

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

Wednesday, January 17, 1968

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

Prayer by the Rev. Mr. David E. Siriano of Lewiston.

The journal of yesterday was read and approved.

Papers from the Senate

From the Senate: The following Orders:

ORDERED, the House concurring, that the Director of Legislative Research is directed to have printed in pamphlet form and distributed to the public the Acts and Resolves passed at the first and second special sessions of the 103rd Legislature (S. P. 806)

ORDERED, the House concurring, that there is appropriated from the Legislative Appropriation the sum of \$10,000 to the Commission to prepare a revision of the insurance laws to carry out the purposes of the Commission on Revision of Insurance Laws under chapter 171 of the private and special laws of 1967, and any unexpended balances shall not lapse but shall remain a continuing carrying account until June 30, 1971 (S. P. 807)

Came from the Senate read and passed.

In the House, the Orders were read and passed in concurrence.

**Non-Concurrent Matter
Tabled and Assigned**

Resolve Providing Moneys for Cerebral Palsy Clinics for Home Care Programs (H. P. 1251) (L. D. 1757) which was passed to be engrossed in the House on January 16.

Came from the Senate with the "Ought not to pass" Report of the Committee on Appropriations and Financial Affairs accepted in non-concurrence.

In the House: On motion of Mr. Ewer of Bangor, tabled pending further consideration and tomorrow assigned.

Orders

On motion of Mr. Ross of Bath, it was

ORDERED, that Mr. Quinn of Bangor be excused from attendance during this Special Session for the duration of his illness.

On motion of Mr. Gaudreau of Lewiston, it was

ORDERED, that Louise Landry and Monique Allard, both of Lewiston, be appointed to serve as Honorary Pages for today.

Mr. Dennett of Kittery was granted unanimous consent to address the House.

Mr. DENNETT: Mr. Speaker and Members of the House: Today, as you are all aware, is the seventeenth day of January. This is not significant in itself, but there is a fact that I would like to bring before you.

A short two years after this century came in, January 17, 1903, and it was a day very much like today, the grey dawn, the cold dawn of the State of Maine broke that morning over the tranquil little village of East Corinth, which is in the hilly section in the western reaches of Penobscot County.

An event took place that day which was not unusual in itself. It was a blessed event; a child was born. But, no star in the heavens marked the advent of this occasion. Yet to us as members of the House it was somewhat auspicious. A man child who was born that day grew into manhood. He drank from the Cup of Life, he drank both its joys and its sorrows. He entered the 97th Legislature, to begin his labors in the vineyard of legislative activities. And he has done well, he has been able and he has prospered.

This morning it is my pleasure on behalf of the members of this body, its leadership and its staff, to extend to the genial gentleman from Gardiner, Representative Hanson, the congratulations and felicitations of this body on his natal day. (Applause)

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

Mr. HANSON: Mr. Speaker, the Honorable Mr. Dennett, Ladies and Gentlemen of the House: I certainly appreciate the kind words from my former seatmate Bill

and I wish that I were the eloquent speaker that he is so that I could really express my honest feelings in response.

I am very happy to be here today and to be a member of this august body and I wish to thank all of you for your kind expression, and I have just one more remark. They are always speaking about the younger generation and so forth and I think there's only one fault to find about anything like that — I am sorry but I'm just too old to belong to that. (Applause)

Mr. Bernard of Auburn presented the following Joint Order and moved its passage:

ORDERED, the Senate concurring, that the Committee on Appropriations and Financial Affairs report a bill that will create the Maine Underwater Rescue Unit.

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

Mr. BENSON: Mr. Speaker and Members of the House: For reasons that have already been given by our Majority Floor leader in situations of this nature. I move the indefinite postponement of this order.

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

Mr. BERNARD: Mr. Speaker and Members of the House: Many of you in this distinguished House are aware of the recent tragedy that took place at Rockland when a car carrying four individuals plunged to the bottom. I dare say that an emergency existed because it cost the State of Maine a great deal of money for the subsequent operation and recovery. This bill that I have written, I have spent some eight years studying this matter and come up with this little gem which I feel in the long run would save our State a great deal of money and a great deal of grief; and I ask only that since the bill is not before us that I be allowed a chance to bring its merits before the Committee on Appropriations. I would ask a division on that.

The SPEAKER: Is the House ready for the question? The pending question is on the motion of

the gentleman from Southwest Harbor, Mr. Benson that the Joint Order presented by the gentleman from Auburn, Mr. Bernard be indefinitely postponed.

Mr. Bernard of Auburn was granted permission to speak a third time.

Mr. BERNARD: Mr. Speaker and Members of the House: This recent operation cost the State of Maine about \$3561.82. The bulk of the cost went to paying for Navy divers from Portsmouth Naval Ship Yard who came to Rockland and provided the main part of the search. The past nine years we have had in Androscoggin County an underwater rescue team under the direction of our Civil Defense, in Androscoggin County, our director, and this rescue team has at times merged out to eight different counties within the State. And I dare say that our operations over the past eight years has touched just about on every district that every one of us represents here.

During the past eight years I have taken part in most of these operations and I have recovered personally sixteen unfortunate drowning victims. In 1964, just to quote a year, we took part in the recovery of eight different accidents. I would say that the total cost in 1964 of those operations, to reimburse the divers who received anywhere from twenty to twenty-five dollars a day plus food and travel, amounted to far less than a thousand dollars. Yet we have one operation here at Rockland that has cost us over \$3500. The bills are still coming in. This figure of \$3500 does not take into account the vast number of State Police that were assigned to this particular duty; it does not take into account the local law enforcement agencies, the sheriff's department, the fire department. It does not take into account the many industries that loaned equipment for this operation.

I myself attended the rescue mission three days. I received no compensation; I was there strictly as a volunteer. On the second day I personally did bring up one of the victims. The next morning a second

victim was brought up. I have had some misgivings about how the operations were carried on, and this bill would eliminate these misgivings. The main purpose of this bill would be to create a unit whose main purpose is to go to a scene of a disaster, recover the victims in the shortest possible time and the least expense to the State. There is an appropriation tacked on to it, \$1500. It's a great deal of money, somebody is really going to get rich on it. But I feel that between now and July first this year this \$1500 would more than cover any rescue operations in the entire State.

I have talked to several of the department heads, they are all interested in this bill. It is not a fly-by-night idea, it's a reality. We have tested it out. The reason that our Civil Defense organizations do not send us on this particular mission from Androscoggin County is that there was no authority to send us out of the County at this time, and that was why I happened to go on my own.

My name was provided to the State Police through the Governor's office, and ironically the following day when I showed up a state trooper asked me—well who authorized you to come here and volunteer your services? I feel that any person who has skill and the ability to perform under these conditions should certainly be made available, and I simply stated that higher authority desired that I be here. And the question was repeatedly asked, well who is the higher authority? Well, ladies and gentlemen, in this case I asked my wife, could I take three days off my work and go up here and volunteer my services? And she said yes I could.

