

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Fourth
Legislature*

OF THE

STATE OF MAINE

1969

KENNEBEC JOURNAL
AUGUSTA, MAINE

HOUSE

Tuesday, March 4, 1969

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

Prayer by the Rev. Mr. Jack Shankel of Augusta.

The members stood at attention during the playing of the National Anthem by the Freeport High School Band.

The journal of the previous session was read and approved.

Papers from the Senate

Bills from the Senate requiring reference were disposed of in concurrence.

Reports of Committees

Ought Not to Pass

Report of the Committee on Appropriations and Financial Affairs reporting "Ought not to pass" on Resolve Appropriating Moneys for Search of Lost Persons in the Woodlands of the State (S. P. 160) (L. D. 534)

Report of the Committee on Public Utilities reporting same on Bill "An Act relating to Enclosing Storage Tanks and Reservoirs for Water Treated for Domestic Use" (S. P. 70) (L. D. 192)

Came from the Senate read and accepted.

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

Ought to Pass with Committee Amendment

Report of the Committee on Appropriations and Financial Affairs on Bill "An Act Appropriating Moneys for Essential Needs at the University of Maine" (S. P. 77) (L. D. 235) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

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

In the House, the Report was read and accepted in concurrence and the Bill read twice. Committee Amendment "A" (S-18) was read by the Clerk and adopted in concurrence, and tomorrow assigned for third reading of the Bill.

Divided Report Tabled and Assigned

Report "A" on the Committee on State Government reporting "Ought to pass" on Bill "An Act relating to Membership of Board of Trustees for Accident and Health Insurance Program for State Employees" (S. P. 115) (L. D. 324)

Report was signed by the following members:

Messrs. LETOURNEAU of York
BELIVEAU of Oxford

— of the Senate.

Miss WATSON of Bath

Messrs. STARBIRD

of Kingman Township

D'ALFONSO of Portland

— of the House.

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

Report was signed by the following members:

Mr. WYMAN of Washington

— of the Senate.

Messrs. MARSTALLER

of Freeport

RIDEOUT of Manchester

DONAGHY of Lubec

DENNETT of Kittery

— of the House.

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

In the House: Reports were read. (On motion of Mr. Dennett of Kittery, tabled pending acceptance of either Report and tomorrow assigned.)

Non-Concurrent Matter

House Joint Order re Study of State - owned Land in Capital City Area (H. P. 792) which was passed in the House on February 25.

Came from the Senate passed as amended by Senate Amendment "A", as follows:

"Amend said Order by striking out in the last line everything after the word "submitted" and inserting in place thereof the following: 'to the 104th Legislature.' "

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

Non-Concurrent Matter

Bill "An Act Reestablishing the Town Line between the Town of Jay, Franklin County, and the

Town of Canton, Oxford County" (H. P. 238) (L. D. 293) which was passed to be engrossed as amended by Committee Amendment "A" in the House on February 20.

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

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

Messages and Documents

The following Communication:

STATE OF MAINE
PUBLIC UTILITIES
COMMISSION
AUGUSTA

March 3, 1969

The Honorable Bertha W. Johnson
Clerk of the House
House of Representatives
State House
Augusta

Dear Madam:

In compliance with a house order of January 12, 1968, the Commission submitted its report relative to the curtailment and discontinuance of gas service by the Portland Gas Light Company and the gas explosion on January 1, 1968.

Enclosed you will find a supplemental report relative to this issue.

Very truly yours,

(Signed)

JOHN G. FEEHAN
Chairman

The Communication was read and with accompanying report ordered placed on file.

Petitions, Bills and Resolves Requiring Reference

The following Bills and Resolves were received and, upon recommendation of the Committee on Reference of Bills, were referred to the following Committees:

Appropriations and Financial Affairs

Bill "An Act Appropriating Funds for the Operation of the Maine Mining Commission" (H. P. 882) (Presented by Mr. Lund of Augusta)

Bill "An Act Appropriating Funds for Division of Eye Care and Special Services, Department of Health and Welfare" (H. P. 883) (Presented by Miss Watson of Bath)

(Ordered Printed)

Sent up for concurrence.

Business Legislation

Bill "An Act relating to Reporting by Insurance Companies of Cancellations and Nonrenewals of Automobile Insurance Policies" (H. P. 884) (Presented by Mr. Marsteller of Freeport)

Bill "An Act to Provide for Taxation and Regulation of the Associated Hospital Service of Maine" (H. P. 885) (Presented by Mr. Norris of Brewer)

Bill "An Act relating to Unfair and Coercive Insurance Requirements" (H. P. 886) (Presented by Mr. Scott of Presque Isle)

Bill "An Act Establishing a Joint Underwriting Association for Fire and Extended Coverage Insurance" (H. P. 887) (Presented by Mr. Trask of Milo)

(Ordered Printed)

Sent up for concurrence.

Education

Bill "An Act to incorporate the Town of Bowdoin School District" (H. P. 888) (Presented by Mr. Curtis of Bowdoinham)

(Ordered Printed)

Sent up for concurrence.

Election Laws

Bill "An Act relating to Residence of Write - in Candidates on Ballots" (H. P. 889) (Presented by Mr. Binnette of Old Town)

(Ordered Printed)

Sent up for concurrence.

Inland Fisheries and Game

Bill "An Act relating to Molesting Game Animals by Snowmobiles" (H. P. 890) (Presented by Mr. Dyar of Strong)

Bill "An Act to Eliminate the Length of Trout in Brooks and Streams" (H. P. 891) (Presented by Mr. Foster of Mechanic Falls)

Resolve relating to Fishing in First Chase Lake, Aroostook County (H. P. 892) (Presented by Mr. Bourgoin of Fort Kent)

(Ordered Printed)

Sent up for concurrence.

Judiciary

Bill "An Act Revising the Laws Relating to Disclosures of Debtors" (H. P. 893) (Presented by Mr. Lund of Augusta by request)

Bill "An Act relating to a Surcharge on Fines Resulting from Moving Motor Vehicle Convictions" (H. P. 894) (Presented by Mr. Santoro of Portland)

Bill "An Act Permitting the Inhabitants of the Town of Jay to be Within the Jurisdiction of the District Court at Livermore Falls" (H. P. 895) (Presented by Mr. Scott of Wilton)

(Ordered Printed)

Sent up for concurrence.

