

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, March 1, 1967

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

Prayer by the Rev. Mr. Francis Merritt of Augusta.

The journal of yesterday was read and approved.

Papers from the Senate

From the Senate: The following Communication: (S. P. 461)

STATE OF MAINE
DEPARTMENT OF EDUCATION
AUGUSTA

February 23, 1967

To: Members of the 103rd Legislature

From: Commissioner William T. Logan, Jr., Department of Education

Subject: Report of the State Committee on School Entrance Age to the Legislative Research Committee

A bill on school entrance age introduced in the 102nd Legislature was referred to the Legislative Research Committee. At that time a State Committee on School Entrance Age was studying the whole question of school entrance age. The Legislative Research Committee asked this Committee to present its study to the Legislature and suggested some directions for its experimentation.

Attached is a preliminary copy of the Report.

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. 462)

LEGISLATIVE RESEARCH
COMMITTEE
STATE HOUSE

January 1, 1967

To the Members of the
103rd Legislature:

The Legislative Research Committee is pleased to submit this

study of the Maine Economy and its Revenue Resources in accordance with the Order of the Maine Executive Council on May 18, 1966 that research be conducted "to provide a framework for discussions of the implications of a tax program."

This report which was contractually studied for the Committee, under authority of the Executive Council, contains the findings and recommendations of the Legislative Research Committee as developed by the consultant firm of ARCO, Inc., of Lewiston, Maine.

The Committee sincerely hopes that the information herein contained will prove of benefit to the Members of the Legislature and the people of the State of Maine.

Respectfully submitted,

LOUIS JALBERT, Chairman
Legislative Research Committee

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. 463)

UNIVERSITY OF MAINE
BUREAU OF
PUBLIC ADMINISTRATION
29 North Stevens Hall
Orono, Maine

February 20, 1967

To the Honorable Senate and House of Representatives of the One Hundred and Third Legislature State House
Augusta, Maine

Re: A Report to the 103rd Maine Legislature Concerning a Study of Property Tax Administration in Maine

Gentlemen:

This will transmit a report of activities of the Bureau of Public Administration, University of Maine, in furtherance of a study of property tax administration in Maine ordered by the 102nd Maine Legislature in regular session and supported by a \$15,000 appropriation of the special session. The knowledge that such a study is

underway may assist the Legislature in its current deliberations.

That there has not been time nor funds sufficient to prepare the final report nor to develop preliminary conclusions and recommendations is regrettable as the subject matter is of vital concern to the State of Maine, its local governments, its property tax payers and citizens, as well as of importance to the Legislature. With but \$15,000 appropriated to begin a study generally thought to involve at least \$50,000 of costs, we have chosen to begin in a deliberate, responsible manner on the complete study as ordered by the 102nd Maine Legislature, awaiting the pleasure of the 103rd Legislature as to its further progress. The subject matter does not lend itself to short-cuts or superficial treatment.

If the study is further supported by the 103rd Maine Legislature, we believe that the research phase can be completed by the end of 1967 and that a necessary understanding of the study through a public education and information program can be accomplished by July 1, 1968.

The Bureau feels that this review can be a fundamental contribution to better Maine government. It is anxious to continue its work to a logical conclusion.

Sincerely,
(Signed)

DANA R. BAGGETT
Bureau Director

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 Revising Laws on Dealers in Poultry" (S. P. 420) (L. D. 1074)

Came from the Senate referred to the Committee on Agriculture.

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

From the Senate:

Bill "An Act to Authorize a Bond Issue in Amount of Three Hundred Thousand Dollars for Capital Improvements, Construction, Renovations and Repairs on Public Owned Dams Located on Great Ponds" (S. P. 421) (L. D. 1075)

Bill "An Act Appropriating Funds for Fort Fairfield Municipal Park" (S. P. 422) (L. D. 1076)

Bill "An Act to Authorize Construction of Self-liquidating Student Housing and Dining Facilities for the Eastern Maine Vocational-Technical Institute and the Issuance of not Exceeding One Million One Hundred and Twenty-seven Thousand Dollar Bonds of the State for the Financing Thereof" (S. P. 423) (L. D. 1077)

Bill "An Act to Authorize the Issuance of Bonds in the Amount of Eight Hundred Twenty-Five Thousand Dollars on Behalf of the State of Maine for Improvements at the Portland Municipal Airport" (S. P. 424) (L. D. 1078)

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

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

From the Senate:

Bill "An Act relating to Directors of Insurance Companies" (S. P. 386) (L. D. 1020)

Bill "An Act Clarifying the Investment Powers of Stock Insurance Companies" (S. P. 388) (L. D. 1022)

Bill "An Act Revising the Law Relating to Dealers in Securities" (S. P. 389) (L. D. 1069)

Bill "An Act relating to Certain Guaranteed Loans by Savings Banks" (S. P. 390) (L. D. 1023)

Bill "An Act relating to Purchase of M. S. B. Fund Shares by Trustees, Officers and Employees of Mutual Savings Banks" (S. P. 391) (L. D. 1024)

Bill "An Act to Permit Savings and Loan Associations to Act as Trustee Under Self-employed Individuals Tax Retirement Act of 1962" (S. P. 392) (L. D. 1025)

Bill "An Act to Amend the Charter of the Union Mutual Life

Insurance Company" (S. P. 393) (L. D. 1026)

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:

Resolve in Favor of Fairview Hospital and Doctors Swett, Kemezys and Jordan (S. P. 426) (L. D. 1080)

Came from the Senate referred to the Committee on Claims.

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

From the Senate:

Bill "An Act relating to Adult Education" (S. P. 394) (L. D. 1027)

Bill "An Act relating to Eligibility for School Construction Aid" (S. P. 395) (L. D. 1028)

Bill "An Act to Permit School Administrative Districts to Join Together" (S. P. 396) (L. D. 1029)

Bill "An Act relating to Ricker Classical Institute and Ricker College" (S. P. 397) (L. D. 1030)

Bill "An Act to Reconstitute School Administrative Districts Nos. 54, 56, 57, 58, 59, 60, 62 and 63" (S. P. 398) (L. D. 1070)

Bill "An Act to Reconstitute School Administrative Districts Numbers 9, 17, 27, 46, 47, 48, 49, 55 and 61" (S. P. 399) (L. D. 1071)

Bill "An Act to Provide for Practical Nursing Course at Central Maine Vocational-Technical Institute" (S. P. 400) (L. D. 1031)

Bill "An Act relating to Approval of Secondary Schools" (S. P. 401) (L. D. 1032)

Bill "An Act relating to Driver Education" (S. P. 402) (L. D. 1033)

Bill "An Act relating to Attending Secondary School Outside of Residence" (S. P. 403) (L. D. 1034)

Resolve Appropriating Funds for Operation of Advisory Committee on Education (S. P. 387) (L. D. 1021)

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 Forging Absentee Ballots or Applications Therefor under Election Laws" (S. P. 404) (L. D. 1035)

Bill "An Act Authorizing Use of Electronic Voting Systems in Elections and Granting Rule-making Authority" (S. P. 425) (L. D. 1079)

Came from the Senate referred to the Committee on Election Laws.

In the House, referred to the Committee on Election Laws in concurrence.

From the Senate:

Bill "An Act relating to Emergency Admittance of Paupers to Hospitals" (S. P. 405) (L. D. 1036)

Came from the Senate referred to the Committee on Health and Institutional Services.

In the House, referred to the Committee on Health and Institutional Services in concurrence.

