislature*

OF THE

STATE OF MAINE

1971

KENNEBEC JOURNAL  
AUGUSTA, MAINE

**HOUSE**

Tuesday, March 9, 1971

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

Prayer by the Rev. Dr. Richard H. Petersen of Portland.

The members stood at attention during the playing of the National Anthem by the Winthrop High School Band.

The journal of the previous session was read and approved.

**Order Out of Order**

Mrs. White of Guilford presented the following Order and moved its passage:

ORDERED, that Kathy Post of Westbrook and Anna Berry of Buxton be appointed to serve as Honorary Pages for today.

The Order was received out of order by unanimous consent, read and passed.

**Papers from the Senate Tabled and Assigned**

From the Senate: The following Order:

ORDERED, the House concurring, that notwithstanding Joint Rule 8, bills and resolves now in the office of the Director of Legislative Research shall be introduced in complete final form in the appropriate house not later than 1 p.m. on Tuesday, March 16, 1971 (S. P. 422)

Came from the Senate read and passed.

In the House, the Order was read.

Mr. Porter of Lincoln offered House Amendment "A" and moved its adoption.

House Amendment "A" (H-41) was read by the Clerk.

(On motion of Mr. Scott of Wilton, tabled pending the adoption of House Amendment "A" and tomorrow assigned.)

Bills from the Senate requiring reference were disposed of in concurrence.

**Reports of Committees Ought to Pass with Committee Amendment**

Report of the Committee on Judiciary on Bill "An Act to

Clarify Certain Forestry Laws" (S. P. 112) (L. D. 291) reporting "Ought to pass" as amended by Committee Amendment "A" (S-22) submitted therewith.

Report of the Committee on Taxation on Bill "An Act to Repeal Tax Exemption for Planting and Cultivating Forest Trees" (S. P. 67) (L. D. 132) reporting "Ought to pass" as amended by Committee Amendment "A" (S-21) submitted therewith.

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

In the House, the Reports were read and accepted in concurrence and the Bills read twice. Committee Amendment "A" to each was read by the Clerk and adopted in concurrence, and tomorrow assigned for third reading of the Bills.

**Petitions, Bills and Resolves Requiring Reference**

The following Bills and Resolves were received and, upon recommendation of the Committee on Reference of Bills, were referred to the following Committees:

**Appropriations and Financial Affairs**

Bill "An Act Providing for a Study to Determine Liquor Costs of the Liquor Business in Maine" (H. P. 1007) (Presented by Mrs. Berry of Madison)

Bill "An Act Appropriating Moneys to Supplement Loans by Maine School Building Authority" (H. P. 1008) (Presented by Mr. Clark of Jefferson)

Bill "An Act to Appropriate Money for Repairs to Existing School Buildings" (H. P. 1009) (Presented by Mr. Dam of Skowhegan)

Bill "An Act Appropriating Funds to Provide for Night Pay Differentials for State Employees" (H. P. 1010) (Presented by Mrs. Doyle of Bangor)

Bill "An Act Appropriating Money for the New England Medical Center Hospitals" (H. P. 1011) (Presented by Mrs. Goodwin of Bath)

Bill "An Act relating to Funeral Expenses of Recipients of Public Assistance" (H. P. 1012) (Presented by Mr. Wight of Presque Isle)

(Ordered Printed)

Sent up for concurrence.

#### **Business Legislation**

Bill "An Act relating to Contracts Made by Real Estate Brokers and Salesmen" (H. P. 1013) (Presented by Mr. Bustin of Augusta)

Bill "An Act to Establish a Bank Holding Company Act" (H. P. 1014) (Presented by Mr. Carey of Waterville)

Bill "An Act Revising the Laws Relating to Savings and Loan Associations" (H. P. 1015) (Presented by Mr. Hewes of Cape Elizabeth)

(Ordered Printed)

Sent up for concurrence.

#### **Education**

Bill "An Act Providing Funds for Elementary School Guidance Counsellors" (H. P. 1016) (Presented by Mr. Murray of Bangor)

(Ordered Printed)

Sent up for concurrence.