Health and Institutional Services

Bill "An Act relating to Conjugal Visitations at State Penal Institutions" (H. P. 896) (Presented by Mr. Vincent of Portland)

Committee on Reference of Bills suggested that the Bill be referred to the Committee on Judiciary and printing.

On motion of Mr. Vincent of Portland, referred to the Committee on Health and Institutional Services, ordered printed and sent up for concurrence.

Labor

Bill "An Act Revising the Employment Security Law and Providing for an Executive Director" (H. P. 897) (Presented by Mr. Dennett of Kittery)

(Ordered Printed)

Sent up for concurrence.

Legal Affairs

Bill "An Act relating to Civil Action for Negligent Misstatements" (H. P. 898) (Presented by Mr. Dyar of Strong)

Bill "An Act Reestablishing a Passageway for Boats across the Dam on the Kennebec River at Augusta" (H. P. 899) (Presented by Mr. Lund of Augusta)

Bill "An Act Revising the General Laws Governing the Town Manager Form of Government" (H. P. 900) (Presented by Mr. Snow of Caribou)

(Ordered Printed)

Sent up for concurrence.

Liquor Control

Bill "An Act relating to Sunday Sale of Liquor" (H. P. 901) (Presented by Mr. Dyar of Strong)

Bill "An Act Abolishing Liquor Enforcement Division and Transferring Duties to Sheriffs' Departments" (H. P. 902) (Presented by Mr. Emery of Auburn)

Bill "An Act relating to Mandatory Fines on Minors who Purchase Liquor" (H. P. 903) (Presented by Mr. Hichens of Eliot)

(Ordered Printed)

Sent up for concurrence.

Natural Resources

Bill "An Act Providing for State Contribution to the Cooperative Soil Survey" (H. P. 904) (Presented by Mr. Johnston of Fort Fairfield)

Bill "An Act Revising the Water and Air Environmental Improvement Laws" (H. P. 905) (Presented by Mr. Snow of Caribou)

Bill "An Act Concerning the Administration and Program of the New England Interstate Water Pollution Control Commission" (H. P. 906) (Presented by same gentleman)

(Ordered Printed)

Sent up for concurrence.

Public Utilities

Bill "An Act to Amend the Charter of the Lewiston - Auburn Water Pollution Control Authority" (H. P. 907) (Presented by Mr. Drigotas of Auburn)

(Ordered Printed)

Sent up for concurrence.

Sea and Shore Fisheries

Bill "An Act relating to Taking Lobsters by Use of Otter or Beam Trawls" (H. P. 908) (Presented by Mr. Tyndale of Kennebunkport)

(Ordered Printed)

Sent up for concurrence.

State Government

Bill "An Act relating to Legislative Ethics" (H. P. 909) (Presented by Mr. Fortier of Waterville)

Bill "An Act Increasing Certain Fees for the Secretary of State's Office" (H. P. 910) (Presented by Mr. Susi of Pittsfield)

Bill "An Act Permitting Use of State Wharves in Portland Harbor"

(H. P. 911) (Presented by Mr. Temple of Portland)
(Ordered Printed)
Sent up for concurrence.

Taxation

Bill "An Act relating to Definition of Cigarettes under Cigarette Tax Law" (H. P. 912) (Presented by Mr. Fortier of Waterville)
(Ordered Printed)
Sent up for concurrence.

Legal Affairs

Bill "An Act relating to Registration of Snow Traveling Vehicles" (H. P. 913) (Presented by Mr. Dam of Skowhegan)

Committee on Reference of Bills suggested that the Bill be referred to the Committee on Transportation and printing.

On motion of Mr. Dam of Skowhegan, referred to the Committee on Legal Affairs, ordered printed and sent up for concurrence.

Orders

On motion of Mr. Benson of Southwest Harbor, it was

ORDERED, that Rev. George W. Goudreau of Hampden be invited to officiate as Chaplain of the House on Thursday, April 17, 1969.

House Reports of Committees

Ought Not to Pass

Mr. Waxman from the Committee on Education reported "Ought not to pass" on Bill "An Act relating to Leaves of Absence of Teachers and Principals" (H. P. 273) (L. D. 349)

Mr. Shaw from the Committee on Legal Affairs reported same on Bill "An Act Increasing Compensation of Members of Augusta City Council" (H. P. 570) (L. D. 751)

Reports were read and accepted and sent up for concurrence.

Mr. Crommett from the Committee on Towns and Counties reported "Ought not to pass" on Bill "An Act relating to Setting Salaries of all County Officials Except County Commissioners and County Attorneys" (H. P. 22) (L. D. 25)

Report was read.

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

Mr. ROSS: Mr. Speaker and Ladies and Gentlemen of the House: This is another one of my bills. Temporarily I guess I am not doing too well, although today I am batting fifty percent because item 11 on page seven strangely enough has an "Ought to pass" Report. But this particular bill was a Research product and it was aimed at reducing the number of separate salary bills that we have each session. It had the unanimous endorsement of the Association of County Commissioners but once again I was not able to convince the Committee, so very hesitantly I move that we accept the "Ought not to pass" Report.

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

Mr. Crommett from the Committee on Towns and Counties reported "Ought not to pass" on Bill "An Act Creating a Second Assistant County Attorney for the County of York" (H. P. 302) (L. D. 378)

Report was read and accepted and sent up for concurrence.

