

# MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Third  
Legislature*

OF THE

STATE OF MAINE

1967

KENNEBEC JOURNAL  
AUGUSTA, MAINE

**HOUSE**

Thursday, April 13, 1967

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

Prayer by the Rev. Mr. Royal Brown of Gardiner.

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 Definition of Automobile Graveyard" (S. P. 321) (L. D. 844)

Came from the Senate with the Report and Bill indefinitely postponed.

In the House, the Report was read and accepted.

**Ought to Pass**

Report of the Committee on Legal Affairs reporting "Ought to pass" on Bill "An Act relating to Clarification of Resident Requirements for Candidates for Aldermen in City of Lewiston" (S. P. 570) (L. D. 1440)

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

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

**Ought to Pass with  
Committee Amendment**

Report of the Committee on Legal Affairs on Bill "An Act relating to Constitution of Police Department of City of Lewiston" (S. P. 487) (L. D. 1343) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

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

In the House, the Report was read and accepted in concurrence and the Bill read twice. Committee Amendment "A" was read by the Clerk and adopted in concurrence,

and tomorrow assigned for third reading of the Bill.

**Non-Concurrent Matter**

Bill "An Act Prohibiting the Sale of Bear" (H. P. 354) (L. D. 501) on which the House accepted the Minority "Ought not to pass" Report of the Committee on Inland Fisheries and Game on April 7.

Came from the Senate with the Majority "Ought to pass" Report accepted and the Bill passed to be engrossed in non-concurrence.

In the House:

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

Mr. HAYNES: Mr. Speaker, I move that we recede and concur with the Senate.

The SPEAKER: The gentleman from Camden, Mr. Haynes, moves that the House recede and concur with the Senate.

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

Mr. COOKSON: Mr. Speaker, I move that we insist on our former action.

The SPEAKER: The Chair would advise the gentleman that the motion to recede and concur has priority motion over insisting.

Mr. Cookson then asked for a division.

The SPEAKER: A vote has been requested on the motion to recede and concur. Is the House ready for the question?

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

Mrs. CARSWELL: Mr. Speaker, a parliamentary inquiry. Does a Committee of Conference have precedence over the motion pending?

The SPEAKER: The answer is in the negative.

Is the House ready for the question? The pending question is the motion of the gentleman from Camden, Mr. Haynes, that the House recede from its former action and concur with the Senate in adopting the "Ought to pass" Report. A vote has been requested. All those in favor of receding and concurring with the Senate will vote yes; those opposed will vote

no. And the Chair will open the vote.

A vote of the House was taken. 24 having voted in the affirmative and 93 having voted in the negative, the motion did not prevail.

The SPEAKER: The Chair understands that the gentleman from Glenburn, Mr. Cookson, moves that the House insist on its former action. Is this the pleasure of the House?

The motion prevailed.

#### **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:

#### **Health and Institutional Services**

Bill "An Act Permitting the Use of the Reformatory for Women for the Confinement of Federal Prisoners" (H. P. 1109) (Presented by Mr. Pendergast of Kennebunkport)

(Ordered Printed)

Sent up for concurrence.

#### **Orders**

Mr. Dennett of Kittery presented the following Order and moved its passage:

WHEREAS, Indians residing on tribal reservations at Peter Dana Point, Pleasant Point and Indian Island should vote for Representatives in the Legislature as authorized by the Maine Constitution; now, therefore, be it

ORDERED, the Senate concurring, that the Committee on Senatorial Reapportionment be directed to report out a Bill which will assure the placement of Indian reservations within Representative Class Districts in compliance with constitutional provisions of this State. (H. P. 1111)

The Order received passage and was sent up for concurrence.

#### **House Reports of Committees Placed on File**

Mr. Hewes from the Committee on Judiciary to which was referred the "Petition by Henry D. McAvoy,

President of the Waterville Hotel Corporation, to the 103rd Legislature, filed under Article 1, Section 15, of the State Constitution" (H. P. 338) reported that it be ordered placed on file.

Report was read.

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

Mr. STARBIRD: Mr. Speaker, I would like to pose a question to any member of the Judiciary who can answer it. What does this petition consist of?

