

# 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**

Friday, April 7, 1967

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

Prayer by the Rev. Mr. Donald Kroah of Augusta.

The journal of yesterday was read and approved.

**Papers from the Senate**

**Reports of Committees**

**Ought Not to Pass**

**Covered by Other Legislation**

Report of the Committee on Education on Bill "An Act Increasing Minimum Salaries for Teachers" (S. P. 153) (L. D. 364) 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.

**Divided Report**

Majority Report of the Committee on Appropriations and Financial Affairs on Resolve to Provide Funds to Convert Ferry Terminal At North Haven (S. P. 243) (L. D. 603) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was signed by the following members:

Messrs. BERRY of Cumberland  
ALBAIR of Aroostook  
DUQUETTE of York  
— of the Senate.

Messrs. BRAGDON of Perham  
HUMPHREY of Augusta  
JALBERT of Lewiston  
— of the House.

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

Report was signed by the following members:

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

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

In the House: Reports were read.

On motion of Mr. Bragdon of Perham, the Majority "Ought to pass" Report was accepted in concurrence and the Resolve read once.

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

**Divided Report**

Report "A" of the Committee on State Government reporting "Ought to pass" on Resolve Proposing an Amendment to the Constitution Authorizing the Legislature to Enact Bond Issues, to be Ratified by the People Upon Petition or Referral by the Legislature (S. P. 66) (L. D. 110)

Report was signed by the following members:

Messrs. STERN of Penobscot  
LUND of Kennebec  
— of the Senate.

Messrs. MARTIN of Eagle Lake  
RIDEOUT of Manchester  
Mrs. CORNELL of Orono  
— of the House.

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

Report was signed by the following members:

Mr. WYMAN of Washington  
— of the Senate.

Messrs. DENNETT of Kittery  
WATTS of Machias  
PHILBROOK  
of South Portland  
STARBIRD  
of Kingman Township  
— of the House.

Came from the Senate with the Reports and Resolve indefinitely postponed.

In the House: Reports were read.  
The SPEAKER: The Chair recognizes the gentleman from Kittery, Mr. Dennett.

Mr. DENNETT: Mr. Speaker and Members of the House: I will realize that this is Friday morning. I don't want to bore the members of this House with any prolonged debate, but I do feel very strongly about this bill, particularly that this bill would remove the Con-

stitutional right, the fundamental right of the people to act on bond issues. I think particularly the timing is very bad.

As you will all recall, we went on for many many years in these various bond issues, and other referenda questions were submitted to the people, and almost automatically they were accepted. The people exhibited very little interest in them until of late and of recent years several of these bond issues have been turned down in referendum vote.

It would seem to me that this bill almost appeared to be an act that in light of the circumstances of the people voting down the bond issues, that they would therefore remove from the people the right to vote on them. I think that this would very seriously affect the image of the Legislature. I think that it would be a very very poor thing for the Legislature to do.

And therefore Mr. Speaker and members of the House, I move indefinite postponement of this bill and its accompanying reports in concurrence with the other body.

The SPEAKER: The gentleman from Kittery, Mr. Dennett, moves that the House concur with the Senate in the indefinite postponement of both Reports and the Resolve.

The Chair recognizes the gentleman from Manchester, Mr. Rideout.

Mr. RIDEOUT: Mr. Speaker and Ladies and Gentlemen of the House: I find it difficult and disagreeable to oppose my friend and colleague from the State Government Committee, Mr. Dennett, but on this L. D. 110 oppose him. I must, for I feel that this is sound, progressive legislation.

This bill provides that the Legislature, by two-thirds vote of both houses, may authorize a bond issue, by its own action, to take effect ninety days after the adjournment of the Legislature, unless challenged.

The purposes of this bill are these. Primarily to simplify the ballot, many of the voters are not particularly interested in many of

the bond issues and would prefer their elected representatives, whom they feel should be more informed on the issue, to handle it for them. I am sure that many of you at election time have heard people say, or have been told directly, "Why are these on the ballot? Why don't you handle these in Augusta?" This I must agree with. It would accomplish an easing of pressure on the voter and perhaps, incidentally, a speeding up of the voting procedure.

The second purpose of this bill is to place the responsibility for making informed decisions on financing in the Legislature where it belongs, unless for reason it is challenged by the voters. After all, we don't send the General Appropriation Bill to referendum and this amounts to many millions more year in and year out than the bond issues.

However, this bill does not take away the right of the people to be heard or to challenge the action of the Legislature, for there are three safeguards built into this bill which protect this right.

Safeguard number one is the bill provides that, even after passage of a bond issue by two-thirds of both houses, a petition of voters, number to be one percent of the vote for Governor in the last election, may request and force the bond issue to be referred to the people at referendum. Today, the number of signatures on the petition would be 3200 state-wide.

The second safeguard in this bill is that the Legislature, by its own action, may send a bond issue to referendum, or if an issue does not receive a two-thirds vote in both houses, it automatically goes to the people.

A third safeguard in this bill is that it requires a Constitutional Amendment to become law. Thus, according to Article X, Section 4 of the Maine Constitution, this must be passed by the people at referendum. Therefore, if the voters do not concur with this action by expressing their confidence in their elected officials to pass on certain bond issues, then nothing will be changed.

I urge you to give L. D. 110 your careful consideration, keeping in mind its purposes and safeguards. I believe that this is something that the people themselves would want to see enacted, and I would hope that we would give them a chance to express their wishes on it. I would ask you to vote against indefinite postponement of L. D. 110. Thank you.

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

Mr. BERMAN: Mr. Speaker and Members of the House: Last session there were several of us in this House who fought and fought very strenuously against this bill. As I recall, without having the Legislative Record in front of me, we lost. However, thank goodness, we were saved by a last minute reprieve, due I think to a question of financing. Today I rise in support of the motion of my incomparable colleague from Kittery, Mr. Dennett. I am pleased to say that we are standing under the same banner.

This bill actually, to use the common parlance, really is a bad bill. Those safeguards that were built into the Constitution were built for a very very definite purpose and a safeguard such as this, which has shown its value over the years, should not be lightly discarded. And I argue, that when you vote on this issue, that you consider very carefully what you are doing. And, Mr. Speaker, when the vote is taken I would request a division.

The SPEAKER: Is the House ready for the question? All those in favor of the motion of the gentleman from Kittery, Mr. Dennett, that the Reports and Resolve be indefinitely postponed will vote yes; those opposed will vote no. A vote has been requested, and the Chair opens the vote.

A vote of the House was taken. 109 having voted in the affirmative and 28 having voted in the negative, the Reports and Resolve were indefinitely postponed in concurrence.

From the Senate: The following Order:

ORDERED, the House concurring, that when the Senate and House adjourn, they adjourn to meet on Tuesday, April 11, at ten o'clock the morning. (S. P. 596)

Came from the Senate read and passed.

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

### Orders

Mr. Lewis of Bristol presented the following Order and moved its passage:

WHEREAS, Welcome Back Day was such a great success, and

WHEREAS, all former members of the House are grateful to the Officers and Committee for planning the Welcome Back Day in order to give former members of the House a warm and friendly greeting, be it

ORDERED, that the Staff and Committee be given our applause in sincere appreciation for a job well done. (Applause)

The Order received passage.

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

Mr. JALBERT: Mr. Speaker and Members of the House: This morning I speak to you as the Chairman of the Legislative Research Committee. In my twenty years, or twenty-two years, in these halls my shoulders have become very very broad and my skull has become very very thick. I don't take too much to task or to heart wherein anything is said concerning my own self, what is said in the corridors or elsewhere. I only rise now because of the fact that this Committee and some persons within it, particularly myself, were brought to the Floor of a caucus that I could not attend. For that reason I feel that I must, now these comments have been brought to my attention, I feel that I must make comments.

I will touch briefly upon some highlights because I am and have been working on a full committee report that I will make to you as Chairman of the Committee, ex-

plaining in detail exactly what the Committee's functions were, what we were charged to do, expenditures and so on and so on.

However, I would like this morning to give you some of the highlights of this report that is forthcoming. For instance let us take the report that this Committee was charged wherein it concerns the Retirement System. It is a known fact that during the last session of the Legislature several attempts were made to protect this one hundred million dollar plus fund. It was certainly brought out, and factually, that this fund was losing money, to the end that the Legislature, after the Legislature did not pass, wisely charged the Legislative Research Committee to make a \$25,000 study with an outside firm hired. This firm, called Bowles, Andrews & Towne, made their report and from it, on the books of law now, is a fine piece of legislation that will allow this fund to be protected and allow it to make the money that it should make. Job one, well done in my opinion by the Research Committee.

The \$60,000 plus C.M.P. Report that was made, and opinions given by the Personnel Board, you have read about. This report is being studied now, of comments as made by the Personnel Board, and the report will be made later. It behooves me to say that the Personnel Board could not speak too highly of the C.M.P. Report, because one section of it is devoted to junking them.

Concerning myself with several pieces of legislation, I speak for one, of the Home Improvement Loan, that is now on the books. Would you please on your way home or when you are in your homes this weekend, ask your Chambers of Commerce and your Better Bureaus to see what reaction the imposing of this law has had upon the gougers concerning home improvements, such as storm windows, doors, and heat activating alarm systems of one sort or another.

Air pollution programs. Several several programs. A study was

made on the economy and the taxation program of the State, this requested not by the Legislature but by the then Governor Reed, which was done by the Committee.

Insofar as the Research Committee is concerned and its expenditures, it is certainly to be noted that when a committee is charged with the many many many functions that this Committee was charged with, that if they were to do their job that they had to have means, they had to travel; and that means money.

One of the proud moments of my life, and there have been many, was when I was first named years ago and renamed constantly on this Committee. It's certainly one of the proud moments of my life, was when I was chosen to head this Committee. From the very first meeting that we had, we had no twenty-minute meetings. We had meetings that started early in the morning, end up for lunch, started again in the afternoon, and ended in the evening.

Insofar as I am concerned, and my report will indicate it, because of the fact that I was unable to do certain other projects, I devoted a great deal of time to this job and naturally time sometimes is a little money. Although I will tell you one thing right now, that for the per diem that I got and the expenses that I incurred, certainly if I belonged to a union I would protest to my union leaders and possibly go into negotiations.

I personally did not go on out of the country junkets. I didn't go on lengthy lengthy junkets. I did go on two and I must bring those two to your attention. One of them concerned itself with one weekend when I left my home with my good wife on a Saturday afternoon in the summer, to go to an Indian reservation that I had missed, I got to my location and being the summer time I had difficulty finding a place to stay. Finally in exhaustion we settled for what we could get, and I found only one place in Maine that wasn't quite proper for me to possibly stay at because I know all

about hotels and motels and all that stuff.

However, I settled for this and the next morning at nine o'clock when it was a hundred in the shade I went to my church service and my good wife went her way as a good home Baptist. When I got out of my church service, I visited the institution, and believe you me I don't wish anything like that upon anybody, on a Sunday morning a hundred in the shade, fighting off hordes of mosquitoes. The cost of that trip was \$13.43, it was only 114 miles away from here.

