

# MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Third  
Legislature*

OF THE

STATE OF MAINE

Volume III

June 16 to July 8, 1967

Index

1st Special Session

October 2 and October 3, 1967

2nd Special Session

January 9 to January 26, 1968

KENNEBEC JOURNAL  
AUGUSTA, MAINE

**HOUSE**

Monday, June 19, 1967

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

Prayer by the Rev. Mr. Ernest C. Flood of Livermore Falls.

The members stood at attention during the playing of the National Anthem.

The journal of the previous session was read and approved.

**Papers from the Senate**

From the Senate: The following Joint Resolution:

Whereas, the national defense of America requires the eternal vigilance of every citizen including those of the 27th Fighter Interceptor Squadron at Loring Air Force Base who maintain a constant alert; and

Whereas, the State of Maine is proud to share a small part of the 27th Squadron's famous heritage as the oldest continually activated Squadron of the United States Air Force; and

Whereas, Friday, June 23rd, will mark the 50th anniversary of the Squadron's founding upon the dusty plains of Texas; and

Whereas, it is fitting and proper that we honor the memory of those patriotic Americans of the 27th who have served through the illustrious years to the present; now, therefore, be it

**RESOLVED:** That the Members of the Senate and House of Representatives of the 103rd Legislature of the State of Maine commend the men of the 27th Fighter Interceptor Squadron of the Air Defense Command for their outstanding record of service throughout the past 50 years and offer their sincere wishes for good luck and God-speed in the years to come; and be it further

**RESOLVED:** That a copy of this resolution, duly authenticated by the Secretary of State, be immediately transmitted by the Secretary of State to Lieutenant Colonel Bernard H. Barton, Commander of the 27th Fighter Interceptor Squadron and Colonel Raymond Gehrig, 36th Air Division

Commander and Brigadier General Robert J. Dixon, 45th Air Division Commander in honor of the occasion. (S. P. 677)

Came from the Senate read and adopted.

In the House, the Resolution was read and adopted in concurrence.

**Senate Reports of Committees  
Leave to Withdraw**

Report of the Committee on Judiciary on Bill "An Act Revising Revocation and Suspension Powers of Bank Commissioner, Restricting Conduct of Other Businesses by Small Loan Agencies and Relating to Reasonable Attorneys' Fees" (S. P. 382) (L. D. 1019) reporting Leave to Withdraw.

Came from the Senate read and accepted.

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

**Covered by Other Legislation**

Report of the Committee on Towns and Counties on Bill "An Act relating to the Transmitting of County Estimates to Secretary of State" (S. P. 351) (L. D. 935) reporting Leave to Withdraw, as covered by other legislation.

Came from the Senate read and accepted.

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

**Ought Not to Pass**

Report of the Committee on Towns and Counties reporting "Ought not to pass" on Bill "An Act relating to Annual Estimates for County Taxes" (S. P. 458) (L. D. 1135)

Came from the Senate read and accepted.

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

**Ought to Pass in New Draft**

Report of the Committee on State Government on Bill "An Act relating to Audits for Judiciary and Legislature" (S. P. 71) (L. D. 153) which was recommitted, reporting same in a new draft (S. P. 690) (L. D. 1725) under title of "An Act relating to Audits for Judiciary, Legislature and Executive" 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 and accepted in concurrence, the New Draft read twice and tomorrow assigned.

#### **Ought to Pass with Committee Amendment**

Report of the Committee on State Government on Resolve Proposing a Constitutional Amendment Repealing the Offices of Judges and Registers of Probate as Constitutional Officers (S. P. 238) (L. D. 563) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

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

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

#### **Divided Report**

Majority Report of the Committee on Business Legislation reporting "Ought not to pass" on Bill "An Act relating to Installment Sales and Retail Charge Agreements" (S. P. 528) (L. D. 1396)

Report was signed by the following members:

Messrs. MacLEOD of Penobscot  
KATZ of Kennebec  
HARDING of Aroostook  
— of the Senate.

Messrs. GAUTHIER of Sanford  
SCOTT of Wilton  
FECTEAU of Biddeford  
TRASK of Milo  
SCOTT of Presque Isle  
HARRIMAN of Hollis  
— of the House.

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

Report was signed by the following member:

Mr. SULLIVAN of Portland  
— of the House.

Came from the Senate with the Majority Report accepted.

In the House: Reports were read. On motion of Mr. Scott of Wilton, the Majority "Ought not to pass" Report was accepted in concurrence.

#### **Divided Report**

Majority Report of the Committee on Education on Bill "An Act relating to Public Higher Education" (S. P. 497) (L. D. 1256) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was signed by the following members:

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

Mrs. BAKER of Winthrop  
Messrs. LEVESQUE

of Madawaska  
CARROLL of Limerick  
ALLEN of Caribou  
— of the House.

Minority Report of same Committee on same Bill reporting same in a new draft (S. P. 666) (L. D. 1694) under title of "An Act relating to the State Colleges" and that it "Ought to pass."

Report was signed by the following members:

Mrs. HANSON of Lebanon  
Messrs. RICHARDSON  
of Stonington  
SHUTE of Farmington  
— of the House

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

In the House: Reports were read. On motion of Mr. Shute of Farmington, the Majority "Ought to pass" Report was accepted in concurrence and the Bill read twice.

Committee Amendment "A" and Senate Amendments "A" and "B" were read by the Clerk and adopted in concurrence and the Bill assigned for third reading tomorrow.

#### **Final Reports**

Final Report of the following Joint Standing Committees:

### Business Legislation Towns and Counties

Came from the Senate read and accepted.

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

### Orders

On motion of Mr. Darey of Livermore Falls, it was

ORDERED, that Allen J. Dennis III of Augusta, Georgia be appointed to serve as Honorary Page for today.

### House Reports of Committees Leave to Withdraw Covered by Other Legislation

Mrs. Cornell from the Committee on State Government on Bill "An Act relating to Salary of Commissioner of Education" (H. P. 327) (L. D. 461) reporting Leave to Withdraw, as covered by other legislation.

Report was read and accepted and sent up for concurrence.

### Ought Not to Pass

#### Covered by Other Legislation

Mr. Pike from the Committee on Natural Resources on Bill "An Act to Authorize the State Comprehensive Planning Office to Prepare a Guide Plan of Land Uses Related to Water" (H. P. 372) (L. D. 519) reported "Ought not to pass", as covered by other legislation.

Report was read and accepted and sent up for concurrence.

### Ought to Pass with Committee Amendment

Mr. Hewes from the Committee on Judiciary on Bill "An Act relating to Adoption" (H. P. 895) (L. D. 1296) 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. 895, L. D. 1296, Bill, "An Act Relating to Adoption."

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

'Sec. 1. R. S., T. 19 §531, amended. Section 531 of Title 19 of the Revised Statutes is amended by inserting before the last sentence, a new sentence, to read as follows: The court shall be deemed to have jurisdiction hereunder if such person shall have been continuously within the State or a United States military reservation herein for a period of at least 3 months prior to the date of the petition.

