

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

One Hundred and Sixth

Legislature

OF THE

STATE OF MAINE

1973

KENNEBEC JOURNAL
AUGUSTA, MAINE

HOUSE

Thursday, March 1, 1973

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

Prayer by the Rev. Mr. David Holroyd of Gardiner.

The journal of yesterday was read and approved.

Papers from the Senate

From the Senate: The following Communication: (S. P. 379)

STATE OF MAINE

Department of State

Augusta

February 27, 1973

To the Honorable Senate of the 106th Legislature of the State of Maine:

I have the honor to transmit herewith the results of the examination by this office of the initiative petitions relating to "An Act Creating the Power Authority of Maine".

The minimum number of valid signatures required to initiate this legislation has been determined to be 32,539. Our examination of these petitions reveals the following:

Number of petitions received 275.
Number of petitions accepted 249.

Number of petitions eliminated 26.

Total number of valid signatures 34,837.

Number of invalid signatures 10,048.

In view of the foregoing determination of the number of valid signatures, it would appear that these petitions have met the constitutional requirements of the minimum of 32,539 valid signatures.

Respectfully,

Signed:

JOSEPH T. EDGAR

Secretary of State

Came from the Senate read and placed on file.

In the House, the Communication was read and placed on file in concurrence.

From the Senate: The following Communication: (S. P. 380)

STATE OF MAINE

Department of Transportation

February 28, 1973

To the Honorable Senate and House of Representatives of the 106th Legislature
Gentlemen:

The 105th Maine Legislature under Resolve S. P. 386 — L. D. 1141, provided \$10,000 to the Maine Port Authority for a "Feasibility Study for New Marine Facilities for the Port of Portland".

Implementation of the Government reorganization program approved by the 105th Maine Legislature placed the Maine Port Authority within the Maine Department of Transportation as the Bureau of Waterways.

I am pleased to submit a summary report of a study of the "Marine Highway" which analyzes the potential operation of vehicle and passenger ferries between Portland, Maine and New York, New York.

A detailed report is being made available to the Maine State Library.

Additional work is planned on this study in coordination with the work of the U.S. Maritime Administration on the design of the vessels and also in efforts to obtain a builder and operator of the vessels.

Respectfully submitted,

Signed:

Maine Department

of Transportation

DAVID H. STEVENS

Commissioner

Came from the Senate read and with accompanying papers placed on file.

In the House, the Communication was read and with accompanying papers placed on file in concurrence.

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

Reports of Committees**Leave to Withdraw**

Report of the Committee on Election Laws on Bill "An Act Relating to Copies of Voting Lists to Political Parties" (S. P. 169) (L. D. 424) reporting Leave to Withdraw.

Came from the Senate read and accepted.

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

Divided Report

Majority Report of the Committee on Liquor Control reporting "Ought not to pass" on Bill "An Act Relating to Hearings for Applications for Liquor Licenses" (S. P. 125) (L. D. 302)

Report was signed by the following members:

Messrs. SCHULTEN of Sagadahoc
FORTIER of Oxford

— of the Senate.

Messrs. FARNHAM of Hampden
STILLINGS of Berwick
IMMONEN of West Paris
CRESSEY

of North Berwick

KELLEHER of Bangor

— of the House.

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

Report was signed by the following members:

Mr. OLFENE of Androscoggin
— of the Senate.

Messrs. TANGUAY of Lewiston

FAUCHER of Solon

RICKER of Lewiston

GENEST of Waterville

— of the House.

Came from the Senate with Bill and Reports indefinitely postponed.

In the House: Reports were read.

On motion of Mr. Stillings of Berwick, both Reports and Bill were indefinitely postponed in concurrence.

Messages and Documents

The following Communication:

STATE OF MAINE

Department of Educational
and Cultural Services

Augusta

February 28, 1973

Mrs. E. Louise Lincoln
Clerk, House of Representatives
106th Legislature

Dear Mrs. Lincoln:

Submitted herewith are copies of An Act Relating to Exceptional Children prepared by the Department of Educational and Cultural Services and the State Board of Education as directed by the special session of the 105th Legislature.

Respectfully,

Signed:

CARROLL R. McGARY
Commissioner

The Communication was read and with accompanying papers placed on file and sent to the Senate.

The SPEAKER: The Chair requests the Sergeant-at-Arms to escort to the rostrum the gentlewoman from Portland, Mrs. Boudreau, for the purpose of presiding as Speaker pro tem.

Thereupon, Mrs. Boudreau assumed the Chair as Speaker pro tem and Speaker Hewes returned to his seat on the floor of the House.

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 Funds to Expand Homemaker Services in the Department of Health and Welfare" (H. P. 922) (Presented by Mrs. White of Guilford)

(Ordered Printed)

Sent up for concurrence.

Business Legislation

Bill "An Act Revising the Laws Relating to Savings and Loan Associations" (H. P. 923) (Presented by Mr. Perkins of South Portland)

Bill "An Act Relating to a Minimum Warranty Standard for Mobile Homes" (H. P. 924) (Presented by Mrs. Boudreau of Portland)

Bill "An Act Declaring Violations of Home Solicitations Sales Act to be Violations of Unfair Trade Practices Act" (H. P. 925) (Presented by the same gentlewoman)

(Ordered Printed)

Sent up for concurrence.

County Government

Bill "An Act Increasing Salaries of County Officials of Knox County" (H. P. 926) (Presented by Mrs. McCormick of Union)

(Ordered Printed)

Sent up for concurrence.

Appropriations and Financial Affairs

Bill "An Act Establishing a State Tuition Equalization Fund for Maine Students Attending Maine Private Institutions of Higher Education" (H. P. 927) (Presented by Mr. Haskell of Houlton)

The Committee on Reference of Bills suggested the Committee on Education.

On motion of Mr. Haskell of Houlton, referred to the Committee on Appropriations and Financial Affairs, ordered printed and sent up for concurrence.

Education

Bill "An Act Relating to Financial Reports of School Superintendents" (H. P. 928) (Presented by Mr. Rollins of Dixfield)

(Ordered Printed)

Sent up for concurrence.

Tabled and Assigned

Bill "An Act Relating to Reimbursement of Municipalities for Expenses and Costs in General Assistance to Nonsettled Paupers" (H. P. 929) (Presented by Mr. McKernan of Bangor)

The Committee on Reference of Bills suggested the Committee on Health and Institutional Services.

(On motion of Mr. Carrier of Westbrook, tabled pending reference and specially assigned for Tuesday, March 6.)

Health and Institutional Services

Bill "An Act Relating to the Prohibition of the Advertising of Drug Prices" (H. P. 930) (Presented by the same gentleman)

Bill "An Act Relating to Inspection of Eating and Lodging Places" (H. P. 931) (Presented by Mr. Simpson of Standish)

(Ordered Printed)

Sent up for concurrence.

Human Resources

Bill "An Act Relating to Definition of North American Indians under Scholarship Law" (H. P. 932) (Presented by Mr. Binnette of Old Town)

Bill "An Act Relating to Residency Requirement to be a Candidate for Office in Penobscot Tribe of Indians" (H. P. 933)

(Presented by the same gentleman) (By request)

(Ordered Printed)

Sent up for concurrence.

Judiciary

Bill "An Act Prohibiting the Unlawful Interference with Operation of Aircraft" (H. P. 934) (Presented by Mr. McKernan of Bangor)

Bill "An Act Relating to Appointment and Duties of Bail Commissioners" (H. P. 935) (Presented by Mr. Flynn of South Portland) (By Request)

Bill "An Act Relating to Licenses to Carry Weapons" (H. P. 936) (Presented by Mrs. White of Guilford)

(Ordered Printed)

Sent up for concurrence.

