

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

Wednesday, February 8, 1967

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

Prayer by the Rev. Mr. David Van Strien of China.

The journal of yesterday was read and approved.

Papers from the Senate Tabled and Assigned

From the Senate: The following Order:

WHEREAS, under the present probate court system, one judge is elected in each county and is paid on the basis of a part-time position; and

WHEREAS, it is becoming difficult to secure the services of qualified attorneys as probate judges, especially in the smaller counties where the salary is lower, and restrictions are placed on the law practice of an attorney who is also probate judge; and

WHEREAS, the Legislature requires for its use comprehensive factual information concerning the operations of the probate courts in the 16 counties in order to consider the feasibility of establishing a Probate District Court System of full-time judges to be appointed by the Governor, with the advice and consent of the Council; now, therefore, be it

ORDERED, the House concurring, that a Probate Court Revision Committee is established to consist of the following members: One member representing the public to be appointed by the President of the Senate, one member representing the public to be appointed by the Speaker of the House, 2 probate court judges to be appointed by the Chief Justice of the Supreme Judicial Court, the Chief Judge of the District Court and 2 attorneys to be appointed by the President of the Maine State Bar Association; and be it further

ORDERED, that the committee shall study the feasibility of establishing a Probate District Court System with full-time judges to be appointed by the Governor, with

the advice and consent of the Council; and be it further

ORDERED, that the study shall include but not be limited to a review of current workload as well as trends in the work of the 16 present probate judgeships; a translation of case load into man-hours of the time of the probate judges; consideration of travel time and other factors implicit in full-time judgeships; the administration, staffing, structure, organization and operation of the probate court system; and be it further

ORDERED, that the committee elect a chairman from its membership; and be it further

ORDERED, that the committee report the results of its study with recommendations to the 103rd Legislature by May 15, 1967; and be it further

ORDERED, that the committee members shall serve without compensation but shall receive their necessary expenses incurred in carrying out their duties under this order; and be it further

ORDERED, that the committee is authorized to employ consultants in carrying out the purposes of this order; and be it further

ORDERED, that there is appropriated to the committee from the Legislative Appropriation the sum of \$4,000 to carry out the purposes of this order (S. P. 254)

Came from the Senate read and passed.

In the House, the Order was read.

The SPEAKER: Is it the pleasure of the House that this Order receive passage in concurrence?

The Chair recognizes the gentleman from Houlton, Mr. Berman.

Mr. BERMAN: Mr. Speaker and Members of the House: I rise somewhat reluctantly this morning to call the attention of the House to what appears to me to be somewhat a disorganized situation. First, this order in conjunction with two other matters which are appearing on today's calendar seems to be riding in three separate directions. First we have this order for a study, then on Item 16 we have on the calendar "An Act Directing Review of Probate Laws and Method of Choosing

Judges and Registers of Probate," which is suggested to go to the Committee on Judiciary. Then, on Page 4 of today's calendar we have an Item 32, a resolve proposing an amendment to the Constitution concerning the judges and registers of probate as constitutional officers, and the Committee on State Government is suggested.

Now, it does seem to me in the exercise of orderly procedure, that there should be some way of working out these problems, that we don't fragment them into orders in references to various committees. A second thing with regard to this particular order as it is presently constituted, it does appear to me on its face that the Legislature is abrogating some of its powers, in effect, by having only two of its members serve on a seven-man committee; and while I make no comment here on the actual merits of the order, it would seem to me that this order should receive further consideration and should not go just under the hammer where only two members of the Legislature will be serving on a seven-man committee.

The SPEAKER: The pending question is the passage of this Order in concurrence.

Thereupon, on motion of Mr. Ross of Bath, tabled pending passage in concurrence and tomorrow assigned.

The SPEAKER: The Chair would interrupt the proceedings for a moment this morning to request the Sergeant-at-Arms to escort the gentleman from Southwest Harbor, Mr. Benson, to the rostrum to serve as Speaker pro tem.

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

From the Senate:

Bill "An Act Providing Funds for Roads and Athletic Field at Maine Maritime Academy" (S. P. 208) (L. D. 547)

Bill "An Act relating to State Contribution to Pollution Abatement" (S. P. 227) (L. D. 552)

Resolve Appropriating Moneys for Search of Lost Persons in the

Woodlands of the State (S. P. 209) (L. D. 548)

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 relating to Reimbursement for Additional Professional Work by Teachers" (S. P. 210) (L. D. 473)

Bill "An Act relating to Reimbursement for Professional Educational Credits" (S. P. 211) (L. D. 474)

Bill "An Act relating to the State's Share of the Salary of Superintendent of Schools" (S. P. 212) (L. D. 475)

Bill "An Act relating to School Entrance Age Requirements" (S. P. 213) (L. D. 476)

Bill "An Act to Share Costs in School Administrative Districts on a Basis other than State Valuation" (S. P. 223) (L. D. 549)

Bill "An Act Establishing a Commuter College of the University of Maine in Aroostook County" (S. P. 228) (L. D. 553)

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 Technical Assistance by Maine State Park and Recreation Commission" (S. P. 214) (L. D. 477)

Came from the Senate referred to the Committee on Industrial and Recreational Development.

In the House, referred to the Committee on Industrial and Recreational Development in concurrence.

From the Senate:

Resolve relating to Ice Fishing on Fourth Musquacook Lake, T11, R11, Aroostook County (S. P. 229) (L. D. 554)

Resolve Allocating Money to Repair Fish Screen at Outlet of Thompson Lake (S. P. 230) (L. D. 555)

Came from the Senate referred to the Committee on Inland Fisheries and Game.

In the House, referred to the Committee on Inland Fisheries and Game in concurrence.