#### **Fisheries and Wildlife**

Bill "An Act to Increase the Fees for Issuing Fish and Game Licenses" (H. P. 1017) (Presented by Mr. Dam of Skowhegan)

Bill "An Act to Regulate Otter and Beam Trawls" (H. P. 1018) (Presented by Mr. Hewes of Cape Elizabeth)

(Ordered Printed)

Sent up for concurrence.

#### **Health and Institutional Services**

Bill "An Act relating to Use of Hypodermic Syringes" (H. P. 1019) (Presented by Mr. Gill of South Portland)

Bill "An Act to Provide for Temporary and Conditional Licenses for Boarding Homes and Day Care Facilities" (H. P. 1020) (Presented by Mr. Tyndale of Kennebunkport)

Bill "An Act relating to Eradication of Lead Poisoning" (H. P. 1021) (Presented by Mr. Whitson of Portland)

Bill "An Act Regulating the Sale and Use of Lead Base Paint and Building Materials" (H. P. 1022) (Presented by same gentleman)

(Ordered Printed)

Sent up for concurrence.

#### **Judiciary**

Bill "An Act relating to Privileged Communication between Registered Social Workers and Clients" (H. P. 1023) (Presented by Mr. Bustin of Augusta)

(Ordered Printed)

Sent up for concurrence.

#### **Tabled and Assigned**

Bill "An Act relating to Termination of Human Pregnancy by Medical Decision" (H. P. 1024) (Presented by Mrs. Doyle of Bangor)

(On motion of Mr. Carrier of Westbrook, tabled pending reference and specially assigned for Thursday, March 11.)

Bill "An Act relating to Railroad Police Officers" (H. P. 1025) (Presented by Mr. Hardy of Hope)

Bill "An Act to Provide for Forfeiture of Vehicles Used to Transport Gambling Apparatus, Burglar Tools, Lottery Tickets and Equipment Used to Counterfeit Money" (H. P. 1026) (Presented by same gentleman)

Bill "An Act Revising the Implied Consent Law for Operators of Motor Vehicles" (H. P. 1027) (Presented by Mr. Lund of Augusta)

Bill "An Act relating to Validation of Certain Instruments and Recording of Plats of Subdivisions of Land in Municipalities" (H. P. 1028) (Presented by Mr. Tyndale of Kennebunkport)

(Ordered Printed)

Sent up for concurrence.

#### **Labor**

Bill "An Act relating to Specific Periods of Total Incapacity for Certain Injuries under Workmen's Compensation Law" (H. P. 1029) (Presented by Mr. Good of Westfield)

Bill "An Act to Extend Period When Incapacity Results under Occupational Disease Law" (H. P. 1030) (Presented by same gentleman)

(Ordered Printed)  
Sent up for concurrence.

#### Legal Affairs

Bill "An Act to Set Reasonable Fees for Recording and Issuing Certain Documents" (H. P. 1031) (Presented by Mr. Gill of South Portland)

Resolve to Reimburse Donald H. Young of Portland for Damage to Property by Escapee from Boys Training Center (H. P. 1032) (Presented by Mrs. Kilroy of Portland)

(Ordered Printed)  
Sent up for concurrence.

#### Liquor Control

Bill "An Act to Permit the Sale of Beer on Sunday for Off-premises Consumption" (H. P. 1033) (Presented by Mr. Gill of South Portland)

(Ordered Printed)  
Sent up for concurrence.

#### Natural Resources

Bill "An Act Clarifying the Statute Relating to Realty Subdivisions" (H. P. 1034) (Presented by Mr. Simpson of Standish)

(Ordered Printed)  
Sent up for concurrence.

#### State Government

Bill "An Act to Authorize the Governor and Council to Transfer the Management or Ownership of Certain Land in Augusta" (H. P. 1035) (Presented by Mr. Bustin of Augusta)

(Ordered Printed)  
Sent up for concurrence.

