

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

LEGISLATIVE RECORD

OF THE

*One Hundred and Third  
Legislature*

OF THE

STATE OF MAINE

1967

KENNEBEC JOURNAL  
AUGUSTA, MAINE

**HOUSE**

Wednesday, April 12, 1967

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

Prayer by the Rev. Mr. Thomas Caton of Lincoln.

The journal of yesterday was read and approved.

**Papers from the Senate  
Reports of Committees  
Ought Not to Pass**

Report of the Committee on Legal Affairs reporting "Ought not to pass" on Bill "An Act relating to Nonprofit Blood Donor Service Corporations" (S. P. 180) (L. D. 370)

Report of same Committee reporting same on Bill "An Act to Incorporate the Blood Donors Donorcall Service" (S. P. 233) (L. D. 558)

Report of same Committee reporting same on Bill "An Act to Restrict the Use of L. P. Gas Containers" (S. P. 270) (L. D. 651)

Report of same Committee reporting same on Bill "An Act relating to Septic Tank and Cesspool Cleaners" (S. P. 364) (L. D. 960)

Came from the Senate read and accepted.

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

**Ought to Pass in New Draft  
Tabled and Assigned**

Report of the Committee on Highways on Bill "An Act to Revise Utility Location Permits in Public Highways" (S. P. 535) (L. D. 1397) reporting same in a new draft (S. P. 594) (L. D. 1572) under same title and that it "Ought to pass"

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

In the House, the Report was read.

(On motion of Mr. Robertson of Brewer, tabled pending acceptance of Report and specially assigned for Wednesday, April 19.)

**Non-Concurrent Matter**

Bill "An Act relating to Limited-user Highways" (S. P. 340) (L. D.

873) which was passed to be engrossed as amended by Committee Amendment "A" and House Amendment "A" in non-concurrence in the House on April 5.

Came from the Senate with Committee Amendment "A" indefinitely postponed in non-concurrence and the Bill passed to be engrossed as amended by House Amendment "A" in non-concurrence.

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

(Later Reconsidered and Tabled)

**Messages and Documents**

The following Communications:

**STATE OF MAINE**

**Office of the Secretary of State**

April 12, 1967

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

In compliance with the Constitution and Laws of the State of Maine, I have the honor to herewith report the return of votes cast for Representative to the One Hundred and Third Legislature in the Town of Brunswick at a Special Election held April 10, 1967, according to a review of the returns made by the Governor and Council, to fill the vacancy caused by the death of Maxwell D. Sawyer of Brunswick, as follows:

Robert S. Stuart of Brunswick received 702 votes.

Mary E. Sawyer of Brunswick received 800 votes.

(Signed)

JOSEPH T. EDGAR  
Secretary of State

**STATE OF MAINE**

**Office of the Secretary of State**

April 12, 1967

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

In compliance with the Constitution and Laws of the State of Maine, I hereby certify that a Special Election was held in the Town of Brunswick on April 10, 1967 for the purpose of electing a Representative to the One Hundred

and Third Legislature to fill the vacancy caused by the death of Maxwell D. Sawyer of Brunswick; that at said election MARY E. SAWYER of Brunswick, having received a plurality of all votes cast in said election, as contained in a report submitted to the Governor and Council under date of April 12, 1967, appears to have been elected a Representative to the One Hundred and Third Legislature.

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

(Seal)

(Signed)

JOSEPH T. EDGAR  
Secretary of State

In the House, the Communications were read and ordered placed on file.

The SPEAKER: The Chair at this time understands that the Representative-elect, Mary E. Sawyer, is in the Hall of the House. Will the gentleman from Brunswick, Representative Lowery, please escort the lady to the Governor's office for the purpose of taking and subscribing to her oath of office.

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

RESOLVED, that Mary E. Sawyer of Brunswick is hereby declared duly elected Representative to the 103rd Legislature.

The Resolution was adopted.

#### Petitions, Bills and Resolves Requiring Reference

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

#### State Government

Bill "An Act relating to the Payment of the Salaries of Cer-

tain Members of the Legislature" (H. P. 1108) (Presented by Mr. Richardson of Cumberland)  
(Ordered Printed)  
Sent up for concurrence.

#### Orders

Mrs. Giroux of Waterville presented the following Order and moved its passage:

ORDERED, that congratulations be extended to S. Glenn Starbird, Jr., Representative from Kingman Township, on his 38th birthday, by his colleagues in the House, with the wish that he have a very happy day and many more in the years to come, and be it further

ORDERED, that the Clerk of the House be directed to send an attested copy of this order to Mr. Starbird.

The Order received passage.  
(Applause)

On motion of Mr. Bragdon of Perham, the House voted to reconsider its action of earlier in the day whereby it receded and concurred with the Senate on Non-Concurrent Matter item 6, Bill "An Act relating to Limited-user Highways," Senate Paper 340, L. D. 873.

On further motion of the same gentleman, tabled pending the motion to recede and concur and specially assigned for Thursday, April 13.

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

Mr. CROMMETT: Mr. Speaker, I would inquire of the Chair if L. D. 1388, House Paper 1062, Bill "An Act relating to Parking Facilities for Handicapped Persons" is in possession of the House.

The SPEAKER: The answer is in the affirmative.

Thereupon, on motion of the same gentleman, the House voted to suspend the rules and to reconsider its action of March 31 whereby this bill was passed to be enacted.

On further motion of the same gentleman, the House voted to suspend the rules and to reconsider its action of March 16 whereby

this bill was passed to be engrossed.

Mr. Crommett then offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to H. P. 1062, L. D. 1388, Bill "An Act Relating to Parking Facilities for Handicapped Persons."

Amend said Bill in that part designated "**\$252**" by inserting after the first underlined sentence (same in L. D. 1388) the following underlined sentence: **Such tag or placard shall be so affixed that the information thereon shall be clearly legible from outside the motor vehicle.**

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

#### House Reports of Committees Leave to Withdraw

Mrs. Cornell from the Committee on State Government on Resolve Utilizing Funds from Prison Industries Accounts for Certain Projects at the Maine State Prison (H. P. 863) (L. D. 1276) reported Leave to Withdraw.

Report was read and accepted and sent up for concurrence.

#### Ought Not to Pass

Mr. Dennett from the Committee on State Government reported "Ought not to pass" on Bill "An Act Permitting Employment of State Prison and Reformatory Inmates on County and Municipal Public Works Projects" (H. P. 858) (L. D. 1271)

Report was read and accepted and sent up for concurrence.

#### Ought to Pass Printed Bill

Mr. Philbrook from the Committee on State Government reported "Ought to pass" on Resolve Authorizing Conveyance of State Land and Easement to the City of Portland for the Portland Municipal Airport (H. P. 919) (L. D. 1328)

Report was read and accepted, the Resolve read once and tomorrow assigned.

#### Ought to Pass with Committee Amendment

Mr. Birt from the Committee on Appropriations and Financial Affairs on Bill "An Act Authorizing the Commissioner of Health and Welfare to Accept Federal Funds and Commodities" (H. P. 890) (L. D. 1304) 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. 890, L. D. 1304, Bill, "An Act Authorizing the Commissioner of Health and Welfare to Accept Federal Funds and Commodities."

Amend said Bill by inserting after the underlined word "**commissioner**" in the 4th line (same in L. D. 1304) the underlined punctuation and words, **with the consent and approval of the Governor and Council,**

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

Mr. Dunn from the Committee on Appropriations and Financial Affairs on Resolve Providing for Purchase of Fifty Copies of History of Bridgton, Bicentennial Edition (H. P. 704) (L. D. 999) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Resolve read once.

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

COMMITTEE AMENDMENT "A" to H. P. 704, L. D. 999, Resolve, Providing for Purchase of Fifty Copies of History of Bridgton, Bicentennial Edition.

