

# MAINE STATE LEGISLATURE

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**Legislative Record**

OF THE

**One Hundred and Seventh Legislature**

(First Special Session)

OF THE

STATE OF MAINE

**1976**

KENNEBEC JOURNAL  
AUGUSTA, MAINE

Bill "An Act Relating to Exceptional Children" (Emergency) (H. P. 1797) (L. D. 1956) In the House, Passed to be Engrossed as amended by Committee Amendment "A" (H-1083) as Amended by House Amendment "A" (H-1104), thereto.

In the Senate, Passed to be Engrossed as amended by Committee Amendment "A" (H-1083) as Amended by House Amendment "A" (H-1104) and Senate Amendment "A" (S-497), thereto, in non-concurrence.

Pending — Further consideration.

In the House: On motion of Mr. Lynch of Livermore Falls, the House voted to recede and concur.

The Chair laid before the House the third item of Unfinished Business:

Resolution, Proposing an Amendment to the Constitution to Permit the Governor to Veto Items Contained in Bills Appropriating Money and to Permit the Legislature to Override All or Part of Such a Veto by a Two-Thirds Vote of Each House (H. P. 1981) (L. D. 2170) In the House — Failed of Final Passage

In Senate, Finally Passed in non-concurrence.

Pending — Further Consideration.

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

Mr. JALBERT: Mr. Speaker, am I correct that in my opinion it would be useless to make a motion to adhere. I think in order to put the item before us, am I correct in assuming that the motion would be that we recede and concur.

The SPEAKER: The Chair would answer in the affirmative, since the motion to recede and concur is necessary and for the motion to recede and concur to prevail, we would need a two-thirds vote, since that is what is necessary for a constitutional amendment to be ratified.

Mr. JALBERT: Mr. Speaker, I move that we recede and concur and I certainly hope that you vote against my motion.

The SPEAKER: The gentleman from Lewiston, Mr. Jalbert, moves that the House recede and concur.

Whereupon, Mr. Silverman of Calais requested a roll call vote.

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 those 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 a desire for a roll call, a roll call was ordered.

The SPEAKER: The pending question is on the motion of the gentleman from Lewiston, Mr. Jalbert, that the House recede and concur. This being a Constitutional Amendment, it requires a two-thirds vote of those present and voting. All those in favor of receding and concurring will vote yes; those opposed will vote no.

#### ROLL CALL

YEA — Berry, G. W.; Berry, P. P.; Berube, Birt, Blodgett, Boudreau, Bowie, Burns, Carpenter, Churchill, Connors, Cox, Curtis, Doak, Dow, Durgin, Dyer, Farley, Farnham, Fenlason, Finemore, Fraser, Garsoe, Gauthier, Goodwin, K.; Gould, Gray, Greenlaw, Henderson, Higgins, Hunter, Hutchings, Immonen, Jackson, Jacques, Joyce, Kany, Kaufman, Kelley, Laffin, Laverty, Leonard, Lewin, Lewis, Littlefield, Lovell, Lunt, Lynch, MacEachern, Mackel, MacLeod, McBairty, McMahon, Miskavage, Morin, Morton, Palmer, Pelosi, Perkins, S.; Perkins, T.; Peterson, T.; Rideout, Rollins, Shute, Silverman, Snow, Snow, Spencer, Sprowl, Stubbs, Tarr, Teague, Tozier, Tyndale, Webber, The Speaker.

NAY — Albert, Ault, Bachrach, Bagley, Bustin, Call, Carey, Carroll, Carter, Chonko, Clark, Connolly, Cooney, Cote, Curran, P.; Curran, R.; Davies, Drigotas, Dudley,

Flanagan, Goodwin, H.; Hall, Hennessey, Hobbins, Ingegneri, Jalbert, Jensen, Kelleher, Kennedy, LaPointe, LeBlanc, Lizotte, Mahany, Martin, A.; Martin, R.; Maxwell, Mills, Mitchell, Mulhern, Nadeau, Najarian, Norris, Pearson, Peterson, P.; Post, Powell, Raymond, Rolde, Saunders, Talbot, Theriault, Tierney, Torrey, Truman, Twitchell, Usher, Wagner, Walker, Wilfong, Winship.

ABSENT — Bennett, Byers, Dam, DeVane, Faucher, Hewes, Hinds, Hughes, McKernan, Peakes, Pierce, Quinn, Smith, Strout, Susi. Yes, 76; No, 60; Absent, 15.

The SPEAKER: Seventy-six having voted in the affirmative and sixty in the negative, with fifteen being absent, the motion does not prevail.

Thereupon, the House voted to adhere.

The Chair laid before the House the fourth item of Unfinished Business:

Bill, "An Act to Clarify the Fish and Game Laws" (H. P. 1933) (L. D. 2121) (C "B" H-1050)

Pending — Acceptance of report of Committee on Bills in the Second Reading

Was reported by the Committee on Bills in the Second Reading and read the second time.