#### Taxation

Bill "An Act relating to Reimbursement to Municipalities for Loss of Tax Revenue on Real Property Acquired by the State" (H. P. 1036) (Presented by Mr. Bustin of Augusta)

Bill "An Act relating to Property Taxation" (H. P. 1037) (Presented by Mr. Cottrell of Portland by request)

Bill "An Act relating to Tuition Payments to Accredited Schools as Income Tax Deductions" (H. P. 1038) (Presented by Mr. Hewes of Cape Elizabeth)

(Ordered Printed)  
Sent up for concurrence.

#### Veterans and Retirement

Bill "An Act relating to Retirement Contributions by State Police and Wardens of the Departments of Inland Fisheries and Game and Sea and Shore Fisheries" (H. P. 1039) (Presented by Mr. Lewin of Augusta)

Resolve Granting Retirement Benefit Credits to Philip Caminiti of Portland (H. P. 1040) (Presented by Mr. Cottrell of Portland)  
(Ordered Printed)  
Sent up for concurrence.

#### Orders

Mr. Shaw of Chelsea presented the following Joint Order and moved its passage:

WHEREAS, the Bulldogs of Hall-Dale High School have won the State Class C Basketball championship for the year 1971; and

WHEREAS, members of this championship team represent both the Town of Farmingdale and the City of Hallowell; now, therefore, be it

ORDERED, the Senate concurring, that the members of the 105th Maine Legislature commend this team and its coach, Gary Barrett, for their accomplishments in the field of sports and their undefeated record of 22 wins, and wish them continued success in their efforts to bring honor to their respective towns, school and state; and be it further

ORDERED, that a copy of this Joint Order be sent to the principal and coach of Hall - Dale High School. (H. P. 1044)

The Order was read and passed and sent up for concurrence.

Mr. Birt of East Millinocket presented the following Joint Order and moved its passage:

WHEREAS, the Wolverines of Schenck High School of East Millinocket have won the State Class B Basketball championship for the year 1971; and

WHEREAS, members of this championship team represent both the Towns of East Millinocket and Medway; now, therefore be it

ORDERED, the Senate concurring, that the members of the 105th Maine Legislature commend this team, its co - captains Mark

Rosebush and Michael Paoletti, its coach, Ronald Marks, for their accomplishments in the field of sports and wish them continued success in their efforts to bring honor to their respective towns, school and state; and be it further

ORDERED, that a copy of this Joint Order be sent to the principal and coach of Schenck High School. (H. P. 1045)

The Order was read and passed and sent up for concurrence.

On motion of Mr. Mosher of Gorham, it was

ORDERED, that Rev. Harrison Dubbs of Gorham be invited to officiate as Chaplain of the House on Tuesday, March 30, 1971.

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

Mr. Bunker from the Committee on Fisheries and Wildlife reported "Ought not to pass" on Bill "An Act relating to Possession of Trout" (H. P. 113) (L. D. 157)

Same gentleman from same Committee reported same on Resolve Regulating Fishing on Part of Moose River, Somerset County (H. P. 415) (L. D. 542)

Same gentleman from same Committee reported same on Resolve relating to Daily Bag Limit on Ponds Restricted to Fly Fishing Only (H. P. 297) (L. D. 397)

Mr. Curtis from the Committee on Legal Affairs reported same on Bill "An Act Providing for Regulating Water Well Construction and Pump Installation" (H. P. 119) (L. D. 163)

Mr. Hawken from the Committee on Liquor Control reported same on Bill "An Act relating to Payment for Sales of Malt Liquor or Table Wine in Retail Stores" (H. P. 497) (L. D. 638)

Mr. Marstaller from the Committee on State Government reported same on Bill "An Act relating to Immunity of State Officers and Employees from Personal Liability" (H. P. 47) (L. D. 80)

Mr. Drigotas from the Committee on Taxation reported same on Bill "An Act relating to Trade-in Credit for Woods Tractors and Skidders under Sales Tax Law" (H. P. 210) (L. D. 276)

Mr. Simpson from the Committee on Veterans and Retirement reported same on Bill "An Act Decreasing State Employees' Contribution to the Maine State Retirement System" (H. P. 513) (L. D. 658)

In accordance with Joint Rule 17-A, were placed in the legislative files and sent to the Senate.

