

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 16, 1967

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

Prayer by the Rev. Mr. Warren Benner of Hallowell.

The journal of yesterday was read and approved.

The SPEAKER: At this time, the Chair would request the Sergeant-at-Arms to escort the gentleman from Cumberland, Mr. Richardson, to the rostrum to serve as Speaker pro tem.

Whereupon, Mr. Richardson assumed the Chair as Speaker pro tem and Speaker Kennedy retired from the Hall.

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 21, at ten o'clock in the morning. (S. P. 334)

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 a State Election Laws Study Committee is established to consist of the following members: Three members of the Senate appointed by the President of the Senate, 3 members of the House appointed by the Speaker of the House, the Attorney General and the Secretary of State; and be it further

ORDERED, that the committee shall study the election laws as they relate to the changes in the primary date; recount procedures; uniform opening and closing of the polls; feasibility of mechanical voting; absent voting procedure; and such other related matters as the committee deems advisable; and be it further

ORDERED, that the committee elect a chairman from its membership and employ necessary consultants and clerical assistance within the funds appropriated to carry out the purposes of this Order; and be it further

ORDERED, that the committee report the results of its study to the 103rd Legislature or any special session thereof or to the 104th Legislature, together with any recommendations and suggested legislation needed to implement its recommendations; 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 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. 341)

Came from the Senate read and passed.

In the House, the Order was read.

(On motion of Mr. Ross of Bath, tabled pending passage in concurrence and assigned the next legislative day.)

From the Senate: The following Communication: (S. P. 323)

INTERIM STUDY COMMITTEE
Augusta, Maine

February 14, 1967

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

Transmitted herewith is the "Report of the Constitutional Committee" to the One Hundred and Third Legislature.

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

Respectfully,

(Signed)

W. RUSSELL EDWARDS, Jr.
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. 324)

INTERIM STUDY COMMITTEE
Augusta, Maine

February 14, 1967

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

Transmitted herewith is the "report of the Lobster Study Committee".

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

Respectfully,

(Signed)

PHILIP L. JUTRAS
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 to Repeal the Androscoggin Game Preserve" (S. P. 316) (L. D. 839)

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 Breaking and Entering House and Camp Trailers" (S. P. 317) (L. D. 840)

Bill "An Act relating to Certificates of Organizations of Corporations Filed Prior to January 1, 1960" (S. P. 318) (L. D. 841)

Bill "An Act relating to Appeals from Juvenile Court Proceedings" (S. P. 319) (L. D. 842)

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 Prohibiting Use of Certain Names by Partnerships" (S. P. 320) (L. D. 843)

Bill "An Act relating to Definition of Automobile Graveyard" (S. P. 321) (L. D. 844)

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

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

Referred in Non-Concurrence

From the Senate:

Bill "An Act relating to Pension Adjustments for Former and Present Members of the Lewiston Police Department" (S. P. 196) (L. D. 836)

Bill "An Act relating to Pensions for Members of Lewiston Police Department" (S. P. 197) (L. D. 837)

Bill "An Act relating to Pensions for Disabled Members of the Lewiston Police Department" (S. P. 198) (L. D. 838)

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

In the House:

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

Mr. JALBERT: Mr. Speaker and Members of the House: I have checked out with the House Chairman of both parties, the leadership on these three items and the sponsors of the measures, and these items really belong in Legal Affairs Committee. I therefore move that these three items be referred to the Committee on Legal Affairs in non-concurrence.

The SPEAKER pro tem: The gentleman from Lewiston, Mr. Jalbert, now moves that these three items be referred to the Committee on Legal Affairs in non-concurrence. Is this the pleasure of the House?

The motion prevailed. Sent up for concurrence.

Senate Reports of Committees Ought to Pass

Report of the Committee on Health and Institutional Services reporting "Ought to pass" on Bill "An Act Making Bequest of Wini-

fred K. Mank to the Governor Baxter State School for the Deaf a Part of the Permanent Trust Funds of the State" (S. P. 80) (L. D. 161)

Report of the Committee on Inland Fisheries and Game reporting same on Resolve Providing Funds for Conservation Education (S. P. 64) (L. D. 108)

Report of the Committee on Sea and Shore Fisheries reporting same on Bill "An Act relating to Taking of Alewives in City of Bath" (S. P. 84) (L. D. 165)

Report of the Committee on Taxation reporting same on Bill "An Act to Clarify the Statutes Relating to Boards of Assessment Review" (S. P. 121) (L. D. 250)

Report of same Committee reporting same on Bill "An Act relating to the Place of Taxation of Camp Trailers" (S. P. 122) (L. D. 251)

Report of same Committee reporting same on Bill "An Act relating to Collection of Excise Tax in Municipalities" (S. P. 124) (L. D. 253)

Report of same Committee reporting same on Bill "An Act relating to Valuation Appeals in Unorganized Territory" (S. P. 125) (L. D. 254)

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

In the House, Reports were read and accepted in concurrence, the Bills read twice, Resolve read once, and assigned the next legislative day.

Ought to Pass with Committee Amendment

Report of the Committee on Natural Resources on Resolve Authorizing the State Tax Assessor to Convey by Sale the Interest of the State in Certain Lands in the Unorganized Territory (S. P. 118) (L. D. 247) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

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

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

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

COMMITTEE AMENDMENT "A" to S. P. 118, L. D. 247, Resolve, Authorizing the State Tax Assessor to Convey by Sale the Interest of the State in Certain Lands in the Unorganized Territory.

