

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

LEGISLATIVE RECORD

OF THE

*One Hundred and Second
Legislature*

OF THE

STATE OF MAINE

1965

DAILY KENNEBEC JOURNAL
AUGUSTA, MAINE

HOUSE

Wednesday, March 10, 1965

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

Prayer by the Rev. Fr. Ernest L'Heureux of the Notre Dame Church, Waterville.

The journal of yesterday was read and approved.

Papers from the Senate Senate Reports of Committees Leave to Withdraw

Report of the Committee on State Government on Resolve Proposing an Amendment to the Constitution to Elect the Secretary of State (S. P. 45) (L. D. 216) reporting Leave to Withdraw.

Came from the Senate read and accepted.

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

Ought to Pass in New Draft

Report of the Committee on Business Legislation on Bill "An Act relating to Loans by Banks to Development Credit Corporation of Maine" (S. P. 182) (L. D. 547) reporting same in a new draft (S. P. 450) (L. D. 1385) under same title and that it "Ought to pass"

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

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

Ought to Pass Printed Bills

Report of the Committee on Judiciary reporting "Ought to pass" on Bill "An Act Providing Remedies for the Unauthorized Practice of Law" (S. P. 283) (L. D. 850)

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

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

Report of the Committee on Legal Affairs reporting "Ought to pass" on Bill "An Act relating to Executions on Civil Judgment" (S. P. 232) (L. D. 690)

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

In the House, the Report was read.

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

Mr. LUND: Mr. Speaker and Ladies and Gentlemen of the House: I wish to move indefinite postponement of L. D. 90 and I would like to speak on that question.

The SPEAKER: The gentleman may proceed.

Mr. LUND: Referring to L. D. 90, the change in the law which would be effected by this bill, which relates to executions on civil judgments, would be that the present three-month effective period of the judgment would be renewed—would be removed and the judgment would be good indefinitely — the execution would be good indefinitely.

Not having heard the testimony before the committee I am not entirely sure if I believe that this bill would also apply to capias executions. Now for those of us who are not familiar with capias executions, a capias execution is one which authorizes the creditor to seize the person who is the debtor and throw him in jail. At the present time the use of these executions is very properly limited and after three months the execution would have to be renewed before it could be put into effect. I would think to remove entirely the time limitation on the effectiveness of an execution would be bad legislation and I would therefore move its indefinite postponement.

The SPEAKER: The question before the House is on the motion of the gentleman from Augusta, Mr. Lund, that this bill and its accompanying papers be indefinitely postponed.

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

Mr. RICHARDSON: Mr. Speaker, Ladies and Gentlemen of the House: This bill, the correct number of which is L. D. 690, "An Act relating to Executions on Civil Judgment," changed the law as pointed out by the gentleman from Augusta, Mr. Lund and would permit the holder of a judgment for a capias execution, which as has been pointed out permits the creditor to grab the debtor and put him in jail, would change the law so that he can have this thing, as far as this bill that has been proposed is concerned, forever, and hound the man. Now maybe they shouldn't be required to renew these executions every three months, maybe the time should be extended; but certainly I am very much opposed and I think that the membership of this House should be opposed to removing all restrictions and permitting the creditor to hound the man literally forever. Therefore, I join the gentleman from Augusta, Mr. Lund, in urging you to vote to indefinitely postpone this bill.

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

Mr. LIBHART: Mr. Speaker, Members of the House: I am reminded of my colleague from Bath, Mr. Ross, in his statement made concerning my colleagues in the legal profession the other day and I think that his remarks had a great deal of merit and whenever we see lawyers disagreeing as I am going to with my brother, Mr. Lund from Augusta and my brother, Mr. Richardson from Cumberland, I am sure that this enhances what he says. But what has been said shows a misunderstanding at least of what actually is going on here. This came before our committee, Legal Affairs, and it came out unanimous "ought to pass," and we looked into it thoroughly before we reported it out. Now this bill does not make judgments good forever. This is ridiculous. Judgments are good for twenty years; read the books, there it is. The only thing this bill does is it eliminates the requirement of the sheriff bringing the capias or the judgment back to the lawyer to have

him write on it—nothing paid, Mr. Clerk, please renew. That's all the lawyer has to do, and it eliminates this requirement.

Now, the intent of the bill simply is to make the sheriff's task easier. If the sheriff doesn't do his job properly, he is liable to civil suit. The judgment time is not extended. All we're doing here is trying to clear up something in the law that has been there for two or three hundred years and is no longer necessary.

THE SPEAKER: Is the House ready for the question? The question before the House is on the motion of the gentleman from Augusta, Mr. Lund, that this Bill "An Act relating to Executions on Civil Judgment," Senate Paper 232, L. D. 690 and all its accompanying papers be indefinitely postponed. All those in favor of this bill and its accompanying papers being indefinitely postponed will say aye; those opposed will say nay.

A viva voce vote being taken, the motion did not prevail.

Thereupon, the Bill was given its two several readings and assigned for third reading the next legislative day.

Report of the Committee on Legal Affairs reporting "Ought to pass" on Bill "An Act relating to Valuation of Shares of Joint Owners for Inheritance Tax Purposes." (S. P. 233) (L. D. 691)

Report of same Committee reporting same on Bill "An Act Permitting Municipalities to Provide for Single Assessor." (S. P. 245) (L. D. 755)

Report of the Committee on Towns and Counties reporting same on Bill "An Act Increasing Payments to Lincoln County Law Library." (S. P. 253) (L. D. 763)

Report of same Committee reporting same on Bill "An Act relating to Approval of Appointment of Assistant County Attorney for Kennebec County." (S. P. 299) (L. D. 913)

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

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

the Bills read twice and assigned the next legislative day.

On motion of the gentlewoman from Bangor, Mrs. Ruby, House Rule 25 was suspended for the remainder of today's session in order to permit smoking.

The SPEAKER: The Chair at this time would like to recognize in the balcony of the House twenty pupils of the Problems of Democracy Class of Searsport High School, accompanied by their Principal, Robert Perkins, and Teacher Clayton Blood. They are the guests of the gentleman from Frankfort, Representative Mitchell. On behalf of the House, the Chair welcomes you and we hope that your visit will be both educational and enjoyable. (Applause)

At the same time the Chair would like to recognize in the balcony of the House twenty-eight pupils from the 7th and 8th Grades of the Bowdoin Central School, Bowdoin, accompanied by their teacher Roland Foster. And they are the guests of the gentleman from Bowdoinham, Mr. Millay. On behalf of the House, the Chair welcomes you and we hope that your visit will be both educational and enjoyable. (Applause)

Ought to Pass with Committee Amendment

Report of the Committee on Legal Affairs on Bill "An Act relating to Duties of Pawnbrokers." (S. P. 207) (L. D. 588) 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" was read by the Clerk as follows:

COMMITTEE AMENDMENT "A" to S. P. 207, L. D. 588, Bill, "An Act Relating to Duties of Pawnbrokers."