Sec. 2. R. S., T. 19, §532, amended. The 2nd sentence of the 2nd paragraph of section 532 of Title 19 of the Revised Statutes is amended to read as follows:

The consent of the parents and the child when required must be acknowledged before a justice-of-the-peace or notary public the judge, or in his absence, the register of probate, of the court having jurisdiction of the petition or someone appointed by the judge for the purposes of the particular case.

Sec. 3. R. S., T. 19, §532, amended. Section 532 of Title 19 of the Revised Statutes is amended by adding at the end the following:

When the parental rights of a minor living in this State had been terminated voluntarily or by judicial determination to a duly licensed public or private agency in another state or country in accordance with the laws of such state or country, such consent shall be given by such duly authorized agency and no notice need be given to the parents.'

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

Mr. Hewes from the Committee on Judiciary on Bill "An Act relating to Service on Nonresidents in Motor Vehicle Accidents" (H. P. 941) (L. D. 1373) 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. 941, L. D. 1373, Bill, "An Act Relating to Service on Nonresidents in Motor Vehicle Accidents."

Amend said Bill by striking out all of the last 2 sentences of the first paragraph of that part designated "§1911" and inserting in place thereof the following:

'Service of such process shall be made by leaving a copy thereof with a fee of \$2 in the hands of the Secretary of State, or in his office, and such service shall be sufficient service upon such non-resident, provided notice of such service and a copy of the process are forthwith sent by registered mail by the plaintiff to the defendant, or if the defendant is deceased to his personal representative, and if no personal representative, then to the public administrator in the county in which the action is pending who, thereupon, shall petition the probate court for probate of the defendant's estate, any other statutory requirements for probate of estates notwithstanding, and the defendant's, or personal representative's or public administrator's return receipt and the plaintiff's affidavit of compliance herewith are appended to the writ and are filed with the clerk of courts in which the action is pending, or that such notice and copy are served upon the defendant or personal representative, and if no personal representative, the public administrator, if found within the State, by an officer duly qualified to serve legal process, or, if found without the State, by any duly constituted public officer qualified to serve like process in the State or jurisdiction where the defendant or personal representative, and if no personal representative then the public administrator, is found, and the officer's return showing such service to have been made is filed in the case on or before the return day of the process or within such further time as the court may allow. The court in which the action is pending may order such continuance as may be necessary to afford the defendant or if the defendant is deceased, his personal representative or the public administrator reasonable opportunity to defend the action.'

Further amend said Bill by striking out all of the last para-

graph and inserting in place thereof the following:

'The plaintiff in an action brought as prescribed in section 1911 shall file with his writ in the court to which such action is returnable, a bond to the defendant or personal representative or the public administrator with 2 or more sureties to be approved by the judge or clerk of said court, or with a surety company authorized to do business in this State, as surety in the sum of \$100 conditioned that in the event judgment is rendered against such plaintiff so much of the penalty of said bond as may be required to satisfy any judgment for costs awarded against him shall be applied thereto, and the attorney for the plaintiff in such action against a nonresident defendant or personal representative or the public administrator shall be liable to the defendant or his personal representative or public administrator for his costs in the action to an amount not exceeding \$50 unless and until such bond shall be filed.'

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

#### Divided Report

Majority Report of the Committee on State Government on Bill "An Act to Create the Bureau of Alcoholic Beverages" (H. P. 284) (L. D. 404) reporting same in a new draft (H. P. 1218) (L. D. 1734) under title of "An Act to Create the Department of Alcoholic Beverages" and that it "Ought to pass"

Report was signed by the following members:

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

Messrs. DENNETT of Kittery  
WATTS of Machias  
Mrs. CORNELL of Orono  
Messrs. RIDEOUT of Manchester  
MARTIN of Eagle Lake  
PHILBROOK

of South Portland  
—of the House.

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

Report was signed by the following member:

Mr. STARBIRD  
of Kingman Township  
—of the House

Reports were read.

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

Mr. DENNETT: Mr. Speaker, I move the acceptance of the Majority "Ought to pass" Report of the Committee.

The SPEAKER: The gentleman from Kittery, Mr. Dennett, now moves that the House accept the Majority "Ought to pass" Report.

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

Mr. STARBIRD: Mr. Speaker, I move this lie on the table until the next legislative day.

Mr. Benson of Southwest Harbor requested a division on the tabling motion.

The SPEAKER: A vote has been requested on the tabling motion. The gentleman from Kingman Township, Mr. Starbird, now moves that L. D. 404 be tabled and specially assigned for Tuesday, June 20, pending the motion of the gentleman from Kittery, Mr. Dennett, to accept the Majority "Ought to pass" Report.

All those in favor of this matter lying upon the table until the next legislative day will vote yes; those opposed will vote no. The Chair opens the vote.

41 having voted in the affirmative and 61 having voted in the negative, the tabling motion did not prevail.

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

#### Divided Report

Majority Report of the Committee on State Government reporting "Ought not to pass" on Bill "An Act relating to Mandatory Competitive Bids on State Property" (H. P. 328) (L. D. 462)

Report was signed by the following members:

Messrs. WYMAN of Washington  
STERN of Penobscot  
—of the Senate.

Messrs. DENNETT of Kittery  
WATTS of Machias

Mrs. CORNELL of Orono  
Messrs. RIDEOUT of Manchester  
PHILBROOK

of South Portland  
—of the House.

Minority Report of same Committee on same Bill reporting same in a new draft (H. P. 1219) (L. D. 1735) under same title and that it "Ought to pass"

Report was signed by the following members:

Mr. LUND of Kennebec  
—of the Senate.

Messrs. STARBIRD  
of Kingman Township  
MARTIN of Eagle Lake  
—of the House.

Reports were read.

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

#### Divided Report

Majority Report of the Committee on State Government on Bill "An Act Increasing the Terms of Trustees for the Maine Maritime Academy" (H. P. 381) (L. D. 528) reporting same in a new draft (H. P. 1220) (L. D. 1736) under same title and that it "Ought to pass"

Report was signed by the following members:

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

Messrs. STARBIRD  
of Kingman Township  
MARTIN of Eagle Lake  
DENNETT of Kittery  
WATTS of Machias

Mrs. CORNELL of Orono  
Mr. RIDEOUT of Manchester  
—of the House.

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

Report was signed by the following member:

Mr. PHILBROOK  
of South Portland  
—of the House.

Reports were read.

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

Mr. DENNETT: Mr. Speaker, I move the acceptance of the Majority "Ought to pass" Report of the Committee.

The SPEAKER: The gentleman from Kittery, Mr. Dennett, moves that the House accept the Majority "Ought to pass" Report.

The Chair recognizes the gentleman from South Portland, Mr. Philbrook.

