

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

Friday, March 28, 1969

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

Prayer by the Rev. Mr. John S. Nofle of Gardiner.

The journal of yesterday was read and approved.

Papers from the Senate

From the Senate:

Bill "An Act Changing Name of State Council on Economic Education to Maine Council on Economic Education" (S. P. 419) (L. D. 1413)

Came from the Senate referred to the Committee on State Government.

In the House: Referred to the Committee on State Government in concurrence.

Reports of Committees Ought Not to Pass

Report of the Committee on State Government reporting "Ought not to pass" on Bill "An Act to Provide for Disclosure of Compensation and Expenses of Legislative Counsel and Agents" (S. P. 303) (L. D. 996)

Came from the Senate read and accepted.

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

Ought to Pass

Report of the Committee on Education reporting "Ought to pass" on Bill "An Act to Clarify School Construction Aid for Certain Units" (S. P. 288) (L. D. 930)

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

In the House, the Report was read and accepted in concurrence, the Bill read twice and assigned the next legislative day.

Non-Concurrent Matter

Bill "An Act Amending the Application of the Occupational Safety Law and the Reporting Requirements" (H. P. 337) (L. D. 446) on which the House accepted the Majority "Ought not to pass" Report of the Committee on Labor on March 11.

Came from the Senate with the Minority "Ought to pass" Report accepted and the Bill passed to be engrossed as amended by Senate Amendment "A" in non-concurrence.

In the House:

On motion of Mr. Huber of Rockland, the House voted to recede and concur with the Senate.

The Bill was then given its two readings.

Senate Amendment "A" (S-40) was read by the Clerk and adopted in concurrence and the Bill assigned for third reading the next legislative day.

From the Senate: The following Order:

ORDERED, the House concurring, that when the House and Senate adjourn, they adjourn to Tuesday, April 1, at 10 o'clock in the morning. (S. P. 420)

Came from the Senate read and passed.

In the House, the Order was read and passed in concurrence.

Orders

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

ORDERED, the Senate concurring, that the Legislative Research Committee is directed to determine the feasibility of establishing a Maine Youth Commission; and be it further

ORDERED, that the Committee report the results of its study at the next special or regular session of the Legislature. (H. P. 1098)

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

Mr. JALBERT: Mr. Speaker and Members of the House: With the accent on youth throughout the country, and unfortunately on their campus demonstrations, I feel it is about time that, we, the people of Maine, recognize there is also a wealth of talent, ability, intelligence, knowledge and just plain common sense among our youthful groups that is going untapped and unused.

I would like to suggest a somewhat unusual, but healthy, plan to

put the youth of Maine to work to help our state, our legislators, educators, clergy, law enforcement people and others in professional and non-professional fields.

I would recommend that a study be made by the Legislative Research Committee including representatives from student governments in colleges and high schools, church and community groups and even the somewhat militant groups, the so-called "hippies", to determine the feasibility of establishing a Maine Youth's Commission whose primary function would be to study all the problems youth is involved in and come up with sound recommendations.

Instead of adults clamping the lid on youth's actions, we are hoping to get youth to help us make the laws, rules, regulations, policies, programs, not only in the legislature but in our schools, colleges, communities and also in our homes.

No one knows any better than the young people who succeeded, and those who were turned down, what qualifications are needed and where Maine should direct its efforts if it is to help the young adult stay in Maine.

Let's harness this "know-how" of our young people and realize they do have the intelligence, maturity, and willingness to be of considerable help in also establishing curriculums in schools and colleges, and advise us in our efforts to wipe out drug addiction and crime in our State.

Such a Commission, if established, would have an equal amount of young people and adults. Such a Commission could conceivably have sub-commissions in regions or counties or cities or wherever the study group feels it would be most advantageous.

Too many of us adults in Maine think we know what is wrong with our young people and how to handle them. Why don't we ask them?

A good example is the increasing and critical drug problem in Maine. Something must be done to stop the spread of this vicious practice. We know that one of the big problems is the moving up from one drug to another.

Let's ask the young people, those who have used marijuana and those who haven't, why they use it, why they don't, what do they think can be done about it, what about our laws on its use, ideas for law enforcement people in handling drugs and drug abuse. This and many other areas where our young people have problems, and in areas where they don't have problems, require sensible, down to earth answers from the people who are involved. Who, better than the young adults are qualified to give these answers?

The young know why the young leave Maine after growing up here. They know our shortcomings, our lack of opportunities. The young want to be heard — and they have the right to be heard.

Let's consider just a few of the questions they might answer differently from what we adults consider to be the right answer.

Are our guidance teachers good or bad? Ask the people who use them.

