

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 22, 1967

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

Prayer by the Rev. Mr. Fred More of Augusta.

The journal of yesterday was read and approved.

Papers on the Supplemental Calendar were then taken up.

The following Communication:

STATE OF MAINE

Office of the Secretary of State
February 22, 1967

To the Honorable David J. Kennedy, Speaker of the House of Representatives of the One Hundred and Third Legislature:

In compliance with the Constitution and Laws of the State of Maine, I have the honor to herewith report the return of votes cast for Representative to the One Hundred and Third Legislature in the City of Auburn at a Special Election held February 20, 1967, according to a review of the returns made by the Governor and Council, to fill the vacancy ordered by House Order of February 2, 1967, as follows:

Peter T. Snowe of Auburn received 1648 votes.

Romeo Laberge of Auburn received 1460 votes.

(Signed)

JOSEPH T. EDGAR
Secretary of State

The Communication was read and ordered placed on file.

The following Communication:

STATE OF MAINE

Office of the Secretary of State
February 22, 1967

To Bertha W. Johnson, Clerk of the House of Representatives of the One Hundred and Third Legislature:

In compliance with the Constitution and Laws of the State of Maine, I hereby certify that a Special Election was held in the City of Auburn on February 20,

1967 for the purpose of electing a Representative to the One Hundred and Third Legislature to fill the vacancy ordered by House Order of February 2, 1967; that at said election PETER T. SNOWE of Auburn, having received a plurality of all votes cast in said election, as contained in a report submitted to the Governor and Council under date of February 22, 1967, appears to have elected a Representative to the One Hundred and Third Legislature.

IN WITNESS WHEREOF, I have caused the Great Seal of the State of Maine to be hereunto affixed this twenty-second day of February in the year of our Lord one thousand nine hundred and sixty-seven and of the Independence of the United States of America, the one hundred and ninety-first.

(Signed)

JOSEPH T. EDGAR
Secretary of State

The Communication was read and ordered placed on file.

Mr. Richardson of Cumberland presented the following Resolution and moved its adoption:

RESOLVED, that Peter T. Snowe of Auburn is hereby declared duly elected Representative to the One Hundred and Third Legislature, and is a legal member of the House.

Out of order and by unanimous consent the Resolution was read and adopted.

The SPEAKER: The Chair observes the presence in the House of Representative - elect Peter T. Snowe of Auburn. The Chair will request that the gentleman from Auburn, Mr. Drigotas, escort the Representative-elect to the Council Chambers for the purpose of taking and subscribing to his oath of office that he may legally perform his duties as a Representative to the Legislature.

Subsequently Mr. Drigotas reported that he had performed the duty with which he was charged and that Mr. Snowe had taken and subscribed the oaths necessary to qualify him to enter upon his official duties.

Whereupon, Mr. Snowe of Auburn was assigned to seat number 26 and he was appointed to the Committee on Towns and Counties as the fifth ranking member.

Papers from the Senate

From the Senate: The following Communication: (S. P. 370)

STATE OF MAINE
Bureau of Public Improvements
Augusta, Maine

February 14, 1967

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

In accordance with the provisions of Title 5, Section 1742, Maine Revised Statutes Annotated, we are submitting herewith the "Recommended Priorities for Projects Contained within Requests for Capital Improvements" for the fiscal years 1968-1969.

Respectfully,

(Signed)

NIRAN C. BATES
State Director of
Public Improvements.

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 Authorize Bond Issue in the Amount of Eight Million Two Hundred Five Thousand Dollars for Capital Improvements, Construction, Renovations and Repairs at the University of Maine" (S. P. 350) (L. D. 934)

Resolve Authorizing the Sale of State Land Located at Thomaston (S. P. 357) (L. D. 941)

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 to Create a Commission to Prepare a Revision of the Insurance Laws" (S. P. 326) (L. D. 925)

Came from the Senate referred to the Committee on Business Legislation.

In the House, referred to the Committee on Business Legislation in concurrence.

From the Senate:

Bill "An Act to Correct Errors and Inconsistencies in the Education Laws" (S. P. 358) (L. D. 966)

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 Town's Matching Funds for Reconstructing State Aid Highways" (S. P. 359) (L. D. 956)

Bill "An Act relating to Reimbursement to Towns for Construction of and Snow Removal from Highways" (S. P. 360) (L. D. 957)

Came from the Senate referred to the Committee on Highways.

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

From the Senate:

Bill "An Act relating to Competence to Stand Trial and Release of Persons Found Not Guilty by Reason of Mental Disease or Defect" (S. P. 361) (L. D. 965)

Bill "An Act relating to Transfer of State Prison First Offenders under Age of Thirty-six to Reformatory for Men" (S. P. 362) (L. D. 958)

Bill "An Act Establishing a Master Mortgage Recording Act" (S. P. 363) (L. D. 959)

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 Establishing the Policemen's Arbitration Law" (S. P. 342) (L. D. 926)

Bill "An Act relating to the Registration of Professional Sanitarians and Sanitarian Trainees" (S. P. 343) (L. D. 927)

Bill "An Act relating to Septic Tank and Cesspool Cleaners" (S. P. 364) (L. D. 960)

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 a Study of Air Pollution" (S. P. 344) (L. D. 928)

Bill "An Act relating to Mining License and Rental Fees on State Lands" (S. P. 365) (L. D. 961)

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 relating to Permits and Hearings in Regulation of Contract Carriers" (S. P. 355) (L. D. 939)

Bill "An Act Creating the Maine Power Commission" (S. P. 366) (L. D. 967)

Came from the Senate referred to the Committee on Public Utilities.

In the House, referred to the Committee on Public Utilities in concurrence.

From the Senate:

Bill "An Act relating to the Maine-New Hampshire Compact for Establishing a Bi-State Commission on Oceanography" (S. P. 345) (L. D. 929)

Bill "An Act relating to Unindorsed Checks of Recipients of Aid to the Aged, Blind and Disabled" (S. P. 346) (L. D. 930)

Bill "An Act relating to Notice of Legislative Hearings" (S. P. 347) (L. D. 931)

Bill "An Act Increasing Salary of Legislative Finance Officer" (S. P. 348) (L. D. 932)

Bill "An Act Providing for the Administration of a Major Medical Insurance Program for State Employees" (S. P. 367) (L. D. 962)

Resolve Authorizing the Attorney General to Convey a Certain

Lot of Land in Bangor to Bangor Hydro-Electric Company (S. P. 349) (L. D. 933)

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 the Transmitting of County Estimates to Secretary of State" (S. P. 351) (L. D. 935)

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.

Referred in Non-Concurrence

From the Senate:

Bill "An Act relating to Election of School Board of City of Old Town" (S. P. 352) (L. D. 936)

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

In the House: On motion of Mr. Dudley of Enfield, referred to the Committee on Legal Affairs in non-concurrence and sent up for concurrence.

From the Senate:

Bill "An Act Increasing Payments to Kennebec County Law Library" (S. P. 353) (L. D. 937)

Bill "An Act relating to Review of and Issuing Bonds for Projects under Housing Authority Law" (S. P. 354) (L. D. 938)

Bill "An Act to Increase the Salaries of Certain County Officers of Waldo County" (S. P. 368) (L. D. 963)

Bill "An Act Increasing Payments to Waldo County Law Library" (S. P. 369) (L. D. 964)

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 relating to Cooperative Agreements to Enforce High-

way Transportation Laws" (S. P. 356) (L. D. 940)

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 State Government on Bill "An Act Increasing Mileage Allowance for State Employees on State Business" (S. P. 183) (L. D. 373) reporting "Ought not to pass" as covered by other legislation.

Came from the Senate read and accepted.

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

Ought to Pass Passed to Be Engrossed

Report of the Committee on Appropriations and Financial Affairs reporting "Ought to pass" on Bill "An Act Providing Funds for Educational Loans for Maine Students" (S. P. 151) (L. D. 323)

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

In the House, the Report was read and accepted in concurrence and the Bill read twice. Under suspension of the rules, the Bill was given its third reading, passed to be engrossed and without objection sent forthwith to the Senate.

At this point Representative Snowe of Auburn appeared and was escorted to his seat by Mr. Drigotas of Auburn.

The SPEAKER: On behalf of the House, the Chair congratulates the gentleman from Auburn, Mr. Snowe, on his election to the Maine House of Representatives. We extend to you a warm welcome to this distinguished body and we are sure that you will enjoy your experiences here with us as a Representative.

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

Mr. LEVESQUE: Mr. Speaker and Ladies and Gentlemen of the House: It is with a sincere thought

of heart this morning that we in the Minority Party certainly want to extend a warm welcome to the gentleman from Auburn, Representative Snowe. I am sure that the gentleman from Auburn will be more than helpful to this august body of Representatives and will be an absolute credit to the people of the State of Maine and his representative district. Thank you.