Tabled and Assigned

Bill "An Act Relating to Furloughs for Inmates and Prisoners of State Institutions" (H. P. 937) (Presented by Mr. Talbot of Portland)

The Committee on Reference of Bills suggested the Committee on Judiciary.

(On motion of Mr. Goodwin of South Berwick, tabled pending reference and specially assigned for Monday, March 5.)

Bill "An Act Regulating Handguns" (H. P. 938) (Presented by the same gentleman)

(Ordered Printed)

Sent up for concurrence.

Labor

Bill "An Act Relating to Seasonal Employment under the Employment Security Law" (H. P. 939) (Presented by Mr. Simpson of Standish)

(Ordered Printed)

Sent up for concurrence.

Tabled and Assigned

Bill "An Act Providing for One-Half Day Legal Holiday for Elections" (H. P. 940) (Presented by Mr. McKernan of Bangor)

The Committee on Reference of Bills suggested the Committee on Legal Affairs.

(On motion of Mr. McKernan of Bangor, tabled pending reference

and specially assigned for Monday, March 5.)

Legal Affairs

Resolve Authorizing Conveyance of State Land and Easements to City of South Portland for Sewage Collection and Treatment Project (H. P. 941) (Presented by Mr. Flynn of South Portland)

Bill "An Act Relating to the Terms of Zoning Ordinances Adopted under Home Rule" (H. P. 942) (Presented by Mr. Hancock of Casco)

(Ordered Printed)

Sent up for concurrence.

Liquor Control

Bill "An Act Permitting Hotels to Sell Liquor not to be Consumed on the Premises after Hours" (H. P. 943) (Presented by Mr. Maxwell of Jay)

Bill "An Act Permitting Restaurants to Sell Malt Liquor not to be Consumed on Premises" (H. P. 944) (Presented by the same gentleman)

(Ordered Printed)

Sent up for concurrence.

State Government

Bill "An Act Providing for a State Lottery" (H. P. 945) (Presented by Mr. Genest of Waterville)

Bill "An Act Creating the Maine Martial Arts Commission" (H. P. 946) (Presented by Mr. Talbot of Portland)

(Ordered Printed)

Sent up for concurrence.

Taxation

Bill "An Act Providing for Retirement Exemptions under Income Tax Law" (H. P. 947) (Presented by Mr. Perkins of South Portland)

Bill "An Act Exempting all Live-stock and Poultry from the Personal Property Tax" (H. P. 948) (Presented by Mr. Maxwell of Jay)

(Ordered Printed)

Sent up for concurrence.

Transportation

Bill "An Act Relating to Motorcycle or Motor Driven Cycle Learner's Permit" (H. P. 949) (Presented by Mrs. Wheeler of Portland)

Bill "An Act Relating to the Registration of Farm Motor Trucks Having 2 or 3 Axles" (H. P. 950) (Presented by Mr. Smith of Exeter)

(Ordered Printed)

Sent up for concurrence.

Veterans and Retirement

Bill "An Act Relating to Out-of-State Service Under State Retirement System" (H. P. 951) (Presented by Mr. Bither of Houlton)

Bill "An Act Relating to Contributions by Participating Local Districts under Retirement Law for Former Employees" (H. P. 952) (Presented by Mr. Pratt of Parsonsfield)

(Ordered Printed)

Sent up for concurrence.

At this point, Speaker Hewes returned to the rostrum.

Speaker HEWES: The Chair thanks the gentlewoman and commends her for an excellent job.

Thereupon, the Sergeant-at-Arms escorted Mrs. Boudreau to her seat on the floor, amid the applause of the House, and Speaker Hewes resumed the Chair.

House Reports of Committees

Leave to Withdraw

Covered by Other Legislation

Mr. Good from the Committee on Fisheries and Wildlife on Bill "An Act Restricting Power Boats on Haley Pond, Franklin County" (H. P. 24) (L. D. 24) reporting Leave to Withdraw, as covered by other legislation.

Same gentleman from same Committee on Bill "An Act Relating to Use of Power Boats on Beaver Mountain Pond, Franklin County" (H. P. 26) (L. D. 26) reporting Leave to Withdraw, as covered by other legislation.

Same gentleman from same Committee on Bill "An Act Relating to Use of Power Boats on Certain Lakes in St. Croix Watershed, Washington County" (H. P. 68) (L. D. 81) reporting Leave to Withdraw, as covered by other legislation.

Same gentleman from same Committee on Bill "An Act Relating to Use of Power Boats

on Sourdnhunk Lake, Piscataquis County" (H. P. 78) (L. D. 91) reporting Leave to Withdraw, as covered by other legislation.

Same gentleman from same Committee on Bill "An Act Providing Complimentary Hunting Licenses to Maine Residents over 70 Years of Age" (H. P. 121) (L. D. 145) reporting Leave to Withdraw, as covered by other legislation.

Same gentleman from same Committee on Bill "An Act Providing Complimentary Hunting Licenses for Persons 70 Years of Age or Older" (H. P. 132) (L. D. 156) reporting Leave to Withdraw, as covered by other legislation.

Same gentleman from same Committee on Bill "An Act Relating to the Use of Power Boats on Sandy Pond, Waldo County" (H. P. 235) (L. D. 316) reporting Leave to Withdraw, as covered by other legislation.

Same gentleman from same Committee on Bill "An Act Regulating the Use of Power Boats on Trafton Lake, Aroostook County" (H. P. 374) (L. D. 503) reporting Leave to Withdraw, as covered by other legislation.

Same gentleman from same Committee on Bill "An Act Relating to Use of Power Boats on Sand Pond, Oxford County" (H. P. 550) (L. D. 731) reporting Leave to Withdraw, as covered by other legislation.

Reports were read and accepted and sent up for concurrence.

Consent Calendar

First Day

(H. P. 272) (L. D. 379) Bill "An Act Relating to High School Equivalency Certificates" — Committee on Education reporting "Ought to pass" as amended by Committee Amendment "A" (H-68)

No objection having been noted, the Bill was assigned to the Consent Calendar's Second Day list.

Consent Calendar

Second Day

(H. P. 22) (L. D. 22) Bill "An Act Providing for the Observance of Veterans Day on November 11th"

(H. P. 126) (L. D. 150) Bill "An Act Relating to Dragging of

Scallops in Gouldsboro Bay, Hancock and Washington Counties"

(S. P. 102) (L. D. 247) Resolve Providing Funds for Cerebral Palsy Centers

(H. P. 356) (L. D. 471) Bill "An Act Appropriating Funds for a Fishway at West Bay Pond in Gouldsboro"

(H. P. 383) (L. D. 512) Bill "An Act Providing Funds for a Fishway at West Harbor Pond in Boothbay Harbor"

(H. P. 414) (L. D. 563) Bill "An Act Relating to Notice in New Voter Registration Applications" (C. "A" — H-66)

No objection having been noted, the Bills and Resolve were passed to be engrossed and sent to the Senate.

Passed to Be Enacted Emergency Measure

An Act Extending the Territorial Limits of the South Berwick Sewer District (H. P. 332) (L. D. 450)

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. 124 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act to Amend the Charter of the Andover Water District (S. P. 210) (L. D. 554)

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. 128 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act to Amend the Charter of the Portland Water District (H. P. 419) (L. D. 568)

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, 128 voted in favor of same and 2 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 Relating to Membership on Board of Elevator Rules and Regulations (H. P. 167) (L. D. 209) (H. "A" — H-56)

An Act Revising the Maine Egg Grading Law (H. P. 230) (L. D. 310) (H. "A" — H-51)

An Act Exempting Hearing Aids from the Sales Tax (H. P. 364) (L. D. 479)

An Act Relating to Conferring Degrees by the College of Atlantic (H. P. 794) (L. D. 946)

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:

Bill "An Act Relating to Withdrawal from Participation in the Cumberland County Recreation Center" (H. P. 699)

Tabled — February 27, by Mr. Martin of Eagle Lake.

