

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Third
Legislature*

OF THE

STATE OF MAINE

1967

KENNEBEC JOURNAL
AUGUSTA, MAINE

SENATE

Wednesday, March 29, 1967

Senate called to order by the President.

Prayer by Rev. George W. Broadbent of Fairfield.

Reading of the Journal of yesterday.

Paper from the House

Bill "An Act Relating to Overtime for Class A Restaurants, Restaurants and Other Eating Establishments Under Minimum Wage Law." (H. P. 1086) (L. D. 1554)

Comes from the House referred to the Committee on Labor.

Which was referred to the Committee on Labor in concurrence.

Communication

State of Maine
Office of the Governor
Augusta Maine

March 29, 1967

To the Senate
and House of Representatives
Of the 103rd Legislature:

It is a pleasure for me to transmit to the members of the State Legislature this First Annual Report of the Maine State Transportation Commission.

We need to improve and better coordinate our transportation system. I hope you find this report useful as you consider legislation relating to transportation.

I wish to extend my thanks to the members of the Maine State Transportation Commission for preparing this thoughtful and well-written report.

Respectfully,

KENNETH M. CURTIS
Governor
(S. P. 589)

Which was read and with the accompanying report, Ordered placed on file.

Sent down for concurrence.

Senate Papers

With the approval of the Committee on Reference of Bills, pursuant to Joint Rule No. 10,

Mr. Hoffses of Knox presented Bill "An Act Relating to Leases of Right to Take Marine Algae on Submerged Lands." (S. P. 590)

Which was referred to the Committee on State Government and ordered printed.

Sent down for concurrence.

Committee Reports

House

Leave to Withdraw

The Committee on Legal Affairs on Bill "An Act Relating to Transportation of Liquor by Minors." (H. P. 524) (L. D. 755)

Reported that the same should be granted leave to Withdraw.

Comes from the House, report read and accepted.

The Committee on State Government on Bill "An Act Increasing Salary of Supreme Court Messenger in Cumberland County." (H. P. 548) (L. D. 780)

Reported that the same should be granted leave to Withdraw.

Comes from the House, report read and accepted.

Which reports were read and accepted in concurrence.

Ought Not to Pass

The Committee on Judiciary on Bill "An Act Relating to Charitable Solicitations." (H. P. 450) (L. D. 625)

Reported that the same Ought not to Pass.

Comes from the House, report read and accepted.

Which report was read and accepted in concurrence.

Ought to Pass

The Committee on Health and Institutional Services on Bill "An Act Relating to Salaries paid by the State to Ministers of the Gospel." (H. P. 83.) (L. D. 113)

Reported that the same Ought to Pass.

Comes from the House, report read and accepted and the Bill passed to be engrossed.

The Committee on Indian Affairs on Bill "An Act Relating to Biennial Elections of Penobscot Tribe of Indians." (H. P. 746) (L. D. 1068)

Reported that the same Ought to Pass.

Comes from the House, report read and accepted and the Bill passed to be engrossed.

The Committee on Indian Affairs on Bill "An Act Relating to Biennial Elections of Passamaquoddy Tribe of Indians." (H. P. 748) (L. D. 1095)

Reported that the same Ought to Pass.

Comes from the House, report read and accepted and the Bill Passed to be engrossed.

The Committee on Highways on Bill "An Act Relating to Area Directional Sign for China Lake Region." (H. P. 138) (L. D. 202)

Reported that the same Ought to Pass.

Comes from the House, report read and accepted and the Bill passed to be engrossed.

The Committee on Legal Affairs on Bill "An Act Relating to Registration and Safety of Inland Steamers for Hire." (H. P. 523) (L. D. 754)

Reported that the same Ought to Pass.

Comes from the House, report read and accepted and the Bill passed to be engrossed.

The Committee on Legal Affairs on Bill "An Act Revising the Railroad Workers Credit Union of Maine." (Emergency) (H. P. 676) (L. D. 948)

Reported that the same Ought to Pass.

Comes from the House, report read and accepted and the Bill passed to be engrossed.

The Committee on Natural Resources on Bill "An Act Providing for Oceanographic Research Projects by Division of Geological Survey, Department of Economic Development." (H. P. 536) (L. D. 765)

Reported that the same Ought to Pass.

Comes from the House, report read and accepted and the Bill Passed to be engrossed.

The Committee on Natural Resources on Bill "An Act Reclassifying Certain Tidal Waters of Hancock County." (H. P. 196) (L. D. 285)

Reported that the same Ought to Pass.

Comes from the House, report read and accepted and the Bill passed to be engrossed.

The Committee on Natural Resources on Bill "An Act Reclassifying Certain Tidal Waters in York County." (H. P. 236) (L. D. 344)

Reported that the same Ought to Pass.

Comes from the House, report read and accepted and the Bill passed to be engrossed.

The Committee on Natural Resources on Bill "An Act Reclassifying Certain Tidal Waters of Waldo County." (H. P. 239) (L. D. 347)

Reported that the same Ought to Pass.

Comes from the House, report read and accepted and the Bill passed to be engrossed.

The Committee on Natural Resources on Bill "An Act Classifying Certain Inland Waters of the Presumpscot River Basin." (H. P. 280) (L. D. 400)

Reported that the same Ought to Pass.

Comes from the House, report read and accepted and the Bill passed to be engrossed.

Which reports were read and accepted in concurrence, the Bills read once and tomorrow assigned for Second Reading.

Ought to Pass as Amended

The Committee on Appropriations and Financial Affairs on Resolve Providing for Purchase of Copies of History of "Richmond-on-the-Kennebec." (H. P. 464) (L. D. 677)

Reported that the same Ought to Pass As Amended by Committee Amendment "A" (H-102)

Comes from the House, report read and accepted and the Resolve, As Amended, passed to be engrossed.

The Committee on Highways on Resolve Designating Certain Highways in Lincoln County as Mariner and Pioneer Trail. (H. P. 743) (L. D. 1065)

Reported that the same Ought to Pass As Amended by Committee Amendment "A" (H-101)

Comes from the House, report read and accepted and the Resolve

passed to be engrossed As Amended.

Which reports were read and accepted in concurrence, Committee Amendments "A" read and Adopted in concurrence, and the Resolve, as Amended, read once and tomorrow assigned for Second Reading.

