

# 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

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**1st Special Session**

January 6, 1970 to February 7, 1970

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KENNEBEC JOURNAL  
AUGUSTA, MAINE

**HOUSE**

Thursday, January 22, 1970

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

Prayer by the Rev. Mr. Lloyd Fuss of Gardiner.

The journal of yesterday was read and approved.

**Papers from the Senate  
Non-Concurrent Matter**

Bill "An Act Extending the Term of the Maine State Sesquicentennial Commission" (H. P. 1391) (L. D. 1740) which was passed to be engrossed in the House on January 19.

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

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

**Non-Concurrent Matter**

An Act to Repeal the Law Providing a Uniform Fiscal Year for Municipalities (H. P. 1424) (L. D. 1794) which was passed to be enacted in the House on January 16 and passed to be engrossed as amended by Senate Amendment "A" on January 15.

Came from the Senate having failed passage to be enacted in non-concurrence.

In the House:

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

Mr. BIRT: Mr. Speaker, I move that we recede from our action whereby this bill was passed to be enacted.

The SPEAKER: The gentleman from East Millinocket, Mr. Birt, moves that the House recede from its action whereby this Bill was passed to be enacted.

The Chair recognizes the gentleman from Cape Elizabeth, Mr. Hewes.

Mr. HEWES: Mr. Speaker and Members of the House: I pose a question to anyone that may answer. As I understand this bill, L. D. 1794, there is an emergency preamble indicating that it would take effect forthwith. I wonder what the effect of the law would be if the emergency preamble were re-

moved and it were enacted without the emergency preamble?

The SPEAKER: The gentleman from Cape Elizabeth, Mr. Hewes, poses a question through the Chair to the gentleman from East Millinocket, Mr. Birt, who may answer if he chooses. And the Chair recognizes that gentleman.

Mr. BIRT: Mr. Speaker and Ladies and Gentlemen of the House: It is my understanding of the Bill that there were two options as to the method of moving from the fiscal year that the municipalities presently use to the uniform fiscal year which would be concurrent with the state and federal fiscal year.

If we remove the emergency clause, the towns would not have to act on it this year because they could be working on the premise that they were going to use the one-time change, and they would not thereby take any action at this town meeting. And by the time another town meeting had come to be, why then the statute that we are working on would presently be in effect whereby the uniform fiscal year law would be repealed. And it is my understanding that if the emergency clause is taken off that it would not do any harm.

The SPEAKER: The Chair recognizes the gentleman from Cape Elizabeth, Mr. Hewes.

Mr. HEWES: Mr. Speaker and Members of the House: I feel that this is a worthy bill, and I know it failed passage in the other body. But I believe if the emergency provision were removed so that only a majority were needed rather than a two-thirds majority to pass the bill it would have a better chance of passage. And I respectfully request that someone table this until the next legislative day so that I can prepare an amendment to remove the emergency provision so that we could then pass it without the emergency provision and then hopefully it would pass the other body.

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

Mr. JALBERT: Mr. Speaker and Members of the House: This is my bill. Back at the regular session I put it in and I withdrew

it because the sponsors wanted me to withdraw it. This time I had an amendment that I appeared before the Legal Affairs Committee, and I was going to propose the amendment, then they got after me again, the powers that be got after me again, so I put a bill in to repeal the entire bill, and now I am even having trouble passing that. So somewhere along the line I would hope that when it is tabled, if it is tabled, that somebody get together and find out just exactly what in heaven's name they want.

The SPEAKER: The Chair recognizes the gentleman from Brewer, Mr. Norris.

Mr. NORRIS: Mr. Speaker, to answer my friend's question, from Cape Elizabeth, I believe that the amendment that is now before the House does exactly what he asked for, to take the emergency clause off from the bill. If he would read the amendment I am sure he would realize what it is trying to do.

The SPEAKER: The pending question is on the motion of the gentleman from East Millinocket, Mr. Birt, that the House recede from its action whereby this Bill was passed to be engrossed. All in favor will say aye; those opposed will say no.

A viva voce vote being taken, the motion did prevail.

On motion of Mr. Birt of East Millinocket, the House receded from its action whereby the Bill was passed to be engrossed as amended by Senate Amendment "A".

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

House Amendment "A" (H-650) was read by the Clerk and adopted and the Bill passed to be engrossed as amended by Senate Amendment "A" and House Amendment "A" in non-concurrence and sent up for concurrence.

#### Order Out of Order

On motion of Mr. Farnham of Hampden, it was

ORDERED, that Laura Montes of Mexico City, Mexico; Maria Feraud of Guayaquil, Ecuador; and Milvia Rocca of Lima, Peru

be appointed to serve as Honorary Pages for today.

#### Non-Concurrent Matter

Resolve to Loan Funds from the Unappropriated Surplus for the Construction of an International Ferry Terminal (H. P. 1310) (L. D. 1624) which was recommitted to the Committee on Appropriations and Financial Affairs in non-concurrence in the House on January 19.

Came from the Senate with that body voting to insist on its former action whereby the Bill was passed to be engrossed.

In the House:

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

Mr. ROSS: Mr. Speaker, I move that we further insist and request a Committee of Conference and would speak briefly to that motion.

The SPEAKER: The gentleman from Bath, Mr. Ross, moves that the House further insist and request a Committee of Conference. The gentleman may proceed.

Mr. ROSS: Mr. Speaker and Members of the House: This is not a motion to kill the bill but to buy time so that the House can have some control, at least some say, in the priorities, because in my opinion it would be very irresponsible for us to pass on each important bill without evaluating the others and determining which was most worthy.

For instance, we have heard, but not had, the Kidney Dialysis bill which would save a great many lives in the State of Maine. We have not yet had the item to combat drug abuse. We have not had the ADC bill which would be of great financial help to each town in the State of Maine and not just one.

There is now a bill which didn't even come before the Appropriations Committee, a bill to give tax relief to the elderly who are trying to exist on extremely low incomes with absolutely no anchor to the windward against inflation. This only yesterday was reported out of Taxation "ought to pass." This is as worthy as any before us because this group of people

really needs financial help and not just a ferry ride.

If we pass this along it will end up on the appropriations table, and we in this body shall have no further say of the outcome. I repeat, we should see the entire picture before we get swallowed up in a wave of emotion and give a large chunk of our state surplus to promote an untried venture in the name of progress not proven yet.

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

Mr. CORSON: Mr. Speaker and Ladies and Gentlemen of the House: I wish to concur with the gentleman from Bath, Mr. Ross. I would hope that this bill could go to a Committee of Conference because I have an amendment that I should like to present to the committee for their consideration.

You see, ladies and gentlemen of the House, the bridge which connects the Town of Madison and the Town of Anson is in a state of very ill repair. It is dangerous; it needs to be replaced.

We had originally intended to bring this matter before the next Legislature, but it now would seem, at least we fear, that in the next legislature just about every town in the state will have a bill in asking for an interest-free loan. So we felt that we had better place our bid in first. So I would like to, ladies and gentlemen of the House, explain this amendment a little bit so that you will know what we are considering.

