

# MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Third  
Legislature*

OF THE

STATE OF MAINE

1967

KENNEBEC JOURNAL  
AUGUSTA, MAINE

**HOUSE**

Thursday, February 2, 1967

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

Prayer by the Rev. Mr. William Dunstan of Gardiner.

The journal of yesterday was read and approved.

**Papers from the Senate**

From the Senate: The following Order:

ORDERED, the House concurring, that when the Senate and House adjourn they adjourn to meet on Tuesday, February 7, at ten o'clock in the morning. (S. P. 240)

Came from the Senate read and passed.

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

**Tabled and Assigned**

From the Senate: The following Order:

ORDERED, the House concurring, that there be created a Joint Select Committee on Indian Affairs, consisting of three members on the part of the Senate to be appointed by the President of the Senate, and seven members on the part of the House to be appointed by the Speaker of the House. (S. P. 205)

Came from the Senate read and passed.

In the House, the Order was read.

(On motion of Mr. Benson of Southwest Harbor, tabled pending passage in concurrence and specially assigned for the next legislative day.)

From the Senate: The following Joint Resolution: (S. P. 225)

WHEREAS: the distinguished Senior Senator from Maine, the Honorable Margaret Chase Smith, is entering upon her fourth consecutive term in the United States Senate, and

WHEREAS: by virtue of her exceptional record, exemplified by her devotion to duty and her widely acknowledged ability the Hon-

orable Margaret Chase Smith has brought great credit and honor to her native State of Maine, and

WHEREAS: the Honorable Margaret Chase Smith not only was the first woman elected in her own right to the United States Senate, and the first woman to represent the Republican party in that body, but since the convening of the present Congress she has added to her reputation by her unanimous election as Chairman of the Conference of All Republican Senators, thereby becoming the first woman in history to assume an official leadership position in the United States Senate, and since all of the accomplishments of Senator Smith further enhance the image projected by the great State of Maine;

NOW THEREFORE, BE IT RESOLVED, the House concurring, that the 103rd Legislature shall show its respect for the dignity accruing to our State by her successive accomplishments by having a portrait of Senator Margaret Chase Smith placed in a prominent place in the Maine State Capitol; and

That a committee shall be appointed by the President of the Senate and the Speaker of the House to obtain such a portrait of Senator Smith; and

That upon the occasion of the hanging of said portrait this committee shall conduct suitable exercises in honor of the occasion.

Came from the Senate read and adopted.

In the House, the Resolution was read and adopted in concurrence.

From the Senate: The following Communication: (S. P. 203)

STATE OF MAINE  
Senate Chamber  
Augusta, Maine

January 27, 1967

To the Honorable Senate and House of Representatives of the One Hundred and Third Legislature

Transmitted herewith is a report entitled "Maine Interim Committee Report on School Districts".

This report is being submitted in accordance with the Interim Study Committee authorized by the One Hundred and Second Legislature.

Respectfully,  
(Signed) CARLTON L. FALOON  
Chairman

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

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

From the Senate: The following Communication: (S. P. 204)

STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
Augusta

January 27, 1967

To the Honorable Senate and House of Representatives of the One Hundred and Third Legislature

Transmitted herewith is a report entitled "Study of the Need for a Third Correctional Institution".

This report is being submitted in accordance with the Interim Study Committee authorized by the One Hundred and Second Legislature.

Respectfully,  
(Signed) JOSEPH J. HEALY  
Chairman

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

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

From the Senate: The following Communication: (S. P. 206)

STATE OF MAINE  
Augusta, Maine

January 31, 1967

To the Honorable Senate and House of Representatives of the One Hundred and Third Legislature

Transmitted herewith is a report entitled "Liquor Study Committee Report".

This report is being submitted in accordance with the Interim Study Committee authorized by

the One Hundred and Second Legislature.