Amend said Resolve in the Title by striking out the word "Fifty" and inserting in place thereof the words "One Hundred"

Further amend said Resolve by striking out in the 2nd line (3rd line in L. D. 999) the figure "\$500" and inserting in place thereof the

figure '\$1,000'; and by striking out in the 3rd line (3rd line in L. D. 999) the figure "50" and inserting in place thereof the figure '100'

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

Mr. Humphrey from the Committee on Appropriations and Financial Affairs on Bill "An Act relating to Payment of Funeral Expenses of Recipients of Aid to the Aged, Blind or Disabled" (H. P. 461) (L. D. 674) 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. 461, L. D. 674, Bill, "An Act Relating to Payment of Funeral Expenses of Recipients of Aid to the Aged, Blind or Disabled."

Amend said Bill in the 6th line (5th line in L. D. 674) by striking out the underlined figure "\$225" and inserting in place thereof the underlined figure '\$200'

Further amend said Bill in section 2 by striking out in the 3rd line (2nd line in L. D. 674) the figure "\$40,000" and inserting in place thereof the figure '\$20,000'; and by striking out in the 4th line (3rd line in L. D. 674) the figure "\$40,000" and inserting in place thereof the figure '\$26,667'; and by striking out all of the line before the Statement of Facts and inserting in place thereof the following:

'All Other                   \$20,000   \$26,667'

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

#### Passed to Be Engrossed

Bill "An Act to Amend the Charter of the Union Mutual Life Insurance Company" (S. P. 393) (L. D. 1026)

Bill "An Act relating to Driving Motor Vehicles so as not to Startle Animals Being Ridden or Driven Upon or Near a Public Way" (S. P. 593) (L. D. 1566)

Were reported by the Committee on Bills in the Third Reading, read

the third time, passed to be engrossed and sent to the Senate.

#### Third Reader Tabled and Assigned

Bill "An Act relating to Education of Members of Lewiston Police Department" (H. P. 207) (L. D. 298)

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

(On motion of Mr. Gaudreau of Lewiston, tabled pending passage to be engrossed and specially assigned for Wednesday, April 19.)

Bill "An Act Amending the Charter of the City of Augusta" (H. P. 323) (L. D. 457)

Bill "An Act relating to Keeping Dogs Within an Enclosure Under Kennel Licenses" (H. P. 610) (L. D. 853)

Bill "An Act relating to Compensation for Appointive Members of the Various Boards and Commissions in City of Lewiston" (H. P. 799) (L. D. 1177)

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

#### Third Reader Tabled and Assigned

Bill "An Act relating to Unity Institute" (H. P. 934) (L. D. 1350)

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

Mr. Bourgoin of Fort Kent offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to H. P. 934, L. D. 1350, Bill, "An Act Relating to Unity Institute."

Amend said Bill in the Title by striking out the period at the end and inserting in place thereof the following: 'and John F. Kennedy Institute.'

Further amend said Bill by inserting at the beginning of the first line (Same in L. D. 1350) the underlined abbreviation and figure 'Sec. 1.'

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

**Sec. 2. John F. Kennedy Institute designated John F. Kennedy College.** Notwithstanding the Revised Statutes, Title 20, section 2203, John F. Kennedy Institute in Fort Kent shall henceforth be designated John F. Kennedy College and shall be eligible for state and federal surplus property. It shall be eligible for aid under any Maine Higher Education Loan Authority Act, notwithstanding any provision to the contrary in said Act.

(On motion of Mr. Shute of Farmington, tabled pending adoption of House Amendment "A" and specially assigned for Friday, April 14.)

Bill "An Act relating to War Orphans" (H. P. 1107) (L. D. 1574)

Resolve to Provide Funds for the Purchase of Copies of the Maine Reports (S. P. 330) (L. D. 864)

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

#### Amended Bills

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

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

Bill "An Act Clarifying the Law Relating to Serving Liquor to Minors in the Home" (H. P. 527) (L. D. 758)

Bill "An Act relating to Disability Compensation for Members of Maine State Guard" (H. P. 567) (L. D. 799)

Resolve Authorizing Seaward Construction Company, Inc. to Bring Civil Action Against the State of Maine (H. P. 513) (L. D. 726)

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

Bill "An Act to Create the Orrington Water District" (H. P. 913) (L. D. 1336)

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" as amended by House Amendment "B" thereto and sent to the Senate.

#### Passed to Be Enacted Emergency Measure

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 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. 125 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 Appropriating Funds for Administration of Bureau of Public Administration at University of Maine (H. P. 459) (L. D. 672)

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. 110 voted in favor of same and 9 against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

#### Constitutional Amendment Tabled and Assigned

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)

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

(On motion of Mr. Carroll of Limerick, tabled pending final passage and specially assigned for Tuesday, April 18.)

### Enactors Tabled and Assigned

An Act Creating the Maine Higher Education Loan Authority Act (S. P. 59) (L. D. 72)

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

(On motion of Mrs. Hanson of Lebanon, tabled pending passage to be enacted and specially assigned for Tuesday, April 18.)

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

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

(On motion of Mrs. Wheeler of Portland, tabled pending passage to be enacted and specially assigned for Tuesday, April 18.)

### Passed to Be Enacted

An Act relating to Definition of Wilderness Area under State Park and Recreation Laws (S. P. 453) (L. D. 1132)

An Act Providing for Group Life Insurance for Justices of the Supreme Judicial and Superior Courts and Judges of the District Court (S. P. 557) (L. D. 1430)

An Act relating to Board of Trustees of Searsport Water District (H. P. 805) (L. D. 1181)

An Act Authorizing Long Term Semi-permanent Registration Plates for Certain Semitrailers (H. P. 1099) (L. D. 1565)

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

Mr. Truman of Biddeford was granted unanimous consent to address the House.

Mr. TRUMAN: Mr. Speaker and Members of the House: In behalf of the Board of Trustees of the Maine Maritime Academy and its Superintendent, Admiral Rodgers, we extend an invitation to all Members of the 103rd Legislature and their wives to cruise aboard the

Training Ship, State of Maine, from Portland to Castine on Thursday, 29 June 1967, and I repeat that date, 29 June 1967.

The ship will be in Montreal at Expo 67 and the Maine World Trade Council will be aboard promoting Maine Products. On return from Montreal, it will stop at Portland for two days where it will again feature this fine show, June 27 until June 29, when it will return to Castine.

This announcement will be followed up by a formal invitation next month.

The Superintendent and Trustees of the Academy hope that you will plan to be with us for this occasion as we have been assured by the Publisher of the Farmers Almanac that June 29 will be fair and pleasant for a coastal cruise.

For those members who have never made this cruise, you may drive your automobile down to Portland where the ship will be, and there we will have a responsible midshipman drive it to Castine where you may pick it up at the end of your cruise.

We hope that all the members will be able to attend and we think you'll find it a very enjoyable day. Thank you.

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

Bill "An Act relating to Trespass on Unimproved Land Devoted to Preservation of Wildlife" (S. P. 177) (L. D. 367)

(In Senate, passed to be engrossed as amended by Committee Amendment "A") (S.-48)

Tabled — April 5, by Mr. Hennessey of West Bath.

Pending — Passage to be engrossed.

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

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

Bill "An Act to Create Uniform Fishing Relations on all Boundary Waters between State of Maine



and Province of New Brunswick (H. P. 358) (L. D. 505)

Tabled—April 5, by Mr. Jalbert of Lewiston.

Pending—Motion of Mr. Dickinson of Mars Hill to reconsider indefinite postponement of Bill.

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

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

For many years we have had uniform fishing regulations on the boundary waters which exist between the State of Maine and the State of New Hampshire. This is for the mutual benefit of fishermen from both Maine and New Hampshire who may be fishing in such waters.