What recreation facilities do we have for the young adult? If we do have enough, who runs them? Do the youngsters have a voice in their operation or is the final decision always made by an adult? Why don't the young people use these facilities? What about job training? Job hunting? Areas of after school activities? Programs they would like to change, eliminate or have in our high schools and colleges? Are they getting a fair shake in what they want to study? Why are the young involved in so much crime and juvenile delinquency? Let's ask them.

We have over 100,000 young people in Maine right now between the ages of 16 and 23. I strongly suggest we could use these people to help make and run Maine—especially in the areas where they are primarily concerned or involved. Establishment of such a youth's commission with sub-commissions could be a dramatic and far reaching step forward for Maine.

Let these young people work with our elected representatives, our educators, policy makers, municipal officials, executive and

judicial branches, law enforcement and corrections people, Department of Economic Development, labor and industry, churches, judges, and representatives of other areas. Let their challenge to be heard be accepted. Let's take their answers and recommendations just as seriously as we take our own.

The problem of economic survival or the simple fear of what tomorrow may bring and the limitations it has placed on earlier generations has not inhibited the view of the young today. The young have developed a new perspective and a new point of view about American society. They will not rest on the achievements of the past. They also are looking toward the future.

They see some progress—but not enough. They know the average American has never been so well off but they also don't like what Americans are doing with their wealth and their leisure. They want Americans who have made it to listen and have compassion for those who have not.

Many resent the system which forces them to serve in a conflict which many do not support or understand. Many of these views aren't new to us or this generation. What is new is the intensity with which the young hold these views and their intention to act on these convictions and demand results.

Actually this is a healthy sign for youth and for America. I also think that they will accept the realization that if they want to be heard they must be willing to listen. I believe most of them who want to be respected will be willing to respect others, and if they want to participate in democratic processes they must be willing to accept democratic decisions.

Such a youth's commission would have representatives from all walks of life, races, creeds, education and background. They could help the youths on campuses solve their own problems. Appointment of members of this commission should be well thought out with one primary objective—the willingness of the members to participate and become involved. These would be “working” mem-

bers and not just “seen” members.

We should remember in Maine that our young people, the ones who do not vote, already pay millions in sales taxes, gasoline taxes, tobacco taxes, and withholding taxes.

Our young people “deserve a part of the action” in Maine, and I strongly urge we give it to them with confidence in their ability, faith in their judgment, and a promise of action on their recommendations.

Mr. Speaker, I move the passage of the order.

The SPEAKER: Is it the pleasure of the House that this Order receive passage?

The Chair recognizes the gentleman from Bethel, Mrs. Lincoln.

Mrs. LINCOLN: I just had a question. I thought we already had a youth commission that we have given money to. Am I wrong on that?

The SPEAKER: The gentleman from Bethel, Mrs. Lincoln, poses a question through the Chair to the gentleman from Lewiston, Mr. Jalbert, who may answer it.

Mr. JALBERT: Mr. Chairman, we have a committee on children and youth—one; two, this has no price tag, this merely would set up the formulation of a Maine Youth Commission if we see it feasible to be.

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

On motion of Mr. Mosher of Gorham, it was

ORDERED, that Rev. Harold Shepard of Westbrook be invited to officiate as Chaplain of the House on Tuesday, April 22, 1969.

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

Mr. MORESHEAD: Mr. Speaker, I would like to direct an inquiry to the Chair.

The SPEAKER: The gentleman may pose his inquiry.

Mr. MORESHEAD: I would inquire whether or not the House is in possession of House Paper 635, L. D. 823.

The SPEAKER: The answer is in the affirmative, Bill “An Act

relating to Reasonable Counsel Fees under Uniform Act on Paternity, whereby the House yesterday receded and concurred with the Senate in the indefinite postponement of the Bill.

Thereupon, on motion of the same gentleman, the House reconsidered its action of yesterday whereby it receded and concurred.

On further motion of the same gentleman, the House voted to insist and ask for a Committee of Conference.

House Reports of Committees Leave to Withdraw

Mrs. Lincoln from the Committee on Claims on Resolve to Reimburse Charles L. Thompson of Kittery for Damage by Highway Construction (H. P. 261) (L. D. 337) reported Leave to Withdraw.

Mr. Bourgoin from the Committee on Inland Fisheries and Game reported same on Bill "An Act relating to Daily Limit of Trout Taken from Inland Waters of Aroostook County" (H. P. 117) (L. D. 133)

Mr. Gaudreau from same Committee reported same on Resolve relating to Fly Fishing and Bag Limit on Robbins Pond, Aroostook County (H. P. 234) (L. D. 290)

Reports were read and accepted and sent up for concurrence.

Ought Not to Pass

Mr. Kelley from the Committee on Inland Fisheries and Game reported "Ought not to pass" on Bill "An Act Repealing Law Permitting Acquisition of Land for Game Management Areas" (H. P. 730) (L. D. 948)

Report was read and accepted and sent up for concurrence.