Amend said Bill, in the 6th line, by striking out the underlined words "chief of police" and insert-

ing in place thereof the underlined words "town clerk or the city clerk"

Committee Amendment "A" was adopted in concurrence and the Bill assigned for third reading the next legislative day.

Report of the Committee on Legal Affairs on Bill "An Act relating to Publication of Foreclosure Notices" (S. P. 208) (L. D. 589) 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" was read by the Clerk as follows:

COMMITTEE AMENDMENT "A" to S. P. 208, L. D. 589, Bill, "An Act Relating to Publication of Foreclosure Notices."

Amend said Bill in the 7th and 8th lines by striking out the underlined words and punctuation "giving preference to a newspaper published closest to the premises in the county,"

Committee Amendment "A" was adopted in concurrence and the Bill assigned for third reading the next legislative day.

Report of the Committee on Legal Affairs on Bill "An Act relating to Term of Single Municipal Assessors" (S. P. 246) (L. D. 756) 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" was read by the Clerk as follows:

COMMITTEE AMENDMENT "A" to S. P. 246, L. D. 756, Bill, "An Act Relating to Term of Single Municipal Assessors."

Amend said Bill in the last line by striking out the underlined word "of" and inserting in place

thereof the underlined words '**not exceeding**'

Committee Amendment "A" was adopted in concurrence and the Bill assigned for third reading the next legislative day.

Report of the Committee on Legal Affairs on Bill "An Act relating to Boards of Assessment Review in Certain Municipalities" (S. P. 247) (L. D. 757) 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" was read by the Clerk as follows: COMMITTEE AMENDMENT "A" to S. P. 247, L. D. 757, Bill, "An Act Relating to Boards of Assessment Review in Certain Municipalities."

Amend said Bill, in the 4th line, by striking out the underlined word "**Cities**" and inserting in place thereof the underlined word '**Municipalities**'

Committee Amendment "A" was adopted in concurrence and the Bill assigned for third reading the next legislative day.

Report of the Committee on Towns and Counties on Bill "An Act Authorizing Androscoggin County to Raise Money for Garage and Court House Capital Improvements." (S. P. 154) (L. D. 1124) 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" was read by the Clerk as follows: COMMITTEE AMENDMENT "A" to S. P. 154, L. D. 1124, Bill, "An Act Authorizing Androscoggin County to Raise Money for Ga-

rage and Court House Capital Improvements."

Amend said Bill, in the 4th line, by striking out the figure "\$50,000" and inserting in place thereof the figure '\$60,000'; and by striking out in the 12th line the figure "\$50,000" and inserting in place thereof the figure '\$60,000'; and by striking out, in the 21st line, the figure "\$5,000" and inserting in place thereof the figure '\$6,000'

Committee Amendment "A" was adopted in concurrence and the Bill assigned for third reading the next legislative day.

Report of the Committee on Towns and Counties on Bill "An Act relating to Ways to Great Ponds." (S. P. 252) (L. D. 762) 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" was read by the Clerk as follows: COMMITTEE AMENDMENT "A" to S. P. 252, L. D. 762, Bill, "An Act Relating to Ways to Great Ponds."

Amend said Bill, in the 6th line, by inserting after the underlined word "**trails**" the underlined punctuation and words '**, for pedestrian use only,**'

Further amend said Bill by inserting at the end before the single quotation mark the following underlined sentence: '**Sections 2051 to 2059, where not inconsistent with this section, shall apply to the proceedings under this section.**'

Committee Amendment "A" was adopted in concurrence and the Bill assigned for third reading the next legislative day.

Recommended

Report of the Committee on Legal Affairs on Bill "An Act to Clarify Condemnation of Schoolhouse Lots" (S. P. 97) (L. D. 264) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Came from the Senate with the Report read and accepted, Committee Amendment "A" adopted, and the Bill as amended by Committee Amendment "A" recommitted to the Committee on Legal Affairs.

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

Committee Amendment "A" was read by the Clerk as follows:

COMMITTEE AMENDMENT "A" to S. P. 97, L. D. 264, Bill, "An Act to Clarify Condemnation of Schoolhouse Lots."

Amend said Bill by striking out all of the Emergency Preamble and the Emergency Clause.

Further amend said Bill, in that part designated "§3562" of section 1, by striking out the underlined words "asks an unreasonable price for the property" in the 5th and 6th lines and inserting in place thereof the underlined words and figure 'or the parties are unable to agree on a price within 60 days of the first offer'; and by striking out the period at the end of said section 3562 and inserting in place thereof the following underlined words and punctuation ', and notify the recorded owner by serving, in the usual manner as provided for in the commencement in civil actions as provided by law, upon him a certified copy of the vote of the municipal officers which provides for such taking.'

Further amend said Bill, in that part designated "§3562-A" of section 1, by striking out the underlined words "asks an unreasonable price for it" and inserting in place thereof the underlined words and figure 'or the parties are unable to agree on a price within 60 days of the first offer'; and by striking out the period at the end of section 3562-A and inserting in place thereof the following underlined words and punctuation ', and notify the recorded owner by serving, in the usual manner as provided for in the commencement in civil actions as provided by law, upon him a certified copy of the vote of the municipal officers which provides for such taking.'

Further amend said Bill, in that part designated "§3563" of sec-

tion 2, by striking out all of the last underlined sentence.

Committee Amendment "A" was adopted in concurrence and, on motion of Mrs. Wheeler of Portland, the Bill as amended was re-committed to the Committee on Legal Affairs in concurrence.

Non-Concurrent Matter

Bill "An Act relating to Insurance on Public Buildings" (H. P. 852) (L. D. 1150) which was referred to the Committee on State Government in the House on February 10.

Came from the Senate referred to the Committee on Business Legislation in non-concurrence.

In the House: On motion of Mr. Scott of Wilton, the House voted to recede and concur with the Senate.

Non-Concurrent Matter

Bill "An Act relating to Registration Fee for Motor Vehicles Operated Exclusively on Certain Islands" (H. P. 1024) (L. D. 1387) which was referred to the Committee on Highways in the House on March 5.

Came from the Senate referred to the Committee on Transportation in non-concurrence.

In the House: On motion of Mr. Edwards of Portland, the House voted to recede and concur with the Senate.

Non-Concurrent Matter

An Act Permitting Merger of Maine General Hospital with Maine Medical Center (S. P. 69) (L. D. 130) which was passed to be enacted in the House on February 24 and passed to engrossed on February 19.

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

In the House: On motion of Mr. Levesque of Madawaska, the House voted to recede and concur with the Senate.

Non-Concurrent Matter

Bill "An Act relating to Investigation in Divorce Cases Involving Child Custody" (S. P. 410) (L. D.

1306) which was referred to the Committee on Judiciary in non-concurrence in the House on February 24.

Came from the Senate with that body voting to insist on its former action whereby the Bill was referred to the Committee on Appropriations and Financial Affairs.

In the House: On motion of Mr. Levesque of Madawaska, the House voted to recede and concur with the Senate.