This is why this bill came about. I received a lot of ridicule naturally from contractors and so forth. They asked me, well how can you go up there for three days and do all that for nothing and here they're paying the Navy Department \$700 a day? And this is why I've written this bill and I think that this thing is going to happen again—it has happened in the past. It is unfortunate, but I think we have set a precedent. Every time

there's a tragedy of this type now, there's no reason why a County Attorney will not come to the State and ask to be reimbursed, and this bill I believe would take care of future emergencies. Thank you.

The SPEAKER: The pending question is on the motion of the gentleman from Southwest Harbor, Mr. Benson, that the order of the gentleman from Auburn, Mr. Bernard, be indefinitely postponed. A vote has been requested. All those in favor of indefinite postponement will vote yes; those opposed will vote no. The Chair opens the vote.

A vote of the House was taken. 60 having voted in the affirmative and 66 having voted in the negative, the motion did not prevail.

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

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

Mr. Dennett from the Committee on State Government on Bill "An Act Increasing Compensation of Bank Commissioner" (H. P. 1281) (L. D. 1787) reported Leave to Withdraw, as covered by other legislation.

Report was read and accepted and sent up for concurrence.

Ought Not to Pass

Mr. Hanson from the Committee on Taxation reported "Ought not to pass" on Bill "An Act relating to the Taxation of Certain Housing" (H. P. 1321) (L. D. 1864)

Report was read and accepted and sent up for concurrence.

**Ought to Pass
Printed Bill**

Mr. Dennett from the Committee on State Government, acting in accordance with Joint Order (H. P. 1323), reported a Bill (H. P. 1326) (L. D. 1871) under title of "An Act relating to Housing and Meal Expenses for Legislators" and that it "Ought to pass"

Report was read and accepted and the Bill read twice. Under suspension of the rules the Bill was read the third time, passed to be engrossed and sent to the Senate.

Divided Report

Majority Report of the Committee on Taxation reporting "Ought not to pass" on Bill "An Act Repealing the Law Relating to Boat Registration" (H. P. 1297) (L. D. 1803)

Report was signed by the following members:

Messrs. WYMAN of Washington
YOUNG of Hancock
FARLEY of York
— of the Senate.

Messrs. HANSON of Gardiner
HARRIMAN of Hollis
ROBINSON of Carmel
DRIGOTAS of Auburn
SUSI of Pittsfield
COTTRELL of Portland
— of the House.

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

Report was signed by the following member:

Mr. ROSS of Bath
— of the House.

Reports were read.

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

Mr. ROSS: Mr. Speaker and Members of the House: For a great many years the State of Maine has had a very difficult problem with the taxation of boats. There has been absolutely no uniformity — some cities tax boats, some do not; some have a high rate, some have a low rate; and there is nothing uniform at all about it.

Last session the gentleman from Waldoboro, Mr. Waltz, in L. D. 1513, suggested a uniform excise tax for boats. There was a great deal of opposition at the public hearing, so the Committee thought they would try to redraft something. Finally, the latter part of June they came out with L. D. 1724, but this did not clarify a thing. In my opinion it only compounded confusion. It was not a uniform tax suggestion, it was just a bill to help tax assessors. It was entitled "An Act relating to Boat Registration." It simply stated that before you register a boat you must go to the Tax Collector and get a certificate filled out that

your taxes have been paid. And remember, some cities tax and some cities do not.

I felt then as I feel now that it was nuisance legislation, and as a matter of fact this House felt that way too, twice. This bill was defeated twice in the House of Representatives but finally in the waning hours of the session it was resurrected. I feel that it is a very poor public relations vehicle. My suggested bill, this 1803, would have repealed the whole law. At the public hearing there were a great many proponents in favor of the complete repeal. Boat owners were there, the chairman of the Boat Owners Association with 45,000 members, various marine trades, builders, wholesalers and so forth. The only persons in opposition were tax assessors and one of the assessors said that he was speaking in behalf of the Maine Municipal Association.

Now if we must cater to these two groups I have another suggestion that both of them have agreed to, and in order to present it to the House of Representatives this morning I now move that we substitute the bill for the report so that I can offer an amendment and at that time we can discuss and vote on the amended bill.

The SPEAKER: The gentleman from Bath, Mr. Ross, now moves that the House accept the Minority "Ought to pass" Report.

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

Mr. HANSON: Mr. Speaker and Members of the House: Before the House votes on this motion of the gentleman from Bath, Mr. Ross, I would like to explain a little of the thoughts of the Committee in general.

And the first place is, as many of you know we have had battles over the years between the boatmen and the assessors. The law requires that boats as well as TV's, farm machinery, and so forth are to be assessed and notices have gone out from the State Taxation Division to each tax collector or assessors whereby they are supposed to perform the duties assigned to them, which they have been elected or appointed for.

In many cases that does not happen because many do not believe in taxing boats, they figure that by the time they can catch up with them and so forth it is a nuisance tax, and I am inclined to agree with them. But nevertheless there are those that feel that the assessors and the municipal officers should have a record of all boats that are owned within the municipality.

Perhaps I am a little in advance because I believe that Mr. Ross would like very much to present an amendment, and I would like to concur with him in the remarks that he did make, that there were many boatmen there, salesmen and so forth, all segments of the boating industry and the owners were present. They all admitted that they were willing to pay a tax. Their biggest gripe seemed to be that some municipalities were assessing, others were not; some of the assessors were very unfair and unjust with the valuation that they placed on the boats, and so forth.

But the assessors seemed to imply to the Committee, and I believe a Mr. Wilson who is chairman of the State Association of Assessors agreed that if a list could be obtained from the Watercraft Division and presented to the assessors of each municipality, which would include all boats which were owned by residents of that municipality, that they would be satisfied.

I am not going to make any motion at this time because I am leaving it to you members of the House, and when I signed the report I signed "ought not to pass," I signed it with reservations because I felt possibly that it was—and I know that it is creating havoc within the Watercraft Division for the simple reason that applications are coming in, they are not, do not have the registration or the blank form the tax collector for the municipality in which they reside to the effect that their taxes are either paid or they do not charge a tax to the boats and so forth; so that means the remailing of these applications back to the applicant informing him of the law, and in case of out-

of-state parties—there is one report and I saw the letter myself, where this lady made her application for registration last fall, early last fall, and the application was returned to her from the Watercraft Division informing her of what the present law is at the present. So she wrote to the assessors, and I believe it was to the City of Portland, and as of that date which was the fifth or sixth of January I believe she had not heard from the assessors and she was getting uneasy in regards to licensing her boat.

Now if the law remains as it will probably mean that there will have to be many letters or applications returned; it will mean the hiring of an extra girl as I understand it and extra postage and so forth. And the amendment which Mr. Ross has, which is not before us at the present time, simply means that this—instead of receiving, going down and picking up their slip from the tax collector would mean that the Watercraft Division would have to send a list of all registered boat owners to the municipality or the assessors.