Amend said Resolve by inserting after the 5th paragraph (same in L. D. 247) the following paragraph:

'Abbreviations, plan and lot references are identified in the 1962 State Valuation.'

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

Divided Report

Majority Report of the Committee on State Government reporting "Ought to pass" on Bill "An Act Authorizing Appointment of the Commissioner of Agriculture by the Legislature" (S. P. 51) L. D. 41)

Report was signed by the following members:

Messrs. WYMAN of Washington
LUND of Kennebec
— of the Senate.
Messrs. PHILBROOK
of South Portland
DENNETT of Kittery
WATTS of Machias
Mrs. CORNELL of Orono
Mr. RIDEOUT of Manchester
— of the House.

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

Report was signed by the following members:

Mr. STERN of Penobscot
— of the Senate.
Messrs. MARTIN of Eagle Lake
STARBIRD
of Kingman Township
— of the House.

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

In the House: Reports were read.

On motion of Mr. Dennett of Kittery, the Majority "Ought to pass" Report was accepted in con-

currence, the Bill read twice and assigned for third reading the next legislative day.

Non-Concurrent Matter

Bill "An Act relating to Regulations Regarding Atlantic Sea Run Salmon" (H. P. 456) (L. D. 670) which was referred to the Committee on Natural Resources in the House on February 8.

Came from the Senate referred to the Committees on Sea and Shore Fisheries and Inland Fisheries and Game jointly in non-concurrence.

In the House: On motion of Mr. Ross of Bath, the House voted to recede and concur with the Senate.

Messages and Documents

The following Communication:
(H. P. 686)

STATE OF MAINE
Department of State
Augusta, Maine

February 15, 1967

TO DAVID J. KENNEDY,
SPEAKER OF THE HOUSE OF
REPRESENTATIVES OF THE
ONE HUNDRED AND THIRD
LEGISLATURE

I have the honor to herewith transmit copies of the estimates of expenses of the sixteen counties within the State for the years 1967 and 1968, the same having been filed in this office according to the provisions of Title 30, Sections 252 and 253 of the Revised Statutes of 1964.

(Signed)

JOSEPH T. EDGAR
Secretary of State

The Communication was read and with accompanying papers referred to the Committee on Towns and Counties and sent up for concurrence.

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:

Agriculture

Bill "An Act Repealing the Law Relating to Labeling of Imported

Meats Sold in Retail Stores" (H. P. 652) (Presented by Mr. Pecteau of Biddeford)

(Ordered Printed)

Bill "An Act Prohibiting the Coloring of Live Rabbits or Fowl" (H. P. 653) (Presented by Mr. Hall of Windham)

(Ordered Printed)

Bill "An Act relating to Collection of Dues by Milk Dealers for Cooperative Dairy Farmers Corporations" (H. P. 654) (Presented by Mr. Hanson of Solon)

(Ordered Printed)

Bill "An Act Appropriating Money for Additional Marine Worm Inspection in the Department of Agriculture" (H. P. 655) (Presented by Mr. Lowery of Brunswick)

(Ordered Printed)

Sent up for concurrence.

Appropriations and Financial Affairs

Bill "An Act Appropriating Funds for Administration Expansion and New Activities at Maine Maritime Academy" (H. P. 656) (Presented by Mr. Birt of East Millinocket)

(Ordered Printed)

Bill "An Act Providing Funds for a Redevelopment Plan of the Portland and South Portland Waterfront" (H. P. 657) (Presented by Mr. Dunn of Denmark)

(Ordered Printed)

Bill "An Act Appropriating Funds for Construction of a Span on the Westport-Wiscasset Bridge" (H. P. 658) (Presented by Mr. Harvey of Woolwich)

(Ordered Printed)

Bill "An Act Providing Funds for Residential Facility for Mentally Retarded Children in Aroostook County" (H. P. 659) (Presented by Mr. Rackliff of Easton)

(Ordered Printed)

Bill "An Act to Authorize Food Stamp Program in Sagadahoc County" (H. P. 660) (Presented by Mr. Ross of Bath)

(Ordered Printed)

Resolve for Construction and Erection of Statue to "The Maine Lobsterman" in Washington, D. C. (H. P. 661) (Presented by same gentleman)

(Ordered Printed)

Sent up for concurrence.

Business Legislation

Bill "An Act to Incorporate the Down East Life Insurance Company" (H. P. 662) (Presented by Mr. Fortier of Waterville)
(Ordered Printed)
Sent up for concurrence.

Education

Bill "An Act to Validate Proceedings Authorizing the Issuance of Bonds and Notes by School Administrative District No. 36" (H. P. 663) (Presented by Mr. Darey of Livermore Falls by request)
(Ordered Printed)

Resolve relating to Federal Funds for Certain Positions at Southern Maine Vocational-Technical Institute (H. P. 664) (Presented by Mr. Hinds of South Portland)
(Ordered Printed)
Sent up for concurrence.