Ought to Pass Printed Bills

Mrs. Cummings from the Committee on Education reported "Ought to pass" on Bill "An Act relating to School Construction Aid in School Administrative District No. 53" (H. P. 515) (L. D. 686)

Mrs. Kilroy from same Committee reported same on Bill "An Act relating to Leave of Absence for Teachers and Principals" (H. P. 139) (L. D. 161)

Mr. Millett from same Committee reported same on Bill "An Act relating to Action that may be Taken at School Administrative District Budget Meetings" (H. P. 547) (L. D. 726)

Mr. Lewin from the Committee on Inland Fisheries and Game reported same on Bill "An Act Repealing Big Squaw Mountain Game Preserve and Amending the Piscataquis and Somerset Game Preserve" (H. P. 553) (L. D. 734)

Mr. Cote from the Committee on Legal Affairs reported same on Bill "An Act Providing that Revenues

Received in Enforcement of Elevator Law shall be Credited to the General Fund" (H. P. 388) (L. D. 498)

Mr. Cox from same Committee reported same on Bill "An Act relating to Conveyance of Property to Bangor Recreation Center" (H. P. 477) (L. D. 631)

Mr. Norris from same Committee reported same on Bill "An Act relating to Election and Duties of Ministers in Protestant Episcopal Church in the Diocese of Maine" (H. P. 476) (L. D. 630)

Mrs. Wheeler from same Committee reported same on Bill "An Act relating to Financial Statement Forms for Use in Determining Ability to Pay Support at State Institutions" (H. P. 389) (L. D. 499)

Mr. Dyar from the Committee on Towns and Counties reported same on Bill "An Act relating to Time of Sessions of Board of County Commissioners of Washington County" (H. P. 361) (L. D. 469)

Mr. Fortier from same Committee reported same on Bill "An Act relating to the Maintenance of a Public Building in Rumford" (H. P. 450) (L. D. 573)

Same gentleman from same Committee reported same on Bill "An Act relating to Temporary Loans by Counties of Cumberland, Washington and Kennebec" (H. P. 492) (L. D. 646)

Mr. Wight from same Committee reported same on Bill "An Act to Change the Name of Butler Island, Kennebec County, to Paradise Island" (H. P. 80) (L. D. 80)

Mr. Keyte from the Committee on Transportation reported same on Bill "An Act relating to Inspection of Motorcycles" (H. P. 419) (L. D. 530)

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

Ought to Pass with Committee Amendment

Mr. Chick from the Committee on Education on Bill "An Act Increasing Compensation of School Directors of School Administrative Districts" (H. P. 318) (L. D. 405) reported "Ought to pass" as

amended by Committee Amendment "A" (H-76) submitted therewith.

Mr. Rocheleau from the Committee on Inland Fisheries and Game on Resolve Regulating Ice Fishing on Indian, Orange and Sunken Lakes in Washington County (H. P. 410) (L. D. 521) reported "Ought to pass" as amended by Committee Amendment "A" (H-77) submitted therewith.

Mr. Case from the Committee on Labor on Bill "An Act relating to the Chairman of the State Apprenticeship Council" (H. P. 352) (L. D. 460) reported "Ought to pass" as amended by Committee Amendment "A" (H-78) submitted therewith.

Reports were read and accepted, the Bills read twice and the Resolve read once. Committee Amendment "A" to each was read by the Clerk and adopted, and tomorrow assigned for third reading of the Bills and second reading of the Resolve.

Divided Report Tabled and Assigned

Majority Report of the Committee on Election Laws on Bill "An Act Prohibiting Political Solicitation by County Employees" (H. P. 277) (L. D. 353) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was signed by the following members:

Mr. ANDERSON of Hancock
— of the Senate.
Messrs. HENLEY of Norway
PORTER of Lincoln
MacPHAIL of Owls Head
Mrs. GIROUX of Waterville
Mr. CARTER of Winslow
— of the House.

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

Report was signed by the following members:

Messrs. LETOURNEAU of York
KATZ of Kennebec
— of the Senate.
Mrs. BOUDREAU of Portland
Mr. VINCENT of Portland
— of the House.

Reports were read.

(On motion of Mr. Henley of Norway, tabled pending acceptance of either Report and specially assigned for Thursday, March 6.)

Passed to Be Engrossed

Bill "An Act Repealing Law Providing for Economic and Recreational Development in Oxford County" (H. P. 166) (L. D. 205)

Bill "An Act relating to Reports of the Managers of the Maine Industrial Building Authority and the Maine Recreation Authority" (H. P. 189) (L. D. 229)

Bill "An Act relating to Definition of Industrial Project under Industrial Building Authority Act" (H. P. 327) (L. D. 414)

Bill "An Act Reducing the Membership of the Board of Trustees of Richmond Utilities District" (H. P. 482) (L. D. 636)

Resolve Providing Funds for Conservation Education (S. P. 164) (L. D. 539)

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

Amended Bill

Engrossed in Non-Concurrence

Bill "An Act relating to Exemption of Certain Neat Cattle from Personal Property Taxation" (S. P. 116) (L. D. 327)

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

Mr. Curtis of Bowdoinham offered House Amendment "A" and moved its adoption.

House Amendment "A" (H-80) was read by the Clerk and adopted.

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

**Passed to Be Enacted
Emergency Measure**

An Act relating to Entrances on Liquor Licensed Premises (S. P. 212) (L. D. 622)

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. 117 voted in favor of same and 3 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 Date of Town Meeting of Town of Fort Fairfield (H. P. 140) (L. D. 162)

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. 126 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.

Emergency Measure

An Act Increasing Borrowing Capacity of Mars Hill Utility District (H. P. 241) (L. D. 296)

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

Emergency Measure

An Act to Validate Proceedings Authorizing the Issuance of Bonds and Notes by School Administrative District No. 22 (H. P. 375) (L. D. 484)

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. 132 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 Deposit of State Funds (H. P. 643) (L. D. 831)

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, 131 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.

By unanimous consent, ordered sent forthwith.

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

Mr. ROSS: Mr. Speaker, I present an order out of order and would speak to the motion please.

The SPEAKER: The gentleman from Bath presents an order out of order. Is there objection? The Chair hears none; the gentleman may speak to his order.

Mr. ROSS: Mr. Speaker and Members of the House: As president of the Pine Tree Society for Crippled Children and Adults, it gives me a great deal of pleasure this morning to introduce to the House the 1969 Easter Seal boy from Maine. You will see him tonight on all of the major TV stations with the Governor and six major weather men from the State of Maine. His name is Robert Hornstein, age thirteen this month. He is the son of Dr. and Mrs. Louis Hornstein of Skowhegan. He was handicapped with a crippling condition of his legs since birth, but through therapy and hard work and determination and perseverance he is now able to function independently.