Respectfully,  
(Signed) EMILE JACQUES  
Chairman

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

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

From the Senate:

Bill "An Act Providing Funds to Supplement Vocational Rehabilitation Programs" (S. P. 175) (L. D. 366)

Resolve Reimbursing Certain Municipalities on Account of Property Tax Exemptions of Veterans (S. P. 173) (L. D. 365)

Came from the Senate referred to the Committee on Appropriations and Financial Affairs.

In the House, referred to the Committee on Appropriations and Financial Affairs in concurrence.

From the Senate:

Bill "An Act Increasing Minimum Salaries for Teachers" (S. P. 153) (L. D. 364)

Came from the Senate referred to the Committee on Education.

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

From the Senate:

Bill "An Act relating to Trespass on Unimproved Land Devoted to Preservation of Wildlife" (S. P. 177) (L. D. 367)

Bill "An Act relating to False Identification of Minors Under Liquor Law" (S. P. 178) (L. D. 368)

Came from the Senate referred to the Committee on Judiciary.

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

From the Senate:

Bill "An Act relating to Definition of Employee Under Minimum Wage Law" (S. P. 179) (L. D. 369)

Came from the Senate referred to the Committee on Labor.

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

From the Senate:

Bill "An Act relating to Non-profit Blood Donor Service Corporations" (S. P. 180) (L. D. 370)

Bill "An Act relating to Mal-functioning Sewage Disposal Units" (S. P. 181) (L. D. 371)

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

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

From the Senate:

Bill "An Act relating to Duties of State Geologist With the Maine Mining Bureau" (S. P. 182) (L. D. 372)

Bill "An Act Increasing Mileage Allowance for State Employees on State Business" (S. P. 183) (L. D. 373)

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

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

From the Senate:

Bill "An Act Increasing Salary of Register of Deeds of Penobscot County" (S. P. 184) (L. D. 374)

Bill "An Act Permitting Municipalities to Raise Money for Blood Service Programs" (S. P. 185) (L. D. 375)

Came from the Senate referred to the Committee on Towns and Counties.

In the House, referred to the Committee on Towns and Counties in concurrence.

From the Senate:

Bill "An Act to Include Viet Nam Veterans in Veteran Benefit Programs" (S. P. 186) (L. D. 376)

Came from the Senate referred to the Committee on Veterans and Military Affairs.

In the House, referred to the Committee on Veterans and Military Affairs in concurrence.

**Senate Reports of Committees  
Ought to Pass**

Report of the Committee on State Government reporting

"Ought to pass" on Bill "An Act relating to Membership in Advisory Committee of Highway Safety and Change of Name of Executive Secretary" (S. P. 12) (L. D. 18)

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

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

**Ought to Pass with  
Committee Amendment**

Report of the Committee on Appropriations and Financial Affairs on Bill "An Act relating to Appropriations to the Maine Industrial and Recreational Finance Approval Board" (S. P. 44) (L. D. 34) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

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

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

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

COMMITTEE AMENDMENT "A" to S. P. 44, L. D. 34, Bill, "An Act Relating to Appropriations to the Maine Industrial and Recreational Finance Approval Board."

Amend said Bill by striking out in the 10th line from the end (12th line from the end in L. D. 34) the figure "\$6,173" and inserting in place thereof the figure "\$5,189"

Further amend said Bill by striking out all of the 3rd and 4th lines from the end (same in L. D. 34) and inserting in place thereof the following:

Capital Expenditures	577
Total	\$5,189

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

**Petitions, Bills and Resolves  
Requiring Reference**

The following Bills and Resolves were received and, upon recom-

mentation of the Committee on Reference of Bills, were referred to the following Committees:

#### **Appropriations and Financial Affairs**

Bill "An Act to Authorize Bond Issues in the Amount of \$3,000,000 to Provide Funds for the Construction of Regional Technical and Vocational Centers Under the Provisions of Section 2356-B of Title 20, R. S." (H. P. 399) (Presented by Mr. Jalbert of Lewiston)  
(Ordered Printed)

Resolve Reimbursing Mars Hill Utility District for Bonds Issued for Sewer Construction (H. P. 400) (Presented by Mr. Dickson of Mars Hill)

(Ordered Printed)  
Sent up for concurrence.