Pending — Reference.

The SPEAKER: The Chair recognizes the gentleman from Strong, Mr. Dyar.

Mr. DYAR: Mr. Speaker and Members of the House: The 105th Legislature, this bill was presented to the Committee on County Government. County Government heard the bill that allowed Cumberland County Commissioners to put out to referendum a bond issue for this center. It seems as though inasmuch as county government and the county commissioners are involved, that this bill would be referred back to County Government to allow the hearing on this bill.

The SPEAKER: The Chair recognizes the gentleman from Standish, Mr. Simpson.

Mr. SIMPSON: Mr. Speaker and Members of the House: I realize that this bill was heard before

County Government last time, but it was the feeling of the Reference of Bills Committee that we are involved in a situation here, once a vote has been taken by a county on a county-wide basis, that certain municipalities who did not vote for the thing now want to be able to remove themselves from the vote.

The Reference of Bills Committee, after taking a good look at the bill, felt that it is a judicial matter and therefore involving the laws, says that it should go before Judiciary and not before County Government. I would ask for a division.

The SPEAKER: The pending question is on the motion of the gentleman from Strong, Mr. Dyar, that this Bill be referred to the Committee on County Government. A vote has been requested. All in favor of that motion will vote yes; those opposed will vote no.

A vote of the House was taken.

49 having voted in the affirmative and 64 having voted in the negative, the motion did not prevail.

Thereupon, on motion of Mr. Simpson of Standish, referred to the Committee on Judiciary, ordered printed and sent up for concurrence.

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

Bill "An Act Relating to Hunting with Muzzle-loading Rifles" (H. P. 397) (L. D. 526)

Tabled — February 27, by Mr. Hancock of Casco.

Pending — Acceptance of either Report.

The SPEAKER: The Chair recognizes the gentleman from Westfield, Mr. Good.

Mr. GOOD: Mr. Speaker, I move we accept the Majority "Ought not to pass" Report.

The SPEAKER: The gentleman from Westfield, Mr. Good, moves the acceptance of the Majority "Ought not to pass" Report.

The Chair recognizes the gentleman from Casco, Mr. Hancock.

Mr. HANCOCK: Mr. Speaker, Ladies and Gentlemen of the House: When I was first asked to introduce this bill, I thought that

I would have an interesting time of it, and nothing has happened in the last three months that has caused me to change my mind.

Many reasons have been given for this "ought not to pass" report. Many questions have been asked of me and I would like this opportunity to discuss some of them with you.

Almost all of the reasons, I think all of them, given for "Ought not to pass" on this bill are without substance and, in fact, are rather frivolous. I have been asked repeatedly why a special season for muzzle loaders? And I ask you, why not?

At this time, in this state, and we have had it for many years now, we have had a special season for the bow and arrow hunters and it has worked out very good for them and it has done no harm to the state and it has done no harm to the deer herd. We have, in effect, a special season now for duck hunters. They can get away without wearing fluorescent clothing; they can use loads in their guns during the hunting season that other hunters are not allowed to use. We have, in effect, a special season for the so-called regular deer hunters who are allowed to hunt this game with high-powered, modern, repeating rifles.

Now the muzzle loader is an accurate, precision weapon. It has one shot. Some of the people who are in opposition to this bill say that one of the reasons that they are in opposition is because it is an accurate and precise weapon. I ask you, if it was a highly inaccurate weapon, would they then be in favor of the bill? I don't think so.

The method of hunting with a muzzle loader needs lot of skill and a lot of patience, and I would compare it in some respects to fly fishing, which also requires a great deal of skill. The price of the weapon has not been at all prohibitive. In fact, in general it costs less than the modern high-powered, repeating rifle. Because this method of hunting requires a lot of skill, a lot of patience, the muzzle loaders feel that they do

not need to be in the woods with 100,000 other licensed hunters, and they are asking for this special season so that they may be permitted to hunt their method without having to endanger themselves meeting so many other people.

It has been argued that this is an additional depletion on our deer herd, and I answer to you in the negative, it is not. Anyone who gets a license for the special season and shoots a deer may not shoot another deer during the remainder of that year.

The price of the license for the two-week period that we are asking for is the same as it is for the approximate month that the rest of the people in the state have. And, also, the price for the nonresident license is the same for the regular hunting season and nonresidents.

If anyone gets one of these special licenses, hunts but does not succeed in getting a deer, he has to buy an additional license for the regular season.

Going back to the depletion of the deer herd, I suggest to you that if we in this state could take care of our dogs, if we could take care of our poaching problem, we would not have to be worried about our deer herd.

Many other states in the United States have a special season for muzzle loaders, including our neighboring state of New Hampshire. In looking at the bill itself, in the first paragraph, 13-A, defining the muzzle-loading rifle. If this bill should be accepted by you good people, I would introduce that amendment that would specify that this has to be a single-muzzle weapon. It has been suggested that there are multi-muzzle loaders, and I agree that they should not be used.

We are asking for just two weeks, that is 12 hunter days, preceding the regular season in both the southern and northern zones. We are limiting the muzzle loader to 40 caliber or more, so that there is no question of a light-powered weapon being used and deer being wounded.

I feel that these people, there are a couple thousand of them in

the state, presumably about a thousand licenses will be sold, should have this right. At the present time we are selling about eleven or twelve hundred bow and arrow hunting licenses, 40 to 60 deer is the average that are being killed. I doubt if over a hundred were killed with the muzzle loaders.

Ladies and gentlemen, I ask for your support in defeating the motion of Mr. Good and I thank you kindly. And, Mr. Speaker, when the time comes for a vote, I ask for a division.

The SPEAKER: The Chair recognizes the gentleman from Orland, Mr. Churchill.

Mr. CHURCHILL: Mr. Speaker and Members of the House: I signed the minority "ought to pass" report. I feel a good deal as Mr. Hancock does, that this is a special privilege, but why shouldn't they be granted that just as well as the bow and arrow hunters. Also, I don't feel that there will be that many deer killed with this muzzle loader. There are several clubs throughout the state that are very much in support of this.

I will go along with Mr. Hancock in requesting we pass this measure.

The SPEAKER: The Chair recognizes the gentleman from Oakland, Mr. Brawn.

Mr. BRAWN: Mr. Speaker, Ladies and Gentlemen of the House: As you know, as someone told me before I came in here, "Mr. Brawn, if you never went in the woods again, you have got more than your limit." Well, I didn't deny it, neither did I agree to it. He said, "You have been called deadeye Dick for years."

I hunt with a 12-gauge shotgun with .00 buckshot and I use the highest caliber in this that can be made in a shell.

Now when a gentleman tells me that he is going out here and take a rifle — this has rifle bore, it has a slug that will shoot farther than my shotgun. He wants two weeks prior to the opening in the northern counties when the fawns aren't afraid of anything. He is going to have a chance to go out here with a gun more powerful

than I hunt with and shoot. It is a very accurate gun. Then he wants two weeks prior to the opening down here. He is getting four weeks more than we are. We do not have deer enough; we definitely don't.

If we want to conserve our deer herd, why are we giving men that have the money to buy these guns, the rich, the right to hunt against the poor. Now if we want an equal deer herd all over the state as they are telling us, let's get together here and not let any more of these come in.

The old muzzle loader that they had was loaded with black powder. It had soft lead. Gentlemen, the powder they use today is not black powder. It is a more high-explosive powder. The shot they are using today, they are using lead with wheel weights. This makes a heavier bullet than I even shoot in my shotgun. This will reach out over a hundred yards, and I am asking everyone to go with Mr. Good and go against this bill.

The SPEAKER: The Chair recognizes the gentleman from Southport, Mr. Kelley.