Then I took another very very long and expensive and pleasant junket. I left one morning at six o'clock in the morning on the 6th of December and was driven to Boston by automobile. I then took a train to New York, being unable to fly. I got into New York about 3:30 in the afternoon and was shuffled from one hotel to another until finally I landed, took a quick shower, went to a meeting until nine o'clock, ate my meal and was in bed at 10:30; got up at five o'clock, took a train from New York to Boston the next morning, was met at the station, driven from Boston to Lewiston, and went to a meeting at seven o'clock that night.

That trip cost the State \$64.41 besides per diem. Broken down, because somebody was driving me, Lewiston to Boston and return, paid for gas and oil \$5.00; Maine turnpike tolls, \$2.55; train fare, New York and return \$23.16; cab fare, tips, bellhops, and meals \$7.00; allowance for my room \$14.00; \$18.00 I paid. I would like to have somebody here give me the recipe as to how you can take a trip to New York and back in any more tedious a manner or any cheaper.

Now insofar as the remainder of the Committee is concerned, any time that they were called they did their work. Any time that I asked them to go anywhere, they did their work. It was perfect party harmony. Only upon one occasion, on a minor item, was the Committee divided. Now as far as my

own personal expenditures were concerned, I assure you that I would like to put in a tab for the Saturdays, Sundays and evenings that I spent, and holidays. I can well recall on one of my many sojourns in the hospital, twenty-four hours after a semi-major operation, I had seventeen interviews that day wherein it concerned employees and other areas concerning the Research Committee. In desperation, so that I could get some rest, with the promise that I would take the phone off the hook and not answer the phone, my doctor sent me home. But I was caught there.

Since we have come into this session of the Legislature — and there was no bill at all put in for that, based on per diem, meals or travel. Since we first got into the Legislature, and proof of the pudding in this statement that I will make is because the Research Committee had to ask for an extension in drafting for the Legislature. The reason is, to ask for that extension, is because I kept two people busy working out details of various reports, important details wherein it concerned the Legislative Research Committee. I spent Mondays and Fridays, when we were first in session, for about two months here working in the Research Committee office, answering mail, reading mail, covering other details. Not a thing was put in insofar as expenditures were concerned.

As I was told by a few of my friends, if I am going to speak — and they encouraged me to speak this morning, to contain myself, and I am doing so. But I guarantee you one thing now. I have absolutely nothing to be ashamed of. I think the entire membership of this Committee is owed a tremendous vote of thanks for the work they have done.

A couple more items that I might mention is the fact that this famous New York trip that I took, if any of you want to spend twenty minutes with me in the Research Committee I will positively prove to them that the reason for the trip, the successful trip I took, was on printing matters,

and the cost there of saving amounted to \$3400.

I have another item that I thought I would bring out. I visited all of the institutions, not once but several times, and I found that possibly for a better program and because we have twenty-two people at the Bath Naval and Military School in attendance only, it was spending \$180,000 for the biennium, and I thought that we could put this school to better use. Certainly not to want to close it because I would steadfastly oppose the thinking of closing this school at any time. But because we might transfer from one department to another and eventually make far better uses of it I presented legislation which would bring this about.

I also know that there is one other department that should be transferred and my research showed me this, and that is where-in it concerns itself with another school that should be transferred from the Mental Health and Corrections Department to the Department of Education, so that we could take advantage of thousands of dollars of federal funds. I also refer to the fact that insofar as even yesterday, through work that I had done on the Research Committee in going back into the programs, I presented an amendment that made it available for us to find \$54,000 in federal funds that could be applied to this measure as amended yesterday, which was directly a saving to the State of the \$54,000.

And to show you that the work of the Research Committee never ends, I have here a letter from a member of this body asking me to look in over the weekend — for two weeks he has asked me to look into a problem that involves my checking back into work that was done on hearings on a bill for members of the State House family. I am going to do this over this weekend because the gentleman is quite persistent, and I don't blame him for it, he's a great competitor. But I will have his answer for him when the weekend comes; it means at least eight

to ten hours work. There will be no bill put in.

Now I don't mind what anybody at all will say anything to me when they look me in the eye and they say it, because if I've got anything to say to anybody here — and you all know me, I'm going to tell them, then that gives me a license to go tell others.

Now if anybody is not entirely satisfied with the doings and the expenditures of the Research Committee, all they have to do is to go over in the other side and find out exactly what was spent and where. It is absolutely on record under oath. A full and complete report will be made.

I do not — I would say, Mr. Speaker and members of the House that I know that it is Friday also as Mr. Dennett has stated, but I didn't want to have this day go by and have this weekend start by not making comment on this thing. It has not angered me at all — it has hurt me, because if there is one thing that I have done in all my life in my twenty-two years of government, is this. I have revived the Research Committee and put it on a basis, onto a plateau that it belongs, and in my opinion it is going to continue that way; and if it shouldn't, it should be eliminated. Thank you very kindly.

Mr. Drigotas of Auburn presented the following Joint Resolution and moved its adoption:

WHEREAS, the Seventy-Eighth Legislature of the State of Maine, by an Act entitled "An Act to Grant a New Charter to the City of Auburn," passed in concurrence and approved April 7, 1917 thus enabling the City of Auburn to become the first municipality in Maine and the second in New England to adopt a Council-Manager Charter; and

WHEREAS, the City of Auburn has in the half century following this development greatly advanced in its community facilities, services and general economy, and achieved wide diversification of industry far beyond the manufacture of shoes for which the city has long been famed; and



WHEREAS, the City of Auburn, while recognizing with pride its fiftieth anniversary under the existing Council-Manager Charter, acknowledges the need for necessary changes to be considered by the 103rd Maine Legislature in order to meet the demands of a modern progressive government; now, therefore, be it

**RESOLVED:** That the Members of the Senate and House of Representatives of the 103rd Maine Legislature unite in commending the City of Auburn for its excellent record of achievement during these past fifty years and extend their continued support and encouragement for the future; and be it further

**RESOLVED:** That copies of these Resolutions, duly authenticated by the Secretary of State, be transmitted forthwith by the Secretary of State to the Honorable Harry W. Woodard, Jr., Mayor, the Honorable Woodbury Brackett, City Manager and the Members of the City Council of the shire City of Auburn. (H. P. 1106)

The **SPEAKER:** The Chair recognizes the same gentleman.

**Mr. DRIGOTAS:** Mr. Speaker and Ladies and Gentlemen of the House: I'm indeed privileged to present this resolution that lies on each legislator's desk this morning. The City of Auburn can be rightfully proud of its fiftieth anniversary. It is managed by the Honorable Mr. Woodbury Brackett and his able assistant Mr. Bernard Murphy. Mr. Brackett has been honored as being outstanding in his profession for thirty-six years. He has served eight communities in this span of years with distinction. He has been honored as president of the International Association of City Managers and is recognized as a leader and pioneer in the city managerial field. During his tenure of office in Auburn, the following industries have located: General Electric, Structural Concrete, Maine Milling and Manufacturing, Good Year Rubber, Pioneer Plastics, Tampax, a modern shopping center and another contemplated one, and many others.

These are new industries, but many many industries in existence,

even long before the advent of the City Manager form of government, have found and continue to find a healthy prosperous atmosphere in which to continue to live and thrive. I am proud to be able to make this a part of our legislative record.

The Joint Resolution was adopted and was sent up for concurrence.

On motion of Mr. Farrington of China, it was

**ORDERED,** that Connie Snow of Caribou be appointed to serve as Honorary Page for today.

#### **House Reports of Committees Leave to Withdraw**

Mr. Quimby from the Committee on Claims on Resolve to Reimburse James Harkins of Poland for Well Damage by Deposit of Salt on Highway (H. P. 971) (L. D. 1413) reported Leave to Withdraw.

Report was read and accepted and sent up for concurrence.

#### **Ought Not to Pass**

Mr. Champagne from the Committee on Inland Fisheries and Game reported "Ought not to pass" on Bill "An Act Describing Boundaries of Merrymeeting Bay Game Sanctuary" (H. P. 497) (L. D. 710)

Mr. Cookson from same Committee reported same on Bill "An Act Repealing Merrymeeting Bay Game Sanctuary" (H. P. 498) (L. D. 711)

Mr. Lewin from same Committee reported same on Bill "An Act relating to Hours of Hunting Game Birds and Operating Power Boats in Merrymeeting Bay" (H. P. 693) (L. D. 974)

Same gentleman from same Committee reported same on Bill "An Act relating to Certificate of Competency for Hunting License for Certain Minors" (H. P. 838) (L. D. 1246)

Mr. Rackliff from same Committee reported same on Bill "An Act relating to Open Season for Fishing in Rivers, Streams and Brooks" (H. P. 189) (L. D. 278)

Reports were read and accepted and sent up for concurrence.

**Ought to Pass  
Printed Bills**

Mr. Champagne from the Committee on Inland Fisheries and Game reported "Ought to pass" on Resolve Allocating Money to Rebuild Fish Screen at Outlet of China Lake (H. P. 936) (L. D. 1352)

Mr. Gaudreau from same Committee reported same on Resolve Regulating Ice Fishing on Messalonskee Lake, Kennebec County (H. P. 937) (L. D. 1353)

Mr. Haynes from same Committee reported same on Bill "An Act relating to Keeping a Live Bear in Captivity" (H. P. 315) (L. D. 449)

Mr. Lewin from same Committee reported same on Bill "An Act relating to Closed Season on Bear" (H. P. 355) (L. D. 502)

Same gentleman from same Committee reported same on Bill "An Act Repealing Bounty on Porcupine" (H. P. 502) (L. D. 715)

Mr. Miliano from the Committee on Sea and Shore Fisheries reported same on Bill "An Act relating to Use of Otter or Beam Trawls in Washington County" (H. P. 377) (L. D. 524)

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

**Ought to Pass with  
Committee Amendment  
Tabled and Assigned**

Mr. Nadeau from the Committee on Highways on Bill "An Act relating to Transportation of Disabled, Collision Damaged, Wrecked or Repossessed Highway Motor Vehicles" (H. P. 59) (L. D. 84) 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. 59, L. D. 84, Bill, "An Act Relating to Transportation of Disabled, Collision Damaged, Wrecked or Repossessed Highway Motor Vehicles."

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

Further amend said Bill by adding at the end the following new section:

'Sec. 2. R. S., T. 35, § 1560, sub-§ 1, ¶ A, amended. Paragraph A of subsection 1 of section 1560 of Title 35 of the Revised Statutes is amended to read as follows:

A. While being used within the limits of a single city or town in which the vehicle is registered by the Secretary of State or in which the owner maintains a regular and established place of business, or within 15 35 miles, by highway in this State, of the point in such single city or town where the property is received or delivered, but no person, firm or corporation may operate, or cause to be operated, any motor vehicle for the transportation of property for hire beyond such limits without a certificate of public convenience and necessity or a permit to operate as a contract carrier; nor may any such person, firm or corporation participate in the transportation of property originating or terminating beyond said limits without holding such a certificate or permit unless such property is delivered to or received from a carrier over the highways operating under a certificate or permit issued by the commission or a railway, railway express, or water common carrier, but nothing in this section shall prevent a carrier from delivering and picking up with his exempt motor vehicle in a city or town where he has a terminal, freight and merchandise transported or to be transported over territory covered by his certificate or permit; nothing in this paragraph shall permit the transportation of freight or merchandise for hire, by motor vehicle, under any circumstances unless exempted by chapters 91 to 97 other than this paragraph, by any person, firm or corporation beyond the 15 35-mile limit as prescribed unless such person, firm or corporation holds a certificate or permit from the commission authorizing such transportation;

Committee Amendment "A" was adopted.