Mr. PHILBROOK: Mr. Speaker and Members of the House: As the lone signer of the "Ought not to pass" report on increasing the terms of the Trustees of the Maine Maritime Academy, I should like to call your attention to the Joint Resolution printed in the House Calendar for Monday, June 12. This Resolution praises a gentleman of courage, vision and determination, who is destined by his acts to become the principal founder of maritime education in Maine and who, through his personal leadership and perseverance secured a \$15,000 appropriation and established the beginnings of the Maine Maritime Academy. Now, with the Board of Trustees appointed for a three-year term, this school, which once offered a two-year course with no degree to twenty-eight students, has developed into the leading institution in the Nation for Maritime officers training with an enrollment approaching 500 men. The Joint Resolution makes public tribute to the continued and lasting contributions of a true and public servant.

This gentleman, through me, wishes to continue his fierce determination and zeal for what is best for Maine Maritime Academy and through me he asks that you defeat this bill.

Because, in a letter to the Chairman of the State Government Committee, he declares and I quote: "I have a complete record of all the men who have been appointed to be Trustees of the Maine Maritime Academy since the school started. Except for the first years and the present time, there has never been a time when five to

seven of the Board of Trustees have not been on the Board for seven years or more. In other words, the present system of three year duration of appointments has provided for continuity of thought and action for this Board.

There have been some odd experiences with Trustees, things which no one who had not seen them with his own eyes could believe.

We had one Trustee who never attended a meeting for the whole three years he was on the Board. We have had at least four Trustees who only attended one to four meetings during the whole three years. We have had at least four other Trustees appointed to the Board apparently for political reasons who although they attended several meetings and listened to what went on, hardly ever said a word or made a suggestion.

Had these nine men been appointed for seven year terms it would have been very unfortunate. Six of these men made vigorous campaigns to be appointed avowing their great interest in the Academy. At least five men came on the Board with only one intent, and that was to be obstructionists. Three years was a long time to put up with them. In seven years they might have destroyed the Academy.

With a three year term the Governor can have time to see if the members of the Board are functioning well, and he can reappoint everyone before his term expires who he feels has done a good job.

This should keep the Trustees he appoints on their toes, knowing they will not be reappointed if they flub the task they have been assigned.

Any man who is afraid that his work will be so poor that he cannot be reappointed after three years of his best endeavors should not be appointed in the first place."

If the appointment by the Governor and confirmed by the Council is a political plum, then three years is certainly long enough and five years is too many.

If the appointment by the Governor and confirmed by the Council is because of ability and quali-



fications, I repeat, any man who is afraid that his work will be so poor that he cannot be reappointed after three years of his best endeavors should not be appointed in the first place.

The only argument that has been advanced for a five year term is to have one year more than the term of the Governor. It is my contention that with a four year term most Governors will undoubtedly receive a second term. If the Governor is so ineffectual that he is denied a second term then a three year term is much better for his appointees.

While I have referred to both five and seven year terms, this bill is now for a five year term and the sentiments I have expressed apply to any increase whatsoever of the three year term.

In conclusion, as a member of the South Portland City Council, I have never had any member of any Board who has done a good job not receive the endorsement of his fellow members. Likewise, the first to ask that you deny reappointment to a poor member are the same fellow members. Three years are long enough. Thank you.

The SPEAKER: The Chair recognizes the gentleman from Biddeford, Mr. Truman.

Mr. TRUMAN: Mr. Speaker and Members of the House: I rise in support of the Majority Report and I would like to give you my views on this subject.

I would like to speak to you as a graduate of the Academy and now a present member of the Board of Trustees, with some knowledge and background of this bill. The original bill called for a seven-year term and I, as a present member of the Board, am completely against it. I was glad to see, in the wisdom of this Committee, it came out with a five-year term. The intent of this is to be outside of the Governor's so-called champs. The three-year term the original three-year term was made up so that it would be outside of the Governor's reach, the Governor having a two-year term in the past. Now with the Governor's four-year term the Com-

mittee thought that as long as they had one year over the Governor and this would prevent this Governor or future Governors using this Academy Board as a political football. In the statement by the good gentleman from South Portland, Mr. Philbrook, in his letter from Mr. Ralph Leavitt who has truly done a tremendous job for the Academy and we all know it and appreciate it, he states that at some of the meetings there were only two and three members present. I agree with you. I have read back through all the minutes of the meetings in the past and I think one reason for that is that there was a one man rule and the other members didn't have too much to say, so I imagine they didn't care to attend the meetings. And, of course, we know of the great chaos that happened a few years back, and I commend our former Governor, Governor John H. Reed, in his wisdom in appointing this new Board. It does not centralize itself around one area; the past board was composed of members mostly of the Portland area which I do not think is fair. And our good Governor, former Governor, appointed this new Board with a good State coverage and on the present Board, if you look up the members and see where they live, it gives you members from Presque Isle to Kittery and I think this was a very wise choice and I hope you go along with the Majority Report. Thank you.

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

Mr. PHILBROOK: Mr. Speaker and Members of the House: If the Legislature does not have enough confidence in the Governor and Council that it feels it must make the term for Trustees one year more than the Governor's term, why do you create new departments and new positions to be appointed by the Governor with the advice and consent of the Council?

This Legislature is going to have the opportunity to vote on a single Administrator for the Liquor Commission with a salary

of \$18,000, to be appointed by the Governor with the advice of the Council. How can you trust their decision on this appointment and still believe that they cannot be trusted to make a suitable choice for a three-year term for Trustee?

I would also remind you that these Trustees are located in different geographical sections of the State. It is my judgment that the Trustee from the Portland area could and would discuss with the Executive Councilor from Cumberland County the qualifications and disqualifications of any nominee for Trustee of this fine school.

If you believe as I do that the Governor and the Executive Council are interested in the continued growth and development of the Maine Maritime, then support me in defeating this bill. Thank you.

Mr. Dennett of Kittery requested a division.

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

Mr. HINDS: Mr. Speaker and Members of the House: I would like to ask a question of any member of the State Government Committee who might care to answer. I noticed in Section 2 of the bill that the date seems to be a little off to me. It said the effective date of this act shall be January 1, 1967. Should that be 68, or is there an error there or could someone explain that to me?

The SPEAKER: The gentleman from South Portland, Mr. Hinds, poses a question through the Chair to any member of the State Government Committee who may answer if they desire.

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

Mr. DENNETT: Mr. Speaker, this was made retroactive to 1967. There is no error.

Mr. SPEAKER: Is the House ready for the question? The question before the House is on the motion of the gentleman from Kittery, Mr. Dennett, that the House accept the Majority "Ought to pass" Report. All those in favor will vote yes; those opposed will vote no. The Chair opens the vote.

A vote of the House was taken. 82 having voted in the affirmative and 23 having voted in the negative, the motion prevailed.

Thereupon, the New Draft was read twice and assigned for third reading tomorrow.