On motion of Mr. Connors of Franklin, the House reconsidered its action whereby Committee Amendment "B" was adopted.

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

House Amendment "A" to Committee Amendment "B" (H-1068) was read by the Clerk.

The SPEAKER: The Chair recognizes the gentleman from Franklin, Mr. Connors.

Mr. CONNORS: Mr. Speaker, Ladies and Gentlemen of the House: Under Committee Amendment "B", there is an increase in the stamp for Atlantic salmon fishing from \$1 to \$5 for the resident and \$15 to \$20 for the nonresident. I believe that this is in excess, and I have contacted a number of salmon fishermen and the Narraguagas Salmon Association and a group of sportsmen's clubs in Machias, and they are all opposed to any increase in the salmon stamp. Also, we have a number of youngsters who spend a good many hours learning to fly fish for the Atlantic salmon. I would certainly hope that you will support my amendment so that these youngsters will have a chance to fish without excess spending on their license.

As you know, our new laws and regulations increasing the fishing license for the nonresident has already gone up this year over 70 percent, and we also have an increase in the resident fishing license, so I see no need for this drastic increase and I hope that you will support this amendment.

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

Mr. FINEMORE: Mr. Speaker and Members of the House: I haven't got the amendment before me because I sent out for it, I am sorry for that, but there is one thing that I would like to say. I don't believe we should let our nonresidents in here and fish for salmon that cost us about a hundred dollars a salmon to raise and keep it going when over in Canada, you step across the line from my place, they are \$75, plus a guide, to fish for these salmon in Canada, with the exception of a designated place. You can go to them and they will designate one place that you can fish, and that usually is where there aren't any salmon. So you have got to have a license and a guide in order to fish where there is salmon.

I believe that if we are going to raise money for the Fish and Game Department, this is one place to do it. I believe the one to five for a resident, if it includes children, is a little too high. Maybe up to 16 years old there could be a change there, but to lower this any lower for the

nonresidents. I think any increase we put on them is that much more money for us. I think we are spending practically 70, 80 or 90 percent of every dollar we receive from the out-of-state fellows to put this back for them. We aren't realizing a big profit on them. We think a fishing license or hunting license is extremely high for them and we are making a lot of money, but this is not true. We are spending that much money, especially on salmon. I hope you stop and think what it costs us to raise salmon.

I have the amendment before me now, but it still doesn't show the things I really wanted, but that is perfectly all right. This morning, I would move for indefinite postponement of this amendment.

The SPEAKER: The gentleman from Bridgewater, Mr. Finemore, moves the indefinite postponement of House Amendment "A" to Committee Amendment "B".

The Chair recognizes the gentleman from Bar Harbor, Mr. MacLeod.

Mr. MacLEOD: Mr. Speaker, Ladies and Gentlemen of the House: I have a little personal interest in this salmon tax stamp, as it was a bill that I sponsored in the regular session. It was brought to my attention, and I have caught a lot of barrage about it over the short time that it has been on, because it was put on in Washington County primarily, where the salmon rivers are.

We do have a program to bring back the Atlantic salmon which at one time apparently our rivers had a great many of. They are a great game fish, as many of you know. I am not even a fisherman, but I think that any of you that are can appreciate this great game fish.

I will agree with Mr. Finemore that Canada does charge tremendous license fees, and this was primarily the reason why I put on a dollar, and at that time I had suggested a \$10 nonresident tax stamp on the Atlantic salmon. The small funds generated would go to help the Atlantic Salmon Commission with a little bit of money which, I am told, is used in the spring of the year to repair some of their dams and fishways and that type of thing.

It is not a big generator of money. When it was put on, somehow in the bill it got written \$15 dollars, and of course, this right away drew the ire of a lot of small clubs down in that area who have a larger membership, as I understand, from out-of-state fishermen. There was a crowded situation on the rivers and my feeling was in putting the stamp on that maybe we might thin out one or two fishermen, which maybe isn't right, maybe that isn't the right attitude, but at least we were doing something for this wonderful game fish.

The ink isn't even dry on the tax stamp when now there is an increase on it. I just don't feel at this time — I would go along with the Representative from Franklin who is very well acquainted with this and the people involved because it is in his district, and I agree with Mr. Finemore on one hand, but I don't think that you should be bumping these things up just in the length of time we have gone from the regular session to the special session.

I would hope that you could support Mr. Connors' amendment to hold it for a little while at a dollar and \$15. As I said, I had originally suggested a dollar and \$10, but somewhere the department, in the printing of the bill, it came out a dollar and \$15, so it is \$5 higher than I wanted it originally, and maybe some day we will have to go to this and get it a little higher, but I think for the meantime, for the few rivers involved, the clubs that are there, this is a reasonable amount, but I do not go along with \$5 to our residents and \$20 for nonresidents at this time. We have just had an increase here on all their licenses and we are going to drive these people out of the state. I know this department