Mr. Martin of Eagle Lake was granted unanimous consent to briefly address the House.

Mr. MARTIN: Mr. Speaker and Ladies and Gentlemen of the House: This morning I arise to tell you that I am more than happy to relinquish my title of youngest member of the House, to Peter T. Snowe of Auburn. (Applause)

The SPEAKER: The Chair would request the Sergeant-at-Arms to escort the gentleman from Southwest Harbor, Mr. Benson, to the rostrum to act as Speaker pro tem.

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

Report of the Committee on Towns and Counties reporting "Ought to pass" on Bill "An Act relating to Duties and Salary of Aroostook County Fire Marshal" (S. P. 33) (L. D. 32)

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

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

Ought to Pass with Committee Amendment

Report of the Committee on Agriculture on Bill "An Act to Provide Funds for Enforcement of the Potato Branding Law" (S. P. 176) (L. D. 421) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

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

In the House, the Report was read and accepted in concurrence and the Bill read twice. Committee Amendment "A" was read by the Clerk and adopted in concurrence, and tomorrow assigned for third reading of the Bill.

Non-Concurrent Matter

Bill "An Act relating to Weight Tolerances of Vehicles Loaded with Sawed Lumber" (H. P. 493) (L. D. 706) which was referred to the Committee on Highways in the House on February 8.

Came from the Senate referred to the Committee on Transportation in non-concurrence.

In the House: The House voted to recede and concur with the Senate.

Non-Concurrent Matter

Bill "An Act relating to Fishing for Bass in Sheepscot River and Tributaries, Lincoln County" (H. P. 500) (L. D. 713) which was referred to the Committee on Inland Fisheries and Game in the House on February 8.

Came from the Senate referred to the Committee on Sea and Shore Fisheries in non-concurrence.

In the House: The House voted to recede and concur with the Senate.

Non-Concurrent Matter

Bill "An Act Providing for Regulating Water Well Construction and Pump Installation" (H. P. 584) (L. D. 831) which was referred to the Committee on Judiciary in the House on February 9.

Came from the Senate referred to the Committee on Legal Affairs in non-concurrence.

In the House: The House voted to recede and concur with the Senate.

**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 Moneys for Improvements of Machias Valley Airport" (H. P. 703) (Presented by Mr. Watts of Machias)

(Ordered Printed)

Resolve Providing for Purchase of Fifty Copies of History of Bridgton, Bicentennial Edition (H. P. 704) (Presented by Mr. Burnham of Naples)

(Ordered Printed)

Sent up for concurrence.

Claims

Resolve in Favor of George Hearin of Knox, Waldo County (H. P. 705) (Presented by Mr. Evans of Freedom)

(Ordered Printed)

Sent up for concurrence.

**Health
and Institutional Services**

Bill "An Act relating to Earned Income of Recipients of Aid to the Aged, Blind or Disabled and Aid to Dependent Children" (H. P. 706) (Presented by Mrs. Kilroy of Portland)

(Ordered Printed)

Bill "An Act relating to the Administration of the Aid to Dependent Children Program, and Authorizing Work Experience and Training for Recipients of Aid to Dependent Children" (H. P. 707) (Presented by Mr. Levesque of Madawaska)

(Ordered Printed)

Sent up for concurrence.

Highways

Bill "An Act relating to Winter Maintenance of State Aid Highways by Municipalities" (H. P. 708) (Presented by Mr. Evans of Freedom)

(Ordered Printed)

Sent up for concurrence.

Judiciary

Bill "An Act Revising the Vital Statistics Laws" (H. P. 709) (Presented by Mr. Bernard of Auburn)

(Ordered Printed)

Bill "An Act relating to Fees of Witnesses in Criminal Cases" (H.

P. 710) (Presented by Mrs. Wheeler of Portland by request)
(Ordered Printed)

Bill "An Act relating to Trial Terms of Superior Court in Cumberland County" (H. P. 711) (Presented by same member by request)

(Ordered Printed)
Sent up for concurrence.

Labor

Bill "An Act relating to Steam Engineers and Firemen" (H. P. 712) (Presented by Mr. Hawes of Union)

(Ordered Printed)

Bill "An Act Providing for Unemployment Compensation for State Employees" (H. P. 713) (Presented by Mr. Martin of Eagle Lake)

(Ordered Printed)
Sent up for concurrence.

Legal Affairs

Bill "An Act relating to Fees, Compensation, Trust Accounts and Criminal Offenses Under Real Estate Law" (H. P. 714) (Presented by Mrs. Kilroy of Portland)

(Ordered Printed)

Bill "An Act Amending Incorporation of and Extending Charter of R. and T. Cement Railroad Company" (H. P. 715) (Presented by same member)

(Ordered Printed)

Bill "An Act relating to Enforcing Law Requiring Mufflers on Motorboats" (H. P. 716) (Presented by Mr. Lowery of Brunswick)

(Ordered Printed)

Bill "An Act to Nullify Indemnifying Clauses in Contracts" (H. P. 717) (Presented by Mr. McNally of Ellsworth)

(Ordered Printed)
Sent up for concurrence.

Public Utilities

Bill "An Act Authorizing Public Utilities Commission to Require the Interchange of Electric Energy" (H. P. 718) (Presented by Mr. Starbird of Kingman Township)

(Ordered Printed)
Sent up for concurrence.

Retirements and Pensions

Bill "An Act relating to Retirement Benefits for Police Officers Under State Retirement System" (H. P. 719) (Presented by Mr. Gaudreau of Lewiston)

(Ordered Printed)

Bill "An Act Establishing Social Security Benefits for State Classified Service Employees" (H. P. 720) (Presented by Mr. Martin of Eagle Lake)

(Ordered Printed)

Resolve Providing for a Retirement Allowance for Lois Blackwell Goodwin (H. P. 721) (Presented by Mr. Starbird of Kingman Township)

(Ordered Printed)
Sent up for concurrence.

Sea and Shore Fisheries

Bill "An Act Enabling Towns to Form Districts to Operate Alewife Fisheries" (H. P. 722) (Presented by Mr. Evans of Freedom)

(Ordered Printed)
Sent up for concurrence.

State Government

Bill "An Act Providing for the Official Observance of the 150th Anniversary of the Formation of the State of Maine" (H. P. 723) (Presented by Mr. Birt of East Millinocket)

(Ordered Printed)

Bill "An Act to Permit the Interchange of Government Employees" (H. P. 724) (Presented by Mr. Levesque of Madawaska)

(Ordered Printed)

Bill "An Act to Establish the Maine Municipal Police Training Council" (H. P. 725) (Presented by Mr. Rideout of Manchester)

(Ordered Printed)

Resolve Authorizing Director of Public Improvements to Convey Land in Hallowell to City of Hallowell (H. P. 726) (Presented by same gentleman)

(Ordered Printed)
Sent up for concurrence.

Taxation

Bill "An Act relating to Property Tax Exemption for Persons Reaching Sixty-five Years of Age" (H. P. 727) (Presented by Mr. Birt of East Millinocket)

(Ordered Printed)

Bill "An Act relating to Taxation of Farm Machinery Where Situated" (H. P. 728) (Presented by Mr. Martin of Eagle Lake)
(Ordered Printed)
Sent up or concurrence.

Towns and Counties

Bill "An Act Providing Relocation Assistance by Municipalities" (H. P. 729) (Presented by Mrs. Kilroy of Portland)
(Ordered Printed)

Bill "An Act Increasing Fees for Recording Deeds and Tax Liens" (H. P. 730) (Presented by Mr. McMann of Bath)
(Ordered Printed)
Sent up for concurrence.

Transportation

Bill "An Act relating to Removal of Motor Vehicles Parked Illegally on Highways and Highway Rights of Way" (H. P. 731) (Presented by Mr. Bedard of Saco)
(Ordered Printed)
Sent up for concurrence.

Orders

On motion of Mr. Rackliff of Easton, it was
ORDERED, that Jane Noyes of Limestone and Dianne McLaughlin of Limestone be appointed to serve as Honorary Pages for today.

On motion of Mrs. Wheeler of Portland, it was
ORDERED, that Catherine Ann D'Alfonso and Christine Ann D'Alfonso of Portland be appointed to serve as Honorary Pages for today.

On motion of Mr. Hichens of Eliot, it was
ORDERED, that Daniel Blake of North Berwick be appointed to serve as Honorary Page for today.