Legal Affairs

Bill "An Act to Change Date of Caucus Election of City of Biddeford" (H. P. 665) (Presented by Mr. Fecteau of Biddeford)
(Ordered Printed)

Bill "An Act to Increase the Term of Office of Mayor, City Council, Board of Police and Board of Education, Wardens and Ward Clerks of the City of Biddeford and Change Date of Election" (H. P. 666) (Presented by Mr. Nadeau of Biddeford)

Committee on Reference of Bills suggested that the Bills be referred to the Committee on Election Laws and printing.

On motion of Mr. Nadeau of Biddeford, referred to the Committee on Legal Affairs, ordered printed and sent up for concurrence.

Health and Institutional Services

Bill "An Act relating to Appropriation to Maine Institution for the Blind" (H. P. 667) (Presented by Mrs. Carswell of Portland)
(Ordered Printed)

Bill "An Act relating to Inspection of County Jails" (H. P. 668) (Presented by Mr. Wight of Presque Isle)
(Ordered Printed)
Sent up for concurrence.

Highways

Bill "An Act relating to Registration of Farm Motor Trucks Having Two or Three Axles" (H. P. 669) (Presented by Mr. Bradstreet of Newport)
(Ordered Printed)
Sent up for concurrence.

Indian Affairs

Bill "An Act relating to the Hunting of Muskrat, Mink, Otter and Fisher by Indians" (H. P. 670) (Presented by Mr. Kyes of Skowhegan)
(Ordered Printed)
Sent up for concurrence.

Inland Fisheries and Game

Bill "An Act relating to Wearing Fluorescent Clothing When Hunting in Southwestern Zone for Two Years" (H. P. 671) (Presented by Mr. Gaudreau of Lewiston)
(Ordered Printed)
Sent up for concurrence.

Judiciary

Bill "An Act Providing for Action in Aid to Dependent Children Cases Involving Fraud" (H. P. 672) (Presented by Mr. Hennessey of West Bath)
(Ordered Printed)

Bill "An Act relating to Consent to Adoption" (H. P. 673) (Presented by Mr. McMann of Bath)
(Ordered Printed)
Sent up for concurrence.

Labor

Bill "An Act Revising Certain Portions of Workmen's Compensation Law" (H. P. 674) (Presented by Mr. Cushing of Bucksport)
(Ordered Printed)

Bill "An Act Establishing the Public Employees Arbitration Law" (H. P. 675) (Presented by Mr. Ross of Bath)
(Ordered Printed)
Sent up for concurrence.

Legal Affairs

Bill "An Act Revising the Railroad Workers Credit Union of Maine" (H. P. 676) (Presented by Mr. Conley of Portland)
(Ordered Printed)

Bill "An Act relating to Appointment, Duties and Tenure of Chief of Fire Department of City of

Westbrook" (H. P. 677) (Presented by Mr. Harnois of Westbrook)

(Ordered Printed)

Bill "An Act relating to Incorporation of Maine Retail Gasoline Dealers Association" (H. P. 678) (Presented by Mr. Jannelle of Scarborough)

(Ordered Printed)

Bill "An Act to Require Fencing of Unsightly Public Dumps" (H. P. 679) (Presented by Mr. Lowery of Brunswick)

(Ordered Printed)

Sent up for concurrence.

Liquor Control

Bill "An Act Revising Liquor Local Option Questions Two and Four" (H. P. 680) (Presented by Mr. Conley of Portland)

(Ordered Printed)

Sent up for concurrence.

State Government

Bill "An Act relating to Functions of State Political Conventions" (H. P. 681) (Presented by Mr. Ross of Bath)

(Ordered Printed)

Sent up for concurrence.

Towns and Counties Tabled and Assigned

Bill "An Act to Annex Brunswick and Harpswell to Sagadahoc County" (H. P. 682) (Presented by Mr. Harvey of Woolwich)

(On motion of Mr. McMann of Bath, tabled pending reference and specially assigned for Wednesday, February 22.)

Bill "An Act Increasing Payments to Somerset County Law Library" (H. P. 683) (Presented by Mr. Kyes of Skowhegan)

(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:

Judiciary

Bill "An Act relating to Filing Abstract of Record of Divorce with Superior Court" (H. P. 684) (Pre-

sented by Mr. Richardson of Cumberland)

(Ordered Printed)

Sent up for concurrence.

Orders

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

WHEREAS, it has been learned that a Testimonial Dinner is being held this evening in honor of a great citizen, municipal leader, former Governor and United States Senator, Frederick G. Payne, sponsored by his friends;

BE IT ORDERED, the Senate concurring, that the 103rd Maine State Legislature pay special tribute to the gentleman of character and friendliness and pay special respect to him for his many years in service to his State of Maine, which he so loves, and

BE IT FURTHER ORDERED, that a framed and attested copy of this Joint Order be forwarded to him and his wife by the Secretary of the Senate. (H. P. 701)

The Order received passage under suspension of the rules and, on motion of Mr. Levesque of Madawaska, sent forthwith to the Senate.

On motion of Mr. McMann of Bath, it was

ORDERED, that Rev. Craig Richards of Bath be invited to officiate as Chaplain of the House on Wednesday, March 8, 1967.