Non-Concurrent Matter

Report "A" of the Committee on Liquor Control reporting "Ought to pass" on Bill "An Act Regulating Liquor Salesmen" (H. P. 755) (L. D. 992) and Report "B" reporting "Ought not to pass" which Reports and Bill were re-committed to the Committee on Liquor Control in the House on March 5.

Came from the Senate with Report "B" accepted in non-concurrence.

In the House:

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

Mr. LUND: Mr. Speaker, Ladies and Gentlemen of the House: This bill was supposed to have been reported out of committee accompanied by the committee amendment. By administrative error, the amendments did not accompany the bill and I now move that it be recommitted to the Liquor Control Committee.

The SPEAKER: The Chair understands the gentleman from Augusta, Mr. Lund, now moves that we insist on our former action. Does the gentleman request a Committee of Conference?

Mr. Lund: Yes, sir.

The SPEAKER: The gentleman from Augusta requests a Committee of Conference. Is this the pleasure of the House?

The motion prevailed.

On the disagreeing action of the two branches of the Legislature on Bill "An Act Increasing Fees of Innkeepers and Victualers," Senate Paper 226, L. D. 685, the Speaker appointed the following

Conferees on the part of the House:

Messrs. BLOUIN of Sanford
FAUCHER of Solon
POULIN of Skowhegan

On the disagreeing action of the two branches of the Legislature on Bill "An Act Approving the Course of Study in Private Schools," Senate Paper 87, L. D. 231, the Speaker appointed the following Conferees on the part of the House:

Messrs. BERRY of Cape Elizabeth
LENT of Scarborough
GRAHAM of Freeport

Petitions, Bills and Resolves Requiring Reference

The following 2 Bills, approved by a majority of the Committee on Reference of Bills for appearance on House Calendar, less than one-tenth of the members present objecting, were received and referred to the following Committees:

Business Legislation

Bill "An Act Increasing Amount of Property of Bethlehem Lodge, No. 35 A. F. and A. M. (H. P. 1027) (Presented by Mr. Katz of Augusta)

(Ordered Printed)

Sent up for concurrence.

Taxation

Bill "An Act Exempting Text-books Used in Schools of Higher Education from Sales Tax" (H. P. 1028) (Presented by Mr. Cottrell of Portland)

(Ordered Printed)

Sent up for concurrence.

Orders

On motion of Mr. Haugen of South Portland, it was

ORDERED, that Rev. Roy A. Bredholt of the First Lutheran Church of Portland be invited to officiate as Chaplain of the House on Tuesday, April 27, 1965.

On motion of Mr. Conley of Portland, it was

ORDERED, that Jeffrey Edwards of Falmouth be appointed

to serve as Honorary Page for today.

The SPEAKER: Jeffrey is the brother of the gentleman from Portland, Mr. Edwards; and Jeffrey, on behalf of the House, we are most honored that you will be acting as one of our Honorary Pages today. (Applause)

On motion of Mrs. Ruby of Bangor, it was

ORDERED, that the ladies of the House extend sincere thanks to an anonymous gentleman for the lovely corsages received today.

On motion of Mr. Fecteau of Biddeford, it was

ORDERED, that Rev. Raoul A. Fecteau of St. Matthew's Parish, Limerick, be invited to officiate as Chaplain of the House on Wednesday, April 21, 1965.

Mr. Lund of Augusta was granted unanimous consent to address the House briefly.

Mr. LUND: Mr. Speaker and Ladies and Gentlemen of the House: Last week I received a notice to appear before the Liquor Control Committee on a bill which I sponsored, An Act Clarifying the Offense of Procuring Liquor for Certain Persons. It was set for hearing March 9, yesterday, and I appeared. Shortly after receiving this notice I received another notice from the Committee on Judiciary requesting that I appear before that Committee on March 10 on an Act Clarifying the Offense of Procuring Liquor for Certain Persons. I expect that perhaps I will be appearing this afternoon before the Judiciary on that bill. I thought possibly there might be a mistake in the notices and so I looked at the schedule and I found that indeed the same bill was scheduled for hearing for Liquor Control on Tuesday and Judiciary on Wednesday, which leads me to pose this question, since the session is going along so fast, is it the intention of the Majority Party to schedule each bill for hearing twice?

The SPEAKER: I am quite sure that the leadership of both parties

will take the gentleman's remarks into consideration.

We are proceeding under orders.

The SPEAKER: The Chair at this time would request the Sergeant-at-Arms to escort the gentleman from Cape Elizabeth, Mr. Berry, to the rostrum for the purpose of acting as Speaker pro tem.

Thereupon, Mr. Berry assumed the Chair as Speaker pro tem and Speaker Childs retired from the Hall.

House Reports of Committees Leave to Withdraw

Mr. Nadeau from the Committee on Highways on Bill "An Act relating to Time of Keeping Open Turnpike Exit to Scarborough Downs" (H. P. 809) (L. D. 1101) reported Leave to Withdraw.

Report was read and accepted and sent up for concurrence.

Ought Not to Pass Tabled and Assigned

Mr. Dudley from the Committee on Highways reported "Ought not to pass" on Bill "An Act to Amend the Powers and Duties of the State Highway Commission" (H. P. 807) (L. D. 1099)

Report was read.

(On motion of Mr. Bishop of Presque Isle, tabled pending acceptance and specially assigned for Friday, March 19.)

Mr. Gaudreau from the Committee on Retirements and Pensions reported "Ought not to pass" on Bill "An Act relating to Restoration to Service under State Retirement Law" (H. P. 847) (L. D. 1148)

Report was read and accepted and sent up for concurrence.

Covered by Other Legislation

Mr. Gaudreau from the Committee on Retirements and Pensions reported "Ought not to pass" on Bill "An Act relating to Service Retirement of Enforcement Officers of Departments of Inland Fisheries and Game and Sea and Shore Fisheries" (H. P. 247) (L. D. 315), as covered by other legislation.

Report was read and accepted and sent up for concurrence.

**Ought to Pass
Printed Bills
Recommended**

Mr. Avery from the Committee on Business Legislation reported "Ought to pass" on Bill "An Act relating to Definition of Securities under Dealers in Securities Law" (H. P. 622) (L. D. 829)

Report was read.

The SPEAKER pro tem: The Chair recognizes the gentleman from Sanford, Mr. Bernard.

Mr. BERNARD: Mr. Speaker, Ladies and Gentlemen of the House: After conferring with the committee we find that there is an error in this report. I move that we send this report and the bill back to the committee.

Thereupon, the Bill was recommended to the Committee on Business Legislation and sent up for concurrence.

Mr. Hunter from the Committee on Retirements and Pensions reported "Ought to pass" on Bill "An Act relating to Out-of-State Service Credit for Teachers under State Retirement System" (H. P. 653) (L. D. 881)

Mr. Lang from same Committee reported same on Resolve Providing Retirement Benefit for D. Irene Carlson (H. P. 287) (L. D. 369)

Mr. Pitts from the Committee on State Government reported same on Bill "An Act relating to Reimbursement of Daily Travel Expenses in Lieu of Housing Expenses" (H. P. 601) (L. D. 793)

Mr. Starbird from same Committee reported same on Resolve Authorizing State Tax Assessor to Convey Land in Portland to Edward F. Lally of Winthrop, Massachusetts (H. P. 604) (L. D. 796)

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

**Ought to Pass with
Committee Amendment**

Mr. Scott from the Committee on Business Legislation on Bill

"An Act Concerning Insider Trading of Domestic Stock Insurance Company Equity Securities" (H. P. 796) (L. D. 1073) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and sent up for concurrence.