From the Senate:

Bill "An Act Empowering Commissioner of Inland Fisheries and Game to Supervise Water Level of Mooselookmeguntic Lake" (S. P. 427) (L. D. 1081)

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 Revising Revocation and Suspension Powers of Bank Commissioner, Restricting Conduct of Other Businesses by Small Loan Agencies and Relating to Reasonable Attorneys' Fees" (S. P. 382) (L. D. 1019)

Bill "An Act relating to Bail for Juvenile Offenders" (S. P. 406) (L. D. 1037)

Bill "An Act relating to Transportation and Possession of Liquor by Minors" (S. P. 407) (L. D. 1038)

Bill "An Act to Conform the Statutes with the Amendments to the Rules of Civil Procedure" (S. P. 428) (L. D. 1082)

Bill "An Act relating to Counsel's Argument of Monetary Value of Pain and Suffering in Personal

Injury Actions" (S. P. 429) (L. D. 1083)

Bill "An Act relating to Powers of Attorneys in Taking Acknowledgements for Instruments for Recording" (S. P. 430) (L. D. 1084)

Bill "An Act Concerning Discovery in Personal Injury Litigation of Applicable Liability Insurance" (S. P. 431) (L. D. 1085)

Bill "An Act Concerning Duty of Reasonable Care to Social Invitee" (S. P. 432) (L. D. 1086)

Bill "An Act relating to Interest on Judgments" (S. P. 433) (L. D. 1087)

Bill "An Act relating to Compensation of Complaint Justices of the District Court" (S. P. 434) (L. D. 1088)

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 Concerning Collective Bargaining by Municipalities" (S. P. 408) (L. D. 1073)

Came from the Senate referred to the Committee on Labor.

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

From the Senate:

Bill "An Act to Regulate the Practice of Psychologists" (S. P. 409) (L. D. 1072)

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 Pollution Control in Maranacook Lake, Annabessacook Lake and Cobbosseecontee Lake in Kennebec County" (S. P. 410) (L. D. 1039)

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 Increasing Salary of Forest Commissioner" (S. P. 411) (L. D. 1040)

Bill "An Act Increasing Salary of County Attorney of Hancock County" (S. P. 412) (L. D. 1041)

Bill "An Act Increasing Salaries of Members of Industrial Accident Commission" (S. P. 436) (L. D. 1089)

Bill "An Act Creating a State Planning Council, Planning Committees and a State Planning and Economic Analysis Office" (S. P. 437) (L. D. 1090)

Bill "An Act to Create the Office of Ombudsman" (S. P. 439) (L. D. 1091)

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 Exempting Water and Air Pollution Control Facilities from Sales and Use Taxes" (S. P. 413) (L. D. 1042)

Came from the Senate referred to the Committee on Taxation.

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

From the Senate:

Bill "An Act Increasing Payments to Washington County Law Library" (S. P. 414) (L. D. 1043)

Bill "An Act Permitting Town of Dyer Brook to Provide Educational Scholarship" (S. P. 415) (L. D. 1044)

Bill "An Act Increasing Salaries of Certain County Officers of Franklin County" (S. P. 416) (L. D. 1045)

Bill "An Act relating to Automobile Mileage Allowable to County Commissioners" (S. P. 417) (L. D. 1046)

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 Regulating Unattended Motor Vehicles" (S. P. 440) (L. D. 1092)

Came from the Senate referred to the Committee on Transportation.

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

From the Senate:

Resolve Granting World War I Bonus to Charles Girofalo (S. P. 441) (L. D. 1093)

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

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

Senate Reports of Committees Leave to Withdraw

Report of the Committee on Judiciary on Bill "An Act Providing for the Short-term Investment of Idle Funds by Local Government Units or Political Subdivisions" (S. P. 192) (L. D. 427) reporting Leave to Withdraw.

Report of the Committee on Legal Affairs reporting same on Bill "An Act relating to Fee for a Master Electrician's License" (S. P. 273) (L. D. 653)

Came from the Senate read and accepted.

In the House, Reports were read and accepted in concurrence.

Referred to Committee on State Government

Report of the Committee on Education on Bill "An Act to Permit State Employees and Teachers to Insure Spouse and Children under the Group Life Insurance Program" (S. P. 257) (L. D. 637) reporting that it be referred to the Committee on State Government.

Came from the Senate with the Report read and accepted and the Bill referred to the Committee on State Government.

In the House, the Report was read and accepted in concurrence and the Bill referred to the Committee on State Government in 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:

Appropriations and Financial Affairs

Bill "An Act Providing Funds for Relocating of Maine Central Railroad Tracks in Livermore Falls" (H. P. 822) (Presented by Mr. Darey of Livermore Falls)

(Ordered Printed)

Bill "An Act to Authorize General Fund Bond Issue in Amount of Six Hundred and Fifty Thousand Dollars and to Appropriate Moneys for Construction, Extension and Improvement for Augusta State Airport" (H. P. 823) (Presented by Mr. Humphrey of Augusta)

(Ordered Printed)

Bill "An Act to Authorize General Fund Bond Issue in Amount of One Million Seven Hundred and Ninety-five Thousand Dollars and to Appropriate Moneys for Construction, Extension and Improvement for Airports" (H. P. 824) (Presented by Mr. Pendergast of Kennebunkport)

(Ordered Printed)

Resolve to Provide Funds for the Purchase of Copies of the "History of the Town of Lisbon" (H. P. 825) (Presented by Mr. Hunter of Durham)

(Ordered Printed)

Sent up for concurrence.

Business Legislation

Bill "An Act relating to Advisory Board of Examinations of Fire, Casualty and Surety Agents" (H. P. 826) (Presented by Mr. Dennett of Kittery)

(Ordered Printed)

Bill "An Act Repealing Authority of Insurance Commissioner to Restrict Licenses for Certain Kinds of Insurance" (H. P. 827) (Presented by same gentleman)

(Ordered Printed)

Bill "An Act relating to Assignment of Refunds for Shrinkage Allowance on Motor Fuel for Service Stations" (H. P. 828) (Pre-

sented by Mr. Jannelle of Scarborough)

(Ordered Printed)

Sent up for concurrence.

Legal Affairs

Bill "An Act relating to Right to vote on Approval of Final Urban Renewal Plans" (H. P. 829) (Presented by Mr. Harvey of Woolwich)

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

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

Health and Institutional Services

Bill "An Act relating to the Transfer of Incurables From Training Centers to Reformatories" (H. P. 830) (Presented by Mr. Richardson of Cumberland)

(Ordered Printed)

Sent up for concurrence.

Highways

Bill "An Act Providing for Area Directional Signs for Route 6 and Maritime Provinces" (H. P. 831) (Presented by Mr. Dudley of Enfield)

(Ordered Printed)

Bill "An Act Granting Knox Agricultural Society Right to Construct Grandstand Across St. George River" (H. P. 832) (Presented by Mr. Hawes of Union)

(Ordered Printed)

Resolve relating to Resurfacing Smyrna Street in Houlton (H. P. 834) (Presented by Mr. Lycette of Houlton)

(Ordered Printed)

Bill "An Act Providing for a Cost-Estimate Study of an East-West Multi-Purpose Highway Through Maine" (H. P. 833) (Presented by Mr. Littlefield of Hampden)

(1,500 copies Ordered Printed)

Sent up for concurrence.

Industrial and Recreational Development

Resolve Proposing Study of Feasibility of Making the Ken-

nebec Arsenal an Historic Site (H. P. 835) (Presented by Mr. Lewin of Augusta)

(Ordered Printed)

Sent up for concurrence.

Inland Fisheries and Game

Bill "An Act relating to Dealers in Deer Skins and Heads" (H. P. 836) (Presented by Mr. Birt of East Millinocket)

(Ordered Printed)

Bill "An Act Creating the S.A.D. No. 54 Game Management Area, Somerset County" (H. P. 837) (Presented by Mr. Kyes of Skowhegan)

(Ordered Printed)

Bill "An Act relating to Certificate of Competency for Hunting License for Certain Minors" (H. P. 838) (Presented by Mr. Harvey of Woolwich)

(Ordered Printed)

Bill "An Act Establishing a State-wide Closed Season on Rabbits" (H. P. 839) (Presented by same gentleman)

(Ordered Printed)

Bill "An Act Increasing Penalties for Violation of Fishing Regulations" (H. P. 840) (Presented by Mr. Hoover of Phillips)

(Ordered Printed)

Bill "An Act relating to Hunting Waterfowl on Haley Pond, Town of Rangeley and Dallas Plantation, Franklin County" (H. P. 841) (Presented by same gentleman)

(Ordered Printed)

Sent up for concurrence.