House Reports of Committees Ought to Pass in New Draft New Draft Printed

Mr. Clark from the Committee on Public Utilities on Bill "An Act to Authorize and Direct the Removal of a Certain Water Tower of the York Water District" (H. P. 36) (L. D. 56) reported same in a new draft (H. P. 685) (L. D. 860) under title of "An Act to Authorize and Direct the Relocation of a Certain Water Tower of the York Water District" and that it "Ought to pass"

Report was read and accepted, the New Draft read twice and assigned the next legislative day.

Ought to Pass Printed Bills

Mr. Evans from the Committee on Agriculture reported "Ought to pass" on Bill "An Act relating to Labelling of Margarine" (H. P. 256) (L. D. 377)

Same gentleman from same Committee reported same on Bill "An Act relating to Distribution of Stipend Fund to Harness Racing Track" (H. P. 257) (L. D. 378)

Mrs. White from the Committee on Retirements and Pensions reported same on Bill "An Act relating to Retirement Allowances of Persons Who Become Legislative Employees or Legislators" (H. P. 156) (L. D. 219)

Mr. Cottrell from the Committee on Taxation reported same on Bill "An Act Revising the Law Governing the Taxation of the Business of Raising Domestic Fowl" (H. P. 46) (L. D. 65)

Mr. Hanson from same Committee reported same on Bill "An Act relating to Payments to Maine Forestry District by Baxter State Park Authority and Indian Township Improvement Fund" (H. P. 162) (L. D. 225)

Mr. Robinson from same Committee reported same on Bill "An Act relating to Allocations from Gasoline Tax for Public Facilities for Boats and to Department of Sea and Shore Fisheries" (H. P. 205) (L. D. 294)

Mr. Ross from same Committee reported same on Bill "An Act Imposing a Tax on the Unorganized Territory Within the Maine Forestry District for Spruce Budworm Control" (H. P. 44) (L. D. 63)

Same gentleman from same Committee reported same on Bill "An Act Increasing Maine Forestry District Taxes" (H. P. 45) (L. D. 64)

Mr. Susi from same Committee reported same on Bill "An Act relating to Assessments under Gasoline Tax Act" (H. P. 204) (L. D. 293)

Mr. Meisner from the Committee on Towns and Counties reported same on Resolve Changing Name of Muddy River Pond to Sebago Cove (H. P. 48) (L. D. 67)

Reports were read and accepted, the Bills read twice, Resolve read

once, and assigned the next legislative day.

Divided Report

Majority Report of the Committee on Natural Resources reporting "Ought not to pass" on Bill "An Act Classifying Portion of Presumpscot River Basin" (H. P. 154) (L. D. 217)

Report was signed by the following members:

Messrs. SEWALL of Penobscot
VILES of Somerset
FERGUSON of Oxford
— of the Senate.

Messrs. PIKE of Lubec
SAHAGIAN of Belgrade
BROWN of Augusta
DICKINSON of Mars Hill

Mrs. FULLER of York
Mr. CURRAN of Bangor
— of the House.

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

Report was signed by the following member:

Mr. EUSTIS of Dixfield
— of the House.

Reports were read.

The SPEAKER pro tem:

The Chair recognizes the gentlewoman from York, Mrs. Fuller.

Mrs. FULLER: Mr. Speaker and Members of the House: I move that L. D. 217 be recommitted to the Natural Resources Committee. The proponents felt that we did not have a fair hearing because of the crowded conditions in the hearing room. St. Joseph College acquiesces in this and wishes to go along.

The SPEAKER pro tem:

The gentlewoman from York, Mrs. Fuller, now moves the Reports and Bill be recommitted to the Committee on Natural Resources. Is this the pleasure of the House?

The motion prevailed. Sent up for concurrence.

At this point, Speaker Kennedy returned to the rostrum.

SPEAKER KENNEDY: The Chair thanks the gentleman from Cumberland, Mr. Richardson, for his service and commends him for his performance.

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

Third Reader Tabled and Assigned

Bill "An Act Providing for Life Preservers for all Motorboats Operating on Inland Waters" (S. P. 4) (L. D. 7)

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

The SPEAKER: The Chair recognizes the gentleman from Houlton, Mr. Lycette.

Mr. LYCETTE: Mr. Speaker and Members of the House: Subsequent to my serving in the last Legislature, I often saw and read of bills that were passed and as I looked at them I thought, well, I didn't vote for that, and then on second thought I realized that they went through by default. I arise in regard to this bill with the same thinking.

I realize that in view of the fact that we're getting more people into the woods, more tourists, it becomes necessary to, may I say, regiment ourselves by new laws and regulations. But of course, no one is against poverty and I suppose no one is against safety, but I think that sometimes we can go too far in making these laws.

If one follows the rules and regulations now set forth by the Fish and Game Department, and you go out with a boat, by the time you load yourself with the impedimenta that is required, it's a project, it isn't a fishing trip. And, for instance, if I took my little boat and a life preserver in it, and I went up the Meduxnekeag River and I happened to find a man in distress up there, and he wanted to get conveyed across the river, I know of a certain game warden who would arrest me. In fact, I think he would arrest his mother if she was in swimming in a closed lake. You know there are officers, and I'm not casting any reflections, you understand, on the game wardens at all, I think they are a

dedicated group. But, I've been in the law enforcement game for a good many years, and I know that there are officers, and there are officers, and some of them are not qualified to be on the job any more than I'm qualified to be a Legislator.