#### **Claims**

Resolve to Reimburse L. D. Durgin, of Limington, for Well Damage Resulting from Highway Construction (H. P. 401) (Presented by Mr. Harriman of Hollis)  
(Ordered Printed)

Resolve in Favor of Paul V. Douglass of Winslow for Well Damage by Highway Construction (H. P. 402) (Presented by Mr. Roy of Winslow)

(Ordered Printed)  
Sent up for concurrence.

#### **Education**

Bill "An Act Requiring Protective Eye Devices for Certain Students" (H. P. 403) (Presented by Mr. Fortier of Waterville)

(Ordered Printed)  
Sent up for concurrence.

#### **Highways**

Bill "An Act to Authorize the Reconstruction and Elimination of Hazardous Locations on Portions of State Route 6" (H. P. 404) (Presented by Mr. Trask of Milo)  
(Ordered Printed)

Sent up for concurrence.

#### **Inland Fisheries and Game**

Bill "An Act relating to Trapping Beaver" (H. P. 405) (Presented by Mr. Cookson of Glenburn)  
(Ordered Printed)

Sent up for concurrence.

#### **Judiciary**

Bill "An Act relating to Right of Entry and Inspection of Nursing Homes" (H. P. 406) (Presented by Mrs. Carswell of Portland)

(Ordered Printed)

Bill "An Act relating to Detention of Juveniles" (H. P. 407) (Presented by same member)

(Ordered Printed)

Bill "An Act relating to the Guardianship of Mentally Retarded Persons" (H. P. 408) (Presented by same member)

(Ordered Printed)

Bill "An Act relating to Highway Commission Land Taking" (H. P. 409) (Presented by Mrs. Fuller of York)

(Ordered Printed)

Bill "An Act relating to Jurisdiction of Courts in Child Neglect Cases" (H. P. 410) (Presented by Mrs. Wheeler of Portland)

(Ordered Printed)

Bill "An Act Increasing Charges of Bail Commissioners" (H. P. 411) (Presented by same member)

(Ordered Printed)

Sent up for concurrence.

#### **Labor**

Bill "An Act relating to Overtime for Hotels and Motels Under Minimum Wage Law" (H. P. 412) (Presented by Mr. Kyes of Skowhegan)

(Ordered Printed)

Sent up for concurrence

#### **Legal Affairs**

Bill "An Act Describing the Boundary Line Between the Towns of Paris and West Paris" (H. P. 413) (Presented by Mr. Immonen of West Paris)

(Ordered Printed)

Bill "An Act relating to Investment of Funds of Credit Unions" (H. P. 414) (Presented by Mr. Robertson of Brewer)

(Ordered Printed)

Sent up for concurrence.

#### **Liquor Control**

Bill "An Act relating to part-time Liquor Licenses for Class A Restaurants" (H. P. 415) (Presented by Mr. Roy of Winslow)

(Ordered Printed)

Bill "An Act relating to Issuance of Liquor Licenses on a Proba-

tionary Basis" (H. P. 416) (Presented by Mrs. Wheeler of Portland)

(Ordered Printed)  
Sent up for concurrence.

#### Public Utilities

Bill "An Act Creating the Newport Water District" (H. P. 417) (Presented by Mr. Bradstreet of Newport)

(Ordered Printed)

Bill "An Act Creating a Sewer District in the Town of Newport" (H. P. 418) (Presented by same gentleman)

(Ordered Printed)

Bill "An Act relating to Compensation of Commissioners of the Waterville Sewerage District" (H. P. 419) (Presented by Mr. Fortier of Waterville by request)

(Ordered Printed)

Sent up for concurrence.

#### Sea and Shore Fisheries

Bill "An Act to Include Oysters in Shellfish Shipping and Shucking Laws" (H. P. 420) (Presented by Mr. Lowery of Brunswick)

(Ordered Printed)

Resolve relating to Regulating Taking of Alewives from Dennys River, Washington County (H. P. 421) (Presented by Mr. Miliano of Eastport)

(Ordered Printed)

Sent up for concurrence.