This amendment provides for the construction of an intertown bridge at Madison. "Resolved: That there is appropriated from the Unappropriated Surplus of the General Fund the sum of \$167,000 for the purposes set forth in this resolve. Such sum shall be made available to the Town of Madison to be expended by said municipality for plans and for the construction of half a bridge at Madison suitable to be the Madison half of an intertown bridge over the Kennebec River between the Towns of Madison and Anson, and to pay other proper expenses incidental to said planning and construction; and be it further

Resolved: That such sum shall be made available to the Town of Madison for said purposes as a loan to be repaid under the terms and conditions stated hereafter."

Now we are not asking for anything new. I will read you these terms.

"That the Town of Madison shall assume all the rights and responsibilities including risk of loss or destruction, insurable or uninsurable, whole or partial, and all expenses and responsibilities of maintenance, operation and repairs of said half bridge.

The Town of Madison shall enter into contract with the Town of Anson which will require the Town of Anson upon completion of the project to allow regular passage at least 350 days per year during the contract period between Anson and a center point to be selected on said Kennebec, the same to be a public highway available to tourists and vehicles.

The Town of Madison shall repay said \$167,000 to the State of Maine in equal annual payments of 3 1/3% over a period of 30 years, said payments to be made to the Treasurer of the State of Maine. The Town of Madison shall have the right at its option to accelerate any of said payments.

Since the purpose of this loan is to cooperate with the municipal government of Anson to effect a new bridge of mutual benefit and profit to the people of Maine, and the people of Anson, and not to make a profit for either government, the Town of Anson shall not be required to pay interest on said loan.

This portion of the resolve is passed on the condition that the Town of Madison shall acquire land on the waterfront of Madison sufficient for the construction and operation of said half bridge including riparian rights, a state flag site, access roads, parking, assembly of disabled vehicles, and for immigration and customs examination of vehicles upon request."

I hope you will all agree that this is a most worthy project and deserves our wholehearted support.

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

Mr. RICHARDSON: Mr. Speaker, I moves that the House recede and would speak to that motion.

The SPEAKER: The gentleman from Cumberland, Mr. Richardson, moves that the House recede. The gentleman may proceed.

Mr. RICHARDSON: Mr. Speaker, Ladies and Gentlemen of the House: The Prince of Fundy is a ferry which would operate between the City of Portland and Yarmouth, Nova Scotia. The successful attempted humor by my friend from Madison I am sure is recognized by all of you as the sort of thing that one does when he is trying to kill a bill—hopefully it can be laughed to death. In this instance, the laugh, I suggest to you, is the sort of humor that people who enjoy watching hospital fires would enjoy.

I suggested to you a week or so ago that we recommit this bill to the Committee on Appropriations and Financial Affairs in the hope that by so doing we could avoid what apparently is going to be a blood bath. Now the reason for suggesting this was in the hope that perhaps with the consideration of responsible amendments, and I wouldn't include the one you have just heard discussed in that number, but the Senate has decisively and overwhelmingly rejected this suggestion—.

The SPEAKER: The Chair would advise the gentleman that he should not influence this House by the action of the upper body.

Mr. RICHARDSON: Thank you, Mr. Speaker. The bill now before us, and the motion that was previously made over which the motion to recede takes priority, would suggest that this bill go to a Committee of Conference. Having served on a number of Committees of Conference, I can tell you that they usually meet in a darkly, closely lit telephone booth and that they very seldom produce anything of significant legislative concern. Therefore I reject the suggestion of a Committee of Conference. There the Prince of Fundy would languish and die.

I hope that you will recede from our former action in which we recommend this bill to Appropriations and then today discuss

and finally act on the enactment of this legislation.

The SPEAKER: The Chair recognizes the gentlewoman from Newport, Mrs. Cummings.

Mrs. CUMMINGS: Mr. Speaker, Ladies and Gentlemen of the House: I have a neighbor who came to me the other day and asked to borrow \$800. He wanted to buy a colored TV set. I said I didn't have \$800 to lend him. Well, he said, "If you don't lend me the \$800 I won't be able to buy over-shoes for Junior and he won't be able to go to school on snowy days. Also I will not be able to send my mother the checks that I have been sending her every week and her welfare will suffer." Well, I am sorry for Junior and I am sorry for his mother and I think his decision is wrong. But it is his budget, these are his funds and I think he should spend them the way he wants without any help from me.

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

Mr. BENSON: Mr. Speaker and Members of the House: First of all, I would like to take exception with the gentleman from Cumberland, Mr. Richardson, in his criticism of our legislative process. I think a bill that goes to a Conference Committee as a result of disagreement between the two branches is a good and proper move. It is one that we have followed for many years, and I find it difficult to be critical of it. Otherwise it would be difficult for us to settle our differences, and when there was a difference there could be no agreement.

I would like to hark back a few years to the days when we had what we use to call "pork barrel" legislation, legislation which was generally referred to in terms of building highways. Pork barrel legislation was a situation where a number of representatives and citizens from a particular area got together and exerted a little political muscle and usually came out with some very fine highways as a result. I think we are headed down the same road, a road that we abandoned many years ago as

a bad road, and we are now headed down that road once again. We are opening the door to areas that wish to band together, exert political muscle, come to the Legislature and successfully take away interest-free money for projects which I am sure would be explained as reasonable and worthy.

It was only a few months ago that I swallowed very hard and I voted for a personal income tax. And I did so not in the hope of making my constituents happy. I knew that I would not accomplish that. I did so because I felt that it was a responsible action for me to take in raising money for the proper and orderly operation of state government. I do not consider the allocation of \$800,000 to a community, regardless of which community in this state it is, I do not consider that responsible use of the taxpayers' money. I feel that we have raised these taxes for the operation of state government, and I cannot convince myself, whether it be Portland, Bar Harbor or even Meddybemps, that our tax money should be used in this manner. I think that we are faced, as we always are, with a system of priorities. I think that we must stack up the request before us for \$800,000. We must stack this up against the request for \$350,000 for our renal dialysis. We must stack it up against the removal of the 18 percent contribution by towns to the ADC program along with many other worthy requests. And when we do this, ladies and gentlemen, I am sure that you, in your own minds, have to make a decision one way or the other. Personally, I find it very difficult to justify the measure that is presently before us.

I support the motion originally made by the gentleman from Bath, Mr. Ross, one to insist and request a Committee of Conference, and I do it for the same reasons that he expressed, and that is to buy some time to bring these other requests for finances before us. Let us consider them along with this one. It is a little naive to think that we are going to have any control of this bill once it

leaves this House. Once it goes into the Senate and on the appropriations table, like all financial matters it is no longer a matter of consideration for the House. So I would ask you to defeat the motion made by the gentleman from Cumberland, Mr. Richardson, to recede and then vote to insist, let this bill go to a Committee of Conference between the two disagreeing bodies, and I do not believe that the bill would die there. I think that it would come back before us for consideration once again along with all of the other requests for money. Thank you.

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

Mr. JALBERT: Mr. Speaker and Members of the House: I would like this morning to agree wholeheartedly with the remarks of the gentleman from Cumberland, Mr. Richardson, for two major reasons. The first one being that he is dead-right. He, as I do, wishes to do something, and speak for the people of the State of Maine.