Mr. KELLEY: Mr. Speaker and Ladies and Gentlemen of the House: I would like to support Mr. Good's motion. There is a lot that hasn't been said. I will try not to cover it all, but I would like to point out to you that as far as skill is concerned with a muzzle-loading rifle, shooting early in the season, all you have got to do is go out and sit down in the middle of the afternoon in a field where the deer are coming out and let them come out. And any deer within a hundred yards should be a dead deer. It is an extremely efficient gun. It is not a difficult gun to learn to shoot. Any kid that can shoot a .22 can very quickly learn to load and take care of one of these muzzle loaders.

New Hampshire was mentioned. Their law permits muzzle loading shotguns, double-barrel shotguns as well. They have a slightly different situation down there.

The .40 caliber rifle that they are talking about, according to testimony we had in the hearing is as efficient and effective as a 30-30 rifle, a very common rifle,

the .32 special, a gun used here in the State of Maine. Our deer herd does not have enough numbers to permit this additional pre-season killing and still maintain the herd.

Now one of the things that Mr. Hancock did not recognize is the fact that with the present law that it looks like we are going if the Governor signs it, anybody that wants to go bird hunting, who wants to go bow and arrow hunting, if there is a special muzzle-loading season, will have to wear fluorescent orange in the woods as well as the muzzle loaders because during the open season on deer with firearms this is compulsory.

When it comes to bow and arrows, the figures I got out of the department this morning was 20 were killed last year. When it comes to muzzle-loading guns, I feel assured that the kill would go well over 500. There is a little problem on enforcement. You go and you buy a muzzle loading license. After you have tagged your deer, if you have one, there is nothing to prevent you from going back and buying a regular hunting license and having a license that has not been punched. Eventually electronic bookkeeping might catch up with this; but with the present methods, it would be very difficult, with this season just ending the day before the regular season, to get the bookkeeping done to notify the town clerks that certain people were not eligible for a regular hunting license.

A special privilege, not for a few but for quite a good many people. I priced one of these muzzle loaders this last week. It is a beautiful little gun. It sells at a discount for \$175 and then you get the necessary tools to go with it.

I do hope that you will support the majority "ought not to pass" report.

The SPEAKER: The Chair recognizes the gentleman from Westfield, Mr. Good.

Mr. GOOD: Mr. Speaker, Ladies and Gentlemen of the House: I hate to take issue with my good friend, Mr. Hancock. I won't take much of your time.

We had quite a hearing on this bill. The boys that were proponents on the muzzle loader had a lot of evidence. They convinced us that the muzzle loader is an excellent weapon.

You know, today the muzzle loader is not the gun that it was years ago. It is a very efficient firearm. It has a rifled barrel; it has a slug of around 200 grains. It has a hollowed point up to .40 caliber. This would blow a hole in a deer the size of your head.

We, in my country, a lot of us, hunt with one shot in our guns. We are going to have to keep our shot in our hand for two weeks while these boys go out and reap the harvest.

This bill, in effect, gives the muzzle loaders two weeks extra time on the rest of us. I hope my motion prevails.

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

Mr. MILLS: Mr. Speaker and Ladies and Gentlemen of the House: I am a member of that committee and I don't mind telling you why I voted on an "ought not to pass" position.

As has been stated here today, the smooth bore today is not a smooth bore, it is a rifled barrel. It is accurate, as testified before the committee, at a distance of 300 feet. It will shoot a dum-dum bullet, which in some states is outlawed. It also creates a special privilege for a very few people who belong to a very select club.

The SPEAKER: The Chair recognizes the gentleman from Casco, Mr. Hancock.

Mr. HANCOCK: Mr. Speaker and Members of the House: I would take just a couple more minutes of your time. It has been suggested here that this is a rich man's sport. This is just not so. The gentleman, Mr. Kelley, mentioned pricing one at \$175 and I am sure that this is right that he did so, and it is quite possible to find muzzle loaders at extremely high prices, as you can any other firearm at very high prices. The standard price is about \$75. That includes all equipment that is necessary.

One gentleman, a member of this House, told me he bought a very

serviceable weapon for \$50. So it is not a rich man's sport.

Mr. Kelley mentioned the mechanical problems on the licenses. He is quite correct here, but it is a mechanical problem and one that can be worked out.

And in winding up, I do want to say just one more thing, and that is, this has been a difficult bill for me. The committee has been very kind in allowing me to table it for a couple days, and I would like to thank Mr. Good and the members of the committee for their kindness to me.

The SPEAKER: The pending question is on the motion of the gentleman from Westfield, Mr. Good, that the House accept the Majority "Ought not to pass" Report on Bill "An Act Relating to Hunting with Muzzle-loading Rifles" (H. P. 397) (L. D. 526). All those in favor of accepting the Majority "Ought not to pass" Report will vote yes; those opposed will vote no.

A vote of the House was taken.

85 having voted in the affirmative and 40 having voted in the negative, the motion did prevail.

Sent up for concurrence.

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

From the Senate: The following Order:

ORDERED, the House concurring, that when the Senate and House adjourn, the House adjourn to Monday, March 5, at 2 o'clock in the afternoon and the Senate adjourn to Monday, March 5, at 4 o'clock in the afternoon.

Came from the Senate read and passed.

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

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

Bill "An Act Relating to Fees for Forest Lands and Wild Lands Posted Against Trespass" (H. P. 58) (L. D. 70)

Tabled — February 27, by Mr. Dyar of Strong.

Pending — Passage to be engrossed.

Mr. Dyar of Strong offered House Amendment "A" and moved its adoption.

House Amendment "A" (H-72) was read by the Clerk.

The SPEAKER: The Chair recognizes the gentleman from Strong, Mr. Dyar.

Mr. DYAR: Mr. Speaker and Members of the House: This is a lengthy amendment but basically what it does in section 602-A, we have struck out the \$3.00 fee and amended it to \$1.00. We have defined it as to land that is taxed by any method of forest productivity. We have defined what a parcel of land is. We have defined a person. We have defined public access. We have defined vehicular traffic and we have defined exemption. There has also been set up a section on the Department of Parks and Recreation and also a section to allow the State Tax Assessor to collect delinquent payments.

Now contrary to rumors, I will state that this bill does not affect any landowner in the State of Maine who posts his land but does not deny traffic by foot. A man may post his land if he comes under this act. If he has 500 acres or more, taxed on the forest productivity, he may post his land to vehicular traffic, keep off snowmobiles, all terrain vehicles and so forth. He also has the present statutory backing in reference to state littering laws, the laws pertaining to public nuisance and the laws pertaining to building a fire without a fire permit.

As you may have noticed when this bill was first discussed a week ago Tuesday, many of our friends disappeared for a day and a half. They came back and suggested to me that I should take an alternate route, that I should amend this bill which would state under their amendment that any land posted in the State of Maine to deny a person to hunt and fish on that land also denied the land owner the right to hunt and fish on his land. Well this was very good. I could visualize about 20 million acres of land in this state being posted over night, and I will defy any service, warden service or whatever it may be to go into

these large holdings and be able to find a person involved with one of these large corporations or what I call the out-of-state landlords and be able to find him committing an illegal act. If you expect a game warden to check a 100,000-acre parcel of land and find somebody fishing without a license, it could become quite a problem.

This bill, this amendment came out of the Attorney General's office. In fact, at times there were four attorneys working on this bill trying to clarify the objections that members of the committee had against this bill. In my mind they have done an excellent job in clarification and basically the landowner who posts his land may have more protection under this act than he has had previously.

I have received considerable mail on this legislation from large firms, large landowners and their objection in all cases has been that I should not attempt to deny them the right to keep vehicular traffic off of their land. This bill in no way denies them the right to keep vehicular traffic off their lands. This bill will say that no absentee landowner can tell a resident of this state or any other state that he does not have access to the great ponds of this state and this is the objective of this bill.