Committee Amendment "A" was read by the Clerk as follows: COMMITTEE AMENDMENT "A" to H. P. 796, L. D. 1073, Bill, "An Act Concerning Insider Trading of Domestic Stock Insurance Company Equity Securities."

Amend said Bill by inserting after that part designated "Sec. 3002" the following new section: 'Sec. 3003. Proxies

The Insurance Commissioner may, by regulation, prescribe the form, content and manner of solicitation of any proxy, consent or authorization in respect of any voting security issued by a domestic insurer as necessary or appropriate in the public interest or for the proper protection of investors in the voting securities issued by such insurer, or to insure the fair dealing in such voting securities.

No person and no domestic insurer or any director, officer or employee of such insurer shall solicit or permit the use of his name to solicit by mail or otherwise, any person to give any proxy, consent or authorization in respect of any voting security issued by such insurer in contravention of any rule or regulation the commissioner may prescribe pursuant to this section.

Failure to comply with any rule or regulation of the commissioner made pursuant to this section shall be unlawful and any proxy or consent obtained in violation of this section or in contravention of any rule or regulation issued pursuant thereto shall be void. Any domestic insurer or any person, who is legally entitled to vote, consent or authorize by virtue of being the holder of record of such a voting security, or the commissioner, if any of the foregoing parties shall fail to act within 15 days after the date on which such vote was cast or counted, may enforce compliance with the rules

and regulations made pursuant to this section, by appropriate civil action, provided no action shall be brought more than 30 days after the date on which such vote, consent or authorization was to have been effected.

None of the provisions of this section shall apply to voting securities of a domestic insurer if such voting securities shall be registered pursuant to section 12 of the Securities Exchange Act of 1934, as amended.

The term "voting security" as used in this section shall mean any instrument which, in law or by contract, gives the holder the right to vote, consent or authorize any corporate action of an insurer.'

Further amend said Bill by re-numbering sections 3003 to 3007 to be sections 3004 to 3008.

Committee Amendment "A" was adopted and the Bill assigned for third reading the next legislative day.

Mr. Buck from the Committee on Retirements and Pensions on Bill "An Act relating to Retirement Benefits for Fish and Game Wardens and Coastal Wardens under State Retirement System" (H. P. 369) (L. D. 471) 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" was read by the Clerk as follows: COMMITTEE AMENDMENT "A" to H. P. 369, L. D. 471, Bill, "An Act Relating to Retirement Benefits for Fish and Game Wardens and Coastal Wardens Under State Retirement System."

Amend said Bill, in section 1, by striking out all of the last underlined paragraph and inserting in place thereof the following:

"Anything to the contrary notwithstanding, each warden in the Department of Inland Fisheries and Game and each warden in the Department of Sea and Shore Fisheries shall, beginning the first full week after the effective date of this Act, make an 8% contribution of earnable compensation

to the retirement system as long as he is employed as a warden.' "

Further amend said Bill, in section 2, by striking out all of the last underlined paragraph and inserting in place thereof the following:

" 'D. Any law enforcement officer in the Department of Inland Fisheries and Game and any law enforcement officer in the Department of Sea and Shore Fisheries may retire at attained age 50 or upon completion of 25 years of total creditable service as a law enforcement officer in the Department of Inland Fisheries and Game or a law enforcement officer in the Department of Sea and Shore Fisheries, whichever is the later. Retirement shall be compulsory at the attainment of age 60. Except that any law enforcement officer in the Department of Inland Fisheries and Game and any law enforcement officer in the Department of Sea and Shore Fisheries who will not attain the 25 years of creditable service at age 60 may be permitted to continue in his employment until age 63 in order to obtain the 25 years of creditable service necessary. The total amount of the service retirement allowance of a law enforcement officer retired in accordance with this paragraph shall be equal to 1/2 of his current annual salary.' "

Committee Amendment "A" was adopted and the Bill assigned for third reading the next legislative day.

Divided Report Tabled and Assigned

Majority Report of the Committee on State Government on Resolve Authorizing the Director of the Bureau of Public Improvements to Convey Certain Land in Hallowell to City of Hallowell (H. P. 551) (L. D. 722) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was signed by the following members:

Messrs. STERN of Penobscot
MAXWELL of Franklin
WILLEY of Hancock
—of the Senate.

Messrs. PITTS of Harrison
DOSTIE of Lewiston
EDWARDS of Portland
KATZ of Augusta
LIBHART of Brewer
—of the House.

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

Report was signed by the following members:

Messrs. STARBIRD
of Kingman Township
BERRY of Cape Elizabeth
—of the House.

Reports were read.

(On motion of Mr. Gifford of Manchester, tabled pending acceptance of either Report and specially assigned for Tuesday, March 16.)

The SPEAKER pro tem: At this time, the Chair wishes to acknowledge the presence in the gallery of a group of four attractive ladies studying government from the office of the Legislative Research Director. (Applause)

Passed to Be Engrossed

Bill "An Act relating to Applications for School District Formation" (H. P. 580) (L. D. 772)

Bill "An Act Providing Only One Way to Split a General Election Ballot" (H. P. 884) (L. D. 1181)

Bill "An Act to Clarify Certain Portions of Election Laws Relating to Ballots" (H. P. 907) (L. D. 1235)

Bill "An Act Prohibiting the Solicitation of Votes from Persons in Mental Hospitals" (H. P. 909) (L. D. 1237)

Bill "An Act relating to Religious Confessionals as Privileged Communications" (H. P. 1013) (L. D. 1352)

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

Third Reader Amended

Resolve Transferring Corinna Union Academy to Town of Corinna (H. P. 610) (L. D. 802)

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

Mr. Bradstreet of Newport offered House Amendment "A" and moved its adoption.

House Amendment "A" was read by the Clerk as follows:

HOUSE AMENDMENT "A" to H. P. 610, L. D. 802, Resolve, Transferring Corinna Union Academy to Town of Corinna.

Amend said Resolve by inserting after the Title the following:

'Emergency preamble. Whereas, Acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted or passed as emergencies; and

Whereas, a study is now being conducted by the Town of Corinna with other neighboring towns to determine the feasibility of forming a School Administrative District; and

Whereas, if said towns so decide to form a School Administrative District, Corinna Union Academy must be administered by the district; and

Whereas, it is vital that the following legislation be passed before the completion of said study; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore, be it'

Further amend said Resolve by adding at the end thereof the following:

'Emergency clause. In view of the emergency cited in the preamble, this resolve shall take effect when approved.'