#### Passed to Be Engrossed

Bill "An Act Describing Indian Voting Districts" (S. P. 639) (L. D. 1645)

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

#### Third Reader

##### Tabled and Assigned

Bill "An Act to Abolish Imprisonment for Debt and to Revise the Laws Relating to Disclosures of Debtors" (S. P. 680) (L. D. 1710)

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

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

Mr. QUINN: Mr. Speaker and Members of the House: This particular matter is a matter in which the gentleman from Old Orchard, Mr. Danton, is interested. He is not here, and would someone table this until the next legislative day?

Thereupon, on motion of Mr. Conley of Portland, tabled pending passage to be engrossed and specially assigned for Wednesday June 21.

#### Third Readers

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

Bill, "An Act Providing for Disclosure of Interest and Finance Charges on Loans" (H. P. 964) (L. D. 1465)

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

The SPEAKER: The Chair recognizes the gentleman from Brewer, Mr. Robertson.

Mr. ROBERTSON: Mr. Speaker and Members of the House: There are a couple of amendments that we would like to submit on these two bills that have been requested by several members of the Business Legislation Committee. They

are not ready at this time and for that reason I would hope that someone would table this matter until later in today's session.

Thereupon, on motion of Mr. Scribner of Portland, tabled until later in today's session.

Bill "An Act relating to Truth-in-Lending and Disclosure of Interest and Finance Charges in Retail Sales" (H. P. 1215) (L. D. 1728)

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

The SPEAKER: The Chair recognizes the gentleman from Brewer, Mr. Robertson.

Mr. ROBERTSON: Mr. Speaker, for that same reason as outlined, I would wish that this item would be tabled until later in today's session.

Thereupon, on motion of Mr. Benson of Southwest Harbor, tabled until later in today's session.

Bill "An Act relating to Annual Estimates for County Taxes" (H. P. 1217) (L. D. 1730)

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

#### Amended Bills

Bill "An Act Defining Industrial Project and Mortgagor of Agricultural Equipment and Documented Fishing Vessels under Industrial Building Authority Law" (S. P. 34) (L. D. 33)

Bill "An Act to Authorize Bond Issues in the Amount of \$4,380,000 to Provide Funds for School Building Construction under the Provisions of Section 3457 of Title 20, R. S." (H. P. 300) (L. D. 435)

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

#### Emergency Measure Tabled and Assigned

An Act to Appropriate Money to Plan and Apply for a Rural Youth Corps for Maine (S. P. 628) (L. D. 1630)

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.

86 voted in the affirmative and 21 in the negative.

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

Mr. JALBERT: Mr. Speaker, I move for a roll call and move my motion lie on the table until tomorrow.

The SPEAKER: The gentleman from Lewiston, Mr. Jalbert, now moves that this matter be taken by roll call and it be tabled until tomorrow.

Mr. Littlefield of Hampden requested a division on the motion.

The SPEAKER: For the Chair to order a roll call it must have the expressed desire of one fifth of the members present. All those desiring a roll call will vote yes and those opposed will vote no and the Chair opens the vote.

A vote of the House was taken, and more than one fifth having expressed a desire for a roll call, a roll call was ordered.

The SPEAKER: The pending question now is on the tabling motion of Mr. Jalbert of Lewiston that this matter be tabled pending passage to be enacted and a roll call has been ordered. All those in favor of the tabling motion will vote yes, those opposed will vote no and the Chair opens the vote.

A vote of the House was taken.

73 having voted in the affirmative and 31 having voted in the negative, the tabling motion did prevail.

#### Emergency Measure Tabled and Assigned

An Act relating to the Financing of the State Liquor Commission (H. P. 1147) (L. D. 1638)

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.

100 voted in the affirmative and 10 in the negative.

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

Mr. JALBERT: Mr. Speaker and Members of the House: Of all the measures that have been presented to this body, this one here, the soundness in this measure is that it would very definitely bring about closer budgeting, closer financing wherein it concerns the Liquor Commission. It is agreed by all sides that this would be a measure that would be money saving for the State. There has been a tremendous amount of study put into this plan, this program, and certainly while we are thinking of taxing, we should also look into the areas where we might enable ourselves to have better enforcement of our liquor laws.

The SPEAKER: The Chair would advise the gentleman that the only question would be a request for a roll call.

Mr. JALBERT: I was going to request a roll call, Mr. Speaker.

The SPEAKER: For the Chair to order a roll call it must have the expressed desire of one fifth of the members present and voting. All those desiring a roll call will vote yes and those opposed will vote no and the Chair opens the vote.

A vote of the House was taken.

More than one fifth having expressed a desire for a roll call, a roll call was ordered.

Thereupon, on motion of Mr. Benson of Southwest Harbor, tabled pending passage to be enacted, a roll call ordered and specially assigned for tomorrow.

#### **Passed To Be Enacted Bond Issue**

An Act to Authorize Construction of Self-Liquidating Student Housing and Dining Facilities for the State Colleges and Vocational Technical Institutes and the Issuance of Not Exceeding \$6,715,000 Bonds of the State of Maine for the Financing Thereof (H. P. 1160) (L. D. 1659)

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

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

Mr. WOOD: Mr. Speaker, I would like to ask a question. We will have before us tomorrow L. D. 1258 An Act Creating the University of the State of Maine which had its initial approval last week. If it is passed it will become a law long before these bonds could be sold and used. If that should become law, will it change the usage of these bonds in any way, the purpose which they are to be used for?

The SPEAKER: The gentleman from Brooks, Mr. Wood, poses a question through the Chair to any member who may answer if they choose and the Chair recognizes the gentleman from East Millinocket, Mr. Birt.

Mr. BIRT: Mr. Speaker, in my judgment it would not. All of these buildings are self-liquidating under the present setup as proposed for the University of the State of Maine. I don't think it would affect them in my judgment even if the alternate proposal were adopted, I don't think it would affect the liquidation of these bonds or the operation of these facilities.

In accordance with the provisions of Section 14 of Article IX of the Constitution a two-thirds vote of the House being necessary, a total was taken. 108 voted in favor of same and one against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

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

An Act Reducing Maximum Amount and Duration of Small Loans and Establishing Equitable Rates for Small Loan Agencies (S. P. 373) (L. D. 986)

An Act Repealing Law Relating to Leases of Right to Take Kelp on Submerged Lands (S. P. 673) (L. D. 1704)

An Act relating to the Appointment of Clerks of the Judicial Courts (H. P. 246) (L. D. 354)

An Act Entering the State of Maine Into the New England Interstate Planning Compact (H. P. 620) (L. D. 876)

An Act relating to Temporary Loans by State (H. P. 1203) (L. D. 1712)

An Act relating to Duties of State Transportation Commission (H. P. 1204) (L. D. 1713)

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

#### Orders of the Day

The Chair laid before the House the first item of Unfinished Business:

An Act to Authorize the Issuance of Bonds in the Amount of Sixteen Million Eight Hundred Thousand Dollars on Behalf of the State of Maine to Build State Highways (H. P. 1174) (L. D. 1673)

Tabled—June 14, by Mr. Ross of Bath.