Tabled and Assigned

Mr. Hewes from the Committee on Judiciary reported "Ought not to pass" on Bill "An Act to Provide for Forfeiture of Vehicles Used to Transport Gambling Apparatus, Burglar Tools, Lottery Tickets and Equipment Used to Counterfeit Money" (H. P. 733) (L. D. 951)

Report was read.

(On motion of Mr. Richardson of Cumberland, tabled pending ac-

ceptance of Report and specially assigned for Wednesday, April 2.)

Tabled and Assigned

Mr. Moreshead from the Committee on Judiciary reported "Ought not to pass" on Bill "An Act to Provide for Forfeiture of Vehicles Used to Transport Narcotics" (H. P. 734) (L. D. 952)

Report was read.

(On motion of Mr. Richardson of Cumberland, tabled pending acceptance of Report and specially assigned for Wednesday, April, 2.)

Referred to Committee on Legal Affairs

Mr. Dennett from the Committee on State Government on Resolve Proposing an Amendment to the Constitution Granting Home Rule Powers to Municipal Corporations (H. P. 712) (L. D. 926) reported that it be referred to the Committee on Legal Affairs.

Report was read and accepted, the Resolve referred to the Committee on Legal Affairs and sent up for concurrence.

Ought to Pass in New Draft New Draft Printed

Mr. Snow from the Committee on Natural Resources on Bill "An Act Prohibiting the Sale or Use of DDT" (H. P. 147) (L. D. 173) reported same in a new draft (H. P. 1097) (L. D. 1415) under title of "An Act Revising the State Board of Pesticides Control Law" and that it "Ought to pass"

Report was read.

(On motion of Mr. Evans of Freedom, tabled pending acceptance of Report and specially assigned for Wednesday, April 2.)

Ought to Pass Printed Bills

Mr. Kelley from the Committee on Inland Fisheries and Game reported "Ought to pass" on Bill "An Act relating to Night Hunting for Migratory Game Birds" (H. P. 191) (L. D. 231)

Same gentleman from same Committee reported same on Bill "An Act Providing for Complimentary Fishing Licenses for Blind Persons" (H. P. 765) (L. D. 985)

Mr. Lewin from same Committee reported same on Bill "An Act

to Eliminate the Length of Trout in Brooks and Streams" (H. P. 891) (L. D. 1150)

Reports were read and accepted, the Bills read twice and assigned the next legislative day.

Ought to Pass with Committee Amendment

Mr. Croteau from the Committee on Claims on Resolve in favor of Dan S. Webb of Wilton (H. P. 57) (L. D. 59) reported "Ought to pass" as amended by Committee Amendment "A" (H-132) submitted therewith.

Mrs. Lincoln from same Committee on Resolve in favor of Robert Huntington and Floyd Richardson of Turner for Damage by Bears (H. P. 717) (L. D. 935) reported "Ought to pass" as amended by Committee Amendment "A" (H-133) submitted therewith.

Mr. Lewin from the Committee on Inland Fisheries and Game on Bill "An Act relating to the Effective Date for Game Laws" (H. P. 632) (L. D. 820) reported "Ought to pass" as amended by Committee Amendment "A" (H-134) submitted therewith.

Reports were read and accepted, the Bill read twice and the Resolves read once. Committee Amendment "A" to each was read by the Clerk and adopted and the Bill assigned for third reading and the Resolve assigned for second reading the next legislative day.

Divided Report

Majority Report of the Committee on Claims on Resolve to Reimburse Robert Sweet of Lincoln Center for Well Damage Resulting from Use of Salt on Route 2 (H. P. 87) (L. D. 96) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was signed by the following members:

Messrs. LOGAN of York
 QUINN of Penobscot
 —of the Senate
 Mr. QUIMBY of Cambridge
 Mrs. MORGAN
 of South Portland
 Messrs. MARQUIS of Lewiston
 SHELTRA of Biddeford
 CURTIS of Bowdoinham
 CROTEAU of Brunswick

Mrs. LINCOLN of Bethel
 — of the House.

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

Report was signed by the following member:

Mr. GORDON of Cumberland
 — of the Senate.

Reports were read.

On motion of Mrs. Lincoln of Bethel, the Majority "Ought to pass" Report was accepted.

The Resolve was then given its first reading.

Committee Amendment "A" (H-135) was read by the Clerk and adopted and the Resolve assigned for second reading the next legislative day.

Divided Report

Majority Report of the Committee on Claims on Resolve in favor of Louis L. Doyle of Pownal for Automobile Damage Sustained Through Wrongful Act of State Ward" (H. P. 212) (L. D. 262) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was signed by the following members:

Messrs. QUINN of Penobscot
 GORDON of Cumberland
 — of the Senate.