From the Senate:

Bill "An Act relating to Municipal Financing of Industrial and Recreational Projects" (S. P. 193) (L. D. 545)

Bill "An Act relating to Unjustified and Justified Abortions" (S. P. 215) (L. D. 478)

Bill "An Act Directing Review of Probate Laws and Method of Choosing Judges and Registers of Probate" (S. P. 216) (L. D. 479)

Bill "An Act relating to Appeals from Land Damage Board" (S. P. 231) (L. D. 556)

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 Workshop under Labor Laws" (S. P. 217) (L. D. 480)

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 to Incorporate the Blood Donors Donorcall Service" (S. P. 233) (L. D. 558)

Resolve Permitting Augusta Golf Company to Draw Water from Lake Cobbosseecontee (S. P. 232) (L. D. 557)

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 Local Opinion Questions on Sale of Liquor" (S. P. 218) (L. D. 481)

Came from the Senate referred to the Committee on Liquor Control.

In the House, referred to the Committee on Liquor Control in concurrence.

From the Senate:

Bill "An Act Reclassifying Certain Tidal Waters of Cumberland County" (S. P. 219) (L. D. 482)

Came from the Senate referred to the Committee on Natural Resources.

In the House, referred to the Committee on Natural Resources in concurrence.

From the Senate:

Bill "An Act to Permit Executive Council Service as Credit for Members of State Retirement System (S. P. 234) (L. D. 559)

Came from the Senate referred to the Committee on Retirements and Pensions.

In the House, referred to the Committee on Retirements and Pensions in concurrence.

From the Senate:

Resolve to Establish Thirty-two Districts for the Election of Senators in the State of Maine (S. P. 226) (L. D. 551)

Came from the Senate referred to the Committee on Senatorial Reapportionment.

In the House, referred to the Committee on Senatorial Reapportionment in concurrence.

From the Senate:

Bill "An Act relating to Certain Expenses of Supreme Judicial Court Paid by State to Cumberland County" (S. P. 207) (L. D. 546)

Bill "An Act Creating the Maine Commission on Mental Retardation" (S. P. 220) (L. D. 483)

Bill "An Act to Establish and Appropriate Funds for a Youth Community Activities Section in the Department of Mental Health and Corrections" (S. P. 221) (L. D. 484)

Bill "An Act Increasing the Number of Justices of the Superior Court" (S. P. 222) (L. D. 485)

Bill "An Act relating to Municipal Advisory Organizations" (S. P. 235) (L. D. 560)

Bill "An Act Providing for Paid-up Life Insurance Coverage for State Employees and Teachers" (S. P. 236) (L. D. 561)

Bill "An Act to Create a Criminal Division Within the Office of

the Attorney General" (S. P. 237) (L. D. 562)

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

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

Tabled and Assigned

Resolve Proposing a Constitutional Amendment Repealing the Offices of Judges and Registers of Probate as Constitutional Officers (S. P. 238) (L. D. 563)

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

In the House:

The SPEAKER pro tem: The Chair recognizes the gentleman from Bangor, Mr. Quinn:

Mr. QUINN: Mr. Speaker and Members of the House: On Item 32, as suggested by the gentleman from Houlton, Mr. Berman, the House has already referred a bill pertaining to this subject matter to the Committee on Judiciary. I would move that we refer this bill to the Committee on Judiciary in non-concurrence.

The SPEAKER pro tem: The gentleman from Bangor, Mr. Quinn, has moved that item 32, Senate Paper 238, L. D. 563, be referred to the Committee on Judiciary.

Thereupon, on motion of Mr. Dennett of Kittery, tabled pending the motion of Mr. Quinn of Bangor and tomorrow assigned.

Resolve Authorizing the Disposal of Northern Maine Sanatorium (S. P. 239) (L. D. 564). (Later Reconsidered and Tabled).

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 relating to County Funds for Buildings for Education Programs for Retarded Children." (S. P. 201) (L. D. 432)

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 Revising the Laws on School Bus Operators" (S. P. 224) (L. D. 550)

Came from the Senate referred to the Committee on Transportation.

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

Senate Reports of Committees

Ought Not to Pass

Report of the Committee on Education reporting "Ought not to pass" on Bill "An Act relating to Attending Secondary School Outside of Residence" (S. P. 7) (L. D. 13)

Came from the Senate read and accepted.

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

Ought to Pass

Report of the Committee on Highways reporting "Ought to pass" on Resolve Designating Certain Portions of the Interstate System at Kittery as "The Piscataqua River Bridge" (S. P. 46) (L. D. 36)

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

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

From the Senate: The following Communication:

THE SENATE OF MAINE

AUGUSTA, MAINE

February 7, 1967

Hon. Bertha W. Johnson
Clerk of the House of Representatives
103rd Legislature

Dear Mrs. Johnson:

In compliance with Joint Order, H. P. 398, the President of the Senate today appointed the following Senators to join with two members of the House of Representatives to constitute a committee for consideration of the

problems of property tax assessors:

Senators:

WYMAN of Washington
DUQUETTE of York
Respectfully,

(Signed)

JERROLD B. SPEERS
Secretary of the Senate

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

Messages and Documents

The following Communication:

STATE OF MAINE
HOUSE OF REPRESENTATIVES
OFFICE OF THE CLERK
AUGUSTA, MAINE

February 7, 1967

Honorable David J. Kennedy
Speaker of the House
103rd Legislature

Sir:

I hereby appoint Mrs. Cynthia Jones of Fairfield Center as Secretary to the Assistant Clerk, to fill the vacancy created by the resignation of Mrs. Sharon Shaw of Augusta.

Respectfully,

(Signed) BERTHA W. JOHNSON
Clerk of the House

The Communication was read and ordered placed on file.