So I am leaving it to the judgment of this House as to what they wish to do.

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

Mr. COTTRELL: Mr. Speaker and Members of the House: I know we all listen with great pleasure and attention when our distinguished member from Bath makes his remarks on the floor of the House, which are most graceful and meritable. As he intimated this is a bill which over the years—not a bill, but this is a problem which has inspired a great deal of thinking among those interested and particularly in the minds of those who serve on the Taxation Committee.

We had another one of those lengthy hearings last Thursday afternoon, I think it lasted three hours. It may have been given the impression that this bill has stirred up a great deal of confusion, and it certainly has; but at the end of that hearing I think the confusion had dissolved. There were five rep-

representatives of the boat ownership building, selling membership or citizenry and at the end a great many of the questions had been resolved.

The salesman has learned that if he sells a boat after April first there is no tax liability. The builder learned that on April first if a boat is in the process of being built there is no tax liability on April first. There was a confusion between the sales tax and the boat tax which has been on our books for decades. It is certainly true that many of our communities do not bother to tax boats, but in these times when communities are looking for every tax dollar that they can get a new interest has revived in our boat situation.

This bill that would be repealed is not a tax bill. It should be called a certification bill. It simply asks the owner of a boat when he registers once every three years to submit with his application for registration a certification little slip signed by the tax officer in his community where he resides showing that he has satisfied any tax liability against his boat. If that community does not choose to tax boats there is no tax liability, and so he has satisfied it and he can send in that certification. As I say again, this is not a tax bill; it is simply helping to get an inventory of our boats. It is something like going out into a woodlot or a jungle and starting to clean up the brush so that the healthy trees can grow. It's not a complete bill by any means, but it's a start. And it has received the approbation of nine men on the Tax Committee, and some of those men have been dealing on that same committee with this proposition for twelve years.

As I say, I don't think there will be too much objection from some of the boat interests now that we have held the hearing and that they thoroughly understand the bill. This is Mr. Ross's bill and we can understand why he must defend it. But it was the feeling of the Committee that this bill should be allowed to stay on the books for one year, to the end of this year. There will be some bugs in it but on the whole it will be a great help on any future boat bill.

Representative Ross's amendment would seem to satisfy, and yet when we investigate it it doesn't satisfy. Because the proposition was that if the assessors could receive a list of the boat owners and their residence and their location of the boats, that that would be very satisfactory. But when we examine whether or not we can get that list we find from Mr. Johnson, who heads the boat administration, that all he could give would be a list of boat numbers.

Now that would be very difficult for the assessors in their use and for their purposes, and so that now has been turned down by them as unsatisfactory. When you register your boat all you have to do is give your permanent mailing address. Now your permanent mailing address may be New York City — you may be a resident of New Jersey and have your office in New York City. There is no help from the registration of the boat for the assessors, and I might say that the assessors of Bangor, Portland, from Biddeford, from all over the State, said—let this bill live, let us try it out, it is the best tool that we have ever had in the history of boat taxation in this State.

And so it was the considered judgment of nine members on the Taxation Committee that this bill should be allowed to live. Thank you.

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

Mr. PRINCE: Mr. Speaker, Ladies and Gentlemen of the House: I rise to concur with the thinking of Representative Ross of Bath. This bill is tremendously important. It is creating a lot of turmoil and confusion with our boat builders, our boat companies, and municipal officers, and I urge the House to accept the Minority Report so that Mr. Ross may offer his amendment and we can take a look at it then.

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

Mr. HANSON: Mr. Speaker and Members of the House: There are a few errors and discrepancies in some of this testimony. I testified

against this bill before the Taxation Committee, and if you will recall back during the regular session, I debated the issue with Representative Ross. At that time I was not a tax assessor. At this time and appearing before the Committee I was not a tax assessor, though I will admit after this special session I will assume that duty.

It has been stated here that a number of representatives of the boat industry testified. This is true. I would like to suggest however, that these people though representative of large numbers of boat owners, builders and whatnot were basically privileged or special interest people. They actually were engaged in the sale, construction or repair of boats. It appeared from their testimony that they were under a misapprehension, misrepresentation that this measure requiring a certificate to show the taxes were paid would cause them to have to pay taxes on boats or their purchasers. This was not true. Representative Cottrell sitting on the Committee read from the statutes which indicated a number of these boats about which they were concerned were exempt by law from taxation. This particular measure did in no way change the law regarding taxation.

I would also like to point out that there may be confusion, there is confusion with any new measure. If you will recall shortly not too long ago we changed the law relating to drivers' licenses and made them fall due on our birthdays. A great number of us probably drove for a length of time without a license. There was some confusion. This is ironing out. There is some confusion relative to obtaining the certificate from the tax collector. However, it has been stated here in debate that one must visit the tax collector. Now this is erroneous. This can be accomplished by mail, it's not that difficult. The form itself is very, very simple. It merely indicates whether the required taxes, if assessed, have been paid. If no taxes are assessed in that town, no tax is due and this can be indicated.

The Assessor of the City of Biddeford testified that they do assess

boats in Biddeford, but realistically they can assess only about thirty percent of those boats. The other seventy percent are not found or some of them deliberately are hidden, others are overlooked by the assessors. This measure would help to find these boats and assess fairly. Now during the debate, the boat owners, builders et cetera were much concerned with equal taxation, uniformity of taxation. Now under existing state law boats are supposed to be taxed, and they are supposed to be taxed uniformly. Unfortunately, when you can assess only thirty percent of the boats in a given community, this is not very uniform. If all of these boats, if one hundred percent of these boats could be taxed, certainly this would be a step in the right direction, this would achieve a certain amount of uniformity.

It has been stated or the purpose of the amendment is to provide lists, it doesn't indicate specifically when, maybe once in ten years, once in five years, but as Representative Cottrell has pointed out, Mr. Johnson, the director of the boats in the State of Maine, indicated that their system, their computerized system, I don't quite know just what type of system they have, but their system is set up similarly to the registration of automobiles, and it is geared to the registration numbers. It does not provide conveniently the names and addresses. This can be obtained, but it would require going through the files manually, and one of the objections to this measure as it now stands is that it has increased the cost to the Bureau of Boats. Certainly the cost would be considerably greater if they had to provide these lists under the existing setup.