Ought to Pass in New Draft

The Committee on Legal Affairs on Bill "An Act to Revise the Oil Burner Mens' Law." (H. P. 5) (L. D. 9)

Reported that the same Ought to Pass in New Draft under same title (H. P. 1074) (L. D. 1504)

Comes from the House, report read and accepted and the Bill, in New Draft, Passed to be engrossed as Amended by House Amendment "A" (H-97)

Mr. MILLS of Franklin: Mr. President, pending acceptance of the committee report, I would like to have this matter held up for a reasonable time. I hope that somebody else is going to make an appropriate motion, because I want to speak generally about the bill.

When this came in originally, I sent copies of it to all the oil burner men in my county, and the entire answer that I got — it wasn't a very large percentage of them who replied — but those that did reply replied in the negative, that they didn't like this bill. They did not like it for the reason that it was a tax on them, or considerable additional fees over what they had been paying. I think it would raise the fee from ten dollars to twenty-five dollars for a master oil burner man. They felt they had got no service whatsoever for what they had paid in the past, and they felt it was a device to get more money out of them for which they would get no return.

I would like a little time to go over this new draft. I do not think I am going to get any better response, but when the appropriate time comes I would like to have members of the Legal Affairs Committee tell us why we need to tax these oil burner men addi-

tionally, perhaps for the benefit of a few of the larger ones in the industry.

On motion by Mr. Young of Hancock, the bill was tabled pending acceptance of the report.

Senate

Leave to Withdraw

Mr. Couturier for the Committee on Towns and Counties on Bill "An Act Permitting Town of Dyer Brook to Provide Educational Scholarship." (S. P. 415) (L. D. 1044)

Reported that the same should be granted leave to withdraw.

Which report was read and accepted.

Sent down for concurrence.

Ought Not to Pass

Mr. Snow for the Committee on Education on Bill "An Act Establishing a Commuter College of the University of Maine in Aroostook County." (S. P. 228) (L. D. 553)

Reported that the same Ought not to Pass.

On motion by Mr. Albair of Aroostook, tabled pending acceptance of the Committee report.

Mr. Snow for the Committee on Education on Bill "An Act Relating to Attendance in Schools of Children of Real Estate Taxpayers." (S. P. 331) (L. D. 865)

Reported that the same Ought not to Pass.

Which report was read and accepted.

Sent down for concurrence.

Ought to Pass

Mr. Katz for the Committee on Education on Bill "An Act to Reconstitute School Administrative Districts Numbers 9, 17, 27, 46, 47, 48, 49, 55 and 61." (S. P. 399) (L. D. 1071)

Reported that the same Ought to Pass.

Mr. Katz for the Committee on Education on Bill "An Act Appropriating Matching Funds Under Title VI of the Federal Higher Education Act for Maine Maritime Academy." (S. P. 328) (L. D. 983)

Reported that the same Ought to Pass.

Mr. Snow for the Committee on Education on Bill "An Act to Permit School Administrative Districts to Join Together." (S. P. 396) (L. D. 1029)

Reported that the same Ought to Pass.

Which reports were read and accepted, the Bills read once and tomorrow assigned for Second Reading.

Ought to Pass — As Amended

Mr. MacLeod for the Committee on Education on Bill "An Act Relating to Costs of Flander's Bay Community School District." (S. P. 470) (L. D. 1162)

Reported that the same Ought to Pass As Amended by Committee Amendment "A" (S-42)

Which report was read and accepted and the Bill read once.

Committee Amendment "A" (Filing S-42 was read by the Secretary as follows:

COMMITTEE AMENDMENT "A" to S. P. 470, L. D. 1162 Bill, "An Act Relating to Costs of Flander's Bay Community School District."

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

'P. & S. L., 1951, c. 203, amended. Chapter 203 of the private and special laws of 1951 is amended by adding at the end the following new sentence:

Any funds received by the Flander's Bay Community School District under P. L. 874, Aid to Schools in Federally Affected Areas, shall be credited to the assessment of the individual towns where the students reside.'

Committee Amendment "A" was adopted, and the Bill, as amended, tomorrow assigned for second reading.

Mr. Katz for the Committee on Education on Bill "An Act to Provide for Practical Nursing Course at Central Maine Vocational-Technical Institute." (S. P. 400) (L. D. 1031)

Reported that the same Ought to Pass As Amended by Committee Amendment "A" (S-41)

Which report was read and accepted and the Bill read once.

Committee Amendment "A" (Filing S-41) was read by the Secretary as follows:

COMMITTEE AMENDMENT "A" to S. P. 400, L. D. 1031, Bill, "An Act to Provide for Practical Nursing Course at Central Maine Vocational-Technical Institute."

Amend said Bill by Striking out all of section 2 and inserting in place thereof the following:

'Sec. 2. Appropriation. To provide for salaries, instructional equipment and incidental expenses for the conduct of a practical nursing course, there is appropriated from the General Fund to the Central Maine Vocational-Technical Institute the sum of \$57,795 for the fiscal year ending June 30, 1968 and \$53,859 for the fiscal year ending June 30, 1969, as tabulated below:

| | 1967-68 | 1968-69 |
|---|---------------|----------|
| EDUCATION, DEPARTMENT OF Central Maine Vocational- Technical Institute Personal Services (8½) | \$30,733 (8½) | \$48,599 |
| All Other | 11,605 | 4,550 |
| Capital Expenditures | 15,457 | 710 |
| | \$57,795 | \$53,859 |

Committee Amendment "A" was adopted, and the Bill, as amended, tomorrow assigned for second reading.

Mr. Katz for the Committee on Education on Resolve Providing Funds for Dental Education, (S. P. 260) (L. D. 640)

Reported that the same Ought to Pass As Amended by Committee Amendment "A" (S-40)

Which was read and accepted and the Resolve read once.

Committee Amendment "A" (Filing S-40) was read by the Secretary as follows:

COMMITTEE AMENDMENT "A" to S. P. 260, L. D. 640, Resolve, Providing Funds for Dental Education.

Amend said Resolve by Adding at the end before the Statement of Facts the following:

'The breakdown shall be as follows:

EDUCATION, DEPARTMENT OF
1967-68 1968-69

New England Higher
Education Compact
All Other \$12,500 \$25,000'

Committee Amendment "A" was adopted, and the Resolve, as amended, tomorrow assigned for second reading.