Mr. CROTEAU of Brunswick

Mrs. LINCOLN of Bethel

Messrs. MARQUIS of Lewiston

QUIMBY of Cambridge

— of the House.

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

Report was signed by the following members:

Mr. LOGAN of York

— of the Senate.

Mr. CURTIS of Bowdoinham

Mrs. MORGAN

of South Portland

—of the House.

Reports were read.

On motion of Mrs. Lincoln of Bethel, the Majority "Ought to pass" Report was accepted.

The Resolve was then given its first reading.

Committee Amendment "A" (H-136) was read by the Clerk and adopted and the Resolve assigned for second reading the next legislative day.

Divided Report

Majority Report of the Committee on Inland Fisheries and Game reporting "Ought to pass" on Bill "An Act relating to Open Season on Partridge or Grouse and Pheasant" (H. P. 330) (L. D. 439)

Report was signed by the following members:

Messrs. HOFFSES of Knox
MARTIN of Piscataquis
— of the Senate.
Messrs. GAUDREAU of Lewiston
ROCHELEAU of Auburn
BOURGOIN of Fort Kent
THOMPSON of Belfast
PORTER of Lincoln
KELLEY of Southport
LEWIN of Augusta
— of the House.

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

Report was signed by the following member.

Mr. ANDERSON of Hancock
— of the Senate.

Reports were read.

On motion of Mr. Marsteller of Freeport, the Majority "Ought to pass" Report was accepted.

The Bill was then given its two several readings and assigned the next legislative day.

**Divided Report
Tabled and Assigned**

Majority Report of the Committee on Natural Resources on Bill "An Act Reclassifying Prestile Stream of the Meduxnekeag River Basin" (H. P. 478) (L. D. 632) reporting same in a new draft (H. P. 1096) (L. D. 1414) under title of "An Act Reclassifying Waters of the St. John River Basin" and that it "Ought to pass"

Report was signed by the following members:

Messrs. BERRY of Cumberland
REED of Sagadahoc
SEWALL of Penobscot
— of the Senate.
Mrs. BROWN of York
Messrs. JAMESON of Bangor
EUSTIS of Dixfield
HARDY of Hope
— of the House.

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

Report was signed by the following members:

Mrs. COFFEY of Topsham
Mr. SNOW of Caribou

— of the House

Reports were read.

The SPEAKER: The Chair recognizes the gentleman from Dixfield, Mr. Eustis.

Mr. EUSTIS: Mr. Speaker, I move that we accept the Majority "Ought to pass" Report.

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

The Chair recognizes the gentleman from Limestone, Mr. Noyes.

Mr. NOYES: Mr. Speaker, I move that we table item 18 until Wednesday, April 22, pending acceptance of either report.

The SPEAKER: The gentleman from Limestone, Mr. Noyes, moves that L. D. 632 be tabled until Wednesday, April 22, pending the motion of the gentleman from Dixfield, Mr. Eustis, that the House accept the Majority "Ought to pass" Report.

The Chair recognizes the gentleman from Bangor, Mr. Jameson.

Mr. JAMESON: Mr. Speaker, for the record again I—

The SPEAKER: The gentleman is out of order unless he wishes a vote on the tabling motion, a tabling motion is pending.

Mr. Finemore of Bridgewater then asked for a division.

The SPEAKER: A division has been requested on the tabling motion. All those in favor of this matter being tabled until Wednesday, April 2, pending the motion of the gentleman from Dixfield, Mr. Eustis, that the House accept the Majority "Ought to pass" Report will vote yes; those opposed will vote no. The Chair opens the vote.

A vote of the House was taken.

68 having voted in the affirmative and 48 having voted in the negative, the motion to table prevailed.

**Divided Report
Tabled and Assigned**

Report "A" of the Committee on Inland Fisheries and Game reporting "Ought to pass" on Bill "An Act Repealing the Bounty on Bobcat" (H. P. 34) (L. D. 35)

Report was signed by the following members:

Messrs. HOFFSES of Knox
MARTIN of Piscataquis
—of the Senate.
Messrs. THOMPSON of Belfast
LEWIN of Augusta
GAUDREAU of Lewiston
—of the House.

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

Report was signed by the following members:

Mr. ANDERSON of Hancock
—of the Senate.
Messrs. BOURGOIN of Fort Kent
ROCHELEAU of Auburn
KELLEY of Southport
PORTER of Lincoln
—of the House.

Reports were read.

(On motion of Mr. Lewin of Augusta, tabled pending acceptance of either Report and specially assigned for Wednesday, April 2.)

The SPEAKER: The Sergeant-at-Arms will escort the gentleman from Manchester, Mr. Rideout, to the rostrum to serve as Speaker pro tem.

Thereupon, Mr. Rideout of Manchester assumed the Chair as Speaker pro tem and Speaker Kennedy retired from the Hall.