He was first aided by the Easter Seal Society when he was three years of age. He attended the Pine Tree Camp for three years. Bob is a very good example of how a crippled child can progress and lead a normal life. He is a very bright eager young man who now enjoys participation with his many friends. He went to the Pine Tree Camp last summer. I asked him if he saw in the paper the catas-

trope that we had up there during the last big snowstorm when the dining room collapsed and he thought that was a real blast. He said—we're going to be able to eat outdoors next summer. Well, unfortunately we're going to get that fixed next summer so that we can do the great work that we do for crippled children starting next year with no interruption. And now I present the order and move its passage.

Thereupon, the following Order was read by the Clerk:

ORDERED, that Robert Hornstein of Skowhegan be appointed to serve as Honorary Page for today.

The SPEAKER: Is it the pleasure of the House that this Order receive passage? It's a vote.

The Chair thanks the gentleman from Bath, Mr. Ross, for his introduction.

Thereupon, Robert Hornstein was escorted to the well of the Hall of the House amidst applause of the House, the Members rising.

The SPEAKER: The Chair welcomes with considerable warmth, as the House has expressed, this young man as Honorary Page for today and I am sure the young man will be inspired because of the ovation extended to him this morning for his courage and ability to be here.

Passed to Be Enacted

An Act relating to Notice of Suspension or Revocation of Motor Vehicle Operators' Licenses (S. P. 57) (L. D. 165)

An Act relating to the Advisory Board of Review of Operators' License Control Procedures (S. P. 114) (L. D. 325)

An Act Eliminating Dedicated Funds from Stuffed Toy Law (S. P. 144) (L. D. 435)

An Act Ratifying Easement Conveyed by the State of Maine to the Bangor Water District (S. P. 146) (L. D. 427)

An Act relating to Application for New Motor Vehicle Registration Plates and Issuance of Temporary Facsimile Plates (S. P. 154) (L. D. 437)

An Act relating to Jurisdiction of Administrative Hearing Com-

missioner of Violations of Liquor Laws (S. P. 213) (L. D. 621)

An Act relating to Privileges and Appurtenances in Short Form Deeds (H. P. 37) (L. D. 38)

An Act relating to Revocation of Certain Licenses under Fish and Game Laws (H. P. 93) (L. D. 102)

An Act relating to Fire Protection for Township 8, S. D. (H. P. 200) (L. D. 247)

An Act Providing Reimbursement for High School Diploma Programs in Maine's General Adult Evening Schools (H. P. 215) (L. D. 265)

An Act relating to Sick Leave for Teachers Assistants and Aides (H. P. 221) (L. D. 271)

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

Enactor

Tabled and Assigned

An Act to Clarify Certain Motor Vehicle Laws (H. P. 246) (L. D. 301)

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

(On motion of Mr. Carey of Waterville, tabled pending passage to be enacted and specially assigned for Tuesday, March 11.)

An Act relating to Payment to Commissioner of Agriculture of Dog License Fees (H. P. 253) (L. D. 329)

An Act relating to List and Salaries of Employees of School Department of City of Auburn (H. P. 268) (L. D. 344)

An Act relating to Use of School Buildings (H. P. 269) (L. D. 345)

An Act Increasing Fee for Motor Vehicle Duplicate Licenses (H. P. 304) (L. D. 380)

An Act relating to Filing Campaign Reports (H. P. 323) (L. D. 410)

An Act relating to Minor Children Committed to State Custody (H. P. 324) (L. D. 411)

An Act Permitting Transfer of Property to Monument Lodge Association (H. P. 341) (L. D. 449)

An Act relating to the Capital Stock of Oakland Water Company (H. P. 346) (L. D. 453)

An Act to Encourage the Use of Electronic Voting Systems by Municipalities (H. P. 382) (L. D. 491)

An Act Enlarging the Territorial Limits of Hampden Water District and Changing the Time of the Election of the Trustees of Hampden Water District (H. P. 390) (L. D. 500)

An Act Extending Water Service of Kennebunk, Kennebunkport and Wells Water District to Town of Arundel (H. P. 392) (L. D. 502)

An Act Permitting the Commitment of Girls from Stevens Training Center to Half-Way House (H. P. 429) (L. D. 553)

An Act relating to the Transportation of Prisoners to and from Court and Between Institutions by Order of Court (H. P. 466) (L. D. 603)

An Act to Make Ballot Tampering a Felony (H. P. 467) (L. D. 604)

An Act Amending the Charter of Boothbay-Boothbay Harbor Community School District (H. P. 655) (L. D. 806)

An Act to Provide that Motor Vehicle Operators' Licenses be Issued on a Staggered Basis of Odd and Even Birth Years (H. P. 754) (L. D. 886)

Finally Passed

Resolve Authorizing Germain P. Guerette and Edmund Guerette to Bring Action Against the State of Maine (S. P. 108) (L. D. 319)

Resolve Authorizing Conveyance of State Land to the City of Bangor (S. P. 147) (L. D. 428)

Resolve Reimbursing Mars Hill Utility District for Bonds Issued for Sewer Construction (H. P. 113) (L. D. 129)

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

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

From the Senate: The following Order:

ORDERED, the House concurring, that notwithstanding the provisions of Joint Rule 8 and Joint Order SP 242, bills and resolves now in the office of the Director of Legislative Research shall be introduced in complete final form

in the appropriate house not later than 1:00 p.m. on Tuesday, March 11, 1969. (SP 342)

Came from the Senate read and passed.

In the House, the Order was read and under suspension of the rules passed in concurrence.

Orders of the Day

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

Resolve Proposing an Amendment to the Constitution Pledging Credit of State for Loans of Maine School Building Authority (S. P. 97) (L. D. 307) (In Senate passed to be engrossed)

Tabled — February 25, by Mr. Birt of East Millinocket.

Pending — Passage to be engrossed.

On motion of Mr. Richardson of Cumberland, committed to the Committee on Appropriations and Financial Affairs in non-concurrence and sent up for concurrence.