House Amendment "A" was adopted, the Resolve passed to be engrossed as amended and sent to the Senate.

The SPEAKER pro tem: The Chair would like to acknowledge the presence in the gallery of forty-three pupils from Camden High School, Junior History Class, with their teacher, Miss Faith Vautour, and their chaperones accompanying them. These students are the guests of Representative Albert Haynes of Camden.

On behalf of the House the Chair wishes to welcome you here and

trusts you will enjoy and profit by your stay. (Applause)

Amended Bills Tabled and Assigned

Bill "An Act to Provide for Establishment of a Veterans Memorial Cemetery" (S. P. 157) (L. D. 397)

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

(On motion of Mr. Poulin of Skowhegan, tabled pending passage to be engrossed and specially assigned for Friday, March 19.)

Tabled and Assigned

Bill "An Act Providing Complimentary Fishing Licenses for Persons Over Seventy Years of Age" (H. P. 630) (L. D. 837)

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

(On motion of Mr. Anderson of Ellsworth, tabled pending passage to be engrossed and specially assigned for Friday, March 12.)

Passed to Be Enacted

An Act to Create the Mapleton Sewer District (H. P. 426) (L. D. 569)

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.

At this point, Speaker Childs returned to the rostrum.

The SPEAKER: The Chair would like to thank the gentleman from Cape Elizabeth, Mr. Berry, for acting as Speaker pro tem, and congratulates him on the fine job that he did, particularly when the Chair gave him little or no advance notice.

Thereupon, the Sergeant-at-Arms escorted the gentleman from Cape Elizabeth, Mr. Berry, to his seat on the Floor, amid applause of the House, and Speaker Childs resumed the Chair.

The SPEAKER: The House will be in recess for a few moments.

After Recess

The House was called to order by Speaker Childs.

The SPEAKER: The Chair at this time would like to recognize in the balcony of the House four pupils from the Government Class of Williams High School of Oakland. They are Jane Mosher, Carolyn Kelley, Gerald Groder and Harry Isbister, and they are accompanied by Mrs. Mahew and they are the guests of Representative Fortier of Waterville.

On behalf of the House the Chair welcomes you and we hope that your visit will be both educational and enjoyable. (Applause)

Orders of the Day

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

HOUSE DIVIDED REPORT — Majority (17)—"Ought not to pass"—Minority (3)—"Ought to pass"—Committees on Agriculture and Business Legislation jointly on Bill "An Act Repealing Milk Control Prices at the Retail Level." (H. P. 25) (L. D. 203)

Tabled — February 24 by Mrs. Carswell of Portland.

Pending—Acceptance of Either Report.

The SPEAKER: The Chair recognizes the gentlewoman from Portland, Mrs. Carswell.

Mrs. CARSWELL: Mr. Speaker and Members of the House. Many members have asked to me to have this bill retabled because they do want to give it a lot more thought, and for that reason, I would hope that somebody would retable this.

The SPEAKER: The Chair recognizes the gentleman from Limerick, Mr. Carroll.

Mr. CARROLL: Mr. Speaker, I request that this bill be tabled just one week, the 17th day of March.

The SPEAKER: The gentleman from Limerick, Mr. Carroll, now moves that this bill lie upon the table until the 17th day of March. Is this the pleasure of the House?

(Cries of "No")

The Chair recognizes the gentleman from Waterville, Mr. Lane, and inquires for what purpose the gentleman arises?

Mr. LANE: Mr. Speaker, Ladies and Gentlemen of the House: I ask for a roll call.

The SPEAKER: The gentleman has requested a roll call on the tabling motion. In order for the Chair to entertain the motion for a roll call, it must have an expressed desire of one-fifth of the members present.

All those in favor of a roll call will kindly rise and remain standing.

A sufficient number arose.

The SPEAKER: Obviously, more than one-fifth having arisen, a roll call is in order.

The Chair will state the question again. The question before the House is on the motion of the gentleman from Limerick, Mr. Carroll, that this matter lie on the table specially assigned for March 17, pending acceptance of either report. The Clerk will call the roll.

ROLL CALL

YEA—Anderson, Orono; Beane, Bernard, Berry, Binnette, Bishop, Blouin, Boissonneau, Bourgoin, Brennan, Bussiere, Carroll, Carswell, Champagne, Conley, Cottrell, Crommett, Curran, D'Alfonso, Danton, Drigotas, Dumont, Edwards, Eustis, Faucher, Fecteau, Fortier, Fraser, Mexico; Gauvin, Gillan, Glazier, Graham, Harvey, Bangor; Harvey, Woolwich; Haugen, Healy, Jordan, Knight, Lebel, Lent, Levesque, Lowery, Martin, McKinnon, Mitchell, Palmer, Pitts, Ruby, Searles, Sullivan, Truman, Wheeler, Wuori.

NAY — Anderson, Ellsworth; Avery, Baker, Orrington; Baker, Winthrop; Baldic, Bedard, Benson, Mechanic Falls; Benson, Southwest Harbor; Berman, Birt, Bradstreet, Bragdon, Brewer, Buck, Burwell, Carter, Cookson, Cote, Cressey, Crosby, Cushing, Davis, Dickinson, Dostie, Doyle, Drouin, Dudley, Dunn, Erwin, Evans, Farrington, Fraser, Rumford; Gaudreau, Gifford, Gilbert, Hammond, Hanson, Gardiner; Hanson, Lebanon; Harriman, Harvey, Windham; Hawes, Hawkes, Haynes, Huber, Hunter, Clinton; Hunter, Durham; Jalbert, Jewell, Katz, Kennedy, Keyte, Kilroy, Kittredge, Laberge, Lane, Lang, Lewis, Libhart, Lincoln, Littlefield, Lund, Lycette, Meisner, Millay, Mills, Mosher,

Nadeau, Norton, Payson, Peaslee, Pendergast, Pike, Poulin, Prince, Rackliff, Richardson, Cumberland; Richardson, Stonington; Roberts, Ross, Bath; Ross, Brownville; Roy, Sahagian, Sawyer, Scott, Starbird, Storm, Stoutamyer, Susi, Waltz, Ward, Watts, White, Guilford; Whittier, Wight, Presque Isle; Wood, Young.

ABSENT—Hoy.

Yes, 53; No, 96; Absent, 1.

The SPEAKER: Fifty-three having voted in the affirmative, ninety-six having voted in the negative, with one absent, the motion is lost.

The Chair recognizes the gentleman from Waterville, Mr. Lane.

Mr. LANE: Mr. Speaker and Members of the House: I know it is getting late and I am not going to make any speeches about this bill. I think every Legislator in this House knows what this bill will do for the farmers of the State of Maine, and I now move that this bill and all the accompanying papers be indefinitely postponed, and I ask for a roll call vote.

The SPEAKER: The question before the House is on the motion of the gentleman from Waterville, Mr. Lane, that this bill and its accompanying papers be indefinitely postponed, and he has requested that when the vote is taken that it be taken by the yeas and nays.

The Chair recognizes the gentleman from Portland, Mr. Edwards.