Judiciary

Bill "An Act Prohibiting the Acceptance of Payment for Materials Supplied When the Title is Not Merchantable" (H. P. 842) (Presented by Mr. Fortier of Waterville by request)

(Ordered Printed)

Bill "An Act relating to the Reporting of Traffic Accidents" (H. P. 843) (Presented by Mr. Richardson of Cumberland)

(Ordered Printed)

Bill "An Act to Amend the Administrative Code" (H. P. 844) (Presented by same gentleman)

(Ordered Printed)

Bill "An Act Clarifying the Offense of Procuring Liquor for Cer-

tain Persons" (H. P. 845) (Presented by Mr. Shaw of Chelsea)
(Ordered Printed)
Sent up for concurrence.

Labor

Bill "An Act Eliminating Waiting Period Under Workmen's Compensation" (H. P. 846) (Presented by Mr. Couture of Lewiston)
(Ordered Printed)

Bill "An Act Establishing a Grievance Procedure and Appeals Board for State Employees" (H. P. 847) (Presented by Mr. Ewer of Bangor and Mr. Binnette of Old Town)
(Ordered Printed)

Sent up for concurrence.

Legal Affairs

Bill "An Act Creating a New Charter for the Town of Fairfield" (H. P. 848) (Presented by Mr. Champagne of Fairfield)
(Ordered Printed)

Bill "An Act relating to the Retention of Trading Stamps on Retail Purchases" (H. P. 849) (Presented by Mr. Fortier of Waterville by request)
(Ordered Printed)

Bill "An Act relating to Establishment, Prevention and Redemption of Liens" (H. P. 850) (Presented by same gentleman by request)
(Ordered Printed)

Bill "An Act Revising Laws Relating to Boilers and Unfired Steam Pressure Vessels" (H. P. 851) (Presented by Mr. Richardson of Stonington)
(Ordered Printed)

Bill "An Act Revising Laws Relating to Exemptions and Inspections Under Boiler and Unfired Steam Pressure Vessels Law" (H. P. 852) (Presented by same gentleman)
(Ordered Printed)

Sent up for concurrence.

Tabled and Assigned

Bill "An Act relating to Enactment of Municipal Zoning" (H. P. 853) (Presented by Mr. Robertson of Brewer)

(On motion of Mr. Robertson of Brewer, tabled pending reference and specially assigned for Tuesday, March 7.)

Liquor Control

Bill "An Act relating to Publication of Notice for Public Hearing for Applications for Liquor Licenses" (H. P. 854) (Presented by Mr. Champagne of Fairfield)
(Ordered Printed)

Sent up for concurrence.

Public Utilities

Bill "An Act relating to Municipal Regulation of Rates for Cable Television Services" (H. P. 855) (Presented by Mr. Fortier of Waterville by request)
(Ordered Printed)

Sent up for concurrence.

State Government

Bill "An Act Enabling Municipalities to Create Historic Districts and to Provide for the Preservation of Historic Buildings and Places" (H. P. 856) (Presented by Mr. Birt of East Millinocket)
(Ordered Printed)

Bill "An Act Requiring Constructed Public Buildings be Made Accessible to the Physically Handicapped" (H. P. 857) (Presented by Mrs. Carswell of Portland)
(Ordered Printed)

Bill "An Act Permitting Employment of State Prison and Reformatory Inmates on County and Municipal Public Works Projects" (H. P. 858) (Presented by Mr. Huber of Rockland)
(Ordered Printed)

Bill "An Act Designating Present State Museum as a Memorial to Klir Beck" (H. P. 859) (Presented by Mr. Lewin of Augusta)
(Ordered Printed)

Bill "An Act Changing the Name of the Department of Economic Development to the Department of Commerce and Industry" (H. P. 860) (Presented by Mr. Pendergast of Kennebunkport)
(Ordered Printed)

Bill "An Act Creating an Informational Center on the Capitol Grounds in Augusta" (H. P. 861) (Presented by same gentleman)
(Ordered Printed)

Bill "An Act Increasing Salary of Commissioner of Labor and Industry" (H. P. 862) (Presented by Mr. Ross of Bath)
(Ordered Printed)

Resolve Utilizing Funds from Prison Industries Accounts for Certain Projects at the Maine State Prison (H. P. 863) (Presented by Mr. Huber of Rockland)

(Ordered Printed)

Sent up for concurrence.

Transportation

Bill "An Act Requiring Trucks Carrying Explosive or Inflammable Cargoes to Stop at Railroad Crossings" (H. P. 864) (Presented by Mr. Carey of Waterville)

(Ordered Printed)

Bill "An Act relating to Penalty for Weight Violations of Trucks" (H. P. 865) (Presented by Mr. Martin of Eagle Lake)

(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:

Appropriations and Financial Affairs

Bill "An Act Appropriating Moneys for the Continuing Activities of the Committee on Aging" (H. P. 866) (Presented by Mr. McMann of Bath)

(Ordered Printed)

Sent up for concurrence.

Orders

Tabled and Assigned

Mr. Richardson of Stonington presented the following Order and moved its passage:

ORDERED, the Senate concurring that the Joint Select Committee on Senatorial Reapportionment be directed to report out a bill which will establish single member districts for Representatives to the House whereby each legally qualified elector therein shall be entitled to vote for only one Representative.

(On motion of Mr. Ewer of Bangor, tabled pending passage and specially assigned for Tuesday, March 7.)

Tabled and Assigned

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

ORDERED, that after each roll call vote in the House, the Clerk of the House shall supply each Member of the House with a copy of the roll call vote.

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

Mr. RICHARDSON: Mr. Speaker and Members of the House: On the merits of the order presented by the gentleman from Madawaska, Mr. Levesque, I would like to suggest to the members of the House that it would in my judgment be unnecessary to go to the expense of producing a copy of each roll call vote on each roll call. Copies of these are distributed to the offices of the Minority and Majority floor leadership. There is a very easy method of making a copy of these by the Majority or Minority floor leaders' secretaries who — at least speaking for the Majority — my secretary is perfectly willing to make a photostatic copy or copies for any member wishing to have a copy of a roll call.

I would also remind the Members of the House that this roll call sheet after each vote is posted outside the Clerk's office so that those having an interest to see how some particular member voted on a particular roll call vote issue can determine what the vote was. I would also remind the Members of the House that our famous horse blanket which greets us on each morning's beginning has the roll call set out. I would therefore oppose the passage of this order and when the vote is taken I would request a division.

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 reluctance that I introduce this order this morning, but after due consideration and much deliberation as to the feasibility of making a roll call vote available to each member, I find

that the suggestion made by the gentleman from Cumberland, Mr. Richardson, quite cumbersome of having the secretary of the Majority Party or the secretary of the Minority Party reproducing the order and trying to find an avenue of having each member of this House proceed to the Majority office or to the Minority office for the purpose of acquiring a roll call. It is my firm belief that a much easier method can be done by distribution in this House after the roll call, by the proper Page as each amendment or other papers are distributed in the House, or placing it on the shelf in the rear of the hall and the first one that comes to the shelf grabs a handful and the last twenty-five or thirty get nothing, thereby going through the same procedure again of having a secretary reproduce the order, put some back on the shelf and some dissatisfaction arriving from it.

I find that this would be the easiest and possibly the more economical and timesaving in distributing these orders to the members of the House. In the order of the blanket, the horse blanket that we receive every morning, understandably some of the members of this House would like to have a copy of the order or the vote taken after the session, so that if there is anybody that they would like to talk to about it or get in touch to, they would know who voted which way so that they could do it right after the session, be it in the morning or in the afternoon or in the evening. The horse blanket, as you understand, only comes out the following morning. So therefore I would ask the members of this House to support the order in its passage.