On motion of Mr. Bragdon of Perham, the House voted to reconsider its action of earlier in the day whereby Resolve Authorizing the Disposal of Northern Maine Sanatorium, Senate Paper 239, L. D. 564, was referred to the Committee on State Government in concurrence.

On further motion of the same gentleman, tabled pending reference in concurrence and unasigned.

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 Appropriating Funds for Administration of Bureau of Public Administration at University of Maine" (H. P. 459) (Presented by Mr. Birt of East Millinocket)

(Ordered Printed)

Bill "An Act Appropriating Moneys for Construction of a Reception / Diagnostic Treatment Center for Persons Committed to any Penal Institution" (H. P. 460) (Presented by Mr. Lewin of Augusta)

(Ordered Printed)

Bill "An Act relating to Payment of Funeral Expenses of Recipients of Aid to the Aged, Blind or Disabled" (H. P. 461) (Presented by Mr. Rocheleau of Auburn)

(Ordered Printed)

Bill "An Act Appropriating Moneys to Provide for Night Pay Differentials for State Employees" (H. P. 462) (Presented by Mr. Watts of Machias)

(Ordered Printed)

Bill "An Act Providing State Scholarships for Higher Education" (H. P. 463) (Presented by Mrs. White of Guilford)

(Ordered Printed)

Resolve Providing for Purchase of Copies of History of Richmond-on-the-Kennebec (H. P. 464) (Presented by Mr. Hennessey of West Bath)

(Ordered Printed)

Resolve Authorizing Construction of a Ferry Boat for the Maine State Ferry Service (H. P. 465) (Presented by Mr. Maddox of Vinalhaven)

(Ordered Printed)

Resolve Providing Funds to the Washington County Development Authority for Development of Recreational Areas (H. P. 466) (Presented by Mr. Pike of Lubec)

(Ordered Printed)

Sent up for concurrence.

Business Legislation

Bill "An Act Prohibiting Use of the Name Industrial Bank" (H. P. 467) (Presented by Mr. Allen of Caribou)

(Ordered Printed)

Bill "An Act Revising Laws Relating to Licensed Small Loan

Agencies" (H. P. 468) (Presented by Mr. Jalbert of Lewiston)
(Ordered Printed)

Bill "An Act Revising the Home Repair Financing Act" (H. P. 469) (Presented by Mr. Lewin of Augusta)
(Ordered Printed)

Bill "An Act relating to Fees for Handling Insurance Papers by Those Who Loan on Property" (H. P. 470) (Presented by Mr. McMann of Bath)
(Ordered Printed)

Bill "An Act relating to Notice of Authorization of Surety Companies to Registers of Probate by Insurance Commissioner" (H. P. 471) (Presented by Mr. Robertson of Brewer)
(Ordered Printed)

Bill "An Act relating to Insurance Company Examination Reports" (H. P. 472) (Presented by same gentleman)
(Ordered Printed)

Bill "An Act relating to Insurance for Commercial Driver Education School Graduates" (H. P. 473) (Presented by Mr. Scott of Wilton)
(Ordered Printed)

Bill "An Act Prohibiting Fictitious Grouping in the Business of Insurance" (H. P. 474) (Presented by same gentleman)
(Ordered Printed)

Sent up for concurrence.

Claims

Resolve to Reimburse Mrs. Hazel Costigan, of Milford, for Well Damage (H. P. 475) (Presented by Mr. Dudley of Enfield)
(Ordered Printed)

Resolve to Reimburse the Towns of Thomaston, Warren and Windham for Fire and Municipal Protection Services for the State (H. P. 476) (Presented by Mr. Hawes of Union)
(Ordered Printed)

Resolve to Reimburse Barbara W. Smart of Kennebunkport for Property and Well Damage by Highway Construction (H. P. 477) (Presented by Mr. Pendergast of Kennebunkport)
(Ordered Printed)

Resolve in Favor of Lucille Morang of Jonesport (H. P. 478) (Presented by Mr. Watts of Machias)
(Ordered Printed)
Sent up for concurrence.

Education

Bill "An Act Increasing Indebtedness of Town of Woodland School District" (H. P. 479) (Presented by Mr. Bragdon of Perham)
(Ordered Printed)

Bill "An Act Providing for an Itinerant Instructor, Fire Service Training, in the Department of Education" (H. P. 480) (Presented by Mr. Hawes of Union)
(Ordered Printed)

Bill "An Act to Provide State-wide Education Service for the Blind" (H. P. 481) (Presented by Mr. Jalbert of Lewiston)
(Ordered Printed)

Bill "An Act to Authorize the Plantation of Matinicus Isle to Form a School Administrative District" (H. P. 482) (Presented by Mr. Maddox of Vinalhaven)
(Ordered Printed)

Bill "An Act relating to the Secondary School Contracts Between School Administrative Districts No. 23 and 38 and the Town of Hermon" (H. P. 483) (Presented by Mr. Robinson of Carmel)
(Ordered Printed)
Sent up for concurrence.

Health and Institutional Services

Bill "An Act relating to Maternity Homes or Hospitals" (H. P. 485) (Presented by Mr. Cote of Lewiston)
(Ordered Printed)

Bill "An Act Repealing Law Relating to Prohibiting Transportation of Certain Poultry" (H. P. 486) (Presented by Mr. Hanson of Solon)
(Ordered Printed)

Bill "An Act Increasing Fees for Registration of Barbers" (H. P. 487) (Presented by Mr. Hanson of Gardiner)
(Ordered Printed)

Bill "An Act relating to Definition of the Practice of Barbering" (H. P. 488) (Presented by same gentleman)
(Ordered Printed)

Bill "An Act relating to Transfer of Control of the Military and Naval Children's Home and Changing Name" (H. P. 489) (Presented by Mr. Jalbert of Lewiston)

(Ordered Printed)

Bill "An Act Authorizing Department of Health and Welfare to Make Grants to Municipalities" (H. P. 490) (Presented by same gentleman)

(Ordered Printed)

Bill "An Act relating to Term of Members on Board of Barbers" (H. P. 491) (Presented by Mr. Lewin of Augusta)

(Ordered Printed)

Bill "An Act relating to Salaries of Members of Board of Optometry and Increasing License Renewal Fees of Optometrists" (H. P. 492) (Presented by Mr. Lycette of Houlton)

(Ordered Printed)

Sent up for concurrence.