Secondly, because of his capacity as a member of the Republican Party, in my capacity as a member of the Republican—Democratic Party (Laughter) — well, just to continue my stupidity, Mr. Speaker, I set up an affair Monday and forgot to invite the press, so you'll have to excuse me. It shows you just how my thinking is going. Seriously, I would also join the Republican Floor Leader in his comments—and his wordage is far superior to that that I could bring about, in his comments concerning trying to make a lark out of this very, very important measure by the introduction of a project in Madison. The only answer I can give to that as a sponsor of the 18 year old bill, is that if the young man from Madison—who has already established he is the youngest man in the world anyway — persists in such projects, I will change it from 18 to 69, and gladly so.

These are very, very serious matters. There are times when with a certain degree of levity we can attempt to kill off measures.

But I don't think we should do so in such important measures as this.

Now I am from an inland area, as you know. I feel this is good for the State of Maine. I am not just voting this morning for this measure to find its way to the appropriations table. I am voting for this measure today so that we will give to the leaders who will decide when they divide the moneys as available, that this is of an important nature, and would set up a high priority.

I don't think it will affect necessarily the \$300,000 medical program that I voted for. I don't think it will affect the ADC program that I intend to vote for. It may be that we might divide the program of ADC. I think anyone that would say that we will cut off the ADC program if we don't pass this thing is not thinking really completely and thoroughly, particularly when that individual happens to be on the very Appropriations Committee that is studying this. Because to cut off the ADC program in its entirety now would run us into about \$4 million, and that's absolutely unheard of and unthinkable at this special session. To start the cut off of the program, we can do so. But to complete it, we can not do so, regardless of the fact that we would want to start it.

Now, this also is another gimmick to kill off a very worthy program. The thought of a conference committee I remember well, because I was on the conference committee report when we were finally asked, and I beseeched the gentleman from Cumberland, Mr. Richardson, to have another go at a conference committee report in the waning moments of the regular session of the Legislature, and I did not succeed. And he steadfastly held that it would serve to no end. And he, as he is today, was for the program.

Now, the fact of the matter is that whether the gentleman, the good gentleman from Southwest Harbor, Mr. Benson, would not favor these programs, the fact of the matter is that we were for these programs, and this program, when it involved his area back in 1953. And I was on the appropriations

committee that not only voted for, but spoke and worked very, very diligently for this program. And in all honesty, I wonder whether or not the gentleman from Southwest Harbor, in complete analysis of his good conscience that I know he has, I wonder just, in all honesty, just how he would have voted in 1953 on this program. It is all very well to go this way now, but I just wonder what you would have done when the steam would have been put on you, as it might have been put on you in other areas. Let's not be now just stargazing, let us be practical.

There are some chestnuts that I have bought my own self when the steam has been put on me, and I make no bones about it, and I admit it. This, however, is not a chestnut. This is a very sound, solid program. This is the very same program that we gave, only the difference is \$200,000 more, in 1953. I want to reiterate my own position that I am not just voting for this measure to find its way to the appropriations table. I am voting to find this measure to become law, because it is a worthwhile project, it is a worthy project for the people of Maine. It will bring, maybe, a little competition but it will bring also added further business to the beautiful run that goes on the Blue Nose between the Bar Harbor area and Nova Scotia.

I see no way at all why we should continue to discuss going into conference committees, or discuss possibly adding anything to this fine program. I certainly hope that the motion of the gentleman from Cumberland, Mr. Richardson, will prevail this morning, and this worthwhile project will finally become law.

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

Mr. BRENNAN: Mr. Speaker and Ladies and Gentlemen of the House: I think this bill has been well debated in this House, in the corridors, and in the press. But I would just like to make one point. I think that the building of a terminal facility is analogous to the building of an airport or an air-



port building, and these have been traditionally funded by the state. These are basically transportation depots. I see no real major difference between the two. I think this terminal facility will be a benefit to the entire state.

In essence, Portland went ahead and made commitments anticipating some help from the Legislature, which was somewhat reasonable in view of some of the remarks that were made by legislators during the last session. It was said several times, come up here and ask for something similar to Bar Harbor's. We have done just that, an interest-free loan. And as has been pointed out, the Bar Harbor loan was some million dollars, this is only \$800,000. Considering inflation, etc., this would really mean that this is about half of what Bar Harbor got 15 or 18 years ago. So I urge you to support the motion of my good friend, the gentleman from Cumberland, Mr. Richardson, to recede.

The SPEAKER: The Chair recognizes the gentleman from Falmouth, Mrs. Payson.

Mrs. PAYSON: Mr. Speaker and Ladies and Gentlemen of the House: In view of the Herculean effort which has been made by the people of Portland to the tune of almost one half million dollars in pledges, and by the City Government of Portland in the amount of a half million dollars, I firmly believe that the State of Maine should back financially the ferry terminal proposal. I am completely convinced that the entire state will benefit from the operation of the Prince of Fundy. I hope you will vote yes on Mr. Richardson, the gentleman from Cumberland's motion, so that this bill can take its place on the appropriations table. Thank you.

The SPEAKER: The Chair recognizes the gentleman from Belgrade, Mr. Sahagian.

Mr. SAHAGIAN: Mr. Speaker, I wish to pose a question through the Chair to any member who may care to answer. What was the discount rate in 1953 when the Legislature voted to assume the interest charges? Could anyone tell me that? And what would have been

the first year's charges on the interest at that year, at that going rate?

I know the going rate today is six and a half percent, if you are lucky. And in 1953, if I remember correctly, it was around one and a half, 1.9, less than two percent.

If it was so, if my understanding is correct, it would amount to about \$119,000 or \$120,000 against \$480,000 today. This is quite a difference, quite a sum. And I am not ready right at this time now to pay income taxes to go out and finance a ferry where Bar Harbor has already been in operation for 14 years, and they are going broke. Canada has to subsidize the bill and since they have no competition, and they can't run it on a profitable basis, how do you expect two ferries to be existing? One of them is going to go out.

The SPEAKER: The gentleman from Belgrade, Mr. Sahagian, poses a question through the Chair to any member who may answer if they choose.

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

Mr. ROSS: Mr. Speaker, I have a parliamentary inquiry through the Chair. As I understand it, no matter which motion we vote for, we will not be voting for final enactment of this bill this morning, is that correct, sir?

The SPEAKER: It is difficult to answer the gentleman's question because he does not know the result of the vote on receding or insisting.

Mr. ROSS: I will further ask the question, if we do vote to recede and concur, does that immediately bring it to the enactment stage, and we vote on that right now, since it is in non-concurrence with the Senate?

The SPEAKER: The Chair would advise the member and this body that this bill must go back to the engrossing department prior to final passage.

Mr. ROSS: I say that only because there are others who might have other cogent reasons, such as I have, and we will later be voting on the final enactment of this bill. But I agree with the gentleman from Southwest Harbor, Mr. Benson, I surely hope you vote against

the motion of the esteemed gentleman from Cumberland, Mr. Richardson, and then vote to further insist.

And I request a roll call.

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

Mr. LEVESQUE: Mr. Speaker and Ladies and Gentlemen of the House: I would like to add a few notes to what has already been said this morning, purely for the reason that some members of this House might have had the thinking in mind, that somebody wanted to put a partisan label on this document.

Let me assure every member of this House that I, for one, and I don't think that the gentleman from Cumberland, Mr. Richardson, ever wanted to make this issue, or any other statewide issue, a political or partisan issue. Because I think this is, as has been stated, for the welfare of the people of Maine, who choose for a means of transportation by water, rather than by air or by land.