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

Mr. ROSS: Mr. Speaker and Members of the House: I believe that it is quite important that certain persons anyhow have copies of roll calls, so I would like to pose two questions through the Chair to anyone who might have the answers. How long would

it take to have these copies made, and how expensive would it be?

The SPEAKER: The gentleman from Bath, Mr. Ross, poses a question through the Chair to any member who may answer if they choose.

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

Mr. RICHARDSON: Mr. Speaker, first of all I would like to say that I certainly don't view this as the most important issue we're going to confront during this session, or at least I hope it isn't. Certainly, with respect to the cost I don't imagine that the cost is particularly prohibitive, I don't know what it is. The time factor is, that every time we take a roll call vote we're going to have to wait whatever time is necessary and I don't suggest it would be a very long time, while our mechanical monster over here spews out whatever number of copies are necessary to provide a copy for every member of the House. The problem with this is, that you know and I know I think, being candid with ourselves, that our interest in these roll call matters is passing generally — that we may have an interest but it isn't something that we're terribly concerned about.

I would remind the members of the House again that the roll calls are posted outside the Clerk's office, that anyone who wishes a copy of a roll call can get one immediately after the session by coming to my secretary's office, so that I don't see that there is any necessity to crank out 151 of these copies every time we have a roll call vote.

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

Mr. LEVESQUE: Mr. Speaker and Ladies and Gentlemen of the House: It is not my intention with the order, as I understand it, to have 151 copies rolled off the machine. I understand that the copies off the machine come in triplicates. It would only be necessary to roll out possibly fifty, and whether you get a blue sheet, a white sheet, a pink sheet, as far as the members are concerned

it is not necessarily important as long as they can get a copy. Or if the Clerk would find that it would be easier to reproduce one copy and have the Clerk's office reproduce it on Verifax machines or other methods available and distributed thereafter, that is perfectly agreeable with me as long as we have a copy after the session.

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

Mr. JALBERT: Mr. Speaker, I would agree with the gentleman from Cumberland, Mr. Richardson, that this is not one of the most important items that's going to come before us. I think there are one or two questions, however, that have been posed that are unanswered. I think this could be resolved certainly amicably, and even appointing the members of a leader of the Republican Party and a leader of the Democratic Party in the House as a committee of two to come up with an amicable answer. I would suggest, because I have spoken on this thing, that this item be tabled and let them get together and come back and come up with a solution.

The SPEAKER: The pending question is the indefinite postponement of this Order.

The Chair recognizes the gentleman from Madawaska, Mr. Levesque, who has spoken twice and requests permission to speak a third time. Is there objection? The Chair hears none, the gentleman may proceed.

Mr. LEVESQUE: Mr. Speaker, may I request that this Order lie upon the table until the next legislative day?

Thereupon, the Order was tabled pending passage and tomorrow assigned.

Mr. Scott of Wilton presented the following Joint Resolution and moved its adoption:

WHEREAS, the United States of America has been confronted by grave challenges to the freedom of mankind in Viet Nam; and

WHEREAS, Private First Class Charles Earle Crafts of North Jay, Maine was assigned to Viet

Nam in the service of his State and Country; and

WHEREAS, Private Crafts fell into the hands of the Viet Cong while in the line of duty during a military patrol in December, 1964; and

WHEREAS, Private Crafts was presumed to be missing in action and the absence of communication and fear of the unknown during the two years of captivity gave cause for grave concern to his parents and to all who knew him; and

WHEREAS, final word did not come until February 23, 1967, that the Viet Cong had released two prisoners as a Lunar New Year gesture sixteen days earlier, and that Private Crafts and a companion had safely reached American lines; now, therefore, be it

RESOLVED: That the Members of the 103rd Maine State Legislature are grateful for the safety and well-being of Charles Earle Crafts and share in these moments of rejoicing with his parents upon the return of one of Maine's brave soldiers; and be it further

RESOLVED: That a copy of this Resolution, duly authenticated by the Secretary of State, be sent to Private First Class Charles Earle Crafts. (H. P. 867)

The Resolution was adopted and sent up for concurrence.

Mrs. Kilroy of Portland was granted unanimous consent to address the House.

Mrs. KILROY: Mr. Speaker and Members of the House: Yesterday was the birthday of Representative Louise Lincoln of Bethel and it is fitting and proper that her fellow Legislators extend her our heartiest congratulations.

Representative Lincoln is an outstanding legislator, taking her work seriously and acting according to her beliefs in the best interests of her State; a legislator of whom her constituents may well be proud.

Congratulations, Representative Lincoln, and may you enjoy many happy birthdays in the knowledge that you are beloved by all who know you.

I understand that she isn't too keen on us knowing that it was

her birthday yesterday; however, I am sure you all realize that we all love her very much. (Applause)

House Reports of Committees Ought Not to Pass

Mr. Farrington from the Committee on Towns and Counties reported "Ought not to pass" on Resolve Authorizing the Building of a Private Road Across Portion of Cobbosseecontee Lake, K e n n e b e c County (H. P. 255) (L. D. 363)

Report was read and accepted and sent up for concurrence.

Ought to Pass Printed Bills Indefinitely Postponed

Mr. Clark from the Committee on Public Utilities reported "Ought to pass" on Bill "An Act Providing a Fire Chief for the Dover and Foxcroft Water District" (H. P. 78) (L. D. 103)

Report was read.

The SPEAKER: The Chair recognizes the gentleman from Dover-Foxcroft, Mr. Meisner.

Mr. MEISNER: Mr. Speaker: I would like to move the indefinite postponement of this bill and speak very briefly on it.

The SPEAKER: The gentleman from Dover-Foxcroft, Mr. Meisner, now moves the indefinite postponement of the Bill and Report. The gentleman may proceed.

Mr. MEISNER: Mr. Speaker, Ladies and Gentlemen of this House: This is an embarrassing moment for me, because this was my bill. Last November the Dover-Foxcroft Water District voted and asked me to present this bill, and at a public meeting last night of the Water Board they unanimously voted to rescind this bill. So I will have to get the Water Board to try to make up their mind one way or the other, I think, before I put in another bill. I apologize for this action and to the Committee who dealt with the bill.

Thereupon, the Report and Bill were indefinitely postponed and sent up for concurrence.

Mr. Williams from the Committee on Public Utilities reported "Ought to pass" on Bill "An Act

to Enable Houlton Water Company to Supply Water and Sewerage Service to the Town of Hodgdon" (H. P. 541) (L. D. 773)

Mr. Snowe from the Committee on Towns and Counties reported same on Bill "An Act Increasing Number of Medical Examiners in Washington County" (H. P. 393) (L. D. 540)

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

Passed to Be Engrossed

Mr. Wight from the Committee on Towns and Counties reported "Ought to pass" on Bill "An Act to Enable Municipalities to Provide Funds for Community Action Programs under the Federal Anti-Poverty Program" (H. P. 430) (L. D. 594)

Report was read and accepted and the Bill read twice.

On motion of Mr. Lowery of Brunswick and under suspension of the rules, the Bill was given its third reading, passed to be engrossed and sent to the Senate.

Ought to Pass with Committee Amendment

Mr. Hawes from the Committee on Election Laws on Bill "An Act relating to Counting of Election Ballots" (H. P. 314) (L. D. 448) 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. 314, L. D. 448, Bill, "An Act Relating to Counting of Election Ballots."

Amend said Bill by striking out everything after the enacting clause and inserting in place thereof the following:

'Sec. 1. R. S., T. 21, § 924, amended. The first sentence of section 924 of Title 21 of the Revised Statutes is amended to read as follows:

The election officials shall count the ballots under the supervision of the warden, as soon as the polls are closed, **except that if, in the opinion of the city or town**

clerk, the public interests will best be served, referendum ballots may be counted on the next day immediately following the election, provided such count is completed within 24 hours after the closing of the polls. If referendum ballots are counted subject to this exception, the city or town clerk shall have the responsibility for the security and safekeeping of such ballots until such time as the count has been completed.