Another point that the boat representatives made was the fact that they would get together and come up with a system of taxation together with the assessors which would be fair and equitable and would be agreeable to all. It was pointed out during the Committee hearings by members of the Committee, several of whom had sat for years through these hearings, that this same promise has been made for the last twelve

years. As soon as the pressure is off they forget their promise, and it is highly unlikely that any special interest group is going to voluntarily come up with a system of taxing themselves. This is a very, very useful and desirable piece of legislation. It may require amendments. Time may prove certain weaknesses in it, but at the present time, as has been pointed out previously, this is a very, very useful tool in the equalization and fair taxation of personal property, specifically boats. And as one final word, I would have to say very candidly that in the testimony of these people in the boat industry I would say that there seemed to run throughout their testimony an undercurrent of selfish interest, there seemed to be concern voiced that because of this bill, which has nothing whatsoever to do with the sales tax, that they were unfortunately being caught and sales taxes were being assessed against boats which were being built and sold in the State of Maine which previously had been able to escape the sales tax provision of our law, and I couldn't help but feel that a lot of the impetus, a lot of the desire of the boat industry to do away with this measure was simply to escape the liability of the sales tax. Thank you.

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

Mr. CROMMETT: Mr. Speaker, Ladies and Gentlemen of the House: I support the motion of the gentleman from Bath, Mr. Ross. I have several complaints regarding this bill. I know a man that has tried to register his boat, but the tax assessors will not do so because there is no tax in that town. Listening to the remarks of the gentleman from Portland, Mr. Cottrell, he says it is a matter of certification and that the tax assessors may do this, but evidently the tax assessors have not been instructed, and so in supporting the motion of the gentleman from Bath, Mr. Ross, not so much for his amendment as was indicated here, but for clarification, and see if perhaps we can come up with something that the assessors will

be instructed to issue a certification so that the boat might be registered.

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

Mr. DICKINSON: Mr. Speaker and Members of the House: I would apologize for not having a prepared speech like the opposition apparently has. You will perhaps recall my comments when this L. D. appeared before us in the regular session under the guise of a new title, when actually it was a new bill, there was no opportunity for a hearing.

I think that when problems arise we can better understand them by talking with the people who understand this problem like the Boat Builders Association, Marine Trades Association and so forth, who have taken a lot of time to develop detail, and I believe that you all received information from them, and I would suggest that the gentleman from Bath, Mr. Ross, is in a position to understand this problem.

In my opinion, this tax assessors bill amounts to spending \$5.00 to save \$1.00. There can be no argument with the intent. However, the effect on so many people is something which should be considered. As you will recall, this bill to help tax assessors does not really tell them about all boats. It does pinpoint the location of those required to be registered, namely, boats powered with over 10 horsepower. Expensive sailboats and other expensive craft powered with less than 10 horsepower are not affected by this, therefore this discrimination is difficult for those required to register boats to understand.

I attended that hearing and notwithstanding comments by the opposition, I think the refutation of a lot of these points they have made would have been understood better if one had attended the hearing. It was a lengthy hearing running into late hours, and proponents included — in fact all the opponents were tax assessors. I would not take up the time of this body to review points covered by the people who took the time to

point out the effect it was having upon the State because I know you all received that information. As you know, we operate a marina and are approached by a lot of people on this subject and I would certainly hope that the motion by the gentleman from Bath, Mr. Ross, would prevail. Thank you.

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

Mr. HENNESSEY: Mr. Speaker and Members of the House: Knowing the feeling of the fishermen in the area, I would like to have the opportunity of hearing Mr. Ross present his amendment so I will concur with him.

The SPEAKER: The Chair recognizes the gentleman from Winslow, Mr. Roy.

Mr. ROY: Mr. Speaker and Ladies and Gentlemen of the House: I feel as a tax assessor I have to stand and voice my feeling and opinion on this measure. I stand in support of Mr. Ross's amendment, for I feel that until the Bureau of Registration has come up with the facilities to provide the assessors with the lists so that they can trace down these boats, as you know in some of these small municipalities it is quite a job just to chase down the tax collector. I can imagine what kind of harrassment this will be on the tourist business of the State of Maine. I think we have enough taxes and regulations that creates a lot of hardship on our tourist business and I don't see why we have to add another burden to it.

As a tax assessor of course in principle I should be against this amendment, but I stand here in support of it until such time as the Boat Registration Department can bring their files up to date and provide the assessors of the State with a list, so they in turn can mail out a notice to the people that own boats in the municipalities.

Another part is that the assessors by law are compelled to tax any personal property in any municipality, for all the assessors in the State have received a notice about a month ago that if the boats are not taxed that they in turn will be prosecuted by law, so I hope

that the amendment Mr. Ross introduced will pass.

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

Mr. PENDERGAST: Mr. Speaker and Members of the House: I would like to support the acceptance of this Minority Report. As I said in the regular session of the 103rd this is a nuisance and a source of aggravation for boat owners and many of our summer residents who may have a limited vacation time. I say let's go along with the gentleman from Bath, Mr. Ross so he can present his amendment. Thank you.

The SPEAKER: Is the House ready for the question? The pending question is the motion of the gentleman from Bath, Mr. Ross, that the House accept the Minority "Ought to pass" Report. The Chair will order a vote. All those in favor of the acceptance of the Minority "Ought to pass" Report will vote yes, those opposed will vote no, and the Chair opens the vote.

A vote of the House was taken.

93 having voted in the affirmative and 27 having voted in the negative, the Minority "Ought to pass" Report was accepted and the Bill read twice.

Mr. Ross of Bath offered House Amendment "A" and moved its adoption.

House Amendment "A" (H-514) was read by the Clerk.

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

Mr. ROSS: Mr. Speaker and Members of the House: I would first like to comment on remarks made by a couple of previous speakers. The gentleman from Solon, Mr. Hanson, compared this with the birthday drivers' license bill. I don't believe that Mr. Hanson was here when the birthday drivers' license bill was presented to this Legislature; it was presented by the gentleman from Bath, Mr. Ross. And as a matter of fact, that next year I forgot to get my license.

He mentioned that the cost of preparing these lists would be far greater than if we operated under the law that we passed at the last

session. Exactly the reverse is true. If we do not change this law it is going to cost the Bureau of Watercraft between \$5,000 and \$10,000. If we do change the law, it will cost them something less than \$2,000 to distribute to all the towns lists of the persons in the towns owning boats, and I might add, by name, and not just by number.

If we don't change this law, since all boats must be registered if they have over a 10 horsepower motor, we will have to get the certificate before they register the boat. Now he also mentioned that only special interest people were in favor of this for selfish reasons. That certainly is not my idea of sponsoring it or standing before you trying to plead the cause. I am interested in the public relations aspect for the State of Maine with the 45,000 boat owners that we have. Now this will be handled by the Bureau of Watercraft. It only became effective last October 6, so the real impact has not been felt, but there have been many examples already of the poor public relations that it is giving.

For instance, eighty percent of the applications have had to be returned to the person applying with a little information brochure saying what they have to do. Some of them have had to go back two or three times because the person still would not get it filled out properly. There have been several persons call at the office of Watercraft Registration because they wanted to get a boat registered that day. They have come from as far away as Eastport; they wanted the boat registered because they wanted to continue their business, and Mr. Johnson had to say I'm terribly sorry, you will have to go back to Eastport and then either mail this application in or come in with it yourself. In my opinion, these things do not do the image of the State of Maine any good.