Now the individual in this state who goes on the land of the absentee landowner and he is approached by a guard and told this is private posted land, you can't go in, and you object as a citizen saying, I want to get to the great pond, he will take you for trespassing. You will go into local District Court and if you don't appear you will pay probably a \$20 or \$25 fine. If you appeal, you will go to the next level of court, the Superior Court. You will hire an attorney. You will receive your day in court. If the decision is against you you may go to the Supreme Court. Again you will drag your tail along and I assume if the judgment in the Supreme Court of the state is against the absentee landlord, it could go to the Supreme Court of the United States.

So what I am saying here today, this bill protects the workingman

in this state by allowing him access on foot to our great ponds and the workingman of this state today cannot afford to go into court and fight a battle against absentee landlords to prove the judicial standpoint that he does have such a right.

Now I don't believe that if you took a week going through this amendment that you could find anything in it than what I have stated here this afternoon. I hope that this body will accept this amendment, that this bill will be passed to be engrossed and sent to the other body, because as sure as I stand here this afternoon, the members in the other body are going to have ample time and they are going to receive ample guidance to have them render a decision.

On motion of Mrs. Baker of Orrington, tabled pending the adoption of House Amendment "A" and specially assigned for Tuesday, March 6.

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

Bill "An Act to Increase Outdoor Advertising License and Permit Fees and Extend Controls" (S. P. 276) (L. D. 764)

Tabled — February 27, by Mr. Herrick of Harmony.

Pending — Passage to be engrossed.

On motion of Mr. Briggs of Caribou, retabled pending passage to be engrossed and specially assigned for Tuesday, March 6.

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

Joint Resolution Memorializing the President and Congress of the United States to Withhold All Reconstruction Aid to North Vietnam Until a Full Accounting of POW's and MIA's Has Been Made (S. P. 340)

Tabled — February 28, by Mr. Ault of Wayne.

Pending — His motion to reconsider indefinite postpone-ment.

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

Mr. AULT: Mr. Speaker and Ladies and Gentlemen of the House: I sincerely hope that if any debate ensues on this item today that it will become very very clear to the press or to anybody that is listening or reads of this debate, I hope it will become very clear that the safe return of our POW's and a full accounting of the MIA's is of the utmost prime concern of this House. I know that every name on that board from Mr. Albert to Mr. Speaker have wished, hoped and prayed for the safe return of our troops, for the POW's and for a full accounting of all the MIA's in Southeast Asia. I know that we are all thankful that after years of very delicate negotiations, we may not have all agreed on the way they were handled, but I am sure that we are now thankful that we have realized a cease fire and that we have realized the return of some POW's.

We do not know what commitments were made during these very delicate negotiations. We have heard it been told that no funds for the rebuilding of North Viet Nam have been committed and Dr. Kissinger has said that he fully expects a full accounting of all of the MIA's.

Now we do know, we do know that passage of this resolution as originally written will do no good as far as negotiations where the MIA's are concerned. I would certainly doubt if Dr. Kissinger or President Nixon would ever see this resolution. We do not know what harm passage of this Resolution as written may do. We do not know how it may jeopardize the realization of a full listing of the MIA's.

For a group of foreign affair arm-chair quarterbacks such as us to tell President Nixon and Dr. Kissinger how to conduct these very delicate negotiations is highly presumptuous, and just possibly detrimental to a full accounting of the MIA's. For the sake of their families, I ask you to reconsider our action where we indefinitely postponed this resolution on my motion, but that you reconsider it only with the intent of accepting my proposed amendment. Then let

us pass this resolution and return to the conduct of the state's business, for that is the business with which we have been trusted.

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

Mr. ROSS: Mr. Speaker and Ladies and Gentlemen of the House: I never have really approved of memorials to Congress. I normally felt that Congressmen, whether they were in the House or the Senate, knew their job better than we did and that they paid no attention to petitions from legislators and legislatures all over the country, but I really supported this original resolution. This was different than most memorials. I believe that the majority of our United States Congress agreed with the content of this resolution.

The amendment today deletes withholding funds for the reconstruction of North Viet Nam. Economic aid to North Viet Nam was first promised by President Johnson in 1965. Now recently, article 21 to the agreement to end the war stated that the United States would contribute to healing the wounds of war and the reconstruction of Viet Nam, but the timing of this aid was not mentioned and that is what the original resolution pertained to, that we would withhold aid until the prisoners were accounted for.

Now our memorial may accomplish little, nevertheless, I still believe in the principle, and it might well have a reassuring effect on many people in Maine. We have many of the boys in our state unaccounted for and when many of their Maine families read of the suggested action that we were about to take, they were heartened, but our sudden defeat of this idea without any debate in this House did little to restore their confidence in us.

I feel certain that we should reverse our decision and send the resolution as amended — I am willing to do that — to Congress because this will help restore the hope of the people from Maine. They will realize that our legislature has not forgotten them. It alone will help prove that we are

compassionate and not without feeling. It will certainly help prove that we are willing to do all we can, albeit nominal, in this very sad and serious, situation and I support the resolution as amended.

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

Mr. MARTIN: Mr. Speaker, I obviously am in favor of reconsideration at this point.

Thereupon, the House reconsidered its action whereby this Joint Resolution was indefinitely postponed.

Mr. Ault of Wayne offered House Amendment "B" and moved its adoption.

House Amendment "B" (H-73) was read by the Clerk and adopted.

Mr. Ross of Bath requested a roll call vote.

The SPEAKER: A roll call has been requested. For the Chair to order a roll call, it must have the expressed desire of one fifth of the members present and voting. All those desiring a roll call vote will vote yes; those opposed will vote no.

A vote of the House was taken, and more than one fifth of the members present having expressed a desire for a roll call, a roll call was ordered.

The SPEAKER: The pending question is on the motion of the gentleman from Wayne, Mr. Ault, that Joint Resolution, Senate Paper 340, as amended by House Amendment "B" be adopted in non-concurrence. All in favor will vote yes; those opposed will vote no.

ROLL CALL

YEA — Albert, Ault, Baker, Berry, G. W.; Berry, P. P.; Berube, Binnette, Birt, Bither, Boudreau, Bragdon, Brown, Briggs, Brown, Bunker, Bustin, Cameron, Carey, Carter, Chick, Chonko, Churchill, Clark, Conley, Connolly, Cooney, Cote, Cottrell, Cressey, Crommett, Curran, Curtis, T. S., Jr.; Davis, Donaghy, Dow, Drigotas, Dunleavy, Dunn, Dyar, Emery, D. F.; Evans, Farley, Farnham, Faucher, Fecteau, Ferris, Finemore, Flynn, Fraser, Gahagan, Garsoe, Gauthier, Genest, Good, Goodwin, H.; Goodwin, K.; Greenlaw,

Hamblen, Hancock, Haskell, Henley, Hobbins, Huber, Hunter, Immonen, Jackson, Jacques, Jalbert, Kelleher, Keyte, Kilroy, Knight, LaCharite, LaPointe, Lawry, LeBlanc, Lewis, E.; Lewis, J.; Littlefield, Lynch, MacLeod, Maddox, Mahany, Martin, Maxwell, McHenry, McKernan, McMahon, McNally, McTeague, Merrill, Mills, Morin, L.; Morin, V.; Morton, Mulkern, Murchison, Murray, Najarian, Norris, O'Brien, Palmer, Parks, Peterson, Pontbriand, Pratt, Ricker, Rolde, Rollins, Ross, Santoro, Shaw, Shute, Silverman, Simpson, L. E.; Smith, D. M.; Smith, S.; Snowe, Stillings, Susi, Talbot, Tanguay, Theriault, Tierney, Trask, Trumbull, Walker, Webber, Wheeler, White, Whitzell, Willard, Wood, M. E.; The Speaker.

