

# MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Fourth  
Legislature*

OF THE

STATE OF MAINE

**Volume III**

June 17, 1969 to July 2, 1969

Index

**1st Special Session**

January 6, 1970 to February 7, 1970

Index

KENNEBEC JOURNAL  
AUGUSTA, MAINE

**HOUSE**

Friday, January 9, 1970

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

Prayer by the Rev. Mr. Charles Karsten of Gardiner.

The journal of yesterday was read and approved.

The Speaker recognized the presence of Mr. Cox of Bangor who had been recorded as absent on the organizational roll call.

**Orders**

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

ORDERED, the Senate concurring, that the Joint Standing Committee on State Government report out to the House a Bill increasing the salaries of the Justices of the Supreme Judicial and Superior Courts and the Judges of the District Court. (H. P. 1425)

The Joint Order received passage and was sent up for concurrence.

On motion of Mr. Temple of Portland, it was

ORDERED, that Rev. John Ludlam of Portland be invited to officiate as Chaplain of the House on Tuesday, January 20, 1970.

**Senate Paper Out of Order**

From the Senate: The following Order:

ORDERED, the House concurring, that when the House and Senate adjourn, they adjourn to Monday, January 12, at 4 o'clock in the afternoon. (S. P. 617)

Came from the Senate read and passed.

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

**House Reports of Committees Leave to Withdraw**

Mr. Hardy from the Committee on Natural Resources on Bill "An Act relating to Authority of the Maine Mining Bureau" (H. P. 1390) (L. D. 1739) reported "Leave to Withdraw"

Report was read and accepted and sent up for concurrence.

**Ought Not to Pass Tabled and Assigned**

Mr. Sahagian from the Committee on Appropriations and Financial Affairs reported "Ought not to pass" on Bill "An Act Appropriating Funds for Grants by the Maine School Building Authority" (H. P. 1313) (L. D. 1642)

Report was read.

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

Mr. RICHARDSON: Mr. Speaker, I notice that the gentleman, Mr. Clark from Jefferson, is not in his seat and I would suggest since he is vitally interested in this bill that someone table it for one legislative day.

Thereupon, on motion of Mr. Birt of East Millinocket, tabled pending acceptance of Report and specially assigned for Monday, January 12.

Mr. Allen from the Committee on Education reported "Ought not to pass" on Bill "An Act to Authorize Town of Winterport to Form a School Administrative District" (H. P. 1398) (L. D. 1754)

Report was read and accepted and sent up for concurrence.

**Tabled and Assigned**

Mrs. Cummings from the Committee on Education reported "Ought not to pass" on Bill "An Act to Create a School Administrative District in the Town of Madawaska" (H. P. 1403) (L. D. 1759)

Report was read.

(On motion of Mr. Levesque of Madawaska, tabled pending acceptance of Report and specially assigned for Monday, January 12.)

**Ought to Pass in New Draft New Draft Printed Passed to Be Engrossed**

Mr. Cote from the Committee on Legal Affairs on Bill "An Act relating to the Implementation of a Uniform Fiscal Year" (H. P. 1376) (L. D. 1725) reported same in a new draft (H. P. 1424) (L. D. 1794) under title of "An Act to Repeal the Law Providing a Uniform Fiscal Year for Municipalities" and that it "Ought to pass"

Report was read.

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

Mr. JALBERT: Mr. Speaker, in the interest of time saving later on, I have had several people that talked to me about this measure. The original draft would have amended "uniform fiscal year" which was passed at the last session. This obviously as it states would repeal the entire act. I will subsequently, with the agreement of the Chairman of the full Legislative Research Committee, put in an order which will have this studied for report at the next regular session of the Legislature. Mr. Speaker, I move the acceptance of the Report.

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

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**Ought to Pass  
Printed Bills  
Passed to Be Engrossed**

Mr. Benson from the Committee on Appropriations and Financial Affairs reported "Ought to pass" on Bill "An Act relating to Appropriations and Allocations to the Legislative Research Committee" (H. P. 1315) (L. D. 1644)

Mr. Sahagian from the Committee on Appropriations and Financial Affairs reported same on Bill "An Act Appropriating Moneys to Carry Out Duties of the Legislative Research Committee" (H. P. 1316) (L. D. 1645)

Mrs. Baker from the Committee on Legal Affairs reported same on Bill "An Act relating to Issuing Bonds for Revenue-Producing Municipal Facilities" (H. P. 1407) (L. D. 1763)

Mr. Eustis from the Committee on Natural Resources reported same on Bill "An Act relating to Motor Vehicle Air Pollution Equipment" (H. P. 1369) (L. D. 1718)

Mr. Jameson from same Committee reported same on Bill "An Act relating to Charts and Publications of the Maine State

Park and Recreation Commission" (H. P. 1399) (L. D. 1755)

Mr. Dennett from the Committee on State Government reported same on Bill "An Act relating to State Owned Motor Vehicles" (H. P. 1356) (L. D. 1685)

Reports were read and accepted and the Bills read twice. Under suspension of the rules the Bills were read the third time, passed to be engrossed and sent to the Senate.

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**Ought to Pass with  
Committee Amendment  
Passed to Be Engrossed**

Mr. Jalbert from the Committee on Appropriations and Financial Affairs on Bill "An Act relating to Salary of the Assistant Director of Legislative Research" (H. P. 1314) (L. D. 1643) reported "Ought to pass" as amended by Committee Amendment "A" (H-627) submitted therewith.

Mr. Sahagian from the Committee on Appropriations and Financial Affairs on Bill "An Act Appropriating Funds for Maine Historical Society" (H. P. 1319) (L. D. 1648) reported "Ought to pass" as amended by Committee Amendment "A" (H-625) submitted therewith.

Reports were read and accepted and the Bills read twice. Committee Amendment "A" to each was read and adopted.

Under suspension of the rules the Bills were read the third time, passed to be engrossed as amended by Committee Amendment "A" and sent to the Senate.

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**Divided Report  
Tabled and Assigned**

Majority Report of the Committee on Appropriations and Financial Affairs reporting "Ought not to pass" on Resolve to Loan Funds from the Unappropriated Surplus for the Construction of an International Ferry Terminal (H. P. 1310) (L. D. 1624)

Report was signed by the following members:

Mr. DUNN of Oxford

— of the Senate.