My amendment would do three things. First of all, I would leave, as we changed, the section of the law that says the boat will be taxed to the person residing in the community. It used to be that it would be taxed where the boat was found, and it was difficult to find these boats, so I am willing to

concede that point, I think that is excellent, but it will eliminate the poor features that we have been talking about, and that is to tie the registration with the proof that the tax had been satisfied. It will accomplish the one further thing that I have said it would, and as you can see on the last the Bureau will furnish a list, it says, from time to time. You might want to say every year or every two years, but the Bureau, if we pass this, would actually prepare the list, these lists would cost less than \$2,000, and if we don't change it we will be spending between \$5,000 and \$10,000. Thank you very much.

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

Mr. COTTRELL: Mr. Speaker and Members of the House: As we have said, this is not a new taxation bill, it is simply a tool for the assessors, and I am sure that they would support Mr. Ross's amendment if they felt that they could get the information through Mr. Johnson that they need, and if that can be produced through Mr. Johnson's office, I am certainly willing to go along with this amendment, but I think that should be scrutinized carefully. We say so many things here on the Floor and then later we find that there has been misunderstanding or that certain things which have been said do not work out, and so I am certain if the assessors can get the address of the residents and the location of his boat, where he keeps it, that that would be very satisfactory.

It was my understanding definitely that all the boat department could supply was the number, and the number of the boat changes very frequently because the number always stays with the boat, and then the ownership of the boat changes, there is a great turnover, especially in the fall and the spring of boats. So if this doesn't add to the confusion which we are trying to straighten out, I certainly think it would be a great help rather than repealing this altogether. Thank you.

The SPEAKER: The pending question is the adoption of House Amendment "A." The Chair rec-

ognizes the gentleman from Solon, Mr. Hanson.

Mr. HANSON: Mr. Speaker, Mr. Ross has indicated that he is willing to retain several desirable features of the bill, and these are very satisfactory remarks to I am sure the assessors in the State of Maine. The assessors at the hearing did indicate that they would be happy in lieu of this certification plan to have an up-to-date listing by the Bureau of Watercraft as to the ownership of boats so that they could find these boats to tax them.

At the hearing, Mr. Johnson did testify that he would be unable to provide a satisfactory list, one, because of the manner in which the records are kept in the Bureau, and two, he mentioned specifically the fact that any list issued today automatically would be out of date tomorrow. In other words, the ownership and the registrations of these boats do change, people trade boats in. This—it was largely because of this that the assessors as a group felt, primarily based on Mr. Johnson's testimony, that this was not entirely feasible and would not satisfy the need the certification program does. However, if listings can be obtained and on a yearly basis; I notice that this amendment does not indicate any specific time, and a strict interpretation of this could let them perhaps one in twenty years issue a list.

I would feel that a listing every year at least would help, and I would agree with Mr. Ross that a certain amount of confusion does exist. I indicated the confusion—I indicated the similarity between the confusion of this bill and the confusion of the drivers' license change, and Mr. Ross did indicate that the very next year he did forget to obtain his driver's license. In any change there is bound to be confusion. If we kept this existing law, I am sure that in a matter of a few short years people would become adjusted and they would obtain their certificates to show their taxes had been paid very much the same as we do now on automobiles. We have to do the same thing on automobiles whether you are aware of it or not.

Every time you register an automobile you have to have a certificate on the registration signed by the tax collector which indicates that the excise tax or property tax has been paid on that vehicle, and we don't find it any problem. But if the Bureau of Watercraft can issue a list each and every year, and a list by name and address so that the tax assessors can find these boats, I am sure that they would not be too opposed to repeal of this particular section, but if they cannot do this, if this cannot be accomplished, why again I would reiterate that this is a very, very workable tool, it is a step in the right direction, and in the final analysis one of the things we want from taxation is equitable and fair taxation. If part of the population is forced to pay a tax possibly because they were honest enough to admit liability, and another segment of the economy can escape that tax, this is not fair and just. Thank you.

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

Mr. WALTZ: Mr. Speaker, Ladies and Gentlemen of the House: As the Legislator who introduced this bill initially about a year ago, I think that perhaps I should make a few comments about it. I have no particular grief with Mr. Ross's amendment except in one respect, because I feel that he is attempting to accomplish pretty much through his amendment what I attempted to do in my original bill, although as many of you may recall that in my original bill I had the boats specifically valued based upon their year, length of service and so forth. I do feel that this one particular sentence in Mr. Ross's amendment should require some thinking. It seems to me that it is extremely indefinite. He refers to the Bureau of Water Registration in which he says this Bureau, and I quote: "shall make available from time to time." Now what do we mean by from time to time? Seems to me that that is pretty general. I wonder if there are other people, other legislators who think much the same as I do who might wish to table this bill

until the next legislative day until we incorporate in this amendment a specific time, perhaps every six months period or every year period, but as it is, it seems to me very indefinite.

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

Mr. HANSON: Mr. Speaker and Ladies and Gentlemen of the House: I think that the gentleman from Waldoboro, Mr. Waltz, has brought up a good question; it's a question that has been asked by others as well, and possibly I may confuse you still more, but I hope not.

As it stands, if this amendment could pass, there would be extra help or somebody that would go into the office which would make up the listing, would report to each municipality the exact findings of the boats that are registered and this would be done as soon as possible. From that date on at anytime any assessor or any municipal official requested a report from the Watercraft Division, it would be obtained.

I have checked with Mr. Salisbury, the gentleman who is the Executive Secretary of the Maine Municipal Association. He feels the same as many of the assessors do, that they would be satisfied as long as they can obtain the lists. Now these lists would be made up and they would be mailed to the municipalities, and again I would like to repeat, that this list can be obtained at anytime in any year on request of any of the municipal officials to the Watercraft Division. I thank you.

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

Mr. HANSON: Mr. Speaker, I request that this item lie upon the table until the next legislative day.

The SPEAKER: The gentleman from Solon, Mr. Hanson, moves that this matter be tabled until the next legislative day pending the adoption of House Amendment "A."

Mr. Prince of Harpswell requested a division.

The SPEAKER: A vote has been requested. All those in favor of this matter being tabled until the

next legislative day pending the adoption of House Amendment "A" will vote yes; those opposed will vote no, and the Chair opens the vote.

A vote of the House was taken. 54 having voted in the affirmative and 67 having voted in the negative, the tabling motion did not prevail.

Thereupon, House Amendment "A" was adopted and the Bill assigned for third reading at four o'clock this afternoon.

