

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Ninety-Seventh Legislature

OF THE

STATE OF MAINE

1955

DAILY KENNEBEC JOURNAL
Augusta, Maine

HOUSE

Wednesday, February 9, 1955

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

Prayer by the Rev. Mr. Verne Morey of Bridgton Congregational Church.

The journal of the previous session was read and approved.

Papers from the Senate

From the Senate:

Bill "An Act Increasing the Salary of the Commissioner of Agriculture" (S. P. 173) (L. D. 425)

Bill "An Act Appropriating Moneys for Supplemental Appropriation for Treasurer of State" (S. P. 176) (L. D. 428)

Resolve in favor of the Greater Portland Public Development Commission (S. P. 174) (L. D. 426)

Resolve providing for Emergency Repairs and Construction at Pownal State School (S. P. 175) (L. D. 427)

Came from the Senate referred to the Committee on Appropriations and Financial Affairs.

In the House, referred to the Committee on Appropriations and Financial Affairs in concurrence.

From the Senate:

Resolve in favor of Bernard L. Smith, of Madison (S. P. 202)

Came from the Senate referred to the Committee on Claims.

In the House, referred to the Committee on Claims in concurrence.

From the Senate:

Bill "An Act relating to Minimum Salaries of Teachers" (S. P. 178) (L. D. 431)

Bill "An Act relating to Commissioner of Education, Deputy Commissioner and Directors" (S. P. 179) (L. D. 430)

Resolve Continuing Unexpended Balances for Repairs and Construction in Certain State Institutions (S. P. 177) (L. D. 429)

Came from the Senate referred to the Committee on Education.

In the House, referred to the Committee on Education in concurrence.

From the Senate:

Bill "An Act relating to Rules and Regulations of the Department of

Inland Fisheries and Game" (S. P. 180) (L. D. 432)

Bill "An Act Excluding Outboard Motors from Jurisdiction of Public Utilities Commission" (S. P. 182) (L. D. 434)

Bill "An Act relating to Hunting of Woodcock" (S. P. 183) (L. D. 435)

Bill "An Act to Revise the Inland Fish and Game Laws" (S. P. 184) (L. D. 436)

Bill "An Act relating to Possession of Gill Nets" (S. P. 185) (L. D. 437)

Bill "An Act relating to Size of Fish and Number and Weight of Catch" (S. P. 186) (L. D. 438)

Bill "An Act relating to Complimentary Fishing and Hunting Licenses" (S. P. 187) (L. D. 439)

Resolve Regulating Fishing for White Perch in Washington County (S. P. 181) (L. D. 433)

Came from the Senate referred to the Committee on Inland Fisheries and Game.

In the House, referred to the Committee on Inland Fisheries and Game in concurrence.

From the Senate:

Joint Resolution Proposing an Amendment to the Constitution of the United States Relative to the Treaty Making Power (S. P. 188) (L. D. 440)

Bill "An Act relating to Salaries of Registers of Deeds and Clerk Hire and Indexes of Records" (S. P. 169) (L. D. 450)

Bill "An Act relating to Night Hunting" (S. P. 189) (L. D. 441)

Bill "An Act relating to Operation of Motor Vehicles to Endanger Persons and Property" (S. P. 190) (L. D. 442)

Bill "An Act relating to Persons Found Intoxicated in Motor Vehicles" (S. P. 191) (L. D. 443)

Bill "An Act relating to Blood Tests in Drunken Driving as Evidence" (S. P. 192) (L. D. 444)

Bill "An Act relating to Payment of Alimony and Support of Minor Children" (S. P. 193) (L. D. 447)

Bill "An Act relating to Children Caring for Parents" (S. P. 194) (L. D. 445)

Came from the Senate referred to the Committee on Judiciary.

In the House, referred to the Committee on Judiciary in concurrence.

From the Senate:

Bill "An Act to Prevent the Pollution of the Waters of Sebago Lake" (S. P. 195) (L. D. 446)

Came from the Senate referred to the Committee on Natural Resources.

In the House, referred to the Committee on Natural Resources in concurrence.

From the Senate:

Resolve providing for State Pension for Myrtle Kittredge of Hallowell (S. P. 209)

Came from the Senate referred to the Committee on Retirements and Pensions.

In the House, referred to the Committee on Retirements and Pensions in concurrence.

From the Senate:

Bill "An Act Increasing the Salary of the Recorder of the Augusta Municipal Court" (S. P. 198) (L. D. 448)

Came from the Senate referred to the Committee on Towns and Counties.

In the House, referred to the Committee on Towns and Counties in concurrence.

From the Senate:

Bill "An Act relating to Pauper Relief" (S. P. 199) (L. D. 449)

Came from the Senate referred to the Committee on Welfare.

In the House, referred to the Committee on Welfare in concurrence.

Senate Report of Committee Refer to Committee

Report of the Committee on Transportation on Bill "An Act Repealing Obsolete Highway Laws" (S. P. 115) (L. D. 278) reporting that same be referred to the Committee on Highways.

Came from the Senate with the Report read and accepted.

In the House, the Report was read and accepted and the Bill referred to the Committee on Highways in concurrence.