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

Bill "An Act relating to the Sale of Fireworks" (H. P. 284) (L. D. 360)

Tabled — February 26, by Mr. Temple of Portland.

Pending — Passage to be engrossed.

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

Mr. TEMPLE: Mr. Speaker and Members of the House: I believe this bill should concern all thoughtful people. Once again the Legislature is being asked to approve legislation which would legalize the sale of Class C fireworks in the State of Maine. Class C fireworks, as established by the Interstate Commerce Commission, includes firecrackers containing two or less grains of explosive mixture and such other devices as sky rockets, ten ball Roman candles, sparklers, pinwheels, colored fountains, mines, serpents and other fireworks of like construction, but remember, these can and do blind, maim and cause fire.

There are many reasons why this bill is not in the best interests of the State of Maine. In 1959, the

Maine Legislature passed a model fireworks law that allowed controlled fireworks displays. Twenty other states over the country have this same law. Every year in the United States there are more than five thousand accidents by fireworks over the country. This bill also conflicts with other State statutes in regards to throwing fire hazard substances on the highways forbidden. Also, search for explosives and storage of explosives.

Fire Chiefs and firefighters of Maine through their associations, State, County and local, all oppose this legislation. The Arson Division of the Insurance Department also opposes this legislation. One of the basic reasons for this is that it is almost impossible to enforce a law limiting fireworks to one class. Another bad feature would be bootlegging of all classes of fireworks would become prevalent in this State. No restrictions in this bill are placed on the sale and storage of fireworks such as in garages, grocery stores with tenants and children living above same. An ordinary fire in a room in an overstuffed chair will raise the temperature in that room to 500 degrees, sufficient to suffocate a person. A sparkler generates in itself 2,000 degrees, certainly not safe for children to play with. Many cases of property damage each year from fireworks in Maine prior to the enactment of this model law was very prevalent, going back even to the City of Portland in 1866 when a fire burned the City flat that was started by a firecracker thrown by a boy in a barrel of shavings on the Portland waterfront.

There are many cases I could stand here and recite regards to injuries of young people in our state, but one is very prevalent which happened in 1967. A young man returned from Vietnam after thirteen months service, not having a scratch from combat, returned to his home in Veazie, Maine. This was in July. A friend of his and a neighbor discharged a firecracker, and this young man twenty-one years old lost an eye. One father summed it all up when he said he did not realize the danger of fireworks until an acci-

dent strikes close to home. It is quite a feeling waiting to find out whether your boy can see again.

In 1965 then Governor John Reed vetoed a like bill, and I would like to quote from his message to the Legislature: "The fireworks this would legalize have caused such injuries as third degree burns and the loss of fingers and a serious fire in a church." The foregoing cases dramatically describe the type of accidents that we could anticipate if this bill became law. Statistics show that the State of Maine with one-tenth fireworks injuries per 100,000 persons has the lowest injury experience by fireworks of any state in the country. We should be proud of this and protect laws which are working for the protection of our citizens. I therefore ask, Mr. Speaker, that this bill be indefinitely postponed and that a division be held.

The SPEAKER: The gentleman from Portland, Mr. Temple, now moves that L. D. 360 be indefinitely postponed.

The Chair recognizes the gentleman from Madison, Mr. Corson.

Mr. CORSON: Mr. Speaker, Ladies and Gentlemen of the House: I rise to defend L. D. 360, a bill to legalize the sale of Class C or common fireworks. I would take issue with the gentleman from Portland in that it is my opinion that many of these accidents in the past resulted from fireworks which would not be permitted or legalized by this bill. This bill would not permit cannon crackers, cherry bombs, or what have you, of high explosive content.

I would like to read a few statements which would further clarify some points which Mr. Temple raised. The Bureau of Explosives of the Interstate Commerce Commission calls annually upon each fireworks manufacturer and selects samples of every article of fireworks he produces. The Bureau then makes a thorough inspection and analysis of each item and classifies it in one of three classifications, either a special fireworks which is considered dangerous, too dangerous to be shipped, Class B fireworks, or the common fireworks, Class C. The manufacturer

is thereupon required to plainly label each item according to one of the above classifications and to so describe it upon every carton and shipping case. Failure to conform to this requirement constitutes a federal offense.

L. D. 360 is so drawn as to use this established function of the Bureau of Explosives to the benefit of the State by restricting sale and use of fireworks within the State to those articles which conform to the requirements of the Class C classification and are so labeled and described. Enforcement of such a law is simplicity itself. If the fireworks carry the Class C label they are legal, otherwise they are not. The State need not concern itself with illegally labeled items since such items will soon enough come to the attention of the Federal authorities. The enforcement of such a law by the State is further reinforced by the Church bill which was passed by the 83rd Congress which prohibits shipment into any state of fireworks not permitted by law in that state. Again, the Bureau's classification and labelling requirements make enforcement easy.

I would like to read into the record exactly what fireworks would be permitted by this bill. Roman candles, not exceeding ten balls spaced uniformly in the tube, total pyrotechnic composition not to exceed twenty grams each in weight. The inside tube diameter shall not exceed $\frac{3}{8}$ inch. Sky rockets with sticks, total pyrotechnic composition not to exceed twenty grams each in weight. The inside tube diameter shall not exceed one-half inch. The rocket sticks must be securely fastened to the tubes. Helicopter type rockets, total pyrotechnic composition not to exceed twenty grams each in weight. The inside tube diameter shall not exceed one-half inch. Cylindrical fountains, total pyrotechnic composition not to exceed seventy-five grams each in weight. The inside tube diameter shall not exceed $\frac{3}{4}$ inch. And it goes on. And under firecrackers. Firecrackers and salutes with casings, the external dimensions of which do not exceed one and one-half inches in

length or one-quarter inch in diameter, total pyrotechnic composition not to exceed two grains each in weight. These fireworks are in my opinion and in the opinion of many others not considered explosive enough or to have a high enough content of explosive or pyrotechnic material to be considered dangerous. I will not attempt to delude anyone that these things cannot be somewhat hazardous. If one holds one of these items in their hands while it is being discharged, you can suffer a burn. If one was set off close to one's eye, blindness could result.