Passed to Be Engrossed

Bill "An Act Establishing a Study Committee on Water Resources" (S. P. 281) (L. D. 928)

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

Amended Bills

Bill "An Act to Grant a Charter to the Town of South Berwick" (H. P. 66) (L. D. 85)

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

On motion of Mr. Hichens of Eliot, the House reconsidered its action of yesterday whereby Committee Amendment "A" was adopted.

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

House Amendment "A" to Committee Amendment "A" (H-137) was read by the Clerk and adopted. Committee Amendment "A" as amended by House Amendment "A" thereto was adopted.

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

Bill "An Act relating to Special Offices for Indian Tribes" (H. P. 395) (L. D. 505)

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

Third Reader

Tabled and Assigned

Bill "An Act relating to Biennial Elections of Penobscot Indians" (H. P. 415) (L. D. 526)

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

(On motion of Mr. Starbird of Kingman Township, tabled pending passage to be engrossed and specially assigned for Wednesday, April 2.)

Third Reader

Tabled and Assigned

Bill "An Act to Prevent the Pollution of the Waters of China Lake" (H. P. 704) (L. D. 904)

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

(On motion of Mr. Carter of Winslow, tabled pending passage to be engrossed and specially assigned for Friday, April 4.)

Third Reader

Tabled and Assigned

Bill "An Act relating to Form and Arrangement of Ballots in General Elections" (H. P. 724) (L. D. 942)

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

(On motion of Mr. Levesque of Madawaska, tabled pending passage to be engrossed and specially assigned for Tuesday, April 1.)

Bill "An Act relating to Naming the Bridge between Cousins Island and Yarmouth Mainland" (H. P. 870) (L. D. 1113)

Bill "An Act Concerning the Administration and Program of the New England Interstate Water Pollution Control Commission" (H. P. 906) (L. D. 1167)

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

The SPEAKER pro tem: The Chair is very happy to welcome back the Speaker.

At this point, Speaker Kennedy returned to the rostrum.

SPEAKER KENNEDY: The Chair thanks the gentleman for serving as Speaker pro tem.

Thereupon, the Sergeant-at-Arms escorted Mr. Rideout to his seat on the Floor, amid the applause of the House, and Speaker Kennedy resumed the Chair.

Emergency Measure Tabled and Assigned

An Act Providing for Payment of the 1969 Education Subsidies to Municipalities (S. P. 414) (L. D. 1379)

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

(On motion of Mr. Richardson of Cumberland tabled pending passage to be enacted and specially assigned for Wednesday, April 2.)

Passed to Be Enacted

An Act relating to Duties of Municipal Clerks (S. P. 262) (L. D. 866)

An Act relating to Timely Mailing of Tax Reports and Returns (S. P. 282) (L. D. 915)

An Act Revising the State Board of Arbitration and Conciliation Law (H. P. 437) (L. D. 561)

An Act to Grant a Charter to the Town of Pittsfield (H. P. 609) (L. D. 797)

An Act Providing for a Council-Manager Charter for the Town of Vassalboro (H. P. 638) (L. D. 826)

An Act relating to Compensation of the Panel of Mediators (H. P. 691) (L. D. 891)

An Act to Amend the Charter of the Union Mutual Life Insurance Company (H. P. 716) (L. D. 934)

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 Correct Errors and Inconsistencies in the Maine Insurance Code (H. P. 1071) (L. D. 1252)

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

(On motion of Mr. Scott of Wilton, tabled pending passage to be enacted and specially assigned for Thursday, April 3.)

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

Mr. RICHARDSON: Mr. Speaker, I request that the House be at recess for five minutes.

The SPEAKER: The gentleman from Cumberland, Mr. Richardson, moves that the House be at recess for about five minutes or until the sound of the gong. Is this the pleasure of the House?

The motion prevailed.

After Recess

Called to order by the Speaker.

Orders of the Day

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

HOUSE REPORT—"Ought not to pass" Committee on Education on Bill "An Act to Create a School Administrative District in the Town of Jay" (H. P. 428) (L. D. 552)

Tabled—March 21, by Mr. Scott of Presque Isle.

Pending—Acceptance.

Thereupon, on motion of Mr. Scott of Wilton, tabled pending acceptance of Report and specially assigned for Friday, April 4.

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

Bill "An Act Concerning the Liquor Laws" (H. P. 702) (L. D. 902)

Tabled—March 25, by Mr. Ross of Bath.

Pending — Passage to be engrossed.

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

Mr. HICHENS: Mr. Speaker, Ladies and Gentlemen of the House. On this L. D. 902, we read the "Vessel shall mean a craft used for navigation of the water, any ship, vessel or boat of any kind, licensed for carrying not less than," and instead of 50 passengers, it does now change to 25 passengers. Further down in this Bill under Sec. 2, it says "The commission shall not require that such vessels be equipped to supply food or provide food service."