The SPEAKER: The Chair understands that in the balcony of the Hall of the House are pupils of the Eighth Grade of the Farmingdale School escorted by Mrs. Willis and

former Representative Clayton Smith. On behalf of the House, the Chair extends to you a most cordial welcome. (Applause)

Petitions, Bills and Resolves Requiring Reference

The following Bills and Resolves were received and, upon recommendation of the Committee on Reference of Bills, were referred to the following Committees:

Agriculture

Bill "An Act relating to Tuberculosis Tests for Cattle" (H. P. 511) (Presented by Mr. Brockway of Milo)

(Ordered Printed)

Bill "An Act relating to Annual Meeting of Board of Veterinary Examiners" (H. P. 512) (Presented by Mr. Martin of West Gardiner)

(Ordered Printed)

Bill "An Act relating to Time of Examination by Board of Veterinary Examiners" (H. P. 513) (Presented by same gentleman)

(Ordered Printed)

Sent up for concurrence.

Appropriations and Financial Affairs

Bill "An Act to Create the Department of Industry and Commerce and to Amend the Laws Relating to the Department of Labor and Industry and Maine Development Commission to Conform Thereto" (H. P. 514) (Presented by Miss Cormier of Rumford)

(Ordered Printed)

Bill "An Act Increasing the Salary of the Bank Commissioner" (H. P. 515) (Presented by Mr. Wade of Auburn)

(Ordered Printed)

Resolve in favor of the Several Academies, Institutes and Seminaries (H. P. 516) (Presented by Mr. Flynn of South Berwick)

(Ordered Printed)

Resolve for the Purchase of One Hundred Copies of "Genealogical History of Morrill, Maine" (H. P. 517) (Presented by Mr. Knight of Searsmont)

(Ordered Printed)

Resolve relating to Construction of a Road and Terminal in City of

Rockland (H. P. 518) (Presented by Mr. Stilphen of Rockland)
(Ordered Printed)
Sent up for concurrence.

Claims

Resolve in favor of Ronald A. Faulkinham of Belfast (H. P. 519) (Presented by Mr. Greene of Belfast)

(Ordered Printed)

Resolve to Reimburse George H. Morong, of Portland (H. P. 520) (Presented by Mr. McGlauffin of Portland)

(Ordered Printed)

Resolve to Reimburse Milliken Memorial Hospital for Care of Certain Paupers (H. P. 521) (Presented by Mr. Soule of Merrill)

(Ordered Printed)

Resolve in favor of West Shore Hotel Company (H. P. 522) (Presented by Mr. Sanborn of Baldwin)

(Ordered Printed)

Resolve in favor of Raoul Michaud of Soldier Pond (H. P. 523) (Presented by Mr. Cyr of Fort Kent by request)

Resolve to Reimburse H. D. Stevens, D. O., Smyrna Mills, for Medical Aid to Certain Paupers (H. P. 524) (Presented by Mr. Soule of Merrill)

Resolve in favor of the Town of Oakfield (H. P. 525) (Presented by same gentleman)

Resolve in favor of Dr. John D. Denison of Patten (H. P. 526) (Presented by same gentleman)

Sent up for concurrence.

Education

Bill "An Act relating to Tuition of Students Living on Chebeague Island, Cumberland County" (H. P. 527) (Presented by Mr. Call of Cumberland)

(Ordered Printed)

Sent up for concurrence.

Highways

Resolve Designating New Bridge at Dresden as "Dresden Memorial Bridge" (H. P. 528) (Presented by Mr. Hilton of Bremen)

(Ordered Printed)

Sent up for concurrence.

Inland Fisheries and Game

Resolve to Simplify the Open Water Fishing Laws by Counties (H.

P. 529) (Presented by Mr. Potter of Medway)

(1,000 copies Ordered Printed)

Resolve to Simplify the Ice Fishing Laws by Counties (H. P. 530) (Presented by same gentleman)

(1,000 copies Ordered Printed)

Bill "An Act relating to Open Season on Otter" (H. P. 531) (Presented by Mr. Call of Cumberland)

(Ordered Printed)

Bill "An Act relating to Bows for Hunting Carried in Motor Vehicles" (H. P. 532) (Presented by Mr. Cates of East Machias)

(Ordered Printed)

Bill "An Act relating to Hunting of Partridge and Pheasants" (H. P. 533) (Presented by Mr. Harnden of Rangeley)

(Ordered Printed)

Bill "An Act relating to the Taking of Minnows for Bait" (H. P. 534) (Presented by Mr. Kinch of Livermore Falls)

(Ordered Printed)

Bill "An Act relating to Hunting for Raccoons at Night" (H. P. 535) (Presented by Mr. Stilphen of Rockland)

(Ordered Printed)

Resolve Closing Alewife Pond in Kennebunk to Ice Fishing (H. P. 536) (Presented by Mr. Bibber of Kennebunkport)

(Ordered Printed)

Resolve Regulating Fishing in Little Jim Pond, Franklin and Somerset Counties (H. P. 537) (Presented by Mr. Jennings of Strong by request)

(Ordered Printed)

Resolve Regulating Fishing in Cobbosseecontee Stream in Kennebec County (H. P. 538) (Presented by Mr. Martin of West Gardiner)

(Ordered Printed)

Resolve Regulating Fishing in Kennebec County (H. P. 539) (Presented by Mr. Maxwell of Winthrop)

(Ordered Printed)

Sent up for concurrence.