On motion of Mr. Hinds of South Portland, it was
ORDERED, that Walter B. Beesley and Kenneth L. Beesley of Westbrook be appointed to serve as Honorary Pages for today.

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

Mrs. Baker from the Committee on Legal Affairs on Bill "An Act relating to Expenses of Forest Management on Indian Township Forest Lands" (H. P. 194) (L. D. 283) reported same in a new draft (H. P. 732) (L. D. 968) under title of "An Act relating to Expenses of Forest Management on Indian Township" and that it "Ought to pass"

Report was read and accepted, the New Draft read twice and tomorrow assigned.

Ought to Pass Printed Bills

Mr. Clark from the Committee on Public Utilities reported "Ought to pass" on Bill "An Act to Extend the Charter of the Eliot Water District" (H. P. 155) (L. D. 218)

Mr. D'Alfonso from same Committee reported same on Bill "An Act Increasing Indebtedness of Dover and Foxcroft Water District" (H. P. 72) (L. D. 97)

Mr. Snow from same Committee reported same on Bill "An Act Creating the Newport Water District" (H. P. 417) (L. D. 583)

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

Ought to Pass with Committee Amendment

Mr. Champagne from the Committee on Inland Fisheries and Game on Resolve Regulating Fishing in Certain Waters in Franklin County (H. P. 63) (L. D. 88) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Resolve read once.

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

COMMITTEE AMENDMENT "A" to H.P. 63, L. D. 88, Resolve, Regulating Fishing in Certain Waters in Franklin County.

Amend said resolve in the last line (same in L. D. 88) by adding after the word "open" the words 'to fly fishing only'

Committee Amendment "A" was adopted and the Resolve assigned for second reading tomorrow.

Mr. Haynes from the Committee on Inland Fisheries and Game on Bill "An Act relating to Use of Power Boats on Jordan Pond and Eagle Lake, Mount Desert Island, Hancock County" (H. P. 217) (L. D. 307) 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. 217, L. D. 307, Bill, "An Act Relating to Use of Power Boats on Jordan Pond and Eagle Lake, Mount Desert Island, Hancock County."

Amend said Bill by striking out all of the last 3 underlined lines (last 2 in L. D. 307) and inserting in place thereof the following:

'No person, except officers empowered to enforce this subchapter, shall operate a motorboat having more than 10 horsepower on Eagle Lake and Jordan Pond, Mt. Desert Island, Hancock County.'

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

Mr. Lewin from the Committee on Inland Fisheries and Game on Bill "An Act relating to Restrictions on Power Boats in Ox Brook Lake" (H. P. 222) (L. D. 312) 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 Clark as follows:

COMMITTEE AMENDMENT "A" to H. P. 222, L. D. 312, Bill, "An Act Relating to Restrictions on Power Boats in Ox Brook Lake."

Amend said Bill by striking out all of the last 3 underlined lines (same in L. D. 312) and inserting in place thereof the following:

'No person, except officers empowered to enforce this subchapter, shall operate a motorboat on Upper and Lower Ox Brook Lakes in the Towns of T6 ND, T6RI and

Talmadge in the County of Washington.'

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

Mrs. Kilroy from the Committee on Transportation on Bill "An Act relating to Carrying Operator's License When Operating Motor Vehicle" (H. P. 178) (L. D. 241) 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. 178, L. D. 241, Bill, "An Act Relating to Carrying Operator's License when Operating Motor Vehicle."

Amend said Bill by striking out all of the last underlined sentence and inserting in place thereof the following underlined sentence: **'No person charged with violating this section shall be required to answer a summons and appear in court if subsequent to apprehension said person produces to a State Police Officer or any other authorized police officer an operator's license theretofore issued to him and valid at the time of the issuance of the aforesaid summons.'**

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

Divided Report

Majority Report of the Committee on Education on Bill "An Act relating to Conveyance of Secondary Pupils" (H. P. 183) (L. D. 297) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was signed by the following members:

Messrs. KATZ of Kennebec
SNOW of Cumberland
MacLEOD of Penobscot
—of the Senate.

Messrs. SHUTE of Farmington
Mrs. BAKER of Winthrop
Messrs. ALLEN of Caribou
CARROLL of Limerick
LEVESQUE
of Madawaska
— of the House.

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

Report was signed by the following members:

Mrs. HANSON of Lebanon

Mr. RICHARDSON
— of Stonington
— of the House.

Reports were read.

The SPEAKER pro tem: The Chair recognizes the gentleman from Stonington, Mr. Richardson.

Mr. RICHARDSON: I move that the House accept the Minority "Ought not to pass" Report and I would speak briefly to the motion.

The SPEAKER pro tem: The gentleman from Stonington, Mr. Richardson moves that the House accept the Minority "Ought not to pass" Report. The Chair recognizes the same gentleman.

Mr. RICHARDSON: Mr. Speaker and Members of the House: Basically I am opposed to any dictation in any form and this is what this bill purports and will do. It will probably be fought upon the emotional basis of appealing to the hearts in the House, but frankly the bill means an out for any school committee. If you will note the last sentence it says that the superintending school committee shall determine the distance, which is unreasonable. Now they may determine a distance of five or six or seven miles which will, in effect, do away with the transportation. I do not feel that this is good legislation and I do not feel it is necessary. The administrative districts at the present time do transport, but of course they are on a much wider and greater variety.

One of the other problems which occurs is the fact that many administrative units contract with another school, or schools, and this would have school buses going in any number of directions. Therefore, I hope that the "Ought not to pass" Report will be accepted.

The SPEAKER pro tem: The Chair recognizes the gentleman from Freedom, Mr. Evans.

Mr. EVANS: Mr. Speaker and Ladies and Gentlemen of the House: This bill had a very good hearing before the committee,

came back with an 8 to 2 report, and I believe it should pass because we have better than five thousand secondary scholars that we are not transporting — and why? Because a few people in the small towns want to save the few extra dollars that it costs, they think if they can use it to go to Florida on then they'd rather let the school children walk or bum their way to school. Now this is being done by a great many of the scholars, and it shouldn't be.

When we manage to put \$400,000 into this House of Representatives and we can't afford a few thousand dollars to transport scholars, I think we should get up-to-date on our transportation, not be back in the horse and buggy days. They say, oh well, they can walk. They must remember that there is a great deal of difference between now and thirty-five or forty years ago. They could walk then, old Dobbin wouldn't step on you, but the cars today do, and I hope you will vote for the majority report.

The SPEAKER pro tem: The Chair recognizes the gentleman from China, Mr. Farrington.

Mr. FARRINGTON: Mr. Speaker and Ladies and Gentlemen of the House: Two years ago we went round and round on this same matter. I rise again to support the constituency of my area. We have four towns in this area, three of which do not belong to S.A.D.'s, three of which do not have free high school, three of which do not contract with any particular school for secondary education. Therefore, if the officials of the superintending district or unit are allowed to say they will transport pupils only to this school or that school, it seems to be an abridgment of the will of the people of each of these municipalities, because they now have the right to vote as a municipal unit whether or not they shall furnish transportation to their secondary school pupils. In effect, for a unit-governing body to say we're going to only transport to one school or to two schools, will in fact circumvent what the people in these municipalities have voted. I, like

Representative Richardson, detest mandatory laws, when in effect the people in the municipality have the right to vote upon these measures as they wish. I hope that the prevailing motion stands.

The SPEAKER pro tem: The Chair recognizes the gentlewoman from Lebanon, Mrs. Hanson.

Mrs. HANSON: Mr. Speaker and Members of the House: I voted for the Minority Report because I felt that this could be very tough on tuition sending towns, especially towns who must send students to several receiving towns, and particularly if tuition subsidy and transportation is reduced or eliminated as provided in another bill if passed.

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

Mr. LEVESQUE: Mr. Speaker and Ladies and Gentlemen of the House: As a member of the Education Committee for the last four terms, this has been a sore spot in the committee and with Members of this House. Although it is my feeling that in this day and age of almost continuous transportation of all kinds, where our highways are so much better than they were when these laws were written in the books, and some of the towns could not provide adequate facilities for transportation, this might have been the case some years ago. In this day and age I find it almost impossible for any town or towns that wishes to buckle down to a problem of transporting their children to any school whether they provide service for four in a car or have a school bus in the beach wagon category or a large school bus.

This should be a matter of the towns' fathers to buckle down to the business of providing transportation for one and all the students of their community. They have delayed, they have sidetracked this issue for years. It is my firm belief that as long as some of the towns are going to say to the people of the State of Maine — you are going to pay a part of the cost of educating our children, but then, in the same tone of voice tell to the State

that — we like your money, it's got to be mandatory, we need it, we've got to have it, but we don't want to provide transportation. The money is mandatory, but the bus — leave it to us. Thank you.