Mr. Stern for the Committee on Legal Affairs on Bill "An Act Prohibiting Annoying Telephone Calls." (S. P. 269) (L. D. 650)

Reported that the same Ought to Pass As Amended by Committee Amendment "A" (S-39)

Which report was read and accepted and the Bill read once. Committee Amendment "A" (Filing S-39) was read by the Secretary as follows.

COMMITTEE AMENDMENT
"A" to S. P. 269, L. D. 650, Bill, "An Act Prohibiting Annoying Telephone Calls."

Amend said Bill by Striking out in the 12th line (10th line of L. D. 650) the underlined figure and word "5 years" and inserting in place thereof the underlined figure and word '11 months'

Committee Amendment "A" was adopted, and the Bill, as amended, tomorrow assigned for second reading.

Divided Report

The Majority of the Committee on Education on Bill "An Act Relating to School Entrance Age Requirements." (S. P. 213) (L. D. 476)

Reported that the same Ought to Pass As Amended by Committee Amendment "A" (S-43)

(Signed)

Senators:

KATZ of Kennebec
MacLEOD of Penobscot
SNOW of Cumberland

Representatives:

SHUTE of Farmington
HANSON of Lebanon
BAKER of Winthrop
LEVESQUE
of Madawaska
RICHARDSON
of Cumberland
ALLEN of Caribou

The Minority of the same Committee on the same subject matter reported that the same Ought not to Pass.

(Signed)

Representative:

CARROLL of Limerick

Mrs. SPROUL of Lincoln: Mr. President, this particular bill is creating havoc in my town. Surprisingly enough, there is one couple that has two sets of twins, and there is one set that is about ready to enter school this fall. I wonder if the Committee on Education can tell me how I am going to solve this problem?

The PRESIDENT: The members of the Education Committee hear the inquiry. The Senator from Cumberland, Senator Snow, will please answer the question.

Mr. SNOW of Cumberland: I would move that this item lie upon the table until the next legislative day.

The motion prevailed and the bill was tabled until the next legislative day, pending acceptance of either report.

Divided Report

The Majority of the Committee on Education on Bill "An Act Creating the Maine Higher Education Loan Authority Act." (S. P. 59) (L. D. 72)

Reported that the same Ought to Pass.

(Signed)

Senators:

MacLEOD of Penobscot
KATZ of Kennebec
SNOW of Cumberland

Representatives:

BAKER of Winthrop
HANSON of Lebanon
ALLEN of Caribou
SHUTE of Farmington
RICHARDSON

of Cumberland

The Minority of the same Committee on the same subject matter reported that the same Ought not to Pass

(Signed)

Representatives:

LEVESQUE
of Madawaska
CARROLL of Limerick

In Senate: Majority Ought to pass report of the Committee read and accepted. The Bill read once and tomorrow assigned for second reading.

Divided Report

The Majority of the Committee on Education on Resolve Proposing an Amendment to the Constitution Pledging Credit of State and Providing for the Issuance of Bonds Not Exceeding, at Any One Time Issued and Outstanding, Twenty-five Million Dollars for Loans to Private Colleges for Construction and Expansion of Facilities. (S. P. 60) (L. D. 73)

Reported that the same Ought to Pass As Amended by Committee Amendment "A"

(Signed)

Senators:

MacLEOD of Penobscot
KATZ of Kennebec
SNOW of Cumberland
RICHARDSON
of Cumberland

Representatives:

BAKER of Winthrop
HANSON of Lebanon
SHUTE of Farmington
ALLEN of Caribou

The Minority of the same Committee on the same subject matter, reported that the same Ought Not to Pass.

(Signed)

Representatives:

LEVESQUE
of Madawaska
CARROLL of Limerick

In Senate: Majority Ought to pass, as amended, report of the Committee read and accepted, and the Resolve read once. Committee Amendment "A" was read and adopted, and the Resolve, as amended, tomorrow assigned for second reading.

Second Readers

The Committee on Bills in the Second Reading reported the following:

House

Bill "An Act Relating to Open Season on Muskrats in Somerset County." (H. P. 221) (L. D. 311)

Bill "An Act to Regulate Boating on Little Nesowadnehunk (Sourna-

hunk) Lake, Piscataquis County." (H. P. 447) (L. D. 622)

Bill "An Act Relating to Fishing Without License for Patients at Veterans Administration Hospital." (H. P. 499) (L. D. 712)

Bill "An Act Relating to Dealers in Deer Skins and Heads." (H. P. 836) (L. D. 1244)

Bill "An Act Relating to Hunting Waterfowl on Haley Pond, Town of Rangeley and Dallas Plantation, Franklin County." (H. P. 841) (L. D. 1249)

Resolve Regulating Fishing in Certain Waters in Hancock County. (H. P. 448) (L. D. 623)

Resolve In Favor of Town of Greenbush, Penobscot County, for Damage to Bridge. (H. P. 878) (L. D. 1290)

Bill "An Act Relating to Insurance for Commercial Driver Education School Graduates." (H. P. 1084) (L. D. 1544)

(On motion by Mr. MacLeod of Penobscot, tabled pending passage to be engrossed.)

Which were read a second time and passed to be engrossed in concurrence.

House — As Amended

Bill "An Act Revising the Savings and Loan Association Laws." (H. P. 689) (L. D. 970)

Which was read a second time and passed to be engrossed, as amended, in concurrence.

Senate

Bill "An Act Relating to Acknowledgement of Absentee Ballot by Voter Outside of State." (S. P. 499) (L. D. 1214)

Bill "An Act Relating to Forging Absentee Ballots or Applications Therefor under Election Laws." (S. P. 404) (L. D. 1035)

Mr. Wyman of Washington presented Senate Amendment "A" and moved its adoption. Senate Amendment "A" (Filing S-47) was read by the Secretary as follows:

SENATE AMENDMENT "A" to S. P. 404, L. D. 1035, Bill, "An Act Relating to Forging Absentee Ballots or Application therefor under Election Laws."

Amend said Bill, in the Title, by inserting after the word "Forging" the words 'or Obtaining'

Further amend said Bill by inserting after the enacting clause the following:

'Sec. 1. R. S., T. 21, S1253, sub-S2, amended. The last sentence of subsection 2 of section 1253 of Title 21 of the Revised Statutes, as enacted by section 8 of chapter 51 of the public laws of 1965, is amended to read as follows:

'The clerk shall write in ink or by typewriter the name of the person for whom the absentee ballot is intended in the upper left hand section of all return envelopes.'