Judiciary

Bill "An Act relating to Actions Against Towns for Slippery Sidewalks" (H. P. 540) (Presented by Mr. Dumais of Lewiston)

(Ordered Printed)

Bill "An Act relating to Service of Process on Nonresidents Operat-

ing Aircraft" (H. P. 541) (Presented by Mr. Earles of South Portland)

(Ordered Printed)

Sent up for concurrence.

Labor

Bill "An Act relating to Compensation for Total Incapacity under The Workmen's Compensation Act" (H. P. 542) (Presented by Mr. Letourneau of Sanford)

(Ordered Printed)

Bill "An Act relating to the Payment of Benefits under Employment Security Law" (H. P. 543) (Presented by Mr. Walls of Milinocket)

(Ordered Printed)

Sent up for concurrence.

Legal Affairs

Bill "An Act relating to Membership on Harness Racing Commission (H. P. 544) (Presented by Mr. Cote of Lewiston)

(Ordered Printed)

Bill "An Act Setting Off Part of Berwick to South Berwick, York County" (H. P. 545) (Presented by Mr. Flynn of South Berwick)

(Ordered Printed)

Sent up for concurrence.

Liquor Control

Bill "An Act relating to Appointment of Liquor Inspectors" (H. P. 546) (Presented by Mr. Flynn of South Berwick)

(750 copies Ordered Printed)

Bill "An Act providing for Tax on Nonreturnable Malt Liquor Bottles" (H. P. 547) (Presented by Mr. Winchenpaw of Friendship)

(750 copies Ordered Printed)

Sent up for concurrence.

Natural Resources

Resolve Authorizing the State Board of Education to Convey Certain Land in Fort Kent to the Town of Fort Kent (H. P. 548) (Presented by Mr. Cyr of Fort Kent)

(Ordered Printed)

Sent up for concurrence.

Public Health

Bill "An Act relating to Instruction in Schools of Barbering" (H. P. 549) (Presented by Mr. Hanson of Gardiner)

(750 copies Ordered Printed)

Bill "An Act relating to Compensation and Inspections of State Board of Barbers and Hairdressers" (H. P. 550) (Presented by same gentleman)

(750 copies Ordered Printed)

Bill "An Act relating to Registration for Barbers and Apprentice Barbers" (H. P. 551) (Presented by same gentleman)

(750 copies Ordered Printed)

Bill "An Act relating to Time of Examinations for Barbers" (H. P. 552) (Presented by same gentleman)

(750 copies Ordered Printed)

Sent up for concurrence.

Retirements and Pensions

Resolve providing for State Pension for Roland Shaw of Farmingdale (H. P. 553) (Presented by Mr. Allen of Chelsea)

Resolve providing for State Pension for Richard A. Holbrook of Livermore Falls (H. P. 554) (Presented by Mr. Kinch of Livermore Falls)

Resolve providing for State Pension for John Kidder of Dixfield (H. P. 555) (Presented by Mr. Howard of Dixfield)

Resolve providing for State Pension for Barbara Anne Parlin of Norway (H. P. 556) (Presented by Mr. Pike of Waterford by request)

Resolve providing for an Increase in State Pension for John C. Prescott of East Corinth (H. P. 557) (Presented by Mr. Rich of Charleston)

Resolve in favor of R. Clifton Burnell of East Sebago (H. P. 558) (Presented by Mr. Sanborn of Baldwin)

Resolve providing for an Increase in State Pension for Bertha F. Foster of Auburn (H. P. 559) (Presented by Mr. Wade of Auburn)

Resolve providing for an Increase in State Pension for Elizabeth Kavanaugh of Millinocket (H. P. 560) (Presented by Mr. Walls of Millinocket)

Sent up for concurrence.

Sea and Shore Fisheries

Resolve relating to Smelt Fishing in East Machias River (H. P. 561)

(Presented by Mr. Cates of East Machias)
(Ordered Printed)
Sent up for concurrence.

Taxation

Tabled and Assigned

Bill "An Act relating to Failure of Towns to Remit Dog License Fees" (H. P. 562) (Presented by Mr. Brockway of Milo)

(On motion of Mr. Brockway of Milo, tabled pending reference to a Committee, ordered printed and specially assigned for tomorrow.)

Bill "An Act relating to Tax Exemptions for Veterans in Joint Property" (H. P. 563) (Presented by Mr. Jennings of Strong)

(Ordered Printed)

Bill "An Act to Amend the Bracket Schedule in the Sales and Use Tax Law" (H. P. 564) (Presented by Mr. Willey of Ellsworth)

(Ordered Printed)

Sent up for concurrence.

Towns and Counties

Bill "An Act relating to Salary of Judge of Probate of Androscoggin County" (H. P. 565) (Presented by Mr. Cote of Lewiston)

(Ordered Printed)

Bill "An Act Increasing Salary of Register of Deeds of Northern Registry, Aroostook County" (H. P. 566) (Presented by Mr. Cyr of Fort Kent)

(Ordered Printed)

Bill "An Act Increasing the Salary of the Clerk of Courts of York County" (H. P. 567) (Presented by Mr. Valley of Sanford)

(Ordered Printed)

Sent up for concurrence.

Transportation

Bill "An Act relating to Registration of Motor Vehicles Registered in Another State" (H. P. 568) (Presented by Mr. Greene of Belfast)

Bill "An Act relating to Binding of Logs and Lumber on Motor Vehicles" (H. P. 569) (Presented by same gentleman)

(Ordered Printed)

Sent up for concurrence.