And the reason why I say that, as the gentleman from Lewiston, Mr. Jalbert, has pointed out, that he is not on the coast. But he is not too far inland. Being the one that is the most inland of any member of this House, going through the wilderness and through the beautiful wonderland of a clearing in Madawaska on the St. John River, I still think that this is a good document. The benefits that I may derive from it, or the people of my area, may be very small, or they may be nil. But it still is for some transportation facilities between the state and another country. Anything that we can do to promote this kind of interest in any locality — and I am very sure that the gentleman from Southwest Harbor, Mr. Benson, would feel exactly the same way.

For the gentleman this morning to initiate the thought that this might be another sort of pork barrel deal, it is very easy for the gentleman to state this morning that this type of legislation is not good legislation, especially after his has been in the books for a good many years. And es-

pecially because of the fact that the facilities around Southwest Harbor will go back after full payments, will go back to a foreign country, and this project in Portland will revert back to a subdivision of Maine.

Now I think the members of this House have indicated their support for this type of legislation, and I think we should continue with the process, and have this bill passed and enacted, and have it lie at the special table where, in the final hours, or the waning hours of the Legislature, it will die or live on for years. Thank you.

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

Mr. BRENNAN: Mr. Speaker, a parliamentary inquiry, could you tell me if this bill has ever been engrossed by this House?

The SPEAKER: The Chair would advise this gentleman that this bill has been engrossed by both bodies.

Mr. BRENNAN: Well, Mr. Speaker, further inquiry, has engrossment ever been reconsidered?

The SPEAKER: The Chair would advise the gentleman that a motion to reconsider engrossment has never been put before this body.

Mr. BRENNAN: Well, my inquiry then is comparable to the inquiry of the gentleman from Bath, Mr. Ross, assuming this bill is voted on favorably to recede, wouldn't enactment be in order at this time?

The SPEAKER: The Chair will once more advise the gentleman and this body that if we vote to recede this must go to the engrossing department. This has been beyond the possession of this House several days. There is an endorsement upon it whereby this body voted that it be recommitted to the committee.

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

Mr. JALBERT: Mr. Speaker, I would have a parliamentary inquiry. When it does come back, if it goes back to the engrossment, would it not come back as it left, as an enactor?

The SPEAKER: The Chair would advise the gentleman that it will come back ready for final passage.

Mr. JALBERT: Which is enactment?

The SPEAKER: For final passage. This is a resolve.

The pending question is on the motion of the gentleman from Cumberland, Mr. Richardson, that the House recede. 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 members 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 before the House is on the motion of the gentleman from Cumberland, Mr. Richardson, that the House recede from its former action whereby it recommitted this bill to the Committee on Appropriations and Financial Affairs. If you are in favor of receding you will vote yes, if you are opposed you will vote no.

**ROLL CALL**

YEA — Bedard, Bernier, Binnette, Boudreau, Bourgoin, Brennan, Burnham, Carey, Carrier, Carter, Casey, Clark, C. H.; Coffey, Cote, Cottrell, Couture, Cox, Crommett, Croteau, Curran, D'Alfonso, Danton, Dennett, Drigotas, Emery, Eustis, Fecteau, Fortier, A. J.; Fortier, M.; Foster, Gauthier, Giroux, Hall, Haskell, Hawkens, Hewes, Hunter, Jalbert, Jameson, Jutras, Keyte, Kilroy, Laberge, Lebel, Leibowitz, LePage, Levesque, Marquis, Martin, McKinnon, McNally, McTeague, Mills, Mitchell, Morgan, Nadeau, Norris, Noyes, Ouellette, Payson, Richardson, H. L.; Ricker, Rideout, Rocheleau, Santoro, Sheltra, Soulas, Tanguay, Temple, Tynedale, Vincent, Wheeler.

NAY — Allen, Baker, Barnes, Benson, Berman, Birt, Bragdon, Brown, Buckley, Bunker, Chick, Clark, H. G.; Corson, Crosby, Cummings, Curtis, Cushing, Donaghy, Durgin, Dyar, Erickson,

Evans, Farnham, Finemore, Goodwin, Hanson, Hardy, Harri-man, Henley, Hichens, Huber, Immonen, Johnston, Kelleher, Kelley, K. F.; Lawry, Lee, Lewin, Lewis, Lincoln, Lund, MacPhail, Marstaller, Meisner, Millett, Moreshead, Mosher, Page, Porter, Pratt, Quimby, Rand, Richardson, G. A.; Ross, Sahagian, Scott, C. F.; Shaw, Snow, Stillings, Susi, Thompson, Trask, Wight, Williams, Wood.

ABSENT—Chandler, Dam, Dudley, Faucher, Fraser, Gilbert, Good, Heselton, Kelley, R. P.; Scott, G. W.; Starbird, Waxman, White.

Yes, 72; No, 65; Absent, 13.

The SPEAKER: Seventy-two having voted in the affirmative and sixty-five having voted in the negative, the motion does prevail.

For what purpose does the gentleman rise?

Mr. JALBERT: Mr. Speaker, I now move that we reconsider our action whereby we receded and concurred, and when you vote, vote against my motion.

The SPEAKER: The gentleman from Lewiston, Mr. Jalbert, moves that the House reconsider its action whereby it voted to recede. The Chair will order a vote. All in favor of reconsideration will vote yes; those opposed will vote no.

A vote of the House was taken. 62 having voted in the affirmative and 73 having voted in the negative, the motion to reconsider did not prevail.

**Orders**

On motion of Mr. Laberge of Auburn, it was

ORDERED, that Rev. Edmond J. Hache of Auburn be invited to officiate as Chaplain of the House on Tuesday, January 27, 1970.

**House Reports of Committees Referred to 105th Legislature Table and Assigned**

Mr. Brennan from the Committee on Judiciary on Bill "An Act relating to Easements in Lands" (H. P. 1336) (L. D. 1665) reported that it be referred to the 105th Legislature.

Report was read.

(On motion of Mr. Brennan of Portland, tabled pending accept-

ance of the Report and specially assigned for tomorrow.)

#### **Ought Not to Pass**

Mr. Moreshead from the Committee on Judiciary reported "Ought not to pass" on Bill "An Act relating to the Detention of Juveniles" (H. P. 1383) (L. D. 1732)

Report was read.

The SPEAKER: The Chair recognizes the gentlewoman from Falmouth, Mrs. Payson.

Mrs. PAYSON: Mr. Speaker and Ladies and Gentlemen of the House: This bill is designed to correct a problem at the Boy's Training Center in South Portland. I have happily sponsored this bill for Mr. William Hewes, the superintendent. I would like to explain it to you.

At present juvenile courts are designating the Boy's Training Center in South Portland as a holding place for boys who are waiting to appear in court because of some offense which they have allegedly committed. There are two reasons that this is wrong. The first is that the Boy's Training Center does not have the facilities to handle these boys properly, so they run away.

Second, these boys who have not been judged guilty are forced to associate with those boys who have serious problems. These contacts are detrimental to the child who has not been adjudicated to have committed a juvenile offense.

I understand the thinking of the committee in sending this bill out "ought not to pass." There is no place in Maine for the detention of these boys. I hope that in the immediate future we can make appropriate plans to help them as they should be helped. Thank you.