#### Leave to Withdraw

Mr. Cote from the Committee on Legal Affairs on Bill "An Act relating to Operation of Snowmobiles During Nighttime in Municipalities" (H. P. 352) (L. D. 461) reported Leave to Withdraw.

Mr. Slane from the Committee on Liquor Control reported same on Bill "An Act relating to Sale of Wine in Retail Stores" (H. P. 357) (L. D. 465)

Same gentleman from same Committee reported same on Bill "An Act to Remove Inconsistency in Age of Check-out Personnel in Retail Stores under Liquor Laws" (H. P. 536) (L. D. 709)

Reports were read and accepted and sent up for concurrence.

#### Referred to Committee on Judiciary

Mr. Smith from the Committee on Legal Affairs on Bill "An Act relating to Trespass on Lands Abutting Great Ponds" (H. P. 573) (L. D. 749) reported that it be referred to the Committee on Judiciary.

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

#### Referred to Committee on Labor

Mrs. Lincoln from the Committee on Veterans and Retirement on Bill "An Act relating to Injury or Incapacity of Wardens of the Departments of Inland Fisheries and Game and Sea and Shore Fisheries" (H. P. 444) (L. D. 578) reported that it be referred to the Committee on Labor.

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

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

Mr. Hodgdon from the Committee on State Government on Resolution Proposing an Amendment to the Constitution Raising the Municipal Debt Limit from Seven and One-half to Fifteen Percent (H. P. 83) (L. D. 123) reported same in a new draft (H. P. 1041) (L. D. 1099) under title of "Resolution Proposing an Amendment to the Constitution Providing for Regulation of Municipal Borrowing by the Legislature" and that it "Ought to pass"

Mr. Starbird from same Committee on Bill "An Act relating to Acquisition of Land for National Forests" (H. P. 137) (L. D. 192) reported same in a new draft (H. P. 1042) (L. D. 1100) under same title and that it "Ought to pass"

Mr. McNally from the Committee on Transportation on Bill "An Act Providing Additional Driver License Examiners in the Division of Motor Vehicles" (H. P. 371) (L. D. 477) reported same in a new draft (H. P. 1043) (L. D. 1101) under same title and that it "Ought to pass"

Reports were read and accepted, the New Drafts of Bills read twice, the New Draft of Resolution read once, and tomorrow assigned.

### Ought to Pass Printed Bills

Mr. Maddox from the Committee on Liquor Control reported "Ought to pass" on Bill "An Act relating to Definition of Retailer under Liquor Law" (H. P. 427) (L. D. 561)

Mr. Hardy from the Committee on Natural Resources reported same on Bill "An Act Providing for Repair, Maintenance and Operation of State-owned Dam on Dead River, Androscoggin County" (H. P. 604) (L. D. 806)

Mr. Dam from the Committee on Taxation reported same on Resolve to Reimburse Bernard Powers of Newry for Loss of Cigarettes (H. P. 106) (L. D. 148)

Mr. Dudley from the Committee on Transportation reported same on Bill "An Act to Clarify the Duty

of Licensed Users to File Use Fuel Tax Reports" (H. P. 247) (L. D. 328)

Same gentleman from same Committee reported same on Bill "An Act relating to Temporary Registration Certificates for Vehicles" (H. P. 313) (L. D. 413)

Mr. Lebel from same Committee reported same on Bill "An Act relating to Snow Removal on State Highways in Built-up Sections of Certain Municipalities" (H. P. 311) (L. D. 411)

Mr. Wood from same Committee reported same on Bill "An Act relating to Fees for Replacement of Number Plates for Motor Vehicles" (H. P. 511) (L. D. 656)

Mr. Curtis from the Committee on Veterans and Retirement reported same on Resolve Providing Retirement Benefit for Clyde Walker of Hallowell (H. P. 319) (L. D. 419)

Mr. Dow from same Committee reported same on Resolve Providing a Minimum Service Retirement Allowance under the State Retirement Law for Ernest F. Miller (H. P. 373) (L. D. 479)