Messrs.

BENSON of Southwest  
Harbor  
SAHAGIAN of Belgrade

LUND of Augusta  
BRAGDON of Perham  
BIRT of East Millinocket  
— of the House.

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

Report was signed by the following members:  
Messrs.

SEWALL of Penobscot  
DUQUETTE of York  
— of the Senate.

Messrs.

JALBERT of Lewiston  
MARTIN of Eagle Lake  
— of the House.

Reports were read.

The SPEAKER: The Chair recognizes the gentleman from Perham, Mr. Bragdon.

Mr. BRAGDON: Mr. Speaker, I move the acceptance of the Majority "Ought not to pass" Report.

Whereupon, on motion of Mr. D'Alfonso of Portland, tabled pending the motion of Mr. Bragdon of Perham to accept the Majority "Ought not to pass" Report and specially assigned for Monday, January 12.

#### Divided Report

Majority Report of the Committee on Inland Fisheries and Game reporting "Ought to pass" on Bill "An Act relating to Length of Trout in Brooks and Streams" (H. P. 1331) (L. D. 1660)

Report was signed by the following members:

Messrs. HOFFSES of Knox  
ANDERSON of Hancock  
MARTIN of Piscataquis  
— of the Senate.

Messrs. KELLEY of Southport  
THOMPSON of Belfast  
LEWIN of Augusta  
ROCHELEAU of Auburn  
RICKER of Lewiston  
— of the House.

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

Report was signed by the following members:

Messrs. PORTER of Lincoln  
BOURGOIN of Fort Kent  
— of the House.

Reports were read.

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

Mr. LEWIN: Mr. Speaker, I move the acceptance of the Majority "Ought to pass" Report and would speak briefly to my motion.

The SPEAKER: The gentleman from Augusta, Mr. Lewin, moves the acceptance of the Majority "Ought to pass" Report. The gentleman may proceed.

Mr. LEWIN: Mr. Speaker and Ladies and Gentlemen of the House: This bill was given a hearing in our committee and I feel that I should mention two points to defend my position in this report that was submitted.

We find that the warden would have a hard time trying to enforce this law as presently written. He would have trouble proving that small trout in the hands of a fisherman were not taken from a brook or stream rather than from a lake or pond. A good sportsman, on the other hand, would not be satisfied to take home small trout which were less than six inches in length, the limit being eight fish to be taken home. Thank you.

The SPEAKER: The Chair recognizes the gentleman from Mechanic Falls, Mr. Foster.

Mr. FOSTER: Mr. Speaker and Members of the House: Before starting discussing the merits of this bill I want to briefly review with you the reason for it being here and give you a little bit of the history of it.

Last session, the regular session, I introduced a bill to remove the size limit or the six inch maximum limit on trout in brooks and streams. That was given a hearing, it was in the middle of the term. Both sides were given an opportunity to present their testimony and it was in the committee room for some time and reported out, as I remember it, just about the opposite of this — a seven to three or an eight to two report that that bill should pass eliminating and removing the size limit, or the six inch maximum limit, on trout in brooks and streams.

Now that was introduced by me in behalf of a very active, conscientious and sincere associate

of the Fish and Game boys, a sportsman, and I did a little homework on it, and I did some footwork on it. I got the benefit of the State of New Hampshire, which a dozen years ago or more had the law that we had on our books then and they changed to the law that I introduced and which was passed.

I produced that literature to the committee, which evidently was quite convincing because of their report, and they gave it a mature consideration I assure you; and in effect it was that New Hampshire had tried this law, it passed it, and they were called upon repeatedly to defend it — now I am talking about the reports of the Inland Fisheries and Game Department of New Hampshire, they were called upon to defend it. They successfully defended it under several attacks by opponents to it, but it remains on their books. It is something that they are proud of, it is something that they are happy to live with and something which they have statistics and records to show that it has been beneficial for the State of New Hampshire.

Now we passed this law — it wasn't an emergency measure, and it didn't take effect until October, the first of October, and the fishing in Maine of course, brooks and streams, ceases the middle of September, if I am correct. So this bill has never had a chance to be given an opportunity for a workout. It was intended to prevent people from going to brooks and streams that they knew to be small — have a yield of small trout, and standing and catching a half a bushel of small trout, and even right in the eyes of the warden throw this half a bushel back and waiting for the opportunity or the prospect of getting one or two fish that they wanted to keep.

As most of you know, a fish hooked seldom ever lives; they turn on their backs and go down stream and are consumed by larger fish or, as one of the fellows said in this last hearing, by birds. He seemed to think that was good for the birds.

But that was passed and I received many congratulatory

remarks, calls from many people. I will take this opportunity to read a brief editorial that was in the Lewiston paper after that law was passed and it says:

"The new law eliminating the six - inch minimum length on trout taken from brooks and streams is a step in the right direction. The change not only is realistic but it will encourage respect for the fish and game laws, rather than the opposite. Actually, it won't help sportsmen this year, because the law will not be effective until 90 days after the Legislature adjourns. By then the open season for brooks and streams will be over.

The six-inch requirement caused the wasting of many trout in streams where they never grow any bigger. Fishermen had to throw back the short fish and regardless of how carefully that is done most of the fish usually die.

Just as unrealistic as the brook trout limitation is the law which requires a minimum length of 14 inches for landlocked salmon and togue, or lake trout. One county, Aroostook, has a special exception so that salmon 12 inches long are legal to keep. Lowering the minimum length to 10 inches, the same as bass, or even the elimination of minimum length requirements would be welcomed by sportsmen. Each fish caught would come under the daily possession limit, regardless of size. There would be far fewer crippled and dead game fish.

It is frustrating, to say the least, to catch one salmon after the other, without hooking a 'keeper,' then to see released fish float away on their backs, or spot a sea gull feasting on the cripples. After a day of such fishing, it's no fun to return to a camp site and open a can of fish for a meal.

There should be a uniform length limit for all of our gamefish, or no minimum length regulation whatever. The less complicated the game laws are made, the more compliance will result."