However, are we to attempt to restrict everything in our society that is potentially hazardous? I, myself, do not ski out of fear that as I careen wildly and uncontrollably down a slope I will be horribly maimed. I think any doctor could relate fascinating statistics on how many injuries he treats each year or each day if he is in an area where skiing is taking place, accidents resulting from these sports, yet no one would consider introducing a measure which would prohibit skiing. Look at athletic injuries, organized athletics in high school, how many injuries do we have there, yet we make no attempt to control that. I say that life itself is an extremely dangerous proposition. We are in our rights limited to a certain extent but, there is a limit to how far we can push this matter. Therefore, I would hope that we would not indefinitely postpone this bill.

The SPEAKER: Is the House ready for the question? The pending question is the motion of the gentleman from Portland, Mr. Temple, that Bill "An Act relating to the Sale of Fireworks," House Paper 284, L. D. 360 be indefinitely postponed. A vote has been requested. All those in favor of the indefinite postponement will vote yes, those opposed will vote no. The Chair opens the vote.

A vote of the House was taken.

97 having voted in the affirmative and 34 having voted in the negative, the motion did prevail.

Sent up for concurrence.

The Chair laid before the House

the third tabled and today assigned matter:

Bill "An Act to Permit Reapportionment of School Directors in a School Administrative District by Request" (H. P. 425) (L. D. 549)

Tabled—February 26, by Mr. Martin of Eagle Lake.

Pending—Passage to be engrossed.

On motion of Mr. Martin of Eagle Lake, passed to be engrossed and sent to the Senate.

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

Bill "An Act Providing Funds for the Official Observance of the 150th Anniversary of the Formation of the State of Maine" (H. P. 590) (L. D. 732) (In Senate, passed to be engrossed as amended by House Amendment "A", (H-33) and Senate Amendment "A" (S-16)

Tabled—February 27, by Mr. Bragdon of Perham.

Pending—Adoption of House Amendment "A" to Senate Amendment "A". (Filing No. H-68)

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

Mr. LEVESQUE: Mr. Speaker and Ladies and Gentlemen of the House: For the purpose of introducing another amendment this morning, I will now move that House Amendment "A" to Senate Amendment "A" be indefinitely postponed.

The SPEAKER: The gentleman from Madawaska, Mr. Levesque, now moves that House Amendment "A" to Senate Amendment "A" be indefinitely postponed. Is this the pleasure of the House?

The motion prevailed.

Mr. LEVESQUE: Mr. Speaker, I now move that Senate Amendment "A" also be indefinitely postponed.

The SPEAKER: The gentleman from Madawaska, Mr. Levesque, now moves that Senate Amendment "A" be indefinitely postponed.

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

Mr. BENSON: Mr. Speaker and Members of the House: Senate Amendment "A" which is before us for consideration now, appropriates \$28,000 for the printing of

the Maine Guide. This is going to be done by the historical societies. It is going to generate sufficient income to take care of the expenditure, and I think that this is what in part, at least, the Sesquicentennial is all about. It is a very good advertisement of the State of Maine and I think that this is certainly an expenditure well worth our consideration. I certainly hope that we do not vote this morning to indefinitely postpone this Senate Amendment. Thank you.

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

Mr. LEVESQUE: Mr. Speaker and Ladies and Gentlemen of the House: The indication of the gentleman from Southwest Harbor, Mr. Benson, that the \$28,000 for the printing of the Maine Guide is in the Senate amendment; and I also would like the members of the House to note that the \$28,000 for the printing of the Maine Guide by the Arts and Humanities Commission will also be in the amendment that I will introduce.

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

Mr. JALBERT: Mr. Speaker and Members of the House: Just a few moments ago I spoke with my very dear friend, the gentleman from Madawaska, Mr. Levesque and told him that temporarily we might be parting company. I agree that the \$28,000 involved in the Senate amendment will be this other amendment. However, I think that the gentleman possibly because of a temporary lapse of memory forgot to tell you that also his amendment would remove the Commission itself, the money, and also the county funds. So I certainly join the gentleman from Southwest Harbor, Mr. Benson and hope that the motion of the gentleman from Madawaska, Mr. Levesque to indefinitely postpone will not prevail.

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

Mr. LEVESQUE: Mr. Speaker and Ladies and Gentlemen of the House: I as an individual member of this House would like to give you my reasons why I've had House Amendment "D" drafted

under filing H-72, which I have the feeling this morning might not be introduced by not being able to indefinitely postpone the other amendments. The reason why I feel this way is that I fail to see by the action of the members of the Appropriations Committee up to this day and the action of the other branch at the other end of the corridor of what the State of Maine is going to stand to gain by passing the document in its present form.

Now under the Senate amendment that is before us this morning they're requesting that we provide \$28,000 for the publication of the Maine Guide, which I think is one of the most excellent suggestions that has been made for the celebration of the Sesquicentennial in 1970, or starting in the fall of 1969. However, I feel that the other parts that are included in this document are absolutely outrageous in this day and age, when we find that the City of Bangor, Maine in celebrating its centennial has expended \$150,000, Cumberland County has expended \$225,000 in celebrating its centennial, Bridgton has expended some thirty-five or thirty-seven thousand dollars in the celebration of its centennial; and here we are trying to tell the people of the State of Maine that we're going to celebrate the Sesquicentennial of the State of Maine by expending in the vicinity of \$46,000, plus the \$28,000 for the publication of the Maine Guide.

Most of you members of this House here know how this money is going to be distributed on county-wide basis to the tune of in the vicinity of one to three thousand dollars. Of this money there is absolutely no direction as to how this money is going to be expended by the counties. There is absolutely no restrictions as to how the treasurer of the county will inform the county chairman as to what he will do with this money. In other words, fifteen of the sixteen counties in our State, fifteen of the county chairmen could get together and they would say to each other—on one date next year we will have one great big long party for everybody to

attend, or just a few choice guests to attend, to expend this amount of money that is allocated to the county. And who is going to police this? Absolutely nobody. We are allocating money for a Sesquicentennial Commission that has got absolutely no supervision over these funds and no laws or restrictions to supervise them.