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

#### **Ought to Pass Printed Bill**

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

Mr. Donaghy from the Committee on State Government, acting by authority of Joint Order (H. P. 1425), reported a Bill (H. P. 1432) (L. D. 1805) under title of "An Act Increasing Salaries of Justices of the Supreme Judicial Court and the Superior Court and Judges of the

District Court" and that it "Ought to pass"

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

#### **Ought to Pass with Committee Amendment**

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

Mr. Heselton from the Committee on Judiciary on Bill "An Act relating to Jurisdiction of Probate Courts in Adoption Cases" (H. P. 1334) (L. D. 1663) reported "Ought to pass" as amended by Committee Amendment "A" (H-644) submitted therewith.

Mr. Hewes from same Committee on Bill "An Act relating to Sentences for Assault on Officers of, or Escape From, the Men's Correctional Center" (H. P. 1332) (L. D. 1661) reported "Ought to pass" as amended by Committee Amendment "A" (H-645) submitted therewith.

Same gentleman from same Committee on Bill "An Act relating to Leases of Buildings" (H. P. 1366) (L. D. 1715) reported "Ought to pass" as amended by Committee Amendment "A" (H-646) submitted therewith.

Same gentleman from same Committee on Bill "An Act relating to County Jail Detention of Juveniles Pending Redisposition Cases" (H. P. 1381) (L. D. 1730) reported "Ought to pass" as amended by Committee Amendment "A" (H-647) submitted therewith.

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

Mr. Moreshead from the Committee on Judiciary on Bill "An Act relating to Rate of Interest on Real Property Taxes" (H. P. 1335) (L. D. 1664) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Bill read twice. Committee Amendment "A" (H-648) was read by the Clerk and adopted and the Bill assigned for third reading tomorrow.

Mr. Durgin from the Committee on Labor on Bill "An Act relating to Rules and Regulations for the Protection of Health and Safety" (H. P. 1311) (L. D. 1625) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read.

The SPEAKER: The Chair recognizes the gentlewoman from Topsham, Mrs. Coffey.

Mrs. COFFEY: Mr. Speaker, for the purpose of an amendment being put on this, I ask that somebody would table this for one day.

The SPEAKER: The Chair would advise the gentlewoman that an amendment can be put on prior to or after third reading tomorrow morning. Does the gentlewoman object to processing this legislation up to that point?

Mrs. COFFEY: No.

Thereupon, the Report was accepted and the Bill read twice. Committee Amendment "A" (H-649) was read by the Clerk and adopted and the Bill assigned for third reading tomorrow.

#### **Divided Report Tabled and Assigned**

Majority Report of the Committee on Taxation reporting "Ought to pass" on Bill "An Act to Repeal the Bank Stock Tax and to Impose a Corporate Income or Franchise Tax on National Banks" (H. P. 1409) (L. D. 1775)

Report was signed by the following members:

Messrs. WYMAN of Washington  
HANSON of Kennebec  
— of the Senate.  
Messrs. SUSI of Pittsfield  
DRIGOTAS of Auburn  
HARRIMAN of Hollis  
ROSS of Bath  
COTTRELL of Portland  
FORTIER of Rumford  
— of the House.

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

Report was signed by the following members:

Mr. MARTIN of Piscataquis  
— of the Senate.  
Mrs. WHITE of Guilford  
— of the House.

Reports were read.

The SPEAKER: The Chair recognizes the gentleman from Pittsfield, Mr. Susi.

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

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

Whereupon, on motion of Mrs. White of Guilford, tabled pending the motion of Mr. Susi of Pittsfield to accept the Majority "Ought to pass" Report and specially assigned for tomorrow.

On motion of Mr. Levesque of Madawaska,

Recessed until the sounding of the gong.

#### **After Recess**

Called to order by the Speaker.

Bill "An Act relating to Licensing of Ambulance Service, Vehicles and Personnel" (H. P. 1430) (L. D. 1800)

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

(On motion of Mr. Curtis of Bowdoinham, tabled pending passage to be engrossed and specially assigned for tomorrow.)

#### **Passed to Be Enacted Emergency Measure**

An Act to Validate Proceedings Authorizing the Issuance of Bonds and Notes by School Administrative District No. 70 (S. P. 631) (L. D. 1802)

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. 109 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 Clarifying and Correcting an Omission in the Charter of the Town of Gorham, and the Town of Winslow (H. P. 1345) (L. D. 1674)

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. 119 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 Appropriating Funds to Combat the Drug Abuse (H. P. 1365) (L. D. 1714)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a total was taken. 118 votes in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

**Passed to Be Enacted**

An Act relating to Enforcement by Sea and Shore Fisheries and the Maine Mining Bureau (S. P. 556) (L. D. 1631)

An Act relating to Election and Terms of Town Council of the Town of Lincoln (S. P. 569) (L. D. 1696)

An Act to Provide Protection for the Consumer Against Unfair Trade Practices (S. P. 578) (L. D. 1705)

An Act Providing Additional Funds for Salaries in the Department of the Attorney General (S. P. 594) (L. D. 1765)

An Act to Authorize Kennebec County to Raise Money for Capital Improvements (H. P. 1363) (L. D. 1692)

An Act Ratifying Deed Given by the State to International Paper Company (H. P. 1371) (L. D. 1720)

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.

An Act relating to Fee for Class A Restaurants Serving Malt Liquor (H. P. 1379) (L. D. 1728)

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

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

Mr. HICHENS: Mr. Speaker and Ladies and Gentlemen of the House: This L. D. is an affront to the conscientious feelings of the voters of Maine who in last November's referendum vote expressed their wishes concerning the sales of liquor in certain establishments on Sunday. Many voters expressed their willingness to vote for Sunday sales as long as beer sales were not included. Even then many communities voted against Sunday sales whatever.

Now, in this bill we are allowing establishments to sell malt liquor only on Sunday. If this bill is passed we are in fact telling the people of our state that as long as you opened one door, we are taking it upon ourselves to open more doors for Sunday sales. This is far from emergency legislation, and I move that this bill and all the accompanying papers be indefinitely postponed. And Mr. Speaker, when a vote is taken, I ask for a roll call.

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

Mr. BENSON: Mr. Speaker and Members of the House: In opposition to the gentleman's motion, I would like to explain my understanding of this bill. If you have two restaurants side by side, under the present law one has a liquor license, the other has a malt beverage license, on Sunday the one with the liquor license can serve malt beverages, the one with the malt beverage license cannot. I don't think that this was the intent of the Legislature. I think had they been aware of this inequity they probably would have changed it so that they were both treated the same.

In my area, as I told you on the floor the other day, I have an excellent restaurant, which I consider to be Class A any way you

look at it. It is a good restaurant. They do a lot of business, and they see fit to have a malt beverage license, and not a liquor license. Under the present law they cannot serve beer on Sunday. And yet the restaurant just down the road from them, who chooses to have the liquor license, can serve malt beverages on Sunday.

I think that this clears up an area of — it is a problem area that we did not foresee when the Sunday sale bill was passed. I hope that you will vote against the gentleman's motion for indefinite postponement, and let's put these Class A restaurants on the same footing. Thank you.