The SPEAKER: The gentleman from Kingman Township, Mr. Starbird, poses a question through the Chair to any member of the Judiciary Committee who may answer if he chooses.

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

Mr. HEWES: Mr. Speaker and Members of the House: This was a letter from a gentleman in Waterville who was president of a corporation which ran a hotel there, and he had paid unemployment compensation premiums, and then as an employee the hotel closed down — at least the bar operations closed down before the end of the year — and he was looking for unemployment compensation benefits. Apparently the Employment Security Commission had ruled that he was not an employee, he was an officer, and they did not pay him benefits. That was one of his grievances; he had a second one which I felt was less meritorious than that one. I hope that answers the question.

Thereupon the Petition was ordered placed on file, and sent up for concurrence.

#### **Leave to Withdraw**

Mr. Beliveau from the Committee on Legal Affairs on Bill "An Act to Nullify Indemnifying Clauses in Contracts" (H. P. 717) (L. D. 1012) reported Leave to Withdraw.

Report was read and accepted and sent up for concurrence.

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

Mr. Rideout from the Committee on Indian Affairs reported "Ought

not to pass" on Bill "An Act relating to Special Offices for Indian Tribes" (H. P. 747) (L. D. 1094)

Same gentleman from same Committee reported same on Bill "An Act relating to Degree of Blood of Penobscot Indians for Purposes of State Law" (H. P. 749) (L. D. 1096)

Mr. Brennan from the Committee on Judiciary reported same on Bill "An Act relating to Hearings in Juvenile Courts" (H. P. 226) (L. D. 316)

Mr. Hewes from same Committee reported same on Bill "An Act relating to Address of Purchaser on Deeds" (H. P. 148) (L. D. 212)

Mr. Edwards from the Committee on Retirements and Pensions reported same on Resolve to Provide Retirement Credit for Seth A. Whitcomb of Readfield (H. P. 808) (L. D. 1184)

Reports were read and accepted and sent up for concurrence.

#### **Tabled and Assigned**

Mr. Jameson from the Committee on Retirements and Pensions reported "Ought not to pass" on Bill "An Act relating to Disability Retirement and Retirement Allowances Under State Retirement System" (H. P. 807) (L. D. 1183)

Report was read.

(On motion of Mr. Jannelle of Scarborough, tabled pending acceptance of Report and specially assigned for Tuesday, April 18.)

#### **Tabled and Assigned**

Mr. Rocheleau from the Committee on Retirements and Pensions reported "Ought not to pass" on Bill "An Act Establishing Social Security Benefits for State Classified Service Employees" (H. P. 720) (L. D. 1015)

Report was read.

(On motion of Mr. Jalbert of Lewiston, tabled pending acceptance of Report and specially assigned for Tuesday, April 18.)

#### **Tabled and Assigned**

Mr. Cottrell from the Committee on Taxation reported "Ought not to pass" on Bill "An Act relating to Distribution of Railroad Stock

Tax to City of Bangor" (H. P. 811) (L. D. 1187)

Report was read.

(On motion of Mr. Ewer of Bangor, tabled pending acceptance of Report and specially assigned for Thursday, April 20)

Mr. Ross from the Committee on Taxation reported "Ought not to pass" on Bill "An Act relating to Refunding Motor Fuel Taxes to Political Subdivisions of the State" (H. P. 812) (L. D. 1188)

Report was read and accepted and sent up for concurrence.

#### **Ought to Pass in New Draft New Draft Printed**

Mr. Susi from the Committee on Taxation on Bill "An Act relating to Disposition of Tax on Transient Rentals under Sales Tax Law" (H. P. 76) (L. D. 101) reported same in a new draft (H. P. 1110) (L. D. 1577) under same title and that it "Ought to pass"

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

#### **Ought to Pass Printed Bills**

##### **Passed to Be Engrossed**

Mrs. Hanson from the Committee on Education reported "Ought to pass" on Bill "An Act relating to School Administrative District No. 60 and the Formation of a New District Among the Towns of Berwick, Lebanon and North Berwick" (H. P. 1098) (L. D. 1564)

Report was read.

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

Mrs. HANSON: Mr. Speaker, because of the urgency of settling financing problems in this bill especially, I respectfully request suspension of the rules to allow the third reading and that it be sent forthwith to the Senate.