Sec. 2, R. S., T. 21, § 961, sub-§ 2, amended. The 3rd sentence of sub-section 2 of section 961 of Title 21 of the Revised Statutes is amended to read as follows:

Within 26 hours after the polls are closed, the Clerk shall tabulate the returns in duplicate on the election return provided by the Secretary of State, in the presence of the municipal officers.

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

Divided Report

Report "A" of the Committee on Appropriations and Financial Affairs on Resolve in favor of the City of Augusta (H. P. 7) (L. D. 19) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was signed by the following members:

Messrs. HUMPHREY of Augusta
BIRT
of East Millinocket
DUNN of Denmark
SCRIBNER of Portland
HINDS
of South Portland
—of the House.

Report "B" of same Committee reporting "Ought not to pass" on same Resolve.

Report was signed by the following members:

Messrs. BERRY of Cumberland
ALBAIR of Aroostook
DUQUETTE of York
—of the Senate.
Messrs. BRAGDON of Perham
JALBERT of Lewiston
—of the House.

Reports were read.

On motion of Mr. Humphrey of Augusta, Report "A" "Ought

to pass" was accepted and the Resolve read once.

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

COMMITTEE AMENDMENT "A" to H. P. 7, L. D. 19, Resolve, in Favor of the City of Augusta.

Amend said Resolve in the 2nd line (same in L. D. 19) by striking out the figure "\$36,000" and inserting in place thereof the figure '\$29,771'.

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

Passed to Be Engrossed

Bill "An Act relating to Definition of Restaurant under the Liquor Laws" (S. P. 113) (L. D. 184)

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

Third Reader Amended

Bill "An Act relating to Local Option Questions on Sale of Liquor" (S. P. 218) (L. D. 481)

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

Mr. Sahagian of Belgrade offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to S. P. 218, L. D. 481, Bill, "An Act Relating to Local Option Question on Sale of Liquor."

Amend said Bill by striking out in that part designated "\$101." of section 1 all of the underlined paragraph numbered 5 (same in L. D. 481) and inserting in place thereof the following:

'5. Shall licenses be granted in this city or town for the sale herein of malt liquor (beer, ale and other malt liquors) to be consumed on the premises of taverns and class A taverns? (Beer and Ale Only)

Further amend said Bill by striking out in that part designated "\$101." of section 1 all of the underlined paragraph after the paragraph numbered 6 (same in

L. D. 481) and inserting in place thereof the following:

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

House Amendment “A” was adopted, the Bill passed to be engrossed as amended in non-concurrence and sent up for concurrence.

Bill “An Act relating to Definition of Child under World War Assistance Program of Department of Veterans Services” (H. P. 80) (L. D. 105)

Bill “An Act Appropriating Funds for Testimonials for Marking Unmarked Graves of Revolutionary War Soldiers” (H. P. 127) (L. D. 191)

Bill “An Act relating to Spearing Suckers in Rivers, Streams and Brooks” (H. P. 145) (L. D. 209)

Bill “An Act Establishing American History Month in Maine” (H. P. 160) (L. D. 223)

Bill “An Act to Correct Errors and Inconsistencies in the Public Laws Related to Sea and Shore Fisheries” (H. P. 242) (L. D. 350)

Bill “An Act to Repeal and Amend Certain Private and Special Laws Relative to Sea and Shore Fisheries” (H. P. 243) (L. D. 351)

Bill “An Act relating to Legislative Apportionment for Cranberry Isles, Hancock County” (H. P. 285) (L. D. 405)

Bill “An Act Permitting the Removal of Disabled Motor Vehicles for Repair” (H. P. 432) (L. D. 596)

Resolve Providing for Purchase of Two Hundred Copies of “Pittsfield on the Seabasticook” (H. P. 25) (L. D. 46)

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 Appropriating Moneys for Spruce Budworm Control” (H. P. 22) (L. D. 43)

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

(On motion of Mr. Hennessey of West Bath, tabled pending passage to be engrossed and specially assigned for Wednesday, March 8.)

Amended

Bill “An Act relating to Citizenship Requirement for Municipal Assessors” (H. P. 37) (L. D. 57)

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

On motion of Mr. Ross of Bath, the House voted to reconsider its action whereby on February 28 Committee Amendment “A” was adopted.

Mr. Ross of Bath then offered House Amendment “A” to Committee Amendment “A” and moved its adoption.

Mr. ROSS: Mr. Speaker, this is filed under filing H-35. Although this bill received passage yesterday in the first and second readings, I was very concerned for legislators who were genuinely worried about elected persons primarily from towns. This amendment in place of just the plain word “assessor” says “full-time appointed assessors” so it would not refer to selectmen nor part-time, and I sincerely trust that this would take away any of the misgivings of those who were disturbed about elected officials.

House Amendment “A” to Committee Amendment “A” was then read by the Clerk as follows:

HOUSE AMENDMENT “A” to COMMITTEE AMENDMENT “A” to H. P. 37, L. D. 57, Bill, “An Act Relating to Citizenship Requirement for Municipal Assessors.”

Amend said Amendment by striking out everything after the Title and inserting in place thereof the following:

‘Amend said Bill by striking out all of 18th, 19th, and 20th

lines of the Bill (17th, 18th and 19th in L. D. 57) and inserting in place thereof the following:

In order to hold a municipal office, a person must be a resident of the State and at least 21 years of age and, except in the case of full-time appointed assessors, a citizen of the United States.'

House Amendment "A" to Committee Amendment "A" was adopted.

Committee Amendment "A" as amended by House Amendment "A" thereto was adopted, the Bill passed to be engrossed as amended in non-concurrence and sent up for concurrence.

Bill "An Act relating to State Police Retirement Benefits under the Maine State Retirement System" (H. P. 157) (L. D. 220)

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

Passed to Be Enacted Emergency Measure

An Act relating to Duties and Salary of Aroostook County Fire Marshal (S. P. 33) (L. D. 32)

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. 139 voted in favor of same and 1 against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act Imposing a Tax on the Unorganized Territory Within the Maine Forestry District for Spruce Budworm Control (H. P. 44) (L. D. 63)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed.

The SPEAKER: The Chair recognizes the gentleman from Portland, Mr. D'Alfonso.

Mr. D'ALFONSO: Mr. Speaker, I wish to pose a question through the Chair to any member in the House who would care to answer.

In connection with item 12 under Third Readers and item 2 as an emergency measure, does Committee Amendment "A" have any effect on the tax being imposed in connection with the emergency measure L. D. 63?

The SPEAKER: The gentleman from Portland, Mr. D'Alfonso, poses a question through the Chair to any member who may answer if he chooses.

The Chair recognizes the same gentleman.

Mr. D'ALFONSO: Mr. Speaker and Ladies and Gentlemen of the House: In L. D. 43, we have Committee Amendment "A" which has been approved. Of course the bill has been tabled, and that particular bill originally called for an appropriation of \$80,000. Committee Amendment "A" reduces it to 53.3 thousand dollars, and L. D. 63 there is to be imposed a tax of one-half mill, and I assume that the original L. D. — well, I should say L. D. 63, the one-half mill imposition would have covered \$80,000. I am wondering whether or not this one-half mill should be reduced so as to coincide with the reduction of 53.3 thousand dollars, as passed in Committee Amendment "A" under filing number H-32?

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

Mr. HANSON: Mr. Speaker and Members of the House: This Committee Amendment here has nothing to do with this bill here in any way.

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

Mr. JALBERT: Mr. Speaker, I would agree with the gentleman from Gardiner, Mr. Hanson, and the reason for the reduction from \$80,000 to I believe, \$53,000 is because that is the money that is needed to cover the area that is infested with spruce budworm.