Last fall, after many attempts had been made, a meeting was held in Machias attended by the members of the New Brunswick Department of Lands and Mines and members of the Maine Department of Inland Fisheries and Game to try to establish on boundary waters existing between the Province of New Brunswick and the State of Maine, uniform regulations which would be of mutual benefit to fishermen from both the State of Maine and the Province of New Brunswick who would be fishing in these international boundary waters.

As a result of this meeting, a proposal has been presented to Parliament in Ottawa to create such regulations as were agreed upon which would affect these waters as far as the Province of New Brunswick is concerned. Before you this morning is a similar proposal to create similar regulations for the State of Maine on these boundary waters. It is evident, after reviewing the minutes of the meeting which was held in Machias and scanning the fishing regulations of the State of Maine and the Province of New Brunswick, that New Brunswick has conceded a great deal more in establishing these regulations than has the State of Maine. For instance, New Brunswick presently has a 20

fish limit on brook trout, 5 fish limit on togue and a 10 fish limit on landlocked salmon, which makes it possible for anyone to actually have in the aggregate 35 game fish taken from these waters. Whereas in the State of Maine at the present time, the aggregate limit of all species is 12 fish.

As you will note in the proposed legislation, the Canadians are willing to go along with a bag limit of 15 fish instead of their present 35 fish limit and Maine would increase its bag limit from 12 to 15. Presently in Maine we have 5 different seasons governing fishing on these waters, New Brunswick has 2, Maine has 4 different size limits, New Brunswick has 3, Maine has one bag limit, New Brunswick has 3, Maine has 1 possession limit, New Brunswick has 3.

In this proposed legislation instead of numerous and varied seasons, there would be but one, this from April 15 to September 30. Instead of several size limits they would become uniform. Instead of several bag limits, there would be one.

I hope we reconsider our action whereby this bill was indefinitely postponed, and I request a vote be taken.

The SPEAKER: The Chair recognizes the gentleman from Mars Hill, Mr. Dickinson.

Mr. DICKINSON: Mr. Speaker and Members of the House: I doubt that this proposal was predicated on certain commitments from New Brunswick, and I would pose a question through the Chair to anyone in a position to answer it; has New Brunswick actually made a commitment in this instance?

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

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

Mr. GAUDREAU: Mr. Speaker, the only information I have is that this has been presented to Parliament, but I don't think any action has been taken as yet.

The SPEAKER: The Chair recognizes the gentleman from Mars Hill, Mr. Dickinson.

Mr. DICKINSON: Mr. Speaker and Members of the House: It is my understanding that no commitment has been made, and I would suggest that any action which we take be predicated on action there. I for one wouldn't want to go ahead and make these promises in the form of a blank check.

I hope that my action in suggesting indefinite postponement when this subject was last before us will not be construed as lack of confidence in the committee action any more than action yesterday on Unity College. I know that a committee's action must be based on the presentation made to the committee and departments are past masters at presentations. Sometimes I wonder whether the departments or Legislature is making the laws.

I know it's human nature for the accused to take the position "I can do no wrong," and blame the other guy, and I have heard it suggested that action to Canadian wardens were responsible for the conference which took place in this instance.

In any event, a conference in an atmosphere—a shot-gun atmosphere—seemingly places one in a position where he might be expected to give more than he gets, and I'm not too sure that we can rule out that possibility in this instance. Therefore, I would suggest that our action be delayed until we know what New Brunswick is going to do in this instance and I see of no other way to do it than to indefinitely postpone. Thank you.

The SPEAKER: The pending question is the motion to reconsider indefinite postponement of Bill "An Act to Create Uniform Fishing Relations on all Boundary Waters between State of Maine and Province of New Brunswick, House Paper 358, L. D. 505.

The Chair recognizes the gentleman from Lubec, Mr. Pike.

Mr. PIKE: Mr. Speaker and Members of the House: In reference to the bills being in the Canadian Parliament and the New Brunswick Legislature, I think we have to recognize that this is a government measure and under the parliamentary system the measure passes or the government falls. In my own view there is no question that the bill introduced by the government will pass, and I don't believe we need to take the precaution of waiting until they do their stuff. I hope the motion to indefinitely postpone does not prevail. If this bill is passed it will remove considerable embarrassment from both sides and make fishing on the East Grand and the other boundary lakes a more pleasant and comfortable task.

The SPEAKER: The Chair recognizes the gentleman from Hodgton, Mr. Williams.

Mr. WILLIAMS: Mr. Speaker and Members of the House: Most of these lakes, East Grand, is in the territory that I represent. Well, as far as I can find out this bill is an attempt to referee a war between a couple of game wardens. The fact of it was, they were too efficient. At one time we heard a lot about this trouble, but it seemed at one time to be as great an international incident as the famous "Aroostook War." However, both sides have got their wardens under control and the fighting has subsided. This has more or less settled itself. I always thought it was a good policy to let sleeping dogs lie. I'd like to go along with my colleague from Mars Hill, Mr. Dickinson, for indefinite postponement.

Mr. Dickinson of Mars Hill was granted permission to speak a third time.

Mr. DICKINSON: Mr. Speaker and Members of the House: I would inquire if there are any mechanics whereby we could postpone our action here until we have some definite commitment from New Brunswick? I want to keep the matter open in this instance, and certainly we have demonstrated the desire to live with our neighbors and witness a "hands across the border" atmosphere

that prevailed down to East Grand before we disrupted relations.

I am at a loss to know just how we can pigeonhole this thing pending receipt of more information; I would not be adverse to reconsideration, but I would certainly like to see this tabled so that we may obtain a little more information on it. Thank you.

Thereupon, on motion of Mr. Jalbert of Lewiston, tabled pending the motion to reconsider and specially assigned for Tuesday, April 18.

The SPEAKER: The Chair will interrupt the proceedings for a moment for a pressing matter, and the Chair recognizes the gentleman from Brunswick, Mr. Lowery.

Whereupon Mr. Lowery reported he had performed the duty with which he was charged, and that Representative Mary A. Sawyer had taken and subscribed the oaths necessary to qualify her to enter upon her official duties.

The SPEAKER: The Chair is delighted this morning to assign seat number 62 to Representative Sawyer of Brunswick, and also assign the gentlewoman to the Joint Standing Committee on Public Utilities.

Will the gentleman from Brunswick, Mr. Lowery, seat Mrs. Sawyer in seat number 62.

Thereupon the Honorable Mrs. Mary A. Sawyer was escorted to seat number 62 on the Floor of the House by the gentleman from Brunswick, Mr. Lowery, amid prolonged applause, the Members rising.

The SPEAKER: I am sure the ovation this morning is a testimony of the high regard this House holds for Representative Sawyer, and we welcome her to our midst.

The Chair is pleased to acknowledge that Mrs. Nadine Allen of San Mateo, California, daughter of Representative Sawyer, is present in the gallery of the House, present today especially to witness the seating of her mother as an honored Member of this Honorable Body. We welcome you to

Maine, and would you stand and be recognized? (Prolonged Applause)

Mr. Levesque of Madawaska was granted unanimous consent to address the House.

Mr. LEVESQUE: Mr. Speaker and Members of the House: It is certainly with sincerity of heart this morning that I as the Minority Floor Leader certainly want to wish Mrs. Sawyer a continued education and benefit for herself and certainly a credit to the Town of Brunswick and a very definite credit to our own State of Maine. I want to wish her the best of luck in her new endeavors.

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

Mr. RICHARDSON: Mr. Speaker and Members of the House: As the Majority Floor Leader I want to wish Mrs. Sawyer a warm welcome aboard. I know that we're going to enjoy our relationship together.

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

HOUSE REPORT — Ought to Pass—Committee on Indian Affairs on Bill "An Act relating to Compensation and Allowances for Members of the Indian Tribes at the Legislature" (H. P. 89) (L. D. 186)

Tabled—April 5, by Mrs. Carswell of Portland.