I have nothing further to say on this, I'm not standing up here to influence anyone. I just wanted to register my protest to this bill, and if it's in order, I move that the bill be indefinitely postponed.

The SPEAKER: The gentleman from Houlton, Mr. Lycette, now moves that Item 1, Bill "An Act Providing for Life Preservers for all Motorboats Operating on Inland Waters," Senate Paper 4, L. D. 7, be indefinitely postponed.

Thereupon, on motion of Mrs. Baker of Orrington, tabled pending the motion of Mr. Lycette of Houlton to indefinitely postpone, and assigned the next legislative day.

Third Reader Tabled and Assigned

Bill "An Act Reclassifying Certain Inland Waters of the Kennebec River Basin" (S. P. 116) (L. D. 245)

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

(On motion of Mr. Richardson of Cumberland, tabled pending passage to be engrossed and assigned the next legislative day.)

Passed to Be Engrossed

Bill "An Act Reclassifying Chandler Brook in Pownal" (H. P. 114) (L. D. 141)

Bill "An Act Reclassifying Certain Inland Waters of the Meduxnekeag River Basin" (H. P. 237) (L. D. 345)

Bill "An Act Reclassifying Certain Inland Waters of the Aroostook River Basin" (H. P. 238) (L. D. 346)

Bill "An Act relating to Registration of Motor Vehicles by Blind Veterans" (H. P. 647) (L. D. 833)

Bill "An Act relating to Number of and Compensation for Ballot Clerks During Recounts" (H. P. 648) (L. D. 834)

Resolve to Change the Name of Mud Pond, Old Town, to Perch Pond (S. P. 117) (L. D. 246)

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

Amended Bills Tabled and Assigned

Bill "An Act to Revise the Electricians Law" (H. P. 4) (L. D. 8)

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

(On motion of Mr. Cote of Lewiston, tabled pending passage to be engrossed as amended and assigned the next legislative day.)

Tabled and Assigned

Bill "An Act relating to Uninsured Motorist Coverage in Insurance Policies" (H. P. 211) (L. D. 301)

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

(On motion of Mr. Scott of Wilton, tabled pending passage to be engrossed as amended and assigned for Wednesday, February 22.)

Passed to Be Enacted Emergency Measure

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

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. 127 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 relating to the Issuance of Temporary Boat Numbers (H. P. 3) (L. D. 3)

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. 127 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.

Passed to Be Enacted

An Act relating to Sale of Negotiable Checks and Money Orders (S. P. 77) (L. D. 158)

An Act relating to Bylaws of Trust Companies (S. P. 79) (L. D. 160)

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

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

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

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

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

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

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 Providing for a Presidential Preference Primary" (H. P. 58) (L. D. 83)

Tabled—February 15, by Mr. Jalbert of Lewiston.

Pending—Passage to be Engrossed.

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

Mr. ROSS: Mr. Speaker and Ladies and Gentlemen of the House: I offer House Amendment "A", which is Filing H-15, and I would like to speak briefly to it.

The SPEAKER: The gentleman from Bath, Mr. Ross, offers House Amendment "A" and moves its

adoption, and the gentleman may proceed.

Mr. ROSS: The gentleman from Lewiston, Mr. Jalbert, yesterday questioned the cost of this Act. The amount is negligible and from a state-wide viewpoint only approximately \$24,000 for such things as material, printing, advertising, instruction sheets, delivery and so forth. We really don't need an appropriation clause on a bill such as this. If it were looked on favorably, the Secretary of State's office would furnish the figures and this would be done automatically near the end of the session.

However, so as not to hide or camouflage anything I am now pleased to offer the amendment and since it's only self-explanatory I would hope that the House would adopt it and then we could debate the entire question.

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

HOUSE AMENDMENT "A" to H. P. 58, L. D. 83, Bill, "An Act Providing for a Presidential Preference Primary."

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 the following section:

'Sec. 2. Appropriations. There is appropriated from the General Fund to the Office of the Secretary of State the sum of \$24,000 for the fiscal year ending June 30, 1969 to carry out the purposes of this Act.'

House Amendment "A" was adopted.

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

Mr. ROSS: Mr. Speaker and Members of the House: On today's calendar, on page 4, I made a motion on item 22, relative to Atlantic Sea Run Salmon. This is another one of my bills. It would seem quite a transition in the same day perhaps, to go from salmon fishing to presidential preferential primaries, but one of my colleagues said no, that necessarily is not so because for many years the first salmon caught in the

Bangor Pool was sent to the President of the United States; so perhaps these two things are most compatible.

We have just accepted an Amendment relative to the cost of holding the proposed Primaries. As I mentioned then, the amount from a statewide viewpoint would be negligible in comparison with the amount of business and publicity which would emanate therefrom. Aside from the business this would generate, which is estimated to be certainly in the millions of dollars, there are two main reasons why I support such legislation. First of all I feel very strongly that the average citizen and not just a select group should have the opportunity of choosing, or at least stating his preference, as to the candidates his party will run for President and Vice President of these United States. Primarily this would give the people and not just a tiny handpicked special group a measure of control in our nominating process.