(On motion of Mr. Drummond of Sidney, tabled pending assign-

ment for third reading and specially assigned for Wednesday, April 19.)

#### Divided Report

Majority Report of the Committee on Inland Fisheries and Game reporting "Ought to pass" on Bill "An Act Prohibiting the Sale of Bear" (H. P. 354) (L. D. 501)

Report was signed by the following members:

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

Messrs. CHAMPAGNE of Fairfield  
 HAYNES of Camden  
 LEWIN of Augusta  
 THOMPSON of Belfast  
 GAUDREAU of Lewiston  
 —of the House.

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

Report was signed by the following members:

Messrs. RACKLIFF of Easton  
 COOKSON of Glenburn  
 —of the House.

Reports were read.

On motion of Mr. Dudley of Enfield, the Minority "Ought not to pass" Report was accepted.

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

Mr. HAYNES: Mr. Speaker, I request reconsideration.

The SPEAKER: The gentleman from Camden, Mr. Haynes, now moves that the House reconsider its action whereby it accepted the Minority "Ought not to pass" Report. Is this the pleasure of the House? Does the gentleman wish to speak to his motion?

Mr. HAYNES: This bill would merely strike out the game animals and put in the same category as all other game, which prohibits sale. I ask for a division.

The SPEAKER: A vote has been requested on the reconsideration motion. The question before the House is the motion of the gentleman from Camden, Mr. Haynes, that the House reconsider its action whereby it accepted the

Minority "Ought not to pass" Report. All those in favor will vote yes; those opposed will vote no. The Chair opens the vote.

68 having voted in the affirmative and 47 having voted in the negative, the motion to reconsider did prevail.

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

Mr. HAYNES: Mr. Speaker and Members of the House: I request that we accept the Majority "Ought to pass" Report.

The SPEAKER: The pending question is the motion of the gentleman from Enfield, Mr. Dudley, to accept the Minority "Ought not to pass" Report, and the Chair will order a vote. All those in favor of accepting the Minority Report will vote yes; those opposed will vote no, and the Chair will open the vote.

The Chair recognizes the gentleman from Enfield, Mr. Dudley.

Mr. DUDLEY: Mr. Speaker and Members of the House: I had a very good reason for making this motion as I know that in my town as well as in most of your towns animal matter on the town dump is prohibited. The bear is a pretty large animal and you have to dig a pretty big hole to bury it. This is one very good reason why I thought these people who kill bear if they can get anything for his carcass they should be allowed to do it. It also makes some business for the deep freeze people. Up from where I come from they occasionally get a bear that's doing some damage in their crop and those people from Aroostook County where grain is raised, you know how much damage they do, they are able to get this bear and put him in a freezer, and from the sports in the fall they are able sometimes to get a token for the damage the bear has done, and most people in Maine—at least my neighbors and myself do not eat bear meat, so they have very little need to keep it around, and seeing as they're not able to dispose of it by means of the town dump, I thought it was a very good method that

they're allowed to put them in a deep freeze and make a little business for that fellow and get a little bit of revenue for himself. And I hope that this morning this House will go along and accept the Minority Report. Thank you.

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

Mr. COOKSON: Mr. Speaker and Ladies and Gentlemen of the House: As you who were here two years ago will well remember, I went along in helping to protect the bear to what I thought would be a certain limit, and that was that we prohibit the killing of cub bear in the spring of the year. So we passed that, but I didn't know that this thing was going to snowball quite as far as it has. I think that this bill here is going just a little bit too far too quickly and until we find out whether or not these bear can be made a game animal we better not do away with the privilege of selling them. Because they are a hard animal to dispose of, they are going to be left laying around, and if a person can sell them and get a little bit for them it will encourage them to bring them out of the woods and possibly put them in a cool storage area and sell them in the fall to the out-of-state hunters, and I don't think it hurts a bit to see them going down the highway on the top of a car.

So I must oppose my committee and with all due respects to my committee, I think a lot of it, but I just could not go along with this bill at this time—maybe two years from now we will have proven that they can be made a game animal, but I don't think they ever can be. Thank you.

I would now move for indefinite postponement of this bill.

The SPEAKER: The prevailing question is the acceptance of the Minority Report. Is the House ready for the question? The Chair will open the vote. All those in favor of accepting the Minority "Ought not to pass" Report will vote yes; and those opposed will

vote no, and the Chair opens the vote.

81 having voted in the affirmative and 44 having voted in the negative, the Minority "Ought not to pass" Report was accepted.

Sent up for concurrence.

### Third Reader Tabled and Assigned

Bill "An Act Providing Funds to assist the Casco Bay Island Development Association to Create an International Vacation and Conference Center on Peaks Island" (S. P. 327) (L. D. 862)

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

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

Mr. DUNN: Mr. Speaker, Members of the House: I was one of two members of the Committee signing a Minority "Ought not to pass" Report. This project has been started by a development association who have raised \$50,000 and purchased a 167 acre lot on Peaks Island. A hundred acres of this land is going to be given to the—or has been deeded to the City of Portland for a park, but there is one item here that didn't strike me as just right.

It says, "Sufficient acreage will be reserved for private development and homesites to guarantee the bondholders a half acre of fine building land." Now the total cost of this project is supposed to be, since the amount needed to start building is two million and a half and the estimated goal is five million. I think that this is a private project and I don't believe that the amount of \$5,000 will have any serious effect on the outcome.

And so I would like to vote against this once more, and I move that this item be indefinitely postponed.

The SPEAKER: The gentleman from Denmark, Mr. Dunn, now moves that item one be indefinitely postponed.

Thereupon, on motion of Mr. Healy of Portland, on a viva voce vote, the Bill was tabled pending the motion of Mr. Dunn of Den-

mark to indefinitely postpone and specially assigned for Wednesday, April 12.

#### Passed to Be Engrossed

Bill "An Act Providing for Assistant Superintendent at Stevens Training Center" (H. P. 423) (L. D. 587)

Bill "An Act Changing Name of the Stevens Training Center to Stevens School" (H. P. 424) (L. D. 588)

Bill "An Act Appropriating Funds to Expand Homemaker Services in the Department of Health and Welfare" (H. P. 440) (L. D. 615)

Bill "An Act relating to Incorporation of Maine World Trade Council" (H. P. 547) (L. D. 779)

Bill "An Act Appropriating Funds to Expand Services for Eye Care and Special Services Division, Department of Health and Welfare" (H. P. 687) (L. D. 982)

Bill "An Act Continuing Governor's Advisory Council on the Status of Women" (H. P. 766) (L. D. 1113)

Bill "An Act to Provide for Trade and Industrial Teacher Education Service at Gorham State College" (H. P. 785) (L. D. 1147)

Bill "An Act Appropriating Monies for the Continuing Activities of the Committee on Aging" (H. P. 866) (L. D. 1279)

Bill "An Act relating to Law Clerks for the Judiciary" (H. P. 929) (L. D. 1345)

Bill "An Act Authorizing Additional Staff within Eye Care and Special Services Division, Department of Health and Welfare" (H. P. 931) (L. D. 1347)

Bill "An Act relating to Insurance Company Examination Reports" (H. P. 1104) (L. D. 1570)

Resolve in favor of Town of New Sharon for Support of Angie Thompson (S. P. 531) (L. D. 1366)

Resolve relating to Unexpended Balance of Appropriation of State Park on Lower Range Pond, Poland, Androscoggin County (H. P. 623) (L. D. 879)

Were reported by the Committee on Bills in the Third Reading, Bills read the third time, Resolves read the second time, all passed

to be engrossed and sent to the Senate.

#### Amended Bills

Bill "An Act to Reconstitute School Administrative Districts Nos. 54, 56, 57, 58, 59, 62, 63 and 64" (S. P. 398) (L. D. 1070)

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.

#### Third Reader

##### Tabled and Assigned

Bill "An Act to Require Lobster and Crab Fishing License Applicants to Describe Their Buoy Colors on License Application and Display Colors on Boat" (H. P. 545) (L. D. 777)

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

(On motion of Mr. Richardson of Stonington, tabled pending passage to be engrossed and specially assigned for Wednesday, April 12.)

#### Third Reader

##### Tabled and Assigned

Bill "An Act to Revise the Election Laws" (H. P. 1076) (L. D. 1539)

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

(On motion of Mrs. Boudreau of Portland, tabled pending passage to be engrossed and specially assigned for Friday, April 14.)

#### Passed to Be Enacted Emergency Measure

An Act Amending the Charter of the Augusta Sanitary District (S. P. 195) (L. D. 429)

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

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. 135 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 Creating a Hospital Administrative District #1 in Penobscot County (H. P. 278) (L. D. 398)

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. 133 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 Board of Trustees of and Increasing Indebtedness of Eagle Lake Water and Sewer District (H. P. 952) (L. D. 1383)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a total was taken. 127 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

**Enactor****Tabled and Assigned**

An Act Establishing Two Zones for Open Season on Deer (S. P. 3) (L. D. 6)

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

(On motion of Mr. Richardson of Cumberland, tabled pending passage to be enacted and specially assigned for Tuesday, April 11.)

**Passed to Be Enacted**

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

An Act to Provide a Council-Manager Charter for the Town of Cumberland (H. P. 195) (L. D. 284)

An Act relating to the Board of Water Commissioners of the Town of Boothbay Harbor (H. P. 374) (L. D. 521)

An Act Providing for a Council-Manager Charter of Town of Gorham (H. P. 529) (L. D. 769)

An Act relating to Eminent Domain Under Urban Renewal Proceedings (H. P. 585) (L. D. 816)

An Act to Amend the Charter of the York Sewer District (H. P. 614) (L. D. 856)

An Act relating to Importation of Bottled Wines by Licensed Maine Bottlers (H. P. 636) (L. D. 892)

An Act relating to Source of Supply of the Brewer Water District (H. P. 912) (L. D. 1322)

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

**Orders of the Day**

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

An Act relating to Permits for Motorcycle Operation (H. P. 566) (L. D. 798)

Tabled—March 28, by Mr. Lewin of Augusta.

Pending—Passage to be enacted.

On motion of Mr. Pendergast of Kennebunkport, the House voted to suspend the rules and to reconsider its action of March 22 whereby the Bill was passed to be engrossed.

On further motion of the same gentleman, the House voted to suspend the rules and to reconsider its action of March 21 whereby

Committee Amendment "A" was adopted.