Thereupon, the Bill was read twice and under suspension of the rules it was given its third reading, passed to be engrossed and sent forthwith to the Senate.

Mrs. Carswell from the Committee on Indian Affairs reported "Ought to pass" on Resolve

Appropriating Moneys for Improvements at Indian Reservation at Indian Island (H. P. 994) (L. D. 1456)

Mr. Rideout from same Committee reported same on Bill "An Act to Revise the Maine Indian Housing Authority Law" (H. P. 744) (L. D. 1066)

Mr. Clark from the Committee on Public Utilities reported same on Bill "An Act relating to Authorization to Borrow Money by Brunswick Sewer District" (H. P. 762) (L. D. 1109)

Mrs. Lincoln from same Committee reported same on Bill "An Act Increasing Compensation of Trustees of Sanford Water District" (H. P. 1020) (L. D. 1484)

Mr. Rocheleau from the Committee on Retirements and Pensions reported same on Resolve relating to Retirement and Pension of Stephen A. Regina of Saco (H. P. 697) (L. D. 978)

Mr. Dennett from the Committee on State Government reported same on Resolve Authorizing Director of Public Improvements to Convey Land in Hallowell to City of Hallowell (H. P. 726) (L. D. 1050)

Mr. Harriman from the Committee on Taxation reported same on Bill "An Act to Relieve Elderly Persons from Increases in the Property Tax" (H. P. 953) (L. D. 1384)

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

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

Mr. Cookson from the Committee on Indian Affairs on Bill "An Act Appropriating Funds to Update the Surveys of Penobscot Tribal Lands" (H. P. 751) (L. D. 1098) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Reported was read.

(On motion of Mr. Starbird of Kingman Township, tabled pending acceptance of Report and specially assigned for Tuesday, April 18.)

Mr. Healy from the Committee on Public Utilities on Bill "An Act Establishing the Lewiston-Auburn Water Pollution Control Authority" (H. P. 535) (L. D. 770) 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. 535, L. D. 770, Bill, "An Act Establishing the Lewiston-Auburn Water Pollution Control Authority."

Amend said Bill by inserting before the enacting clause the following:

**'Emergency preamble.** Whereas, Acts of the Legislature do not become effective until 90 days after adjournment of the Legislature; and

WHEREAS, the communities of Lewiston and Auburn are in great need of installation of a joint sewerage treatment plant; and

WHEREAS, it is essential that maximum federal matching funds be available for such a project; and

WHEREAS, it is vital that construction of such an installation be commenced at the earliest possible opportunity in order to minimize pollution problems on the Androscoggin River; and

WHEREAS, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

Further amend said Bill by striking out in the 3rd line of section 10 (same in L. D. 770) the figure "9" and inserting in place thereof the figure '8'

Further amend said Bill by striking out the period at the end of the 2nd sentence of the 2nd paragraph of section 10 (same in L. D. 770) and inserting in place thereof the following: 'and such other factors as the board may deem necessary or appropriate.'

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

**'Emergency clause.** In view of the emergency cited in the preamble, this Act shall take effect when approved.'

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

#### **Passed to Be Engrossed**

Resolve Authorizing Conveyance of State Land and Easement to the City of Portland for the Portland Municipal Airport (H. P. 919) (L. D. 1328)

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

#### **Amended Bills**

##### **Third Reader**

#### **Tabled and Assigned**

Bill "An Act relating to Protecting Source of Public Water Supply" (S. P. 435) (L. D. 1154)

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

(On motion of Mr. Hanson of Solon, tabled pending passage to be engrossed and specially assigned for tomorrow.)

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)

Bill "An Act Authorizing the Commissioner of Health and Welfare to Accept Federal Funds and Commodities" (H. P. 890) (L. D. 1304)

Resolve, Providing for Purchase of One Hundred Copies of History of Bridgton, Bicentennial Edition (H. P. 704) (L. D. 999)

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.

#### **Emergency Measure**

##### **Tabled Until Later in Today's Session**

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

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

(On motion of Mr. Benson of Southwest Harbor, tabled pending passage to be enacted and assigned for later in today's session.)