Mr. Hayes from same Committee reported same on Bill "An Act relating to Retirement of, and to Allowance for Widow of, the Administrative Hearing Commissioner" (H. P. 445) (L. D. 579)

Mr. Pratt from same Committee reported same on Resolve Providing a Minimum Service Retirement Allowance under the State Retirement Law for Grace V. Pullen (H. P. 374) (L. D. 480)

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

### Divided Report

Majority Report of the Committee on Legal Affairs reporting "Ought not to pass" on Bill "An Act relating to Disability and Powers of Town Managers" (H. P. 199) (L. D. 254)

Report was signed by the following members:

Messrs. QUINN of Penobscot  
CLIFFORD

of Androscoggin  
KELLAM of Cumberland  
— of the Senate.

Messrs. CURTIS of Bowdoinham  
SILVERMAN of Calais

SMITH of Dover-Foxcroft  
 COTE of Lewiston  
 BRAUN of Oakland  
 FECTEAU of Biddeford  
 NORRIS of Brewer  
 EMERY of Rockland  
 GAUTHIER of Sanford  
 — of the House.

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

Report was signed by the following member:

Mr. CROSBY of Kennebunk  
 — of the House.

Reports were read.

On motion of Mr. Norris of Brewer, the Majority "Ought not to pass" Report was accepted and sent up for concurrence.

#### Divided Report Tabled and Assigned

Majority Report of the Committee on Legal Affairs reporting "Ought not to pass" on Bill "An Act relating to the Control of Dogs" (H. P. 270) (L. D. 359)

Report was signed by the following members:

Mr. CLIFFORD of  
 Androscoggin  
 - of the Senate.

Messrs. BRAUN of Oakland  
 FECTEAU of Biddeford  
 CROSBY of Kennebunk  
 COTE of Lewiston  
 CURTIS of Bowdoinham  
 NORRIS of Brewer  
 GAUTHIER of Sanford  
 - of the House.

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

Report was signed by the following members:

Messrs. KELLAM of Cumberland  
 QUINN of Penobscot  
 - of the Senate.

Messrs. EMERY of Rockland  
 SMITH of Dover-Foxcroft  
 SILVERMAN of Calais  
 - of the House.

Reports were read.

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

#### Divided Report Tabled and Assigned

Majority Report of the Committee on Liquor Control reporting

"Ought to pass" on Bill "An Act relating to Payment for Sales of Malt Liquor or Wine in Retail Stores" (H. P. 535) (L. D. 708)

Report was signed by the following members:

Messrs. HOFFSES of Knox  
 SHUTE of Franklin  
 FORTIER of Oxford  
 — of the Senate.

Messrs. HAWKENS of Farmington  
 MADDOX of Vinalhaven  
 STILLINGS of Berwick  
 TANGUAY of Lewiston  
 FAUCHER of Solon  
 LIZOTTE of Biddeford  
 SLANE of Portland  
 GAGNON of Scarborough  
 - of the House.

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

Report was signed by the following members:

Messrs. BAILEY of Woolwich  
 IMMONEN of West Paris  
 - of the House.

Reports were read.

(On motion of Mr. Stillings of Berwick, tabled pending acceptance of either Report and specially assigned for Thursday, March 11.)

#### Passed to Be Engrossed

Bill "An Act Exempting Sales to Certain Institutions from Sales Tax" (S. P. 242) (L. D. 703)

Bill "An Act relating to Salary of Executive Secretary of the Board of Barbers" (H. P. 65) (L. D. 106)

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 Carrying Life Saving Devices in Canoes" (H. P. 115) (L. D. 159)

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

(On motion of Mr. Lewin of Augusta, tabled pending passage to be engrossed and specially assigned for Thursday, March 11.)