ABSENT — Barnes, Carrier, Dam, Deshaies, Dudley, Farrington, Herrick, Hodgdon, Hoffses, Kelley, Kelley, R. P.; McCormick, Perkins, Sheltra, Soulas, Sproul, Tyndale.

Yes, 134; No, 0; Absent, 17.

The SPEAKER: One hundred thirty-four having voted in the affirmative and none in the negative, with seventeen being absent, the motion does prevail.

By unanimous consent, ordered sent forthwith to the Senate.

Mr. Whitzell of Gardiner presented the following Order and moved its passage:

ORDERED, that Ana Maria de Faria Queiroz of Sao Paulo, Brazil be appointed Honorary Page for today.

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

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

Bill "An Act Revising the Laws Relating to School Buses" (S. P. 307) (L. D. 1045)

Tabled — February 28, by Mr. Henley of Norway.

Pending — Reference in concurrence.

On motion of Mr. Henley of Norway, referred to Committee on Transportation in concurrence.

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

Bill "An Act Relating to Zoning Certain Throughways as Commercial" (H. P. 893)

Tabled — February 28, by Mr. Henley of Norway.

Pending — Reference.

On motion of Mr. Henley, referred to the Committee on Judiciary, ordered printed and sent up for concurrence.

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

Bill "An Act Requiring Liquor Inspectors to Wear Uniforms While on Duty" (H. P. 412) (L. D. 561)

Tabled — February 28, by Mr. Genest of Waterville.

Pending — Acceptance of Majority "Ought not to pass" report.

On motion of M. Martin of Eagle Lake, retabled pending acceptance of the Majority "Ought not to pass" Report and specially assigned for Tuesday, March 6.

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

Bill "An Act Relating to Content of Ballots" (H. P. 442) (L. D. 591)

Tabled — February 28, by Mrs. Boudreau of Portland.

Pending — Acceptance of either Report.

On motion of Mr. Snowe of Auburn, retabled pending acceptance of either Report and specially assigned for Tuesday, March 6.

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

Bill "An Act Relating to Federal and State Standards and Labeling of Milk and Milk Products" (H. P. 234) (L. D. 315)

Tabled — February 28, by Mr. Evans of Freedom.

Pending — adoption of House Amendment "B" (H-49)

On motion of Mr. Evans of Freedom, House Amendment "B" was indefinitely postponed.

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

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

Bill "An Act Relating to Hunting from Public Ways" (H. P. 160) (L. D. 202) (C. "A"-H-32)

Tabled — February 28, by Mr. Simpson of Standish.

Pending — Indefinite Postponement.

The SPEAKER: The Chair recognizes the gentleman from Standish, Mr. Simpson.

Mr. SIMPSON: Mr. Speaker and Ladies and Gentlemen of the House: I rise to oppose the indefinite postponement motion. The present time the bill came out of committee and has a Committee Amendment to it whereby they inserted the words public way, a paved way. We have at the present time House Amendment "A" which is under filing number 36, which has been passed. If we do not indefinitely postpone the bill I would like to take off House Amendment "A" and offer House Amendment "C" which you have before you. There was some question pertaining to maybe some of the areas where there were dirt roads. But putting in the words paved, I believe that takes care of that.

From the Attorney General's Office I have the following letter: "Your question is whether the words 'paved public way' would include a private way if the public were permitted access to the private way. The words above quoted are deemed to refer to ways established by the use of the public at large and maintained at the public expense and not to private ways used permissibly by the public" and he quotes the precedents established by the courts. "While the public way may obtain a right to pass over a private way by custom or by prescription through long, continued use, it cannot obtain any right to the soil and the private way would not, thereby, become a public way within the meaning of L. D. 202," and he there again cites the court cases. "In a dedication of the way for public use must have been accepted by public authority," also backed by precedents. "Therefore, we answer your question in the

negative." Signed, Leon Walper, Assistant Attorney General.

Ladies and gentlemen, I think we are talking about a case of safety here and I don't feel any reason why we should exclude or allow any one particular group or anybody to take and hunt with any type of shot. To me No. 6 shot is just as deadly as buckshot or as anything else or ballshot or muzzle loaders or what have you and I think we are in a position to strike out and pass these words and put House Amendment "C" to the bill.

The SPEAKER: The pending question is on the motion of the gentleman from Oakland, Mr. Brawn, that this matter be indefinitely postponed.

The Chair recognizes the gentleman from Oakland, Mr. Brawn.

Mr. BRAUN: Mr. Speaker, with this new amendment, I would like to withdraw my indefinite postponement because this does correct the thing which I was against.

Thereupon, Mr. Braun's motion for indefinite postponement was withdrawn.

On motion of Mr. Simpson of Standish, under suspension of the rules the House reconsidered its action whereby House Amendment "A" was adopted, and on further motion by the same gentleman, the Amendment was indefinitely postponed.

The same gentleman then offered House Amendment "C" and moved its adoption.

House Amendment "C" (H-70) was read by the Clerk and adopted.

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

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

Joint Order relative to Special Legislative Committee to Welcome Home Returning Prisoners of War, (S. P. 334)

Tabled — February 28, by Mr. Birt of East Millinocket.

Pending — Passage.

On motion of Mr. Simpson of Standish, retabled pending passage

and specially assigned for Monday, March 5.

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

Bill "An Act Providing for Field Examiner for Election Division of the Department of the Secretary of State" (S. P. 151) (L. D. 385)

Tabled — February 28, by Mr. Kelleher of Bangor.

Pending — Acceptance of either report.

The SPEAKER: The Chair recognizes the gentleman from Bangor, Mr. Kelleher.

Mr. KELLEHER: Mr. Speaker, I move the bill and both reports be indefinitely postponed and would like to speak to my motion.

The SPEAKER: The gentleman from Bangor, Mr. Kelleher, moves that the Reports and Bill be indefinitely postponed.

The Chair recognizes the gentleman from Bangor, Mr. Kelleher.

Mr. KELLEHER: Mr. Speaker and Ladies and Gentlemen of the House: This L. D. 385 is to allow the Secretary of State's Office to send examiners into our respective communities to check the processes in the town clerk's office on the rolls of the voters. I think this is very unnecessary and I am only speaking for my own community.

In my community we have a very efficient office. It is run very properly. The people, as you know, one is appointed by the Republican party, one by the Democratic party and one by the Governor. I feel that in my community, and I am only speaking for mine now, that it is run very efficiently. I think that you people know how the offices in your communities are operating and if you feel that this is necessary, I suggest that you vote for this measure. If you feel that it is not necessary, I suggest that you vote with me.

In my area, I know it is not needed. These people are well informed. It said in the bill here that in some cases that there is violations and the clerks are not well informed of the statutes that are on the books. I don't believe this to be true, because I know the Secretary of State's Office con-

tinually meets with these people and gives them the statutory changes and tells them of any pending legislation that may affect them.

I would ask you to support me in indefinite postponement of this bill.

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

Mr. ROSS: Mr. Speaker and Ladies and Gentlemen of the House: Since this has been tabled several times, I would request first the Clerk read the committee report.

The Report was read by the Clerk.

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

Mr. ROSS: Mr. Speaker and Ladies and Gentlemen of the House: I know that you can read this as well as I, but the statement of fact on this L. D., there is dramatic evidence that the administrative election process in the State of Maine is sorely in need of immediate attention. For example, municipal election officials this past year acknowledged the existence of grossly outdated voting lists. Moreover, numerous statutory provisions of the election laws are not being adhered to for many reasons, including ignorance of the law or inexperience in the application of the laws.