The SPEAKER pro tem: The Chair recognizes the gentleman from Durham, Mr. Hunter.

Mr. HUNTER: Mr. Speaker and Ladies and Gentlemen of the House: Two years ago I spoke against this bill, but I've changed my mind. This summer I've worked for—a freight worker of course, for a group that was interested in getting these school dropouts back into school, and I traveled throughout all the municipalities of Androscoggin County, and I find that a lot of these kids want to go to school but they can't go to school because they haven't got any way of getting there. I concur with the gentleman from Freedom, Mr. Evans. Years ago we could take our dinner buckets and start down the road and nothing was going to happen to us, but I had numerous cases where kids couldn't get to school.

One I would like to repeat to you — a girl living in a town wanted to go to school, but the town, and she didn't know just where she stood because her town wouldn't give her a rank because she hadn't paid for her transportation, or her brother either. for the year before. I couldn't hardly believe it, and I went and interviewed the Superintendent of Schools, and he said "That's right," she owed them seventy-five dollars and they wouldn't even give her her rank, and so she didn't know just where she stood and what class she was going to be in, and so she was doubtful whether she would go back to school. And after all, it's my understanding this money doesn't come out of the towns anyway, eventually it's made up from the State, and I hope we furnish transportation for these youngsters.

The SPEAKER pro tem: The Chair recognizes the gentleman from Bristol, Mr. Lewis.

Mr. LEWIS: Mr. Speaker, Ladies and Gentlemen of the House: I am opposed to this piece of legisla-

tion and its accompanying amendment; in fact I don't think the amendment helps it a bit. My feeling is that this is a problem for every municipality within the State to decide for themselves. I don't think that we should hand down an edict from the State making it compulsory for every town within our borders to transport secondary pupils. I want to digress a little bit and state the problem that we have in the town in which I live. That is the town of Bristol.

At the present time our educational system is in a turmoil. We hope to have it settled within the near future. We are transporting at the present time — or we have going outside of our town at the present time, fifty-one pupils due to the unsettled condition in our high school. I haven't heard of any pupil lacking for transportation; in fact, it's my observation that in most school yards you will find that high school pupils go in their own car and, if buses are provided, very few use them, they desire to ride in their own cars.

In our own case in Bristol, if this bill should go through, it would mean that we would have to buy at least two buses and hire drivers to maintain the buses, and to me — to the town rather, it would be a tremendous burden. I sincerely believe that every individual town should solve this problem for themselves, and I hope the Minority Report is accepted.

The SPEAKER pro tem: The Chair recognizes the gentleman from South Portland, Mr. Hinds.

Mr. HINDS: Mr. Speaker, I would like to pose two questions through the Chair to any member of the committee that might care to answer. Number one. In South Portland we have more than sixteen hundred high school students. The City does not pay for transporting high school students. However, commercial transportation is available to all these students through the Portland Coach Company. If this bill passed, would the City be compelled to transport its high school students? That's question number one.

Question number two. I notice no price tag on this bill, and I

know all legislation that goes through the Legislature that has a price tag on it, has to have it attached. The State pays a subsidy to the communities if there is transportation; I know in South Portland we get some subsidy for transporting elementary school children, and I am just wondering if there should be a price tag on this bill.

The SPEAKER pro tem: The gentleman from South Portland, Mr. Hinds, poses two questions through the Chair to any Member of the Education Committee who might wish to answer.

The Chair recognizes the gentleman from Madawaska, Mr. Levesque, who may answer if he pleases.

Mr. LEVESQUE: Mr. Speaker and Ladies and Gentlemen of the House: It is my understanding that any transportation of the school children whether it be in the elementary stage, or the secondary stage, that additional subsidies will be provided from the Department of Education. They did not feel that the amount was known at this particular time because of the number of students that would be involved one is out in the first, second or third year of conveyance.

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

Mr. BRAGDON: Mr. Speaker and Members of the House: I feel called upon to arise and express my opposition to this bill because there are three towns in the district that I represent that do not now convey their secondary pupils — do not provide conveyance for their secondary pupils. I feel that they're doing a very satisfactory job in the method that they do help these children get to the various high schools which they attend. I feel that I must express their opposition.

The SPEAKER pro tem: The question before the House is the motion of the gentleman from Stonington, Mr. Richardson, to accept the "Ought not to pass" Report.

The Chair recognizes the gentleman from Limerick, Mr. Carroll.

Mr. CARROLL: Mr. Speaker and Members of the House: Two years ago we bowed to the minority in this House. The minority was the few people who represented the very few communities who do not transport scholars. We gave them two years to think it over, two years in which to get their house in order, and they come back to us with the same argument, and I say to you that these arguments are not valid, these arguments are not good. One gentleman states that the children take their cars to school. Now I'm in the insurance business and we notify the parents that these cars are not to go on the school grounds, we don't want these boys traveling back and forth to school. We know any child who uses a car to go back and forth to school, his grades immediately start to deteriorate. He does not get the grades he would get if he had proper transportation.

I would also like to point out to you that we have a surplus property area here. The State Department of Education has first priority on the equipment, and they have available some suburban vehicles which could be given to these towns and they could set up a transportation system, and this would not be the great hardship that they propose to you that we would create. I wonder if you yourselves would like to have your child thumbing his way to school in the morning. Would you like to have your child, or would you like to be told — there's a high school down the road twelve miles — there it is, we pay the tuition, get your child down there. Many of these families do not have the money to provide the transportation.

Now we talk about fighting poverty. We talk about many, many things to help out our people. I feel in my community we've been transporting scholars since 1932, and it amazes me that we can be so progressive while some communities can be so regressive. I urge you all here today to stop the hitch-hiking of our scholars to high school, and to be sure that the communities provide

transportation for which they will be subsidized from the State of Maine. Thank you.

The SPEAKER pro tem: The Chair recognizes the gentleman from Stonington, Mr. Richardson.

Mr. RICHARDSON: Mr. Speaker, several questions have been raised which I would like to answer. In reply to Representative Hinds' question number one, the answer would be, "yes" of course they would have to transport. So far as I know all of the communities that I do represent transport their pupils at the present time. I am very proud of them, I think the Superintendents of Schools have done an excellent job. I think in those communities which do not transport that if the Superintendent of Schools had been a little bit more forceful that it would not be necessary for the state department to force these things on the towns.

Frankly, the suggestion that the surplus vehicles are available does not set well with me at all. These are decrepit vehicles that the State has decided to do away with. School laws as far as bus transportation are very stringent. A driver must be licensed to drive a school bus, and I personally wouldn't want my children rolling around the State in a vehicle that might or might not pass school bus inspection.

I would like to point out, I think the impression has been given this morning that all of the school bus transportation is subsidized a hundred per cent, but school busing is subsidized only to the extent that the other subsidy in the town is received. Thank you.

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

Mr. HANSON: Mr. Speaker, I would like to pose a question through the Chair to any member of the committee. In my district there are a number of small towns who do provide bus transportation for their pupils in the general sense. However, where they are small schools and their curriculum is rather limited there are in some instances one, possibly two or three students, who seek enrollment in

high schools which provide a course that they are interested in. Now, these high schools are rather widely scattered. In some instances, — well in several instances, it's fifteen miles, thirteen miles, in that order, one student goes to one school presumably and another to another. Under this proposed legislation, would the town be required to furnish transportation for one or two students this distance?

The SPEAKER pro tem: The gentleman from Solon, Mr. Hanson, poses a question through the Chair to any member of the Education Committee who might wish to answer.

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

Mr. RICHARDSON: Mr. Speaker, I have spoken twice and I request permission to speak a third time to answer the question.

Mr. Richardson was then granted permission to speak a third time.

Mr. RICHARDSON: Members of the House: When I examine the amendment which has been presented, this provides that the "school or schools as designated by the unit." Now if the school committees in those various towns designated several schools, yes, the transportation would have to be to the several schools. If it designated only one, they would have to transport only to one.

The SPEAKER pro tem: The Chair recognizes the gentleman from Freedom, Mr. Evans.

Mr. EVANS: Mr. Speaker, Ladies and Gentlemen of the House: I put this bill in because I was talking with the Commissioner of Education, Mr. Logan, and he said there was a very urgent need for this, and has been right along. He mentioned when we had our seminar here in December that there was a case down here where the scholars were going to Erskine Academy, they couldn't get there because they hadn't paid their bus fare to their private driver. The town that was sending them wouldn't pay for it and they couldn't afford to pay for it, and there was quite a time there that they missed quite a lot of school. Now it seems too bad to me that

this great State of Maine can't afford a few dollars to put into education to transport the scholars. If we're as bad off as that, I think it's a terrible shame, and I move for a division on this when we take the vote.