The SPEAKER: Is the House ready for the question? The question is on the emergency enactment of item 2 under Enactors, House Paper 44, L. D. 63. All those in favor of its passage as an emergency measure will vote

in the affirmative, and those opposed in the negative.

This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a total was taken. 142 voted in favor of same and 1 against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act Increasing Maine Forestry District Taxes (H. P. 45) (L. D. 64)

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. 144 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 Retirement Allowances of Persons Who Become Legislative Employees or Legislators (H. P. 156) (L. D. 219)

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

Emergency Measure

An Act to Authorize and Direct the Relocation of a Certain Water Tower of the York Water District (H. P. 685) (L. D. 860)

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.

Mr. JALBERT of Lewiston: Mr. Speaker.

The SPEAKER: For what purpose does the gentleman arise?

Mr. JALBERT: Before you shut the machine off I inadvertently turned mine to the red. I would like to be recorded—

The SPEAKER: Would the gentleman like to change his vote from no to yes? It will so be recorded.

The Chair recognizes the gentleman from Hollis, Mr. Harriman.

Mr. HARRIMAN: Mr. Speaker, I have done the same thing. I would like to change my vote.

The SPEAKER: The gentleman from Hollis, Mr. Harriman, requests that he be allowed to vote in the affirmative.

143 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.

The SPEAKER: These changes in votes will be recorded on the Journal.

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

Mr. JALBERT: Mr. Speaker, I would ask a question through the Chair. If my vote is recorded through the Journal I would like to explain that when you closed the machine, Mr. Speaker, I happened to have my hand in and at the same time that you closed it I switched. I would like to ask a question through the Chair. This will be recorded on the Journal. What will my vote be recorded on the transcription of the roll call, and if it's done in a yes vote it is erroneously recorded.

The SPEAKER: The Chair would advise the gentleman that this was not a roll call vote. In the event that we do have a roll call vote, it may show on the sheet as voting in the opposite of the way that it will be shown in the permanent record.

Mr. JALBERT: You have just answered my reason why I am against this new fangled deal.

Passed to Be Enacted

An Act to Provide Additional Funds for Enforcement of the Potato Branding Law (S. P. 176) (L. D. 421)

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)

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.

**Enactor
Amended**

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

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed.

On motion of Mr. Dudley of Enfield, the House voted to suspend the rules and to reconsider its action whereby on February 16 the Bill was passed to be engrossed as amended by House Amendments "A" and "B".

On further motion of the same gentleman, the House voted to reconsider its action whereby on February 16 House Amendment "B" was adopted.

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

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

HOUSE AMENDMENT "A" to 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 Amendment by striking out in the 9th line the underlined word "annually"

The SPEAKER: Will the gentleman explain his position.

Mr. DUDLEY: I would be glad to. The State Police found in this amendment that this one little word we're changing, "annually", this morning, that if this was to pass without this amendment which I've just offered, "annually" taken out, that every inspection station within the State of Maine would have to be issued a new certificate each year. It's this big yellow sign you see in every inspection station with this number on it. And this would be quite expensive to issue one of these each

year, whereby it now is the practice that the station gets its number and they use this same number; as long as they're a garage or inspection station they just re-issue a new license each year with the same number. And without this word "annually" they would have to issue a new complete big license — it's a metal plate with aluminous paint on it with a number on it. They'd have to issue this each year. So they want to eliminate the word "annually" and then they will go on as they always have using the same number each year.

House Amendment "A" to House Amendment "B" was then adopted.

Thereupon, House Amendment "B" as amended by House Amendment "A" thereto was adopted and the Bill passed to be engrossed as amended by House Amendment "A" and House Amendment "B" as amended by House Amendment "A" thereto in non-concurrence and sent up for concurrence.

An Act relating to Assessments Under Gasoline Tax Act (H. P. 204) (L. D. 293)

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)

An Act relating to Labelling of Margarine (H. P. 256) (L. D. 377)

An Act relating to Distribution of Stipend Fund to Harness Racing Track (H. P. 257) (L. D. 378)

Finally Passed

Resolve Changing Name of Muddy River Pond to Sebago Cove (H. P. 48) (L. D. 67)

Were reported by the Committee on Engrossed Bills as truly and strictly engrossed, Bills passed to be enacted, Resolve finally passed, all 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 Judiciary, Bill "An Act relating to Implied

Consent to Inspection, Search and Seizure Under Sea and Shore Fisheries Law" (H. P. 268) (L. D. 389)

Tabled—February 21, by Mr. Maddox of Vinalhaven.
Pending—Acceptance.

On motion of Mr. Maddox of Vinalhaven, retabled pending acceptance and specially assigned for Wednesday, March 8.

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

An Act to Clarify State Aid for School Construction Purposes and Borrowing in Anticipation Thereof (S. P. 63) (L. D. 107)

Tabled—February 21, by Mr. Benson of Southwest Harbor.
Pending—Passage to be enacted.

On motion of Mrs. Hanson of Lebanon, the House voted to suspend the rules and to reconsider its action of February 15 whereby the Bill was passed to be engrossed as amended by Committee Amendment "A"

Whereupon, Mrs. Hanson of Lebanon offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to S. P. 63, L. D. 107, Bill, "An Act to Clarify State Aid for School Construction Purposes and Borrowing in Anticipation Thereof."

Amend said Bill in the 8th line from the end of section 4 (6th line of L. D. 107) by inserting after the underlined word "constructed" the underlined word "either" and by inserting after the underlined word "project" in the 7th line from the end the underlined punctuation and words ' or as a separate project,'

Further amend said Bill by inserting after subsection 4 of that part designated "\$3458." of section 7 (same in L. D. 107) the following underlined subsection 5:

'5. Anticipated amount of state aid. A determination of the maximum amount which may be borrowed in anticipation of state aid.'

Further amend said Bill by striking out all of the next to the last underlined paragraph of that

part designated "\$3458." of section 7 (same in L. D. 107)

House Amendment "A" was adopted and the Bill passed to be engrossed as amended by Committee Amendment "A" and House Amendment "A" in non-concurrence and sent up for concurrence.

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

HOUSE MAJORITY REPORT (8) — Ought Not to Pass — MINORITY REPORT (2) — Ought to Pass — Committee on Inland Fisheries and Game on Resolve Opening Millimagassett Lake, Penobscot County, to Ice Fishing (H. P. 146) (L. D. 210)

Tabled — February 22, by Mr. Crommett of Millinocket.

Pending — Motion of Mr. Cookson of Glenburn to accept Majority Report.

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

Mr. CROMMETT: Mr. Speaker, Ladies and Gentlemen of the House: My respects to the members of the Fish and Game Committee who signed the "Ought not to pass" Report. I apologize to that Committee in my inadequacy to convey to them my feeling. I will endeavor now to explain the reason why I feel so strongly about this measure to the entire membership of the House.

Those of you who have a photograph of the spruce budworm area will notice that Millimagassett Lake is in the northwest corner of Penobscot County, and that is used for directional purposes only. I am not interested whether the lake is closed to ice fishing or open, the only interest I have is in the hearing held at Lincoln February — no, not February, September 7, 1966. For the new members of the 103rd Legislature I would inform you that the 101st Legislature enacted into law a provision whereby the Fish and Game Department was directed to hold public hearings on the complaint or request of citizens in a certain County — affecting water, pertaining to fishing, and these hearings

were to be held in the County in which the water lies. During the 102nd Legislature, and I played a part, my good friend Maynard Marsh drew up a bill which I came very near losing in using an amendment, but it pertains to the advertising of these public hearings.

This hearing held at Lincoln on September 7, 1966 was in accordance with the provisions of the Statutes. I did not participate at that hearing although I was there and I did listen and I did see, and I will say to you ladies and gentlemen there is none so deaf as those that have ears and cannot hear; none so blind that have eyes and cannot see, and my heart aches for that kindly, unsophisticated, kindly gentleman, the Deputy Commissioner of Inland Fisheries and Game, Mr. George Bucknam a man who I am privileged to call friend, to think that he was obliged to sit there and listen to the testimony as offered at that hearing. Today, I might say now, that the department is not taking any stand for or against this bill.