The Election Division of the Office of the Secretary of State is comprised only of a deputy, one clerk stenographer, the deputy also serving as Deputy Secretary of State with secondary responsibilities for the Corporation and Motor Vehicle Divisions. Additionally, election officials ranging from city and town clerks to small town registrars and city boards of registration acknowledged during 1972 that voting lists are not being kept up to date, that there is widespread ignorance of many sections of the elections laws, including admissions that many election officials are unfamiliar with the election law changes which have taken place over the past several years.

Boards of registration have refused to meet regularly in order that new registrants could either register to vote or enroll in a politi-

cal party. Some elderly registrars and clerks last year arbitrarily made election day decisions completely contrary to election laws simply because they were ignorant of these laws.

Attempts to conduct area schools of instruction were, to say the least, only partially successful. Meetings arranged with county and area chapters of the Maine Town-City Clerks Association also were only partially successful because of the relatively small turnouts.

A field examiner would spend full time, community by community, personally meeting with city and town clerks, registrars, boards of registration and municipal officials where the need might be to explain in detail all provisions of the election laws. A field examiner would plan and arrange for schools of instructions for all types of election officials, including those who work at the polls on election day.

Now, many states in the country do a great deal of this to keep the voters informed. They even send out massive mailings to every voter in the state at a great expense, both clerical and in postage. This bill calls for \$16,000 one year and \$18,000 another. It was considered by the Secretary of State one of the most needed and important of all of the election law changes and there are many changes; they are complicated. I am on the Election Law Committee and we heard testimony every day when we have a public hearing of people who should know and don't know the laws; and if we are going to carry out our elections successfully, they certainly should be informed. It must take somebody to do this.

The SPEAKER: The Chair recognizes the gentleman from Kennebunk, Mr. McMahon.

Mr. McMAHON: Mr. Speaker, Members of the House: I would like to rise in support of what Mr. Ross said. I am a selectman in a fairly small town in the southern part of the state and I can attest to the fact that our Board of Registration and Town Clerk every election communicate with both the Secretary of State and the Maine Municipal Association office to

make sure they don't overlook anything.

Now, it is awfully difficult to stand up and say that procedures followed in one's own town are not the best, but let's face it, we all make errors. They are honest errors and I think this bill that we are talking about is a good one and I think it is necessary and I hope you will support it and don't vote for indefinite postponement.

The SPEAKER: The Chair recognizes the gentleman from Bridgewater, Mr. Finemore.

Mr. FINEMORE: Mr. Speaker, Members of the House: I think this is probably the first time that I have ever worked against Mr. Ross, but I have to, because I think every town should be made to clean up its voting list.

Now, we are a little, insignificant town with 985 population with a register of 535 voters and we, last year, cleaned up ours. We want all through it. We notified everyone who had left town according to law by registered mail, waited the length of time according to the law before we took them off the voting list. Our voting list is all cleaned up. It cost us some 50, 60, maybe 75 voters, but we have a good list.

I have heard this before, only this time the gentleman from Bath did not go quite as deep. I know the feeling in his own city, Bath, because they have a lot of inequities there, but I do believe they can clean them up. If I have made a mistake, excuse me, Rodney.

I believe they can clean it up there just as well as we can ours and this has a price tag, as he has stated, \$34,000, and I believe that we can go along. I would like to go along with the indefinite postponement with the gentleman from Bangor, Mr. Kelleher.

The SPEAKER: The Chair recognizes the gentleman from Enfield, Mr. Dudley.

Mr. DUDLEY: Mr. Speaker, Members of the House: I am one of those odd characters that signed the "ought not to pass" report; in other words, the minority report. I will give you some of what I consider good reasons. I don't like to be deceived and I don't like to

have you people in this House be deceived at my hands.

Now, only a few years I was here. The trouble is, I have been here and seen these things go on and see this monstrosity build around us, personnel in these departments.

It wasn't too many years ago we put on a Deputy Secretary of State in the Election Division and he is going to really straighten things out in the state and he is really going to do it. Now he is asking right now a foot in the door for two more. Let me first start you in with 16,000, the next year 18,000 and probably the next year — this seems to be a trend of about 2,000 a year. This creeps up on us like an algae. But let me tell you that two men are not going to educate every stupid person in this state, if that is what they would like you to believe, and I am not that naive and I hope you are not.

Now, I grant you that in some of these small towns there are deceased people that are deceased that are still on the voting list and they haven't taken the time to take them off and I say to that, so what? They are not going to vote. They are pushing up daisies.

So, basically, I am against two or three things: I am against someone from these state departments coming to these towns back where I come from and represent and some of these town clerks have been town clerks longer than the Deputy Secretary of State or longer than the Secretary of State has been Secretary of State and they are well aware of what is going on. They sometimes haven't had the time, maybe, to correct the voting list. And I am of the opinion that what brought this on is some out-of-state firm that wants to keep some records, they say that some out-of-state firm wrote in and we have more people on the voting list than we have voters and possibly that is so. So what? Are we going to spend all this money to satisfy someone, to keep some kind of an analysis or voting list out in Washington or California? I am not interested in that and I hope you are not.

Number one, I am not going to be deceived to think that two men — I am not so naive that they are going to correct the whole state and all the inequities and I know what it means. I know if you know if I am going to reach you by telling you that a foot in the door — my opinion of that is when a man sticks his foot in and holds the door open while he crowds in a few more, and this is just what I am trying to tell you. This is — they stick their foot in the door and crowd in two people this year and they will ask for six next time and I don't know where it will stop because I have sat here and seen this building build next door here, this gray one, five stories, and now it is over filled and they have moved across the street and all around us and up on Vickery- Hill and they are still crowding people on.

When I came here 20 years ago, this new book so-called was a piece of paper like this. You opened it up and it had the state employees on these two pages like a brochure. Today it looks like a telephone directory and when we leave here, it is going to look like New York's telephone directory and I hope you will go along and indefinitely postpone this. We have got personnel working for the state bugging the people back home.

The SPEAKER: The Chair recognizes the gentleman from Oakland, Mr. Brawn.

Mr. BRAWN: Mr. Speaker, Members of the House: I must go along with indefinite postponement and I hope I can make it clear very shortly. In our town we have three women with the same identical name. We have five men with the same identical name. Three of them — the women all have the same middle initial.

Now, I will defy any man to go up there from the state to tell us who they are and where they live because they aren't going to know them when they come in. Now, the women at the polls, they do know these people, so they write down either the fat one or the slim one, so they have got a notation who they are. And I think we better leave it up to our own board the way it is to straighten this out

and not send it down here to the state because it isn't costing us anything.

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

Mr. BINNETTE: Mr. Speaker, Ladies and Gentlemen of the House: I, too, sit on this committee with Mr. Ross, my good friend from Bath and this is the first occasion that I have differed with him. In this instance I cannot see where one man with a little bit of a help of a secretary can cover 495 places in the State of Maine and do that in the run of one year.

I will agree with him when he says there are a lot of these election boards that do not do their job properly. I have seen occasions when they have had schools where our Secretary of State, Mr. Edgar, has come up before a group and explained to these people how they should do and how they should not do things and do it right so we won't have any complications in the election. But he could not control them when it came time for them to do their work. They did it just as they pleased in a lot of instances.

They don't do just what they should. They are not — well, as I say, they are not interested, there are only certain ways, they want to do it by themselves. They don't want to follow the law and I don't see where one man can go up to them and explain to them in such a manner that they will listen to him anyway.

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

Mr. McNALLY: Mr. Speaker, Members of the House: I cannot possibly sit here because we have a good city clerk in Ellsworth. She has been there a long time and she really does her duty as well as she can with the information that she gets out of the Deputy Secretary of State's Office.