The SPEAKER: The Chair recognizes the gentleman from Kittery, Mr. Dennett.

Mr. DENNETT: Mr. Speaker and Members of the House: I arise in support of the motion made by the gentleman from Eliot, Mr. Hichens. This is not a strange alliance. I think that you all know how I feel about the Sunday liquor bill. I was a sponsor of the bill. But I sponsored the bill with the understanding, and I stood in this very place and told you so, that this bill was a bill to allow the sale of liquor on Sunday in hotels, class A restaurants, and private clubs; that under no circumstances would it be extended to the so-called restaurants, because this was the understanding that I received from the parties that were most interested in this bill.

I will tell you frankly, I am greatly concerned at this bill before us here this morning. I have a very great feeling that someone is trying to make me a patsy. And you know what the word patsy means. I am very very much disturbed.

Now in regard to the argument that is put forth by the gentleman from Southwest Harbor, and I do have it straight this morning, it is not Southeast Harbor, and neither is he the Minority Leader, I am going to get my talk straight this morning. Now, if these few places that are seeking this special legislation want to sell beer on Sunday, they can sell by simply taking out a Class A restaurant license. If they qualify for a

Class A license, they can have one. Now, they do not have to sell strong drinks so-called. There is nothing in the law that says a Class A restaurant has to sell spirituous and vinous liquors. They can confine themselves to beer if that is all they wish to sell. Over and above the cost of this bill as contemplated, it would cost them \$1.46 a day to take out a regular Class A license within the spirit and meaning of the law that has already been enacted.

Now, regardless of anything, the argument does not hold that they can be closed on Sunday. If they want to have a Class A restaurant license, and want to confine the sales to beer, they can do so. This is apparently just a little special legislation for a very few places to save somebody \$1.46 a day, and break faith with the people of the State of Maine.

I certainly hope that when the vote is taken, you will vote to indefinitely postpone this legislation, because here it was only a few short months ago that we stood before this body and asked them for this, and gave a solemn pledge that it was not to include the monkey-business that is coming forth today. Thank you.

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

Mr. MARQUIS: Mr. Speaker and Ladies and Gentlemen of the House: What we have left of L. D. 1728 is basically what I wanted when I went into committee. Section 1 of the L. D., if you look at it, has been deleted by a Senate Amendment. Section 2 which is actually the fee, has been reduced from \$400 to \$200 by a Committee Amendment.

Now, what do we have left of L. D. 1728? We have a new license for Class A restaurants. I must repeat, this is Class A restaurants doing a minimum of \$40,000 worth of food on the premises, not to include take-out service. These are Class A restaurants that now fully qualify under existing provisions set forth by the state statutes, and the State Liquor Commission. But because there was an admitted mistake in not recognizing this license this is why I have introduced

this legislation, in order that all Class A restaurants may have the equal opportunity to do business as given to you, for an example, by Representative Benson.

Therefore, you can see where the inconsistency is in a matter of licenses. And in order to help rectify this matter, and to avoid further confusion between the licensee and the liquor commission, I have introduced this piece of legislation.

Now, we have been told here this morning by the gentleman, Mr. Hichens, from Eliot, he is calling these establishments. These are not establishments, these are Class A restaurants. We have also been told that if they want to sell beer on Sunday, they can buy a license that costs them \$1.47 a day. The fact of the matter is, it is \$750 a year more.

Now, I have been told by the Liquor Commission that if they get a Class A V&S license they must carry booze, which is hard liquor. Now there are many restaurants in the state that do not want to get involved with hard liquor. They have been doing beer business six days a week. They are Class A restaurants. They would now like to do the business the same as other Class A restaurants on the seventh day, without the hard liquor.

I certainly hope that no one here in this hall believes that there is any more written into this piece of legislation than actually exists. There are those who may have ideas that there are other implications. But again, I assure you no other intent is being made to open up the liquor laws, other than giving equality to all Class A restaurants who are issued malt beverage licenses. Thank you.

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

Mr. BENSON: Mr. Speaker and Members of the House: If there is a group of cats around here trying to make a patsy out of the gentleman from Kittery, Mr. Dennett, I wish them good luck. I am not one of them.

My understanding of this bill is that it does not go beyond the Class A restaurant serving malt

beverage. It does not go beyond that. We are still talking about a Class A restaurant under the law, doing \$40,000 of business in food, and we do not go beyond that with this bill.

Now, when the Sunday liquor law was enacted, no additional license charge was made to the licensee for the privilege of selling liquor on Sunday. We are now saying to Class A restaurants wishing to serve malt beverage only, that if they want to serve it on Sunday, they have to pay an additional license charge. I don't think that you are using these two licensees, these two categories of licensees equally. Now if it does anything other than this, then I am mistaken. But I just believe that we are using the malt beverage licensee for Class A restaurants the same as we used the Class A liquor licensee when we passed the Sunday liquor bill.

The SPEAKER: The Chair recognizes the gentleman from Strong, Mr. Dyar.

Mr. DYAR: Mr. Speaker and Members of the House: It is my understanding that this act would clarify the present laws on the books. And I have to wholeheartedly agree with the gentlemen from Lewiston and Southwest Harbor that this, if passed, would clarify this law, and also end the discrimination between the restaurants, and the discrimination even down to the level of the patrons.

At present, if a person wishes to patronize a restaurant with a Class A—with a malt license, he would be unable to buy on Sunday, where if he cared for that drink he would have to go to a Class A restaurant that had the proper license. I feel that we are not actually extending our laws here in the state, we are merely clarifying this law and ending this discrimination.

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

Mr. HICHENS: Mr. Speaker and Ladies and Gentlemen of the House: The gentleman from Lewiston has denied that we would be setting up a new category and I would direct your attention to



Chapter 17, sub-chapter 1 of the liquor laws, which has the list of these establishments, or restaurants, or hotels, whatever you may want to call them, and their fees.

There is public service for spirituous and vinous liquors, public service for malt liquor, restaurant Class A, and then restaurant for malt liquor only. There is no such category restaurant for Class A selling malt liquors only. This would be setting up a brand new category if this was passed.

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

Mr. MARQUIS: Mr. Speaker and Members of the House: I am not going to disagree with the gentleman. I think he is right. But he said restaurant Class A. If he had read a little bit further he would have read restaurant Class A spirituous and vinous. What we are trying to do is establish a restaurant Class A malt liquor to go along with that license. Because now the restaurants are holding the restaurant malt liquor, so he can be a restaurant doing \$40 a week worth of food, or \$40,000 a year worth of food. This is where the difference lies. We want to create a Class A restaurant malt liquor license. Thank you.

The SPEAKER: The pending question is on the motion of the gentleman from Eliot, Mr. Hichens, that Item 10, Bill "An Act relating to Fee for Class A Restaurants Serving Malt Liquor" House Paper 1379, L. D. 1728, be indefinitely postponed. He further requests that the vote be taken by roll call. For the Chair to order a roll call it must have the expressed desire of one fifth of the members present and voting. All members desiring a roll call vote 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 the desire for a roll call, a roll call was ordered.

The SPEAKER: The pending question is on the motion of the gentleman from Eliot, Mr. Hichens, that the Bill be indefinitely postponed. If you are in favor of indefinite postponement you will

vote yes; if you are opposed you will vote no.