That seemed to reflect the sentiment of the people last summer when we all had ample time to do our homework, give it some

consideration and give it study. However, it didn't appeal apparently to a few people in one area of the State of Maine and it was in the Rangeley region. It aroused my curiosity to find out at both the hearing before in the regular session and this brief hearing we had in this special session that guides played an important role.

It aroused my curiosity to the extent that last evening I put in a long distance phone call to a guide and asked him flatly why guides might be interested in this law being repealed. He thought that I was joking — he thought how could anybody be around as long as I had been and not know why guides wouldn't want to be required to keep small fish. But he says, "Let me tell you why. We have our out - of - state sportsmen come here, we are getting our good pay. We take them to a brook. They want big ones, they want beauties. They don't even want the six or eight inch trout; they want something ten or twelve inches. So they'll stand there perfectly within the sight and the eyes and with the consent and approbation of their guide, stand there and fish a brook and catch out a half a bushel, throw them all back until they get those beauties to take back to the camp at night to show their friends what excellent fishermen they are. And that you call conservation."

He said, "Let me ask you a question. As far as conservation is concerned I agree with you one hundred percent. As far as my job is concerned, from a purely selfish point of view, I cannot agree with your views on this matter."

So that cleared up my suspicion as to why the guides in the State of Maine have always taken this active role in preventing the elimination of the size of trout in brooks and streams, because they don't want to be charged with small fish. They want the beauties to take back. They would fight just as strongly and just as ardently against the reduction of the minimum length of salmon in a lake. They would go out and fish all day and catch 20 or 30 salmon, they only want the big ones, 4-pounders or the 6-pounders to take

back to camp. These are the ones from out - of - state and of course it makes the guide happy and makes the sporting camp owner happy. Everybody seems to be happy with the law as it is today except the people that would like to see some conservation rules and practices invoked.

Now this bill, put in so suddenly, I hadn't the slightest idea that any such a thing as this would be considered an emergency. I didn't even read the paper, I couldn't have guessed it. I didn't see it until I found it on my desk Tuesday morning and the hearing was set for 1:30 Tuesday afternoon. So I alone appeared in opposition to the bill to repeal my law that had been passed and had received such complimentary endorsements, appeared alone.

It was well organized, the opposition was well organized. They had a dozen or fifteen very vocal fellows there that spoke at length on it, they didn't seem to have anything to back up their talk on it at all. Somebody asked them what they were going by as to why it would be conservation to throw their little fish back. They recited and referred to a Michigan report. They had to go to Michigan. They wouldn't turn to New Hampshire because it wouldn't agree with them, but they went out to Michigan somewhere and got it, brought that report in and threw it at the committee.

Those are some of the things that I have discussed. I told them at the committee hearing and I will tell you here now, that the average sportsman, the run - of - the - mill sportsmen as we know them in the State of Maine, are inherently honest; they are going to abide by the law. If we had a law removing the minimum length of trout and the honest and law - abiding sportsman catches those small trout he will keep them. He will charge them against his daily bag limit and be satisfied and uphold the law. You are going to have, of course, poachers anyway. Whatever the law is, there are going to be poachers. But the honest fellow, the law-abiding fellow is going to be satisfied to keep them or he is going to move very rapidly

beyond to some other fishing hole or some other brook.

But that isn't what the guide does, if he has got the sportsman that wants the thrill of a little fly rod and the little brook, catching them by the bushel, throwing them all back, he gets that thrill of the tingle of the line; he will spend all day doing it. Then they go down the stream and a great percentage of them die. That is just the difference of the law-abiding, the inherent, honest sportsman, and that far outnumbers the poacher. I am going to say that you will find fifty honest sportsmen to one poacher.

I could go on at great length on this, it has proven satisfactory in New Hampshire; they had to fight for it in New Hampshire. This was a quickie pulled before this ever got a chance to get off the ground. It was blasted while it was on the ground. It wasn't given a chance to survive.

This bill has never been put in effect. If we did have this in effect, our own Fish and Game Department, our own biologist department, could make the test. It could study the situation for even one session of the Legislature, for two years. Then they would have something concrete to report that I think you and I could rely upon the same as I have relied upon and the same as the committee apparently relied upon in the regular session when I presented the literature to them. But I find that there is a reversal, a complete about face in this. I find that it was on the very first day when nobody expected it to be heard. It hasn't been given a fair chance. It doesn't, as far as enforcement is concerned, why, my Lord, who ever would expect a person to be catching short trout in ponds? I never caught any two inch, three inch, four inch, five inch trout in a pond. You just don't get them in ponds, that's all there is to it; there is no object there.

But to have the law such that a warden can come and sit down alongside of a person that gets the thrill, he may have a guide at his side, that gets the thrill of catching fish, have a warden sit down and watch him catch a ten - quart pail full and throw them all back —

that is something that ought to be corrected and it isn't going to be corrected unless it is corrected here in the State House. You are going to find that the other people throughout the State of Maine have been talking about this for years. I know one fellow he said he had been a guide for so many years. He said, "Oh, they tried to pull this stuff X-number of years ago, but we didn't let them get away with it." He talked with a great deal of vigor and he was sure that he was going to kill it; apparently he has done pretty well so far as long as he has had.

But the time is coming, I think the Fish and Game Department should be given a fair shake. I think the other people in the State of Maine should be given a fair chance. I think this is an awful thing to pass a law after all due consideration, and then come in and because of a dozen so - called sponsors come from one area of the State of Maine, and come down and put on a program that they put on, and have a complete change and reversal, I think it is unfortunate.

I don't know, I would like very much for somebody to ask me some questions. I know I haven't covered it all. I am not a person that talks by script. I know I have forgotten many things; probably when I have sat down I will think of them. So for heaven's sake if there is somebody that doesn't understand some particular phase of this. We as the sponsors of that bill that we passed at the regular session are concerned, more concerned with conservation, I believe, than the ones that want to now relegate it to a wastebasket and say, well, we shouldn't have done it, I guess, although we gave it due consideration. We had before us the literature of our sister state that had similar circumstances. We did it then but here these boys coming up I guess we have got to change, reverse ourselves and repeal it, put it back where it was, and let the guides and let the fellows that get their half a bushel waiting for the beauties to take home to their friends to show.