Mr. EDWARDS: Mr. Speaker, Ladies and Gentlemen of the House: Since the primary concern of the opposition for this bill is the farmers and what will happen to them, I would like to present a House amendment to this bill which I feel would answer a great deal of this problem, and I would like to ask for a five minute recess to have this amendment reproduced and distributed to the members of the House.

The SPEAKER: The gentleman from Portland, Mr. Edwards, has requested a five minute recess. It will be granted.

After Recess

The House was called to order by Speaker Childs.

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

Mr. JALBERT: Mr. Speaker, is it my understanding that the motion to indefinitely postpone the measure and all accompanying papers must be disposed of before we have this amendment presented, and if the motion to indefinitely postpone prevails, that that is the end of this measure and the amendment that would be presented?

The SPEAKER: The gentleman from Lewiston, Mr. Jalbert, has made a parliamentary inquiry which the Chair will answer. In order to present the amendment, the motion to indefinitely postpone must be defeated. If the motion to indefinitely postpone is defeated, then we would accept the bill and then the amendment would be offered. But if you are in favor of the amendment and the bill, you must vote against the motion to indefinitely postpone. Does that answer the gentleman's question?

Mr. JALBERT: Yes.

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

Mr. EDWARDS: Mr. Speaker, Ladies and Gentlemen of the House: I would like to speak to the motion to indefinitely postpone. I have before me the report of the 98th Legislature, the Interim Legislative Research Committee, the report on milk controls. These are the findings of this Committee, in summary:

"Evidence taken by the Committee has led to the conclusion that the people of Maine are subject to excessive price control regulation. The Committee believes that the authority of the Milk Commission should be closely adjusted to conform to the actual economic needs of the industry. An overall conclusion, concurred to in principle by all members of the Committee, is the proposition that price control at best constitutes an economic encroachment by the State and its perpetuation, based on economic need, should be subject to continuous scrutiny. Such an exercise of police power by the State, the Committee feels, is excusable only in instances of ex-

treme economic emergency and should be promptly abandoned the moment stability is restored."

Some of the members of this committee was the Honorable Senator from Somerset County, Roy U. Sinclair; the Honorable Senator from Androscoggin County, Gene Charles Boucher; the Honorable Senator from Somerset County, Miles F. Carpenter; former Governor and President of the Senate, Robert N. Haskell; former Speaker of the House, Willis A. Trafton, Jr., and our present Speaker of the House, Dana W. Childs.

I have also before me a publication put out by the Cooperative Extension Service of the University of Illinois, and it is called Dairy Marketing Facts. Their conclusions in a short paragraph are this:

"What should be done about state regulation of retail milk prices? The records of three decades of operation indicate that the disadvantages of state retail price control far outweigh its advantages. Hence the logical conclusion, from a public viewpoint, is that, in states where these controls are still in force, consideration should be given to eliminating them."

I will speak briefly to this amendment which I will offer if you will defeat the motion to indefinitely postpone. The primary objection of the dairymen to this bill is derived from fear. They are afraid that the milk dealers will abandon them as a source of supply if the dealers' prices are not protected. They are afraid that the dealers will go out of state to buy milk. I would point out at this time, since it is pertinent, that forty-five per cent of our milk producers today sell on the Boston market, so there is certainly no shortage of milk in the State of Maine. It also shows that forty-five per cent of our dairy economy is operating without any price controls at all from the State of Maine, without any regulation by the Maine Milk Commission.

We will be told that if this bill goes through that the dealers will buy out of state. I will point out to you that at the present time if

the dealers wish to, they can buy out of state. The purpose of this amendment, which says: "No milk shall be sold in the State of Maine unless such milk has been produced no more than 3 days prior to such sale. This section shall not apply to over-the-counter sales of milk by stores to consumers."; the purpose of this is to make it in reality impossible to buy milk from out of state, since when milk is produced it is generally kept on the farm for at least two days in bulk tanks, take another day for transportation to the dealer, and he cannot possibly under any circumstances get milk from out of state and have it on the doorstep. Therefore, this gives the farmers the protection they are seeking, and it would keep the dealers purchasing milk within the State of Maine. I thank you.

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

Mr. LIBHART: Mr. Speaker, I arise to address a parliamentary inquiry to the Chair. If we defeat the gentleman from Waterville, Mr. Lane's motion for indefinite postponement and accept the Minority Report, and this amendment is submitted, I would like a ruling as to whether or not it is germane to the bill.

The SPEAKER: At the time the amendment is presented, the Chair will make such a ruling.

The Chair recognizes the gentleman from Turner, Mr. Gilbert.

Mr. GILBERT: Mr. Speaker, Ladies and Gentlemen of the House: I can see no point in going into a lot of prerogatives here; I don't believe anybody is going to change their mind much. I can assure everyone that the amendment is not acceptable to the industry. I think we have chewed things over. I think probably the industry knows as much about their business as the gentleman from Portland does. We don't try to run the potato boys' business; we don't try to run the apple boys' business, and we don't try to run the lawyers' business. We only ask that we be allowed to run our business and we don't intend to hurt anyone, especially the consumer, because the consumer is

the one person that we have to depend on. I ask for the question.

The SPEAKER: The Chair will make an inquiry, did the gentleman move the previous question?

Mr. Gilbert nods in the affirmative.

The SPEAKER: The gentleman from Turner, Mr. Gilbert, has moved the previous question. For the Chair to entertain a motion for the previous question, it must have the consent of one-third of the members present. All those in favor of the Chair entertaining the motion for the previous question will kindly rise and remain standing until the monitors have made and returned the count.

A sufficient number arose.

The SPEAKER: Obviously, a sufficient number having arisen, the motion for the previous question is entertained.

The question now before the House is, shall the main question be put now? This question is debatable for no more than five minutes by any one member.

The Chair will request the gentleman from Madawaska, Mr. Levesque, to approach the rostrum for the purpose of serving as Speaker pro tem.

Thereupon, Mr. Levesque assumed the Chair as Speaker pro tem and Speaker Childs retired to a seat on the Floor of the House.

The SPEAKER pro tem: The Chair recognizes the gentleman from Portland, Mr. Childs.

Mr. CHILDS: Mr. Speaker and Ladies and Gentlemen of the House: I come down here, as you know, somewhat reluctantly. I know that the Speaker of the House should not engage himself in debate which is as controversial as this, but I cannot help but coming down here when I find that we are going to pass on something which is as important as this particular piece of legislation, not even giving Members of the House an opportunity to express themselves, and there are many members here who certainly should have their right to express themselves, whether they are for or against the bill.

There are certainly many of you here who do not know the merits

of this bill or what may be against the bill, and possibly you may vote against the bill when it comes to a final showdown. But I say you have an obligation to yourself and the people of the State of Maine to at least have this matter debated and have it discussed, and on the question of whether the main question should be put now, regardless of whether you are Republican or Democrat, you are a citizen of Maine and I hope you will vote against it. Thank you.

At this point, Speaker Childs returned to the rostrum.