I would like to cite an example of this as quoted on the floor of this House during the last legislative session. In 1961 a very small group of men met one evening for coffee in a kitchen right here in Augusta. They were all enthused about the candidacy of one Dick Nixon. Normally, State Convention Delegates go to the National Convention uninstructed, but this group of four or five dedicated friends hit on a plan. They drafted a Resolution which late at night they snuck through their county caucus. The next morning at the District Meeting while attendance was still light and persons hardly awake, they eased it through again. By the time the general session started that afternoon, it was too late to stop their little gem, and that year delegates went firmly pledged to Mr. Nixon. Now I do not question their choice, but I do question the logic in this overall procedure which allows such political shenanigans.

The second reason I favor this bill goes back to legislative action taken in 1957 at which time I was selected to play a part. Specifically, I refer to the change in the date of the general election

in Maine. At that time, we did away with our September election from which we had always received a great deal of free publicity. Generally, when we enact a law we can change it later if we find it is not to our liking. This, however, was different. Once we had decided to conform with the rest of the states and hold our election in November, the United States Constitution specifically prohibited our changing back. I now feel that our action was wrong and I for one am perfectly willing to admit it. Here, we have a way to recoup a great deal of this free publicity. If we hold a preferential primary a week ahead of New Hampshire, which is now the first in the country, we will once again be getting a little national attention on a phase of our elections.

The opposition will probably make several observations. Last year, for instance, they said that New Hampshire was a very poor example for us to follow. With this bill, we are not following them; we are ahead of them. Certainly we are not copying their idea, because sixteen states already have similar legislation. Candidates select, for one reason or another, the states they will run in. I believe that they would be happy to choose the State of Maine. More and more we are reputed to be a pretty good barometer for elections in general.

The opponents may also argue that these don't mean much anyway. Yesterday, in a Republican Caucus, our learned and most respected colleague from Lubec, Mr. Pike, mentioned that at the last National Republican Convention the New Hampshire delegates were pledged to a candidate who wasn't even running. This can happen under their law, but not under the proposal before us today. Our suggestion does not bind the delegates. However, it would enable these persons to act more confidently with the knowledge that they have popular support.

For those who say that primaries do not mean much, let me cite just three examples:

In 1944 Wendell Willkie withdrew his name after being beaten

in Wisconsin by Governor Dewey who didn't even bother to campaign there.

General Eisenhower might not ever have run for President, since he didn't even make himself available until he had won both the New Hampshire and Minnesota Primaries.

In 1960 President Kennedy virtually forced Vice President Humphrey out of the race after his victory in West Virginia, a strong Protestant state.

In the final analysis, I sincerely believe that these primaries are the fairest way of selecting Presidential and Vice Presidential nominees, and I certainly hope that this afternoon the bill is passed to be engrossed, and when the vote is taken I request that it be taken by the yeas and nays or a roll call.

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

Mr. JALBERT: Mr. Speaker and Members of the House: First I would be remiss if I didn't thank, for my party at least, the gentleman from Bath for letting us in on the inner doings of his party. I would, however, resent the word "shenanigans" because I know that the good Republican Party would never stoop to such tactics.

As the author after presentation six times of the measure that finally passed to allow the people to vote as to whether they wanted a change in the election date from September to November, I found throughout the many years of campaigning for this project that the most cogent argument that was used was the fact that Maine was reaping a great deal of publicity from the fact that we voted in September and we were first to vote as compared with the other states in the Union. One could not combat very easily with this argument.

I am one of those who has been to New Hampshire on more than one occasion and what I saw there was hundreds upon hundreds of out-of-staters spending a good deal of money and leaving it in New Hampshire. And while we're looking for money, it might be well to get it where we can, and

these are honest dollars. People have a right to their opinion. Certainly we could not be termed as having meant this as a laughing matter. I am sure that the citizens of this state, whether it be a primary or a general election, or whatever election it may be, vote and vote intelligently.

I think we would reap a great deal of not only monies that would be coming in from out of state, even out of the country, but also reap the harvest of a great deal of publicity. I commend the gentleman from Bath, Mr. Ross, for having presented this very worthy bill and I hope it is passed to be engrossed.

The SPEAKER: The Chair recognizes the gentleman from Kingman Township, Mr. Starbird.

Mr. STARBIRD: Mr. Speaker, may I ask a question of Mr. Ross through the Chair? I would like to inquire as to what the cost to the local towns and cities would be for another election, if he has any figures on that?

The SPEAKER: The gentleman from Kingman Township, Mr. Starbird, poses a question through the Chair of the gentleman from Bath, Mr. Ross, who may answer if he so desires.

Mr. ROSS: Mr. Speaker, in answer to the gentleman's question, of course the cost of this to the towns and cities would be the same as the cost of any other election like this. You would have to have your city officials and your election clerks, your ballot clerks, your wardens and so forth.

But I would like to point out that those towns who would like, could have their Town Meetings on this same day and same time, so you would be accomplishing two things at one time.

The SPEAKER: The Chair recognizes the gentlewoman from York, Mrs. Fuller.

Mrs. FULLER: Mr. Speaker and Members of the House: I yesterday in the Republican caucus felt that some of the negative factors of this bill should be pointed out so that people could evaluate whether the benefits claimed offset the problems created.