This bill, I feel, needs much cleaning up. This bill lowers the seating capacity to 25 and does away with the food requirements. That's not all. Already they have only one license fee for all boats — \$100 for beer; \$200 for hard liquor. No other licensees in the state have that benefit. For every license they have to pay a separate fee.

I've done some checking and find that according to the United States Coast Guard Marine Inspection Services that this bill to lower to 25 passengers, if passed, would make at least 71 boats up and down the coast of Maine eligible to apply for beer and liquor licenses. I know of one person who has four boats which will qualify under this bill, if lowered to 25 passengers. Can one see the fairness to licensees in this State when boats up and down the coast can sell beer and hard liquor?

I am sure that you would ask the question along with me, who would control or enforce the liquor laws on these boats?

I now move that this bill L. D. 902 be indefinitely postponed.

The SPEAKER: The gentleman from Eliot, Mr. Hichens, now moves that item two, L. D. 902, be indefinitely postponed.

The Chair recognizes the gentleman from Orono, Mr. Chandler.

Mr. CHANDLER: Mr. Speaker and Members of the House: I must take exception to my friend from Eliot, Mr. Hichens. L. D. 902 is a simple document which brings us into line with the action of other states and other areas engaged in recreation. The State of Maine, ladies and gentlemen, is of course engaged in recreation; it is a prime industry. This is not a flagrant violation of the natural intent of the people of the State of Maine; this I feel is a very effective piece of legislation.

I would ask that when the vote is taken on Mr. Hichens' motion that it be taken by division.

The SPEAKER: The pending question is on the motion of the gentleman from Eliot, Mr. Hichens, that L. D. 902 be indefinitely postponed. All those in favor of the motion will vote yes; those opposed will vote no. The Chair opens the vote.

A vote of the House was taken.

43 having voted in the affirmative and 82 having voted in the negative, the motion did not prevail.

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

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

Bill "An Act relating to Definition of Hotel under Liquor Law" (H. P. 700) (L. D. 900)

Tabled — March 26, by Mr. Thompson of Belfast.

Pending — Passage to be engrossed.

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

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

An Act to Appropriate Moneys for the Expenditure of State Government for the Fiscal Year Ending June 30, 1969 (S. P. 219) (L. D. 660)

Tabled—March 26, by Mr. Jalburt of Lewiston.

Pending—Passage to be enacted.

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

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

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

Mr. RICHARDSON: Mr. Speaker, a parliamentary inquiry as to whether or not a motion to table to a longer time would take priority?

The SPEAKER: The Chair would inform the gentleman that a longer time has priority.

Thereupon, on motion of Mr. Richardson of Cumberland, tabled pending passage to be enacted and specially assigned for Wednesday, April 2.

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

An Act to Appropriate Moneys for the Expenditures of State Government and for Other Purposes for the Fiscal Years Ending June 30, 1970 and June 30, 1971 (S. P. 372) (L. D. 1232)

Tabled—March 26, by Mr. Jalbert of Lewiston.

Pending—Passage to be enacted. Thereupon, on motion of Mr. Jalbert of Lewiston, tabled pending passage to be enacted and specially assigned for Wednesday, April 2.

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

Bill "An Act relating to Certain Disqualifications under the Employment Security Law" (H. P. 565) (L. D. 746)

Tabled—March 26, by Mr. Huber of Rockland.

Pending—Passage to be engrossed.

On motion of Mr. Carter of Winslow, under suspension of the rules, the House reconsidered its action of March 13 whereby Committee Amendment "A" was adopted.

On further motion of the same gentleman, Committee Amendment "A" was indefinitely postponed.

Mr. Carter then offered House Amendment "A" and moved its adoption.

House Amendment "A" (H-131) was read by the Clerk and adopted.

Whereupon, on motion of Mr. Durgin of Raymond, tabled pending passage to be engrossed and specially assigned for Tuesday, April 1.

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

Bill "An Act relating to Delivery of Absentee Ballots" (H. P. 1064) (L. D. 1233)

Tabled—March 27, by Mr. Ross of Bath.

Pending—Motion of Mr. Dyar of Strong to reconsider indefinite postponement.

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

Mr. ROSS: I support the motion to reconsider in order to present an amendment, at which time I would speak briefly to the bill.

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

Mr. JALBERT: Mr. Speaker and Members of the House: I would like to submit to you that the amendment that would be presented in my opinion just is almost to me as ridiculous as the bill itself. I mean it is just another way of getting a bill back in business. Sometimes you use this procedure; sometimes you laugh a bill out of business and you use various methods. Merely this amendment here would just say that on request that ballots should not be furnished earlier than three months before an election. I am sure and certain that there aren't too many people that are going to go chasing around for absentee ballots outside of three months before an election.