Pending—Acceptance.

The SPEAKER: The Chair recognizes the gentlewoman from Portland, Mrs. Carswell.

Mrs. CARSWELL: Mr. Speaker, I tabled this bill for the gentleman from Manchester, Mr. Rideout, so I will let him speak on it.

Thereupon, on motion of Mr. Rideout of Manchester, retabled pending acceptance and specially assigned for Thursday, April 20.

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

SENATE REPORT — Ought to Pass as amended by Committee Amendment "A" — Committee on Public Utilities on Bill "An Act relating to Protecting Source of Public Water Supply" (S. P. 435)

(L. D. 1154) (In Senate, passed to be engrossed as amended by Committee Amendment "A") (S-56)

Tabled — April 6, by Mr. Jameston of Bangor.

Pending — Acceptance in concurrence.

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

Mr. HANSON: Mr. Speaker and Members of the House: I have a question on this matter. Pursuant to the Senate Amendment, filing number S-56, they've changed the designation of the lands which may be entered upon for purposes of inspection of new building construction and remodeling, and changed from "as outlined" to "within said 1,000 foot distance." And the question that bothers me is, would it be possible for properties constructed outside of the thousand foot distance to have sewerage or run-off waters within the thousand foot distance and then be exempt from this public inspection? I would ask this through the Chair of anybody who might answer that, and if this is possible then I would suggest that an amendment be drawn to correct this situation. Thank you.

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

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

Mr. WILLIAMS: Mr. Speaker and Members of the House: In answer to Mr. Hanson, I think it would be possible.

The SPEAKER: Is the House ready for the question? Is it the pleasure of the House that the Committee Report be accepted in concurrence?

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

Mr. HANSON: Mr. Speaker, I would respectfully suggest then that this matter be tabled until tomorrow, the next legislative day.

The SPEAKER: The Chair would advise the gentleman and the House that if the House accepts the Committee Report, and it has

its two several readings, an amendment may be attached to it at that time, but it's the pleasure of the House.

The Chair recognizes the same gentleman.

Mr. HANSON: I will withdraw my motion.

Thereupon, the "Ought to pass" Report was accepted in concurrence and the Bill read twice.

Committee Amendment "A" was read by the Clerk and adopted in concurrence and the Bill assigned for third reading tomorrow.

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

HOUSE REPORT — Ought Not to Pass — Committee on Taxation on Bill "An Act relating to Excise Tax on Motor Vehicles" (H. P. 1037) (L. D. 1506)

Tabled — April 6, by Mr. Lewin of Augusta.

Pending — Acceptance.

The SPEAKER: The Chair recognizes the gentleman from Augusta, Mr. Lewin.

Mr. LEWIN: Mr. Speaker, I would hope that someone would table this item until April 13 as an amendment is being prepared.

Thereupon, on motion of Mr. Richardson of Cumberland, retabled pending acceptance and specially assigned for Thursday, April 13.

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

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) (In Senate, passed to be engrossed) (In House, read three times)

Tabled — April 7, by Mr. Healy of Portland.

Pending — Motion of Mr. Dunn of Denmark to indefinitely postpone.

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

Mr. HEALY: Mr. Speaker and Members of the House: I would

hope that the House would go along with the Majority "Ought to pass" Report on this item. You have had placed before you today a letter stating the purposes of this international vacation and conference center, and I have here a much prettier deal, a brochure stating the purposes of this international conference vacation center. From it I should like to read or insert a few excerpts from it in the record:

"The proposal that an International Conference and Vacation Center be established on the Ocean Side of Peaks Island, in Casco Bay, is the outgrowth of annual visitations of the Foreign Press.

For four consecutive years Maine residents have conducted a program of 'Downeast Diplomacy' receiving into their homes on the various Casco Bay Islands, foreign press representatives attached to the United Nations.

Enrichment of international understanding for both guests and host families has made this program increasingly popular among all participants.

The basic purpose would be to provide, at a nominal cost, under non-profit operation, a seacoast setting conveniently located to New York and Washington, where conferences, workshops or vacations can be enhanced by relaxation and freedom from urban pressures." I don't blame them.

A little bit about the progress toward this goal.

"As a basic step toward the foregoing objective the Casco Bay Island Development Association has raised a total of \$50,000 in bonds, largely from island property owners.

Forty thousand has been used to purchase a 167-acre tract of land fronting on the ocean and located on Peaks Island.

100 acres of this land has been deeded to the City of Portland for development as public parkland under the Federal Housing and Urban Development Open Space Program. Approval of federal grant money has been received.

Sufficient acreage will be reserved for private development in

homesites to guarantee the bondholders a half acre of prime building land.

The balance — about 15 acres — in a choice setting is being earmarked for the International Conference and Vacation Center.

Funds in trust until sufficient amount is raised to assure initial stages of the International Center will be solicited.

Sources of interest:

The State of Maine, officially and among residents and business concerns.

The Federal Government, through appropriate channels where recreational development and international relations are programmed objectives.

National concerns with overseas interests, world trade groups in particular will be sought as participants.

Oceanographic research, both governmental and within college and scientific institutions.

Countries of the United Nations, it is hoped that various countries whose representatives have visited this area could be invited to sponsor a residential unit and supervise its decor in keeping with the sponsoring country.

Educational Foundations, subsidies will be solicited from foundations so that the Center can be operated on a non-profit plan designed to attract those who have little to spend on travel while on assignments in this Country.

The Estimated goal is \$5,000,000. The Amount needed to start building is \$2,500,000."

Now ladies and gentlemen, tourism is our second largest industry in the State of Maine, from whence we derive a principal part of our revenue to pay the bills, and this is one of the facets where we can improve our tourism and reap more revenue which is sorely needed. Bread cast on the waters will come back to you in dough. Casco Bay is an untapped mecca of gold. To paraphrase a cliché: there's gold in them thar hills; thar's gold in them thar waters. I would hope ladies and gentlemen that you would sustain the majority report in this case. Thank you.

The SPEAKER: The Chair recognizes the gentlewoman from Portland, Mrs. Carswell.

Mrs. CARSWELL: Mr. Speaker and Members of the House: For many years we have heard about the great potential in our islands all over the State. Governors from Governor Muskie on have told what a great potential there is in the islands. Now the Casco Bay Island Development Association is comprised of a group of residents who truly believe that there is a great future in our islands, and they have done something about this, they have raised \$50,000 to buy 167 acres of land. This land was formerly owned by the Government and it was bought by an out-of-stater. The shrewd Mainers were smart enough to get this back. They got it back to be developed for the purposes that the Maine people would like to have it developed for.

Now the City of Portland and the Federal Government are contributing money and services so that these islands can be used in the public interest, and I think that \$5,000 is a pittance for us to put up and show our belief in the potential of our islands for the economy of our state, and I hope that this bill receives passage.

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

Mr. HINDS: Mr. Speaker and Members of the House: This L. D. had a very good presentation before the Appropriations Committee and I support the remarks made by the gentleman from Portland, Mr. Healy and the gentleman from Portland, Mrs. Carswell. I feel this would be a wonderful thing for the State of Maine. This is the only amount that these people are asking from us. It could have been \$50,000 or some other amount, but they just want to get this off the ground. This is like seed money to help them with contributions from many national foundations and state organizations which contribute to this type of a project and I hope that the House would not indefinitely postpone this bill.

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

Mr. PRINCE: Mr. Speaker and Members of the House: I would

like to concur with Representative Healy, Representative Carswell and Representative Hinds. I think that the Casco Bay region is the greatest asset that we have in the State of Maine. It is certainly a great asset to Cumberland County to have this project go on, and I hope that we will concur with the other body and engross this bill. Thank you.