Passed to Be Engrossed

Bill "An Act Providing a Bond Issue in the Amount of One Hundred and Eighty Thousand Dollars for Constructing a Residential Facility for Mentally Retarded Children in Aroostook County" (S. P. 762) (L. D. 1819)

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

Passed to Be Enacted Emergency Measure

An Act Validating the Moscow Water District (S. P. 747) (L. D. 1805)

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

Emergency Measure Tabled Until Later in Today's Session

An Act relating to the Piscataqua River Bridge (S. P. 773) (L. D. 1845)

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

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

Mr. CAREY: Mr. Speaker, may I have this tabled until tomorrow?

The SPEAKER: The gentleman from Waterville, Mr. Carey, now

moves this matter be tabled until tomorrow pending enactment.

Mr. Porter of Lincoln requested a division.

The SPEAKER: A division has been requested on the tabling motion. All those in favor of this matter being tabled until the next legislative day pending enactment will vote yes, those opposed will vote no. The Chair would inquire for what purpose the gentleman arises?

Mr. McNALLY of Ellsworth: I would like to explain why —

The SPEAKER: The gentleman is out of order. This is a tabling motion which is not debatable. All those in favor of this matter being tabled until the next legislative day will vote yes; those opposed will vote no and the Chair opens the vote.

A vote of the House was taken. 45 having voted in the affirmative and 76 in the negative, the tabling motion did not prevail.

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

Mr. McNALLY: Mr. Speaker and Members of the House: I was just going to remark the only request for tabling is the fact that Commissioner Stevens is out of town and there is some very important information that the contractors in this state are trying to obtain.

Thereupon, on motion of Mr. Richardson of Cumberland, tabled pending enactment and assigned for later in today's session.

Passed to Be Enacted

An Act Creating the Corinth Utilities District (S. P. 786) (L. D. 1866)

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

Order of the Day

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

An Act relating to Vacancies in the Office of State Senator. (S. P. 750) (L. D. 1808)

Tabled—January 16, by Mr. Ross of Bath.

Pending—Passage to be enacted.

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

Mr. HANSON: Mr. Speaker and Members of the House: I asked that this be tabled yesterday because of the confusion regarding the nomination of Governors' councillors from the legislative districts. Inasmuch as we changed the State Senatorial Districts, they no longer coincide in many cases with the councillor districts and this does present a problem in the nomination of Governors' councillors. The constitutional authority to elect the council is vested in the Legislature however, and this is not upon examination a problem of law. There is no law governing the nomination of the councilmen. It is a matter of custom, and this custom is determined by the two major political parties within the State. Because of this fact, I have indicated to the leadership of the Maine State Republican Party that possibly action — the requirement that action would have to be taken to rectify this and they will do so. I would humbly suggest that the Democratic leadership indicate the same to the Democratic State Committee and I would feel that no further action of this body on my problem would be necessary at this time. Thank you.

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

Mr. LEVESQUE: Mr. Speaker and Members of the House: I would like the gentleman from Solon, Mr. Hanson to feel very well assured and secured that the Democratic Party in Maine will try to follow in the footsteps of the Republican Party. Thank you.

This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a total was taken. 122 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

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

Bill "An Act relating to Compensation for Certain Municipal Officers who Appear in District Court" (S. P. 753) (L. D. 1811)

In Senate, passed to be engrossed as amended by Committee Amendment "A" (S-337)

In House, Committee Amendment "A" and House Amendment "B" (H-512) adopted.

Tabled—January 16, by Mr. Beliveau of Rumford.

Pending—Assignment for third reading.

Mr. Bernard of Auburn offered House Amendment "C" (H-517) and moved its adoption.

House Amendment "C" was read by the Clerk.

The SPEAKER: The same gentleman may proceed.

Mr. BERNARD: Mr. Speaker and Ladies and Gentlemen of this House: Again I arise to voice my opinion and I would certainly at this time like to thank each and every one of you personally. The previous time I spoke I noticed that no one was glancing at any newspapers, and on this matter I am not a lawyer; however, certain facts have been brought to my attention concerning this particular bill, and I have spoken to the sponsor, I have spoken to members on the Judiciary Committee, and all are in agreement with the following amendment, and the only thing I have done is I have added two words, 'or complaint' which are underlined, and the reason for this is as follows. Under our District Court system when a police officer from a municipality goes to court, according to the way this is worded, he should receive \$4.00 for each such time, and the \$4.00 goes back to the municipality to pay for that officer's time while he is in District Court. Apparently the District Court has been getting around this with a technicality, and they under a revision they now claim that the word warrant is hardly ever used, and the word complaint is being used, so therefore under the law they do not feel they have to reimburse the municipalities this \$4.00 per day. This

affects each and every one of us here. This amendment would simply ratify an injustice I feel.

There was an article in the paper this morning, the Lewiston Daily Sun which stated that Bernard raps the District Court system. I think each and every one of you should sort of glance at that because as I understand it there are many municipalities who are unaware of this provision in the law that allows them to charge the District Courts \$4.00, and by adding this word complaint, certainly my Police Department in Auburn will now be able to collect what is due them. Thank you.

On motion of Mr. Richardson of Cumberland, tabled pending the adoption of House Amendment "C" and assigned for later in today's session.

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

"An Act relating to Loans for Maine Students in Higher Education" (S. P. 779) (L. D. 1851)

Tabled—January 16, by Mr. Sahagian of Belgrade.

Pending—Passage to be enacted.

On motion of Mr. Richardson of Stonington, under suspension of the rules, the House reconsidered its action of January 12 whereby the bill was passed to be engrossed as amended by Senate Amendment "A".

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

House Amendment "A" (H-515) was read by the Clerk.

The SPEAKER: The gentleman may proceed.

Mr. RICHARDSON: Mr. Speaker, this amendment was brought about by the Attorney General's office in trying to clarify one item. If you will recall last spring we debated the desirability of having this certainly apply to vocational training institutions. This was not clarified in the bill and the Federal wording is a little bit vague, and the Attorney General felt that we certainly should clarify the wording of the vocational training institutions in this amendment.

The second part of the amendment simply strikes out a require-

ment which the Attorney General's office now finds is not necessary in the bill. Thank you.

The SPEAKER: Is it now the pleasure of the House to adopt House Amendment "A"?

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

Mr. NADEAU: Mr. Speaker, I would like to talk not on this amendment but on an amendment which I wanted to propose but because at the time I wasn't able to get ready.

The SPEAKER: The Chair would advise the gentleman that the only matter before the House is House Amendment "A".

Mr. NADEAU: So I couldn't talk at this time?

The SPEAKER: The gentleman may proceed. He may debate the bill in its entirety.

Mr. NADEAU: Right. The bill as written is to correct errors and inconsistencies in the educational laws. Now I feel there are several others, and I have an amendment here —

The SPEAKER: The Chair would inquire if the gentleman has the right bill?

Mr. NADEAU: Sorry.

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

The SPEAKER: Is there objection to these several matters procedurally being sent forthwith to the Senate?

The Chair hears none. It is so ordered.