Now, I think, frankly, we have spent a great deal of time here in finding out gimmicks as to how to win an election in any way but with candidates and with the issues, and this thing keeps coming back; and frankly I think we have got several other very serious matters to consider, and for that reason, Mr. Speaker,

I would hope that the motion to reconsider would not prevail.

The SPEAKER: Is the House ready for the question? All those in favor of reconsideration will vote yes; those opposed will vote no.

A vote of the House was taken. 76 having voted in the affirmative and 58 having voted in the negative, the motion did prevail.

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

Mr. ROSS: Mr. Speaker and Members of the House: I now present House Amendment "D" under H-130, move its adoption, and would speak to it.

The SPEAKER: The pending question would be indefinite postponement, but an amendment has priority over indefinite postponement, and the amendment is in order, and the Clerk will read the amendment.

House Amendment "D" (H-130) was read by the Clerk.

The SPEAKER: The gentleman from Bath, Mr. Ross, may proceed.

Mr. ROSS: Mr. Speaker and Ladies and Gentlemen of the House: Often legislators who are cognizant of our election laws and the proper way to do things fail to give due consideration as to the infractions and violations committed by some party workers who in their enthusiasm and zeal do certain things wrong, sometimes without knowing or realizing it.

Now, we are often too close to the subject to realize these facts. As an example, many of us in this body are notaries public or justices of the peace, and I am sure that when we as legislators get absentee ballots we are knowledgeable enough and conscientious enough to do it properly, but this is not being done by many organizational workers in both parties.

Now, very recently the Secretary of State called to my attention a very strange practice that has become fairly widespread now. It is being done to circumvent what they call the second call-back.

As you all know, under the present law the city or town clerks have these applications for ballots, and they issue them in modest amounts. A person takes an appli-

cation, goes to the person who is ill or confined, gets it signed, takes it back to the clerk, and the clerk then issues a ballot and an envelope, and on the envelope printed in ink is the voter's name. This was a change of just a few years to prevent what we used to call the floating ballot.

Now what we find is being done, when the person takes the ballot to the person to vote absentee, they get that person to sign another blank application, which they will use in the next election, perhaps as far distant as two years. I am sure that this was not the intent of the law and that is the purpose of this amendment, to correct this inconsistency.

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

Mr. HICHENS: I would rise in support of the motion of the gentleman from Bath, Mr. Ross. I was at a meeting last Monday night where it was disclosed that this very thing was being done. I was told that if I investigated it that I would find some of these already in the possession of some of these people who went last November, received an election ballot by an absentee, and also had them sign an application for elections in the future. They can put a date on these whenever they want to and turn them in and the job is done without them having to go back. I would urge you to support this motion by the gentleman from Bath.

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

Mr. JALBERT: I would like to ask any member to answer this question, how would you police this?

The SPEAKER: The gentleman from Lewiston, Mr. Jalbert, poses a question through the Chair to anyone who may answer if they choose.

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

Mr. ROSS: In answer to the question of the gentleman from Lewiston, Mr. Jalbert, I posed that same question to the Secretary of State, and he says that he has the authority now to take care of

things such as this, and the way it would be policed would be that you would have different color applications for each election.

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

Mr. JALBERT: I would pose a further question. What authority has he got to take care of these things?

The SPEAKER: The gentleman from Lewiston, Mr. Jalberty, poses a further question through the Chair, and the Chair recognizes the gentleman from Bath, Mr. Ross.

Mr. ROSS: As the gentleman from Lewiston, Mr. Jalberty, well knows there are things called rules and regulations in all departments, and under his rules and regulations he has the authority to take care of this.

Mr. JALBERT: Under the rules and authority he has the authority to take care—

The SPEAKER: For what purpose does the gentleman rise?

Mr. JALBERT: Mr. Speaker, I asked a question. I spoke once on a motion against reconsideration.

The SPEAKER: The Chair would rule that asking questions is debating the bill and the gentleman requests permission to speak a third time. Is there objection? The Chair hears none. The gentleman way—

Mr. JALBERT: Mr. Speaker, I had asked two questions.

The SPEAKER: That is correct. The gentleman may proceed.

Mr. JALBERT: The Secretary of State's office, according to the own admission of the gentleman from Bath, Mr. Ross, has the authority to do these things now. This adds further confusion to the bill. Now the gentleman from Bath, Mr. Ross is a member in good standing on the Research Committee. Now somewhere along the line we have researchers in our arduous task in the Research Committee, and this might be a good area to study the problem.

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

Mr. LEVESQUE: Parliamentary inquiry, Mr. Speaker.

The SPEAKER: The gentleman may pose his inquiry.

Mr. LEVESQUE: Is a motion now presently in order to indefinitely postpone the amendment and the bill?

The SPEAKER: It is a proper motion. However, the Chair would advise the gentleman all that is before the House right now is House Amendment "D."