When this vote is taken I ask that it be taken by the yeas and



nays. And before sitting down I wish if there is any question you wish to ask me I will gladly answer it, no holds barred, and it isn't a question of — that's the weakest excuse I've heard since the beginning of this, it is hard to enforce. I never heard any warden say that. I bet if the Department was asked how it is enforced, who was going to be — at a lake there was two or three little fish; in fact who was going to keep them to begin with? He is going to move on. Charge him with it and not let him catch a half a bushel in order to get his beauties to show to his friends.

The SPEAKER: The pending question is on the motion of the gentleman from Augusta, Mr. Lewin, that the House accept the Majority "Ought to pass" Report on Bill "An Act relating to Length of Trout in Brooks and Streams," House Paper 1331, L. D. 1660, and the yeas and nays have been requested on the vote.

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

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

The SPEAKER: The pending question is on the motion of the gentleman from Augusta, Mr. Lewin, that the House accept the Majority "Ought to pass" Report. All in favor will vote yes; those opposed will vote no. The Chair opens the vote.

**ROLL CALL**

YEA—Allen, Baker, Barnes, Bernier, Boudreau, Bragdon, Buckley, Bunker, Chandler, Couture, Cox, Crosby, Dam, Dennett, Dyar, Emery, Erickson, Evans, Goodwin, Hanson, Hewes, Huber, Laberge, Lewin, MacPhail, McKinnon, Morgan, Norris, Payson, Pratt, Ricker, Rocheleau, Shaw, Thompson, Wight.

NAY—Bedard, Berman, Bourgoin, Brennan, Burnham, Carey, Carrier, Carter, Casey, Chick, Clark, C. H.; Coffey, Corson, Cote,

Cottrell, Crommett, Croteau, Curran, Curtis, Cushing, D'Alfonso, Danton, Drigotas, Durgin, Faucher, Fecteau, Finemore, Fortier, A. J.; Fortier, M.; Foster, Fraser, Gauthier, Gilbert, Giroux, Good, Hall, Hardy, Harriman, Haskell, Hawkens, Henley, Heselton, Hichens, Hunter, Immonen, Jameson, Juras, Kelleher, Keyte, Lawry, Lebel, Lee, Liebowitz, LePage, Levesque, Lewis, Lincoln, Lund, Marquis, Marsteller, Martin, McNally, McTeague, Meisner, Millett, Mills, Mitchell, Moreshead, Mosher, Nadeau, Noyes, Ouellette, Page, Porter, Quimby, Rand, Richardson, G. A.; Richardson, H. L.; Rideout, Ross, Santoro, Scott, G. W.; Sheltra, Snow, Soulas, Starbird, Stillings, Susi, Tanguay, Temple, Trask, Vincent, Wheeler, Williams, Wood.

ABSENT—Benson, Binnette, Birt, Brown, Clark, H. G.; Cummings, Donaghy, Dudley, Eustis, Farnham, Jalbert, Johnston, Kelley, K. F.; Kelley, R. P.; Kilroy, Sahagian, Scott, C. F.; Tyndale, Waxman, White.

Yes, 35; No, 95; Absent, 20.

The SPEAKER: Thirty - five having voted in the affirmative and ninety - five in the negative, the motion to accept the Majority "Ought to pass" Report does not prevail.

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

**Divided Report**

Majority Report of the Committee on State Government reporting "Ought to pass" on Resolve Proposing an Amendment to the Constitution Providing for Annual Legislative Sessions (H. P. 1308) (L. D. 1622)

Report was signed by the following members:

Messrs. LETOURNEAU of York  
 BELIVEAU of Oxford  
 —of the Senate.  
 Messrs. RIDEOUT of Manchester  
 D'ALFONSO of Portland  
 Mrs. GOODWIN of Bath  
 Mr. STARBIRD  
 of Kingman Township  
 —of the House.

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

Report was signed by the following members:

Mr. WYMAN of Washington  
—of the Senate.  
Messrs. DENNETT of Kittery  
MARSTALLER  
of Freeport  
DONAGHY of Lubec  
—of the House.

Reports were read.

Thereupon, the Majority "Ought to pass" Report was accepted and the Resolve read once. Under suspension of the rules, the Resolve was read the second time, passed to be engrossed and sent to the Senate.

#### Divided Report Tabled and Assigned

Majority Report of the Committee on Liquor Control on Bill "An Act relating to Fee for and Facilities of Class A Restaurants Serving Malt Liquor" (H. P. 1379) (L. D. 1728) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was signed by the following members:

Messrs. CONLEY of Cumberland  
BOISVERT of  
Androscooggin  
—of the Senate.  
Messrs. COUTURE of Lewiston  
TANGUAY of Lewiston  
FAUCHER of Solon  
LEIBOWITZ of Portland  
—of the House.

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

Report was signed by the following members:

Mr. BERRY of Cumberland  
—of the Senate.  
Messrs. STILLINGS of Berwick  
CHANDLER of Orono  
HICHENS of Elliot  
—of the House.

Reports were read.

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

Mr. HICHENS: Mr. Speaker, I now move that the Minority Report "Ought not to pass" be accepted.

Whereupon, on motion of Mr. Marquis of Lewiston, tabled pending the motion of Mr. Hichens of Elliot to accept the Minority "Ought not to pass" Report and

specially assigned for Monday, January 12.

#### Third Reader

**Tabled Until Later in the Day**  
Bill "An Act relating to Eligibility of Bangor City Councilors for Certain City Government Offices" (H. P. 1339) (L. D. 1668)

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

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

Mr. KELLEHER: Mr. Speaker, I now move indefinite postponement of this bill.

Whereupon, on motion of Mr. Norris of Brewer, tabled pending the motion of Mr. Kelleher of Bangor to indefinitely postpone and later today assigned.

#### Passed to Be Engrossed Amended Bill

Bill "An Act relating to Bag Limit on Bears" (H. P. 1374) (L. D. 1723)

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

Mr. Porter of Lincoln offered House Amendment "A" and moved its adoption.

House Amendment "A" (H-624) was read by the Clerk.

The SPEAKER: The Chair recognizes the same gentleman.

Mr. PORTER: Mr. Speaker and Ladies and Gentlemen of the House: For several years I have been of the opinion that our deer season is too long. Then we have also had to contend with the constantly changing and always confusing deer hunting zones. This seems to be a good time to correct both situations. This amendment does away with zones and shortens the deer hunting season to one month — statewide.