Now the Sesquicentennial Commission has indicated by letters to the leadership and to myself that they could not in good conscience supervise a state-wide celebration with the number of funds that were allocated to the Commission. Many members have indicated that if the law was not repealed abolishing the Commission that they would resign individually, of which last week one member, a vice-president of Keyes Fibre from Waterville, had tendered his resignation. Other members have indicated that they would not resign but would try to keep the Commission open.

I don't know just how significant a centennial or a sesquicentennial celebration is to you members. I don't know how serious you think that Madawaska in its celebration of its centennial this year is taking it seriously, how much money that they're going to expend, but I feel in good conscience that by the adopting of this Senate amendment this morning and passing this bill from this House to the other body we are creating one of the greatest disservices to the State of Maine in the celebration of its Sesquicentennial, we are also creating a great disservice to the Commission, its members that feel that they will serve absolutely no good service for the celebration of the Sesquicentennial.

So therefore when the motion comes up for the indefinite postponement of the Senate amendment I request that it be done by the yeas and nays.

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

Mr. JALBERT: Mr. Speaker and Members of the House: As I understand it, the gentleman from Madawaska, Mr. Levesque states that he would use this vehicle to indefinitely postpone Senate

Amendment "A" with the thought in mind of not presenting the combined amendments H-72, should this Senate Amendment "A" prevail. He states along the line of disservice. Now the bill if we pass the Senate Amendment "A" and the bill is engrossed with Senate Amendment "A", it will call for the \$31,000 to be spread within the vast counties according to population, howsoever small it might be per head, to the tune of \$31,000. It will call for \$18,000 to be expended within the Commission itself for travel and meetings and telephone calls, howsoever small it might be; and it will call for the \$28,000 which will make it possible for the Maine historical book to be printed, which will please the citizens of Maine and others from the state because there are ninety-four Maine historical societies in the state and the president of the Maine Historical Society informs me that this, that these ninety-four associations have a membership of several several thousands of citizens in Maine.

Now the gentleman from Madawaska, Mr. Levesque comments that some have indicated that they would resign, some have indicated that they would stay on, and one has already indicated his resignation. Now as of yesterday morning, either personally or through an individual, most of them my own self, every member of the Maine Sesquicentennial Commission have been polled. The program has been outlined to them. If we give the \$28,000 for the printing of the book, which the Maine historical societies say would come back to us, but if we give the \$28,000 for the printing of this book, if we give the counties the sum of \$31,000 distributed among the counties, and if we give \$18,000 for the meetings and travel of your Commission, do you intend, yes or no, to stay on the Commission? Now every member of the Commission was called. This was explained to them.

The result of the poll is this: one of course has resigned, so this individual was not called, one has resigned as the gentleman from Madawaska has stated. One has stated that he would not stay on

"if they intend to do nothing." Two could not be reached, both out of the state. I again tried to reach both of them this morning; one of them will not return until tonight, the other will not be back in the state until the first part of April. Fifteen of the others, some have stated, very few, at this time they will stay — three exactly. Fifteen, however, out of nineteen have indicated that they had no intention of resigning.

Now to me that is an overwhelming batting average. I have a tremendous amount of respect for the gentleman from Madawaska, Mr. Levesque. However, I have also — maybe a fallacy in some instances, because I do not do my homework, somewhere along the line I go with majorities. Now the report of this committee was eight to two without the \$28,000 in it. The report of the amendment as I remembered, as was presented within the Appropriations Committee, had no opposition to it — I speak of the \$28,000. It is my understanding that possibly the Committee now could well be nine to one instead of eight to two, but even eight to two is somewhat of a commanding majority. Certainly fifteen out of nineteen on a Commission which intend to stay is quite a commanding majority.

And for that reason I certainly hope that the motion of the gentleman from Madawaska, Mr. Levesque will not prevail. Insofar as I am concerned, when the order was first put in with a price tag, if the amount that we are trying to pass now is outrageous, I would like to ask what the price tag of \$455,000 is. If that isn't outrageous I want to know what it is. And I wonder just what would have happened when the order was first put in last year with a price tag of \$455,000 where we would have landed. There is absolutely no use now in either thinking of passing an order with \$455,000, we just don't have the money. We do not have the money in the cash register. The State of Maine has no surplus, we have raised our estimates beyond the hilt, and there are some who tell me that they're not too happy about too many taxation programs.

For that reason and for the reason also that I think we've got many many more much more important programs, I hope that we quickly dispense with this motion to indefinitely postpone and then engross the bill and go on our way.

Mr. Levesque of Madawaska was granted permission to speak a third time.

Mr. LEVESQUE: Mr. Speaker, Ladies and Gentlemen of the House: Just a few last kind words to the gentleman from Lewiston, Mr. Jalbert of which has always been a very, very dear friend of mine, and I guess this morning you might indicate that this is a parting of the ways between the gentleman from Lewiston, Mr. Jalbert and myself, although I failed to indicate that I would support a document to the tune of \$445,000 before this House or at anytime.

However, I would like the indulgence of this House this morning to feel that what is the State of Maine going to accomplish, what are they going to do with the sum of \$31,000 divided amongst sixteen counties. Now in my humble estimation, if this is not doing nothing, of which the members of the Sesquicentennial Centennial Commission have indicated to Mr. Jalbert, that if the State is going to do nothing, they don't want any part of the Sesquicentennial Commission. If they are going to do something members have indicated, although they have not indicated to me, that they were going to say, I am assuming that their confirmation with Mr. Jalbert is factual, and I'll also point this out that in the not too distant past the members of the Sesquicentennial had indicated through its chairman that if they were going to do nothing, then they should repeal the Commission. Now I have heard nothing else contrary to this, so I am assuming that a good percentage of these members, if they are going to find themselves saddled with the big sum of \$31,000 divided in sixteen counties, I would assume that this is relatively doing nothing. So I ask in all good conscience to each and every member of this House

this morning, that when the vote is taken on the Senate Amendment that they support the motion that it be indefinitely postponed. Thank you.