The SPEAKER pro tem: The question before the House is the motion of the gentleman from Stonington, Mr. Richardson, that we accept the Minority "Ought not to pass" Report. The gentleman from Freedom, Mr. Evans, has requested a division. Is the House ready for the question?

The Chair recognizes the gentleman from China, Mr. Farrington.

Mr. FARRINGTON: Mr. Speaker Ladies and Gentlemen of the House: As the bill is written I think it will undoubtedly affect every municipality in the State whether or not they are now furnishing transportation. It was brought out two years ago that Lewiston, Portland and a great many other areas would be affected by this bill. The fact is, the powers are being put within the school committee or the governing unit, and according to this bill that can require the entire transportation. I merely wanted to make this point. I feel as though I should explain the situation on Erskine Academy, but I will refrain from doing so.

The SPEAKER pro tem: Is the House ready for the question? A division has been requested. I will state the question once again. The question is the acceptance of the Minority "Ought not to pass" Report on Bill "An Act relating to Conveyance of Secondary Pupils," House Paper 183, L. D. 297. I declare the vote open. Those in favor of acceptance of the Minority "Ought not to pass" Report will vote "yes"; those in favor of not accepting the "Ought not to pass" Report will vote "no."

A vote of the House was had.

56 having voted in the affirmative and 85 having voted in the negative, the motion did not prevail.

Thereupon, on motion of Mr. Levesque of Madawaska, the Majority "Ought to pass" Report was accepted.

The Bill was then given its two several readings.

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

COMMITTEE AMENDMENT "A" to H. P. 183, L. D. 297, Bill, "An Act Relating to Conveyance of Secondary Pupils."

Amend said bill in the 8th line (6th line in L. D. 297) by striking out the underlined words "unit's secondary school or schools" and inserting in place thereof the underlined words "school or schools as designated by the unit"

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

Divided Report Tabled and Assigned

Majority Report of the Committee on Inland Fisheries and Game reporting "Ought not to pass" on Resolve Opening Millimagassett Lake, Penobscot County, to Ice Fishing (H. P. 146) (L. D. 210)

Report was signed by the following members:

Messrs. HOFFSES of Knox
ANDERSON of Hancock
FARLEY of York
— of the Senate.

Messrs. HAYNES of Camden
CHAMPAGNE
of Fairfield
THOMPSON of Belfast
LEWIN of Augusta
COOKSON of Glenburn
— of the House.

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

Report was signed by the following members:

Messrs. GAUDREAU of Lewiston
RACKLIFF of Easton
— of the House.

Reports were read.

The SPEAKER pro tem: The Chair recognizes the gentleman from Glenburn, Mr. Cookson.

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

The SPEAKER pro tem: The gentleman from Glenburn, Mr. Cookson, moves the acceptance of the Majority "Ought not to pass" Report.

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

Thereupon, on motion of Mr.

Crommett of Millinocket, the Reports and Resolve were tabled pending the motion of Mr. Cookson of Glenburn and specially assigned for Wednesday, March 1.

At this point, Speaker Kennedy returned to the rostrum.

SPEAKER KENNEDY: The Chair thanks the gentleman from Southwest Harbor, Mr. Benson and commends him for an excellent performance.

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

Passed to Be Engrossed

Bill "An Act relating to Automobile Mileage Allowance for State Employees" (H. P. 9) (L. D. 21)

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

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

Mr. HANSON: Mr. Speaker and Members of the House: I feel I would be remiss if I did not rise in objection to this measure. I do feel that this Legislature is confronted with a number of problems of a much more pressing nature. We have problems in education, highways, economic development, pollution, many, many things which are of very, very serious concern to the State of Maine. We too have the difficult problem of financing. I think we are all aware that it is going to be very difficult to raise the monies needed.

I rise today in the hope that by taking a few minutes of your time I may save the State something in the nature of \$125,000, and I do believe personally that this amount would be considerably larger than this. I think that we should give first priority to measures which are needed. I don't feel that this measure is needed. I have done some research on it. I have talked with other members of the House and I am convinced in my own mind that the current rate of 9 cents a mile for the first 5,000 miles and 7 cents

a mile thereafter is more than adequate. In my own personal experience I have had occasion to benefit from mileage payments and I have indeed made money on the payments at that rate. I think that if a member or a person working for the State Government chooses to ride around in a large fancy automobile equipped with radios and push-button controls and power assists, this is fine, this is his prerogative, but I do not feel that as a matter of necessity the state should finance these luxuries. I do feel that an adequate conveyance is necessary.

I think that any of the big three so to speak and comparable makes are adequate for transportation in the business of the state. Without the accessories as I mentioned, I do feel that a price of \$2500 for a new vehicle is more than adequate; based on this \$2500 figure and computing mileage at the rate of eighteen miles per gallon as a fair figure and gasoline at the rate of 32 cents a gallon, I have arrived at 1.7 cents per mile for gasoline. For oil changes and filters and incidentals of that nature it figures out roughly to .1 of 1 cent a mile. Tires figured at the rate of \$20.00 a tire and based on a ratio of 26,000 miles per set of tires figures out to .3 of a cent an hour — .3 of a cent a mile. Incidentals would figure out to approximately .3 of 1 cent per mile making a total out-of-pocket expense per mile of 2.4 cents. The fixed costs of registration, excise and insurance, and on the insurance I won't bore you with the figures today, but I have ascertained what a fair and reasonable amount would be in the various types of insurance necessary come to the sum of \$205. Based on a 10,000 mile figure this comes to roughly 2 cents a mile. The depreciation on vehicles based on a figure of around 10,000 miles per year should be approximately \$500. This would assume vehicles would be traded every two or probably three years. This would break down to about 5 cents a mile, and going into the more excessive mileage using a figure of 20,000 miles it would break down

to a figure of about 3 cents a mile.

This means that an automobile operated for about 10,000 miles would cost out-of-pocket \$240 plus your fixed costs of depreciation, registration, excise, insurance and so forth. I have broken this down for a vehicle at 10,000 miles and it comes out to a total cost per mile of 7 cents a mile. If a vehicle is driven greater amounts, and I have used the figure of 20,000 miles per year, it breaks down to a cost of 5 cents per mile.

I feel that in the lesser amounts of driving a person normally owns an automobile—needs an automobile regardless of travel for the State; that he should not in actual fact expect the State to finance all of the fixed costs; the fixed costs of registration, excise and insurance should be borne in part by himself. In determining the rates for insurance and some of the other costs, I have not figured in the use of the vehicle by members of a person's family or young people. This does increase rates of insurance, but these are not properly the responsibility of the State.

Inasmuch as under the present rates a person operating a vehicle for the State can actually realize nearly 2 cents a mile profit, I don't feel at this time that an increase to a flat 9 cents a mile is necessary or desirable, particularly in view of our financial situation.

I would cite just two instances to my own knowledge of what has happened. One State employee travelled to Presque Isle in Aroostook from Augusta. He received \$43.30 in mileage reimbursements. His actual out-of-pocket costs were slightly over \$13.00. In another situation a person in the employ of the State travelled from Augusta to Bangor to pick up a paper; in this situation they didn't trust the United States mails, and they received slightly over \$13.00 for mileage and the cost to them out-of-pocket was \$3.60. In both of these situations the person involved had a car, they needed the car for personal business and they actually made a considerable net

profit. I would feel that if we increase this payment per mile we would tend also to increase the use of vehicles in the employ of the State on the State's business. It would be an incentive for people possibly to supplement their weekly stipend by additional profits from mileage. I don't feel that this is necessary or desirable, and I would move the indefinite postponement of this measure.

The SPEAKER: The gentleman from Solon, Mr. Hanson, now moves that the House indefinitely postpone this Bill.

The Chair recognizes the gentleman from Kittery, Mr. Dennett.

Mr. DENNETT: Mr. Speaker and Members of the House: I rise in opposition to the motion made by the gentleman from Solon, Mr. Hanson. I will be very brief in my remarks, but I would like to point out to the members of this House that this bill had a full and impartial hearing before the Committee on State Government. Statistics were presented to the Committee which definitely proved that the allowance of 7 cents over the first 5,000 miles was definitely inadequate.

I do not intend to bore you with any statistics. The Committee on State Government was unanimous in putting out this bill as "Ought to pass." I feel very strongly that this committee report should be supported by the members of this House, as again I feel that we gave it every consideration in committee, and that it is worthy of an "ought to pass" Report.