Welfare

Bill "An Act relating to Certain Plantations Maintaining Paupers"

(H. P. 570) (Presented by Mr. Williams of Hodgdon)

(Ordered Printed)

Sent up for concurrence.

Orders

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

ORDERED, that Mr. Alden of Gorham be excused from attendance for the duration of his illness; and be it further

ORDERED, that the Clerk of the House be directed to send flowers to Mr. Alden and express to him the sympathy of the members of the House, together with their hopes for a very speedy recovery.

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

House Reports of Committees Ought to Pass Printed Bills

Mr. Carter from the Committee on Highways reported "Ought to pass" on Bill "An Act Correcting Appropriations for Snow Removal to Conform with New State Valuation" (H. P. 98) (L. D. 106)

Mr. Dunn from same Committee reported same on Resolve Reappropriating Road Resolve Funds in Town of Carmel (H. P. 100) (L. D. 108)

Mr. Higgins from same Committee reported same on Resolve Designating Fore River Bridge in Cumberland County as The Veterans Memorial Bridge (H. P. 55) (L. D. 61)

Reports were read and accepted, the Bill read twice, the Resolves read once and tomorrow assigned.

The SPEAKER: It is called to the attention of the Chair that we have in the balcony of the Hall of the House fifty-five students of the Problems of Democracy Class from Deering High School under the supervision of Mr. Elliot and Mrs. Cowan. On behalf of the House, the Chair extends to you a most cordial welcome. (Applause)

Mr. Butler from the Committee on Veterans and Military Affairs re-

ported "Ought to pass" on Bill "An Act relating to Eligibility for Aid for Veterans and their Dependents" (H. P. 31) (L. D. 41)

Report was read and accepted, the Bill read twice and tomorrow assigned.

Divided Report Tabled and Assigned

Majority Report of the House Select Committee on Re-apportionment on Resolve to Apportion One Hundred and Fifty-one Representatives Among the Several Counties, Cities, Towns, Plantations and Classes in the State of Maine (H. P. 22) (L. D. 37) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was signed by the following members:

Messrs. STANLEY of Hampden
HOWARD of Dixfield
WILLEY of Ellsworth
HILTON of Bremen
CASWELL of New Sharon
KIMBALL of Dayton
GREENE of Belfast
LATNO of Old Town
ELWELL of Brooks
CIANCHETTE of Pittsfield
FULLER of South Portland
ALBERT of Augusta
EDWARDS of Raymond
DUQUETTE of Biddeford
ANDERSON of Greenville
BOWIE of Durham

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

Report was signed by the following members:

Messrs. GARDNER of Hartland
CURTIS of Bowdoinham
CYR of Fort Kent
WINCHENPAW of Friendship
ROGERSON of Houlton
BEAL of Lisbon
PALMETER of Meddybemps

Reports were read.

The SPEAKER: The Chair recognizes the gentleman from Hampden, Mr. Stanley.

Mr. STANLEY: Mr. Speaker, due to the fact that many of the members of the various county delegations have not had an opportunity to

present their amendments for intra-county apportionment, I ask that House Paper 22, L. D. 37, and its accompanying paper lie on the table pending the acceptance of either report and be specially assigned for Wednesday next.

The SPEAKER: The gentleman from Hampden, Mr. Stanley, moves that Item 5, House Divided Report, be tabled pending acceptance of either report and be specially assigned for Wednesday next. Is this the pleasure of the House?

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

Mr. CHILDS: Mr. Speaker, realizing the importance of this matter and realizing that —

The SPEAKER: The Chair will call to the attention of the gentleman the rule that the only matter subject to debate is the time for the matter to lie on the table.

Mr. CHILDS: I realize that, thank you, Mr. Speaker. I move that it be specially assigned for next Wednesday at 10:30.

The SPEAKER: The question before the House is on the motion of the gentleman from Hampden, Mr. Stanley, that Item 5, House Divided Report, with accompanying papers, lie on the table pending acceptance of either report and be specially assigned for next Wednesday.

The Chair recognizes the gentleman from Hampden, Mr. Stanley.

Mr. STANLEY: Mr. Speaker, I will amend my motion to make it ten o'clock Wednesday.

The SPEAKER: The Chair understands that the gentleman from Hampden, Mr. Stanley, moves that the matter lie on the table pending acceptance of either report and be specially assigned for next Wednesday. If the gentleman cares to have a specific time next Wednesday assigned, it will be necessary to obtain unanimous consent of the House. Otherwise, it comes up under Orders of the Day in the usual procedure. Does the gentleman care to alter his motion?

Mr. STANLEY: Mr. Speaker, I think I will leave my original motion.

The SPEAKER: The question before the House is on the motion of the gentleman from Hampden, Mr. Stanley, that this matter lie on the table pending acceptance of either report and be specially assigned for

Wednesday next. Is this the pleasure of the House?

The motion prevailed and the House Divided Report with accompanying papers was tabled pending acceptance of either Report and was specially assigned for Wednesday, February 16.