Thereupon, Mr. Pendergast of Kennebunkport offered House Amendment "A" to Committee Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to H. P. 566, L. D. 798, Bill, "An Act Relating to Permits for Motorcycle Operation."

Amend said Amendment by striking out all of the first paragraph.

Further amend said Amendment by striking out in the first line of the 2nd paragraph the words "Further amend" and inserting in place thereof the word 'Amend'

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.

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

Bill "An Act relating to Licenses Under Harness Racing Law" (H. P. 522) (L. D. 753)

Tabled—March 29, by Mr. Cote of Lewiston.

Pending—Adoption of Committee Amendment "A". (H-118)

On motion of Mr. Cote of Lewiston, Committee Amendment "A" was adopted.

The same gentleman offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to H. P. 522, L. D. 753, Bill, "An Act Relating to Licenses Under Harness Racing Law."

Amend said Bill by striking out in the 10th, 11th and 12th lines (8th and 9th lines in L. D. 753) the underlined words "and all other persons participating in harness horse racing including pari-mutuel employees"

The SPEAKER: Is it now the pleasure of the House that House Amendment "A" be adopted?

The Chair recognizes the gentleman from Union, Mr. Hawes.

Mr. HAWES: Mr. Speaker and Members of the House: I have got to oppose the adoption of this amendment. This bill was put in by the Racing Commission. If you will look at it you will see that it states, "For the purpose of enabling the Harness Racing Commission to exercise and maintain a proper control over racing conducted under this chapter."

At the present time there is no law upon the books giving the Racing Commission authority to issue licenses. They are issuing licenses at the present time but there is no law on the Statute, they don't have too much control over it. They feel, and I think most everybody in the Racing Harness feels that the Racing Commission should have some control over these licenses that they are issuing. It goes on further to state that—it takes in "owners, trainers, drivers, grooms and all other persons participating in harness horse racing including pari-mutuel employees and race officials."

I talked with the Commission last night and they feel that the pari-mutuel men should be included under this provision. They are very much opposed to taking the pari-mutuel employees out. So that when the vote is taken, I ask for a division. I hope that you will vote no on adopting this amendment.

The SPEAKER: Will the gentleman make a motion?

Mr. HAWES: I move that we indefinitely postpone House Amendment "A".

The SPEAKER: The gentleman from Union, Mr. Hawes, moves the indefinite postponement of House Amendment "A" and requests that it be taken by vote.

The Chair recognizes the gentleman from Lewiston, Mr. Cote.

Mr. COTE: Mr. Speaker and Members of the House: I have no quarrel with the Harness Racing Commission except that I felt that the racetracks themselves, those who operate racing, should be able to hire their own employees. Sev-

eral years ago I was a pari-mutuel employee and at that time they did issue permits to give you a chance to work at the racetrack, and there was no pay for those permits. Under this bill they will be able to charge a ten dollar fee, it says they may charge if they so wish.

I feel that each racetrack should be given the leeway of hiring its own employees, and I am sure that any racetrack hiring its pari-mutuel employees are going to make sure that those employees are okay before they hire them. Now the Racing Commission still has a power over these employees and they employ the mutuel director who hires the employees, and if they don't like someone they hire or someone is wrong I am sure that they won't keep them there very long. And for that reason I don't see why the mutuel employees, which are not directly concerned with harness racing — all they do is sell the tickets. Now under this law it says "all other persons participating in harness horse racing," so I'm wondering if the bettor would participate by buying a ticket horse racing whether they will be asked now to buy himself a ten dollar annual license fee so that he can go to the racetrack and bet. So that's why I put in this amendment.

The SPEAKER: Is the House ready for the question? The pending question is on the indefinite postponement of House Amendment "A". All those in favor of indefinite postponement will vote yes; those opposed will vote no. The Chair opens the vote.

66 having voted in the affirmative and 53 having voted in the negative, the motion prevailed.

The Bill was assigned for third reading the next legislative day.

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

HOUSE REPORT—Ought Not to Pass—Committee on Highways on Bill "An Act relating to Reimbursement of Fuel Tax for Miles Traveled on Maine Turnpike" (H. P. 29) (L. D. 50)

Tabled—March 31, by Mr. Crosby of Kennebunk.

Pending—Acceptance.

Thereupon, on motion of Mr. Richardson of Cumberland, retabled pending acceptance and specially assigned for Wednesday, April 12.

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

HOUSE REPORT—Ought Not to Pass—Committee on Sea and Shore Fisheries on Bill "An Act Providing for Noncommercial Lobster Fishing Licenses" (H. P. 455) (L. D. 630)

Tabled — March 31, by Mr. Quinn of Bangor.

Pending—Acceptance.

The Report was accepted.

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

Mr. PORTER: Mr. Speaker, may I have item four tabled until April 13, please.

The SPEAKER: The matter is not in the hands of the House. Does the gentleman wish to reconsider our action?

Mr. PORTER: I do wish to.

The SPEAKER: The gentleman from Lincoln, Mr. Porter, moves that the House reconsider its action whereby it accepted the "Ought not to pass" Report. Would the gentleman like to speak to his motion?

Mr. Crosby of Kennebunk requested a division.

The SPEAKER: A vote has been requested on the reconsideration motion.

The Chair recognizes the gentleman from Harpswell, Mr. Prince.

Mr. PRINCE: Mr. Speaker, am I in order to make comments?

The SPEAKER: The gentleman is in order to debate the reconsideration motion.

Mr. PRINCE: Mr. Speaker and Members of the House: I hesitate to rise and take the time to debate or belabor this insignificant bill.

This bill had the unanimous "Ought not to pass" Report from the Committee. There were between four and five hundred fishermen who appeared at the public hearing, and there was not one proponent of this measure. When



I asked for those that were opposed to this bill, four or five hundred hands vigorously showed their protest.

I think perhaps it might be wise—I have a lot of material here, which I hope that I won't have to use, but I think it might be wise to inform the members of this House that first of all it should be emphasized that Maine's lobster industry is of vital importance to the entire economy of the State. It means about fifteen to twenty million dollars to the lobster fishermen alone and a great deal more to the many dealers, wholesalers, retailers and transportation people involved in the buying, handling, storage and shipping of live lobsters. Perhaps even the more important issue is that the Maine lobster gives great publicity—Maine would simply not be Maine without the lobster. It is a goodwill ambassador and a good publicist on dinner tables from coast to coast. This is all made possible by strict enforcement of the lobster laws, along with the liberating of female lobsters along the coast of Maine.

Many people feel that the Atlantic Ocean along the Coast of Maine has an inexhaustible supply of lobsters, but this is not true.

Necessary restrictions have, over the years, been imposed on other fisheries. There is nothing novel in legislation which describes the type of gear which may or may not be used in certain areas, or for certain species of fish. The general public, for instance, found nothing objectionable or unconstitutional in laws forbidding the dynamiting of ponds or streams in order to catch fish or night hunting of deer, even though such methods might be the most efficient means of taking fish or deer under certain conditions.

In 1963 the enactment of a law was made in the Legislature, Section 68-A of Chapter 37-A, limiting the taking of lobsters to conventional traps.

The Department of Sea and Shore Fisheries continues to believe that the Maine lobster is far too important to the entire econ-

omy of the State to be jeopardized for the sake of any group of sportsmen. These lobsters are the solid backbone of our commercial fishing industry and their value to our commercial fishermen amounts to more than half the total value received for all other marine products. Further, the income received for these lobsters supports 6,000 lobstermen and their families, and additional economic benefits are derived by wholesalers, retailers and distributors. To these 6,000 lobster fishermen it is a very serious piece of business.

It has been pointed out many times, we are all well aware of the value of skin diving as a technique for underwater exploration, and we understand fully its great attraction as a sport. Prohibiting the taking of lobsters by skin diving, however, will not in any way interfere either with legitimate exploration and scientific study or with the pleasure of sportsmen who are still free to catch a great many varieties of marine species. Finally, we are convinced that it is essential to protect a "bread-and-butter" resource such as our Maine lobster for those whose livelihood depends on it, and that it is by no means essential to endanger this resource so that skin divers who have full-time employment elsewhere can carry on a part-time activity simply "for fun."

The Interim Legislative Committee reported to this Legislature, had many hearings that took place in 1966, and the Committee recommends that future legislation consider, first, the full time lobster fishermen with his investment. Lobsters, being the livelihood of hundreds of Maine citizens, should not be legislated into the hands of the non-commercial or sports fishermen until such quantities are in excess of commercial demands.

Much more can be said, and I have much more here that I will use if I have to.

Mr. Speaker, I hope we will accept the unanimous "Ought not to pass" Report.

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

Mr. QUINN: Mr. Speaker and Members of the House: When I came down to this Legislature, I had no axe to grind for any industry or for any individual. I came down here solely to serve my State and the people of my State, and no personal interest or no group interest.

The wildlife of the State of Maine, the wildlife of the sea, the wildlife of the lakes, streams and brooks belong to the people of Maine, and the people of Maine by procuring the required license can go and participate in achieving, in obtaining some of that wildlife, and when they take it into their possession, it is theirs. That is the freedom of all the citizens of the State of Maine.

Now I have discovered since coming to this Legislature, that there are groups of people that organize themselves together and try to monopolize these things that belong to everybody to the exclusion of our citizens, and that is what this bill is. This bill is L. D. 630, and this bill, the title of it is, "An Act Providing for Non-commercial Lobster Fishing Licenses." In other words, it provides a method by which people who are not in the business may go out and obtain for themselves some lobsters if they want to go to the expense of getting the equipment and the material that is necessary to make their capture. Those lobsters do not belong to the fishermen of the State of Maine; they belong to the people of the State of Maine.

Now, this bill says: "A non-commercial lobster license shall be issued to a person who meets the residence requirements of subsection 4. The license entitles the holder to catch lobsters on Fridays, Saturdays, and Sundays——." So, if you've got a license and are a citizen of the State of Maine on your weekend that you might have off from work, and if you had a little place on the coast you could put out a

few traps and catch a few lobsters.

The commercial fishermen all appearing en masse before the Committee objected so that you, I, and our neighbor, if this bill is accepted—turned down, cannot get a license even to fish on Friday, Saturday or Sunday, for something that belongs to the whole State of Maine and to its people. So that if under this bill you were going down to the coast on a weekend and you had property down there and you wanted to go fishing to get a few lobsters for yourself and family, noncommercial, entirely private, which you should have a right to do, you can do so by getting this license to fish on Fridays, Saturdays and Sundays and legal holidays for "his own use."

Now those few lobsters that might be caught under those circumstances, this mass of commercial industry known as the lobstermen say "no—you shouldn't have those few lobsters, we want them all ourselves, they're ours." Are they theirs? They are if you by your legislative act approve it. You have the authority to retain this right to the citizens of Maine or you have the right to give it to the lobstermen, and exclude the citizens of the State of Maine. It's just as simple as that.