Pending — Motion of Mr. Waltz of Waldoboro to indefinitely postpone.

Mr. Waltz of Waldoboro withdrew his pending motion.

On further motion of the same gentleman, retabled pending passage to be enacted and specially assigned for Wednesday, June 21.

The Chair laid before the House the second item of Unfinished Business:

HOUSE REPORT — Ought to Pass in New Draft — Committee on Taxation on Bill “An Act Applying Sales Tax to Charges for Fabricating Tangible Personal Property” (H. P. 203) (L. D. 292) —New Draft (H. P. 1207) (L. D. 1719)

Tabled — June 15, by Mr. Birt of East Millinocket.

Pending — Acceptance.

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

Mr. BIRT: Mr. Speaker, I move this be tabled until Wednesday.

The SPEAKER: The gentleman from East Millinocket, Mr. Birt, now moves this matter be tabled until Wednesday, June 21 pending acceptance of the Report. Is this the pleasure of the House?

(Cries of “No”)

All those in favor of the tabling motion will say yes, those opposed will say no.

A viva voce vote being taken, the tabling motion did prevail.

The Chair laid before the House the third item of Unfinished Business:

HOUSE MAJORITY REPORT (11) — Ought to pass — Committee on Senatorial Reapportionment on Bill “An Act to Establish Single Member Districts for Representatives to the House Based Upon the Existing Apportionment of the House Pursuant to the Constitution of Maine” (H. P. 1209) (L. D. 1721) — MINORITY REPORT (4) — Ought Not to Pass.

Tabled — June 15, by Mr. Richardson of Stonington.

Pending — Acceptance of either Report.

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

Mr. STARBIRD: Mr. Speaker, in view of the fact our Chairman is not here, I would request someone to table this until later today if he is coming today or possibly tomorrow.

Thereupon, on motion of Mr. Levesque of Madawaska, tabled pending acceptance of either report and specially assigned for Wednesday, June 21.

The Chair laid before the House the fourth of Unfinished Business:

Resolve Proposing Amendments to the Constitution Relating to Bond Issues to be Voted Upon by the People (H. P. 1206) (L. D. 1717)

Tabled — June 15, by Mr. Richardson of Cumberland.

Pending — Passage to be engrossed.

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

Mr. DUDLEY: Mr. Speaker, I would like to pose a question. Is this the case where the people no longer have to vote on bond issues, is this the type of bill it is or what does it pertain to?

The SPEAKER: The gentleman from Enfield, Mr. Dudley poses a question through the Chair to any member who may answer if they desire and the Chair recognizes

the gentleman from Kittery, Mr. Dennett.

Mr. DENNETT: Mr. Speaker and Members of the House: There is quite a bit of confusion relative to this bill. When this came out it was as the title implies, it referred to voting on bond issues by the people. However, it came out in a new draft and actually the title has little or nothing to do with the bill. It was my understanding that an amendment was to be prepared to clarify this bill, and for this reason it was originally tabled and I would suggest very strongly in view of these circumstances that some kind soul table this bill until tomorrow.

Mr. Benson of Southwest Harbor then offered House Amendment "B" and moved its adoption.

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

HOUSE AMENDMENT "B" to H. P. 1206, L. D. 1717, Resolve, Proposing Amendments to the Constitution Relating to Bond Issues to be Voted Upon by the People.

Amend said Resolve in the Title by striking out the words "Bond Issues to be Voted Upon by the People" and inserting in place thereof the words "Temporary Loans in Anticipation of State Tax Revenues and Limitations Thereon"

Further amend said Resolve by striking out all of the 3rd paragraph from the end and inserting in place thereof the following:

"Shall the Constitution be amended as proposed by a resolution of the Legislature Relating to Temporary Loans in Anticipation of State Tax Revenues and Limitations Thereon?"

House Amendment "B" was adopted.

Thereupon, on motion of Mr. Littlefield of Hampden, tabled pending passage to be engrossed as amended and specially assigned for tomorrow.

The Chair laid before the House the fifth item of Unfinished Business:

HOUSE MAJORITY REPORT (8)—Ought Not to Pass—Committee on State Government on Bill "An Act relating to Increasing

Revenue of the Liquor Commission" (H. P. 1031) (L. D. 1497)—MINORITY REPORT (2)—Ought to Pass.

Tabled—June 15, by Mr. Jalbert of Lewiston.

Pending—Motion of Mr. Watts of Machias to accept Majority Report.

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

Mr. SCRIBNER: Mr. Speaker and Members of the House: I would like to thank the gentleman from Lewiston, Mr. Jalbert, for tabling this last week when I was ill with the flu, and unable to present the case for this bill.

As you know, the Committee has reported this bill "Ought not to pass." I would like to describe it for the benefit of those of you who haven't had the chance to study it and explain just what the implications are for this bill and I believe that it is a reasonable measure and I would like to run through it briefly.

This bill as in its present form without an emergency enactor on it would produce additional revenues to the State during the next biennium of about \$3,382,698. With an emergency clause on this, were one to be offered, it would produce close to \$4 million. As one of the major issues that is reported in the Press, the needs for revenues for the State, and that will be the main subject this week, I would like to briefly describe what this would do to the revenue structure of the Liquor Commission.

One of the first items it would do is to raise the excise tax on beer and other malt liquors from 25c a gallon to 30c a gallon. This is an increase of 5c. At the hearing, representatives of the Brewers Association said this was prohibitive and would cause an increase in the price of beer in taverns. Although they did point out that this tax is in the amount of \$1.55 more a barrel. Now 600 glasses of beer in a barrel, this would increase the price of one penny for every four glasses. If this is prohibitive, I fail to see it. I think it is a reasonable amount of increase and would not cause

any substantial effect on the consumption of malt liquors. This tax has not been raised for several years.

That part of the proposal would bring in \$1,547,398 in the next biennium. This bill also proposes to increase the license fees for hotels, clubs, restaurants and taverns by 50% on all those that are not newly established. It excludes items such as Class A Restaurants that are new. I would like to point out to the members of the House that these license fees have not been changed since prohibition went off in 1933-1934. That's quite a considerable period of time which these license fees have remained static. This would raise, for example, the malt liquor in a Club, the license from \$100 to \$150. In view of the increase in the cost of living and the general price indexes since the midst of the depression, I feel that this is reasonable and would bring these license fees more into line with what they are worth. And this would increase revenues in the amount of \$948,100 in the next biennium, or just under \$1 million. It would also make small increases in the rectifiers and bottlers fees from the various local distillers we have in the amount of just under 50%. These fees have not been raised and this would produce a small amount of additional income. One other change which this would make that would amount in additional revenue would be that the various discounts that are presently offered for different categories other than sales to vessels of foreign registry would be abolished. There would be one price for all liquor sold by the Commission without the discounts. This would bring in around \$700,000 in the next biennium.