I have been asking myself one question. Now I should like to ask you that question. Can our deer herd maintain its present numbers, during the next 10 to 15 years, while being pressured constantly by more and more hunters?

If, in your opinion, you believe that our deer herd can maintain itself, then you should vote against

my amendment. But, if you believe as I do, that our deer herd cannot maintain itself then I hope you will vote for this amendment.

I think you'll agree that hunting pressure has increased at a rapid rate during these last few years. And it seems reasonable to expect that hunting pressure will continue to increase. Five years ago the State of Maine sold hunting licenses totaling 183,000. In five years this number of licenses sold rose over 22,000. Will it continue to rise at this rate? We can't be sure, but my answer is simply this: quite probably.

With improving highways, more leisure time and the continuing promoting of our State and its resources, it seems most probable that Maine will continue to issue more and more hunting licenses. Therefore, I repeat my original question: Can our deer herd maintain its present numbers during the next 10 to 15 years, while being pressured by more and more hunters?

This amendment does two things. First, it eliminates the confusing deer hunting zones; and second, it reduces the northern zone deer hunting season by two weeks.

You may rightfully ask: Why do you propose to eliminate October deer hunting? My answer is very simple. I firmly believe that eliminating October deer hunting will save many does and lambs. And, folks, does are essential if we want to keep our deer herd at its present level.

Then you may ask: Why shorten the deer season in the northern zone when our Fish and Game Department claims that the northern zone is where the deer are more plentiful, and should be more fully harvested? Frankly, ladies and gentlemen, I just don't believe that department. Their theories have convinced them that they are right. But a great many outdoorsmen and woodsmen, whose opinions I value, believe that these experts are wrong.

Kindly consider this statement: Based on the best information available today there is not one single district in the northern zone where the 1969 deer kill exceeded the 1968 deer kill. Yet, in the

southern zone there were some districts where the 1969 deer kill did exceed the 1968 deer kill. And I think you remember that in 1968 we had a good hunting condition, with excellent tracking snow. And in 1969 we had far from ideal conditions.

Ladies and gentlemen, in all sincerity, I firmly believe that our deer herd needs help. Nothing drastic, understand, but just a little help. And I hope, and I believe, that this amendment will furnish a little help. If you agree, you will vote for this amendment. I await your decision. Thank you.

The SPEAKER: The Chair recognizes the gentleman from Eagle Lake, Mr. Martin.

Mr. MARTIN: Mr. Speaker and Ladies and Gentlemen of the House: I am sure that everyone in this hall realizes that I am no expert in the field of hunting. But I do represent an area that is gravely concerned by what we do as far as hunting zones are concerned.

I don't intend to disagree with the gentleman from Lincoln, Mr. Porter, that there are certain things which need correcting. I am not going to say that the deer herd is not decreasing; nor am I going to say that it is not also increasing at the same time. But it should be pointed out number one, that for those people who live in central Maine, eliminating the October portion is fine. But to those of us who live in what is truly northern Maine, eliminating those two weeks in October is like removing two weeks in the season itself, because very little hunting can be done in high snows that sometimes occur in the latter part of November.

I am not even going to plead on that basis. I am going to merely suggest to you that the Steering, or the Screening Committee, had before it three bills dealing with deer zones. The Steering Committee at the Special Session saw fit not to allow any of those three bills to appear before this Special Session.

A bill of this nature, having important consequence to every hunter of this State, should have a public hearing if we are going to do anything about changing deer

zones. This is not going to be granted by having an amendment to a bag limit on bears.

And so, Mr. Speaker and Ladies and Gentlemen of the House, I would move indefinite postponement to the amendment, and would hope that the members of the House would concur that the Special Session, at this time, is not the place to start discussing eliminating two weeks on the hunting season.

The SPEAKER: The Chair recognizes the gentleman from Caribou, Mr. Snow.

Mr. SNOW: Mr. Speaker and Ladies and Gentlemen of the House: I also would like to speak in support of the indefinite postponement of this amendment. I feel, as the gentleman from Eagle Lake, Representative Martin, that anything as important as this should have a public hearing. I don't feel that this is the approach to it. The Screening Committee has turned it down. There was a bill before the last regular session on this subject. The experts' opinion was considered, and they felt that there was no need of a shorter season in Aroostook County.

Now, the reason for this lengthy season up there, or greater length season than the other counties of the State, is because, beyond any reasonable doubt, we do have excellent hunting in Aroostook County.

Now, last year the 1968 season was a successful season, the deer kill was up. And that season was cut short by about two weeks due to heavy snow. This year the deer kill was down. And I believe that this was because of the great amount of rain that we had. A lot of the hunters didn't go into the woods during this period. So that if conditions would have been such, it is my opinion that we would have had a normal deer kill for this state.

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

Mr. STARBIRD: Mr. Speaker and Ladies and Gentlemen of the House: I rise to support the amendment offered by the gentleman from Lincoln. I am from

Kingman, as you know. My house is in the northern zone. I own land in the southern zone, where the tracks bisect the town. I am entirely in agreement with Mr. Porter's statements, and he has expressed them a great deal better than I could.

And in answer to the gentleman from Eagle Lake, I might say that the question of having an open season in the month of November only, statewide, has been discussed before previous sessions of this Legislature. There have been public hearings on bills to that effect. In my area, and in the area where Mr. Porter lives, I believe the people are strongly in favor of having a one zone statewide one month season. They are very concerned over the low deer kill.

For years they have been trying to get across that our deer population is decreasing. Why is our deer kill standing up year after year, until this year? The question is simple. You have more people going after them, you get more of them. Therefore, the deer kill should be going up. But it isn't. It's staying stagnant.

So I believe that he is right. And I believe that if we don't do something pretty quick there just are not going to be any deer left.

The SPEAKER: The Chair recognizes the gentleman from Bridgewater, Mr. Finemore.

Mr. FINEMORE: Mr. Speaker and Ladies and Gentlemen of the House: I will be very brief. If we shorten the season in Aroostook County we're going to lose very many of our out - of - state hunters. And those out - of - state hunters are coming up early just the same, but they're going into New Brunswick and Quebec, where now they're staying in the State of Maine.