Highways

Bill "An Act relating to Weight Tolerances of Vehicles Loaded With Sawn Lumber" (H. P. 493) (Presented by Mr. Miliano of Eastport)

(Ordered Printed)

Resolve Authorizing State Highway Commission to Study Desirability of Bridge Across New Meadows River (H. P. 494) (Presented by Mr. McMan of Bath)

(Ordered Printed)

Sent up for concurrence.

Indian Affairs

Bill "An Act relating to the Education of Indian Children Living on Reservations" (H. P. 484) (Presented by Mr. Soulas of Bangor by request)

(Ordered Printed)

Sent up for concurrence.

Industrial and Recreational Development

Resolve to Authorize a Professional Review and Analysis of Maine's World Trade Potential (H. P. 495) (Presented by Mr. Crommett of Millinocket)

(Ordered Printed)

Sent up for concurrence.

Inland Fisheries and Game

Bill "An Act Providing for Hunting Moose in Certain Portions of Aroostook County for 1967 and 1968" (H. P. 496) (Presented by Mr. Bourgoin of Fort Kent)

(Ordered Printed)

Bill "An Act Describing Boundaries of Merrymeeting Bay Game Sanctuary" (H. P. 497) (Presented by Mr. Buck of Southport)

(Ordered Printed)

Bill "An Act Repealing Merrymeeting Bay Game Sanctuary" (H. P. 498) (Presented by Mr. Hennessey of West Bath)

(Ordered Printed)

Bill "An Act relating to Fishing Without License for Patients at Veterans Administration Hospital" (H. P. 499) (Presented by Mr. Lewin of Augusta)

(Ordered Printed)

Bill "An Act relating to Fishing for Bass in Sheepscot River and Tributaries, Lincoln County" (H. P. 500) (Presented by Mr. Lewis of Bristol)

(Ordered Printed)

Bill "An Act Establishing Long Lake Game Preserve, Aroostook County" (H. P. 501) (Presented by Mr. Martin of Eagle Lake)

(Ordered Printed)

Bill "An Act Repealing Bounty on Porcupine" (H. P. 502) (Presented by Mr. Robinson of Carmel)

(Ordered Printed)

Resolve Establishing Bag Limit of Trout on Little Nesowadnehunk (Sourdnehunk) Lake, Piscataquis County. (H. P. 503) (Presented by Mr. Crommett of Millinocket)

(Ordered Printed)

Resolve Regulating Fishing, Wassookeag Lake, Penobscot County (H. P. 504) (Presented by Mr. Keyte of Dexter)

(Ordered Printed)

Resolve Regulating Fishing in Third Chase Pond, Aroostook County (H. P. 505) (Presented by Mr. Martin of Eagle Lake)

(Ordered Printed)

Sent up for concurrence.

Judiciary

Bill "An Act Prohibiting the Obtaining of Transportation on Ski Lift Without Payment" (H. P. 506)

(Presented by Mr. Drigotas of Auburn)

(Ordered Printed)

Bill "An Act relating to Place of Holding Superior Court Trial Terms in Oxford County" (H. P. 507) (Presented by Mr. Henley of Norway)

(Ordered Printed)

Bill "An Act relating to Death Caused by Violation of Law by Operator of Motor Vehicle" (H. P. 508) (Presented by Mr. Hewes of Cape Elizabeth)

(Ordered Printed)

Bill "An Act relating to Qualification of Witnesses" (H. P. 509) (Presented by same gentleman)

(Ordered Printed)

Bill "An Act relating to Qualification of Witnesses and Repealing the Dead Man's Statute" (H. P. 510) (Presented by same gentleman)

(Ordered Printed)

Bill "An Act relating to Complaints and Violations Under Motor Vehicles Sales Finance Act" (H. P. 511) (Presented by Mr. Lewin of Augusta)

(Ordered Printed)

Bill "An Act relating to Period of Real Estate Mortgage Foreclosure" (H. P. 512) (Presented by Mr. Scott of Wilton)

(Ordered Printed)

Resolve Authorizing Seaward Construction Company, Inc. to Bring Civil Action Against the State of Maine" (H. P. 513) (Presented by Mr. Dennett of Kittery)

(Ordered Printed)

Resolve Permitting R. Dean Sequin of South Paris to Take the Examination for Admission to Practice Law (H. P. 514) (Presented by Mr. Henley of Norway)

(Ordered Printed)

Sent up for concurrence.

Labor

Bill "An Act relating to Wages Paid for Benefits and Eligibility Under Employment Security Law" (H. P. 515) (Presented by Mr. Durgin of Raymond)

(Ordered Printed)

Bill "An Act relating to Minimum Wages for Firemen" (H. P.

516) (Presented by Mr. Lewin of Augusta)

(Ordered Printed)

Sent up for concurrence.

Tabled and Assigned

Bill "An Act to Allow the State of Maine to Arbitrate Disputes in Contracts" (H. P. 517) (Presented by Mr. McNally of Ellsworth)

(On motion of Mr. McNally of Woolwich, tabled pending reference and tomorrow assigned.)