I think that you folks can all recall that in one day's time we had three separate rulings as to whether college men could vote or could not vote or how long they had to be there or whether they were residents or whether they were not residents, and I am

wondering if this man that is hired to go around over the state, if when they have the instruction that they are giving out, if they are going to instruct the ones in the headquarters so they, too, can perhaps give out only one rule in a day and hold to it.

Now, I think it is ridiculous. It is just as ridiculous as saying that you can have 17 new inspectors and inspect the licenses, the people that are going to get licenses, a 140,000 people, and then we have got that in transportation. This is just a way of starting in with small and growing big.

The SPEAKER: The Chair recognizes the gentleman from Casco, Mr. Hancock.

Mr. HANCOCK: Mr. Speaker, Ladies and Gentlemen of the House: I am a signer of the majority "ought to pass" report, and I think perhaps you people might be interested in how and why this bill came into being.

There was an interim Election Law Study Committee before this last election. We had hearings and also we had the hearing on this present bill, the one that we are discussing at the minute, the people who were there before us that were asking for this were the town clerks and election officials. They need help and they know it.

Now, no one is perfect and these examiners or whatever — field examiners or whatever we want to call them, they are not going to improve the total situation in one year or in two, but they are going to help keep the situation up to date and they are going to improve the thing. It won't be perfect, but it will be improved.

I do not think that anyone is accusing any town or any city of deliberately doing things the wrong way, but there are mistakes made by very well-meaning and very honest people and we are trying to get the election laws so that they are steady and universal for all voters. This is what we are trying to do here at the request of the town clerks and election officials. When I say that, I don't mean each and every one but certainly this was a heavy preponderance of those that appeared before us and testified.

The SPEAKER: The Chair recognizes the gentleman from Norway, Mr. Henley.

Mr. HENLEY: Mr. Speaker and Ladies and Gentlemen of the House: I think a lot of us do not take issue particularly with the intent of the bill. It is like a lot of other issues. We know that there is a gap of possibly information or of effective implementation of laws that we have. I think you find that one of the big problems is not just that the people and the clerks do not know what they should do, but because of the increase in city and town governmental business, a lot of these people — of course, the majority of our towns, we do not have boards of registration, it is the town clerks. And I know in the towns in my area, the town clerks are so swamped with all kinds of town business and a lot of it is our own fault and a lot of it is the federal government's fault.

I was in my town office last week and the town manager threw three forms at me. He said, "Look at this. All this stuff we got to make out and it means absolutely nothing." These people have had so much administrative work thrown onto them that they just do not have the time to keep up with what they should know on the election laws and, of course, we have changed them quite frequently as we are all aware.

This, of course, would be of some help; but at this time, I think that one of the most important things is perhaps some way of short-cutting the work that the town clerks are having to do relative to that business. I don't know whether we can help them along that line or not but I don't feel that this bill is going to be of any great help.

I think that we are dreaming if we think that one man and an assistant is going to be of very much help to 490-odd communities. They get to them, once every third year perhaps.

So I believe I feel we should approach it in some other manner.

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

Mr. DUNN: Mr. Speaker, Ladies and Gentlemen of the House: I have been listening to them telling about the men. Now, if we pass this bill, there may be some women looking for that position.

The SPEAKER: The Chair recognizes the gentleman from Westbrook, Mr. Carrier.

Mr. CARRIER: Mr. Speaker, Members of the House: I think we should support the indefinite postponement of this bill for a few reasons. Some of them were stated and others weren't. Now in our town, I have to admit that we have an excellent clerk which is in the opposite party that I am, but he is still an excellent man. We don't have any trouble with election lists or laws or anything in there. We don't need anybody to come down and tell us what we need either.

We have a good registration board. They do the best they can. There are some errors and I believe that actually creating new positions in this particular department, to come there and irritate us, it will probably irritate a lot of other communities, and it is not needed.

It has been told here or has been mentioned that this is somewhat — this bill came up somewhat as a result of a study committee. Well I can assure you, as you know already, that if you want desired results, you put certain people on certain committees. I think that this is the way it has happened here. I think that the department here that is asking for this particular extra people to work on, I think they should concentrate on their present duties.

Now, it was apparent — and I say apparent — laws broken, election laws broken around our vicinity, not in my town, and it was called to the attention—apparently again—it was called to the attention of the division and apparently was also turned over to the local county attorney who apparently did not do anything about it but turned it over to the deputy sheriff who himself did not do anything about it.

So, actually, I submit to you that some of these people, all they have to do is concentrate on doing a better job and I am sure that the people in most communities can

do their own job. I don't want them around Westbrook. I think that we have two active parties in Westbrook. I think one watches the other, although we have no particular reason to watch each other.

So I submit to you that this bill is a good bill to really do away with and I suggest that your good judgment will prevail.

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

Mr. JALBERT: Mr. Speaker and Members of the House: I am not going to take part in the debate but I just want to give a message to the gentleman from Westbrook, Mr. Carrier. Any time the Democrats cease to watch the Republicans or the Republicans cease to watch the Democrats, we will cease to be the greatest country on earth.

The SPEAKER: The Chair recognizes the gentleman from Enfield, Mr. Dudley.

Mr. DUDLEY: Mr. Speaker and Members of the House: I haven't already told you enough so that you know how I stand on the bill, I just wanted to make a few remarks in rebuttal.

First, I would like to say that there was one before this committee, one proponent, the Deputy Secretary of State. The Secretary of State sat there in his seat but he didn't offer any words of comment. So there was one proponent.

This interim committee we spoke of here, they did have an interim committee but let me say, they didn't recommend two people. I don't want to tell you how many they recommended because I am not sure of the number, but I will say it was considerably more than two.

The SPEAKER: The pending question is on the motion of the gentleman from Bangor, Mr. Kelleher, that the Report and Bill "An Act Providing for Field Examiner for Election Division of the Department of the Secretary of State (S. P. 151) (L. D. 385) be indefinitely postponed. All in favor will vote Yes; those opposed will vote no.

A vote of the House was taken.

71 having voted in the affirmative and 47 having voted in the negative, the motion did prevail.

Sent to the Senate.

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

House Order relative to Cold Air Vents in the House.

Tabled — February 28, by Mr. Martin of Eagle Lake.

Pending — Passage.

The SPEAKER: The Chair recognizes the gentleman from Millinocket, Mr. Crommett.

Mr. CROMMETT: Mr. Speaker, Ladies and Gentlemen of the House: The purpose for which this order was introduced has been accomplished. I now withdraw the order.

Thereupon, the Order failed passage.

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

Bill "An Act Prohibiting the Digging of Bloodworms and Sandworms on Sunday" (H. P. 917)

Tabled — February 28, by Mr. Emery of Rockland.

Pending — Motion of Mr. Kelley of Southport to reconsider reference.

Thereupon, the House reconsidered its action whereby this Bill was referred to the Committee on Legal Affairs.

On motion of Mr. Kelley of Southport, referred to the Committee on Marine Resources, ordered printed and sent up for concurrence.

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

"An Act Relating to Operation of Motor Vehicles with Accumulations of Snow or Ice" (H. P. 916)

Tabled — February 28, by Mr. Simpson of Standish.

Pending — Reference.

On motion of Mr. Simpson of Standish, referred to the Committee on Transportation, ordered printed and sent up for concurrence.

The Chair laid before the House the following matter appearing on supplement number 1:

Bill "An Act to Increase Salaries of Certain Somerset County Officials" (H. P. 301) (L. D. 403)

Tabled February 28, by Mr. Dam of Skowhegan

Pending — Motion to recede and concur

On motion of Mr. Lawry of Fairfield, tabled pending the motion to recede and concur and specially assigned for Tuesday, March 6.

On motion by Mr. Birt of East Millinocket,

Adjourned until Monday, March 5, at two o'clock in the afternoon.