Also, this two weeks in October, there isn't as many deer killed because there's no snow on the ground. If we extend this to just the month of November there will be snow, as a rule there's snow, and the same amount of hunters will come. And they're more apt to get deer, and lower the population of deer on the snow than they are the two weeks that there isn't any snow in October. So I hope

you will go along with the indefinite postponement of this amendment.

The SPEAKER: The Chair recognizes the gentleman from Perham, Mr. Bragdon.

Mr. BRAGDON: Mr. Speaker and Members of the House: I feel called upon to make my feelings known on this bill, and I believe that Mr. Porter is a hundred per cent right in the objectives which he seeks to bring about. I believe that we have got to face up to the idea that we can't continue to allow as long a hunting season as we are doing.

However, I have got to vote against him this time, because I do not believe that this Special Session, without adequate public hearings, is the time to make this radical change. I hesitate to vote for it on the basis of an amendment which has not had a sufficient hearing before those people who are interested in the matter.

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

Mr. VINCENT: Mr. Speaker and Ladies and Gentlemen of the House: An interesting statistic might be presented here that we have more deer here in the State of Maine than we did before the white man settled on the continent.

One of the reasons for the longer deer season in the northern sections of the state is to motivate hunters to go into the northern regions where we have a scarcity of population. The hunters going up there would tend to thin down the herds, making for a healthier herd due to the limitation of vegetation during the season.

About ten years ago we had a similar deer kill of 10,000 less than what was average for the year before and the year after. If we have another bad deer kill next year, I think the proper proposal might be to have an all-buck season, and leave the does alone for one year. A shorter season would put more hunters into the woods in both regions of the State providing for more hunting accidents, or possibilities of it. A longer season would give more opportunity for members to get into the woods, get their deer and leave.

And also I think it would discourage out-of-state hunters to come in to have an additional increase in the hunting licenses for out-of-state residents.

I hope that this amendment will be indefinitely postponed. And for the reasons of conservation, that of thinning down the deer herds to the point where they can survive on the vegetation, would prompt the members to vote against this bill for this session.

The SPEAKER: The Chair recognizes the gentleman from Fort Kent, Mr. Bourgoin.

Mr. BOURGOIN: Mr. Speaker and Ladies and Gentlemen of the House: I wish to bring to your attention that the size of the herd of the deer is more controlled by the winter feed, whilst the deer are in the yards, than it is by the hunting pressure. Of course, the long winter we had in '69 kept the deer in the yards, run out of feed, there was quite a mortality of the does and fawns which were dropped before their usual time. And some of the does did die, too. There were more bucks killed in Aroostook County in the northern zone than the usual average.

I would very much wish to leave the law as it is, and indefinitely postpone this amendment until the next legislative session, when we could have a hearing on the bill. Thank you.

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

A vote of the House was taken.

85 having voted in the affirmative and 35 having voted in the negative, the motion did prevail.

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

**Passed to Be Enacted  
Emergency Measure**

An Act Increasing the Borrowing Capacity of School Administrative

District No. 75 (S. P. 564) (L. D. 1639)

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

#### **Emergency Measure**

An Act to Appropriate Moneys for Legislative Expenditures (S. P. 579) (L. D. 1706)

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, 129 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.

#### **Finally Passed Emergency Measure**

Resolve Ratifying Certain Conveyances to the United States Government Made by the Governor and Council (S. P. 552) (L. D. 1627)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a total was taken, 123 voted in favor of same and none against, and accordingly the Resolve was finally passed, signed by the Speaker and sent to the Senate.

The following papers from the Senate appearing on Supplement No. 1 were taken up out of order.

From the Senate:

Bill "An Act to Promote Governmental Reorganization and Efficiency" (S. P. 615) (L. D. 1792)

Came from the Senate referred to the Committee on State Government and sent up for concurrence.

In the House, referred to the Committee on State Government in concurrence.

#### **Senate Reports of Committees Ought to Pass**

##### **Passed to Be Engrossed**

Report of the Committee on Appropriations and Financial Affairs reporting "Ought to pass" on Bill "An Act Appropriating Funds for Employment of an Occupational Safety Engineer by the Department of Labor and Industry" (S. P. 577) (L. D. 1704)

Report of the Committee on Sea and Shore Fisheries reporting same on Bill "An Act to Improve Sanitary Standards to Stop Unlawful Sales of Shucked Shellfish" (S. P. 563) (L. D. 1638)

Came from the Senate with the Reports read and accepted and the Bills passed to be engrossed.

In the House, Reports were read and accepted in concurrence and the Bills read twice. Under suspension of the rules, the Bills were read the third time, passed to be engrossed and sent to the Senate.

##### **Ought to Pass with Committee Amendment Passed to Be Engrossed**

Report of the Committee on Liquor Control on Bill "An Act Amending the Liquor Laws" (S. P. 586) (L. D. 1741) 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, Report was read and accepted in concurrence and the Bill read twice. Committee Amendment "A" (S-356) was read and adopted in concurrence. Under suspension of the rules, the Bill was read the third time, passed to be engrossed as amended by Committee Amendment "A" and sent to the Senate.

#### **Orders of the Day**

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

Resolve Proposing an Amendment to the Constitution Providing for Convening of the Legislature at Such Times as the Legislature Deems Necessary (H. P. 21) (L. D. 24) (Vetoed by the Governor)

Tabled—January 8, by Mr. Ross of Bath.

Pending—Further consideration.

On motion of Mr. Ross of Bath, retabled pending further consideration and specially assigned for Monday, January 12.

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

Bill "An Act Creating the Non-public Elementary Education Assistance Act" (H. P. 1395) (L. D. 1751)

Tabled—January 8, by Mr. Jalbert of Lewiston.

Pending—Reference.

On motion of Mr. Jalbert of Lewiston, retabled pending reference and specially assigned for Monday, January 12.

The Chair laid before the House a matter tabled earlier in the day and later today assigned:

Bill "An Act relating to Eligibility of Bangor City Councilors for Certain City Government Offices" (H. P. 1339) (L. D. 1668)

Tabled pending the motion of Mr. Kelleher of Bangor to indefinitely postpone.