This is in general what this bill would do. I feel the increases are reasonable, the need for revenues is quite evident and this I feel is a reasonable measure, does not impose a hardship on anyone and many of these fees have not been changed for a sizeable period of time and I feel it is time that the State took some step to bring these fees more in line with what the general cost of living has been in the past thirty years and I hope

that this House will not today accept the Majority "Ought not to pass" and when the vote is taken, I request a division.

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

Mr. DENNETT: Mr. Speaker and Members of the House: I rise in support of the motion made by the gentleman from Machias, Mr. Watts, to accept the Majority "Ought not to pass" report of the Committee. I don't know exactly how many members of this House are really too much interested in what the tax is on malt liquors and what it isn't. However, let me state that we had an excellent hearing on this bill and there was lots of sound opposition to the bill. As it stands at the present moment, the tax on malt beverages in the State of Maine is the highest in any state in the United States and this would add 5c more a gallon or roughly \$1.55 more a barrel. I am wondering how many members of this House are aware of the fact that a resident of Maine can go across the border into the State of New Hampshire and there he can buy a case of beer which I think is twelve bottles for 8c less than the retailer can buy it at wholesale in the State of Maine. Now, there is plenty of business fleeing the State of Maine, going across the border on buying beverages such as this and consequently the State of Maine is already losing quite a revenue and with this increase in tax it would cause it to lose more. Now, I am not interested in the malt beverage business in one way, shape or manner, but, there is an interest in revenue in the State of Maine and by increasing constantly we not only lose revenue by the law of diminishing returns but the merchants within twenty-five or thirty miles of our border would literally have to go out of business because they could not compete with the neighboring State of New Hampshire.

As far as the license fees are concerned, the licensees are paying and paying very well for license fees at the present time and I see no reason, no reasonable reason, why they should be increased and incidentally, to get back to the malt beverages again, the pur-

chasers of malt liquor not only have to pay an increased price for it, but on top of that they have to pay a sales tax and this sales tax is not effective in our neighboring State.

I sincerely hope that you will go along with the motion to accept the Majority "Ought not to pass" Report of the Committee.

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

Mr. JALBERT: Mr. Speaker and Members of the House: Last week, in a parliamentary procedure in order to have this tabled, to extend the courtesy to the gentleman from Portland, Mr. Scribner who was ill with the flu, I had to speak one way or another, and the only manner that I could speak at the time was to declare myself for the Minority "Ought to pass" Report. I assure you that I found out since that day that there are some people outside of us who read the legislative record. For the record, I want to declare myself unalterably opposed to this measure and I go along and join hands with the gentleman from Machias, Mr. Watts, in accepting the "Ought not to pass" Report.

The SPEAKER: Is the House ready for the question? All those in favor of accepting the Majority "Ought not to pass" Report will vote yes and those opposed will vote no and the Chair opens the vote.

A vote of the House was taken.

64 having voted in the affirmative and 39 having voted in the negative, the motion did prevail. Sent up for concurrence.

The Chair laid before the House the sixth item of Unfinished Business:

Bill "An Act relating to Publication of Legal Notices" (H. P. 1182) (L. D. 1684) (In House, passed to be engrossed) (In Senate, passed to be engrossed as amended by Senate Amendment "C" (S-249) in non-concurrence)

Tabled—June 15, by Mr. Hewes of Cape Elizabeth.

Pending—Further consideration.

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

Mr. LEWIS: Mr. Speaker, I know the gentleman from Bath, Mr. McMann is not present and I know he is intensely interested in this bill. I wonder if it could be tabled until tomorrow.

Thereupon, on motion of Mr. Healy of Portland, tabled pending further consideration and specially assigned for tomorrow.

The Chair laid before the House the seventh item of Unfinished Business:

HOUSE MAJORITY REPORT (8)—Ought to Pass in New Draft "A"—Committee on State Government on Bill "An Act Creating the Oceanology Act of 1967" (H. P. 948) (L. D. 1379)—New Draft (H. P. 1210) (L. D. 1722) under title of "An Act Creating the Maine Ocean Science Council"—MINORITY REPORT (2)—Ought to pass in New Draft "B"—(H. P. 1211) (L. D. 1723) under title of "An Act Creating the Maine Ocean Science Agency"

Tabled—June 15 by Mr. Levesque of Madawaska.

Pending—Acceptance of either Report.

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

Mr. BERNARD: Mr. Speaker, I move we accept the Majority "Ought to pass" in New Draft "A" which is the new draft which originally was the bill of the late Representative Lowery of Brunswick.

Thereupon, the Majority "Ought to pass" in New Draft "A" Report was accepted, the New Draft read twice and tomorrow assigned.

The Chair laid before the House the eighth item of Unfinished Business:

Bill "An Act to Correct Errors and Inconsistencies in the Education Laws" (S. P. 358) (L. D. 996) In Senate passed to be engrossed as amended by Committee Amendment "A" (S-176)

Tabled—June 15, by Mr. Dudley of Enfield.

Pending—Passage to be engrossed. (House Amendment "A" (H-430))



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

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

**HOUSE AMENDMENT "B" to S. P. 358, L. D. 966, Bill, "An Act to Correct Errors and Inconsistencies in the Education Laws."**

Amend said Bill by inserting after section 5 the following:

**'Sec. 5-A. R. S., T. 20, §302, amended.** The 2nd paragraph from the end of section 302 of Title 20 of the Revised Statutes is amended to read as follows:

No member of the board of school directors or spouse shall be employed as a teacher or in any other capacity in any public school that comes within the jurisdiction of the board of directors of which he is a member.

**Sec. 5-B. R. S., T. 20, §472, amended.** The 4th sentence of section 472 of Title 20 of the Revised Statutes is amended to read as follows:

No member of the superintending school committee of any such town or spouse shall be employed as a teacher in any public school or contract high school or academy located within a supervisory union of which he is a member of the joint committee.

**Sec. 5-C. Effective date.** Sections 5-A and 5-B shall be effective in each municipality 7 days after the next regular municipal election in each such municipality.'

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

The Chair laid before the House the ninth item of Unfinished Business:

**SENATE REPORT — Ought to Pass — Committee on Judiciary on Bill "An Act relating to Issuing of Parking System Revenue Bonds and Water and Sewer System Revenue Bonds by Municipalities"** (S. P. 541) (L. D. 1398) (In Senate, passed to be engrossed)

Tabled—June 16, by Mr. Berman of Houlton.

Pending — Acceptance in concurrence.

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

The Chair laid before the House the tenth item of Unfinished Business:

Bill "An Act Providing for the Registration of Land Surveyors" (S. P. 550) (L. D. 1447) Committee Amendment "A" (S-205)

Tabled—June 16, by Mr. Bourgoin of Fort Kent.

Pending—Motion of Mr. Starbird of Kingman Township to indefinitely postpone.