Those who were in agreement to close the lake to ice fishing and in their statements, it's in the minutes of the meeting, where they claim the many campowners on the lake requested this. There are three camps on the lake. One belongs to the State, one is privately owned, the other camp is owned by several individuals. There was testimony given at the hearing at Lincoln opposing the closing of this lake.

Now I have talked to Mr. Speers, the Commissioner, and Mr. Bucknam the Deputy Commissioner. Mr. Bucknam says that he had charge in conducting the meeting, that's his only responsibility. Mr. Speers says he doesn't make a move without the advice of the Advisory Council. I believe this to be so because these men are honorable men. Mr. Speers says he is not obliged to, but he insists on a member of the Advisory Council representing the district in which the waters are involved that he be present at this hearing. At that particular hearing the

member of the Advisory Council did offer — did not offer any comments; neither was he asked to make any comments. The biologist was asked to comment, and his statement is in the minutes of that meeting, and it would read something like this that in their opinion throughout the state large bodies of water that ice fishing does not adversely affect the open water fishing. A Game Warden made this statement that perhaps there was more snowsleds, more running around, but not any more fishing.

During the testimony a witness produced the map indicating ponds, and lakes as being open to fishing or closed by being marked red or green, and that particular map for directional purposes would be admissable, but during his testimony the witness repeatedly referred to this relatively small lake, and the map so indicated. The reverse is true. Millimagassett Lake is 1410 acres where one he was comparing it with is 840. Ladies and gentlemen, don't lose the point that I am trying to make. It is not whether the lake should be open or closed, but the testimony should be free and aboveboard without question.

There is no power under Heaven can make me believe that a map or a sketch or a plan, whichever you might call it, used for comparison as to size and not drawn to scale should be admitted as evidence.

Now I would like the House to go along with me in opposing the motion of the gentleman from Glenburn, Mr. Cookson, to accept the Majority "Ought not to pass" Report. The reason for this, I have an amendment that is distributed on your desks eliminating the emergency clause. I felt so strongly when I presented this bill that it should be passed and knowing that the decision was based not on the testimony and thereby depriving the fishermen of their rights, and if — I was going to read the amendment but I'll wait to see if you will go along with me to oppose the motion of my friend, Mr. Cookson.

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

Mr. COOKSON: Mr. Speaker, as House Chairman of the Fish and Game Committee, I feel obliged to get up here and try to defend the integrity of the Advisory Council and the Fish and Game Commissioner and everybody concerned.

True enough, in the 101st Legislature we did give them authority to hold these hearings and they have done so all over the State, and I think this is the first time that they have been so accused of being — I don't know just what word to use, but bribed or anything you want to call it. I am sure that they might have been asked one way or the other or both ways which to vote on this just as you and I are here in the Legislature.

This closing of this lake is strictly a conservation measure. It is not a large lake, we have reached a point where we are either going to have to come up with a study as to what these lakes will stand as far as fishing. They will not stand the year-round fishing, especially for trout. This is one of the lakes where we can go and catch a few good trout and salmon in the summertime, so it just won't stand the winter fishing along with it. And now to add to the whole thing these new snow sleds that come along, it is an easy lake to get to, the families can go there and instead of digging one or two holes with an old ice chisel, now they have the automatic ice augers and probably fifteen or twenty holes are dug and it just adds tremendous pressure to these small lakes. It is just a measure to conserve a few of the fish for our children in the future and for this reason I must oppose this amendment because it does nothing but take off the emergency clause which in my estimation wasn't warranted in the beginning. I would still go along and ask that a division be taken on the motion. Thank you.

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

Mr. GAUDREAU: Mr. Speaker and Ladies and Gentlemen of the House: As a signer of the Minority Report I will try to state my position. The area biologists testified at the hearing held by the Fish and Game Department that this lake has very good fishing and could easily stand the pressure of ice fishing. The Fish and Game Department has taken a neutral stand on this issue, but the Advisory Council voted to keep this lake closed. When I questioned one of the members of the Advisory Council at the Committee hearing, he stated the Council took this action for conservation purposes. I am not opposed to conservation, but why pick this particular lake and against the advice of the area biologists? I feel by defeating this bill it would be discriminating against that hearty breed of sportsmen, the ice fisherman. I hope that the motion to accept the Majority Report does not prevail.

The SPEAKER: The Chair recognizes the gentleman from Lincoln, Mr. Porter.

Mr. PORTER: Mr. Speaker, Ladies and Gentlemen: I have witnessed a shocking miscarriage of justice, and today you and I have the privilege, yes we have the duty to rectify that wrong. One night last summer I attended a public hearing called by the Department of Inland Fisheries and Game where proponents and opponents testified on a petition to close Millimagassett Lake to ice fishing. I attended that hearing because it was held in Lincoln, and Lincoln is my home town. I wish each and every one of you had attended that hearing because I am firmly convinced that if you had seen what I saw and if you had heard what I heard, then you would immediately pass this bill L. D. 210 and open Millimagassett Lake to ice fishing.

You did not attend that public hearing so I want to tell you what happened. One witness presented a crooked map that was to show the location of Millimagassett Lake and the surrounding area. Near the center of the map were two lakes, approximately a mile apart. One lake was Scragley Lake and the other was Mill-

imagassett Lake. The witness had colored Millimagassett Lake to attract attention. The witness emphasized and re-emphasized that Millimagassett Lake was a small pond that was being heavily fished by ice fishermen and that the so-called pond could not stand such a pressure. To listen to the witness and to look at the map one would be inclined to agree. But ladies and gentlemen, that map was rigged, and that testimony was false. On the map Scraggley Lake looked to be eight or ten times as large as Millimagassett Lake.

Later, another witness presented these two maps and these maps are printed by the Department of Inland Fisheries and Game, and they give a great deal of information about these lakes including their areas. From this map, the Scraggley Lake map, we learn that Scraggley Lake covers 842 acres while from this map, the Millimagassett Map, we learn that Millimagassett Lake contains 1410 acres. Millimagassett Lake is not smaller than Scraggley, it is actually 568 acres larger. Ladies and Gentlemen, I believe that that crooked map and that false testimony should have been assigned to the ash can and the witness should have been thrown out of that hearing on his ear.

Now what is the true situation? At the hearing, we learned, one, that Millimagassett Lake is a relatively large lake containing 1410 acres; it is approximately three and one-half miles long and a mile and a quarter wide. Two, there are only three or four camps on the shores of the lake, one of which is a Warden's camp. Third, the Game Warden testified that the lake was fished in the winter by very, very few ice fishermen. Four, the biologist for the Fish and Game Department stated that in his opinion ice fishing was not detrimental to the fishing population of Millimagassett Lake and might be even beneficial. Five, it was brought out at the hearing that the Department favors ice fishing on such large lakes in the state and the department believes that more fish die of old age than are caught by fishermen. La-

dies and Gentlemen, here we have a few selfish individuals who want the State to exclude a few fishermen who happen to prefer ice fishing and to retain the beautiful and large lake for themselves. Do you condone such selfishness? Do you sanction a crooked map at a public hearing? Do you favor false testimony? Or do you believe as I do that this terrible wrong should be corrected at once?

Favorable action on passing L. D. 210 will restore the faith of our citizens in public hearings, reclaim the integrity of the Department of Inland Fisheries and Game and uphold the spirit of democracy which is the very foundation of our State. Thank you.

The SPEAKER: The Chair recognizes the gentleman from Camden, Mr. Haynes.