The SPEAKER: The Chair recognizes the gentleman from Brunswick, Mr. Lowery.

Mr. LOWERY: Mr. Speaker, during the war I worked on the Peaks Island Project and I certainly have seen what has been done since the war. I certainly would like to see this supported. Thank you.

The SPEAKER: The question before the House is the motion of the gentleman from Denmark, Mr. Dunn, that Bill "An Act Providing Funds to Assist the Casco Bay Island Development Association to Create an International Vacation and Conference Center on Peaks Island," Senate Paper 327, L. D. 862, be indefinitely postponed. All those in favor of indefinite postponement will vote yes and those opposed will vote no, and the Chair will order a vote and the Chair will open the vote.

A vote of the House was taken.

17 having voted in the affirmative and 103 having voted in the negative, the motion did not prevail.

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

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

Bill "An Act 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)

Tabled — April 7, by Mr. Richardson of Stonington.

Pending — Passage to be engrossed.

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

The Chair laid before the House the eighth 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 — April 7, by Mr. Richardson of Cumberland.

Pending — Acceptance.

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

Mr. CROSBY: Mr. Speaker, Ladies and Gentlemen of the House: I sponsored this bill for the Maine Truck Owners Association, the spokesman for the trucking industry of Maine, an industry which employs over 50,000 people in the state and operates over 70,000 trucks on the highways. They have an average wage of better than \$7,000 per year and an annual total overall payroll of \$225,000,000. This industry is presently carrying 45% of all the freight in the State of Maine. This industry is extremely important and makes a large contribution to the economy.

This bill is a simple little bill. It would rebate the fuel tax paid for fuel burned on the Maine Turnpike both for automobiles and trucks. This is a private highway and as such, fuel tax should not be collected for the use of it. The vehicles we are talking about pay a round trip toll for one truck of \$12.00. On top of this they are currently paying \$2.97 fuel tax, making a total round trip fare of approximately \$15.00. If this industry could have the fuel tax rebated it would mean enough difference so that they estimate they would double their traffic on the Turnpike. By doubling the traffic they would not only help the Maine Turnpike pay off their bonds, which should be paid off by 1985, but they will take the trucks off Route 1 and 201 thereby improving safety on Maine highways.

Mr. Speaker, I now move that we substitute the bill for the re-

port and when the vote is taken I request a division.

The SPEAKER: The gentleman from Kennebunk, Mr. Crosby, moves that the House substitute the bill for the report of "Ought not to pass."

The Chair recognizes the gentleman from Freeport, Mr. Crockett.

Mr. CROCKETT: Mr. Speaker and Members of the House: This bill had a very nice hearing before the Committee and came out with a unanimous ought not to pass report from the Committee. I hope you will support this Committee.

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

Mr. RIDEOUT: Mr. Speaker, I am one of the few people in the House that is in the trucking business and I support the "Ought not to pass" Report.

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

Mr. WALTZ: Mr. Speaker, Ladies and Gentlemen: Based upon the number of rejects that this House has taken to committee reports, I am beginning to wonder whether or not these committees are performing a necessary function. It would seem to me if these rejects keep coming in, that this is a matter that could be rather justly referred to the Legislative Research Committee who might come up with a more effective measure.

This bill was heard at a publicly advertised hearing. At the executive session the members of this committee were unanimous in feeling that it should not pass, and so reported it to this House. It seems to me as my good friend from Kennebunk, Mr. Crosby remarked, that this in the main is for the benefit of the Truckers Association. This is what would happen. The truckers would in effect receive a concession of approximately one cent per mile on each mile that they travelled on the Turnpike. In the Committee hearing it was mentioned that many of these trucks, and I don't question it, were compelled to stay off of the Maine Turnpike because

of the expense involved. They stated that if they used Route 1 from Portland to Kittery, it would take them at least an extra hour and an extra expense for gasoline. It seems to me that this bill in addition to giving the truckers a subsidy of one cent per mile is a little bit discriminatory. In other words, it is the big users of this Turnpike that are going to reap the benefit therefrom. I certainly hope that this House will support the report of the Highway Committee and when the vote is taken I ask for a division.

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

Mr. DUDLEY: Mr. Speaker and Members of the House: A word or two in defense of the Highway Committee which was as you have already heard a unanimous report. It was pointed out that this would increase the traffic on the Turnpike, but the people that are managing the Turnpike didn't think so in a telegram to the Committee. Number one, this is what they said: Would require slowing of traffic at the toll gates for the information that they would have to pass out. Number two: Because of slowing of traffic it would create hazardous conditions, particularly involving possible rear end collisions. This is reason number two they gave. Reason number three: Would require increased administrative procedures to identify vehicles registered in Maine, making available receipts to motorists and accounting procedures involving mileage travelled on the Turnpike.

Now these were just a few of the many reasons, and believe me the Committee had many reasons. I have only mentioned three and I don't think I need to bore you any further, but I hope that you will accept the Committee Report. Thank you.

The SPEAKER: The Chair recognizes the gentleman from Brooks, Mr. Wood.

Mr. WOOD: Mr. Speaker and Members of the House: As a member of the Highway Committee that signed this bill ought not to

pass, I want to mention one thing that the others haven't mentioned. We hear that this is a private highway and they shouldn't pay the tax on the gasoline used on the highway, but today it is costing the State of Maine some \$182,000 for the state police to patrol this highway, and that's quite a little sum of money. Besides, this is more or less a discriminatory tax. You have got to have a receipt for at least ten dollars before you can get your rebate on it, that would help some people and not others.

Therefore, as long as this is costing the State money to help maintain this highway, I don't believe that anybody should be exempt from the tax on the gasoline used when they travel on it.

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

Mr. DRUMMOND: Mr. Speaker, Ladies and Gentlemen of the House: I hate to take issue with this able Highway Committee. I am sure they have given this a great deal of consideration, but I would like to speak in favor of L. D. 50 which I feel is of critical importance to the economy of the State of Maine, and I would like to talk a few figures to you on this bill. The Massachusetts Turnpike Authority has been rebating fuel taxes ever since it opened on the basis that it is a private highway for which motorists are paying a toll and therefore should not pay to the State Highway Department a fuel tax. For the twelve months ending June 30, 1966, the Mass. Turnpike rebated to its users \$229,676, and I would like to call to your attention the Mass. Turnpike has an annual truck travel of 2½ million trucks, compared to Maine's truck traffic of last year of 292,000 trucks, or a difference of seven times as many trucks. On the basis of this, the actual tax rebate would be one seventh of the \$230,000 rebate in Massachusetts, or somewhere around \$45,000.

Ernest Johnson, our State Tax Assessor, looks at it differently. He figures on the basis of mileage, and last year, figuring 100% use, trucks consumed 6 million gallons of fuel on the Maine Turnpike, and



at 7c a gallon this amounts to \$420,000. If all trucks claimed a rebate, then this figure probably would be an accurate one. Mr. Johnson also figures that automobiles consumed 15,800,000 gallons of fuel on the Maine Turnpike, which would mean \$1,100,000. Actual experience on the Massachusetts Turnpike shows that automobiles, even though they are entitled to it, claim practically no rebates. It is so insignificant that the Massachusetts Turnpike does not even consider it a source of revenue.

Now you say, if this figure is somewhere around \$400,000, where is the money going to come from? Number one, the State Highway Department should not be collecting it in the first place; and number two, there will be, according to the Highway Commission, a surplus of approximately \$3,000,000 as of June 30, 1967. Subtract from that approximately \$550,000 for snow removal, and there will still be a surplus of approximately \$2,500,000. This is more than enough to make the rebate. Of course the Highway Department argues that this surplus will be used for many important things and will not continue to remain a surplus. During the special session of 1966, the Highway Department had a \$600,000 surplus and practically all of this was allocated for various L. D.'s, and we still have a \$2,500,000 surplus.