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

Mr. CAREY: Mr. Speaker and Members of the House: I ask that you vote against the motion to indefinitely postpone. The registered engineer, it was pointed out is presently no more liable for land survey work than is a licensed mortician, plumber or doctor. There is simply no regulation of land survey practices at this time. There has been expressed a fear of scarcity of surveyors. In view of the grandfather clause, it is difficult to see any change in the near future. As for the longer range view, it is more probable by upgrading land surveying, more interest will be focused on the field and more competent practitioners will be attracted to it. It is well known that many competent surveyors now operate out of their homes. I see and they see no way in which this bill will restrict their practice. It will, however, restrict the part-time practitioner to the extent that he will be required to achieve some degree of competence before he is free to inflict his services on unsuspecting clients.

While we are in agreement that training should be available in land surveying, the grandfather clause built into this bill gives us continuity while this training is being set up. Again, I say that the area vocational schools can easily meet the needs for training. The calling of land surveying will re-

main of low stature without registration and will not be as attractive a vocation. L. D. 1447 will improve the stature, create and emphasize the need for training. Land surveying is now practiced by engineers, non-engineers, surveyors, foresters and anyone who cares to, with no control. One licensing law and one examination board should be common to all, with no special purpose to any, and L. D. 1447 provides for this arrangement.

It would be easy for me to stand before you today and support the motion to indefinitely postpone this bill because I'll still be in business if the bill passes or not, but because I am in the business and perhaps a little closer to the problem than the majority of you here, I am aware of the need for this legislation. Personally, I'll be extra careful of my work knowing full well that someone is looking over my shoulder. With land values rising and urbanization spreading, there is an ever mounting need for improvements in the quality of boundary surveys and the surveyors of this state believe that the Legislature has an obligation to the citizens to provide the means by which this can be accomplished. L. D. 1447 represents the most direct and effective method of doing this.

Again, I urge you to vote against the motion to indefinitely postpone. I thank you.

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

Mr. STARBIRD: Mr. Speaker and Members of the House: I'll be short and sweet. On page 10 of this document, 1447, you'll see under Section 2 a list of Boards of Examiners, etc. that we already have. Some of these pertain to professions and businesses that are enough of a technical nature so that in all likelihood they should need an examination. I have no quarrel with that. There are one or two in there that I would quarrel with some. What this bill does today, is set up another little kingdom for another little group, for another little business and we have no need of it. I do not believe that the business

of land surveying is so technical that this is needed and I urge you again to go along with my motion for indefinite postponement.

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

Mr. DUDLEY: Mr. Speaker and Members of the House: I want to concur with the gentleman's remarks in indefinitely postponing this bill. As the proponents of this bill even admit that there are not surveyors in this State and we are passing a law prematurely it seems to me because we are passing a law relating to them and we don't even have them, we don't even have a school that teaches this at the present time. Now, this seems to be reason enough for me to vote against the bill. I have many other reasons as I have told you the other day, the small towns, I know those I represent don't even have one, don't even know where to send to get one. And let me say there must be a shortage of these engineers even in the Waterville-Winslow and China area because the Town line of China and Winslow has been unsettled for a long time and they haven't even been able to get that straightened out, there must be a shortage of these surveyors in that area too.

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

Mr. CAREY: Mr. Speaker and Members of the House: In answer to the gentleman from Enfield, Mr. Dudley, I would say to him that there are five people practicing surveying in the City of Waterville, one in the town of Oakland. Currently, four of these out of six are our engineers, four, all four, are in favor of registration.

The SPEAKER: The Chair recognizes the gentlewoman from Orrington, Mrs. Baker.

Mrs. BAKER: Mr. Speaker and Members of the House: I rise in support of the remarks of the gentleman, Mr. Carey from Waterville and ask you to vote against the indefinite postponement of this bill.

The SPEAKER: The pending question is the motion of the gentleman from Kingman Township, Mr. Starbird, to indefinitely postpone.

The Chair will open the vote. All those in favor of indefinite postponement will vote yes and those opposed will vote no and the Chair opens the vote.

A vote of the House was taken.

33 voted in the affirmative and 76 in the negative.

Mr. Starbird of Kingman Township requested a roll call.

The SPEAKER: For the Chair to order a roll call it must have the expressed desire of one fifth of the members present and voting. All those in favor of a roll call will vote yes, those opposed will vote no and the Chair opens the vote.

A vote of the House was taken, and more than one fifth having expressed a desire for a roll call a roll call was ordered.

The SPEAKER: The pending question is the motion of the gentleman from Kingman Township, Mr. Starbird, that L. D. 1447 be indefinitely postponed. All those in favor of indefinite postponement will vote yes and those opposed will vote no and the Chair opens the vote.

### ROLL CALL

**YEA** — Baker, R. E.; Binnette, Brown, Carroll, Conley, Curran, Drigotas, Drummond, Dudley, Eustis, Farrington, Foster, Hanson, H. L.; Hanson, P. K.; Harnois, Henley, Hennessey, Hunter, Keyte, Lebel, Levesque, Lewin, Lewis, Lycette, Martin, Mosher, Nadeau, J. F. R.; Philbrook, Porter, Sahagian, Sawyer, Shaw, Starbird, Thompson, Williams, Wood.

**NAY** — Allen, Baker, E. B.; Bedard, Belanger, Benson, Bernard, Birt, Boudreau, Bourgoin, Bragdon, Buck, Bunker, Burnham, Carey, Carrier, Carswell, Champagne, Clark, Cookson, Cornell, Cottrell, Crockett, Crommett, Crosby, Cushing, D'Alfonso, Dennett, Dunn, Ewer, Fecteau, Fortier, Fraser, Giroux, Hall, Hanson, B. B.; Haynes, Healy, Hewes, Hichens, Hinds, Hodgkins, Hoover, Huber, Immonen, Jalbert, Kilroy, Lincoln, Littlefield, McNally, Miliano, Minkowsky, Nadeau, N. L.; Noyes, Pendergast, Pike, Prince, Quimby, Quinn, Rackliff, Robertson, Robinson, Rocheleau, Ross, Scott, C. F.; Scribner, Shute, Snow, P. J.; Snowe, P.; Soulas,

Susi, Trask, Truman, Waltz, Watts, Wheeler, White, Wight.

**ABSENT** — Beliveau, Berman, Bradstreet, Brennan, Cote, Couture, Danton, Darey, Dickinson, Durgin, Edwards, Evans, Fuller, Gaudreau, Gauthier, Gill, Harri-man, Harvey, Hawes, Humphrey, Jameson, Jannelle, Jewell, Kyes, Maddox, McMann, Meisner, Payson, Richardson, G. A.; Richardson, H. L.; Rideout, Roy, Scott, G. W.; Sullivan, Tanguay, Townsend.

Yes, 36; No, 77; Absent, 36.

The SPEAKER: The Chair will announce the vote. Thirty-six having voted in the affirmative and seventy-seven having voted in the negative, the motion does not prevail.