Mr. HAYNES: Mr. Speaker and Members of the House: As a member of the Committee on Fish and Game that submitted an "Ought not to pass" Report, I feel that we should understand that the hearing that has been described in such horrible terms here was not the hearing that we held, and I would resent any implication that there was any crookedness in the Committee that heard this, and so far as I am concerned, I believe that the surveys of this state of the lakes must be well known to all the officials of the Fish and Game Department, and I believe that this is one of these cases where we believe in conservation until it happens to affect us personally and our particular lake. I believe that this is strictly a matter of conservation.

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

Mr. COOKSON: Mr. Speaker and Members of the House: I will just add a word or two in defense of this committee hearing. As Representative Haynes has already said, this hearing that we have held here two weeks ago is altogether separate from the one that my good friend from Lincoln has just mentioned, and it was brought out at that time that it is very hard for us to realize that to people who live eighty to a hundred miles away from this little Mill-

imagassett Lake, which is one of several that we are going to have to try to protect if we're going to have any fishing. It's hard for us to believe that they stood up here and fought so hard to keep us from opening a lake as large as the lake in Lincoln, which is Cold Stream Pond, two years ago, and then yet they want to open a tiny little lake like this. This just doesn't make common sense, and as far as the fish dying of old age, I don't know but that's a pretty good way to go. Thank you.

The SPEAKER: Is the House ready for the question?

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

Mr. CROMMETT: Mr. Speaker and Members of the House: In deference to the Fish and Game Committee, I did apologize to them for not being able to convey my thoughts as expressed to you by the gentleman from Lincoln, Mr. Porter. The remarks by my friend from Glenburn, Mr. Cookson, in reference to the people in Lincoln being interested in this particular lake, no one questioned the interest of the people from Orono, Old Town, Bangor, Portland, Cape Elizabeth, that appeared before the Fish and Game Committee in support of closing the lake. That wasn't questioned. This lake is open to airplane landing all right enough, but it seems that there's getting to be quite a few snow sleds. However, these snow sleds are owned by family groups and factory workers, and their wages are mortgaged to pay for these. I don't see why they are not permitted to travel through the woods and enjoy the ice fishing as well as those that use the airplane. This seems to be getting to be a rich man's game, and it's just too bad.

Then the Fish and Game Committee, and my friend Mr. Cookson has evaded the issue. The point that I'm trying to make out, and is supported by the gentleman from Lincoln, is that the testimony was not as it should be, and if you as legislators uphold the committee and uphold the department, what are these hearings going to

amount to? Now these hearings as established by the 101st Legislature, was good—then the department tells me that ninety per cent of the decisions made have met the public's approval. This is one of the ten that does not meet the public's approval based on the testimony given at this hearing.

That's all I can say for this. I hope you defeat the motion to accept the Majority Report, and I have a note here — it is not a small lake, it's 1410 acres and gentlemen and ladies, if you're not too well acquainted with the area on water, that is the size of nine ordinary farms of 160 acres. It's not too small — it's a big lake.

The SPEAKER: Is the House ready for the question? The question before the House is the motion of the gentleman from Glenburn, Mr. Cookson, to accept the Majority "Ought not to pass" Report. The Chair will open the vote. If you are in favor of accepting the Majority "Ought not to pass" Report you will vote in the affirmative; if you are opposed to accepting the Majority "Ought not to pass" Report you will vote in the negative.

A vote of the House being taken, the Clerk took a total.

44 having voted in the affirmative and 79 having voted in the negative, the motion did not prevail.

Thereupon, the Minority "Ought to pass" Report was accepted and the Resolve read once.

Mr. Crommett of 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. 146, L. D. 210, Resolve Opening Millimagassett Lake, Penobscot County, to Ice Fishing.

Amend said Resolve by striking out all of the emergency preamble and all of the emergency clause.

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

The Chair laid before the House the fourth 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 22, by Mr. Rackliff of Easton.

Pending — Acceptance.

On motion of Mr. Richardson of Cumberland, retabled pending acceptance and specially assigned for Wednesday, March 8.

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

Bill "An Act relating to Use of Dealer Registration Plates" (H. P. 124) (L. D. 150)

Tabled — February 23, by Mr. Dunn of Denmark.

Pending — Passage to be engrossed.

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

Mr. DUNN: Mr. Speaker and Members of the House: There is another bill that hasn't been printed as yet dealing with this same subject, and I would hope that this might be tabled until we get a look at the other bill.

Thereupon, on motion of Mr. Pendergast of Kennebunkport, retabled pending passage to be engrossed and specially assigned for Thursday, March 16.

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

Bill "An Act relating to Conveyance of Secondary Pupils" (H. P. 183) (L. D. 297)

Tabled — February 23, by Mr. Payson of Falmouth.

Pending — Passage to be engrossed.

The SPEAKER: The Chair recognizes the gentleman from Falmouth, Mr. Payson.

Mr. PAYSON: Mr. Speaker and Members of the House: This bill requires bussing secondary pupils to school or schools. Is it possible that more than half of the members present in this House believe that the cities and towns they represent are incapable of governing themselves? The cities and towns have been in existence and

operating long before any of us were legislators. They have their selectmen, their town meetings, their managers, their councils, their own school boards, their parent and teachers associations. They set up their own budgets, they collect their own taxes, they can borrow money and they can issue bonds. Who are we to dictate on this issue, or any other local problem unless we're asked? They have solved plenty of problems as times have changed, and they can develop their own solution to this one. That's what local government is for, so I now move indefinite postponement of this bill and all accompanying papers.

The SPEAKER: The gentleman from Falmouth, Mr. Payson, now moves the indefinite postponement of this Bill.

On motion of Mr. Cottrell of Portland, tabled pending the motion of the gentleman from Falmouth, Mr. Payson to indefinitely postpone and specially assigned for tomorrow.

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

Bill "An Act relating to Legal Size of Salmon Taken from Greene Lake and Alligator Lake, Hancock County" (S. P. 108) (L. D. 179) (In Senate, passed to be engrossed as amended by Committee Amendment "A") (Filing No. S-6)

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

Pending — Adoption of Committee Amendment "A" in concurrence.

On motion of Mr. Robertson of Brewer, retabled pending adoption of Committee Amendment "A" in concurrence and specially assigned for Thursday, March 16.

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

HOUSE REPORT — Ought Not to Pass — Committee on Election Laws on Bill "An Act relating to Signatures on Petitions for Nomination for State and County Officers" (H. P. 313) (L. D. 447)

Tabled — February 28, by Mr. Starbird of Kingman Township.

Pending — Acceptance.

On motion of Mr. Dudley of Enfield, the House voted to substitute the Bill for the "Ought not to pass" Committee Report, and the Bill was read twice.

On further motion of the same gentleman, tabled pending assignment for third reading and specially assigned for Thursday, March 16.

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

HOUSE REPORT—Ought Not to Pass—Committee on Inland Fisheries and Game on Bill "An Act relating to a Closed Season on Wild Hares and Rabbits in York County" (H. P. 219) (L. D. 309)

Tabled—February 28, by Mr. Carroll of Limerick.

Pending—Acceptance.

On motion of Mr. Pendergast of Kennebunkport, tabled pending acceptance and specially assigned for Wednesday, March 8.

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

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

Tabled—February 28, by Mr. Hawes of Union.

Pending—Passage to be enacted.

On motion of Mr. Hawes of Union, the House voted to suspend the rules and to reconsider its action of February 16 whereby the Bill was passed to be engrossed.

Mr. Hawes of Union then offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to H. P. 648, L. D. 834, Bill, "An Act Relating to Number of and Compensation for Ballot Clerks During Recounts."

Amend said Bill by inserting at the end of section 1 (same in L. D. 834) the following underlined paragraph:

'F. The candidates involved in a recount shall give to the Secretary of State prior to the start of the recount the names and addresses of the ballot clerks to be compensated by the State.'

House Amendment "A" was adopted, the Bill passed to be engrossed as amended in non-concurrence and sent up for concurrence.

On motion of Mr. Richardson of Cumberland,

Adjourned until one o'clock tomorrow afternoon.