#### **Enactors**

##### **Tabled and Assigned**

An Act relating to Carrying Operator's License when Operating Motor Vehicle (H. P. 178) (L. D. 241)

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

(On motion of Mr. Quinn of Bangor, tabled pending passage to be enacted and specially assigned for Thursday, April 20.)

An Act to Allow the State of Maine to Arbitrate Disputes in Contracts (H. P. 517) (L. D. 804)

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

(On motion of Mr. Huber of Rockland, tabled pending passage to be enacted and specially assigned for Tuesday, April 18.)

#### **Passed to Be Enacted**

An Act relating to Definition of Elevator Under Board of Elevator Rules and Regulations (H. P. 1100) (L. D. 1567)

An Act Requiring Trucks Carrying Explosive or Inflammable Cargoes to Stop at Railroad Crossings (H. P. 1101) (L. D. 1568)

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

#### **Enactor**

##### **Tabled and Assigned**

An Act relating to Quality of Inspection Stickers for Motor Vehicles (H. P. 1102) (L. D. 1569)

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

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

Mr. HEWES: Mr. Speaker and Members of the House: I have a point of inquiry as to L. D. 1569. I note that the Bill as it comes out of the Committee on Transportation says that inspection stickers shall be made of such material and quality of adhesive

as prescribed by the Chief of the State of Police.

In looking at the existing law I note that inspection stations pay ten cents for each of these stickers — that's section 2124 of Title 29.

Further down in L. D. 1569 which you're voting on right now, it says: There shall be allocated from the General Highway Fund the sum of \$8,500 to put this Bill, or Act, into effect, and I just wanted to inquire from anyone on the Committee as to whether or not this \$8,500 is to prepare better inspection stickers—both of mine on our two cars have been picked off by our children, and is that the purpose of it, or could the price to the garage and the inspection stations be increased? Or, is this the best solution?

The SPEAKER: The gentleman from Cape Elizabeth, Mr. Hewes, poses a question through the Chair to a member of the Transportation Committee who may answer his inquiry if they choose.

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

Mr. PENDERGAST: Mr. Speaker and Members of the House: I believe the gentleman is correct in that it would be the quality of the glue or the adhesive as it were, what the bill was put in for it will come from the fees charged.

The SPEAKER: Does the gentleman consider his question answered?

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

Mr. DUDLEY: Mr. Speaker and Members of the House: This is a bill that changes the type of the sticker to a new type of sticker, that's all this does, but I hope that someone will table this bill because some new member in this House may have an amendment that they would like to add to it, and I've taken it to Sam's office for reproduction, and I hope somebody will table it to the next legislative day — and I don't even remember who the legislator was that gave me the amendment, but it was some new member. Thank you.

Thereupon, on motion of Mr. Pendergast of Kennebunkport, the

Bill was tabled pending passage to be enacted and specially assigned for tomorrow.

#### Finally Passed

Resolve to Provide Funds to Convert Ferry Terminal at North Haven (S. P. 243) (L. D. 603)

Resolve to Reimburse Wayne Smith of East Dixfield for Loss of Sheep (H. P. 735) (L. D. 1058)

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

#### Orders of the Day

Mr. McMann of Bath was granted unanimous consent to address the House.

Mr. McMANN: Mr. Speaker and Members of the House: I would like to announce that I with a lot of other Legislators, their wives, attended the show at Stevens Training School last evening and it is a very worthwhile show and could replace a great many professional shows. They have another showing tonight and Representative Carswell has tickets, and I would advise you all to go see a good show. Thank you.

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

Mrs. CARSWELL: Mr. Speaker and Members of the House: I think it's quite appropriate that I address the House on this matter at this time. As you recall, the ladies in the balcony, their motto is: "Build with youth for a better world," and that's what Dr. McCready at Stevens Training Center is trying to do today, and this show will really give you a good idea of the progress she is making, and if we the Legislators of the 103rd Legislature help her, we can have some very fine adults in the future. Thank you. (Applause)

Mr. Dudley of Enfield was granted unanimous consent to address the House.