I did this because I have spoken to a member in the Republican

Party in New Hampshire, feeling that he would have the experience which we had not been through. I used his quotations, as I know of no other way than somebody that has dealt in something like this. He felt that in New Hampshire that it had created a good many problems, that it had a tendency, as I said before, to divide the Party, and that while it may have brought money into the state, it was expensive for the political organizations.

I point out here that in the bill that Mr. Ross, the gentleman from Bath, has presented, there is a time limit for filing the petition with the Secretary of State, not more than sixty days, not less than forty. If I calculate this right, this means that by sometime next February, which seems pretty early in the game, we would be having to file petitions for these presidential nominees.

I also point out that I can't see why any other state can't choose to make their primary earlier than ours if they decide to, and thus negate one of the principal arguments of the proponents. The four million dollar figure which seems to be used to say was brought into the State of New Hampshire in other primary elections, seems to be taken out of the air; and nobody can qualify it, it's just said that that was what was brought in. Representative Pike yesterday described the debacle of the New Hampshire primary two years ago. He is not here today to discuss this.

I say if we want to bring Maine back into the eye of the Nation, it is questioned whether we could do something about the federal regulation, and go back to our September election.

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

Mr. LEVESQUE: Mr. Speaker and Ladies and Gentlemen of the House: At this particular point I'm going to speak as just one member of the loyal opposition, only as an individual member and not as a party measure.

It is my sincere feeling that there might be some benefits al-

though my feeling is that the benefits would be relatively minor, because we in this state are strategically located quite a bit different than New Hampshire. In New Hampshire you have a relatively small state, and much closer to the bigger metropolitan areas. Here in Maine, we find ourselves holding municipal elections in the month of March, and I have seen, and granted I am probably the furthest northeast of any member of this House, but we have found ourselves knee-deep in a fresh snow storm on that particular day or days. So I question the amount of people that would actually come into the State of Maine to invest money, if you want to put it that way, into a candidate that they feel should be selected in this particular fashion. So I very much question the revenues that would be derived or the publicity, granted there would be some because more times that they use the name of the State of Maine on a national scale the better off, but I think the gentlewoman from York very well pointed out that what happened to New Hampshire last year, or two years ago, could very well happen to the State of Maine, and there is nothing that prevents any other state, and it could be Florida or California where the climate is so much better to take the lead in this particular fashion.

The SPEAKER: Is the House ready for the question? The Chair recognizes the gentleman from Hampden, Mr. Littlefield.

Mr. LITTLEFIELD: Mr. Speaker and Ladies and Gentlemen of the House: I would oppose the bill from a little different angle. We have a Department of Economic Development that is costing us a million dollars a year, and I don't propose to add twenty-four thousand dollars to the cost of advertising the State. Therefore, I would vote against the measure.

The SPEAKER: The pending question is the passage of this bill to be engrossed as amended. 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 who

desire a roll call will vote in the affirmative, and those opposed in the negative. The Chair will open the vote.

Thereupon, the members having voted, the Clerk took a total.

93 having voted in the affirmative and 31 having voted in the negative, a roll call was ordered.

The SPEAKER: The Chair will open the vote. All those in favor of this bill being passed to be engrossed as amended will vote in the affirmative, and those opposed, in the negative.

Thereupon, a roll call was taken.

ROLL CALL

YEA — Belanger, Beliveau, Boudreau, Bradstreet, Brennan, Brown, Bunker, Burnham, Carey, Cote, Cottrell, Crockett, Cushing, Dickinson, Durgin, Eustis, Evans, Fortier, Harvey, Hawes, Healy, Hennessey, Hoover, Humphrey, Hunter, Jalberty, Jameson, Kyes, Lewin, Martin, McMann, Nadeau, J. F. R.; Noyes, Porter, Prince, Rideout, Ross, Roy, Shute, Starbird, Susi, Tanguay, Wheeler, Wight, Wood.

NAY — Allen, Baker, E. B.; Baker, R. E.; Bedard, Benson, Bernard, Binnette, Birt, Bourgoin, Bragdon, Buck, Carroll, Carswell, Champagne, Clark, Cookson, Cornell, Crommett, Crosby, Curran, Darcy, Drigotas, Drummond, Dudley, Dunn, Edwards, Ewer, Farrington, Fecteau, Foster, Fraser, Fuller, Gaudreau, Gauthier, Hall, Hanson, B. B.; Hanson, H. L.; Hanson, P. K.; Harriman, Haynes, Henley, Hichens, Hinds, Huber, Immonen, Jannelle, Keyte, Kilroy, Lebel, Levesque, Lewis, Lincoln, Littlefield, Lowery, Lycette, Maddox, McNally, Meisner, Miliano, Minkowsky, Mosher, Nadeau, N. L.; Payson, Philbrook, Quimby, Quinn, Rackliff, Richardson, G. A.; Richardson, H. L.; Robertson, Robinson, Rocheleau, Sahagian, Sawyer, Scott, C. F.; Shaw, Snow, Soulas, Thompson, Trask, Truman, Waltz, Watts, White, Williams.

ABSENT — Berman, Carrier, Conley, Couture, D'Alfonso, Danton, Dennett, Gill, Giroux, Harnois, Hewes, Hodgkins, Jewel, Pender-

gast, Pike, Scott, G. W.; Scribner, Sullivan, Townsend.