**ROLL CALL**

YEA — Allen, Baker, Barnes, Berman, Birt, Bragdon, Buckley, Bunker, Carrier, Casey, Chick, Clark, H. G.; Corson, Crommett, Curtis, Dennett, Donaghy, Dudley, Durgin, Erickson, Eustis, Evans, Farnham, Finemore, Foster, Hanson, Harriman, Haskell, Hawkens, Henley, Hewes, Hichens, Huber, Immonen, Lawry, Lewin, Lewis, Lincoln, Marstaller, McNally, Meisner, Millett, Mitchell, Mosher, Norris, Page, Porter, Pratt, Rand, Richardson, G. A.; Ross, Sahagian, Scott, C. F.; Snow, Starbird, Stillings, Temple, Tyndale, White, Wight, Williams, Wood.

NAY — Benson, Bernier, Binnette, Boudreau, Bourgoin, Brennan, Brown, Burnham, Carey, Carter, Clark, C. H.; Coffey, Cote, Cottrell, Couture, Cox, Croteau, Cummings, Curran, Cushing, D'Alfonso, Danton, Drigotas, Dyar, Emery, Faucher, Fecteau, Fortier, A. J.; Fortier, M.; Fraser, Gauthier, Giroux, Goodwin, Hall, Hardy, Jalbert, Jameson, Jutras, Kelleher, Kelley, K. F.; Keyte, Kilroy, Laberge, Lebel, Lee, Liebowitz, LePage, Levesque, Lund, MacPhail, Marquis, Martin, McKinnon, McTeague, Mills, Moreshead, Morgan, Nadeau, Noyes, Ouellette, Payson, Quimby, Richardson, H. L.; Ricker, Rideout, Rocheleau, Santoro, Shaw, Sheltra, Soulas, Susi, Tanguay, Thompson, Vincent, Wheeler.

ABSENT — Bedard, Chandler, Crosby, Dam, Gilbert, Good, Heselton, Hunter, Johnston, Kelley, R. P.; Scott, G. W.; Trask, Waxman.

Yes, 62; No, 75; Absent, 13.

The SPEAKER: Sixty-two having voted in the affirmative and seventy-five having voted in the negative, the motion does not prevail.

Thereupon, the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

An Act Clarifying the Laws Relating to Parks, Squares and Playgrounds (H. P. 1400) (L. D. 1756)

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

**Enactor  
Tabled Until Later in Today's  
Session**

An Act relating to Permits for Dredging and Erection of Causeways, Docks, etc. in Tributaries of Great Ponds (H. P. 1414) (L. D. 1781)

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

(On motion of Mr. Martin of Eagle Lake, tabled until later in today's session pending passage to be enacted)

**Orders of the Day**

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

Joint Order re establishing a State operated liquor store in Lubec (H. P. 1437)

Tabled—January 21, by Mr. Jalbert of Lewiston.

Pending—Passage.

On motion of Mr. Lund of Augusta, referred to the Committee on Appropriations and Financial Affairs and sent up for concurrence.

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

HOUSE REPORT — Committee on Health and Institutional Services on Bill "An Act Exempting Volunteer Fire Department Ambulance Service from Licensing Law" (H. P. 1329) (L. D. 1658) reporting "Leave to Withdraw", as covered by other legislation.

Tabled—January 21, by Mr. Dudley of Enfield.

Pending—Acceptance.

On motion of Mr. Dudley of Enfield, the Committee Report was accepted and sent up for concurrence.

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

MAJORITY REPORT (9)—Committee on Highways on Bill "An Act to Authorize the Issuance of Bonds in the Amount of Nineteen Million Five Hundred Thousand Dollars on Behalf of the State of Maine to Build State Highways" (S. P. 551) (L. D. 1626) reporting "Ought to pass" in a new draft

(S. P. 626) (L. D. 1801) under same title and MINORITY REPORT (1) reporting "Ought not to pass" (In Senate, Majority Report accepted and Bill passed to be engrossed.)

Tabled — January 21, by Mr. Farnham of Hampden.

Pending — Motion of Mr. Wood of Brooks to accept Majority Report in concurrence.

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

Mr. RICHARDSON: Mr. Speaker and Ladies and Gentlemen of the House: I am going to suggest to each of you members of the House, as I have already to several members of the Highway Committee, that we simply allow this bill to go along to the enactment stage. Prior to that time I am hopeful that we will be able to have a combined bipartisan caucus at which we can go through this bill in considerable detail and defer debate on the merits of the measure until after we have had such a meeting and debate it at enactment.

I move the pending question.

Thereupon, the Majority "Ought to pass" Report was accepted in concurrence and the Bill read twice. Under suspension of the rules the Bill was read the third time, passed to be engrossed and sent to the Senate.

By unanimous consent, the foregoing papers were ordered sent forthwith to the Senate.

**(Off Record Remarks)**

On motion of Mr. Richardson of Cumberland,

Recessed until four o'clock in the afternoon.

**After Recess**

4:00 P.M.

The House was called to order by the Speaker.

Supplement No. 1 was taken up.

**Enactor Amended**

Resolve to Loan Funds from the Unappropriated Surplus for the Construction of an International Ferry Terminal (H. P. 1310) (L. D. 1624)

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

On motion of Mr. Benson of Southwest Harbor, under suspension of the rules, the House reconsidered its action of January 13 whereby the Resolve was passed to be engrossed.

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

Mr. BENSON: Mr. Speaker, I now offer House Amendment "A" under filing number H-653 and move its adoption and would speak to the motion.

House Amendment "A" (H-653) was read by the Clerk.

The SPEAKER: The gentleman may proceed.

Mr. BENSON: Mr. Speaker and Members of the House: The amendment under Filing Number H-653 would reduce the amount from \$800,000 to \$400,000, and it would be a \$400,000 grant, and not an interest-free loan as we have been talking about in the original bill.

Many times one has to compromise in order to satisfy both sides, and this is the case today. I don't think that I should expand on it any more than to say that the city slickers have kind of taken us poor country boys over, and we are willing to compromise to this extent. And I wish to publicly state that I wish Portland every success in the operation of the second ferry terminal from Portland to Yarmouth, Nova Scotia.

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

Mr. JALBERT: Mr. Speaker and Members of the House: I would commend the gentleman from Southwest Harbor, Mr. Benson. I think this is a very fine solution to the problem, and I certainly hope that this amendment has passage.

The SPEAKER: The Chair recognizes the gentleman from Portland, Mr. D'Alfonso.

Mr. D'ALFONSO: Mr. Speaker and Ladies and Gentlemen of the House: As the sponsor of this legislation I was fully informed as to the amendment. We are per-

fectly agreeable with it, and I ask all of those who have been supporting me, and the people of the State of Maine, to support this amendment.

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

Supplement No. 2 was taken up.

**Papers from the 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 Resolve Appropriating Funds for Purchase of Equipment at Washington County Vocational - Technical Institute (S. P. 587) (L. D. 1742)

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

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

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

Report of the Committee on Judiciary on Bill "An Act relating to Place of Hearings on Post-Conviction Cases" (S. P. 572) (L. D. 1699) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

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

In the House, the Report was read and accepted in concurrence and the Bill read twice. Committee Amendment "A" (S-381) was read by the Clerk 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.