Mr. DUDLEY: Mr. Speaker and Members of the House: I too would like to say a word in relation to Stevens. I attended this show last night as I have attended a good many shows in my lifetime, and

I think this was one of the greatest, and I would suggest that the members of this House that haven't seen this show, or anyone in the audience or in the balcony, if they haven't seen this show last night, they certainly should see it tonight. If they don't they are really missing a show that they may never get a chance to see as good again. I was really impressed and I hope that every member that hasn't seen it will certainly make a way to see it. I understand the show starts at 8:00 o'clock tonight and I hope you are able to attend and see these fine young ladies put on one of the greatest shows that's ever been put on here in the City of Augusta I'm sure.

Mr. Gill of South Portland was granted unanimous consent to address the House.

Mr. GILL: Mr. Speaker, I would like to commend the work of the Stevens Training Center and to suggest that there will be a legislative document that will be appearing before us in the near future which will be a more tangible way to thank this institution.

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

SENATE REPORT — Ought to Pass — Committee on Appropriations and Financial Affairs on Bill "An Act to Appropriate Funds and Provide Staff for Alcoholism Services" (S. P. 9) (L. D. 15)

(In Senate, passed to be engrossed)

Tabled — April 6, by Mr. Waltz of Waldoboro.

Pending — Acceptance in concurrence.

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

The Chair laid before the House the second 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 7, by Mr. Benson of Southwest Harbor.

Pending — Passage to be engrossed.

On motion of Mr. Richardson of Cumberland, tabled until later in today's session.

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

HOUSE REPORT—Ought Not to Pass—Committee on Judiciary on Bill "An Act relating to Use of Certain Radio Receiving Sets in Motor Vehicles" (H. P. 898) (L. D. 1311)

Tabled—April 11, by Mr. Martin of Eagle Lake.

Pending—Acceptance.

The "Ought not to pass" Report was accepted and sent up for concurrence.

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

HOUSE REPORT—Ought Not to Pass—Committee on Legal Affairs on Bill "An Act relating to Election of Aldermen at Large for City of Lewiston and Increasing their Compensation" (H. P. 1014) (L. D. 1479)

Tabled—April 11, by Mr. Cote of Lewiston.

Pending—Acceptance.

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

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

Bill "An Act relating to Limited-user Highways" (S. P. 340) (L. D. 873) (In House, passed to be engrossed as amended by Committee Amendment "A" (S-34) and House Amendment "A" (H-139) (In Senate, passed to be engrossed as amended by House Amendment "A" in non-concurrence)

Tabled—April 12, by Mr. Bragdon of Perham.

Pending—Motion to recede and concur.

The House voted to recede and concur with the Senate.

The Chair laid before the House the sixth 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 12, by Mr. Richardson of Cumberland.

Pending—Acceptance.

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

Mr. LEWIN: Mr. Speaker, I would move to substitute the bill for the report and wish to speak to my motion.

I have made some adjustments in my amendment which you will notice on your desks this morning, which I feel will be acceptable to the membership, and I hope that you will go along with the bill so that I can offer an amendment and debate its merits.

The SPEAKER: The question before the House now is the motion of the gentleman from Augusta, Mr. Lewin, that the House substitute the bill for the report. Is this the pleasure of the House? All those in favor will say yes; those opposed, no.

A viva voce vote was taken.

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

Mr. HARRIMAN: Mr. Speaker, is it too late to speak now on the report?

The SPEAKER: The gentleman may proceed.

Mr. HARRIMAN: Mr. Speaker, the Taxation Committee came out unanimously ought not to pass and I think before any further action is taken that the House should have some facts and figures and reasons why we came out against this particular bill.

When this law was passed we had in the State of Maine approximately 200,000 vehicles. Today we have got about 400,000 vehicles. Now I will read you some of the taxes. As you people all know since 1930 to 1967 the price of automobiles has gone up about five times. I will read you some representative towns and cities and the

excise taxes as they were back when this law was enacted and as they are today. The first one was \$43,000 in 1930; it is \$229,000 today. The next city was \$47,000; it's now \$336,000. The next medium sized town was \$7,000; it is now \$84,000. Another small city was \$24,000; it is now \$131,000. A small town was \$4,600 and it is now \$21,802. Another small city was \$9,000; it is now \$96,000, and they all go along at about the same basis. I contend that the people who are paying excise taxes are paying enough at the present time. This is a tax on the working man, on the people that can least afford to pay, the people who now are worrying about their real estate taxes, and I don't think they should be saddled with any more. Thank you.