(Off Record Remarks)

On motion of Mr. Richardson of Cumberland,

Recessed until four o'clock this afternoon.

**After Recess
4:00 P.M.**

The House was called to order by the Speaker.

Mr. Sahagian of Belgrade was granted unanimous consent to address the House.

Mr. SAHAGIAN: Mr. Speaker and Members of the House: I notice that we have on our desk a sample of wild blueberry jelly from a new industry in Rome, Maine, which is in the area that I represent. These wild blueberries are grown in Kennebec County and processed for the Maine fresh fruit market, for jellies and jam, and they are made with one hundred percent Maine sugar refined in Aroostook. I would therefore, on behalf of the House, like to thank the Thunder Valley Farm and extend to this new enterprise our best wishes for success. (Applause)

Mr. Nadeau of Sanford was granted unanimous consent to address the House.

Mr. NADEAU: Mr. Speaker and Members of the House: Unknowingly this morning while one of our greatest orators was delivering his usual speech — I am talking about Representative Dennett, we failed to recognize that in this young body we also have young men. Amongst our midst we have an ably person, in my idea he is, and he does not happen to be a Democrat either — he happens to be the youngest member of this House. And I would like to take this occasion, and I know you all join me in wishing him a happy birthday, and this is to Representative Peter Snowe of Auburn. (Applause)

The SPEAKER: The Chair recognizes the gentlewoman from York, Mrs. Brown.

Mrs. BROWN: Mr. Speaker, I would inquire if the House has in its possession the House Joint Order relative to the Committee on Appropriations and Financial Affairs, reporting a bill that would create the Maine Underwater Rescue Unit.

The SPEAKER: The answer is in the affirmative, the paper is in the possession of the House.

Thereupon, on motion of the same gentlewoman, the House reconsidered its action of earlier in the day whereby it passed this Joint Order.

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

Mr. RICHARDSON: Mr. Speaker and Members of the House: At this time I would like to move the indefinite postponement of this order and in doing so I would like to point out to the members of this House some facts dealing with this particular bill and with other bills.

The Screening Committee, which was made up of the leadership of both parties in both houses, had occasion to consider 161 items that had been brought to us for consideration as being things which we should take up in this special session. Consistent with the agreement and with the discussions that have been had with the Chief Executive of this State, the Screening Committee unanimously refused to permit the introduction of legislation as to which this order refers.

This being true, this action having been taken, I am very much opposed to our circumventing this ruling. Now this is particularly true because with reference to many other L. D.'s, we have taken a position that now is not the time for us to consider this legislation. I would remind you that it was on my motion that the attempt of the Representative from Augusta, Mr. Lewin, to have the House reverse the Screening Committee's position on a bill to reimburse the City of Augusta — on my motion this matter was refused by this House.

Now I think that we have to have an even-handed approach to this regardless of our party. Having unanimously taking this position and having taken the action that we have taken, I think that it does a tremendous injustice to every one of us to with respect one item of legislation, to allow it to come in out of understanding or sympathy or whatever. I think that we have got to be reasonable with one another and I say to you that if you permit your action of this morning to stand you will in my opinion do violence to this entire system, and if you allow this to stand then I believe that every one of us has got to vote in favor of every other effort to recall legislation and I believe that we should recall the entire appropriations table that is now as I say in

that grave, wherever it is, reserved for these bills.

Mr. Speaker, I would like, if I may, to withdraw my motion for indefinite postponement and inquire of the Chair if it is in order for this matter simply to be put to a vote, yes, those in favor of its passage, and no, those who are not.

The SPEAKER: The Chair would advise the gentleman that inasmuch as the matter has been reconsidered, the question is passage. Indefinite postponement is not in order. A vote to pass or reject is in order.

Mr. RICHARDSON: Mr. Speaker, I would urge every member of this House to vote no on the question of passage, and when the vote is taken, I request it be taken by the yeas and nays.

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

Mr. LEVESQUE: Mr. Speaker and Ladies and Gentlemen of the House: I have to somewhat reluctantly agree with the Majority Floor Leader, Mr. Richardson from Cumberland on something that we more or less have agreed that unless we have some form of rules and procedures that we have to abide by, especially in a special session of this nature, that it would be quite unruly to leave the door open for one, because I am sure to each and every one's mind an introduction of an order for a special piece of legislation at a special session, each individual person attaches a personal significance to his own personal documents, and certainly these justifications are very worthwhile, there is no question about it, but I have to somewhat reluctantly agree that some form of agreement as to what will be taken up in a special session and to leave it to those limits, and I hope that this House, each and every member will understand that these rules are set for a purpose, and they are a purpose for the better operation of the House for each and every member. Thank you.

The SPEAKER: Is the House ready for the question? The pending question is the passage of this

Joint Order. For the Chair to order a roll call it must have the expressed desire of one fifth of the members present and voting. All of those desiring 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 of the members present having expressed a desire for a roll call, a roll call was ordered.

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

Mr. LEVESQUE: Mr. Speaker, an inquiry. Has there been a motion made that requests a roll call on the passage of this order?

The SPEAKER: The Chair would advise the gentleman that the Majority Floor Leader requested a roll call, the yeas and nays.

Mr. LEVESQUE: Thank you.

The SPEAKER: The pending question is the passage of the Joint Order relative to a bill creating the Maine Underwater Rescue Unit. All of those in favor of this Joint Order will vote yes, those opposed will vote no, and the Chair opens the vote.

ROLL CALL

YEA—Belanger, Bernard, Bradstreet, Bunker, Cote, Fortier, Milano, Nadeau, J. F. R.; Philbrook, Starbird.

NAY — Allen, Baker, E. B.; Baker, R. E.; Bedard, Benson, Berman, Binnette, Birt, Boudreau, Bourgoin, Bragdon, Brennan, Brown, M. F.; Brown, R.; Burnham, Carey, Carroll, Carswell, Champagne, Clark, Conley, Cornell, Cottrell, Crockett, Crommett, Crosby, Curran, Cushing, D'Alfonso, Danton, Darey, Dickson, Drigotas, Drummond, Dudley, Dunn, Eustis, Ewer, Farrington, Fecteau, Foster, Fraser, Gill, Hall, Hanson, B. B.; Hanson, H. L.; Hanson, P. K.; Harriman, Harvey, Haynes, Healy, Henley, Hennessey, Hewes, Hichens, Hinds, Hoover, Huber, Humphrey, Immonen, J a l b e r t, Jameson, Jannelle, Jewell, Keyte, Kilroy, Kyes, Lebel, Levesque, Lewis, Lincoln, Littlefield, Lycette, Maddox, Martin, McMann, McNally, Meisner, Minkowsky, Mor-

rell, Mosher, Nadeau, N. L.; Noyes, Payson, Pendergast, Pike, Porter, Prince, Quimby, Richardson, G. A.; Richardson, H. L.; Rideout, Robinson, Sahagian, Sawyer, Scott, C. F.; Scribner, Shaw, Shute, Snow, P. J.; Snowe, P.; Soulas, Susi, Thompson, Townsend, Trask, Truman, Waltz, Watts, Wheeler, White, Wight, Williams, Wood.