Bill "An Act Regulating Imitation Milk and Milk Products" (H. P. 376) (L. D. 491)



Bill "An Act to Authorize the Beaver Cove Water Company to Utilize the Water of Moosehead Lake" (H. P. 541) (L. D. 713)

Bill "An Act to Validate Proceedings Authorizing the Issuance of Bonds and Notes by School Administrative District No. 22" (H. P. 645) (L. D. 875)

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

#### Amended Bills

Bill "An Act relating to Reimbursement to Administrative Units for Unusual Enrollment Increases" (S. P. 259) (L. D. 765)

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

Bill "An Act to Reconstitute School Administrative Districts Numbers 12, 22, 59, 73, 74, 75, 76, and 77" (H. P. 646) (L. D. 876)

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

Mrs. Wood of Castine offered House Amendment "A" and moved its adoption.

House Amendment "A" (H-40) was read by the Clerk and adopted.

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

Resolve to Reimburse Myron F. Roberts of Camden for Property Damage by Highway Construction" (S. P. 115) (L. D. 294)

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

#### Passed to Be Enacted Emergency Measure

An Act Increasing the Indebtedness of Veazie Sewer District (H. P. 501) (L. D. 647)

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 total was taken. 134 voted in favor of same and one against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

#### Passed to Be Enacted

An Act Changing the Name of Committee on Educational Television and Relating to Educational Services in Communication Media (S. P. 96) (L. D. 260)

An Act relating to Death Benefits for Fish and Game and Coastal Wardens under the State Retirement System (S. P. 147) (L. D. 386)

An Act Creating County Commissioner Districts for Hancock County (H. P. 330) (L. D. 439)

An Act to Regulate Sewer Utilities (H. P. 503) (L. D. 649)

An Act Providing for Termination of the Old Town Great Works School District (H. P. 523) (L. D. 686)

An Act Repealing Law Relating to Permits for Aircraft Pilots to Transport Fish and Game (H. P. 526) (L. D. 688)

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

HOUSE DIVIDED REPORT — Majority (12) "Ought not to pass" — Minority (1) "Ought to pass" — Committee on Liquor Control on Bill "An Act relating to Definition of Class A Restaurant Under Liquor Laws" (H. P. 302) (L. D. 402)

Tabled—March 3, by Mr. Ault of Wayne.

Pending—Acceptance of either Report.

The SPEAKER: The Chair recognizes the gentleman from Berwick, Mr. Stillings.

Mr. STILLINGS: Mr. Speaker, I move that the House accept the Majority "Ought not to pass" Report.

The SPEAKER: The gentleman from Berwick, Mr. Stillings, moves that the House accept the Majority "Ought not to pass" Report.

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

Mr. MARTIN: Mr. Speaker and Ladies and Gentlemen of the House: I rise really with a desire not to speak, but feeling that I have to. I must point out before I say anything about this L.D., which I happen to have introduced, that this is the first time that I speak on a liquor bill, either way, in the House of Representatives in the years that I have been here. This is the first liquor bill that I have introduced.

It is not a bill sponsored by the Liquor Commission. It is not sponsored by the dry industry, or I should say by the dry lobby, or by the wet industry. I am not in the business, and I don't intend to be. But I did introduce this bill because probably I represent a group of small towns that have a problem, and I think that they are being discriminated against, and I thought that I would make an attempt to see if perhaps I could not correct it.

The Liquor Control Committee has decided by a vote of 12 to 1 that it ought not to be. I would like to tell you a few things, and ask you to do something for me. And if you agree that is fine; if you don't I will be just as happy.

There is, I think in my mind, some real justification to make it easier for small communities to qualify in less populated areas such as I represent and which some of you happen to represent. I think that the \$40,000 worth of food business that a small restaurant owner has to do in order to qualify as a Class A Restaurant is too high, and so it was my attempt by presenting L.D. 402 to see whether or not we could lower that amount.

The Liquor Control Committee decided that this was not the proper thing to do, and so by vote of 12 to 1 voted to report it out "ought not to pass". I have had prepared an amendment which is House Amendment "A" under fil-

ing H-42 which obviously cannot be introduced if the Majority "Ought not to pass" Report is accepted.