Labor

Bill "An Act Repealing Laws Relating to Preference to Maine Workmen and Contractors and Minimum Wages in Public Improvements" (H. P. 518) (Presented by Mr. Philbrook of South Portland)

(Ordered Printed)

Bill "An Act relating to Occupational Diseases Under Workmen's Compensation Law" (H. P. 519) (Presented by Mr. Rideout of Manchester)

(Ordered Printed)

Sent up for concurrence.

Legal Affairs

Bill "An Act Authorizing the City of Portland to Use Park Lands for Public Highway Purposes" (H. P. 520) (Presented by Mr. Conley of Portland)

(Ordered Printed)

Bill "An Act to Grant a New Charter to the Town of Kittery" (H. P. 521) (Presented by Mr. Dennett of Kittery)

(Ordered Printed)

Bill "An Act relating to Licenses Under Harness Racing Law" (H. P. 522) (Presented by Mr. Hawes of Union)

(Ordered Printed)

Bill "An Act relating to Registration and Safety of Inland Steamers for Hire" (H. P. 523) (Presented by Mr. Healy of Portland)

(Ordered Printed)

Bill "An Act relating to Transportation of Liquor by Minors" (H. P. 524) (Presented by Mr. Hennessey of West Bath)

(Ordered Printed)

Bill "An Act to Permit the Use of Candles in Religious or Fraternal Services" (H. P. 525) (Pre-

sented by Mr. Hewes of Cape Elizabeth)

(Ordered Printed)

Bill "An Act Authorizing the Leasing of Air Rights by Municipalities" (H. P. 526) (Presented by same gentleman)

(Ordered Printed)

Bill "An Act Clarifying the Law Relating to Serving Liquor to Minors in the Home" (H. P. 527) (Presented by Mr. Hinds of South Portland)

(Ordered Printed)

Bill "An Act relating to Definition of Elevator Under Board of Elevator Rules and Regulations" (H. P. 528) (Presented by Mr. McNally of Ellsworth)

(Ordered Printed)

Bill "An Act Providing for a Council-Manager Charter of Town of Gorham" (H. P. 529) (Presented by Mr. Mosher of Gorham)

(Ordered Printed)

Bill "An Act to Change the Name of the Congregational-Christian Conference of Maine and to Enlarge its Purposes" (H. P. 530) (Presented by Mr. Scott of Wilton)

(Ordered Printed)

Bill "An Act relating to Definition of Public Place Under Public Drinking Law" (H. P. 531) (Presented by Mr. Townsend of Baileyville)

(Ordered Printed)

Sent up for concurrence.

Liquor Control

Bill "An Act relating to Sale of Malt Liquor in Retail Stores" (H. P. 532) (Presented by Mr. Fecteau of Biddeford)

(Ordered Printed)

Bill "An Act relating to Intoxication in Liquor Licensed Premises" (H. P. 533) (Presented by Mr. Hinds of South Portland)

(Ordered Printed)

Bill "An Act relating to Quantity of Liquor to be Transported Into State by an Individual" (H. P. 534) (Presented by Mr. Townsend of Baileyville)

(Ordered Printed)

Sent up for concurrence.

Natural Resources

Bill "An Act Establishing the Lewiston-Auburn Water Pollution

Control Authority" (H. P. 535) (Presented by Mr. Couture of Lewiston)

(Ordered Printed)

Bill "An Act Providing for Oceanographic Research Projects by Division of Geological Survey, Department of Economic Development" (H. P. 536) (Presented by Mr. Pike of Lubec)

(Ordered Printed)

Sent up for concurrence.

Public Utilities

Bill "An Act relating to Furnishing of Service by Public Utilities" (H. P. 537) (Presented by Mr. D'Alfonso of Portland)

(Ordered Printed)

Bill "An Act relating to the Regulation of Solid Waste Disposal" (H. P. 538) (Presented by Mr. Jalbert of Lewiston)

(Ordered Printed)

Bill "An Act Creating the New Sharon Water District" (H. P. 539) (Presented by Mr. Scott of Wilton)

(Ordered Printed)

Bill "An Act relating to Certificates Required by Railroads as Common Carriers" (H. P. 540) (Presented by Mr. Williams of Hodgdon)

(Ordered Printed)

Bill "An Act to Enable Houlton Water Company to Supply Water and Sewerage Service to the Town of Hodgdon" (H. P. 541) (Presented by Mr. Williams of Hodgdon)

(Ordered Printed)

Sent up for concurrence.

Retirements and Pensions

Bill "An Act Including Employees of the State Principals Association Under State Retirement System" (H. P. 542) (Presented by Mr. D'Alfonso of Portland)

(Ordered Printed)

Bill "An Act relating to Retirement Benefits to Widows of State Police Members Retired Under Noncontributory Statute" (H. P. 543) (Presented by Mrs. Fuller of York)

(Ordered Printed)

Resolve to Permit David Carnevale to Obtain Disability Retirement Allowance (H. P. 544) (Presented by Mr. Bedard of Saco)

(Ordered Printed)

Sent up for concurrence.

Sea and Shore Fisheries

Bill "An Act to Require Lobster and Crab Fishing License Applicants to Describe Their Buoy Colors on License Application and Display Colors on Boat" (H. P. 545) (Presented by Mr. Bunker of Gouldsboro)
(Ordered Printed)
Sent up for concurrence.

Tabled and Assigned

Resolve relating to Treatment of Portion of New Meadows Lake to Eliminate Aquatic Growth (H. P. 546) (Presented by Mr. McMann of Bath)
(On motion of Mr. Lowery of Brunswick, tabled pending reference and tomorrow assigned.)