Further amend said Bill by inserting at the beginning of the first line the underlined abbreviation and figure **'Sec. 2.'**

Senate Amendment "A" was adopted. The Bill, as amended, read a second time and passed to be engrossed.

Sent down for concurrence.

Bill "An Act Relating to Municipal Advisory Organizations." (S. P. 235) (L. D. 560)

Bill "An Act Relating to Duties of State Geologist with the Maine Mining Bureau." (S. P. 182) (L. D. 372)

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

Mr. Wyman of Washington presented Senate Amendment "A" and moved its adoption. Senate Amendment "A" was read by the Secretary as follows:

SENATE AMENDMENT "A" to S. P. 221, L.D. 484, Bill, "An Act to Establish and Appropriate Funds for a Youth Community Activity Section in the Department of Mental Health and Corrections."

Amend said Bill by inserting after the underlined words "**which are**" in the 6th line of the 2nd paragraph of that part designated "S252," of section 1 (5th line of L. D. 484) the underlined words "**desirous of**" and by striking out in the next to the last line the underlined words "**all-out**" (last line of L. D. 484)

Further amend said Bill by striking out all of that part designated

"S253." of section 1 and inserting in place thereof the following:

'S253. Funds awarded

The commissioner is authorized to grant funds not exceeding \$350 each to communities and nonprofit organizations who have youth or similar activities which promote the overall objectives of this chapter.'

Senate Amendment "A" was adopted. The Bill, as amended was read a second time and passed to be engrossed.

Sent down for concurrence.

Bill "An Act Relating to the Reserve Fund for Uninsured Losses on State Property." (S. P. 282) (L. D. 662)

Bill "An Act Relating to Notice of Removal of Name from the Voting List." (S. P. 588) (L. D. 1553)

Bill "An Act Relating to Inventory of Ballots Furnished Polling Places." (S. P. 587) (L. D. 1552)

Bill "An Act Relating to Housing and Meal Expenses for Legislators." (S. P. 586) (L. D. 1551)

(On motion by Mr. Wyman of Washington, tabled pending passage to be engrossed.)

Resolve Proposing an Amendment to the Constitution Relating to time for Codifying the Constitution. (S. P. 120) (L. D. 249)

Which were read a second time and passed to be engrossed.

Sent down for concurrence.

Senate — As Amended

Bill "An Act Authorizing Work-Release from County Jails." (S. P. 264) (L. D. 645)

(On motion by Mr. Lund of Kennebec, tabled pending passage to be engrossed.)

Bill "An Act Authorizing One to Two-Year Sentences to Certain County Jails." (S. P. 265) (L. D. 646)

Which were read a second time and passed to be engrossed, As amended.

Sent down for concurrence.

Enactors

The Committee on Engrossed Bills reported as truly and strictly engrossed the following Bills and Resolves:

An Act Relating to Divorce Actions by Military Non-residents Stationed in Maine. (H. P. 104) (L. D. 131)

An Act Authorizing Out-of-State Banks and Trust Companies to Act as Fiduciaries. (S. P. 105) (L. D. 176)

An Act Providing for Voluntary Foster Home Placement of Children. (H. P. 184) (L. D. 273)

(On motion by Mr. Berry of Cumberland, tabled pending passage to be enacted.)

An Act Relating to Admission of Patients to State Hospitals." (S. P. 156) (L. D. 327)

An Act Regulating the Daily Limit of Certain Fish Taken from Inland Waters of the State. (H. P. 317) (L. D. 451)

(On motion by Mr. Lund of Kennebec, tabled pending passage to be enacted.)

An Act Relating to Issuance of Notes by Clinton Water District. (H. P. 375) (L. D. 522)

An Act Relating to Investment of Funds of Credit Unions. (H. P. 414) (L. D. 580)

An Act Relating to Religious Faith of Foster and Adoptive Homes. (S. P. 246) (L. D. 606)

An Act Repealing Noncontributory Pension Plan for Police Department of City of Brewer. (H. P. 452) (L. D. 627)

An Act Prohibiting Fictitious Grouping in the Business of Insurance. (H. P. 474) (L. D. 687)

An Act Relating to Salaries of Members of Board of Optometry and Increasing License Renewal Fees of Optometrists. (H. P. 492) (L. D. 705)

An Act Relating to Fishing for Bass in Sheepscot River and Tributaries, Lincoln County." (H. P. 500) (L. D. 713)

An Act Establishing Long Lake Game Management Area, Aroostook County. (H. P. 501) (L. D. 814)

An Act Relating to Election of Town Officials. (S. P. 332) (L. D. 866)

An Act Repealing the Law Relating to Labeling of Imported Meats Sold in Retail Stores. (H. P. 652) (L. D. 907)

An Act Relating to Filing Abstract of Record of Divorce with

Superior Court. (H. P. 684) (L. D. 955)

An Act Relating to Transfer of State Prison First Offenders Under Age of Thirty-six to Reformatory for Men. (S. P. 362) (L. D. 958)

An Act Authorizing the Taking of Bail in the District Court. (S. P. 375) (L. D. 988)

An Act Relating to Retirement Benefits for Police Officers Under State Retirement System. (H. P. 719) (L. D. 1014)

Which were passed to be enacted and having been signed by the President, were by the Secretary presented to the Governor for his approval.

Resolve To Change the Name of Long Pond, Sandy River Plantation, Franklin County, to Beaver Mountain Lake. (H. P. 324) (L. D. 458)

Resolve Authorizing Attorney General to Convey Interest of the State in Certain Islands in Little Sebago Lake to Merton A. Look. (H. P. 367) (L. D. 514)

Resolve Relating to Ice Fishing on Fourth Musquacook Lake, T10, R 11, T 11, R 11, Aroostook County. (S. P. 229) (L. D. 554)

Resolve Designating U. S. Route No. 1-A in Maine as a Blue Star Memorial Highway. (H. P. 628) (L. D. 884)

Resolve Providing Funds for Fisheries Instruction and Literature Publication and Dissemination. (H. P. 641) (L. D. 896)

On motion by Mr. Berry of Cumberland, placed on the Special Appropriations Table.

Resolve Providing for a Retirement Allowance for Lois Blackwell Goodwin. (H. P. 721) (L. D. 1016)

On motion by Mr. Berry of Cumberland, placed on the Special Appropriations Table.