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

Mr. ROSS: Mr. Speaker and Members of the House: There were two bills before the State Government Committee, one on a flat 9 cents a mile and one on 10 cents a mile. The estimate on this 9 cents a mile of \$125,000 is too high; it should be approximately \$86,000 and I will prove that later.

We now pay 9 cents a mile for the first 5,000 miles and 7 cents for anything over, except for the inspectors of seed and table potatoes. Now I don't know

the reason for the differential; it must be that they thought they were driving too much, but I do recall the reason that potato inspectors are paid a flat 9 cents is because they feel that the roads are rougher and it is more difficult on the car there.

However, I think that we should be realistic about this. The gentleman from Solon gave you certain figures. I certainly could give you others, but I won't bore you with too many details, but if we take insurance and taxes and twenty per cent depreciation, maintenance and direct operating costs of gas and oil over the same 10,000 miles that he is talking about, it comes out in my figuring 13 cents a mile. The Federal Government pays a flat 10 cents a mile. Back as early as the 1940's many industries in our state were paying a flat 10 cents a mile. We shouldn't penalize our employees just because they drive more. Last year, 4.4 million miles were paid at 9 cents a mile and 4.3 million miles at 7 cents a mile, and that is where I get this figure of \$86,000 by multiplying that 4.3 by 2 cents and I certainly also hope his motion does not prevail, and request that it be taken by vote.

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

Mr. LYCETTE: Mr. Speaker and Members of the House: I hold no brief for State employees or anyone else, but I have had plenty of opportunity to look into the matter of mileage. A few years back I was looking at the county records and I found, believe it or not, that our most liberal County Commissioners paid 20 cents a mile in 1919. So if they figured in all their wisdom that 10 cents a mile was adequate then, you can see what change has taken place since 1919 with the price of cars and gasoline. Thank you.

The SPEAKER: Is the House ready for the question? The question before the House is the motion of the gentleman from Solon, Mr. Hanson, that Bill "An Act relating to Automobile Mileage Allowance for State Employees," L. D. 21, be indefinitely postponed. All those in favor of indefinite postponement

will vote yes; those opposed to indefinite postponement will vote no. The Chair will open the vote.

A vote of the House was had.

12 having voted in the affirmative and 130 having voted in the negative, the motion did not prevail.

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

Bill "An Act relating to Powers of Bustin's Island Village Corporation" (H. P. 111) (L. D. 138)

Bill "An Act relating to Proof of Age for Applicant for Motor Vehicle Operator's Permits and Licenses" (H. P. 179) (L. D. 242)

Bill "An Act relating to Hunting from Automobiles by Double Amputees" (H. P. 190) (L. D. 279)

Bill "An Act Validating Certain Proceedings of the Town of Norway and Authorizing Said Town to Issue General Obligation Securities" (H. P. 232) (L. D. 322)

Bill "An Act relating to Prohibition of Use of Term "College" to Certain Educational Institutions" (H. P. 263) (L. D. 384)

Bill "An Act Authorizing State Board of Education to Enter into Contract with Certain Nonpublic Schools for Conduct of Vocational Education Programs" (H. P. 305) (L. D. 439)

Bill "An Act Requiring that School Expenditures be Reported on a Fiscal Year Annually" (H. P. 309) (L. D. 443)

Bill "An Act relating to Reimbursement for Driver Education and Special Education" (H. P. 310) (L. D. 444)

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

Amended Bills

Resolve Providing Funds for the Narraguagus River Water Control Program (H. P. 90) (L. D. 119)

Resolve Authorizing Marcella Levasseur to Bring Action Against the State of Maine (H. P. 193) (L. D. 282)

Were reported by the Committee on Bills in the Third Reading, read the second time, passed to be engrossed as amended by Com-

mittee Amendment "A" and sent to the Senate.

Finally Passed

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

Resolve to Reimburse Town of Hanover for Aid Extended Floyd Merrill (H. P. 130) (L. D. 194)

Were reported by the Committee on Engrossed Bills as truly and strictly engrossed, finally passed signed by the Speaker and sent to the Senate.

Orders of the Day

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

HOUSE REPORT—Ought Not to Pass—Committee on Education on Bill "An Act to Create a School Administrative District in the Town of Easton" (H. P. 133) (L. D. 197)

Tabled—February 14, by Mr. Rackliff of Easton.

Pending—Acceptance.

On motion of Mr. Rackliff of Easton, retabled pending acceptance and specially assigned for Wednesday, March 1.

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 Prohibiting the Destruction of Political Posters and Signs" (H. P. 192) (L. D. 281)

Tabled—February 15, by Mr. Benson of Southwest Harbor.

Pending—Acceptance.

On motion of Mr. Birt of East Millinocket, the "Ought not to pass" Report was accepted and sent up for concurrence.

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

Bill "An Act to Annex Brunswick and Harpswell to Sagadahoc County" (H. P. 682)

Tabled — February 16, by Mr. McMann of Bath.

Pending — Reference.

On motion of Mr. McMann of Bath, referred to the Committee

on Towns and Counties, ordered printed and sent up for concurrence.

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

Bill "An Act relating to Uninsured Motorist Coverage in Insurance Policies" (H. P. 211) (L. D. 301) (C. "A" H-12)

Tabled — February 16, by Mr. Scott of Wilton.

Pending — Passage to be engrossed.

On motion of Mr. Scott of Wilton, retabled pending passage to be engrossed as amended and tomorrow assigned.

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

HOUSE REPORT — Ought Not to Pass — Committee on Judiciary on Bill "An Act to Permit Nonstock Corporations to Engage in Budget Planning" (H. P. 225) (L. D. 315)

Tabled — February 21, by Mr. Brennan of Portland.

Pending — Acceptance.

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

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

Bill "An Act Authorizing Appointment of the Commissioner of Agriculture by the Legislature" (S. P. 51) (L. D. 41)

Tabled — February 21, by Mr. Martin of Eagle Lake.

Pending — Passage to be engrossed.

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

Mr. MARTIN: Mr. Speaker and Members of the House: The fathers of the Federal Constitution and of the State Constitutions were most impressed by Montesquieu's reasoning in support of executive, legislative and judicial powers. These ideas were embodied in the doctrine of separation of powers. In order for the three to have an effective check on one another, it is necessary to give to each

the powers that they should have. I am sure that most representatives in this Hall today would agree that it would not be logical to have the Judges of the Supreme Judicial Court of Maine elected by the Legislature since they in turn would be subordinates of the Legislature. These Judges would rule on constitutionality of bills and thus might be influenced or pressured by Legislators. This is not the proper check to have over the Judicial branch. Obviously, the proper check is for the Legislature to lay down the policy and to control the purse strings of the Judicial branch.

The same is true of the position of Commissioner of Agriculture. This position like that of other department heads should be appointed by the Governor. The Legislature should make the policy, the Governor appoint the Commissioner and the Court interpret the decisions. This is separation of powers. It is unwise to have the Legislature elect any department head, since they become subordinate to a few within the Legislature who were responsible to have them elected. He will not carry out the will of the majority of the farmers of Maine.

Under the provisions of this bill, the Commissioner would be elected by the Legislature for four years, and the only way to remove him would be to have him impeached. I am sure we realize that this is a very impractical way to run a government. You cannot get rid of an individual regardless of how bad he might be. This certainly is not in the best interest of the State of Maine. We cannot forget that the Legislature is only here six months every two years and that the Governor is here all the time. It is much easier for him to supervise the Commissioner of Agriculture than it is for the Legislature.

There is no assurance that if the Legislature appoint the Commissioner of Agriculture that he will be a farmer. If this is what the proponents want, then this bill is not the answer. I am sure the Governor of a state would not appoint a non-farmer to a job such as the one as Commission-

er of Agriculture any more than you would appoint a sociology professor to the position of Commissioner of Sea and Shore Fisheries.

I would point out to the members of this House that the Bill was passed by the 102nd Legislature to give to the Governor the right of appointment, and that the Governor, Governor Reed at the time, signed the bill. Those of us that were here realize that if the Governor had vetoed the bill, the Legislature would not have been in a position to override that veto. I might add that the former Governor was one of the best farmers in Aroostook County.

Now let us take a quick look at what other states are doing. In ten states the Commissioner of Agriculture is elected by the people. In two states it is a civil service position. In eleven he is appointed by a board or commission which in turn was appointed by the Governor. In four states there is no such officer and the work is done by another. In twenty-three states these states provide that the Governor appoint the Commissioner of Agriculture. And even closer at home in New England in all the other five New England States, the Governor appoints the Commissioner of Agriculture. It is my feeling that we should keep it in the manner that we passed on two years ago, and therefore, Mr. Speaker, I move for the indefinite postponement of this bill with all its accompanying reports, and I ask that when the vote be taken it be taken by the yeas and nays.