State Government

Bill "An Act relating to Incorporation of Maine World Trade Council" (H. P. 547) (Presented by Mr. Crommett of Millinocket)
(Ordered Printed)
Bill "An Act Increasing Salary of Supreme Court Messenger in Cumberland County" (H. P. 548) (Presented by Mr. Hinds of South Portland)
(Ordered Printed)

Bill "An Act Increasing Salaries of County Attorney and Assistant County Attorneys of Cumberland County" (H. P. 549) (Presented by Mr. Philbrook of South Portland)
(Ordered Printed)

Bill "An Act Increasing Salaries of the Public Utilities Commissioners" (H. P. 550) (Presented by Mr. Pike of Lubec)
(Ordered Printed)

Bill "An Act relating to Approval of Plans and Competitive Bids Under Bureau of Public Improvements Law" (H. P. 551) (Presented by Mr. Rideout of Manchester)
(Ordered Printed)
Sent up for concurrence.

Towns and Counties

Bill "An Act Increasing Salaries of the Sheriffs of the Several Counties" (H. P. 552) (Presented by Mr. Conley of Portland)
(Ordered Printed)

Bill "An Act Increasing Salary of Sheriff of York County" (H.

P. 553) (Presented by Mr. Danton of Old Orchard Beach)
(Ordered Printed)

Bill "An Act Increasing Salary of Deputy Clerk of Courts of York County" (H. P. 554) (Presented by same gentleman)
(Ordered Printed)

Bill "An Act Increasing Salary of Clerk of Courts of York County" (H. P. 555) (Presented by same gentleman)
(Ordered Printed)

Bill "An Act Increasing Salaries of Clerk of Courts and Deputy Clerk of Courts, Kennebec County" (H. P. 556) (Presented by Mrs. Giroux of Waterville)
(Ordered Printed)

Bill "An Act relating to Approval of Pay to Cumberland County Probation Officers" (H. P. 557) (Presented by Mr. Hewes of Cape Elizabeth)
(Ordered Printed)

Bill "An Act Increasing Salaries of Certain County Officials of Cumberland County" (H. P. 558) (Presented by Mr. Hinds of South Portland)
(Ordered Printed)

Bill "An Act Decreasing Annual Expenditure for Economic and Recreational Development in Oxford County" (H. P. 559) (Presented by Mr. Immonen of West Paris)
(Ordered Printed)

Bill "An Act Repealing Law Relating to Effective Date of Salary Increases of County Officers" (H. P. 560) (Presented by Mr. Jannelle of Scarborough)
(Ordered Printed)

Bill "An Act Increasing Salary of the Sheriff of Washington County" (H. P. 561) (Presented by Mr. Milliano of Eastport)
(Ordered Printed)

Bill "An Act Increasing Salaries of County Commissioners of Penobscot County" (H. P. 562) (Presented by Mr. Robertson of Brewer)
(Ordered Printed)

Bill "An Act Increasing the Salary of the County Treasurer of Washington County" (H. P. 563) (Presented by Mr. Townsend of Baileyville)
(Ordered Printed)

Bill "An Act Increasing the Salary of the Clerk of Courts of

Washington County" (H. P. 564)
(Presented by Mr. Watts of
Machias)

(Ordered Printed)

Bill "An Act Increasing the Salary of the Register of Probate of Washington County" (H. P. 565)
(Presented by same gentleman)

(Ordered Printed)

Sent up for concurrence.

Transportation

Bill "An Act relating to Permits for Motorcycle Operation" (H. P. 566) (Presented by Mr. Lewin of Augusta)

(Ordered Printed)

Sent up for concurrence.

At this point, Speaker Kennedy returned to the rostrum.

SPEAKER KENNEDY: The Chair thanks the gentleman from Southwest Harbor, Mr. Benson, and congratulates him on his excellent performance this morning in performing the duties of state.

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

Veterans and Military Affairs

Bill "An Act relating to Disability Compensation for Members of Maine State Guard" (H. P. 567) (Presented by Mr. Carey of Waterville)

(Ordered Printed)

Sent up for concurrence.

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

Public Utilities

Bill "An Act to Amend the Charter of the Auburn Sewerage District" (H. P. 568) (Presented by Mr. Drigotas of Auburn)

(Ordered Printed)

Sent up for concurrence.

Orders

On motion of Mr. Brennan of Portland, it was

ORDERED, that the House of Representatives extend its congratulations to Governor Kenneth M. Curtis on his 36th birthday, today, February 8, 1967, and that a copy of this order be sent to him forthwith.

House Reports of Committees Ought Not to Pass Tabled and Assigned

Mr. Hewes from the Committee on Judiciary reported "Ought not to pass" on Bill "An Act Prohibiting the Destruction of Political Posters and Signs" (H. P. 192) (L. D. 281)

Report was read.

(On motion of Mr. Birt of East Millinocket, tabled pending acceptance of Report and specially assigned for Wednesday, February 15.)

Ought to Pass Printed Bills

Mr. Hinds from the Committee on Appropriations and Financial Affairs reported "Ought to pass" on Bill "An Act to Transfer Funds from the Unappropriated Surplus to the Maine Forestry District" (H. P. 21) (L. D. 42)

Mr. Darey from the Committee on Judiciary reported same on Bill "An Act relating to the Waiver of Blood Test in Premarital Medical Examinations by District Court Judges" (H. P. 151) (L. D. 215)

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

Ought to Pass with Committee Amendment

Mr. Shute from the Committee on Education on Bill "An Act relating to Industrial and Vocational Training in State Institutions" (H. P. 96) (L. D. 124) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Bill read twice.

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

COMMITTEE AMENDMENT "A" to H. P. 96, L. D. 124, Bill, "An Act Relating to Industrial and Vocational Training in State Institutions."

Amend said Bill, in the 5th line, (5th line of L. D. 124) by indicating the striking out of the words "trades and industrial training" and inserting immediately after said stricken out words the underlined word 'education'

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

Mr. Hewes from the Committee on Judiciary on Bill "An Act relating to Proceedings Pending at Time of Repeal of a Statute" (H. P. 34) (L. D. 54) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Bill read twice.