Based on these arguments, in my opinion we should pass L. D. 50. Thank you.

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

Mr. DENNETT: Mr. Speaker, I arise here this morning to endeavor to perhaps correct an impression that the Maine Turnpike, so-called, is a private road. This really is not true. The Maine Turnpike Authority was established under the Private and Special Laws of the State of Maine I think in the late '30's. Its purpose was originally to build a road, a highway, a public way from Kittery to Fort Kent. However, in subsequent years they terminated the

Maine Turnpike so-called at Augusta.

If everyone or if anyone can recall here several years ago we passed a law in this Legislature that returned this turnpike to the State of Maine when the bond issues were paid off; just when this is going to be is a little bit doubtful, but it will be in the comparatively near future. This road will become a public highway, a toll-free highway within the system of the State of Maine.

Now I use this turnpike frequently. I perhaps use it more than any member present in the Legislature because I live in Kittery and I travel frequently to Augusta as we all do, and I use it, its entire length. I, for one, certainly would not seek any refund of gas taxes. I think that this for some reason is just fitted to aid certain large truckers. I think again at this time, the State of Maine, the Highway Commission needs every penny that it can get in tax revenue. I think the Committee on Highways was very wise in bringing out this bill as they did, and I certainly hope that their report is accepted.

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

Mr. BOURGOIN: Mr. Speaker and Members of the House: I wish to support Mr. Crosby of Kennebunk in his motion, and I would like to call to the attention of the members of the House the fact that the Maine Turnpike is a private road and there are bonds outstanding as of this time in the amount of \$78,000,000, which are supposed to be paid off by 1985. By passing this bill we will be increasing the truck traffic on the Turnpike and give them more tolls, allowing them to pay off their indebtedness faster. They will also have more money to maintain the highway, which as we all know, needs maintenance.

I wonder how many members of the House realize that the lower portion of the Turnpike from Kittery to Portland has been designated the Interstate Highway? It is not actually the Interstate, it has

only been designated as such. However, when the Interstate System is completed in 1972 it is expected the federal government will purchase all toll roads that are designated Interstate Highways. If this happens, and it will in all probability, we will have a Maine Turnpike running from Portland through Lewiston to Augusta, which will have a volume of traffic greatly reduced from the present volume, for at this time we will be able to come from Kittery to Portland on a free Interstate Highway, turn off at Portland on to the Interstate Highway through Brunswick to Augusta. This will create a hardship on the citizens of Lewiston as they will still be paying a toll for the use of the highway. In all probability, at this time they will come to the Legislature and ask the Legislature to take the tolls off the Pike. This alone should be enough to remove the fuel tax from the Pike.

There is one other factor which has not been discussed in detail here, and that is the safety factors involved. We all know that four-lane divided highways are the safest roads today. As a result of this fuel tax, many, many trucks are now using Route 201 from Gardiner down to Portland, where they then go on Route 1 and travel through one of the most congested tourist areas in the State to get to Kittery. If this bill passes we will take these vehicles off these congested highways and increase the safety factor 100%.

We have a wholesale grocer in Fort Kent who is not using the Turnpike because of the extra charges, because of the sales tax and the Turnpike, and if the sales tax would be removed his trucks would travel over the Turnpike. We have many potato trucks that come down from Aroostook that do not use the Turnpike because of double taxation. Thank you.

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

Mr. WALTZ: Mr. Speaker, Ladies and Gentlemen of the House: I would like to point out to you here, I don't think it is really necessary, that this 7c per gallon

gasoline tax goes into the Highway in what is called the dedicated fund. That money, as you know, is used to improve the highways throughout the State. Now whether or not this tax refund would amount to \$100,000 or \$1,000,000 I cannot say, but certainly whatever amount it does come to would mean that our highways throughout the State would suffer therefrom.

As I pointed out a bit earlier, this actually is in effect about one penny per mile for the units using it. It would almost seem to me logical to believe that a trucker, and I use the word trucker because I think it is primarily for their benefit, would in time and in the additional cost of gasoline that they would have to buy were they to use some other highways than the Maine Turnpike, would more than affect what savings they might effect by this penny per mile. I see no reason for this House to approve L. D. 50. Thank you.

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

Mr. DRUMMOND: Mr. Speaker, I would request permission to refrain from voting. I have some vehicles that pay this double tax.

Thereupon, Mr. Drummond of Sidney was excused from voting.

The SPEAKER: As many as are in favor of substituting the bill "An Act relating to Reimbursement of Fuel Tax for Miles Traveled on Maine Turnpike," House Paper 29, L. D. 50, for the "Ought not to pass" Committee Report will vote yes; those opposed will vote no, and the Chair opens the vote.

A vote of the House was taken.

18 having voted in the affirmative and 110 having voted in the negative, the motion did not prevail.

Thereupon, the "Ought not to pass" Committee Report was accepted and sent up for concurrence.

The Chair laid before the House the ninth 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 7, by Mr. Richardson of Cumberland.

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

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

Mr. ROSS: Mr. Speaker and Ladies and Gentlemen: I signed this out of the Taxation Committee ought to pass without an amendment. I certainly do sense that this House is not too favorably inclined to expensive studies. However, this is in a little different category. Taxation of timberlands has always been a problem. For example, if an owner does not cut his land and follows proper forestry management procedures, he still is taxed year after year and sometimes these individual persons are forced to sell off their land. Severance taxes per se have been presented and debated in this Legislature several times over the course of the last twenty years, but it is a very complicated question, and it can only be resolved by very careful study and consideration. The word "severance" here really is a misnomer. It should be "yield" tax and I notice today we have presented another amendment suggesting this change.

The House Amendment we are discussing now deletes the appropriation which is only \$1,000. It is only \$1,000 because the timber owners themselves are going to furnish much free legal talent, but there still will be some expense. It surely is a worthwhile study and I move that House Amendment "A" be indefinitely postponed and I then hope that somebody would offer the other House Amendment.

The SPEAKER: The gentleman from Bath, Mr. Ross, now moves that House Amendment "A" be indefinitely postponed.

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

Mr. DUDLEY: Mr. Speaker and Members of the House: I am the sponsor of House Amendment "A"

and I have some very good reasons.

First of all, as a member of this House of long standing, I am willing to give of my services for a survey without \$1,000. My wife's grandmother owns land in New Hampshire where they have this sort of tax and she is quite pleased with it there and they are getting along well with it. I am sure that I can get what information that they ask of me to get. However, I also feel that Ernest Johnson, our Tax Collector or whatever you want to call him, in the other building, he is well paid and should help get some information that I am not able to get. I also think the Commissioner of Forestry should be asked, and I think he is already well paid, for any more information that we might want.

I would like to say that I have seen these \$1,000 surveys and \$60,000 surveys and many others in the wastepaper basket down through the years. I don't like to see money thrown away if it is only a thousand dollars or even one dollar. These are just a few of the reasons, and let me say that once we do survey this, and I am sure we will and I am sure without the money we will make a very good report if I am asked to, and I know there are some other very able men here that are willing to help, namely the sponsor, and probably many others. I also know that when this information that we work hard and get reaches your desks that we probably couldn't find forty votes for this type of a tax in this House, and so I hope that you people will go along and start today in eliminating some of these thousand dollar leaks in the bucket. Some of them are \$60,000 leaks and they go down the same hole, so I hope that you will let this amendment stand. I will go along with the bill and I am willing to give of my time and I know others are. Thank you.

The SPEAKER: The Chair recognizes the gentleman from Portland, Mrs. Carswell.

Mrs. CARSWELL: Mr. Speaker and Members of the House: In

1957 former Representative Francis Rowe of Madawaska did a very very extensive study on the severance tax on timber and you could hear a pin drop at the hearing, and there is plenty of information in the legislative record of that year. As I said before, he did a very extensive study on this, and there are loads and loads of information there that people could work on if they wanted to put a bill in to pass a severance tax on timber.