Which were finally passed, and having been signed by the President, were by the Secretary presented to the Governor for his approval.

Emergency

Resolve To Continue Review of Maine Criminal Statutes. (S. P. 374) (L. D. 987)

This being an emergency measure and having received the affirmative vote of 33 members

of the Senate, was finally passed, and having been signed by the President, was by the Secretary presented to the Governor for his approval.

Emergency

An Act Increasing Indebtedness of Town of Woodland School District. (H. P. 479) (L. D. 692)

This being an emergency measure and having received the affirmative vote of 32 members of the Senate, was passed to be enacted, and having been signed by the President, was by the Secretary presented to the Governor for his approval.

Emergency

An Act Relating to Cooperative Agreements to Enforce Highway Transportation Laws. (S. P. 356) (L. D. 940)

This being an emergency measure and having received the affirmative vote of 31 members of the Senate, was passed to be enacted, and having been signed by the President, was by the Secretary presented to the Governor for his approval.

Emergency

An Act Appropriating Funds for Capital Construction and Equipment at Aroostook State College, Gorham State College, Central Maine Vocational-Technical Institute and Stevens Training Center. (H. P. 1087) (L. D. 1549)

This being an emergency measure and having received the affirmative vote of 31 members of the Senate, was passed to be enacted, and having been signed by the President, was by the Secretary presented to the Governor for his approval.

Orders of the Day

The Chair laid before the Senate the first tabled and specially assigned matter (S. P. 71) (L. D. 153) Bill, "An Act Relating to Audits for Judiciary and Legislature." Tabled March 23 by Senator Harding of Aroostook pending consideration.

On further motion by the same Senator, the Senate voted to recede and concur with the House.

The Chair laid before the Senate the second tabled and specially assigned matter (H. P. 1062) L. D. 1388) Bill, "An Act Relating to Parking Facilities for Handicapped Persons." Tabled March 23 by Senator Viles of Somerset pending passage to be engrossed.

On further motion by the same Senator, the Bill was passed to be engrossed.

The Chair laid before the Senate the third tabled and specially assigned matter (H. P. 582) (L. D. 814) Bill, "An Act to Correct Errors and Inconsistencies in Uniform Commercial Code and to Amend Certain Statutes to Conform Thereto." Tabled March 23 by Senator Ferguson of Oxford pending passage to be engrossed.

On further motion by the same Senator, the Bill was passed to be engrossed.

The Chair laid before the Senate the fourth tabled and specially assigned matter (H. P. 877) (L. D. 1289) House Report Ought to Pass from the Committee on Claims on "Resolve, to Reimburse Dwight H. Wheeler of Manchester for Payment of Fine in Motor Vehicle Speeding Case." Tabled March 28 by Senator Brewer of Sagadahoc pending acceptance of Report.

On motion by Mr. Brewer, the Senate voted to accept the report of the Committee. The Resolve was read once. Then the same Senator presented Senate Amendment "A" and moved its adoption. Senate Amendment "A" (Filing S-46) was read by the Secretary as follows:

SENATE AMENDMENT "A" to H. P. 877, L. D. 1289, Resolve, to Reimburse Dwight H. Wheeler of Manchester for Payment of Fine in Motor Vehicle Speeding Case.

Amend said Resolve by Striking out all of the first paragraph (same in L. D. 1289) and inserting in place thereof the following:

Dwight H. Wheeler; reimbursed. Resolved: That the sum of \$20 be paid from the District Court Fund to Dwight H. Wheeler of Manchester to reimburse him for payment of a fine in District Court, Division of Northern Kennebec, for motor vehicle speeding, since the

speed limit in the Town of Wayne was improperly posted.'

Senate Amendment "A" was adopted, and the Resolve, as amended, tomorrow assigned for second reading.

On motion by Mr. Hoffses of Knox the Senate voted to take from the table the 2nd tabled and unassigned matter (S. P. 47) (L. D. 37) Senate Reports from the Committee on Inland Fisheries and Game on Bill, "An Act Repealing Bounty on Bobcat and Canada Lynx." Report "A", Ought to Pass; Report "B" Ought not to Pass. Tabled February 21 by Senator Hoffses pending acceptance of either report.

Mr. HOFFSES of Knox: Mr. President, I move that we accept Report "A" Ought to Pass, and I would like to speak briefly to my motion.

The PRESIDENT: The Senator may proceed.

Mr. HOFFSES: Mr. President and members of the Senate: this L. D. 37, repeal of the \$15 bobcat bounty, I introduced for the purpose of eliminating the payment of this money to the bobcat hunters.

It is a well-established fact that bounties paid to reduce the presence of animals which are considered undesirable and a menace has not proven its effectiveness, as some would like us to believe.

I would like to call your attention, if I may, to the bobcat kill of 1967 up to February 28th. I would call your special attention to the kill in Aroostook County and to the kill in Washington County. There were 39 in Aroostook and 78 in Washington County. Now these counties border upon our good neighbors to the north and east, and while I would hesitate to imply that some of these bobcats may have been imported across the boundary, there is a small possibility that such might be the case.

In 1966 the Aroostook County kill was 99 and Washington County 188. Again, I would call your attention to that same fact. In 1965 the kill in Aroostook County was 53 and in Washington County it was 77, indicating a vast reduction in the bobcat population or the

reluctance of the hunter to go in search of the predator.

Each year the Fish and Game Department have paid from ten to fifteen thousand dollars out of their license fees to this, what I would consider a subsidy.

Now I would be the first to deny that bobcat kill deer; I know they kill deer. They kill healthy deer but their kill by and large is the weak and crippled animals who are unable to get out of the way and to defend themselves.

Now I have noticed that around the last day or two there has been quite a bit of activity in regard to this particular bill. It prompts me to call to your attention an article which was in the Bangor Daily News a short time ago, written by Clayt Beal, and, with your permission, I would like to read a little of this article. It was date-lined Jonesport.

"She had been chased continually through thickets, snow-laden alder swamps, over jagged rocks, through and across slippery gauntlets of grounded ice cakes, up the frozen slopes of thinly wooded clumps of wind-blown ridges, and down a half-mile section of Route 187 — all in hopes of eluding the trailing killers bent on taking her life and the lives of her two little ones who were yet to see or feel the bright warm June sun — only four short months away.