Yes 45; No 85; Absent 19.

45 having voted in the affirmative and 85 having voted in the negative, 19 being absent, the Bill failed of passage to be engrossed.

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

Mr. LEVESQUE: Mr. Speaker and Ladies and Gentlemen of the House: I don't remember exactly what the formalities are to receive a copy of the registered vote, although at this point, I would request a copy or copies, one or two copies of the last vote that was taken.

(Off Record Remarks)

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

Mr. ROSS: Mr. Speaker, I of course respect the feelings of the opposition. I have been defeated on many things many times. I hold no animosity toward anyone, but I now wonder if it wouldn't be a little more clear-cut if I made the motion that the Bill "An Act Providing for a Presidential Preference Primary," L. D. 83, be indefinitely postponed.

The SPEAKER: The gentleman from Bath, Mr. Ross, now moves that this Bill be indefinitely postponed. Is this the pleasure of the House?

The motion prevailed. Sent up for concurrence.

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

Bill "An Act relating to Inspection Certificates for Mechanics in Motor Vehicle Inspection Stations" (H. P. 173) (L. D. 236)

Tabled—February 15, by Mr. Lyette of Houlton.

Pending—Passage to be Engrossed.

Mr. Dudley of Enfield offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to H. P. 173, L. D. 236, Bill, "An

Act Relating to Inspection Certificates for Mechanics in Motor Vehicle Inspection Stations."

Amend said Bill by striking out all of section 3 (same in L. D. 236) and renumbering section 4 to be section 3.

House Amendment "A" was adopted.

Mr. Dudley of Enfield then offered House Amendment "B" and moved its adoption.

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

HOUSE AMENDMENT "B" to H. P. 173, L. D. 236, Bill, "An Act Relating to Inspection Certificates for Mechanics in Motor Vehicle Inspection Stations."

Amend said Bill by striking out all of section 1 and inserting in place thereof the following:

'Sec. 1. R. S., T. 29, §2124, amended. The first paragraph of section 2124 of Title 29 of the Revised Statutes is amended to read as follows:

Upon written application giving such description of the garage and its equipment as may be required by the Chief of the State Police, the Chief of the State Police may license **annually** such garage as an official inspection station located as to convenience the public for the purpose of carrying out section 2122. No application for a license to operate an official inspection station shall be considered unless the garage building to be used as an inspection station shall be of suitable length and width, shall have a level floor, shall be equipped with a screen or chart or other equipment approved by the Chief of the State Police for the purpose of testing lights and with sufficient tools, machinery and qualified personnel to make repairs to motor vehicles. **There shall be an annual application fee of \$2 which shall be nonrefundable.'**

Further amend said Bill by inserting after section 2, a new section, as follows:

'Sec. 2-A. R. S., T. 29, §2124, amended. The 6th paragraph of section 2124 of Title 29 of the Revised Statutes, as amended by section 8 of chapter 248 of the public laws of 1965, is further amended to read as follows:

No person other than the holder of a valid inspection mechanic's certificate issued **annually** by the Chief of the State Police shall perform an inspection, issue or sign a certificate of inspection.'

Further amend said Bill in section 4 by inserting after the underlined work "**relicensing**" in the 8th line (6th line in L. D. 236) the underlined words '**or recertifying**'

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

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

HOUSE REPORT — Ought Not to Pass — Committee on Judiciary, Bill "An Act relating to Examination of Vehicles by Police Officers" (H. P. 106) (L. D. 133)

Tabled — February 15, by Mr. Richardson of Cumberland.

Pending — Acceptance.

On motion of Mr. Pendergast of Kennebunkport, recommitted to the Committee on Judiciary and sent up for concurrence.

Mr. Jalbert of Lewiston was granted unanimous consent to address the House.

Mr. JALBERT: Mr. Speaker and Members of the House: I would like to read a communication sent to me by the Planning Engineer of the Bureau of Public Improvements. The letter is addressed to me.

"This letter is being forwarded to you at this time as confirmation of our meeting of this date relative to the Bureau's investigating the possibility of installation of an escalator in the tunnel connecting the State House with the State Office Building.

"The Bureau will contact various concerns requesting estimates and will report to you at the earliest possible time regarding the total cost of such an installation. This estimate is to include an escalator for the steep incline portion only of the tunnel.

"The Bureau would agree most heartily with your concern regarding this situation since members of our staff are constantly questioned relative to this situation."

I think the letter is self-explanatory. Over the years many members of both branches and also state employees and guests have had a great deal of conversation wherein it concerns this steep incline. Some of us feel it is dangerous. I am speaking of some who are younger members of the House. And I think that I would like to hear comments either now or later wherein it concerns this program.

The SPEAKER: The House is proceeding under Orders of the Day.

Mr. Jameson of Bangor was granted unanimous consent to address the House.

Mr. JAMESON: Mr. Speaker, Ladies and Gentlemen of the House: Last week we honored three great men born in this month, Washington, Lincoln, and our Speaker of the House, Mr. Kennedy. We have another one born this month, and his birthday is Saturday, and I would like to wish the Honorable Robert Soulas of Bangor a happy birthday. (Applause)

On motion of Mr. Richardson of Cumberland,

Adjourned until Tuesday, February 21, at ten o'clock in the morning.