Passed to Be Engrossed

Bill "An Act Repealing the Law Prohibiting the Use of Motor Vehicles on a Certain Road in the Town of North Haven" (H. P. 18) (L. D. 17)

Bill "An Act relating to Stipend to Agricultural Societies" (H. P. 43) (L. D. 54)

Bill "An Act relating to Facsimile Signature of Secretary of State and Power of Deputy in Certain Motor Vehicle Notices" (H. P. 59) (L. D. 64)

Bill "An Act relating to a School District for the Towns of Limerick, Parsonsfield, Cornish and Others" (H. P. 66) (L. D. 71)

Bill "An Act relating to Turning Signals on Fire Department Vehicles" (H. P. 82) (L. D. 79)

Bill "An Act relating to Sirens on Automobiles Operated by Sheriffs, Police and Fire Officials" (H. P. 83) (L. D. 80)

Bill "An Act relating to Licenses for Spouses and Children of Members of the Armed Forces of the United States to Hunt or Fish" (H. P. 102) (L. D. 110)

Bill "An Act relating to Maine Forestry District Taxes" (H. P. 121) (L. D. 124)

Bill "An Act relating to Sirens on Motor Vehicles Operated by Department of Sea and Shore Fisheries" (H. P. 126) (L. D. 129)

Bill "An Act relating to Weighing Vehicles by Officers" (H. P. 128) (L. D. 131)

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

Orders of the Day

The SPEAKER: Under Orders of the Day, the Chair lays before the House the first tabled and today assigned matter, House Joint Order relative to list of matters for Public Hearings to be furnished to Weekly Papers of the State, House

Paper 326, tabled on February 2 by the gentleman from Portland, Mr. Childs, pending further consideration, and the Chair recognizes that gentleman.

Mr. CHILDS: Mr. Speaker and Members of the House: At the present time, legislative notices are being sent to all weekly newspapers which so desire them. That is, notices of the hearings which are scheduled. There are times when there are matters which have not been sent to the weekly newspapers which might want to be heard and this could happen quite often.

This order would tie the hands of the chairman of each committee as no matter could be assigned after two p. m. on Tuesday. Everything possible is being done to co-operate with the weekly newspapers and I think it will continue so but I do not think that we should pass any order which would obstruct legislative progress. I therefore move the indefinite postponement of this order.

The SPEAKER: The gentleman from Portland, Mr. Childs, moves that House Joint Order, House Paper 326, be indefinitely postponed. Is this the pleasure of the House?

The motion prevailed and the House Joint Order was indefinitely postponed.

The SPEAKER: The Chair lays before the House at this time the second tabled and today assigned matter, House Order relative to Report by the State Highway Commission to the 97th Legislature before March 1, 1955 on questions submitted, tabled on February 2 by the gentleman from Raymond, Mr. Edwards, pending passage.

The Chair recognizes the gentleman from Portage Lake, Mr. Cook.

Mr. COOK: Mr. Speaker, I have the pleasure to announce that I have been advised that a comprehensive report is now in the process of preparation by the Highway Commission which will be available to us two weeks from this morning. I believe that I am not being unduly optimistic in hoping that this report will answer the questions that I have raised in regard to highway matters. Furthermore, I have been assured that the Highway Commission will not only at that time ac-

cept but will enthusiastically welcome an invitation on the part of the members of this legislature to come before them two weeks from this evening to amplify that report that they are now preparing, and also to answer such questions as may be put to them by any of us to the very best of their ability. Also that they will be glad to bring any members of their staff necessary to help answer questions that may be put to them.

With this fine spirit of cooperation manifesting itself, I can see no course of action open to me but to table the order now before the House and I so move.

The SPEAKER: The gentleman from Portage Lake, Mr. Cook, moves that House Order relative to Report by the State Highway Commission to the 97th Legislature before March 1, 1955 on questions submitted lie on the table unassigned pending passage. Is this the pleasure of the House?

The motion prevailed and the Order was so tabled.

The SPEAKER: The Chair now lays before the House at this time the third tabled and today assigned matter, House Report "Ought to pass" of the Committee on Inland Fisheries and Game on Bill "An Act relating to Open Season on Muskrats in Washington County" House Paper 42, Legislative Document 53, tabled on February 2 by the gentleman from Calais, Mr. Davis, pending acceptance of the Report.

The Chair recognizes the gentleman from Franklin, Mr. Butler.

Mr. BUTLER: Mr. Speaker, I now move that House Paper 42, Legislative Document 53, be recommitted to the Committee on Inland Fisheries and Game for further consideration.

The SPEAKER: The gentleman from Franklin, Mr. Butler, moves that this bill be recommitted to the Committee on Inland Fisheries and Game. Is this the pleasure of the House?

The motion prevailed and the Bill with accompanying papers was recommitted to the Committee on Inland Fisheries and Game and sent up for concurrence.

The SPEAKER: The Chair lays before the House the fourth tabled and today assigned matter, House Divided Report, Report "A" reporting "Ought to pass" as amended by Committee Amendment "A" and Report "B" reporting "Ought not to pass" of the Committee on Inland Fisheries and Game on Bill "An Act relating to Free Fishing and Hunting Licenses to Residents 75 Years of Age", House Paper 101, Legislative Document 109, tabled on February 2 by the gentleman from Franklin, Mr. Butler, pending acceptance of either report and the Chair recognizes that gentleman.

Mr. BUTLER: Mr. Speaker, this seemed to us a rather minor bill when it came to the Committee, but it did cause a good deal of discussion and tied us up a long time in the Committee hearing.

On the part which dealt with free fishing licenses I see no reason why the bill should not pass. When these gentlemen have already reached ten years beyond the age of retirement, it seems to me that we should allow them to fish for free if they want to, it is not compulsory, and I move that House Paper 101, Legislative Document 109, as amended by Committee Amendment "A" now be passed.