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

Mr. COX: Mr. Speaker and Ladies and Gentlemen of the House: This is ordinarily a very innocuous bill that would come before us and go under the gavel, as we say it. I would like to explain it to you just briefly.

This bill does nothing more than allow a City Councilor to take a position with the City Government before his term expires. Now, he must resign his office first, of course. This bill is much more restrictive than the rules that we operate under here in the House of Representatives. Here in the House of Representatives you can resign your seat and take a position with the State Government.

Under the present City Charter, in the City of Bangor, you must wait until the term for which you have been elected expires. All we are asking in this measure is that we become, or the City of Bangor's Charter become, substantially the same as the rules under which we operate.

In the City of Bangor we have had a recent opportunity to hire a native son to do a very important job with the International Airport in that city.

We find that under the present Charter we cannot hire this man until his term in the City Government, or his term as councilor expires.

No one has any quarrel with his qualifications. However, in a five-month period for which he would have to wait, because that is how long his term is due to run, for a five-month period we would have to be without an airport manager, or we would have to hire somebody other than he. This is the very opportunity which many of us cry about. The City of Bangor wants to hire a native son. If we can't do this, then we must hire somebody from out of state.

Now with this simple Charter change, which is backed by the entire City Council excluding the man who is interested, we can do as all of us here would like to do, we can hire a qualified native son to do the job which we would like him to do. So, therefore, I ask that 101 people change their keys to be in favor of this bill.

We are not interested in having a City Government in Bangor which would supplement themselves. We are very sincere in our efforts to make this International Airport a thing that will work, and we think, and the City Government thinks, and the City Manager thinks, that it is in the best interests of the people of Bangor, the people of the State of Maine, that we pass this bill.

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

Mr. SOULAS: Mr. Speaker, Ladies and Gentlemen of the House: I rise in opposition to my friend from Bangor, Mr. Kelleher. An emergency is definitely present in our city which could affect the entire State. We are left without an airport manager for one of the largest, progressive international airports in Maine. And this is due to a technicality in the law. A person qualified for this position is a citizen of Bangor, well qualified for the position, and considered the

top man of the list of all applicants.

All the Councilors and Senators and Legislators in our city have agreed to this change in our Charter, except one. For this reason, I hope you will vote against the motion on the Floor.

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

Mrs. BAKER: Mr. Speaker and Members of the House: This bill was heard before the Legal Affairs Committee and it received unanimous approval of the Committee. And I would ask the members of the House to look at L. D. 1668. You will note that the Charter changes are spelled out in the heavy black type. And this doesn't mean if we pass this bill that the Council members may resign to take any kind of job that they might want, or one that had been created by the Council of which they are a member or that the pay was coming directly from the city.

The salary of the officer that is under consideration here today will be paid out of the profits of the International Airport. It further provides that no member of the City Council shall, during the term for which he was chosen, be appointed to any salaried city office which shall have been created during his term. Research made by the city shows that their original Charter provision, in this respect, was much more restrictive than those in most cities or municipalities, not only in Maine but in other states. They are not asking for a wide open door. They are still putting restrictions on Council membership taking office. And these restrictions that they are putting on are now even more restrictive than many other municipalities.

So I see no harm in this bill. We considered this carefully in the Legal Affairs Committee. We think that the City of Bangor will suffer if this bill is not approved by the Legislature. And I earnestly seek your favorable vote on L. D. 1668.

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

Mr. CURRAN: Mr. Speaker, Ladies and Gentlemen of the House: At the hearing, the only opposition to this bill was from the Representative Mr. Kelleher from Bangor. Now your entire City Council, your Chamber of Commerce, even your local paper, is for this change in the Charter. And I would like to take the time to read the editorial.

"The city of Bangor is most fortunate in having available former Economic Development Director Peter R. D'Errico to assume management of the new Bangor International Airport. The first manager, William Dupuy, recently left after a brief tenure to take an aviation post in Boston.

The airport, a major Air Force installation until one and one-half years ago, offers great promise for development as a commercial facility and an attraction for new industry in the area. Such development, however, is going to take a lot of doing. It is a big challenge.

Of almost a score of applicants, D'Errico was the best qualified. He is young and energetic, chosen in 1967 by the Maine Jaycees as one of the state's outstanding young men.

He did an excellent job during the several years he was development chief for the city. This latter job provided him with the experience and contacts that are needed for the airport post which is, really, an extension of economic development. As one of those who drew up the re-use plan for the airfield and a major in the Maine National Air Guard, D'Errico has more than a passing knowledge of what the manager's job requires.

As City Manager Merle Goff has aptly put it, D'Errico is of 'known quality' — and a very high quality it is.

There is a technical obstacle to his appointment. The city charter prevents D'Errico, as a present member of the City Council, from taking a salaried Bangor municipal post until his term expires. This would be in November of 1970, eleven months hence and too long for the airport position to be left vacant. This is a stricter provision than the state law regarding legislators taking salaried state



jobs. They are permitted to resign and take any such job, providing as a member of the Legislature, they had not voted on legislation raising the salary of the job.

This legal obstacle can — and we must certainly trust, will be removed by the 104th Legislature at its special session next month. It needs only to approve an amendment to the Bangor charter, which, we understand will be submitted by the local legislative delegation on behalf of the city. We do not believe that those who shaped the city charter intended it should deprive the city on a technicality of the services of a highly qualified local citizen for an important public post.

The way should be cleared for D'Errico to resign promptly from the City Council and take on his new duties. He currently is an executive of the Eastern Fine Paper Company in Brewer."

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

Mr. KELLEHER: Mr. Speaker and Ladies and Gentlemen of the House: I know we are all here and we like good sound government, and the checks and balance system we all believe in. Now this is the only checks and balance system we have as far as our City Council is concerned. Now the Council has control over the manager, and the charter apparently has got the control over the Council, and that is the people.

We have got a case here where if we open this up we are going to start a precedent. I don't care about what they say about it won't happen again. The language will be taken out of my City Charter. And as far as I am concerned, it is a protection for the people of the City of Bangor.

I am not going to argue the man's qualifications; he is a highly qualified person. But I think there is a moral issue here, too. Here is a councilman who submitted an application for a job with the city. I ask the question, "Why didn't he resign before he submitted his application?" It had to have a bearing on what the result was.