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

Mr. JALBERT: Mr. Speaker and Members of the House: I think that it becomes sometimes a bit of a pastime to try to either ridicule or kill or amend legislation by mentioning the word "study." Now I'm not going to stand here forever and a day as I did Friday. I stated my position very very clearly insofar as programs were concerned involving the Research Committee. If you would read past studies that have been made by the Research Committee and by other groups, you would find that they have gone very deeply into these programs. As far as the \$1,000 who is to know whether \$1,000 would be the amount or nothing or \$10,000 or \$15,000 or \$30,000 or \$40,000? We spent \$25,000 as ordered by a previous Governor recommending legislation, it will save at least a million and a half dollars out of a one hundred and twenty million dollar fund; that is established. But going along with the philosophy that studies don't amount to too much and going along with the philosophy that if this was made anyway it wouldn't amount to any more than previous studies that have been made, I now move the indefinite postponement of this bill and all its accompanying papers.

The SPEAKER: The Chair would advise the gentleman that the only matter that is before the House is the adoption or rejection of House Amendment "A". The pending motion is the indefinite postponement of House Amendment "A".

Mr. LITTLEFIELD: Mr. Speaker, I request a vote.

The SPEAKER: A vote has been requested. The pending question is the motion of the gentleman from Bath, Mr. Ross, that House Amendment "A" to Bill "An Act Providing for a Recess Committee to Study the Feasibility for a Severance Tax on Timber Products" be indefinitely postponed. Those in favor of the indefinite postponement of House Amendment "A" will vote in the affirmative and those opposed will vote in the negative and the Chair opens the vote.

A vote of the House was taken. 88 having voted in the affirmative and 30 in the negative, the motion did prevail.

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

Mr. HANSON: Mr. Speaker, I offer House Amendment "B" which clarifies the name. This should not have been entitled a severance tax, it was a yield tax. Therefore, this would clarify the bill.

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

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

Amend said Bill, in the Title, by striking out the word "Severance" and inserting in place thereof the word 'Yield'

Further amend said Bill by striking out in the 2nd line (same in L. D. 1330) the word "severance" and inserting in place thereof the word 'yield'

House Amendment "B" was adopted.

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

Mr. JALBERT: Mr. Speaker, Section 3 which was indefinitely postponed would strike out the thousand dollars from the measure. The bill itself would allow that the two members of the

House be appointed; the President of the Senate would appoint two members; the Governor would appoint a member and two landowners would be appointed, the Forestry Commissioner and a Director of the School of Forestry at the University of Maine. Now taking the thousand dollars out of this doesn't mean too much because outside of the fact that you would expect the appointed members of the House and Senate to travel and spend their own time without even being reimbursed for their travel, let alone their overnight or their meals. The two landowners, I presume that they would be possibly men who could afford it—I wonder whether the Forestry Commissioner would pay for the traveling and the meals and the overnight out of his own pocket or whether he'd submit an expense account to the State and the same thing would go for the Director of the School of Forestry at the University of Maine. So, that in my opinion, it makes this bill ludicrous. I now move for the indefinite postponement of this bill which I could call "trash."

The SPEAKER: The gentleman from Lewiston, Mr. Jalbert, now moves that this Bill and its accompanying papers be indefinitely postponed.

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

Mr. HANSON: Mr. Speaker and Members of the House: I appreciate the remarks that have been made by the preceding gentlemen all the way through, but there were many of the small landowners in particular which were before our Committee as well as those which own a great deal of land, and they were very much in favor of some type of legislation or study to be made whereby that they could have legislation which would give them a yield tax rather than the possibility of a severance tax. They felt that it would be much better for the municipalities and as far as a study goes we felt that the department heads themselves are paid by the State, period, and that there would be no expense there. The property owners themselves were willing to donate their

time, and I think that the \$1,000 is still in the bill and I think that with what the landowners themselves would donate towards this that it's sufficient to take care of it. I would certainly hope that the bill would not be killed.

The SPEAKER: The Chair recognizes the gentleman from Hampden, Mr. Littlefield.

Mr. LITTLEFIELD: Mr. Speaker and Members of the House: As this problem has been studied previously and good studies made, I would concur with the gentleman from Lewiston, Mr. Jalbert, to indefinitely postpone the bill.

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

Mr. ROSS: Mr. Speaker and Members of the House: As I mentioned in my last remarks, there have been bills on a severance tax introduced to previous Legislatures. The gentlewoman from Portland, Mrs. Carswell, mentioned a severance tax bill back in 1957, and she said a lot of study had been done at that time, and there was a lot of material available.

I will agree with her on a severance tax. We have now just amended this to a "yield tax" and it is an entirely different situation, and I hope you do not go along with the indefinite postponement.

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

Mr. QUINN: Mr. Speaker and Members of the House: Would the gentleman from Bath tell us the difference between the severance tax and the yield tax?

The SPEAKER: The gentleman from Bangor, Mr. Quinn, poses a question through the Chair to the gentleman from Bath, Mr. Ross, who may answer if he chooses.

The Chair recognizes that gentleman.

Mr. ROSS: Mr. Speaker, it is a very difficult question just to answer like that, that's why we need a study to tell us exactly what the yield tax is.

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

Mr. GILL: Mr. Speaker and Members of the House: The only

thing that concerns me about this is that landowners all, evidently, are willing to contribute their time, and under these conditions I can see nothing coming out of it but something that would be in the benefit to the landowners and not to the general residents of the State of Maine. For that reason I concur with the indefinite postponement.

The SPEAKER: The Chair recognizes the gentleman from Portland, Mrs. Carswell.

Mrs. CARSWELL: Mr. Speaker and Members of the House: I would just like to make the comment that you can be sure that if the Forestry Department was involved that they would be studying severance and yield both.

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

Mr. DUDLEY: Mr. Speaker and Members of the House: I'd like to say a word too in relation to severance and yield.

Severance is what you take from the land and it may have been many years growing. Yield is what the land is yielding. Some pieces of ground grow timber very fast and for instance low ground or a swamp may take two hundred years to produce, so by changing the name they are talking about severance is what the land would produce; yield is what it is yielding, so there really isn't a great deal of difference. It might help get a thousand dollars out of the House, that's about the only thing I can see.

The SPEAKER: The Chair recognizes the gentleman from Pittsfield, Mr. Susi.

Mr. SUSI: Mr. Speaker and Members of the House: I am not too sure of myself on this, it is a technicality, but I think I can clear the air a little bit. A severance tax is based on a per cord basis. Presumably a severance tax would have a tax of say perhaps a dollar per cord, not recognizing the difference in the value between cords of different species. A cord of Poplar might have a net value or a stumpage value of \$3.00. A cord of White Birch might have a stumpage value of \$15.00. A yield tax represents the vari-

ance in the value between the various species. It isn't a flat per cord tax, and it is actually an assessment made by the Taxation Division of the particular yield from each lot in terms of species so that the tax will reflect the actual value of the stumpage. I hope I have helped.

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

Mr. SCRIBNER: Mr. Speaker, Ladies and Gentlemen of the House: I am a little concerned about this because I feel it does enter into not just the area of timberland owners and what their interests may be, but if you want to look at it from the philosophy of overall taxation, I have reviewed the Prentiss-Hall looseleaf tax service on tax guide for all states, approximately half of the states have some sort of a severance tax, and I believe that if we are really serious about this — all the other states have a severance tax under which they cover all the other natural resources, and we do a substantial amount of mining here in the State of Maine; they take a lot of limestone out of Thomaston for cement making purposes, and there is talk of drilling for oil out in the Gulf of Maine. All of these are natural resources, and many of the other states do tax them under a broad severance tax, that's the general policy in the other states. Very few apply it as just to timber. And I feel especially where the area for example of Louisiana receives a major portion of their state income down there, they don't have any general taxes as we do, their income comes from a severance tax, and I feel if we are going to be serious about this thing, that we should look at it and look at the policy of the other states that are doing it. Just to talk about timber may not be the best general policy. Thank you.