The SPEAKER: The Chair understands that the gentleman from Franklin, Mr. Butler, moves the acceptance of Report "A", "Ought to pass" as amended by Committee Amendment "A", on this Bill.

The Chair recognizes the gentleman from Medway, Mr. Potter.

Mr. POTTER: Mr. Speaker, Gentlemen and Gentlewomen of the House: Your Committee was divided in regard to this matter, 5-5. Many of us found out while in our respective areas that several of the old gentlemen were very much disturbed about this bill. For years they had bought their hunting and fishing licenses and they felt it was a move towards pauperizing them to give them free licenses. While we know it is not, many of these old gentlemen are rather eccentric, anything for free is considered pauperism. They do not like it. I do not think there are too many old gentlemen in this State who would like it.

If this measure is passed it will cost the department quite a bit of

money because we don't know how many men will apply for licenses. Therefore, the licenses must be prepared and provisions made by an amendment whereby the applicants will have to certify or prove their age. In many of our towns the Town Clerk who issues the licenses under the present system is paid from \$50 to \$60 to \$75 a year for her services. In addition to this she gets 25c for making out the license. Under this she would make out the license for free, or he, as the case may be. It is usually a woman in the small towns because the men can not be bothered to work for such a small sum of money as he receives. It would put the Town Clerk to more or less work without being paid for it.

This bill would also open the way — there is no reason to say 75, we could say 73, 70, make it 65, it is opening the door another session to lowering the age, to taking in old age recipients, taking in as they did in Indiana, all the veterans, which very nearly ruined the department of Fisheries and Game in Indiana. Furthermore, Indiana had this similar law on her books for three years. The law was practically ruining them; it got so broad it practically ruined the Inland Fish and Game Department of Indiana. The matter was brought to the attention of the Supreme Court of Indiana and the Supreme Court, which had a set-up that is very much like ours, ruled four to one that the law was unconstitutional, the reason for this being that you are taxing one group for the special benefit of another group.

I hope that the motion of the gentleman from Franklin, Mr. Butler, does not prevail.

The SPEAKER: The Chair recognizes the gentleman from Bucksport, Mr. Pierce.

Mr. PIERCE: Mr. Speaker, in reply to the remarks of the gentleman from Medway (Mr. Potter), he brings out the fact that it is possibly unconstitutional and in reply to that I will say that I believe we grant free fishing licenses to certain members of the Armed Forces. We have a bill before us now granting free fishing licenses to their spouses. This bill was originally given to me that it would apply to the members of the Three Quarter Century Club

that is how the 75-year age limit was incorporated in it. I found that there was no definite record of members of that Club; hence with the assistance of the gentleman from Cumberland, Mr. Call, we made the figure 75 years.

The gentleman from Medway (Mr. Potter) says that not many older people want this. In reply to that I will say that in my several terms here I have had a great deal of correspondence but I doubt that I have ever had so much correspondence and of such a sincere nature as I have had on this one. I will read a typical letter.

"Mr. Frank M. Pierce. Dear Sir: I want you to know I appreciate your sponsoring a bill to let the old timers do a little fishing without having to buy a license. I like to do a little fishing; about the only fun I have, and it has been tough to put out money that I need to buy food (I am not on the dole) but my savings is getting low. However I have always bought a license to keep out of court. The Town Clerk said it was all right. If you are ever in Ken-duskeag I would like to see you and shake your paw. Sincerely, (Signed) William A. Smith."

He included his fishing license for last year. It would not be a great hardship on the Town Clerk if when Mr. Smith reaches the age of 75 — a gentleman reaches the age of 75, to refer to the previous license. That method of keeping records is relatively simple. Mr. Smith's age is 81. I sincerely hope that we do not go along with the indefinite postponement of the measure. Thank you.

The SPEAKER: The Chair recognizes the gentleman from Rangeley, Mr. Harnden.

Mr. HARNDEN: Mr. Speaker and Members of the House: I have no real strong convictions regarding this bill, but it seems to me that it is rather a nice gesture to offer these old gentlemen a free fishing license, and it would mean very little loss of revenue, I am told, for the department and I hope the measure passes.

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

Mr. ROUNDY: Mr. Speaker, as a member of the Three Quarter Cen-

tury Club, as a non-fisherman and a non-hunter, I certainly am in favor of going ahead with the proposition of the gentleman from Franklin, Mr. Butler.

The SPEAKER: The Chair recognizes the gentleman from Medway, Mr. Potter.

Mr. POTTER: Mr. Speaker and Members of the House: For the members' benefit, I will say that the gentleman from Bucksport, Mr. Pierce, has not read our fishing and hunting laws very thoroughly. In regard to the armed services, we give them a resident license; we don't give it to them, we sell it to them, the reason being that the boys from out of the State who have been at Limestone and Dow Field for a number of years, in some cases six and seven years, cannot become residents of the State of Maine even though they perhaps will reside here for 20 years, so we passed at the special session and again at this session, a law whereby these men that practically live 20 years in our State can buy a resident license. At the present time our license restrictions are tied up so tightly that if our Fish and Game Commissioner invites men from outside the State to come here and advise him on fish and game matters, men well qualified, he cannot give them a free license, and if he takes them fishing he has to go down in the department and buy that man a license. There is a bill in progress now whereby if he asks technical advice from a man from outside the state that man will have a right to take fish without a license, but at the present time no man is allowed a free license, not even the Commissioner himself.