ABSENT — Beliveau, Buck, Carrier, Cookson, Couture, Dennett, Durgin, Edwards, Evans, Gaudreau, Gauthier, Giroux, Harnois, Hawes, Hodgkins, Hunter, Lewin, Quinn, Rackliff, Robertson, Rocheleau, Ross, Roy, Scott, G. W.; Sullivan, Tanguay.

Yes, 10; No, 114; Absent, 26.

The SPEAKER: The Chair will announce the vote. Ten having voted in the affirmative and one hundred and fourteen having voted in the negative, the Joint Order fails of passage.

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

An Act relating to the Piscataqua River Bridge (S. P. 773) (L. D. 1845)

Tabled—Earlier in the day, by Mr. Richardson of Cumberland.

Pending—Passage to be enacted.

This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a total was taken. 114 voted in favor of same and 2 against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

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

Bill "An Act relating to Compensation for Certain Municipal Officers who Appear in District Court" (S. P. 753) (L. D. 1811) (In Senate, passed to be engrossed as amended by Committee Amendment "A" (S-337) (In House, Committee Amendment "A" and House Amendment "B" (H-512) adopted)

Tabled—Earlier in the day, by Mr. Richardson of Cumberland.

Pending — Adoption of House Amendment "C" (H-517)

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

Mr. RICHARDSON: Mr. Speaker, I would move the indefinite postponement of House Amendment "C" and I would speak briefly to the motion.

Very briefly, ladies and gentlemen, L. D. 1811 is an attempt on our part to clean up the law that we now have on our books with reference to compensating officers who appear in court in order to testify, and this provides, the basic bill provides a fee schedule by which these officers will be compensated for attendance in court.

Now this amendment deals with an entirely different question. Under our present law an arresting officer — the municipality is entitled to be reimbursed or paid the sum of \$4.00 at the conclusion of the case provided there was an arrest made by one of its officers. This bill, or this amendment rather, seeks to extend this \$4.00 payment not only to that situation, that is where the officer has actually made an arrest, but to the case where he has simply signed a complaint.

Now as I understand it, the Sheriff's Departments in the various counties have a system by which reimbursement is made to the county for the officer's travel expense and so forth incident to an arrest, the actual act of placing a person under arrest. Now while this probably isn't the finest system going, I have violent objections to extending this to the act simply of paying \$4.00 for simply having signed a complaint.

In my individual capacity, and not as Majority Floor Leader, I think this is a species of bounty bill and I am very much opposed to it. Apparently there is some disagreement between one of our local municipal police chiefs and the Chief Judge of the District Court as to what constitutes an arrest and what doesn't constitute an arrest. I think the place for that to be solved is by the parties involved. I think, as I say, this is a species of bounty bill. I am opposed to it as a matter of principle, and I would ask that you vote for

the indefinite postponement of House Amendment "C."

The SPEAKER: Is the House ready for the question? The pending question is the motion of the gentleman from Cumberland, Mr. Richardson, that House Amendment "C" be indefinitely postponed. Is this the pleasure of the House?

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

The SPEAKER: Is there any objections to considering Senate Papers out of order? The Chair hears none.

Senate Reports of Committees Leave to Withdraw Covered by Other Legislation

Report of the Committee on State Government on Bill "An Act to Permit Limited Leasing by the State of Maine of Harvesting Rights to Marine Algae" (S. P. 782) (L. D. 1854) reporting Leave to Withdraw, as covered by other legislation.

Report of the Committee on Towns and Counties on Resolve Correcting an Error in the York County Taxes for the Year Nineteen Hundred Sixty-Eight (S. P. 769) (L. D. 1826) reporting Leave to Withdraw.

Came from the Senate read and accepted.

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

Referred to Next Legislature

Report of the Committee on Labor on Bill "An Act Providing for Dealings between Local Education Boards and Associations Representing Teachers" (S. P. 785) (L. D. 1865) reporting that it be referred to the next legislature.

Came from the Senate with the Report read and accepted and the Bill referred to the next legislature.

In the House, the Report was read and accepted and the Bill referred to the next legislature in concurrence.

Passed to Be Engrossed

Bill "An Act Repealing the Law Relating to Boat Registration" (H. P. 1297) (L. D. 1803)

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

**Passed to Be Enacted
Emergency Measure**

An Act to Increase the Borrowing Capacity of the Winthrop Water District (H. P. 1276) (L. D. 1782)

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

Emergency Measure

An Act to Change the Existing Debt Limit for North Jay Water District and the Existing Debt Limit of the Bowdoinham Water District (H. P. 1279) (L. D. 1785)

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

Emergency Measure

An Act relating to School Construction Aid in Certain Administrative Units (H. P. 1303) (L. D. 1832)

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. 114 voted

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

Emergency Measure

An Act Amending the Maine Sanitary District Enabling Act (H. P. 1318) (L. D. 1861)

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

Passed to Be Enacted

An Act to Create the Posts of Assistant County Attorney in Oxford County and in Somerset County (S. P. 755) (L. D. 1813)

An Act Establishing a State Employees Appeals Board (S. P. 771) (L. D. 1843)

An Act relating to Filing Payroll Information Under Employment Security Law (H. P. 1270) (L. D. 1776)

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 House.

The SPEAKER: The House is proceeding under orders of the day.

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

Mr. DUDLEY: Mr. Speaker, does the House have in its possession L. D. 1765?

The SPEAKER: The answer is in the affirmative, Bill "An Act to Correct Errors and Inconsistencies in the Education Laws," H. P. 1259, L. D. 1765.

Mr. DUDLEY: I now move we reconsider action where we passed this to be engrossed yesterday.

The SPEAKER: The gentleman from Enfield, Mr. Dudley, now moves that the House reconsider

its action whereby this bill was passed to be engrossed yesterday.

The Chair recognizes the gentleman from Eliot, Mr. Hichens.

Mr. HICHENS: Mr. Speaker, we had a very lengthy discussion on this yesterday, and I think a decision was reached by the members of the House. I would ask for a division on this recall.

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

Mr. DUDLEY: Mr. Speaker, I only ask for reconsidering for the purpose of another amendment, and I hope the House will extend

me the courtesy of hearing the amendment and having a chance to present it, and if you don't feel it is fair and just, defeating it. Thank you.

Thereupon, on motion of Mr. Richardson of Stonington, tabled pending the motion of Mr. Dudley of Enfield to reconsider engrossment and tomorrow assigned.

(Off Record Remarks)

On motion of Mr. Richardson of Cumberland,

Adjourned until ten o'clock tomorrow morning.