Mr. LEVESQUE: Mr. Speaker, I would now move that House Amendment "D" be indefinitely postponed.

The SPEAKER: The Chair understands that the gentleman from Madawaska, Mr. Levesque, now moves that House Amendment "D" be indefinitely postponed.

Mr. Ross of Bath requested a division.

The SPEAKER: A vote has been requested. All those in favor of the indefinite postponement of House Amendment "D" will vote yes; those opposed will vote no. The Chair opens the vote.

A vote of the House was taken. 56 having voted in the affirmative and 77 having voted in the negative, the motion did not prevail.

Thereupon, House Amendment "D" was adopted.

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

Mr. LEVESQUE: Mr. Speaker and Ladies and Gentlemen of the House: I find that even with this Amendment this morning this bill that was indefinitely postponed a short while back is just being a little bit muddier by putting on this type of amendment, and as was indicated the Secretary of State now has the power of correcting some of these errors or violations that presently exist, and I see absolutely no need to put any more dirt in the water and come out with a little bit cloudier water at the other end.

This is not the answer to the problem of trying to correct the wrongly distributed absentee ballots. So, therefore, I would now move that the amendment and the entire bill be indefinitely postponed as was done last week.

The SPEAKER: The gentleman from Madawaska, Mr. Levesque,

now moves the indefinite postponement of L. D. 1233 as amended. Is the House ready for the question?

Mr. Ross of Bath asked for a division.

Mr. Jalbert of Lewiston then asked for a roll call vote.

The SPEAKER: A roll call has 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 of those desiring a roll call will vote yes; those opposed will vote no. The Chair opens the vote.

A vote of the House was taken.

More than one fifth of the members present having expressed the desire for a roll call, a roll call was ordered.

The SPEAKER: The pending question is on the motion of the gentleman from Madawaska, Mr. Levesque, that House Paper 1064, L. D. 1233, Bill "An Act relating to Delivery of Absentee Ballots," be indefinitely postponed. All in favor of indefinite postponement of this Bill as amended will vote yes; those opposed will vote no. The Chair opens the vote.

ROLL CALL

YEA — Bedard, Bernier, Binnette, Boudreau, Bourgoin, Brennan, Burnham, Carey, Carrier, Carter, Casey, Cote, Cottrell, Couture, Cox, Crommett, Croteau, Dam, Danton, Drigotas, Dudley, Emery, Eustis, Faucher, Fecteau, Fraser, Gauthier, Gilbert, Giroux, Hunter, Jalbert, Jutras, Kelleher, Keyte, Kilroy, Laberge, Lawry, Lebel, Leibowitz, LePage, Levesque, Marquis, Martin, McKinnon, McTeague, Mills, Mitchell, Morgan, Nadeau, Ouellette, Rocheleau, Sahagian, Santoro, Starbird, Tanguay, Temple, Vincent, Waxman, Wheeler.

NAY — Allen, Baker, Barnes, Benson, Berman, Birt, Bragdon, Brown, Buckley, Bunker, Chandler, Chick, Clark, C. H.; Clark,

H. G.; Corson, Crosby, Cummings, Curtis, Cushing, Donaghy, Durgin, Dyar, Erickson, Evans, Farnham, Finemore, Foster, Good, Hall, Hanson, Haskell, Hawkins, Henley, Heselton, Hichens, Huber, Immonen, Jameson, Johnston, Kelley, K. F.; Kelley, R. P.; Lee, Lewin, Lewis, Lincoln, Lund, MacPhail, Marstaller, McNally, Meisner, Millett, Moreshead, Mosher, Norris, Noyes, Page, Payson, Porter, Pratt, Quimby, Rand, Richardson, G. A.; Richardson, H. L.; Rideout, Ross, Scott, C. F.; Scott, G. W.; Shaw, Snow, Soulas, Stillings, Susi, Thompson, Trask, Tyndale, Watson, White, Williams, Wood.

ABSENT—Coffey, Curran, D'Alfonso, Dennett, Fortier, A. J.; Fortier, M.; Gaudreau, Hardy, Harriman, Hewes, Sheltra, Wight, Yes, 59; No, 79; Absent, 12.

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

Thereupon, the Bill was passed to be engrossed as amended by House Amendment "B" and House Amendment "D" and sent to the Senate.

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

An Act relating to the Protection of Rights of Employees of the Unified University of Maine (S. P. 260) (L. D. 864)

Tabled—March 27, by Mr. Martin of Eagle Lake.

Pending—Passage to be enacted.

Thereupon, on motion of Mr. Martin of Eagle Lake, passed to be enacted, signed by the Speaker and sent to the Senate.

(Off Record Remarks)

On motion of Mr. Dam of Skowhegan.

Adjourned until Tuesday, April 1, at ten o'clock in the morning.