The SPEAKER: The Chair recognizes the gentleman from Bucksport, Mr. Pierce.

Mr. PIERCE: Mr. Speaker, I wish to thank the gentleman from Medway (Mr. Potter) for correcting me and there being so many fish bills it is rather hard for me to keep up with them.

Regarding the cost to the State I have ascertained that in the 1950 census, which we may hear more of, there were 915,000 people. Of these, 33½ were 75 years or older. There were fishing licenses granted to 92,852 approximately 10 per cent.

If we take 10 per cent of the complete number over 75 it would amount to only 3,000. I cannot conceive that the loss of revenue to the State would be of any matter whatsoever.

The SPEAKER: The Chair recognizes the gentleman from Bowdoinham, Mr. Curtis.

Mr. CURTIS: Mr. Speaker, as an owner of considerable wild land on which there are several nice brooks to fish in and I never do fish myself but I am always pleased to see someone go there and get some good trout and I am sure that the little we would lose in granting these older people licenses would be very small indeed compared with what we are getting now. In fact, I don't know as there are hardly any old folks who go fishing. I wish to go along with this bill that it "ought to pass." I think it is a very fine gesture and I do not think that it will do us any harm. I am sure that we people who own the wild land and own the brooks are as much interested in our property as the State is and getting money from this property and I don't know of anyone who owns these brooks but what are always glad to see the older folks come out and fish whether they have a license or whether they do not. If I recall rightly, I think our younger people don't have to have a license until they are a certain age and I do not see why the older people should have to have one.

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

Mr. CYR: Mr. Speaker and Ladies and Gentlemen: I am probably one of the oldest young men in the House and I belong to a fish and game club of which there are several of us old fellows that can fish and I would like to go along with the gentleman from Medway, Mr. Potter, that I do not believe that I want a free license to fish. As long as I am able to fish, I want to pay my way through. Thank you. (Applause)

The SPEAKER: The Chair recognizes the gentleman from Warren, Mr. McCluskey.

Mr. MCCLUSKEY: Mr. Speaker and Members of the House: I think

this is a nice gesture, regardless of what the gentleman from Fort Kent, Mr. Cyr, says. I think if he wants to buy a fishing license, I think they would let him.

The SPEAKER: The Chair recognizes the gentleman from Medway, Mr. Potter. For what purpose does the gentleman rise?

Mr. POTTER: Mr. Speaker, I arise to ask a division when the vote is taken.

The SPEAKER: The question before the House is on the motion of the gentleman from Franklin, Mr. Butler, that House Report "A" "Ought to pass" as amended by Committee Amendment "A" of the Committee on Inland Fisheries and Game on Bill "An Act relating to Free Fishing and Hunting Licenses to Residents 75 Years of Age," House Paper 101, Legislative Document 109, be accepted. The gentleman from Medway, Mr. Potter, has requested a division.

As many as are in favor of the acceptance of Report "A" "Ought to pass" as amended by Committee Amendment "A" will kindly rise and remain standing in their places until the monitors have made and returned the count.

A division of the House was had.

One hundred one having voted in the affirmative and thirty-four having voted in the negative, the motion prevailed and Report "A" was accepted.

Thereupon, the Bill was read twice.

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

COMMITTEE AMENDMENT "A" to H. P. 101, L. D. 109, Bill "An Act relating to Free Fishing and Hunting Licenses to Residents 75 Years of Age."

Amend said Bill by striking out all of Section 2 thereof.

Further amend said bill by striking out the phrase "Sec. 1."

Further amend said bill by inserting before the underlined words "A license" in the first line of that part of the bill designated "XII-A" the underlined words "Upon application".

Further amend said bill by striking out in the second line of said part designated "XII-A" the underlined word "every" and inserting in

place thereof the underlined word "any".

On motion of Mr. Butler of Franklin, Committee Amendment "A" was adopted and the Bill as amended was assigned for third reading tomorrow.

The SPEAKER: The Chair lays before the House the fifth tabled and today assigned matter, House Report "Ought to pass" of the Committee on Transportation on Bill "An Act relating to Gross Weight of Trucks, Tractors, etc.," House Paper 133, Legislative Document 134, tabled on February 8 by the gentleman from Bowdoinham, Mr. Curtis, pending acceptance of the report, and the Chair recognizes that gentleman.

Mr. CURTIS: Mr. Speaker and Ladies and Gentlemen of the House: I tabled this because I had not had time to thoroughly study it. After studying it, I have no objection to its passage and I therefore move that the "Ought to pass" report be accepted.

The SPEAKER: The gentleman from Bowdoinham, Mr. Curtis, moves that the "Ought to pass" report be accepted. Is this the pleasure of the House?

The motion prevailed and the Bill was read twice and tomorrow assigned.

The SPEAKER: The Chair lays before the House the sixth tabled and today assigned matter, House Report "Ought to pass" of the Committee on Transportation on Bill "An Act relating to Speed of Commercial Vehicles," House Paper 132, Legislative Document 133, tabled on February 8 by the gentleman from Bowdoinham, Mr. Curtis, pending acceptance of the report and the Chair recognizes that gentleman.