#### State Government

Bill "An Act to Create an Alternate Member to Serve on the State Probation and Parole Board" (H. P. 422) (Presented by Mrs. Carswell of Portland)

(Ordered Printed)

Bill "An Act Providing for Assistant Superintendent at Stevens Training Center" (H. P. 423) (Presented by same member)

(Ordered Printed)

Bill "An Act Changing Name of the Stevens Training Center to Stevens School" (H. P. 424) (Presented by same member)

(Ordered Printed)

Bill "An Act Prohibiting Legislators from Being Liquor Salesmen" (H. P. 425) (Presented by Mr. Hichens of Eliot)

(Ordered Printed)

Sent up for concurrence.

#### Taxation

Bill "An Act Providing for a Luxury Tax on Luggage, Jewelry, Furs and Toilet Preparations" (H. P. 426) (Presented by Mrs. Carswell of Portland)

(Ordered Printed)

Bill "An Act Increasing Exemptions for Veterans from Property Taxes" (H. P. 427) (Presented by Mr. Mosher of Gorham)

(Ordered Printed)

Bill "An Act Increasing the Gasoline Tax" (H. P. 428) (Presented by Mr. Susi of Pittsfield)

(Ordered Printed)

Sent up for concurrence.

#### Towns and Counties

Bill "An Act Establishing Clerk of Courts in Somerset County as Full-Time" (H. P. 429) (Presented by Mr. Kyes of Skowhegan by request)

(Ordered Printed)

Bill "An Act to Enable Municipalities to Provide Funds for Community Action Programs Under the Federal Anti-Poverty Program" (H. P. 430) (Presented by Mr. Lowery of Brunswick)

(Ordered Printed)

Bill "An Act relating to Buildings for Education Programs for Retarded Children No Longer Used for the Purpose" (H. P. 431) (Presented by Mr. Quinn of Bangor)

(Ordered Printed)

Sent up for concurrence.

#### Transportation

Bill "An Act Permitting the Removal of Disabled Motor Vehicles for Repair" (H. P. 432) (Presented by Mr. Hoover of Phillips)

(Ordered Printed)

Bill "An Act Regulating Riding on Motorcycles" (H. P. 433) (Presented by Mr. Humphrey of Augusta)

(Ordered Printed)

Bill "An Act relating to Operation of Motorcycles While Learning to Drive" (H. P. 434) (Presented by Mr. Keyte of Dexter)

(Ordered Printed)

Bill "An Act Regulating the Use of Winterized Tires on Motor Vehicles" (H. P. 435) (Presented by Mr. Waltz of Waldoboro)

(Ordered Printed)

Sent up for concurrence.

### Orders

Mr. Cote of Lewiston presented the following Joint Resolution and moved its adoption:

WHEREAS, the members of the One Hundred and Third Legislature have learned with great sorrow of the tragic deaths of Lt. Col. Virgil I. Grissom, Lt. Col. Edward H. White, II and Lt. Comdr. Roger B. Chaffee of the Saturn Apollo I Space Team; and

WHEREAS, this event has brought to an untimely end the useful lives of three patriotic American Citizens who gave their lives in the service of our great Nation in a pioneering effort far beyond man's conception; and

WHEREAS, the Nation now pauses in its never ending search for new horizons to mourn the loss of these valiant men whose date of death also ironically marks the signing of a peace in space treaty by sixty nations; and

WHEREAS, the Maine Legislature while united in expressions of profound sorrow due to such brave young men recalls those tense and worried moments of every flight and the joy and rejoicing that spread throughout the land when word came that all was safe; now, therefore, be it

RESOLVED: That the Members of the One Hundred and Third Legislature of the State of Maine, in regular session in their respective Chambers in the State House, Augusta, Thursday, February 2, 1967, through the foregoing Resolution, voice the deep sense of loss so widespread over the State and acknowledge the profound sympathy and condolences so genuinely expressed; and be it further

RESOLVED: That these Resolutions become a permanent part of the Journals of these Bodies and of the State of Maine. (H. P. 436)

The Resolution was adopted and, on further motion of Mr. Cote, was sent up for concurrence forthwith.