Some of the most pitiful sights ever to be witnessed in the animal kingdom in Washington County were seen during this past weekend along Route 187 in Jonesport.

A large number of travelers along this winding, woodshrouded coastal highway reacted in near panic Thursday, Friday and Saturday as they witnessed a fine but helpless doe deer mercilessly slaughtered by dogs in an open field. Numerous other incidents were reported in which terrified deer, driven close to exhaustion, ran falteringly ahead of a pack of deer-killing dogs.

In complete desperation, the doe turned to her left and headed for the cliff — 100 yards away — from which she could fling herself

into the waiting icy waters of Chandler Bay.

Less than a foot of crusted snow had covered the 75 yards of blueberry ground behind her. The snow depth was tapering off now, making the last 25 yards easier. But the chase had been too much for her — she tripped, fell, and before she could rise again — the vicious jaws of the yellow haired collie were tearing at her throat.

The rage-filled eyes of the witness turned back to the highway as a brown and white canine joined in the attack of the helpless doe."

I would like to point to one of my own experiences down in the County of Knox directly in front of my own house, where the river some three or four years ago was a glare of ice, and a man from town was driving along Route 105 and he saw this big doe deer go across the road, down across the field and hit the ice and fall flat and it was unable to get up. He stopped his car and got out and drove off three dogs which were in pursuit of her, and he came to my house and explained the situation, whereupon we got a rope and formed a loop in the rope and put it around the stern of the deer and dragged her across the ice to the other side, where we found that one leg had a compound fracture and the bone was sticking out just below the shoulder. After the deer had reached the other shore where she could get firm footing she struggled to her feet, ran up into the alders just a short distance, stopped and turned around with a look upon her face of thanks that we had rescued her from a fate which we all knew and she knew was hers.

As we stood there and watched the deer we contemplated that there was another fate which would be the same, and we contemplated whether the deer would like to be killed by the three dogs or be killed by a bobcat which would undoubtedly pursue her, overtake her and kill her.

Now I would like to call your attention to two articles in the newspaper recently where five deer down in the town of Waldo-

boro in Lincoln County were killed by roaming dogs. We learned that over in New Hampshire some fifteen or twenty deer have very recently been killed by dogs.

As I mentioned before, bobcats are a menace to the deer herd, but let me point out to you that there are two menaces which are greater: dogs and the poacher.

I would like to quote further in this article from Warden Higgins, a member of the warden service:

Warden Higgins suggested that, "Far more damage is being done to the deer herd by dogs running-at-large than meets the eye. Deer stand no chance whatever in the three months of early spring," he said, and added that during this time of year, "deer expel a strong odor or scent."

When they are being chased by dogs they become heated to the point of exhaustion during the course of the chase and many times the deer will choose to leap into the ocean, a lake, or stream to escape. This increases the mortality rate through immediate death by shock often times. If the deer is fortunate enough to reach the opposite shore, the odds of the deer contracting pneumonia are tremendous. Some of the animals are swept out to sea in the tide, while still others eventually die from exposure, slash wounds, or broken legs suffered during their struggle for freedom. Often deer are crippled or totally disabled by dogs severing the hamstring of the rear legs, and others succumb to loss of blood from ripped throats, undersides, and hind quarters.

How many of the fast depleting Maine deer population were killed directly or indirectly by dogs this past week along coastal Washington County? The answer is — too many. And a dead doe never reproduces."

I was most gratified that Senator Barnes of Aroostook salvaged L. D. 516 in regard to aliens possessing firearms. It is my firm belief, and I am sure that it is Senator Barnes' belief that we have a very definite menace from

poachers, many of which are not our own citizens, slaughtering our deer herd in the northern County of Aroostook, and this bill would, in a way, help to correct that situation.

At the hearing we had, the testimony in regard to the cat population was quite definite in that the cats have reduced in population, and I would be the first to urge that a bounty be restored if we are sure that the deer are being depleted by an increased population of bobcats.

I believe that the advent of the snow-sled may help to keep the cat population under control.

I would like to say in closing: a deer is just as dead if it is killed by a cat, a pack of dogs or a poacher's rifle; and, to repeat Warden Higgins statement: "A dead doe never reproduces." "Let us concentrate our efforts on the big killers and not the small killers. When you vote I hope that you will vote to do away with this subsidization of the bobcat hunters. Thank you.

The PRESIDENT: The pending question is on the motion of the Senator from Knox, Senator Hoffses, that we accept Report "A", Ought to Pass.

Mr. ANDERSON of Hancock: Mr. President and members of the Senate. It disturbs me to oppose my good friend and committee colleague, the Senator from Knox, but I have no other choice.

He is just as honest in his convictions that the bounty on Bobcats should be removed as I am that it should be retained. He believes that it is money thrown away — money that could be used in other areas of conservation by the Fish & Game Dept. I believe it is money well spent — a conservation measure that if repealed would be calamitous to the State's economy.

Let's look at some figures affecting the bounty on cats over the years. They are interesting to me and I trust they may be to you. I know figures are boring, but I beg your indulgence for just a moment.

Way back in 1832, 135 years ago, a bounty of \$1.00 was paid on bobcats. That \$1.00 then would

undoubtedly be comparable to \$15.00 today.

In 1897 the bounty was \$2.00, in 1913 it was raised to \$4.00. In 1919 it went to \$10.00. It held this figure until 1931 when it was raised to \$20.00.

In the years 1931 and 1932 bounties were paid on 1,857 cats. An all time high.

In 1936 the bounty was dropped to \$15.00 and has remained at that figure up to the present time. In 1963 and 1964 bounties paid reached another high, 1,251. It then dropped to 800 in 1965 and 674 in 1966. In the last ten years, '56 through '66, bounties were paid on 8,823 cats.

The Dept. of Inland Fisheries and Game by their own admission place a value of \$300.00 on every deer in our herd.

This figure is arrived at from the sale of resident and non-resident licenses, and from necessities and luxuries that go hand in hand with the sport of deer hunting.

I ask you if the expenditure of \$15.00 to save an \$1800.00 investment isn't good business?

There must have been some brilliant legislators over the many, many years this bounty has been paid. Doesn't it seem strange to you that it wasn't repealed if it wasn't doing the job?

One of the past great bobcat hunters, and certainly one of the most dedicated game Wardens the state has ever had, Fred G. Smith of Ellsworth, now retired, claims that a full grown cat will kill an average of six deer a year. Mr. Smith has records and dates to prove his statement. I invite any member of this honorable body to call Fred Smith in Ellsworth for corroboration of what I have said.