**Leave to Withdraw**

**Covered by Other Legislation**

Report of the Committee on Appropriations and Financial Affairs on Bill "An Act Appropriating Funds for Construction of a Library Wing at the University of Maine at Augusta" (S. P. 595) (L. D. 1766) reporting "Leave to Withdraw", as covered by other legislation.

Came from the Senate read and accepted.

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

**Ought to Pass**

**Passed to Be Engrossed**

Report of the Committee on Natural Resources reporting "Ought to pass" on Bill "An Act relating to Grants and Interest-free Loans for Preliminary Planning of Pollution Abatement Facilities" (S. P. 584) (L. D. 1711)

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

**Divided Report**

Majority Report of the Committee on State Government reporting "Ought to pass" on Bill "An Act Creating a Commission to Study Means of Increasing the Effectiveness and Capability of the Maine Legislature" (S. P. 604) (L. D. 1784)

Report was signed by the following members:

- Messrs. WYMAN of Washington
- BELIVEAU of Oxford
- of the Senate,
- Messrs. RIDEOUT of Manchester
- MARSTALLER
- of Freeport
- 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 Bill.

Report was signed by the following members:

- Mr. LETOURNEAU of York
- of the Senate.

Messrs. DENNETT of Kittery

DONAGHY of Lubec

— of the House.

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

Reports were read.

In the House: Report was read.

On motion of Mr. Rideout of Manchester, the Majority "Ought to pass" Report was accepted in concurrence and the Bill read twice. Senate Amendment "A" (S-385) was read by the Clerk and adopted in concurrence.

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

Mr. RICHARDSON: Mr. Speaker, in view of the absence of Mr. Dennett, I would suggest that this matter be assigned for third reading the next legislative day.

Thereupon, the Bill was assigned for third reading tomorrow.

**Non-Concurrent Matter  
Tabled and Assigned**

Report of the Committee on State Government reporting "Ought not to pass" on Bill "An Act Adjusting Salaries of Certain Unclassified State Personnel" (S. P. 590) (L. D. 1745) which was recalled from the Legislative Files pursuant to Joint Order (S. P. 630)

Came from the Senate with the Bill substituted for the Report and passed to be engrossed in non-concurrence.

In the House: On motion of Mr. Rideout of Manchester, tabled pending further consideration and specially assigned for tomorrow.

**Non-Concurrent Matter**

Bill "An Act Transferring Funds for Educational Subsidy" (H. P. 1323) (L. D. 1652) which was passed to be engrossed in the House on January 21.

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

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

**Non-Concurrent Matter**

An Act relating to State-owned Motor Vehicles (H. P. 1356) (L. D.

1685) which was passed to be enacted in the House on January 14 and passed to be engrossed on January 9.

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

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

**Non-Concurrent Matter**

Report of the Committee on Education reporting "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) which was accepted in the House on January 9.

Came from the Senate with the Report and Bill recommitted to the Committee on Education in non-concurrence.

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

**Non-Concurrent Matter**

Bill "An Act to Create a School Administrative District in the Town of Madawaska" (H. P. 1403) (L. D. 1759) which was indefinitely postponed in the House on January 20.

Came from the Senate recommitted to the Committee on Education in non-concurrence.

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

Supplement No. 3 was taken up.

**House Reports of Committees  
Divided Report  
Tabled and Assigned**

Majority Report of the Committee on Appropriations and Financial Affairs reporting "Ought not to pass" on Bill "An Act to Extend Medical Assistance to the Medically Indigent" (H. P. 1397) (L. D. 1753)

Report was signed by the following members:

- Messrs. SEWALL of Penobscot
- DUNN of Oxford
- of the Senate.
- Messrs. BRAGDON of Perham
- BENSON
- of Southwest Harbor
- SAHAGIAN of Belgrade
- BIRT
- of East Millinocket
- of the House.

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

Report was signed by the following members:

- Mr. DUQUETTE of York
- of the Senate.
- Messrs. JALBERT of Lewiston
- MARTIN of Eagle Lake
- LUND of Augusta
- 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.

The SPEAKER: The gentleman from Perham, Mr. Bragdon, moves the acceptance of the "Ought not to pass" Report.

Whereupon, on motion of Mr. Jalbert of Lewiston, tabled pending the motion of the gentleman from Perham, Mr. Bragdon, that the House accept the Majority "Ought not to pass" Report and specially assigned for tomorrow.

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

Mr. Scott of Wilton from the Committee on Business Legislation on Bill "An Act to Clarify the Interest Cost for Local Industries Recreational Bonds" (H. P. 1307) (L. D. 1621) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Bill read twice. Committee Amendment "A" (H-651) was read by the Clerk and adopted. 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.

**Ought Not to Pass**

Mr. Shaw from the Committee on Legal Affairs reported "Ought not to pass" on Bill "An Act Amending the Maine Police Academy Law" (H. P. 1385) (L. D. 1734)

Report was read and accepted and sent up for concurrence.

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

Mr. Birt from the Committee on Appropriations and Financial Affairs on Bill "An Act to Provide for Black Fly Control" (H. P. 1318) (L. D. 1647) reported same in a new draft (H. P. 1433) (L. D. 1806) under same title and that it "Ought to pass"

Mr. Scott of Wilton from the Committee on Business Legislation on Bill "An Act to Make Direct Billing of Property and Casualty Insurance Voluntary" (H. P. 1387) (L. D. 1736) reported same in a new draft (H. P. 1434) (L. D. 1807) under title of "An Act relating to Direct Billing of Property and Casualty Insurance" and that it "Ought to pass"

Mr. D'Alfonso from the Committee on State Government on Bill "An Act Exempting Doctors, Psychologists and Certain Classes of Social Workers from the State Personnel System" (H. P. 1304) (L. D. 1617) reported same in a new draft (H. P. 1435) (L. D. 1808) under same title and that it "Ought to pass"

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

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

An Act relating to Permits for Dredging and Erection of Causeways, Docks, etc. in Tributaries of Great Ponds (H. P. 1313) (L. D. 1781)

Pending — Passage to be enacted.

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

Mr. MARTIN: Mr. Speaker and Ladies and Gentlemen of the House: Everyone agrees that there is a need for permits to be given when someone is dredging a great pond. And it also is agreed upon that there should be permits when someone is dredging or erecting causeways and tributaries of great ponds, because of the dangers involved.

When the bill came before us, and before the committee, it was my impression an amendment would have been added on. But for some reason it was not. Now I will offer such an amendment, after my motion to reconsider is made, and would hope it would be approved. And I have, to my knowledge, checked with most people on the committee, and they seem to feel that it is agreeable.

Now the unfortunate thing is, if this bill had gone through just as it was, for example, if someone wanted to fill in a swamp, someone could argue, under the laws of the state, that it was a tributary, because the water eventually ended up in a great pond, and we would have been in trouble.

And so, Mr. Speaker, I move that we reconsider our action whereby the bill was passed to be engrossed.

Thereupon, the House reconsidered its action of yesterday whereby the Bill was passed to be engrossed.

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

House Amendment "A" (H-652) was read by the Clerk and adopted, and the Bill passed to be engrossed as amended in non-concurrence and sent up for concurrence.

On motion of Mr. Benson of Southwest Harbor,

Adjourned until eleven o'clock tomorrow morning.