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

Mr. BENSON: Mr. Speaker and Members of the House: I don't feel that we are talking about a pittance this morning, we're talking about \$77,000 in total. Now in his original remarks, the gentleman from Madawaska, Mr. Levesque, expressed concern first of all that we were not expending enough money at the county level, second of all, that there was insufficient direction for the expenditure of these monies, and I will quote in part from the bill "These funds shall be expended for the observance of the 150th Anniversary of the formation of the State of Maine."

I think that we have got to assume that we are talking about honorable gentlemen at the county level. I think that we are talking about a small amount of money in each case, yes. But I think that we are talking about the coordination of efforts by people at the county level as well as the Commission at the State level. Some of the very finest observances that I have ever witnessed have been done in a small one-room office by one or two people, with the expenditure of a very meager sum of money. And I think that we are talking about the coordination of efforts on the part of numerous historical societies, our several counties, cities and towns, and I'm sure that I am right when I say that private industry is going to want to celebrate the 150th Birthday of this great State.

I think that we're talking about the coordination of many, many events that are going to fall into place and make for a very fine birthday celebration. I don't think that we have got to do it with lots of money. I think that we are talking about a sufficient amount here, and I hope that we will pass this bill along today. We have spent much too much time on it already. I personally would like very much

to see the Senate Amendment stay on it and speed this along its merry way. Thank you.

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

Mr. JALBERT: Mr. Speaker and Members of the House: I want to assure the gentleman from Madawaska, Mr. Levesque, and I don't think that I have to assure him, that this has absolutely no infringement on our personal thinking, because I assure you in the opposition, the friendly opposition, knows that they'll recognize the fact that on more than one occasion from now until we adjourn, somewhere around May 1, that we'll join hands most enthusiastically. But in this particular instance here, and I never stated that the gentleman from Madawaska had stated that he would expend the sums of \$445,000. However, it should be recognized that the amounts of money the \$31,000 is going to the County Chairmen. I happen to be county chairman of my own delegation. I've already made the statement that if they want to delete the \$3,000 from Androscoggin County, that it would be alright with me. I mean, I don't think a price tag will make the amount of the celebration. The \$18,000 that will go to the Commission is a fair enough amount to be distributed for meetings and the like. These are mostly and in all instances are civic-minded individuals. The \$28,000 we've already agreed upon.

The only major reason that got me on my feet now, is a little bit of philosophy that I know that the gentleman from Madawaska, Mr. Levesque, would appreciate. In my many sojourns in the last four years I had found one time myself calling for a suitcase to bring cards, get-well cards, hope you get well and stop faking it and get out of there, I had to call for a suitcase to bring those cards home. And going along with the thinking of the gentleman from Dover-Foxcroft, Mr. Meisner, as we get older, and as we sometimes are not too good in health, we are inclined to be emotional. And believe you me, as compared with a brand new car that was given to

me, by a relative of mine, that suitcase meant a great deal more to me with those cards that weren't worth five cents after they were mailed to me, as far as selling was concerned, those cards I still have, compared to the car I can't drive anyway. I think this \$77,000 is a whale of a lot of money, I think that it's got to be expended properly. I think we ought to vote down the indefinite postponement amendment and go on our way.

The SPEAKER: Is the House ready for the question? The pending question is the motion of the gentleman from Madawaska, Mr. Levesque, that Senate Amendment "A" be indefinitely postponed. The yeas and nays have been requested. For the Chair to order a roll call it must have the expressed desire of one fifth of the members present and voting. All those in favor of a roll call will vote yes. The Chair will open the vote.

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

The SPEAKER: The pending question is the motion of the gentleman from Madawaska, Mr. Levesque, that Senate Amendment "A" be indefinitely postponed. All those in favor of indefinite postponement of Senate Amendment "A" will vote yes, those opposed will vote no. The Chair opens the vote.

ROLL CALL

YEA — Bedard, Bernier, Binnette, Boudreau, Bourgoin, Burnham, Carey, Carrier, Carter, Coffey, Cox, Crommett, Croteau, Curran, Dam, Dudley, Faucher, Fecteau, Fortier, A. J.; Fortier, M.; Fraser, Gaudreau, Gilbert, Giroux, Hewes, Keyte, Kilroy, Laberge, Lawry, Lebel, Levesque, Martin, McNally, McTeague, Mitchell, Nadeau, Ouellette, Rocheleau, San-

toro, Sheltra, Tanguay, Temple, Watson, Waxman, Wheeler.

NAY — Baker, Barnes, Benson, Berman, Birt, Bragdon, Brown, Buckley, Bunker, Casey, Chandler, Chick, Clark, C. H.; Clark, H. G.; Corson, Cote, Couture, Crosby, Cummings, Curtis, Cushing, Danton, Dennett, Donaghy, Drigotas, Durgin, Dyar, Emery, Eustis, Evans, Farnham, Finemore, Foster, Gauthier, Good, Hall, Hanson, Hardy, Harriman, Haskell, Hawkens, Henley, Heselton, Hichens, Huber, Hunter, Immonen, Jalbert, Jameson, Johnston, Jutras, Kelleher, Kelley, K. F.; Kelley, R. P.; Leibowitz, LePage, Lewin, Lewis, Lincoln, Lund, MacPhail, Marquis, Meisner, Millett, Morgan, Mosher, Norris, Page, Payson, M. W.; Porter, Pratt, Quimby, Rand, Richardson, G. A.; Richardson, H. L.; Rideout, Sahagian, Scott, C. F.; Scott, G. W.; Shaw, Snow, Stillings, Susi, Thompson, Trask, Tyndale, Vincent, White, Wight, Wood.

ABSENT — Allen, Brennan, Cottrell, D'Alfonso, Lee, Marsteller, McKinnon, Mills, Moreshead, Noyes, Ross, Soulas, Starbird, Williams.

Yes, 45; No, 90; Absent, 14.

The SPEAKER: The Chair will announce the vote. Forty-five having voted in the affirmative and ninety in the negative, the motion does not prevail.

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

On motion of Mr. Clark of Jefferson,

Adjourned until ten o'clock tomorrow morning.