The SPEAKER: The pending question before the House now is the indefinite postponement of this Bill.

The Chair recognizes the gentleman from Kittery, Mr. Dennett.

Mr. DENNETT: Mr. Speaker and Members of the House: I rise in opposition to the motion made by the gentleman from Eagle Lake, Mr. Martin. I will congratulate him on making a very fine presentation to this body, but I am of opposite mind. I support the Majority "Ought to pass" Report of the Committee.

The proposition that is before us this morning is not of any great earthshaking consequence, but it does contain one vital facet which I will go into a little later. The grass will grow in the State of Maine; the rivers will run, and the good earth of the State of Maine will continue to yield its bounty regardless whether the Commissioner of Agriculture is appointed by the Governor or elected by the Legislature. The point involved, again, perhaps is not so much the separation of powers as it is the abdication of powers, the powers of the Legislature, by a previous Legislature.

I will touch briefly on the history of organized agriculture in the State of Maine. It came into being in the year 1787 with the foundation of the Kennebec Agricultural Society. Under the Massachusetts Bay Colony or under the State of Massachusetts, the great and general court of that state, when Maine was the District of Maine in Massachusetts, did not see fit to do too much about agriculture, and the fortunes of agriculture languished until the year 1832, when a Board was founded in the State of Maine composed of twenty-six members, one each from each of the agricultural societies. It went on to 1852 when this Board was further strengthened and again until 1870 when the Legislature authorized the appointment of five members of this Board by the Governor. Agriculture apparently then went from bad to worse for thirty years. The fortunes of agriculture did not fare too well in the State of Maine, and at last reached a state when the Legislature demanded an investigation.

In 1901 the Legislature finally, in view of the facts that they had discovered, decided to establish a Commissioner of Agriculture and a Department of Agriculture in the State of Maine. Under the Board as it was established with the five appointed members, there were no records kept; apparently records had been destroyed; they couldn't find where the money went, and they couldn't find any money. The farmers of the State of Maine at that time were highly incensed and they demanded this

Department of Agriculture. They felt that the Governor was far removed from those who tilled the soil; they felt that the legislators as such were closer to them and would more readily listen to their demands and perhaps use reason. So consequently, with the establishment of this Department of Agriculture, the Legislature took to be directly responsible and they appointed the Commissioner of Agriculture. This persisted until the last Legislature was in session where they decided to return the appointment of the Commissioner of Agriculture to the Governor.

In the hearing on this subject before the Committee on State Government we heard representatives of farmers, from Farm Bureau and so forth down the line. It was their feeling that they, as farmers, as agriculturists, would much prefer to have the Legislature elect the Commissioner of Agriculture because they felt that he was much closer then to the farmer.

Now another thing and another point which I think we should go into for just a moment, and I will not belabor it, I do not intend to speak too long as the hour is late. We speak of separation of powers. We can also go back to that time in history when the struggle between princes and parliaments began; when the royal governors of our several colonies called our legislatures at far distant places and intended to impose their will upon them. The legislatures of our several states have always been independent bodies, most particularly here in Maine, and I honestly believe it should continue, that the legislature has powers and privileges and they should not abdicate the same. I strongly believe in this bill that the powers should rest in the legislature, the power to again elect the Commissioner of Agriculture, and I sincerely hope that the motion by the gentleman from Eagle Lake will not prevail.

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

Mr. STARBIRD: Mr. Speaker, probably whatever I will have to say is more or less of an anti-

climax to this debate so far, but as far as this separation of powers or abdication of powers rather intrigues me. I think we find that probably in this group today there are not too many probably that are farmers or would have a farming background, I would be very interested to find out. There are — probably the largest percentage come from a large town or a city background.

When we speak of abdication of powers we find that this argument really does not hold water. I, for one, agree with Mr. Dennett, the gentleman from Kittery, when he says that the Legislature should not abdicate its powers to another branch. I don't think we are doing this. The founding fathers of the United States when they drew up the United States Constitution really did separate the powers of all three branches of government, but the power of choosing the heads of the President's various departments, which later became his Cabinet, in he and he alone, the President appointed him with the approval or disapproval of the Senate as the case might be. This I think was a proper check.

We find in the State of Maine that ever since this State was founded that a certain group borrowed from the group in Massachusetts, the Governor's Council in colonial times which was put up as a check against the royal Governor, and very rightly so, we find that this group as over the course of the years has been acquiring power after power after power not granted to it in the State Constitution. These powers run over some seventy-five printed pages, and if this is not abdicating the power of the Legislature to another branch, I don't know what it is, and I hope that we someday might take back those powers which properly belong to us. I hope that we can also properly put in the Executive Department those powers which properly belong there, the power of appointing, of hiring and firing, you might say, of the various people that work under him. I am very sure that if I had to — if I hired a man, I would also want to be able to fire him. I would think it was

very funny if I had to accept someone that was hired by someone else.

As I said, I won't belabor the point too much longer, and I would like to say that I support the gentleman from Eagle Lake, Mr. Martin, that this bill and all its accompanying papers be indefinitely postponed.

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

Mr. HANSON: Mr. Speaker, I will speak very briefly. I am one of that small number representing agriculture in this body. I do feel that we as legislative members should consider the wishes of the agricultural community. I think in all of the testimony pertinent to this proposal the agricultural community has been unanimous in wishing that the legislature elect or appoint the Commissioner of Agriculture. Regardless of the reasons why, I do feel that as elected representatives of the people, we must pay heed to their wishes. The agricultural community who are primarily concerned with the Department of Agriculture want the Legislature to elect the Commissioner of Agriculture. I feel that we can do no less than to support them in their wishes.

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

Mr. JALBERT: Mr. Speaker and Members of the House: If the last speaker thinks that he is in a minority as a member of this body representing agriculture, just let a bill stroll in here to abolish the Maine Milk Board and see what happens.

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

Mr. STARBIRD: Mr. Speaker, I would just like to add, unless anyone misunderstand me, that I was born on a farm — not born on a farm, but raised on a farm and I earned my living by farming for some ten to fifteen years, so I think I fairly well understand the problems of the agricultural community.

The SPEAKER: The Chair rec-

ognizes the gentleman from Portland, Mr. Healy.

Mr. HEALY: Mr. Speaker, I think we have hashed this one enough. I now move the previous question.

The SPEAKER: The previous question has been requested. For the Chair to entertain the motion for the previous question, it must have the expressed desire of one-third of the members present and voting. All those desiring the previous question will vote yes, those opposed will vote no. The Chair will open the vote.

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

129 having voted in the affirmative and 9 having voted in the negative, this being more than one-third, the previous question was ordered.

The SPEAKER: The question before the House now is, shall the main question be put now? This is debatable with a time limit of five minutes by any one member. Is it the pleasure of the House that the main question be put now?

The motion prevailed.

The SPEAKER: The pending question is the motion of the gentleman from Eagle Lake, Mr. Martin, to indefinitely postpone Bill "An Act Authorizing Appointment of the Commissioner of Agriculture by the Legislature," Senate Paper 51, L. D. 41, and a roll call has been requested. For the Chair to order a roll call it must have the expressed desire of one-fifth of the members present and voting. All those desiring a roll call will vote yes, those opposed to a roll call will vote no, and the Chair will open the vote.

131 having voted in the affirmative and 12 having voted in the negative, a roll call was ordered.

The SPEAKER: All those in favor of indefinite postponement of this Bill will vote yes; those opposed to indefinite postponement will vote no. The Chair will open the vote.

ROLL CALL

YEA — Beliveau, Bernard, Binnette, Boudreau, Bourgoin, Bradstreet, Brennan, Bunker, Burnham, Carey, Carrier, Carroll, Carswell, Champagne, Conley, Cote, Cottrell,

Couture, Crockett, Crommett, Curran, D'Alfonso, Danton, Drigotas, Dudley, Eustis, Fortier, Fraser, Gaudreau, Gauthier, Giroux, Harnois, Harvey, Healy, Hennessey, Hunter, Jalbert, Jameson, Keyte, Kilroy, Lebel, Levesque, Lowery, Martin, Meisner, Minkowsky, Nadeau, J. F. R.; Rocheleau, Roy, Sawyer, Starbird, Tanguay, Truman, Wheeler.