And so what I would really ask you to do is to vote against the acceptance of the Majority "Ought not to pass" Report and let the bill go to third reading, at which time I would offer my amendment. And if this is satisfactory to everyone, then the bill could go on its way; if it is not, then it could be killed. And I would, of course, abide by the decision that you make either way this morning.

So I would ask for a division, Mr. Speaker, and hope that you would vote against the motion made by the gentleman from Berwick.

The SPEAKER: The Chair recognizes the gentleman from Wayne, Mr. Ault.

Mr. AULT: Mr. Speaker and Ladies and Gentlemen of the House: This, too, is my first time to speak on a liquor bill, and I am pleased to find myself in such good company. I agree with the gentleman from Eagle Lake, Mr. Martin, that the larger towns are favored, and I did believe that his original bill was a little too lenient on the amount of food that these people had to sell to comply with the law, but I do support his amendment, and I hope that you will vote against Mr. Stillings' motion to accept the "Ought not to pass" Report.

The SPEAKER: The Chair recognizes the gentleman from Vinalhaven, Mr. Maddox.

Mr. MADDOX: Mr. Speaker and Members of the House: I rise to support the motion of the gentleman from Berwick, Mr. Stillings. We feel that the adoption of this bill would lower the standards that are now necessary for the operation of a Class A Restaurant with a liquor license. And it would be an opening wedge. Eventually it would result in small, very small businesses, snack bars and hamburger stands, and hot dog stands having liquor licenses, which would not react to the good of the public.

Therefore, I support the motion of the gentleman from Berwick, Mr. Stillings.

The SPEAKER: The pending question is on the motion of the

gentleman from Berwick, Mr. Stillings, to accept the Majority "Ought not to pass" Report. A vote has been requested. All in favor of accepting the "Ought not to pass" Report will vote yes; those opposed will vote no.

A vote of the House was taken. 53 having voted in the affirmative and 83 having voted in the negative, the motion did not prevail.

Thereupon, the Minority "Ought to pass" Report was accepted, the Bill read twice and tomorrow assigned.

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

Joint Resolution Memorializing the Honorable Richard M. Nixon, President of the United States, to Withdraw All American Military Forces from Indochina and Negotiate a Cease - fire.

Tabled — March 4, by Mr. Norris of Brewer.

Pending — Motion of Mr. Kelley of Caribou to refer to the Committee on State Government.

The SPEAKER: The Chair recognizes the gentleman from Lincoln, Mr. Porter.

Mr. PORTER: Mr. Speaker, I request this be tabled one day, please.

The SPEAKER: The gentleman from Lincoln, Mr. Porter, moves that item two be tabled until the next legislative day pending the motion of the gentleman from Caribou, Mr. Kelley, that it be referred to the Committee on State Government.

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

Mr. JALBERT: Mr. Speaker, I request this item lie on the table for two legislative days.

The SPEAKER: The gentleman from Lewiston, Mr. Jalbert now

moves that this matter be tabled and specially assigned for Thursday next pending the same motion.

Mr. Susi of Pittsfield requested a division.

The SPEAKER: A division has been requested. All in favor of tabling this Bill until Thursday, March 11 will vote yes; those opposed will vote no.

A vote of the House was taken.

82 having voted in the affirmative and 55 having voted in the negative, the Bill was tabled pending the motion of Mr. Kelley of Caribou to refer to the Committee on State Government and specially assigned for Thursday, March 11.

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

Resolution Proposing an Amendment to the Constitution Providing for Early Convening of the Legislature (H. P. 206) (L. D. 272)

Tabled — March 4 by Mr. Donaghy of Lubec.

Pending — Passage to be engrossed.

On motion of Mr. Marstaller of Freeport, retabled pending passage to be engrossed and specially assigned for Thursday, March 11.

Mrs. Kilroy of Portland was granted unanimous consent to address the House.

MRS. KILROY: Mr. Speaker and Members of the House: I would like to call to the attention of the Members of this House that a former member of the 102nd Legislature, Alice Harvey, passed away last week.

On motion of Mr. Bither of Houlton,

Adjourned until nine - thirty o'clock tomorrow morning.