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

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

**HOUSE AMENDMENT "A" to S. P. 550, L. D. 1447, Bill, "An Act Providing for the Registration of Land Surveyors."**

Amend said Bill in section 1 by adding at the end a new section, to read as follows:

**'§1692. Application**  
**This chapter shall not apply to any municipality with a population of less than 5,000.'**

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

Mr. CAREY: Mr. Speaker, as I understand the amendment, I cannot see how it is possibly workable. Would a surveyor living in a town of 4,500 people be confined to doing survey work in the town or could he also do work in the neighboring town which might have a population of 7,000 people? Only recently we had a problem as the gentleman from Enfield, Mr. Dudley pointed out on the China-Winslow town line. Now Winslow is over 5,000 inhabitants and China has under 2,000. Who would do the work on this line? Would an unregistered man doing work in China be forced to hire a registered man when he got to the town line? Would the population of the residence of the surveyor be the governing factor, or would

he be limited to working in the class of towns 5,000 and under? Property lines are property lines, and while land values are generally lower in a smaller community an inaccurate survey, no matter the size of the town or the city, is still wrong, and the Court and legal cost to correct the surveyed areas is still a burden on the property owner.

While the amendment reads shall not apply to any municipality and so forth, it might be pointed out that the bill is intended to register land surveyors and not towns. The bill makes reference to the person. Engineers, pharmacists, architects, oil burner men, plumbers and the other professions and occupations have to register regardless of the size city or town. Surveying is not, or should not be any different. This is undoubtedly another effort to amend the bill to death.

I move for indefinite postponement of House Amendment "A".

The SPEAKER: The gentleman from Waterville, Mr. Carey, now moves the indefinite postponement of House Amendment "A".

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

Mr. DUDLEY: Mr. Speaker and Members of the House: I'd like to say a few words in defense of this amendment. I see no other way that the people in the towns that I represent can acquire surveyors—they're not available; and seeing that they are not available we still want to have land transactions like we've had for the last three hundred years, I'm sure if there is some resident surveyor available they'll probably hire him, but I'm thinking of those cases that I transact in this business quite a lot myself—not surveying but in the process of selling lands and lots, and I certainly would hire a registered surveyor if he was available, but they're many of these towns that are not available. Now this bill doesn't say that you won't hire these or anything like that—it merely says that this Act doesn't apply there—they can or cannot do it, and it's not a problem in these small towns—it's certainly not a problem, and if

they do have a problem they can still hire a registered land surveyor. I understand there's some available, some four in Waterville, and maybe one in Old Town. There may be some in Portland, but that's quite a ways from West Enfield, or it's quite a ways from Kingman Township when you want to get some land surveyed. So I hope that this motion won't prevail—and I'm sure it won't ruin the bill. You'll give the people in these little towns the right to sell a piece of property and have it surveyed in the same method that they have for the last three hundred years, if they want to—it doesn't say they have to, they can still hire one of these licensed professionals if need be. Thank you.

The SPEAKER: The Chair recognizes the gentlewoman from Orrington, Mrs. Baker.

Mrs. BAKER: Mr. Speaker and Members of the House: I look upon the proposed amendment as a means of weakening the bill and terribly confusing the issue, and I would urge you to go along with the indefinite postponement of the amendment.

The SPEAKER: The Chair recognizes the gentleman from Ellsworth, Mr. McNally.

Mr. McNALLY: Mr. Speaker and Members of the House: I agree with the lady from Orrington and the gentleman from Waterville. I think this is the biggest red herring we've seen in here yet.

The SPEAKER: Is the House ready for the question? The pending question is the motion of the gentleman from Waterville, Mr. Carey, that House Amendment "A" be indefinitely postponed. The Chair will order a vote. All those in favor of indefinite postponement will vote yes, those opposed will vote no, and the Chair opens the vote.

A vote of the House was taken.

66 having voted in the affirmative and 36 having voted in the negative, the motion prevailed.

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

Mr. Jalbert of Lewiston presented the following Order out of order and moved its passage.

ORDERED, the Senate concurring, that the Legislative Research Committee is directed to conduct a comprehensive study of an annual session system for the State. Said study to include a review of session systems and their operations in other states; and be it further

ORDERED, that the committee report its findings, together with any necessary recommendations and implementing legislation, to the next special or regular session of the Legislature. (H. P. 1221)

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

Mr. JALBERT: Mr. Speaker and Members of the House: I think over the years there has been a tremendous amount of support indicated for annual sessions. This Order has no price tag on it as far as outside people to be called for studies. I think there is ample information that could be gathered right in our own Library, and I am sure that the capable Legislative Librarian, Miss Edith Hary, can help us procure all the information that we would need pro and con. For that purpose I move the passage of the Order.

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

Mr. DENNETT: Mr. Speaker and Members of the House: Many years I have been an opponent of annual sessions, but I do believe this morning this Order that has just been introduced has a lot of merit, and I do believe that the Research Committee should be empowered to study this and perhaps once and for all and finally, we can get a clear and concise picture of what this might or might not accomplish. I strongly urge that this Order receive passage.

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

Mr. ROSS: Mr. Speaker and Members of the House: As a former Chairman of the Legislative Research Committee, I also support this Order.

Thereupon the Order received passage and was sent up for concurrence.

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

An Act relating to Use of County Surplus Funds (S. P. 457) (L. D. 1134)

Tabled — June 15, by Mr. Jalbert of Lewiston.

Pending — Passage to be enacted.

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

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

An Act relating to Municipal Regulation of Community Antennae Television Systems (H. P. 632) (L. D. 888)

Tabled — June 15, by Mr. Shute of Farmington.

Pending — Passage to be enacted.

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

The Chair laid before the House item three under Bills in the Third Reading, tabled earlier in the day by Mr. Scribner of Portland and assigned for later in the day:

Bill "An Act Providing for Disclosure of Interest and Finance Charges on Loans" (H. P. 964) (L. D. 1465)

The SPEAKER: The Chair recognizes the gentleman from Brewer, Mr. Robertson.

Mr. ROBERTSON: Mr. Speaker and Members of the House: I guess first I might be in order to comment to the House on the remarkable speed with which we have taken care of the matters this afternoon because as yet the amendment has not come onto our desks. So I think it might be in order to table this matter until the next legislative day.

Thereupon, on motion of Mr. Scribner of Portland, tabled pending passage to be engrossed and specially assigned for tomorrow.

The Chair laid before the House item four under Bills in the Third Reading, tabled earlier in the day by Mr. Benson of Southwest Harbor and assigned for later in the day:

Bill "An Act relating to Truth-in-Lending and Disclosure of Interest and Finance Charges in Retail Sales" (H. P. 1215) (L. D. 1728)

Thereupon, on motion of Mr. Robertson of Brewer, tabled pending passage to be engrossed and specially assigned for tomorrow.

(Off Record Remarks)

On motion of Mr. Benson of Southwest Harbor,

Adjourned until nine-thirty o'clock tomorrow morning.