No person holding such a license at the same time shall hold a commercial license. Now it says strictly this would give a citizen a right on his weekend at camp on the coast to fish some lobsters, and that's all it does. And I would move that the Bill be substituted for the Report, because it came out of the Committee—the Sea and Shore Fisheries Committee—they heard the hearing, and the only one was there was the lobstermen to object. So they brought out an "Ought not to pass" Report. I would now move that the Bill be substituted for the Report.

The SPEAKER: The Chair would advise the gentlemen in the House that the pending question is to reconsider whereby we ac-

cepted the "Ought not to pass" Report.

The Chair recognizes the gentleman from Harpswell, Mr. Prince.

Mr. PRINCE: Mr. Speaker and Members of the House: I would like to remind Representative Quinn of Bangor, whom I hold a great deal of respect for, that any citizen of the State of Maine providing he has lived here in this State for three years has a right to obtain a lobster license, and we do have a lot of noncommercial fishermen that come to the shore on the weekends, they fish ten, fifteen, twenty traps. They have that right. I'd like to clear that with Mr. Quinn because I think he feels that the lobster fishermen have some certain kind of a license. Any man or woman in the State of Maine who has lived here for three years has the right to obtain a lobster license and they can catch lobsters on weekends, on Fridays and holidays. Thank you.

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

Mr. RICHARDSON: Mr. Speaker and Members of the House: I have several items which I would like to take issue with. I think that all of our seafood in the ocean is considered a natural resource of the State of Maine. What we would be doing with this bill would be simply opening up the opportunity for anyone, by any method, to take lobsters, and I disagree entirely and wholeheartedly with this. I think that we have abused the natural resources of the seas long enough, and I think that the National Science Foundation and many other qualified agencies in the United States have taken issue with this matter.

I too have a great deal of respect for my friend from Bangor, Mr. Quinn, but I recall several years ago when the State of Maine and the Secretary of State notified the Notary Publics and the Justices of the Peace that they should be very very careful of infringing upon lawyers' duties and I think this is the same thing. I think if we open this up to skin diving and

noncommercial fishing, we are taking away a right that these men who make a living from the sea have. They also have many people depending upon them, their families and other people along the coast. I do hope that we will accept the Committee Report of "Ought not to pass."

The SPEAKER: The Chair recognizes the gentleman from Auburn, Mr. Bernard.

Mr. BERNARD: Mr. Speaker and Members of the House: I am a professional diver—I think the word has gotten around—and I attended part of the meeting of the Sea and Shore Fisheries on this bill, and at this time I would like to thank the gentleman, Mr. Prince, for his dear comments on the skin divers.

Back in 1963-64, when we were allowed to take lobsters we enjoyed it dearly, and it is still a matter of great concern, we haven't forgotten it. In 1963 I was with a small group of divers out in South Harpswell and we were fired upon with a hunting rifle by someone, and this sort of set us to thinking. I happened to be on shore fully dressed, with about a hundred and twenty-five pounds of gear on my back and there were a row of camps right off to the left of us. I ran down the road something like James Bond and jumped on one porch to the other looking through the windows, there were lobstermen and their families eating dinner at the time—I don't know what they thought of me—and God knows what I would have done if I had seen someone there with a rifle, but we found out about a week later who had done the shooting, and the issue has sort of died down.

This bill truly is not a skin diving bill. It doesn't even concern us, because as I understand it it states that a person shall buy a license and use conventional gear which is traps. We all know that skin divers like to go down with a bag in their hand, we call this a bunk bag, we like to pick them up off the bottom and put them in the bag, and they come out, there's no extra gear needed. Certainly I think some of you could

realize now that I have acquired some skill. Had I desired it I could have submitted a bill to this session strictly for taking of lobsters by skin diving. I did not, because I feel the lobster industry in Maine has certain problems that it must work out. If and when I do submit a bill to again allow skin divers to take lobsters, I assure you that it will have the blessings of the lobster industry.

I have been doing some thinking on this matter and I have a plan, a rough plan that I've worked out, and there is in my opinion only one way that the lobster industry could accept us in taking lobsters legally. And looking at it legally and talking to some lawyers who are divers from other States, they would challenge the constitutionality of the law as it now reads on the books. But going back again to the Sea and Shore Fisheries, I think our lobstermen have a problem down there. Our Sea and Shore Fisheries Department have several projects on research and I think within a couple of years we'll have some rather interesting facts.

Speaking for some of the groups that I represent, I feel that I must go along with the "Ought not to pass." Thank you.

The SPEAKER: The Chair recognizes the gentleman from Kennebunkport, Mr. Pendergast.

Mr. PENDERGAST: Mr. Speaker and Members of the House: I also take exception to this piece of legislation, mainly because it would bring a new group of people into an already overcrowded industry. Statistics show that the lobster catch has been decreasing over the years, and basically it is because—I believe—of too many people in the business. This further opens the door and I just don't believe it's good legislation. I hope you will accept the "Ought not to pass" Report.

The SPEAKER: The pending question is the motion of the gentleman from Lincoln, Mr. Porter, to reconsider our action whereby we accepted the "Ought not to pass" Report.

The Chair recognizes the gentleman from Vinalhaven, Mr. Maddox.

Mr. MADDUX: Mr. Speaker and Members of the House: At this late hour I don't want to belabor this issue, which is a cliché I know, but I assure you that I have never practiced wild and irresponsible statements in this House, and at this time I would ask you to defeat the motion to reconsider.

The SPEAKER: Is the House ready for the question? All those in favor of the motion to reconsider our action whereby we accepted the "Ought not to pass" Report on this Bill, "An Act Providing for Noncommercial Lobster Fishing Licenses," House Paper 455, L. D. 630. Those in favor of reconsideration will vote yes; those opposed will vote no, and the Chair will open the vote.

A vote of the House was taken.

31 having voted in the affirmative and 107 having voted in the negative, the motion did not prevail.

Sent up for concurrence.

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

Bill "An Act Creating the Maine Higher Education Loan Authority Act" (S. P. 59) (L. D. 72) (In Senate, passed to be engrossed)

Tabled—April 4, by Mr. Richardson of Cumberland.

Pending — Passage to be engrossed.

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

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

Resolve Proposing an Amendment to the Constitution Pledging Credit of State and Providing for the Issuance of Bonds Not Exceeding, at Any One Time Issued and Outstanding, Twenty-Five Million Dollars for Loans to Private Colleges for Construction and Expansion of Facilities (S. P. 60) (L. D. 73) (In Senate, passed to be engrossed as amended by Committee Amendment "A") (S-44)

Tabled—April 4, by Mr. Levesque of Madawaska.

Pending — Passage to be Engrossed.

Thereupon, the Resolve was passed to be engrossed as amended by Committee Amendment "A" and sent to the Senate.

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

Bill "An Act Authorizing the City of Portland to Use Park Lands for Public Highway Purposes" (H. P. 520) (L. D. 732)

Tabled — April 4, by Mr. Richardson of Cumberland.

Pending — Passage to be engrossed.

On motion of Mr. Benson of Southwest Harbor, tabled pending passage to be engrossed and specially assigned for Thursday, April 13.

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

Bill "An Act relating to a Closed Season on Wild Hares and Rabbits in York County" (H. P. 219) (L. D. 309) (House Amendment "A") (H-96)

Tabled — April 4, by Mr. Richardson of Cumberland.

Pending — Passage to be engrossed.

On motion of Mr. Carroll of Limerick, the House voted to suspend the rules and to reconsider its action of March 22 whereby House Amendment "A" was adopted.

On further motion of the same gentleman, House Amendment "A" was indefinitely postponed.

Whereupon, Mr. Carroll of Limerick offered House Amendment "B" and moved its adoption.

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

HOUSE AMENDMENT "B" to H. P. 219, L. D. 309, Bill, "An Act Relating to a Closed Season on Wild Hares and Rabbits in York County."

Amend said Bill, in the Title, by striking out the words "York County" and inserting in place thereof the words "Washington and York Counties"

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

Further amend said Bill by striking out all of the last paragraph and inserting in place thereof the following:

"There shall be a closed season on wild hares or rabbits from the first day of March to the 30th day of the following September, except in the Counties of Aroostook, Franklin, Hancock, Kennebec, Knox, Lincoln, Oxford, Penobscot, Piscataquis, Somerset and Waldo, and Washington where there shall be a closed season from the first day of April to the 30th day of the following September and except in the County of York where there shall be a closed season from the 20th day of March to the 30th day of the following September. There shall be a closed season on wild hares or rabbits in the County of Washington from the first day of April to the 30th day of the following September and from the first day of November to the 5th day of December of each year with dogs.'

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

'Sec. 2. P. L., 1967, c. 119, repealed; limitation. Chapter 119 of the public laws of 1967, heretofore passed by this Legislature, amending the Revised Statutes, Title 12, section 2356, is repealed and shall not be printed as part of the session laws of 1967.'

The SPEAKER: The Chair recognizes the gentleman from Bangor, Mr. Ewer.

Mr. EWER: Mr. Speaker, may I ask a question through the Chair of anyone who cares to answer as to just what the meaning of the last sentence in the underlined portion of this House Amendment "B" means? It reads: "There shall be a closed season on wild hares or rabbits in the County of Washington from the first day of April to the 30th day of the following September and from the first day of November to the 5th day of December of each year with dogs."

Now does that mean that the rabbits have to be accompanied by dogs or the hunter has to be accompanied by dogs or just what does it mean? (Laughter)

The SPEAKER: The House will be in order. The gentleman from

Bangor, Mr. Ewer, poses a question through the Chair to any person who may answer if they choose.

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

Mr. RICHARDSON: Mr. Speaker, as the world's greatest living authority on wild hares, I would like to tell the gentleman from Bangor that the purpose of this amendment is to permit hunting rabbits without dogs in Washington County during the period set out, but prohibit the hunting of rabbits with dogs during that period in order to avoid having an over zealous hunter shoot one, and I know I haven't answered your question, but I have tried.

The SPEAKER: The Chair recognizes the gentleman from Old Orchard Beach, Mr. Danton.

Mr. DANTON: Mr. Speaker and Ladies and Gentlemen of the House: I am somewhat concerned about the rabbit colony in York County. I would like to know if either the gentleman from Limerick, or the gentleman from Cumberland can answer or bring me up to date as to what the status is about hunting of rabbits and wild hare in that County, and while they are on their feet, if they decide to answer, what is the difference between a wild hare and a rabbit? (Laughter)

The SPEAKER: The gentleman from Old Orchard Beach, Mr. Danton, poses a question through the Chair to any member who may answer if they choose. The House will be in order.

The Chair recognizes the gentleman from Hodgdon, Mr. Williams.

Mr. WILLIAMS: Mr. Speaker, I am completely confused too, and what I would like to ask some member is the hunter supposed to shoot the dog or the rabbit? (Laughter)

The SPEAKER: The Chair will not pose any facetious questions to the membership.

The Chair recognizes the gentleman from Manchester, Mr. Rideout.

Mr. RIDEOUT: Mr. Speaker, it is very seldom that anyone gets

a chance to come to the aid of his fellowman, and I am going to try to perform an act of mercy for the 103rd Legislature and the wild hares of York County.