Mr. Crockett of Freeport presented the following Order and moved its passage:

WHEREAS, it has been learned that David Lausier, Freeport, a member of the Freeport High School Band, has been selected

to participate in the 1967 Summer European Concert tour with the School Band of America; and

WHEREAS, he is the first high school music student from the State of Maine to ever be accepted for this tour; and

WHEREAS, the six week tour will include concerts in eight European countries;

NOW, THEREFORE, BE IT ORDERED, that the House of Representatives extend their congratulations to Mr. David Lausier for this great honor; and

BE IT FURTHER ORDERED, that the Clerk of the House be directed to send an attested copy of this Order to the parents of David Lausier, Freeport.

The Order received passage.

The SPEAKER: The Chair is delighted this morning to recognize in the balcony of the House David Lausier of Freeport, who is accompanied by his parents Mr. and Mrs. Conrad Lausier, sister Miss Joan Lausier; and the Supervisor of Music for the Freeport School System, George Booktaub. David is eighteen years of age and is going to Europe as a member of the School Band of America. David is a post graduate student at Freeport High School and he will leave for Europe on June the 26th.

On behalf of the House, the Chair is delighted to welcome you folk here and we share in your pride in having such a boy representing the State of Maine. Will you please stand and be recognized. (Applause, Members rising)

On motion of Mrs. Baker of Winthrop, it was

ORDERED, that Rev. Daniel Tuttle of East Winthrop, be invited to officiate as Chaplain of the House on Tuesday, February 7, 1967.

### House Reports of Committees

#### Referred to Committee on Health and Institutional Services

Mr. Birt from the Committee on Appropriations and Financial Affairs on Bill "An Act relating to Salaries Paid by the State to Ministers of the Gospel" (H. P. 83) (L. D. 113) reported that it be



referred to the Committee on Health and Institutional Services.

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

**Referred to Committee on Towns and Counties**

Mr. Birt from the Committee on Appropriations and Financial Affairs on Bill "An Act Increasing Payments to Piscataquis County Law Library" (H. P. 88) (L. D. 118) reported that it be referred to the Committee on Towns and Counties.

Mr. Dunn from same Committee reported same on Bill "An Act Increasing Payments to Sagadahoc County Law Library" (H. P. 126) (L. D. 190)

Reports were read and accepted, the Bills referred to the Committee on Towns and Counties and sent up for concurrence.

**Ought to Pass Printed Bills**

Mr. Nadeau from the Committee on Highways reported "Ought to pass" on Bill "An Act to Allocate Money from the General Highway Fund for State Aid Construction" (H. P. 100) (L. D. 127)

Mr. Wood from same Committee reported same on Bill "An Act relating to Permits to Operate Heavy Motor Vehicles in Unorganized Territory" (H. P. 101) (L. D. 128)

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

**Report of Committee on Elections**

The following Report:

The Committee on Elections to which was referred the returns of the votes cast for representative to the Legislature and the petition of Peter T. Snowe have had the same under consideration and beg leave to report that:

It appears from a canvass of said returns that the several persons named in the communication of the Secretary of State addressed to Jerome G. Plante, Clerk of the House of Representatives of the 102nd Legislature and dated Jan-

uary 4, 1967 made in compliance with 3 M.R.S.A. §1 were duly elected representatives to the Legislature and should be declared to be the legal members of the Legislature with the following exceptions:

1. The return of the Secretary of State as to the representatives-elect indicated that Raymond H. Bradeen of Waterboro appeared to be elected. An amended tabulation filed by the Secretary of State indicated that in a recount it had been determined that George Carroll of Limerick had been elected to represent the Towns of Cornish, Limerick, Newfield, Parsonsfield, Shapleigh, and Waterboro; and therefore, this communication should be amended to show that George Carroll of Limerick is duly elected and a legal representative of this Legislature.