Mr. CURTIS: Mr. Speaker and Ladies and Gentlemen: This is a very serious matter which we are considering in my estimation for several reasons. One, the first, is that our present law doesn't give commercial vehicles, of which I operate several, a chance to go just about as fast as the guy who is driving them seems to want to go. While we do try to have the best drivers, I believe all truckmen do, yet we do not always get fellows with the very best of judgment. And

if we have a limit on how fast they should go, there is some reason. Without a limit, we do not know what they are going to do and I feel that as a truck owner and truck operator, it would be hurting me and all truck operators and it is an undue hazard that we should not be put to.

The second reason, the most interested parties who have given thought to the idea at all realize that at a high rate of speed, these trucks going over the road with a heavy load of ten, twenty or thirty tons or more, is just like striking a blow. In other words, if a little car goes over weighing a ton and a half and going sixty miles an hour and comes to a dip in the road, they strike a very light blow to what one weighing thirty tons would. It is like a big hammer striking and it is much harder on the roads. That is one of the reasons, a very valid reason, why we should keep them down to somewhere near a right speed.

Another reason is that a great deal of our accidents are caused by these large trucks. They go just as fast as they can go. In fact, I have chased them along where they have been making sixty-five miles an hour and then they come to a hill and you couldn't get by them unless you went seventy-five, which is much too fast. Then they come to a hill and we have only but a very few hills that have a third line. They drag up over the hill and pretty soon you have got a line of twenty-five, thirty or forty cars behind them. As soon as they get over the hill, instead of pulling along slow and letting these people by, they tear right down the road sixty-five miles an hour again and no one can get by. By and by, the more reckless try to get by and I think the statistics will bear me out in saying that a large number of our accidents are caused for just the same reason and I do not wish to indefinitely postpone this but I would like to recommit it to the committee so that they might make further study.

Another reason, I might say, too, I believe there is a bill in here to have the speed laws definitely set up. Well, if you set them up at sixty miles an hour, I am sure that

for a truck sixty miles an hour is too fast and there should be something set up around fifty or something like that. At least there should be ten miles difference between a truck and a passenger car so that passenger cars can get by. So I ask that this be recommitted to the committee.

The SPEAKER: The gentleman from Bowdoinham, Mr. Curtis, moves that Bill "An Act relating to Speed of Commercial Vehicles," House Paper 132, Legislative Document 133, and accompanying papers be recommitted to the Committee on Transportation. Is this the pleasure of the House?

The motion prevailed and the Bill with accompanying papers was recommitted to the Committee on Transportation, and sent up for concurrence.

The SPEAKER: The Chair lays before the House the seventh tabled and today assigned matter, Bill "An Act Relating to Right of Way for Police and Fire Vehicles, and Ambulances," House Paper 107, Legislative Document 115, tabled on February 8 by the gentleman from Belfast, Mr. Greene, pending first reading.

Thereupon, the Bill was read twice.

The SPEAKER: The Chair recognizes the gentleman from Belfast, Mr. Greene.

Mr. GREENE: Mr. Speaker, I now present House Amendment "A" and move its adoption.

The SPEAKER: The Chair would inform the gentleman that Committee Amendment "A" is the next matter before the House and then House Amendment "A" would be in order. The Clerk will read Committee Amendment "A".

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

COMMITTEE AMENDMENT "A" to H. P. 107, L. D. 115, Bill "An Act Relating to Right of Way for Police and Fire Vehicles, and Ambulances."

Amend said bill by striking out in the 7th and 8th lines thereof the following underlined words: "**or displaying emergency lighting devices**"

Committee Amendment "A" was adopted.

The SPEAKER: The gentleman from Belfast, Mr. Greene, presents House Amendment "A" and moves its adoption. The Clerk will read House Amendment "A".

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

HOUSE AMENDMENT "A" to H. P. 107, L. D. 115, Bill "An Act Relating to Right of Way for Police and Fire Vehicles, and Ambulances."

Amend said Bill by adding thereto after the word "way" in line 6 thereof, the following underlined words: '**provided however that operators of such vehicles shall approach intersections with due care**'

House Amendment "A" was adopted and the Bill as amended by Committee Amendment "A" and House Amendment "A" was assigned for third reading tomorrow.

The SPEAKER: The House is proceeding under Orders of the Day.

Mr. Winchenpaw of Friendship was granted unanimous consent to address the House briefly.

Mr. WINCHENPAW: Mr. Speaker, Ladies and Gentlemen of the House, I am personally interested in highway matters and especially interested in the accelerated highway program since I was severely criticized for voting for it in 1951, and I

checked the projects in our county quite carefully and I find most of them have been carried out on schedule. I am not sure whether the final cost exceeded the estimates, but that could be easily ascertained, and I would be willing to loan my book to any member if he wants to check on his own county.

And there is a fact I would like to bring to the attention of the House this morning, bids are being opened at 11:00 o'clock in the Highway Commission Hearing Rooms. Those bids are opened in public. If any member has time to go over there, it is a very interesting process and there are blank bid forms that you can obtain and you can mark down the lucky bidder's figures on fill and gravel, etc. for each item, and I believe this particular bid covers a long stretch of road in the Town of Perry, Washington County. Thank you.

The SPEAKER: The Chair will inquire if there are any other matters to come before the House. If not, the Clerk will read the notices.

On motion of Mr. Edgar of Bar Harbor,

Adjourned until one-thirty tomorrow afternoon.