According to our esteemed Minority Leader, the gentleman from Madawaska, Mr. Levesque, it costs about \$9,000 a day to support this legislature. If so, then this bill L. D. 309 is worth about \$4,500 right now, and since I know we have another amendment to it, I also know that this bill was presented by the gentleman from Limerick, Mr. Carroll, by request, so perhaps he won't be too upset when I move that L. D. 309 and all its accompanying papers be indefinitely postponed.

The SPEAKER: The Chair would advise the gentleman that the only matter before the House now is the adoption or rejection of House Amendment "B." Is it the pleasure of the House that House Amendment "B" be adopted?

The motion prevailed.

The SPEAKER: The Chair recognizes the gentleman from Manchester, Mr. Rideout.

Mr. RIDEOUT: Mr. Speaker, I now move the bill be indefinitely postponed.

The SPEAKER: The gentleman from Manchester, Mr. Rideout, now moves that the bill be indefinitely postponed.

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

Mr. RICHARDSON: Mr. Speaker, in a somewhat more serious vein, the reason for the amendment to this bill is to provide some consistency in our law. We have already enacted a bill relating to the hunting of wild hares and rabbits, and the reason for the amendment to this bill is to make sure that there is no inconsistency with what we are doing elsewhere.

I would be the first to agree with the gentleman from Manchester that we have perhaps wasted a lot of time on this matter, but I would urge you not to take an irresponsible action just to kill this off after we put all this good

money and time and effort and your Majority Floor Leader's blood, sweat and tears in trying to put some continuity into our law relating to wild hares and rabbits. I would therefore, reluctantly, with a great fear and trepidation request a division.

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

Mr. JALBERT: Mr. Speaker, I would pose a question through the chair to the gentleman from Cumberland, Mr. Richardson. In what capacity is he speaking?

The SPEAKER: The gentleman from Lewiston, Mr. Jalbert, poses a question through the Chair to the gentleman from Cumberland, Mr. Richardson, who may answer if he chooses and the Chair recognizes that gentleman.

Mr. RICHARDSON: Mr. Speaker, I would answer not entirely facetiously, as one of the last remaining of the species of wild hares. (Laughter)

The SPEAKER: The Chair recognizes the gentleman from Old Orchard Beach, Mr. Danton.

Mr. DANTON: Mr. Speaker and Members of the House: I am gratified that I finally learned the difference between a wild hare and a rabbit. (Laughter)

The SPEAKER: Is the House ready for the question? The House will be in order. Is the House ready for the question?

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

Mr. CARROLL: Mr. Speaker, Ladies and Gentlemen of the House: I am sort of pleased that I introduced a document that created a lightheartedness and the friendship and the smiles of the people in this House, but I am quite concerned about the fact that in the burned over areas of York County we have a heavy population of rabbits, and rabbits, if we do not let the hunter shoot a few more, disease and pestilence will come in and will wipe them out down to the last rabbit. I would rather see conservation measures in this matter to lengthen our season over the next two years and then if we find the

rabbit population is being exterminated, I will only be too glad to try to correct the law.

I have a petition with about seven hundred signatures on it which I turned over to the committee and I am sorry that it has taken so long and it has cost the State so much money, but if a man in an office down on the bottom floor had kept still, we would have had the law on the books two weeks ago, but we would have had an inconsistency in the laws, and so I went along with tabling my bill holding it up here so we wouldn't have an inconsistency in the law, and now I find I am faced with the probability that my bill will be killed, and I just don't enjoy those thoughts.

The SPEAKER: Is the House ready for the question? All those in favor of indefinite postponement of Bill "An Act Relating to a Closed Season on Wild Hares and Rabbits in York County" will vote yes and those opposed will vote no, and the Chair will open the vote.

A vote of the House was taken.

15 having voted in the affirmative and 128 having voted in the negative, the motion did not prevail.

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

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

An Act to Eliminate the Straight Party Ballot in the Election Laws (S. P. 1) (L. D. 4) (In Senate, veto over-ridden)

Tabled—April 5, by Mr. Richardson of Cumberland.

Pending—Further consideration.

The SPEAKER: The Chair recognizes the gentleman from Southwest Harbor, Mr. Benson.

Mr. BENSON: Mr. Speaker and Members of the House: I have been just terribly anxious to speak on this measure, and I want to be brief, and I found an Editorial dated April 5, 1967, in the Bath-Brunswick Times Record that pretty much sets forth my sentiments in this area, and I would

like to read into the record that Editorial. It is entitled: "The Governor's Mistake."

"Governor Ken Curtis made a serious error of judgment when he vetoed the bill to end straight ticket voting in Maine. We say this not just because we favor an end to the 'big box,' but because, in our opinion, the governor used his veto rights for the wrong reasons.

The 'big box' ballot is not sacred to a majority of Democrats. Two years ago that party's platform urged an end to the straight ticket, and since then many good and loyal Democrats have sought just such action. But the 'big box' is important to Democrats from the block-vote cities like Biddeford, Waterville and Lewiston, where any Democrat will get elected if he can get his name on the ballot.

Thanks to the Republican rebound last fall, the Maine House and Senate are almost empty of Democrats from areas other than the block-vote neighborhoods. Seeing their future threatened by the end of the 'big box,' the city Democrats in Augusta applied political pressure on Ken Curtis, telling him that unless he vetoed the ballot bill, they would not support key programs like the governor's tax proposals.

The governor gave in to this pressure and we think he, his party and their mutual future has been hurt. Like all reasonable Democrats, Ken Curtis knows that over the years the straight ticket favors the Republicans. It cost Democrats the defeat of Frank Coffin, and has kept conservative GOP rural representatives in power since the state was founded.

But the governor allowed his good judgment to be swayed by the "horse trading" maneuvers of a minority power bloc who knows how to apply that power most skillfully and with no regard for good government.

The point is, the results would not have been politically threatening if the governor ignored the bloc and let the bill pass. Even if the city Democrats had then failed

to support him on his tax plan, the 103rd Legislature would have been forced to come up with another tax formula. That legislature is nearly two-thirds Republican, so any tax laws would be stamped with the GOP brand and the governor could have disavowed all responsibility for himself and his party.

Now that he has prolonged the life of the "big box," Ken Curtis has lost favor with many voters in both parties who are interested in better government; and he has gained nothing that can really help him politically. This is the mistake he made. It's one made by many politicians who respond to political pressure instead of doing what they know is best."

End of editorial; end of my sentiments. Thank you.

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

Mr. ROSS: Mr. Speaker and Members of the House:

This morning this item probably would appear to be anti-climactic after the tremendous power hearing held this week. Conversely, I believe that exactly the opposite is true. This is an excellent example of the point in question. Here we have two Bills of great importance to the State of Maine. One is sponsored by a Republican, and the other by a Democrat. The question has nothing to do with political philosophy or ideology. To decide such issues, we should have the best qualified persons possible and not just political slide-ins. There is no sense to belabor the question, since it has been debated twice at length and at this point no minds will be changed. However, I do believe that certain specific comments are warranted.

In the beginning of the Veto Message, His Excellency stated that his reasons were both practical and philosophical. Certainly I do not question the first one — the practicality. However, I can not understand vacillation on the second. I, for one, have stuck by my guns and argued in the affirmative for the past twelve years in both the House and



Senate. I maintained this course of action both when my party was in and out of power. Furthermore, two years ago this was specifically in the Democrat Platform.

Let me now refer to two specific items. One is from the Democrat Platform this year and the other from the Governor's Message on Human Resources.

From the Democrat Platform on State Government. The Maine Democrat Party has consistently and persistently advocated State Government. We provided the leadership in government reform in Maine, and we believe in responsibility and responsive ability. This is not being demonstrated today.

From the Governor's message, let's see what the conclusions say there. There are many other actions ranging from minute details to more important actions that I will initiate by applying full and imaginative exercise of administrative powers that have been delegated to the Executive Branch. This is being done today.

Let's now look at the Veto Message itself, the specific items.

The first reason he gives, the last sentence, "Independent thinking and independent voting have long been a characteristic of the Maine voter."

This is so in many areas. However, there are also many others where the straight ticket endangers the chances of an outstanding candidate and gives the opposition a blank check to install any number of inferior candidates into public office.

Reason number 2, the first two sentences: "This bill would work a particular hardship to the working man who customarily votes after returning from his job to find a long line of people before him at the polls. Increasing the time of voting will unquestionably be a deterrent that will dissuade many people from exercising their voting privilege and could be tantamount to disenfranchisement of some of our people."

Voting is one of our most treasured rights. We only have

this privilege of exercising this right every two years in a regular election. A person who is not willing to spend a little additional time certainly does not have much appreciation for our form of government. However, if there is validity in this argument, why should we not consider legislation which would give time off to vote? Bills like this have been presented in the past and have had my support. A similar method could be initiated now.

Reason 3, the first sentence: "If the party square is removed, the available evidence and experience in other states indicates that many voters would not take the trouble to vote for candidates for lesser office."

In my opinion, it is far better and more responsible voting to leave a space blank rather than vote a straight ticket and thus cast an affirmative recommendation for a person you might never choose on your own.

Reason number 4, the first sentence: In "our system of government" it "is most successful when party responsibility is clearly defined and when political parties are vigorous in their organization, personnel, and policy information."

I will agree that our whole political philosophy is based on our two party system. However, this alone should not let an unqualified person slide in on the big X. This is neither responsive nor responsible as the Democrat Platform suggests that our government should be.

Reason number 5, sentence two: "In my judgment, a vote based primarily on the political philosophy of a candidate, indicated by his party allegiance, is to be preferred to a vote based solely on personality or ethnic background or social connections."

We have approximately sixteen hundred bills before us. Many are important, but have nothing to do with political theories. I can only reiterate that it is much more important to have well qualified persons making the decision.

Now finally, the last statement, he refers to an Editorial in a

Maine newspaper which says they are not convinced that the abolishing of the square is of much import to the State of Maine. This only shows the opinion differences with separate editorial writers. The item quoted comes from the Portland Evening Express. I guess that his Excellency failed to notice the editorial in the Portland Press Herald, the same chain of newspapers, the very same day, and I would end by just quoting from the very last of that. "the reasoning of the party rebels is clear. Many could not get elected without straight-ticket voting, and naturally they are not impressed by the argument that elimination of the 'big box' would upgrade the quality of the lawmaking body. So the Governor finds himself impaled on the horns of a dilemma but in the public interest we urge him to sign the bill. The applause he will receive will more than drown out the cries of those unable to win public office on their own merits." The same newspaper chain; the same day.

When the motion is put, shall this bill become law notwithstanding the objections of the governor, I urge the House to vote yes.

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

Mr. LEVESQUE: Mr. Speaker and Ladies and Gentlemen of the House: It had not been my intention this morning to debate this measure or belabor this measure to any great extent, for I have felt that the message relayed to us by the Governor carried all the aspects that needed to be covered. However, this morning I find from the Majority Party that they are trying to offer something new to the general public of our state. I also find that in a lot of areas we find that the Republicans are trying to present a progressive image.