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

COMMITTEE AMENDMENT "A"
to H. P. 34, L. D. 54, Bill "An Act Relating to Proceedings Pending at Time of Repeal of a Statute"

Amend said Bill in the 4th line (3rd line of L. D. 54) by striking out the following: "Actions **Proceedings**" and inserting in place thereof the following: 'Actions and **proceedings**'

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

Passed to Be Engrossed

Bill "An Act relating to the Issuance of Temporary Boat Numbers" (H. P. 3) (L. D. 3)

Bill "An Act to Change the Name of Bridgetown Academy to Bridgton Academy" (H. P. 35) (L. D. 55)

Bill "An Act relating to Poll Taxes Paid to Prentiss Plantation" (H. P. 40) (L. D. 59)

Bill "An Act relating to Exceptional Children" (H. P. 56) (L. D. 81)

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

Third Reader Amended

Bill "An Act relating to Time for Voting on Local Option Questions Under Liquor Laws" (H. P. 57) (L. D. 82)

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

Mrs. Lincoln of Bethel offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to H. P. 57, L. D. 82, Bill, "An Act Relating to Time for Voting on Local Option Questions Under Liquor Laws."

Amend said Bill by inserting at the beginning of the first line the underlined abbreviation and figure 'Sec. 1.'

Further amend said Bill by adding at the end thereof the following:

'**Sec. 2, R. S., T. 28, § 101, amended.** The 2nd paragraph of section 101 of Title 28 of the Revised Statutes is amended to read as follows:

Upon receipt of a petition of electors resident in that municipality in writing addressed to the Secretary of State and signed by at least 15% of the number of voters voting for the gubernatorial candidates at the last state-wide election in that municipality, which petition shall be filed with the Secretary of State on or before the first day of July **April** preceding the day of the biennial election, the ballots for that municipality shall carry in accordance with the petition any or all of the following additional questions:'

The **SPEAKER**: The Chair recognizes the gentleman from Perham, Mr. Bragdon.

Mr. **BRAGDON**: Mr. Speaker, I would like to ask a question in regard to the effect of the amendment of the gentlewoman from Bethel, Mrs. Lincoln, if she wishes to answer.

The **SPEAKER**: The gentleman may ask his question through the Chair.

Mr. **BRAGDON**: Mr. Speaker, my question is, more or less, as I hastily read this, whether or not this wholly defeats the purpose of the bill and it now makes it so that any municipality, and we will say if I felt that—Republicans in my area felt it was to their

benefit to vote on the liquor questions in the regular election, yes, they can do so, and the other one, if in some area they felt the opposite, yes, they can do so, which is the way probably, so it makes it of no effect. I might say that. That is just a comment.

However, the question, and it is probably explained in the amendment had I read it more carefully, does this permit a municipality to extend, in other words, could they vote not to vote on a local option question every year or could they make it at their own wish and vote once in every ten years or what? That's the question.

The SPEAKER: The gentleman from Perham, Mr. Bragdon, has addressed a question through the Chair of the gentlewoman from Bethel, Mrs. Lincoln, who may answer if she so chooses, and the Chair recognizes that gentlewoman.

Mrs. LINCOLN: Mr. Speaker, Ladies and Gentlemen of the House: You really have asked several questions in one there. The amendment which I will start with first, is to merely change the date from July to April for part-time licensees to get their petitions in to the Secretary of State's Office. If we change the time of the local option from the general election to the primary election, otherwise, they have to have it in by July for the general election, and if the bill goes through that portion of your liquor laws would have to be changed to have your petitions in to the Secretary of State's Office by April, because July would be afterwards.

Now this other question that you asked, was this once in every ten years? This bill would be every two years. When we vote on the local option now you vote every two years in the general election and it would be to vote at the primary. I could discuss this further, Mr. Speaker, but I don't think you want it right now, do you?

The SPEAKER: The Chair recognizes the gentleman from Perham, Mr. Bragdon.

Mr. BRAGDON: Mr. Speaker, this was prompted probably by not reading the amendment. I wondered hastily whether or not by the local option amendment we would have the opportunity in our various communities of not voting every year or voting.

The SPEAKER: The pending question is the adoption of House Amendment "A".

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

Mr. LEVESQUE: Mr. Speaker, I would like to pose a question to the gentlewoman from Bethel, Mrs. Lincoln.

The SPEAKER: The gentleman may pose his question through the Chair.

Mr. LEVESQUE: Mr. Speaker, in the case that this is moved from the general election to the primary election, would this indicate that a person that is registered independent could only vote on the option questions and thereby eliminate the possibilities of having a lot of independent voters going to the polls only to vote for the local option questions?

The SPEAKER: The gentleman from Madawaska, Mr. Levesque, has posed a question through the Chair of the gentlewoman from Bethel, Mrs. Lincoln, who may answer if she so desires.

Mrs. LINCOLN: Mr. Speaker, in answer to Representative Levesque, the independents could go and vote just on the liquor questions, they cannot vote for your candidates as they cannot now at the primary election.

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

Mr. JALBERT: Mr. Speaker, I might clarify the gentlewoman from Bethel, Mrs. Lincoln's comment on the independent voter. The independent voter today can go to the polls, enroll in either party, vote for either candidates of his choice of either party, and the next day by calling or appearing before the Board of Registration or the Registrar of Voters again dis-enroll and become an independent voter. But I might suggest that somebody table this so that it would be taken up at

a Republican Caucus and we would know whether to go from there from the mandate of the majority.

The SPEAKER: The Chair recognizes the gentleman from Solon, Mr. Hanson.