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

Mr. LYCETTE: Mr. Speaker, I would like to ask a question. Do I understand now that if we accept the bill that it will be as originally written or as amended?

The SPEAKER: The gentleman from Houlton, Mr. Lycette, poses a question through the Chair to any member who may answer.

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

Mr. LEWIN: Mr. Speaker, the answer to that question sir, is that if the bill is substituted for the report, I wish to present an amendment to it which would clarify and change the original bill.

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

Mr. JALBERT: Mr. Speaker, would it be in order to ask the gentleman to clarify the position now?

The SPEAKER: The gentleman from Lewiston, Mr. Jalbert, poses a question through the Chair to the gentleman from Augusta, Mr. Lewin, who may answer the question without debating his amendment which is not before us.

Mr. LEWIN: I would be very glad to do so sir. Mr. Speaker and Members of the House: The original bill came in or rather the report before the Committee called for in some cases a two or three

mill increase, and the amendment to the bill this morning would change that so the increase across the board is one mill.

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

Mr. ROSS: Mr. Speaker, since our cities and towns are in dire need of money, and since this is a rather complicated situation, and the new idea is complicated, I now move the bill be recommitted to the Committee on Taxation.

The SPEAKER: The gentleman from Bath, Mr. Ross, now moves that the bill be recommitted. All those in favor will answer yes, those opposed, no.

A viva voce vote being taken, the motion prevailed, the Bill was recommitted to the Committee on Taxation and sent up for concurrence.

The Chair laid before the House a matter tabled earlier in today's session for later in the day:

#### Emergency Measure

An Act relating to Permits for Motorcycle Operation (H. P. 566) (L. D. 798), tabled by Mr. Benson of Southwest Harbor.

On motion of Mr. Snowe of Auburn, retabled pending enactment and specially assigned for Wednesday, April 19.

The Chair laid before the House a matter tabled earlier in today's session for later in the day:

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

Mr. Conley of Portland offered House Amendment "A" and moved its adoption.

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

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

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

'Sec. 1. **Park lands for highway purposes.** The City of Portland is authorized and empowered to use

for public highway purposes such portions of its lands acquired by condemnation or by the expenditure of public funds for public park purposes as may be deemed necessary by its city council. The remainder of such land shall continue to be used as public park land.'

House Amendment "A" was adopted.

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

Mr. RICHARDSON: Mr. Speaker, Ladies and Gentlemen of the House: Before we engross this bill, I would like to have you realize that the amendment that has been placed on this is to insure that the taking of these public park lands for a public highway purpose in the City of Portland is limited to the facts of that case; that our action today does not in any way jeopardize our state parks. I requested and received just a moment ago the opinion of the Attorney General which I have before me. He indicates that this amendment is Constitutional and effects a valid change in the law and won't effect any far-reaching changes on our public park lands and I thought the House should know that.

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

The SPEAKER: The House is proceeding under Orders of the Day. The House is at recess until the sound of the gong.

#### After Recess

Called to order by the Speaker.

The SPEAKER: The House will recess for five to ten minutes in deference to the Minority Leader, Mr. Levesque, the gentleman from Madawaska, that he may caucus in Room 228. And will the Republicans please remain in the House and our guests will please leave that the Republicans may also hold a caucus. The House is recessed until the sound of the gong.

**After Recess**

Called to order by the Speaker.

The following paper from the Senate was taken up out of order by unanimous consent:

**Non-Concurrent Matter**

Bill "An Act to Clarify State Aid for School Construction Purposes and Borrowing in Anticipation Thereof" (S. P. 63) (L. D. 107) which was passed to be enacted in the House on March 24 and which was passed to be engrossed as amended by Committee Amendment "A" and House Amendment "A" as amended by Senate Amendment "A" thereto, and House Amendment "B" on March 23.

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

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

On motion of Mr. Richardson of Cumberland,

Adjourned until nine-thirty o'clock tomorrow morning.