Now ladies and gentlemen of this House, I fail to see where you are going to provide any progressive image by trying to eliminate from the same general public the right to make a choice. That right that has presently been with them under this piece of legislation

would be denied of making an X in the big square. This I feel sincerely is one of their rights, whether you call it progressive or regressive. I certainly feel that they should retain this party square and let the public, by their vote, decide if they are going to use it or not.

Reference was made this morning to an Editorial and I think probably justly so I should read an Editorial to one that has been over the years predominantly Republican, and this would come from the Bangor Daily News of Bangor, Maine, Thursday, April 6, 1967. Title: "The Veto Should be Upheld."

"In the debate over the measure that would abolish the 'straight ticket' box at the top of Maine's election ballots, much has been said about improving the quality of voting and very little about the practical significance of such a change.

The fact is that both major parties have regional strongholds and the box helps maintain them. But where a party is weak, elimination of the box could help the party make inroads.

The box also can be helpful to a party that has an outstanding major candidate on the ballot. It makes it easier for 'coattail' candidates to get into office.

The box is a boon to the Democrats, for instance, in the Lewiston-Auburn area, but a handicap if not a curse to the Republicans. It is just the other way around in areas where Republicans enjoy a firm grip.

Understandably then, there is a conflict of interest among politicians of both parties. We guess they would like 'straight ticket' ballots in some places, but not in others.

The bill finally won approval of the Legislature this year. Yet it has been vetoed by Governor Curtis, who once favored elimination of the box. Now the question is whether the veto will be upheld.

It can be reasonably argued that politicians of both parties should favor the box. Each party presents a platform and urges the voters to vote Democratic or Republican,

as the case may be. So why not a box for voting the 'straight ticket,' which is the purpose of political principles and platforms? Cynics will reply, of course, that platforms are nothing but gimmicks which are thrust aside, at least in part, after the voting is over.

Proponents of abandoning the box say the change would help to end uninformed or 'blind' voting. We are not sure about that. Such voters might very well continue to vote blindly but for poor candidates, marking their ballots for someone whose name they may fancy. Elimination of the box would cause some people to stay away from the polls. Elderly or infirm people, though having pronounced party leanings, would not feel up to marking a ballot candidate by candidate.

We favor retention of the 'straight ticket' box. We think to remove it would weaken the fundamental two-party election system. Voters who do not want to vote a straight ticket do not have to under the present system, but for those who do the box simplifies their voting task.

Proponents of the measure easily overrode the Governor's veto in the Senate on Tuesday. The show-down is due to come in the House tomorrow, where there is strong doubt that a two-thirds vote can be rounded up to beat the veto. We hope the doubts are well-founded and that the Governor's veto stands."

So Ladies and Gentlemen of the House, I hope that when the roll call is taken this morning that the Republicans as well as the Democrats will see that we want to retain the Republicans of giving them the right to have their choice by voting no.

The SPEAKER: The Chair recognizes the gentleman from Portland, Mr. Healy.

Mr. HEALY: Mr. Speaker this could be my finest hour, or final hour. However, Mr. Speaker and Ladies and Gentlemen of the House; I sneaked in under the circle at the top of the ballot. Now this House has shown up with a considerable talent and if you re-

call, I think in some of my remarks I made in the early part of this session, I suggested that it was loaded with talent. We have theatrical talents and a great deal of oratory.

The distinguished jurist from Bangor brought us up to date on the wisdom and vision as shown by our forefathers in the construction of our Constitution. Certain members have been throwing their weight around with quotes from the classics, recalling historians and some of the New Testament. I'm going to take off with a quote from the Old Testament. "For everything there is a season and a time for every purpose under the heavens; a time to be born and a time to die. A time to be silent and a time to speak." It is my time to speak.

The gentleman from Bath, Mr. Ross, when this proposition was first debated said in the conclusion of his remarks, and I quote—I think he said the same thing today, in spots. "I maintain that straight ticket voting endangers the chances of an outstanding candidate in certain areas and gives the opposition a blank check to install any number of inferior persons in public office."

Now I'm a sensitive soul; I think I come by it naturally. I've been told that I'm inferior many times at home. There I have no defense for it, but here I have a seat in the House, a plush seat, the company is good, and I might borrow from that vast store of cogent remarks of our sophisticated legislator—I've missed a big word there, I meant to say—parliamentarian, is the word, we have two checks a week, sometimes three, and the fringe benefits are not too bad either. There's an occasional hot supper where the food is excellent and the hospitality is even better.

Now I don't think the Democratic Party has any monopoly on the boneheads, neither do I think the Republican Party has any monopoly on the eggheads.

I lived in New York City during the roaring twenties and the "boom and bust era", where the

Governor of the great State of New York, who I think was a dropout in the fourth grade, he succeeded himself three times, and he proved to be one of the finest governors the State of New York ever had.

At this point I have a confession to make. In the 102nd Legislature, I voted for the removal of the circle at the top of the ballot, saying it was expedient. The Republican Party had a candidate who appeared at the top of the ticket who was reputedly a very strong vote-getter. Now I wonder if the gentleman from Bath, Mr. Ross, instead of this being progressive legislation with him, is not a little bit expedient here. Furthermore, he suggests he has been working on this for ten years. May I ask where has the Republican Party been for a hundred years? I'll tell you where they've been—they've been gerrymandering the districts to keep all the Democrats out!

Now, I think our electorate is pretty intelligent. In the last election, in spite of the straight ballot vote, the Democrats elected a Governor and two Congressmen. And at this point I don't like to rub it in, much, but I think they're going to be around for a long long time.

There is the editorial that the gentleman from — our Minority Leader, Mr. Levesque from Millinocket — from Madawaska, suggested and there is one paragraph in here I don't think he read anyway, this very conservative Republican paper from the Bangor Daily News suggests that the veto should be upheld. And that part of it says: "We favor retention of the straight ticket box. We think to remove it would weaken the fundamental two-party elective system. Voters who do not want to vote a straight ticket, do not have to under the present system, but for those who do the box simplifies their voting tasks."

There are a great many retirees in the State of Maine, and more coming back at all times. A good many of them wind up in rest homes and hospitals and so forth,

and to have an opportunity to vote, it's a tonic to them, and they don't want to go down the line and check off every individual for fear that they might mutilate and spoil the ballot. We should retain the ballot for those fine old people who are responsible for us all.

There is also the chance of the bottleneck at the polls. When the workers come to the polls in the latter part of the day they're tired and they may find many at the polls and they get discouraged and go home. They are also concerned about mutilating their ballot.

Then too we should have consideration for the workers. They stand there or sit there for twelve hours of the day, come evening, they feel that they've got to count every item on that ballot and remain there all night. We've had experiences in Portland where they get discouraged and go home, and I can't blame them. They get twelve dollars a day for their chore.

Now Ladies and Gentlemen, the Governor has been right before, and I am sure he is right this time—so says the Bangor Daily News, a fine Republican paper. I hope that we sustain the Governor's very fine veto message. Thank you.

The SPEAKER: The Chair recognizes the gentleman from Sanford, Mr. Nadeau.

Mr. NADEAU: Mr. Speaker and Members of the House: I arise because I feel I've been slighted by Mr. Benson that he didn't include Sanford in his remarks. Sanford is part of York County and part of this fine State.

The big box is important, not only to us, because the big box is also on the Republican ticket. The people of Maine showed good judgment by crossing over in the last election so I won't belabor this. So if he vetoes a bill, let's support him again.

I only speak to urge you not to deny the few remaining rights that we have. Do you legislators wish to deny the rights of the people who elected you? As we get older why not admit that I'm not the man or woman I used to be? We no longer have time, we

no longer care to take time—we don't do many things we used to do. Some of us used to go dancing; when you get older, you don't care to do that. You've abandoned many things. I say let's not abandon one thing—and that is the rights of certain people. So if I, we or they, wish to cross only the big box, who are we to deny this only free remaining privilege? I urge you to sustain, and to vote no.

The SPEAKER: The Chair recognizes the gentleman from Cape Elizabeth, Mr. Hewes.

Mr. HEWES: Mr. Speaker and Members of the House: I recognize that the hour is late, but you will recall that on the last Governor's veto message I voted to sustain the veto message. I gave his veto message great study at that time, and I think it was that particular message that swayed me to vote as I did.

I have studied this veto message which was referred to so ably by the gentleman from Bath, Mr. Ross, and it seems to me that he started in one direction and he wound up in another. I think perhaps he changed his mind in the course of the veto message—and one and one he thought made three. His arguments seemed to be hollow, empty and illogical.

I call to your attention the first reason as stated by the gentleman from Bath, Mr. Ross. Independent thinking and independent voting have long been a characteristic of the Maine voter—he, the Governor by his veto message, would hinder the independent voting in vetoing this message.

His second reason: If the party square is removed, many voters would not take the trouble to vote for candidates of lesser offices. This is in line with the gentleman from Sanford, Mr. Nadeau's comments, that some of the people won't take the time to study the issues and look for the voters, and should their vote be credited towards someone of whom they don't know, about whom they don't know? It is my contention they should not.

His third reason is that deleting the party square tends to make

elections become popularity contests in which the issues are submerged. I ask you—shouldn't the most popular, the most able, the most talented person be elected? It seems to me that reading the Governor's veto message he says "no." And, his fourth and fifth reasons are about as inconsistent as the first three reasons that I read to you. It would seem to me that reading his veto message all he wants is three boxes at the head of the ticket—Republican, Democrat and Other, and he would have us vote that way.

Since the Governor will not go along with this progressive legislation, I appeal to you as fellow-legislators, as statesmen, to try to enact a law that will have lasting effect. Whether it helps one party or the other right now, on the long-range, I think you will all agree if you stop and analyze it, it is good law to have each individual person voted for be thought about before a vote is placed there. In disagreement with one of the other speakers, I believe that the Republican Party which by statistics is the Majority Party in the State right now, will continue to be the Republican Party, not only in view of this legislation, but in view of the fact that the young folks are getting fed up with the passing of the buck, passing of the financial buck in proposals of the Governor, and I believe that the Republican Party will continue to be the Majority Party during my lifetime here in Maine; but despite that, I am in favor of removing the big box at the top of the ballot and I hope that you will not sustain the Governor's veto.

The SPEAKER: The Chair recognizes the gentleman from Portland, Mr. Brennan.

Mr. BRENNAN: Mr. Speaker and Ladies and Gentlemen of the House:

I am aware of the fact that whatever is said in this House today is unlikely to change a single vote. However, I feel that the people of the State of Maine are entitled to an explanation of why the Governor's Veto should be sustained. I would first call your attention to the very cogent

reasons contained in the Veto Message itself. Also, I submit that under the existing law no one is compelled to vote a straight ticket; however, this privilege is available if the voter so desires.

Furthermore, there has been no indication that additional facilities would be provided, which in my judgment would be needed if there is going to be ample time for all who desire to vote.