Let's be conservative — call it three deer a year that full grown cats kill. Three deer valued at \$300.00 each. Multiply it by the State's bobcat population. The total, frankly, turns my stomach.

The claim is made by proponents of bounty repeal that hunters would still go after the cats if there was no bounty.

A few, perhaps, with no financial worries, would still hunt them, but

by and large the most of them would give up the sport. They just couldn't afford to keep dogs the year around without compensation.

There is no question but what our deer herd is being rapidly decimated. We heard much testimony of this fact in deer bills that will soon be coming before the Inland Fisheries and Game Committee in the last few weeks.

I recognized the Warden Supervisor in the audience at one committee hearing, and I asked him if he would give us the status of the deer in Washington County. He said, "The herd is definitely down." I asked him to what he attributed that and he said: "Double the hunting pressure, deep snows, poachers, and — Senator Hoffses — bobcat."

Current happenings in Hancock County this winter substantiate by strong feeling that the bounty on Bobcats should not be removed.

Mellie Closson of Bluehill hunting cats with dogs in the branch Pond area found two deer that had been killed by a cat. His dogs picked up the track and drove the cat on to the Pond. Harvard Linscott and Alton Stackpole, both of Ellsworth, who were ice fishing in the area, ran the cat down with a snowmobile and made the kill. Linscott told me that there was not one ounce of meat eaten from one of the deer. By the way — This is a reminder that we must have Legislation to cover hunting from Snowmobiles.

This same Harvard Linscott was fishing at Moosehead Lake two weeks ago, and he had a conversation with Warden Harriman in that division, and the talk got around to the repeal of the bounty on bobcat, and Harriman very flatly stated that if the bobcat bounty is repealed it will mean another duty for the wardens, for the way the cats are increasing we will have to get out and hunt them.

Again this winter, Leonard King and Harold Logan of Ellsworth, hunting in the Egypt Stream area, twelve miles below Ellsworth, found where a cat had killed two deer. One of the deer was still warm when they found him. They reported that there were four deer

yards in the area and prints of five more cats.

Again, George Conary, hunting in the Trenton woods, eight miles below Ellsworth, in the past three weeks has found three deer. Two of them were very definitely identified as being killed by bobcats, and the third one, partly covered with snow, they could find no trace of a struggle, so they were not sure.

A short time ago, that was before the last big snowstorm we had, I talked with a checker of wildlife for the Department of Inland Fisheries and Game. He reported to me that at that time there was 32 inches of snow on the hardwood ridges and 23 inches in the black growth. Now with this big storm and the added depth of snow, deer have been having a rough time moving about in search of browse, and, with the deer helpless in the snow, the bobcats certainly have been having a field day.

The Eastbrook Fish and Game Club are paying a bonus of \$5.00 for every cat killed in that town. Here is a club that recognizes a deer killer and is really doing something about it. For verification of this, you may call Mrs. Mary Harris, Secretary of the Eastbrook Club.

Contributing factors in our rapidly vanishing deer herd, aside from bobcats, are:

1. The despicable poacher who robs posterity and steals from the honest sportsman who buys a deer license.
2. Deer killed by automobiles and trains.
3. Wounded deer that crawl away and die. The hunter still goes on killing until he gets one down.
4. Dogs running at large, killing hundreds of deer each year.
5. Deep snows that hinder mobility in search of food, and leaves them easy prey for cats.

Put these factors all together and you wonder how this game animal has survived extermination.

Mr. President and members of the Senate, I ask you to join with me in preserving this noble animal. Save him for posterity, for our children and our children's chil-

dren, that they may see him in the living flesh in his natural setting in the fields and forests of our beloved state of Maine.

The PRESIDENT: The Senator from Hancock, Senator Anderson, moves that we indefinitely postpone the bill and accompanying reports.

Mr. FARLEY of York: Mr. President and members of the Senate: You all remember, as I do, a few days ago, when the good Senator from Hancock County read a statement to us relative to economy in State of Maine government. According to him today, the Fish and Game Department is not in state government, it is some place else.

I happen to be a member of the committee. I have to admit that I never saw a bobcat in my life, unless I did at a circus when I was a child. Hunting and fishing does not appeal to me like it does to many who are here in this body this morning.

But there are two sides to every story, and, as a member of the committee I try to judge for the best interests of those who appear before us. The Senator from Hancock, I think, has been bitten by political pressure. The Senator from Knox, whom I am supporting, has been fair, and I think he is worthy of my support here this morning. But there is another angle to this matter. Some of these gentlemen this morning have read poetry, and I am no good at poetry. But in the hearing many of those who came before us were sportsmen, sportsmen with their dogs, who like to chase these bobcat. They were not looking for any bounty, they were looking for what they thought were the best interests so far as the license which they had paid for to the Department of Inland Fisheries and Game. I thought, when the testimony was all in, and listened to this and that, both sides of the story, and I came out of that hearing, it was my thought that the dogs do more damage to the deer than the bobcats. Those gentlemen who were there, who believed in the chasing of bobcats with their dogs, training their dogs

and this and that, they emphasized to us thoroughly that it was far better today to be out there chasing bobcats, because of the new roads and this and that and what goes with it. After hearing all this testimony, I was glad to support in executive session the Senator from Knox, Senator Hoffses, the Chairman of my committee, and I am going to vote along with him, and I trust that each and every member of this Senate who believes in economy will do the same and save \$11,000 for our Fish and Game people.

Mr. YOUNG of Hancock: Mr. President and Members of the Senate: I had not planned to rise and debate this bill after hearing the very intelligent, and enlightening debate of my good friends Senator Hoffses and Senator Anderson, but when the Senator from York Senator Farley calls it a conservation measure, I just can't agree because this bill is a departmental bill and if that ten or fifteen thousand dollars isn't paid for bounties, which in my opinion is a justified cause to pay it out to, they will spend that money. There is no saving \$15,000 or \$10,000. Now there is one other thing that I would like to bring out. It has already been brought, out and I heard it at the hearing, that the Fish and Game Department itself did value those deer at \$300 apiece, and I would just cite one instance where someone that I really know told me that this winter during their chases for bobcats, of which they have killed ten in all, they came upon the carcasses of eight different deer all killed by bobcats. They followed the tracks right up to where they killed these deer and buried them in snow and hardly took a pound of meat off of them and those eight deer are in a small area and at \$300 would mean \$2,400 and I think that the ten bobcats that have been killed we'll say in that particular area, would be \$150 and I think that is a pretty good bargain.