NAY — Allen, Baker, E. B.; Baker, R. E., Bedard, Belanger, Benson, Berman, Birt, Bragdon, Brown, Buck, Clark, Cookson, Cornell, Crosby, Cushing, Darey, Dennett, Dickinson, Drummond, Dunn, Durgin, Edwards, Evans, Ewer, Farrington, Fecteau, Foster, Fuller, Hall, Hanson, B. B.; Hanson H. L.; Hanson, P. K.; Harriman, Hawes, Haynes, Henley, Hewes, Hichens, Hinds, Hodgkins, Hoover, Huber, Humphrey, Immonen, Jannelle, Jewell, Kyes, Lewin, Lewis, Lincoln, Littlefield, Lycette, Maddox, McMann, McNally, Millano, Mosher, Nadeau, N. L.; Noyes, Payson, Pendergast, Philbrook, Pike, Porter, Prince, Quimby, Quinn, Rackliff, Richardson, G. A.; Richardson, H. L.; Rideout, Robertson, Robinson, Ross, Sahagian, Scott, C. F.; Scott, G. W.; Shaw, Shute, Snow, Soulas, Sullivan, Susi, Thompson, Townsend, Trask, Waltz, Watts, White, Wight, Williams Wood.

ABSENT — Gill, Scribner, Snowe.

Yes, 54; No, 93; Absent, 3.

The SPEAKER: 54 having voted in the affirmative, 93 having voted in the negative, with 3 being absent, the motion to indefinitely postpone does not prevail.

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

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

Bill "An Act relating to Open Season on Muskrat in Penobscot County" (H. P. 61) (L. D. 86)

Tabled — February 21, by Mr. Birt of East Millinocket.

Pending — Passage to be engrossed.

Mr. Birt of East Millinocket offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to H. P. 61, L. D. 86, Bill, "An Act Relating to Open Season on Muskrat in Penobscot County."

Amend said Bill in the 7th and 8th lines (6th and 7th lines in L. D. 86) by striking out the following "in Penobscot and Washington County Counties" and inserting in place thereof the following: 'in Penobscot County south of the Canadian Pacific Railroad tracks and Washington County'

Further amend said Bill in the 13th line (11th line in L. D. 86) by inserting after the words "Aroostook County" the underlined words 'and in Penobscot County north of the Canadian Pacific Railroad tracks'

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

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

HOUSE MAJORITY REPORT (9) — Ought to Pass — MINORITY REPORT (1) — Ought Not to Pass — Committee on Transportation on Bill "An Act relating to Use of Dealer Registration Plates." (H. P. 124) (L. D. 150)

Tabled — February 21, by Mr. Pendergast of Kennebunkport.

Pending — Motion of Mr. Jalbert of Lewiston to reconsider indefinite postponement.

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

Mr. JALBERT: Mr. Speaker and Members of the House: I feel this is sound legislation. It is honest, permissive legislation. I move that my motion to reconsider indefinite postponement prevails so that a motion can be made to accept the 9 to 1 Majority "Ought to pass" Report.

The SPEAKER: Is it the pleasure of the House that we reconsider the indefinite postponement of this bill on February 21?

The Chair recognizes the gentleman from Sidney, Mr. Drummond.

Mr. DRUMMOND: Mr. Speaker, Ladies and Gentlemen: There are 346,000 registered cars and 92,000 registered trucks and tractors in the State of Maine, and 387 new car dealers. This legislation is sponsored by the 387 new car dealers. There are also 671 used car dealers. This makes roughly 1100 vehicles on the road for each car dealer. I checked with some of the dealers in my area, four to be exact. Two of these dealers have thirty dealer plates and five salesmen. One dealer has thirty-six dealer plates and six salesmen. One dealer has four salesmen and eighteen sets of dealer plates. This dealer with the eighteen plates has purchased and paid the sales tax on four vehicles for the convenience of his customers, so that they can have vehicles while they're having their vehicles repaired, and he is performing a leasing service.

For every vehicle that the dealer might have with a value of \$4,000, the State loses \$160 in sales tax and his community loses \$92 in excise tax. And if this dealer has three vehicles on dealer's plates, perhaps a car for his wife, a wrecker or a shop pickup, and a vehicle for himself, then the State has lost \$185,000 in sales tax and \$106,000 to the communities in excise tax.

The law now states that these vehicles of the dealers are licensed until sold or used for hire, and this bill strikes out the words "used for hire" and gives the dealer a chance to get into the leasing business. I am sure that this bill says use the vehicle for seven days, but it also strikes out the part "used for hire." I think that the dealer plates have been abused a great deal over a period of years, and I have had them and I have abused them the same as some of the rest of the dealers.

There were, as I understand it, only two dealers at this hearing that spoke in favor of this bill. One of these dealers contacted me and wanted to know what I was doing, if I uphold this bill, what did I have against dealers. And

I have nothing against dealers. I think that we all realize that filling station operators are in a real bind from a financial picture and these people for the most part have to license their vehicles, pay the sales tax and pay the excise tax.

I have seen dealers' vehicles out plowing snow for hire with vehicles and I feel that it is no worse for them to license those vehicles and pay the taxes than the rest of us have to pay than anyone else. And there is a question in my mind if we came here to pass this type of legislation. This bill will not help the public in the least and there is nothing that it will do to promote safety on the highways. The only people that this bill will help is 387 automobile dealers.

I think that we should accept the Minority Report. Thank you.

The SPEAKER: The Chair would request the Members to confine their debate to the merits of reconsideration. Shall we reconsider our action whereby this bill was indefinitely postponed?

The Chair recognizes the gentleman from Kennebunk, Mr. Crosby.

Mr. CROSBY: Mr. Speaker, I must admit that I was somewhat taken with my guard down yesterday, but as a signer of this Committee Report, 9 to 1 "Ought to pass" I feel that I should explain just what this bill does. I think we have gone a little far afield in discussing it so far.

If you will read the L. D. it in no way changes the present law. Your dealers can operate as they do now. They can let you take an automobile for up to seven days if they so choose, and I am sure we have all taken advantage of this service that they offer.

Under this bill it simply adds that they — while the customer's car is being repaired, a dealer may charge a nominal service charge for the use of the motor vehicle. Now this does not in any way put the dealer in the car rental or leasing business. Your car has to be in his shop being repaired, and he may if he sees fit, charge you a nominal fee. I am sure that if any of us here

take our cars in to be repaired to the dealer with whom we have been trading, he certainly will have no objection to allowing us to use a car, but there have been some abuses, and these are the things that the dealers wish to alleviate by the passage of the additional wording to the present law. I have talked with the dealers in my area and they are wholeheartedly in support of this bill.

If—under this bill, any dealer leasing a car will have a special form available so that the customer will fill it out when he takes the car and be returned to him when the car is returned. The fee will be established — any reasonable fee, but I am sure that nobody is going to abuse this by jeopardizing their good will by an excessive charge for any fee that they might charge. And, as I say again, this is permissive legislation, it does not force a dealer to make him pay for any service for a car that you are using, but if he wishes to, this gives him the privilege of doing. I hope that the motion to reconsider prevails and that when the vote is taken I request a division.

The SPEAKER: Is the House ready for the question? All those in favor of reconsidering our action whereby this bill was indefinitely postponed will vote "yes." Those opposed will vote "no." The Chair will open the vote.

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

98 having voted in the affirmative and 42 having voted in the negative, the motion to reconsider prevailed.

The SPEAKER: The pending question is the indefinite postponement of this bill. The Chair recognizes the gentleman from Portland, Mrs. Carswell.

Mrs. CARSWELL: Mr. Speaker, I pose a question through the Chair to anyone who can answer if he wishes.

The SPEAKER: The gentleman may proceed.

Mrs. CARSWELL: The question is, on these cars that the dealers have for use of their patrons, don't they have to pay quite a high insurance rate?

The SPEAKER: The gentleman from Portland, Mrs. Carswell, poses a question through the Chair to any member who may answer if he so chooses. The Chair recognizes the gentleman from Lewiston, Mr. Jabert.

Mr. JALBERT: Mr. Speaker, in answer to the question of the lady from Portland, Mrs. Carswell, they have to pay an excessively high rate, and if they did charge a rental which would be permissive, the charge wouldn't be over four dollars a day which does not even meet the amounts of money expended on insurance payments.

While I'm on my feet, if that's an answer, I hope that the motion to indefinitely postpone this measure does not prevail, so that we can make a motion to accept the Majority Report.

The SPEAKER: Is the House ready for the question? The Chair will restate the question. The gentleman from Monticello, Mr. Jewell, moved indefinite postponement of bill "An Act relating to Use of Dealer Registration Plates" House Paper 124, L. D. 150. All those in favor of indefinite postponement will vote "yes". Those opposed will vote "no" and the Chair will open the vote.

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

41 having voted in the affirmative and 102 having voted in the negative, the motion to indefinitely postpone did not prevail.

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

On motion of Mr. Richardson of Cumberland,

Adjourned until one o'clock tomorrow afternoon.