As far as I know, this Charter has been in existence for forty

years. When the original draft was brought into this House by Representative Smith, it went before Legal Affairs and they took his original bill and came out with a new draft and in the old bill that he submitted to that committee, this provision was in it. And those people, when they came out with a new draft for the City of Bangor in 1931 and they didn't take that provision out, because they thought then, I believe, it is good sound government.

Under our old City Charters years ago the duties of what a city councilman could do or what he couldn't do was very specific. He couldn't vote on an issue that he had a personal feeling with, that would involve him. And when they changed that City Charter to the City Manager form of government, they left this provision in; worded it differently, but it was a safeguard.

Now I agree with Mr. Cox that the gentleman is a native son of Bangor. We don't want to go out of the state to hire any help. Well, as far as I know, to my knowledge, I can't even name one City Manager that we ever had that came from the City of Bangor. We had to go out and get help. That argument to me doesn't represent any argument at all. We have been without an airport manager for quite a few months. The man's term expires in November of this year. We have got a standing committee that runs the airport. There is an assistant airport manager now. What is the problem with them keeping the business going? And that is part of the City Manager's job to see that the City of Bangor's business is run properly until this man, who won't be setting a precedent as far as my City Charter is concerned, will be able to take the position.

I think if the people in this House vote against the motion I have made, they are making a very bad mistake, because this is one checks and balance system that we do have in my city, and I want to keep it in the Charter.

The SPEAKER: The pending question is on the motion of the gentleman from Bangor, Mr. Kelleher, that House Paper 1339, L. D.

1668, Bill "An Act relating to Eligibility of Bangor City Councilors for Certain City Government Offices" be indefinitely postponed. The Chair will order a vote. All in favor of indefinite postponement will vote yes; those opposed to indefinite postponement will vote no. The Chair opens the vote.

A vote of the House was taken.

27 having voted in the affirmative and 92 having voted in the negative, the motion did not prevail.

Whereupon, Mr. Kelleher of Bangor requested a roll call.

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

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

The SPEAKER: The pending question is on the motion of the gentleman from Bangor, Mr. Kelleher, that this Bill be indefinitely postponed. All in favor of indefinite postponement will vote yes; those opposed will vote no. The Chair opens the vote.

#### ROLL CALL

YES — Allen, Barnes, Bragdon, Buckley, Carrier, Carter, Casey, Curtis, Dennett, Emery, Faucher, Finemore, Fortier, M.; Gilbert, Giroux, Good, Hall, Hanson, Harriman, Hichens, Jutras, Kelleher, LePage, Lewin, Lund, McTeague, Millett, Page, Quimby, Ricker, Starbird, Susi, Tanguay, Williams.

NO — Baker, Bedard, Benson, Berman, Bernier, Birt, Boudreau, Bourgoin, Bunker, Burnham, Carey, Chick, Clark, C. H.; Coffey, Corson, Cote, Cottrell, Couture, Cox, Crommett, Crosby, Croteau, Curran, Cushing, D'Alfonso, Dam, Danton, Donaghy, Drigotas, Dyar, Erickson, Farnham, Fecteau, Fortier, A. J.; Foster, Fraser, Goodwin, Hardy, Haskell, Hawkens, Henley, Heselton, Hewes, Huber, Hunter, Immonen, Jalbert, Jameson, Keyte, Kilroy, Laberge, Lawry; Lebel, Lee, Levesque, Lewis, Lincoln, MacPhail, Marquis, Mar-

tin, Meisner, Mills, Mitchell, Moreshead, Morgan, Nadeau, Norris, Noyes, Payson, Porter, Pratt, Richardson, G. A.; Richardson, H. L.; Rideout, Rocheleau, Ross, Sahagian, Scott, C. F.; Scott, G. W.; Shaw, Snow, Soulas, Stillings, Temple, Thompson, Trask, Tynedale, Vincent, Wheeler, White, Wight, Wood.

ABSENT — Binnette, Brennan, Brown, Chandler, Clark, H. G.; Cummings, Dudley, Durgin, Eustis, Evans, Gauthier, Johnston, Kelley, K. F.; Kelley, R. P.; Leibowitz, Marstaller, McKinnon, McNally, Mosher, Ouellette, Rand, Santoro, Sheltra, Waxman.

Yes, 34; No, 92; Absent, 24.

The SPEAKER: Thirty-four having voted in the affirmative and ninety-two in the negative, the motion does not prevail.

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

The following paper from the Senate appearing on Supplement No. 2 was taken up out of order.

#### Ought Not to Pass

#### Bill Substituted for Report Tabled and Assigned

Report of the Committee on Towns and Counties reporting "Ought not to pass" on Bill "An Act relating to Compensation for Full-time Deputy Sheriffs and Chief Deputies of Androscoggin County (S. P. 558) (L.D. 1633)

Came from the Senate with the Bill substituted for the Report and passed to be engrossed.

(On motion of Mr. Wight of Presque Isle, tabled pending acceptance of the Report and specially assigned for Monday, January 12.)

Mr. Hunter of Durham was granted unanimous consent to address the House.

Mr. HUNTER: Mr. Speaker and Ladies and Gentlemen of the House: It has been my pleasure and my honor for the past two or three sessions to represent the Democratic Party as monitor. Now, I've always gone about my duties in a quiet, dignified way. Occasionally I've had to speak to one of my Democrats for maybe smoking while we had guests up on the podium. Once in a while

somebody would get up and pass between a person speaking and the Speaker. And occasionally someone would bring a lunch in, and decide to eat his lunch at his desk. And I always have taken them to one side and spoke to them in a fatherly fashion about it.

I had a good teacher, because I sort of understudied the gentleman from Bath, Mr. Ross, that has more expertise about things like that and he being a very good teacher.

Well, now I was shocked and appalled yesterday when the leader

of my party announced there was going to be a training session, because I thought I had all my people good trained. And when we're talking about training, what I think of right off quick is training animals. And I know, I'm sure, that all the Democrats here is good housebroke, and so they don't have to be broke. (Applause and laughter.)

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On motion of Mr. Wight of Presque Isle,

Adjourned until Monday, January 12, at four o'clock in the afternoon.