I believe that Governor Curtis alluded to this problem in his Veto Message when he said and I quote "this Bill would work a particular hardship to the working man who customarily votes after returning from his job—to find a long line of people at the polls. Increasing the time of voting will unquestionably be a deterrent that will dissuade many people from exercising their voting privilege—and could be tantamount to disenfranchisement of some of our people."

I believe that this statement in itself is a valid practical reason for vetoing this bill. Let us not put the proverbial cart before the horse. Let us assure ourselves that adequate voting facilities are available before we pass a law that will certainly require more facilities.

Lastly, to my knowledge, there have been no arguments advanced nor concrete examples cited by the proponents of abolition of the straight ticket to substantiate the conclusions they have drawn—that is, if this bill becomes law the State of Maine will be graced with elected officials of a higher caliber than presently are seated in the Hall of this House. I agree with the learned government authority whose name presently escapes me, who said "Unless a necessity for a change in the law can be shown, it is necessary that the law not be changed."

Applying this premise, I contend a necessity for a change in the law has not been shown. Therefore, the law should not be changed. The proponents have not proven their case. I urge you to vote "no".

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

Mr. JALBERT: Mr. Speaker, I would ask a parliamentary question through the Chair—to the Chair.

The SPEAKER: The gentleman may pose his question.

Mr. JALBERT: And I know that the Speaker understands my reasoning for it. When the vote is taken, is the vote necessary two-thirds of those present or two-thirds of those elected?

The SPEAKER: Two-thirds of the members present and voting.

The Chair recognizes the gentleman from Waterville, Mr. Carey.

Mr. CAREY: Mr. Speaker, no one in either House has brought up the one big factor which should concern all of us regardless of party, and that's the spoiled ballot, and the gentleman from Bangor, Mr. Soulas on the 21st of March did say, and I quote: "On February 1, 1967 the Justices of the State of Maine on the Constitution on a recount of ballots between Laberge and Snowe, there were seven ballots in dispute, and the only ballot of the seven that was accepted was the straight ballot." The other ballots were splits. It's not hard to understand that the fewer marks on the ballot, the more chance there is to have it correct.

There are people today with failing eyesight, shaking hands because of age or affliction that truly have a problem properly marking their ballot in the big square. Are we to dictate to these people that now they must have to make their mark in a square one-sixteenth the size of the original? I know personally of one man who votes with a ballot under a magnifying glass. This man cherishes the right to vote, and I ask that you don't discourage him from voting.

In the City of Waterville we have seven wards and we are using voting machines. Each ward has three voting machines and we have fifteen hundred voters per ward, and at the last state election, my ward was voting

people one hour after the polls closed, and three other wards in the city voted almost as long. Now this should be an indication that people are splitting their ballot, that they are intelligent enough to look the ballot over.

I brought the City of Waterville out for another reason. Should the big square be removed, I can see a rather large expenditure by the city for more voting machines, and possibly some rather interesting and maybe costly work in the revamping of the machines that we have presently. I hate to think of what this might mean to larger cities. This could very well be the first move in removing party labels from the ballot as a whole, a move which has proven to be a failure in keeping voter interest in Portland and Augusta and other cities. Portland voted 5,000 out of 27,000 in their last municipal election. Augusta voted 2,800 out of 10,000. I know we don't want this voter apathy, but moves like the one before us will surely send us straight down this road.

I ask that you consider the amount of recounts that we will generate by over-riding the veto. I ask that you consider the amount of spoiled ballots should this measure receive passage, and I ask that you consider counting procedure and the time involved in compiling the returns as well as counter error being tremendously increased. There is no doubt that needless pressures will be placed on the counters. These people are now working for a very small sum. Are we to make their job so difficult that they will no longer want to do this work?

As you may be aware, earlier in the session I spoke out in opposition to a stand taken by my party's leaders. I don't doubt that I'll do it again if I feel that I have to, but now this seems to have resulted in a party label, it affects all the voters of Maine, and I say that to remove the big square is a mistake. There is a lack of intelligence at the primary level when the candidates are selected if one party or the other allows incapable people to reach the stage of being on

the ballot for the general election. Why punish the general election voter for the mistakes that are made at the primary level?

Again I ask that you remember the words of the gentleman from Bangor, of the seven ballots under question, only the straight ballot was properly cast. I thank you.

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

Mr. D'ALFONSO: Mr. Speaker and Members of the House: I am perhaps one of the last people to want to cut off debate, but I think of all the debate, we are not going to change one single vote, and out of deference to all of those who did not want to belabor this point and because, and I say this seriously, I am beginning to suffer from forensic indigestion, I now move the previous question.

The SPEAKER: For the Chair to entertain the motion for the previous question it must have the consent of one-third of the members present. All those in favor of the Chair entertaining the motion for the previous question will vote in the affirmative and those opposed in the negative, and the Chair will open the vote.

A vote of the House was taken.

103 voted in the affirmative and 38 voted in the negative.

The SPEAKER: Obviously, more than one third having voted, the motion for the previous question is entertained. The question now before the House is, shall the main question be put now? This question is debatable for no more than five minutes by any one member. As many as are in favor of the main question being put now will say aye; those opposed, no.

A viva voce vote being taken, the main question was ordered.

The SPEAKER: The main question is, shall this bill An Act to Eliminate the Straight Party Ballot in the Election Laws, Senate Paper 1, L. D. 4, become law notwithstanding the objections of the Governor, and pursuant to the provisions of Article 4 of Section 2 of the Constitution, the Chair will order the yeas and nays. All those in favor of this bill becoming law notwithstanding the objections of the Governor will vote

yes; those opposed, will vote no. The Chair opens the vote.

### ROLL CALL

YEA — Allen, Baker, E. B.; Baker, R. E.; Benson, Berman, Birt, Bragdon, Brown, Bunker, Clark, Cookson, Cornell, Crockett, Crosby, Cushing, Darey, Dennett, Dickinson, Drummond, Dunn, Durgin, Edwards, Evans, Ewer, Farrington, Foster, Fuller, Gill, 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, Miliano, Mosher, Noyes, 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, P. J.; Snowe, P.; Soulas, Susi, Thompson, Townsend, Trask, Waltz, Watts, White, Wight, Williams, Wood.

NAY — Bedard, Belanger, Bellevau, Bernard, Binnette, Boudreau, Bourgoin, Bradstreet, Brennan, Buck, Burnham, Carey, Carrier, Carroll, Carswell, Champagne, Conley, Cote, Cottrell, Couture, Crommett, Curran, D'Alfonso, Danton, Dudley, Eustis, Fecteau, Fortier, Fraser, Gaudreau, Gauthier, Giroux, Harnois, Harvey, Healy, Hennessey, Hunter, Jalbert, Jameson, Keyte, Kilroy, Label, Levesque, Lowery, Martin, Meisner, Minkowsky, Nadeau, J. F. R.; Nadeau, N. L.; Rocheleau, Scribner, Starbird, Sullivan, Tanguay, Truman, Wheeler.

ABSENT — Drigotas, Payson, Roy.

Yes, 90; No, 56; Absent, 3.

The SPEAKER: Ninety having voted in the affirmative, fifty-six having voted in the negative, and 90 not being two-thirds, the veto is sustained.

Thereupon, the matter was ordered placed on file.

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

Bill "An Act relating to Reregistration of Motor Vehicles of Maine Residents Purchased in Foreign Countries or Out of State (H. P. 818) (L. D. 1194) (Committee Amendment "A" (H-131))

Tabled—April 5, by Mr. Dunn of Denmark.

Pending—Passage to be engrossed.

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

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

An Act Prohibiting the Use of Dogs for the Hunting of Wild Animals in Lincoln County (S. P. 189) (L. D. 424) (Engrossed in both branches.)

Tabled—April 5, by Mr. Cookson of Glenburn.

Pending—Motion of Mr. Lewis of Bristol to indefinitely postpone.

The SPEAKER: Is it the pleasure of the House that this bill be indefinitely postponed?

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

Mr. COOKSON: Mr. Speaker and Ladies and Gentlemen of the House: This bill had a very good hearing in the Committee on Inland Fisheries and Game. There were a lot of people there who were very concerned with the fact that there are some hunters who are using dogs specifically for the hunting of deer and are getting away with it, and they wanted a statewide law passed to prevent it.

However, we felt that there was a bill for this county only and we felt that this would be a good trial, and so we passed it out as ought to pass, and I wish that it would receive passage.

The SPEAKER: The Chair recognizes the gentleman from Waldoboro, Mr. Waltz.

Mr. WALTZ: Mr. Speaker and Ladies and Gentlemen of the House: I wish to support, as a member of the Lincoln County Delegation, the motion of my good friend from Bristol, Mr. Lewis, with respect to indefinitely postponing. For some reason or other, the answer to which I do not know,



apparently many of the people in Lincoln County who are interested in hunting, neglected or failed to appear at the committee hearing. Since that time I have had several letters and three or four telephone calls from residents of Lincoln County protesting against this bill. I am not interested in searching through the woods for rabbits and wild hares myself, but I just pass this information on to you, the members of this House, with respect to the sentiment in my county. I hope that this bill will be postponed.

The SPEAKER: The Chair recognizes the gentleman from Fort Kent, Mr. Bourgoïn.

Mr. BOURGOÏN: Mr. Speaker, I attended the meeting of the Inland Fish and Game on this bill, and they have quite a problem in Lincoln County of hunters coming from outside of the state and outside of Lincoln County and driving deer with people and with dogs, and it has been traditional for quite a few years, and there was quite a delegation, proponents for this bill, to give it a trial for two years. Maybe the bill should have been amended that way or should be repealed at the end of two years. I very much support the bill for those people who have a bad problem of driving deer.

Mr. Birt of East Millinocket requested a vote.

The SPEAKER: A vote has been requested. The Chair recognizes the gentleman from Bristol, Mr. Lewis.

Mr. LEWIS: Mr. Speaker, Ladies and Gentlemen of the House: When this bill was tabled last week by the gentleman from Glenburn, Mr. Cookson, I anticipated

that possibly an amendment would be attached to this bill. Since there was no amendment forthcoming, I move now for indefinite postponement.

The SPEAKER: Is the House ready for the question? The question before the House is the motion of the gentleman from Bristol, Mr. Lewis, that "An Act Prohibiting the Use of Dogs for the Hunting of Wild Animals in Lincoln County," S. P. 139, L. D. 424 be indefinitely postponed. All those in favor of indefinite postponement will vote yes; those opposed will vote no, and the Chair will open the vote.

A vote of the House was taken. 48 having voted in the affirmative and 53 having voted in the negative, the motion did not prevail.

Thereupon, the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

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

Bill "An Act Providing for a Recess Committee to Study the Feasibility for a Severance Tax on Timber Products" (H. P. 921) (L. D. 1330)

Tabled—April 6, by Mr. Hanson of Gardiner.

Pending—Adoption of House Amendment "A". (H-151)

On motion of Mr. Richardson of Cumberland, retabled pending adoption of House Amendment "A" and specially assigned for Wednesday, April 12.

On motion of Mr. Richardson of Cumberland,

Adjourned until Tuesday, April 11, at ten o'clock in the morning.