2. The Committee met and canvassed the votes cast in the City of Auburn acting upon the petition of Mr. Snowe who contested the seating of Romeo Laberge of Auburn as a representative from that city. At a hearing of the Committee both parties being represented by counsel, it was agreed that Mr. Laberge had received 3,773 votes and that Mr. Snowe had received 3,772 votes and that there were 7 ballots in dispute; 4 challenged by Mr. Laberge and 3 challenged by Mr. Snowe.

Your Committee reported the foregoing facts and requested that the House of Representatives ask the opinion of the Justices of the Supreme Judicial Court with regard to the 7 ballots in dispute. The House by appropriate order passed on January 19, 1967 forwarded certain questions to said Justices and the Justices returned their opinion on January 31, 1967; said opinion being printed in full on the House Advance Journal and Calendar dated February 1, 1967.

The opinion of the Justices indicated that out of the 7 ballots in question, it was their opinion that only 1 ballot could be counted for either candidate and the ballot that should be counted was a ballot in favor of Mr. Snowe. Your Committee after further review has determined that the vote for representative from the City of Auburn between Mr. Laberge and

Mr. Snowe is as follows: Mr. Laberge 3,773 votes and Mr. Snowe 3,773, resulting in a tie; and therefore, that there has been no choice as between Mr. Laberge and Mr. Snowe.

Your Committee recommends, therefore, that the House declare as legal members of the House all persons listed in the communication of the Secretary of State made in compliance with 3 M.R.S.A. §1 dated January 4, 1967 except Raymond Bradeen who has conceded that George Carroll was duly elected and that the House declare George Carroll of Limerick to be the representative elected in the class towns of Cornish, Limerick, Newfield, Parsonsfield, Shapleigh and Waterboro; and with the further exception that the House declare that there is a vacancy in the representation in the House of the City of Auburn because of the failure of the voters of said city to elect a fourth member to the House and that the name of Romeo Laberge presently seated as the fourth member of the House of the City of Auburn be stricken from the rolls.

COMMITTEE ON ELECTIONS  
(Signed) HAROLD BRAGDON  
Chairman

Report was read. On motion of Mr. Bragdon of Perham, the Report was accepted, its recommendations adopted, all persons listed in the communication of the Secretary of State made in compliance with 3 MRSA, Sec. 1, were declared as legal members of the House, with the exception of Romeo Laberge of Auburn; and except that George Carroll of Limerick is declared to be the member of the House representing the class towns of Cornish, Limerick, Newfield, Parsonsfield, Shapleigh and Waterboro.

#### Order Out of Order

Mr. Richardson of Cumberland presented the following Order out of order and moved its passage:

ORDERED, that the House of Representatives declare a vacancy to exist in the representation in the House of the City of Auburn because of the failure of the voters of said city to elect a fourth

member to the House to which said city is entitled by law, and be it further

ORDERED, that a copy of this Order duly certified by the Clerk of the House be sent to the Governor, the Secretary of State and the Mayor of the City of Auburn in which the vacancy exists, and be it further

ORDERED, that the name of Romeo Laberge presently sitting in this House as a representative from the City of Auburn be stricken from the rolls.

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

Mr. RICHARDSON: Mr. Speaker, Ladies and Gentlemen of the House: In support of the passage of this Order, I would like first of all to commend the Committee on Elections which has faithfully discharged the duties which fell upon it. It, as you know, referred the question of the petition of Peter Snowe to the Supreme Judicial Court of the State of Maine for opinion. The Opinion of the Justices having been returned, it is their opinion that there was a tie as a result of this election.

This order is designed to put in motion at this time the machinery necessary to permit a runoff election in the City of Auburn for the seat. In order to have you understand the possible alternatives that we might have taken, I first want to indicate to you that each of these men, Peter Snowe and Romeo Laberge, has an equal right to the seat. The question is, how should this right be determined?