The SPEAKER: The Chair recognizes the gentleman from Farmington, Mr. Peaslee.

Mr. PEASLEE: Mr. Speaker, I have here before me a sheaf of paper that was presented to me by one of the farmers from my territory and it expresses exactly the feelings of the entire population who are—

The SPEAKER: The Chair will inform the gentleman the only question before the House is shall the main question be put now, and the merits of the bill should not be debated at this time. The question is: shall the main question be put now?

The Chair recognizes the gentleman from Portland, Mr. Edwards.

Mr. EDWARDS: Mr. Speaker, Ladies and Gentlemen of the House: I will again remind you if the main question is now put, and you vote to indefinitely postpone this, you kill the bill completely. I think it is important —

Mr. JALBERT: Mr. Speaker!

The SPEAKER: The Chair recognizes the gentleman from Lewiston, Mr. Jalbert, and inquires for what purpose the gentleman arises?

Mr. JALBERT: The gentleman is not debating the time as to whether we should or should not put the main question now, he is debating the measure.

The SPEAKER: The Chair will inform the gentleman the only question before the House is shall the main question be put now, and the merits of the bill are not debatable.

Mr. EDWARDS: Mr. Speaker, Ladies and Gentlemen of the

House: I just wanted to point out that if the main question is put now—

Mr. JALBERT: Mr. Speaker!

The SPEAKER: I haven't had an opportunity to hear the gentleman finish before I rule, Mr. Jalbert. You may finish.

Mr. EDWARDS: I think that the House should realize that if this main question is now put, and I believe this is what we are debating —

The SPEAKER: The gentleman is in order. The gentleman may proceed.

Mr. EDWARDS: If the main question is now put, it will kill the bill. Now I think this is germane. I think that in order to give this a fair hearing, the main question should not yet be put. Thank you.

The SPEAKER: The Chair recognizes the gentlewoman from Portland, Mrs. Carswell.

Mrs. CARSWELL: Mr. Speaker and Members of the House: I am kind of shocked and surprised at this motion for the main question. I, as sponsor of the bill, haven't had an opportunity to speak on it yet, and I do hope that I will have that courtesy.

The SPEAKER: The question is, shall the main question be put now, and the Chair will order a division. All those in favor of the main question being put now will kindly rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Eighty-three having voted in the affirmative and fifty-eight having voted in the negative, the motion did prevail.

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

Mr. LEVESQUE: Mr. Speaker, I now ask that the vote be taken by the yeas and nays.

The SPEAKER: The gentleman from Madawaska, Mr. Levesque, moves that the yeas and nays be taken on the main question. The gentleman's request is in order. Under the Constitution, a roll call may be called at any time. For the Chair to order a roll call, it must have the expressed desire

of one-fifth of the members present. All those desiring a roll call will please rise and remain standing until the monitors have made and returned the count.

A sufficient number arose.

The SPEAKER: Obviously, a sufficient number having expressed a desire for a roll call, a roll call is ordered. The Chair will inform the members of the House that you are now voting on whether the main question shall be put now, and you are not voting on the bill.

The Chair will state the motion which is before the House. The motion is, shall the main question be put now? All those in favor of the main question being put now will say aye; those opposed will say nay when the roll is called. The Clerk will call the roll.

ROLL CALL

YEA — Anderson, Ellsworth; Avery, Baker, Orrington; Baker, Winthrop; Baldic, Beane, Bedard, Benson, Southwest Harbor; Berman, Bernard, Birt, Bradstreet, Bragdon, Buck, Burwell, Carter, Cookson, Cote, Cressey, Crosby, Cushing, Dickinson, Dostie, Doyle, Drouin, Dudley, Dunn, Erwin, Evans, Farrington, Fraser, Mexico; Fraser, Rumford; Gifford, Gilbert, Hammond, Hanson, Gardiner; Hanson, Lebanon; Harriman, Harvey, Windham; Hawkes, Haynes, Huber, Hunter, Clinton; Jalbert, Jewell, Katz, Kennedy, Kilroy, Littredge, Laberge, Lane, Lang, Lewis, Libhart, Lincoln, Littlefield, Lund, Lycette, Meisner, Millay, Mills, Mosher, Nadeau, Norton, Payson, Peaslee, Pendergast, Poulin, Prince, Rackliff, Richardson, Stonington; Roberts, Ross, Brownville; Roy, Sahagian, Scott, Storm, Stoutamyer, Susi, Waltz, Ward, Watts, White, Guilford; Whittier, Wight, Presque Isle; Wood.

NA Y — Anderson, Orono; Benson, Mechanic Falls; Berry, Binnette, Bishop, Blouin, Boissonneau, Bourgoin, Brennan, Brewer, Busiere, Carroll, Carswell, Champagne, Childs, Conley, Cottrell, Crommett, Curran, D'Alfonso, Danton, Davis, Drigotas, Dumont, Edwards, Faucher, Fecteau, Fort-

ier, Gaudreau, Gauvin, Gillan, Glazier, Graham, Harvey, Bangor; Harvey, Woolwich; Haugen, Hawes, Healy, Hunter, Durham; Jordan, Keyte, Knight, Lebel, Lent, Levesque, Lowery, Martin, McKinnon, Mitchell, Palmer, Pike, Pitts, Richardson, Cumberland; Ross, Bath; Ruby, Sawyer, Searles, Starbird, Sullivan, Truman, Wheeler, Wuori, Young.

ABSENT — Eustis, Hoy.

Yes, 86; No, 63; Absent, 2.

The SPEAKER: The Chair will announce the vote. Eighty-six having voted in the affirmative and sixty-three having voted in the negative, with two absentees, the main question is ordered.

The question now before the House is on the motion of the gentleman from Waterville, Mr. Lane, that this Bill "An Act Repealing Milk Control Prices at the Retail Level," House Paper 25, Legislative Document 203, and its accompanying papers be indefinitely postponed. The gentleman has requested a roll call. For the Chair to order a roll call it must have an expressed desire of one-fifth of the members present. All those desiring a roll call will kindly rise and remain standing until the monitors have made and returned the count.

A sufficient number arose.

The SPEAKER: Obviously, a sufficient number having arisen, a roll call is ordered. The Chair will state the question. The question before the House is the motion of the gentleman from Waterville, Mr. Lane, that the Bill and its accompanying papers be indefinitely postponed. The Clerk will call the roll.