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

Mr. WILLIAMS: Mr. Speaker and Members: I came here in '51 and started in on the original Natural Resources Committee. That particular year we had a tax, I don't remember whether it was a

yield tax or a severance tax, but it was the same thing. There was a lot of discussion and it was slapped down real hard. I also served when Mr. Rowe—his tax proposal also came before our Committee, and as the gentlewoman from Portland, Mrs. Carswell said, he did a very fine job with his proposal and he had a lot of figures and he did a lot of work on it and he also got slapped down the same as the other people did, and my personal opinion would be that if a similar proposal came into this House at this session or the next session it would also be slapped down.

The SPEAKER: Is the House ready for the question? As many as are in favor of the indefinite postponement of this Bill "An Act Providing for a Recess Committee to Study the Feasibility for a Severance Tax on Timber Products," House Paper 921, L. D. 1330, will vote yes; those opposed will vote no, and the Chair will open the vote.

A vote of the House was taken. 80 having voted in the affirmative and 49 having voted in the negative, the motion did prevail. Sent up for concurrence.

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

Bill "An Act relating to Licensing of Premises for Dancing Purposes" (S. P. 83) (L. D. 164) (In House, Passed to be Engrossed as Amended by Committee Amendment "A" and House Amendment "A" in non-concurrence) (In Senate, Passed to be Engrossed as amended by Committee Amendment "A" (S-8), House Amendment "A" (H-128) and Senate Amendment "A" (S-64) in non-concurrence)

Tabled — April 11, by Mr. Birt of East Millinocket.

Pending — Further consideration.

On motion of Mr. Birt of East Millinocket, the House voted to insist and ask for a Committee of Conference.

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

Bill "An Act Providing for a Council-Manager Charter for the Town of Cape Elizabeth" (H. P. 233) (L. D. 341) (Committee Amendment "A" (H-117))

Tabled—April 11, by Mr. Richardson of Cumberland.

Pending—Passage to be engrossed.

On motion of Mr. Hewes of Cape Elizabeth, the House voted to suspend the rules and to reconsider its action of March 29 whereby it adopted Committee Amendment "A".

The same gentleman then 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. 233, L. D. 341, Bill, "An Act Providing for a Council-Manager Charter for the Town of Cape Elizabeth."

Amend said Amendment by striking out the last paragraph and inserting in place thereof the following:

'All ordinances or any vote for a single capital expenditure or a single capital improvement, the total cost of which exceeds \$100,000, shall be subject to overrule by a referendum as hereinafter provided; except the following shall not be subject to referendum:

1. The annual budget; provided, however, if a single capital expenditure or a single capital improvement, the total cost of which exceeds \$100,000, is included in the annual budget, then that part of the annual budget shall be subject to referendum;

2. Emergency ordinances passed pursuant to Article II, section 12.'

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

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

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

Bill "An Act Prohibiting the Hunting of Mink and Otter with Firearms or Bow and Arrow" (S. P. 6) (L. D. 12) (In Senate, Passed to be Engrossed as Amended by Senate Amendment "A") (S-24) (In House, Senate Amendment "A" as Amended by House Amendment "A" thereto adopted) (H-141)

Tabled—April 11, by Mr. Richardson of Cumberland.

Pending — Passage to be engrossed.

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

Mr. COOKSON: Mr. Speaker, I would now move for the indefinite postponement of House Amendment "A".

The SPEAKER: The Chair would advise the gentleman, as a procedural matter, if he wishes to indefinitely postpone House Amendment "A" he must move to suspend the rules.

Mr. COOKSON: I so move.

Thereupon, the House voted to suspend the rules and to reconsider its action of April 5 whereby it adopted House Amendment "A" to Senate Amendment "a", and on further motion of the same gentleman, Amendment was indefinitely postponed.

The House then voted to suspend the rules and to reconsider its action of April 5 whereby it adopted Senate Amendment "A" as amended by House Amendment "A" thereto, and the House adopted Senate Amendment "A".

Thereupon, the Bill was passed to be engrossed as amended by Senate Amendment "A" in concurrence and sent to the Senate.

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

An Act to Correct Errors and Inconsistencies in Uniform Commercial Code and to Amend Certain Statutes to Conform Thereto (H. P. 582) (L. D. 814)

Tabled—April 11, by Mr. Brennan of Portland.

Pending—Passage to be enacted.

On motion of Mr. Brennan of Portland, the House voted to suspend the rules and to reconsider its action of March 22 whereby it passed the Bill to be engrossed as amended by Committee Amendment "A".

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

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

HOUSE AMENDMENT "A" to H. P. 582, L. D. 814, Bill, "An Act to Correct Errors and Inconsistencies in Uniform Commercial Code and to Amend Certain Statutes to Conform Thereto."

Amend said Bill in section 4 by striking out all of the 5th, 6th, 7th and 8th lines (4th, 5th and 6th in L. D. 814) and inserting in place thereof the following:

**'In addition, if the financing statement is filed in the office of a register of deeds and contains the name of a record owner of real estate, the filing officer shall also index the statement according to the name of the record owner of the real estate.'**

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

**'Sec. 11, R.S., T. 11, §7-103, amended.** Section 7-103 of Title 11 of the Revised Statutes is amended to read as follows:

**§ 7-103. Relation of Article to treaty, statute, tariff, classification or regulation**

To the extent that any treaty or statute of the United States, regulatory statute of the this State or tariff, classification or regulation filed or issued pursuant thereto is applicable, the provisions of this Article are subject thereto.

**Sec. 12. R.S., T. 11, §9-103, sub-§(3), amended.** The 2nd sentence of subsection (3) of section 9-103 of Title 11 of the Revised Statutes is amended to read as follows:

However, if the parties to the transaction understood at the time that the security interest attached that the property would be kept in this State and it was brought into this State within 30 days after the security interest attached for



purposes other than transportation through the this State, then the validity of the security interest in this State is to be determined by the law of this State.

**Sec. 13, R.S., T. 11, §9-112, sub-§(5) amended.** Subsection (5) of section 9-112 of Title 11 of the Revised Statutes is amended to read as follows:

(5) To recover losses caused to him under section 9-208, subsection (2).'

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

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

An Act relating to Sale of Certain Biologics (H. P. 789) (L. D. 1151)

Tabled — April 11, by Mr. Richardson of Cumberland.

Pending — Motion of Mr. Gill of South Portland to reconsider passage to be enacted.

On motion of Mr. Hall of Windham, retabled pending the motion to reconsider and specially assigned for Tuesday, April 18.

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

An Act relating to Tuition for Pupils Attending Secondary Schools in Other States or Countries (H. P. 1096) (L. D. 1562)

Tabled — April 11, by Mr. Richardson of Cumberland.

Pending — Motion of Mr. Bragdon of Perham to reconsider passage to be enacted.

On motion of Mr. Bragdon of Perham, retabled pending the motion to reconsider and specially assigned for Wednesday, April 19.

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

Mr. HANSON: Mr. Speaker and Members of the House: In the hope that it may be helpful, I would suggest that in the matter of severance as opposed to yield taxes, the severance tax would indicate that the source had terminated, in the case of oils or limestone or anything of this nature they would not be replenished. In the matter of a yield tax it would be replenishable, such as wood, it would grow again. Thank you.

(Off Record Remarks)

On motion of Mr. Richardson of Cumberland.

Adjourned until nine - thirty o'clock tomorrow morning.