By a flip of the coin? We would say no, because in so would be a cynical denial of the right of the people to select the representative they wish to represent them. While it may be that the membership of this House has the power to decide its own membership, that is, to seek one or the other of these men, I don't feel that it's appropriate and I hope no one in this House feels that it is appropriate. This is a decision to be made by the people of the City of Auburn in a special election called for that purpose.

We have followed an impartial course, a non-political course, throughout the entire handling of this matter and I would urge the House today to follow this same course and pass this order. And finally may I say that I view this, and as I know the members of the majority party do, an act of fairness to all concerned, particularly to Mr. Laberge and Mr. Snowe. Thank you.

Thereupon, the Order received passage.

The SPEAKER: Pursuant to the passage of this Order, the Chair will declare the vacancy to exist in the representation in the House of the City of Auburn and that the name of Romeo Laberge be stricken from the rolls.

#### Passed to Be Engrossed

Bill "An Act relating to Open Season on Otter" (S. P. 8) (L. D. 14)

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

#### Finally Passed Emergency Measure

Resolve Relating to Repairing Training Vessel at Southern Maine Vocational Technical Institute in South Portland (H. P. 24) (L. D. 45)

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. 129 voted in favor of same and none against, and accordingly the Resolve was finally passed, signed by the Speaker and sent to the Senate.

#### Orders of the Day

Mr. Levesque of Madawaska was granted unanimous consent to briefly address the House.

Mr. LEVESQUE: Mr. Speaker and Ladies and Gentlemen of the House: I think probably this morning the majority party of this august body could be commended on the action taken in referring the election of a House

of Representative seat back to the electorate for a final decision. I think this is probably an historical moment in our state and in this branch of the Legislature and also a commendation of the Committee on Elections for their action that they have taken. I think this befits our state and it befits this group, that the decision reached by this House this morning to give the people of this particular representative district a choice of definitely electing a person to this branch of the Legislature. So there again I commend the Elections Committee and the Majority Party for the action that was taken this morning. Thank you.

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

From the Senate: The following Joint Resolution: (S. P. 241)

WHEREAS, the Members of the One Hundred and Third Legislature have learned with great sorrow of the sudden death of newly-elected Member of the Executive Council, Honorable Lewis O. Barrows, Governor of Maine from 1937 to 1941; and

WHEREAS, this act has brought to a sudden and untimely end the useful life of a loyal, a devoted and highly respected public servant of this State who gave unselfishly of his time and energy; and

WHEREAS, his immediate family stands bereft of a loving husband and father; and

WHEREAS, the Members of the Executive Council who have served with him so closely during the past few weeks feel a personal loss of his wise counsel and his warm friendship; and

WHEREAS, all of the people of the State of Maine are mourning the untimely passing of a charming and gracious man, and recall the days when the Barrows family lived in the Blaine House as some of the happiest years of public service; and

WHEREAS, history will record his beginning public life at the age of fourteen as a Senate page, later to serve on the Executive Council from 1927 to 1933, Secretary of State from 1935 to 1936, Governor of Maine from 1937 to 1941 and at

the age of seventy-three his return in 1967 to serve on the Executive Council, as Vice Chairman, from the Sixth District; and

WHEREAS, his associates in the Government of this State are united in expressions of profound sorrow at the departure from their midst of one who was widely popular, genuinely beloved and universally respected; Now, therefore, be it

RESOLVED: That the State of Maine mourns the loss of a beloved and valued leader and the Members of the One Hundred and Third Legislature lament the passing of our most esteemed and outstanding citizen; and be it further

RESOLVED: That these resolutions become a permanent part of

our journals and that an engrossed copy be forwarded to the bereaved family of the Honorable Lewis O. Barrows.

Came from the Senate read and adopted.

In the House, the Resolution was read and adopted in concurrence.

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

Mr. BIRT: I now move that the House adjourn until next Tuesday at 10:00 A.M. pursuant to the joint order and out of respect to our dear departed friend and state servant, former Governor Lewis O. Barrows.

Thereupon, the House adjourned until Tuesday, February 7, at ten o'clock in the morning.