ROLL CALL

YEA — Anderson, Ellsworth; Avery, Baker, Orrington; Baker, Winthrop; Baldic, Beane, Bedard, Benson, Mechanic Falls; Benson, Southwest Harbor; Berman, Bernard, Birt, Blouin, Bradstreet, Bragdon, Brewer, Buck, Burwell, Carroll, Carter, Champagne, Cookson, Cote, Cressey, Crosby, Cushing, Davis, Dickinson, Dostie, Doyle, Drouin, Dudley, Dunn, Erwin, Evans, Farrington, Faucher, Fecteau, Fraser, Mexico; Fraser, Rumford; Gaudreau, Gifford, Gil-

bert, Hammond, Hanson, Gardiner; Hanson, Lebanon; Harriman, Harvey, Windham; Hawkes, Haynes, Hunter, Clinton; Hunter, Durham; Jalbert, Jewell, Katz, Kennedy, Keyte, Kilroy, Kittredge, Laberge, Lane, Lang, Lebel, Lewis, Libhart, Lincoln, Littlefield, Lowery, Lund, Lycette, Meisner, Millay, Mills, Mosher, Nadeau, Norton, Payson, Peaslee, Pendergast, Pike, Poulin, Prince, Rackliff, Richardson, Cumberland; Richardson, Stonington; Roberts, Ross, Brownville; Roy, Ruby, Sahagian, Sawyer, Scott, Searles, Starbird, Storm, Stoutamyer, Susi, Waltz, Ward, Watts, White, Guilford; Whittier, Wight, Presque Isle; Wood, Young.

NAY—Anderson, Orono; Berry, Binnette, Bishop, Boissonneau, Bourgoin, Brennan, Bussiere, Carswell, Childs, Conley, Cottrell, Crommett, Curran, D'Alfonso, Danton, Drigotas, Dumont, Edwards, Fortier, Gauvin, Gillan, Glazier, Graham, Harvey, Bangor; Harvey, Woolwich; Haugen, Hawes, Healy, Huber, Jordan, Knight, Lent, Levesque, Martin, McKinnon, Mitchell, Palmer, Pitts, Ross, Bath; Sullivan, Truman, Wheeler, Wuori.

ABSENT—Eustis, Hoy.

Yes, 105; No, 44; Absent, 2.

The SPEAKER: The Chair will announce the vote. One hundred five having voted in the affirmative, and forty-four in the negative, with two absent, the motion does prevail.

The Chair recognizes the gentleman from Turner, Mr. Gilbert, and inquires for what purpose does the gentleman arise?

Mr. GILBERT: Mr. Speaker, I rise to make a motion that we reconsider the action just taken and I will say in support of the motion that I want it killed.

The SPEAKER: The gentleman from Turner, Mr. Gilbert, now moves we reconsider our action whereby this was indefinitely postponed. This motion is now debatable.

The question before the House is that we reconsider our action whereby this Bill was indefinitely postponed.

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

Mr. Jalbert of Lewiston requested a division.

The SPEAKER: The gentleman from Lewiston, Mr. Jalbert, requests a division.

The Chair recognizes the gentleman from Portland, Mrs. Carswell.

Mrs. CARSWELL: Mr. Speaker and Members of the House: I would hope that this would be reconsidered. However, I am not going to be so foolish as to think it will be, but I would like to say that I do feel that we have a smudgy, black mark on the record of the House of Representatives today. I represent a certain number of constituents and I had a message from those constituents to bring to the members of the House of Representatives. Having served since 1957 I can't remember when a sponsor hasn't been given the courtesy to speak on a bill.

While the vote was being taken, the roll call vote, there were gentlemen voting for this hasty action. One in particular was the gentleman from Augusta, Mr. Lund, and he has been speaking about the hasty action of the House. Well, he voted for this hasty action and I do hope that I don't hear anymore from him the rest of this session on hasty action. (Laughter and applause)

I guess I have said enough, Mr. Speaker.

The SPEAKER: Is the House ready for the question? The question before the House is that we reconsider our action whereby this was indefinitely postponed. The gentleman from Lewiston, Mr. Jalbert, has requested a division. All those in favor of reconsidering our action will kindly rise and remain standing until the monitors have made and returned the count.

The Chair recognizes the gentleman from Portland, Mr. Edwards.

Mr. EDWARDS: Mr. Speaker, Members of the House: Regardless of how the members of the House feel on the bill itself, I think that they all will agree that we have acted hastily here this morning and that the bill has not had a fair hearing. And I would think in view of this, without reflecting

your feelings on the bill at all that you will vote to reconsider this bill.

The SPEAKER: The Chair recognizes the gentleman from Waterville, Mr. Lane.

Mr. LANE: Mr. Speaker, Members of the House: I wasn't going to say anything about this bill. Some members say this bill didn't have a fair hearing. The only thing that I have heard in the Legislature since I came down here is the milk bill, the milk bill, the milk bill, and I say this bill did have a fair hearing. This bill came out of the committee, the Committee of Agriculture, unanimous "Ought not to pass." And I think these people on the Committee of Agriculture know something about the farmers' problems and they know this bill was never any good and this bill should never be in this House and that's the job they have given this today.

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

Mr. LEVESQUE: Mr. Speaker, Ladies and Gentlemen of the House: I promise you I will be very brief. By the same remarks that the gentleman from Waterville has just made, the bill undoubtedly has had a fair hearing and the legislative committee will still continue to hold fair hearings on all legislative matters before us. Although it is my sincere feeling that it has been said in the remarks made this morning by members of this House that this is a bad bill; it always has been a bad bill, nobody can say why it is a bad bill. These same people say that we cannot operate at this time; we're only operating by the depreciation of our property and this is our only source of revenue, depreciation of property as far as dealers are concerned or farmers are concerned, but yet by the same token they come and tell us that by trying to ameliorate this problem they still say it's a bad bill. I thank you.

The SPEAKER: The Chair recognizes the gentleman from Presque Isle, Mr. Bishop.

Mr. BISHOP: Mr. Speaker, Ladies and Gentlemen of the House: I would just like to say that we should reconsider our action whereby we are disposing of this bill without a full debate. If the debate in this House is of any value, and it has continued here for more than a hundred years, we should not deny ourselves this privilege. Even though it has had a hearing before committee, the debate in this House has a purpose. It stimulates thinking. It stimulates ideas. It stimulates amendments. We should not deny the people of Maine the right to the full legislative process.

The SPEAKER: The Chair recognizes the gentleman from Moscow, Mr. Beane.

Mr. BEANE: Mr. Speaker and Ladies and Gentlemen: I move that this bill be tabled until the next legislative day.

The SPEAKER: The gentleman from Moscow, Mr. Beane, now moves that this matter lie upon the table assigned for tomorrow pending reconsideration.

The Chair recognizes the gentleman from Waterville, Mr. Lane.

Mr. Lane of Waterville requested a division.

The SPEAKER: The gentleman from Waterville, Mr. Lane, has requested a division on the tabling motion. All those in favor of this bill lying upon the table assigned for tomorrow will kindly rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Forty-eight having voted in the affirmative and ninety-nine having voted in the negative, the tabling motion did not prevail.

The SPEAKER: The question before the House is on the motion of the gentleman from Turner, Mr. Gilbert, that we reconsider our action whereby this bill was indefinitely postponed and the gentleman from Lewiston, Mr. Jalbert has requested a division. All those in favor of reconsidering our action will kindly rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Forty-nine having voted in the affirmative and ninety-five having voted in the negative, the motion did not prevail.

Sent up for concurrence.

On motion of Mr. Jalbert of Lewiston,

Adjourned until Friday, March 12, at nine-thirty o'clock in the morning.