The PRESIDENT: The question is on the motion of the Senator from Hancock, Senator Anderson

that the Bill and accompanying papers be indefinitely postponed.

Mr. HOFFSES: Mr. President, I might correct, if I may, the good Senator from Hancock. This was not a department bill. This was my own brain child, so-to-speak. It was my feeling that this money which could be saved from the bobcat bounties could possibly be used to employ more wardens to protect the deer herd from all of its predators; bobcats, dogs, and mostly the real killers; poachers. I do want to extend my appreciation to the good Senator from Hancock County and one of my Committee members. In his kind and condescending listing of the cause of the depletion of the deer herd in Washington County. He listed the bobcats and myself last on that schedule.

Mr. YOUNG of Hancock: When the vote is taken, I request a division.

The PRESIDENT: The Senator from Hancock, Senator Young moves that when the vote is taken that it be by division.

Mr. WYMAN: Mr. President and Members of the Senate: Early in his remarks the good Senator from Knox, Senator Hoffses, intimated that we might have citizens in Washington County who would kill a bobcat in New Brunswick and bring it over in Maine for bounty. Now I am sure there is not a single person in Washington County who would do that, and, so far as I know, the people in Knox County wouldn't do it. The good Senator may know some people in Knox County who would do that, but I am not acquainted with them.

One more point: it does seem to me that the people who favor the removal of this bounty have made an excellent case for a bounty on dogs, although I would hesitate to go for that measure right now.

Mr. ANDERSON of Hancock: Mr. President and members of the Senate: Again I beg your indulgence. I know that reading from newspaper clippings can be very boring. But there was an article in Bud Leavitt's column on March 23rd, in which he spoke of two well-known bobcat hunters in this

State: Ben Worcester of Southwest Harbor and Virgil Ladd of Topsfield. Now both men have something in common: they are dead set against taking the \$15 bounty off bobcat. Ben Worcester has hunted for sixty years and knows something about the game. I quote him:

"Bobcats have one natural enemy, man. The pelts hardly interest the cat hunter. Bobcats have from two to five kittens a litter. They multiply faster than deer. Repealing the bounty will only give the bobcat a green light and before you know it we'll have more of these animals than deer."

Virgil Ladd says:

"I have hunted bobcats for 35 years, off and on, and do know they don't need a sick or wounded deer to prey on. They don't need snow, either. No doubt four feet of snow makes it easier for a cat to work than two inches.

"One winter another hunter and I found 28 fresh kills by cats. That same winter we found 33 more which had been visited by bobcats.

"I have seen where bobcats have killed five porcupines, several squirrels, only one rabbit, a few partridge and one weasel. This all took place at Musquash Stream.

"I have observed where bobcats walked right past a rabbit when there was a deer at hand, fawn, buck or a doe. It doesn't matter much to a hungry bobcat."

Worcester goes on to say:

"I was trying to train a part Redbone for a cat dog.

"I found fairly fresh tracks and let him go. When I came to the dog he was in the midst of deer tracks.

"I gave him a little hand, trying to teach him not to chase deer. Then I saw a few drops of blood on the snow. I found a ball of hair and recognized it as cat fur.

"I knew there was a dead deer close by.

"I soon found a full-sized deer, mostly covered by snow. One horn on the animal measured nine inches. I retraced my steps to see what really did happen. The deer was coming off the open bar-

rens toward a large growth of small firs. The cat was crouched behind some small firs and the fight was on. The deer lost out."

Ladd and Worcester feel it would be a serious mistake to lift the \$15 bounty.

"This \$15 will not exterminate the cat but every dead one helps feed a dog nine months. And every good dog helps keep the cat population down. The deer are the real winners," asserts Ladd.

"I'll put it this way. Deer mean more to the State of Maine than the general public realizes. I certainly hope the 103rd Maine Legislature holds the line and the \$15 bounty on bobcats. We cannot afford to lift the bounty. The deer herd will not stand many winters like the one we're still in. And bobcat hunters need some kind of an incentive, which at \$15, is hardly a bargain."

I would like to read, just for a second, a letter from a retired game warden. He says:

"Dear Senator:

I understand there is a bill coming before this session of the Legislature to remove bounty on bobcats. To me, it seems a shame that that bill should pass, knowing, as I do, the damage that bobcats do to our deer herd, which is growing smaller each year. I know you will do what you can."

Mr. STERN of Penobscot: Mr. President, I just want to go on record to make a confession. I am timid as a deer and I am scared of bobcat, and I want to support my good friend, Senator Anderson.

Mr. BECKETT of Washington: Mr. President, I found much concern in Washington County among the hunters and among the wardens. Not being a cat hunter myself, I don't know very much about it, and, in cases such as this, I like to take the advice of those who I think are experienced. The deer kill is down in Washington

County, the wardens tell me that the deer population is down, and they attribute much of this to the bobcat. We must admit, as the good Senator from Knox says, that the dogs do great damage, but this bill does not concern dogs, it concerns bobcat, which are taking a toll on our deer. If this bounty is removed, I believe we will have an increase in the cat population and a further decrease in the deer population. I hope that this Senate will go along with the motion of the Senator from Hancock.

The PRESIDENT: The pending question is on the motion of the Senator from Hancock, Senator Anderson, that this bill and accompanying papers be indefinitely postponed. The Senator from Hancock, Senator Young, has moved that the vote be taken by a division.

As many as are in favor of the motion to indefinitely postpone the bill and accompanying papers will stand and remain standing until counted; those opposed.

A division was had.

25 having voted in the affirmative and 7 in the negative, the motion to indefinitely postpone prevailed.

Sent down for concurrence.

Additional Paper from the House, out of order and under suspension of the rules:

Resolve for Laying of the County Taxes for the Years Nineteen Hundred Sixty-Seven and Nineteen Hundred Sixty-Eight. (Emergency) (H. P. 1091)

Comes from the House referred to the Committee on Towns and Counties.

Which was referred to the Committee on Towns and Counties in concurrence.

On motion by Mr. Ross of Piscataquis,

Adjourned until ten o'clock tomorrow morning.