Mr. HANSON: Mr. Speaker, I believe I should point out, I believe it is an error in the gentleman from Lewiston, Mr. Jalbert's statement. I believe Section 135 of the Election Laws precludes the request for withdrawal of enrollment within six month of the initial enrollment, so that you could not ask for withdrawal of enrollment the next day.

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

Mr. JALBERT: Mr. Speaker, I might answer the gentleman that I am not in error. Anyone who enrolls to vote at a primary in either party can go to the Board of Registration the next day, write a letter or call them, properly identify himself and be disenrolled, and I am not a gambling man, but.

The SPEAKER: Is the House ready for the question? The question before the House is the adoption of House Amendment "A" to House Paper 57, L. D. 82, Bill "An Act relating to Time for Voting on Local Option Questions Under Liquor Laws." All those in favor of the adoption of House Amendment "A" will say aye; those opposed, no.

A viva voce vote being taken, the motion prevailed.

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

Bill "An Act relating to Actions of Married Women for Loss of Consortium of Husband" (H. P. 64) (L. D. 89)

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

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

Mr. ROSS: Mr. Speaker and Ladies and Gentlemen of the House: I noticed on yesterday's calendar that this word consortium was spelled c-o-n-s-o-r-t-i-u-m. I noticed today it is spelled different-

ly. I would humbly request the gentleman from Houlton, Mr. Berman, to tell the House the proper spelling, pronunciation and definition of this word.

The SPEAKER: The gentleman from Bath, Mr. Ross, poses a question through the Chair to the gentleman from Houlton, Mr. Berman, who may answer if he so desires. The Chair recognizes that gentleman.

Mr. BERMAN: Mr. Speaker and Members of the House: I would not consider myself a Noah Webster and try to improve the orthography of this word. It is my understanding that the present printed spelling is acceptable. As to the pronunciation of the word, again I would not choose to improve upon the accepted dictionary definitions.

As I recall, this is a word of Latin origin, and Latin words are sometimes subject to more than one pronunciation. I don't know really how the able Reporter will be able to report the pronunciation, but it is my understanding that the word is usually pronounced "kon-sor-she-um", but in words of some poet, a rose by any other name may smell as sweet.

As to the meaning of the word, the meaning is relatively simple, and I am surprised that the learned member from Sagadahoc County does not know the definition of this word among his many and varied accomplishments. However, to be quite brief and not take up the expense of a lengthy record, I would suggest that this word encompasses at least three meanings, love, affection and companionship, and with that, I would hope that the gentleman would consider his question reasonably answered.

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

Bill "An Act relating to Augusta Mutual Insurance Company" (H. P. 91) (L. D. 120)

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

Amended Bills

Bill "An Act Increasing Indebtedness of Caribou Hospital District" (H. P. 17) (L. D. 31)

Bill "An Act to Provide a City Council-Manager Charter for the Town of Caribou" (H. P. 39) (L. D. 68)

Bill "An Act relating to Suspension of Motor Vehicle Operator's License by Courts" (H. P. 65) (L. D. 90)

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

Tabled and Assigned

Bill "An Act relating to Sale of Fireworks" (H. P. 105) (L. D. 132)

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

The SPEAKER: The Chair recognizes the gentleman from Woolwich, Mr. Harvey.

Mr. HARVEY: Mr. Speaker, I move that this item 11 be tabled pending reference and unassigned.

The SPEAKER: The gentleman from Woolwich, Mr. Harvey, now moves that this Bill be tabled unassigned.

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

Mr. RICHARDSON: Mr. Speaker, I move that the matter be tabled as to time until the 15th of February.

The SPEAKER: The Chair would advise the gentleman that the longest time has precedence.

The Chair recognizes the gentleman from Woolwich, Mr. Harvey.

Mr. HARVEY: Mr. Speaker, I withdraw my motion and will go along with the 15th.

The SPEAKER: The gentleman from Woolwich, Mr. Harvey, withdraws his motion. The gentleman from Cumberland, Mr. Richardson, moves this matter be tabled until Wednesday, February 15, pending passage to be engrossed as amended. Is this the pleasure of the House?

The motion prevailed.

Bill "An Act relating to the Construction and Assembling of Bombs" (H. P. 108) (L. D. 135)

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

Passed to Be Enacted

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

Was 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 Regulations Regarding Atlantic Sea Run Salmon" (H. P. 456)

Tabled—February 7, by Mr. Richardson of Cumberland.

Pending—Motion of Mr. Ross of Bath to refer to Committee on Natural Resources.

Thereupon, referred to the Committee on Natural Resources, ordered printed and sent up for concurrence.

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

HOUSE REPORT—Ought Not to Pass—Committee on Judiciary, Bill "An Act relating to Chemical Tests in Fatal Motor Vehicle Collisions" (H. P. 16) (L. D. 28)

Tabled—February 7, by Mr. Humphrey of Augusta.

Pending—Acceptance.

On motion of Mr. Richardson of Cumberland, tabled pending acceptance of Report and specially assigned for Wednesday, February 15.

The SPEAKER: Under Orders of the Day, pursuant to the passage in concurrence of Senate

Paper 225 on February 2, the Chair appoints the following House members to that Committee:

Mr. EVANS of Freedom
Mrs. LINCOLN of Bethel
CORNELL of Orono

Mr. Hanson of Solon was granted unanimous consent to briefly address the House:

Mr. HANSON: Mr. Speaker and Members of the House: I have in hand a copy of the election laws, and I refer specifically to Section

135 to which I referred previously, and limitation number 1 under this section states specifically "a voter may not file a request to withdraw his enrollment for six months after the date on which he enrolled." Thank you.

(Off Record Remarks)

On motion of Mr. Richardson of Cumberland.

Adjourned until one-thirty o'clock tomorrow afternoon.