

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

One-Hundredth Legislature

OF THE

STATE OF MAINE

1961

DAILY KENNEBEC JOURNAL
AUGUSTA, MAINE

HOUSE

Wednesday, January 18, 1961

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

Prayer by the Rev. Mr. Douglas H. Robbins of Augusta.

The journal of yesterday was read and approved.

Papers from the Senate

From the Senate:

Bill "An Act Providing for Renovation and Remodeling of Aubert Hall-West at the University of Maine in Orono" (S. P. 96) (L. D. 241)

Bill "An Act Providing for Expansion of Boardman Hall at the University of Maine in Orono" (S. P. 97) (L. D. 242)

Bill "An Act Providing for the Expansion of Electric Lines of the Campus Distribution System at the University of Maine in Orono" (S. P. 98) (L. D. 243)

Bill "An Act to Allocate Moneys for the Administrative Expenses of the State Liquor Commission for the Fiscal Years Ending June 30, 1962 and June 30, 1963" (S. P. 99) (L. D. 244)

Resolve Reimbursing Certain Municipalities on Account of Property Tax Exemptions of Veterans (S. P. 100) (L. D. 245)

Resolve Providing Funds for Urban Planning (S. P. 101) (L. D. 246)

Resolve Appropriating Moneys to Provide Promotion for Maine's Industrial Development (S. P. 102) (L. D. 247)

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:

Bill "An Act Changing Name of Portland Symphony Orchestra to Maine Symphony Orchestra" (S. P. 103) (L. D. 248)

Came from the Senate referred to the Committee on Business Legislation.

In the House, referred to the Committee on Business Legislation in concurrence.

From the Senate:

Bill "An Act to Authorize the Issuance of Bonds in the Amount of Fifty Million Dollars on Behalf of the State of Maine for the Purpose of Building State Highways" (S. P. 104) (L. D. 249)

Came from the Senate referred to the Committee on Highways.

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

From the Senate:

Bill "An Act Establishing the Maine Industrial Promotion Corporation Act" (S. P. 105) (L. D. 250)

Came from the Senate referred to the Committee on Industrial and Recreational Development.

In the House, referred to the Committee on Industrial and Recreational Development in concurrence.

From the Senate:

Bill "An Act Abolishing the Merymeeting Bay Game Sanctuary" (S. P. 106) (L. D. 251)

Bill "An Act relating to Open Season for Trout in York County" (S. P. 107) (L. D. 252)

Bill "An Act relating to Name on Arrows of those Hunting with Bow and Arrow" (S. P. 108) (L. D. 253)

Bill "An Act relating to Exchange of Non-resident Hunting License for Deer Hunting License" (S. P. 109) (L. D. 254)

Resolve Regulating Ice Fishing in Spring Lake, T3, R4, Somerset County (S. P. 110) (L. D. 255)

Resolve Regulating Fishing in Johnston Pond, TA, R10, Piscataquis County (S. P. 111) (L. D. 256)

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:

Bill "An Act relating to Burden of Proof on Questions of Fact in Industrial Accident Commission Decisions" (S. P. 112) (L. D. 257)

Bill "An Act relating to Disposition of Eyes after Death" (S. P. 113) (L. D. 258)

Bill "An Act to Ratify the Incorporation of Pierce Cemetery Association" (S. P. 114) (L. D. 259)

Came from the Senate referred to the Committee on Judiciary.

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

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

From the Senate:

Bill "An Act relating to Dependency Allowances under Employment Security Law" (S. P. 115) (L. D. 260)

Came from the Senate referred to the Committee on Labor.

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

From the Senate:

Bill "An Act relating to Steam Engineers and Firemen" (S. P. 116) (L. D. 261)

Bill "An Act relating to Improper Operation of Steam Boilers" (S. P. 117) (L. D. 262)

Came from the Senate referred to the Committee on Legal Affairs.

In the House, referred to the Committee on Legal Affairs in concurrence.

From the Senate:

Bill "An Act relating to State-wide Sale of Liquor" (S. P. 119) (L. D. 264)

Came from the Senate referred to the Committee on Liquor Control.

In the House, referred to the Committee on Liquor Control in concurrence.

From the Senate:

Bill "An Act relating to Bulldozing into Great Ponds" (S. P. 120) (L. D. 265)

Bill "An Act relating to Transporting Wastes for Disposal in Maine" (S. P. 121) (L. D. 266)

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:

Bill "An Act to Correct Inconsistencies and Inequities in the

Maine State Retirement System Law" (S. P. 122) (L. D. 267)

Resolve to Provide a Retirement Benefit for Doris E. Bourgeois, of Portland (S. P. 123) (L. D. 268)

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 Establishing a Deputy Director in Maine Aeronautics Commission" (S. P. 124) (L. D. 269)

Bill "An Act Increasing Compensation of Members of Maine State Park Commission" (S. P. 125) (L. D. 270)

Bill "An Act Creating a Constitutional and State Government Committee" (S. P. 126) (L. D. 271)

Bill "An Act to Clarify and Revise Laws of Department of Economic Development" (S. P. 127) (L. D. 272)

Bill "An Act relating to Accounting by Maine Port Authority" (S. P. 128) (L. D. 273)

Came from the Senate referred to the Committee on State Government.

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

Tabled

From the Senate:

Bill "An Act to Incorporate the Town of Harpswell Neck" (S. P. 118) (L. D. 263)

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

In the House, on motion of Mr. Prince of Harpswell, tabled unsigned pending reference in concurrence.

From the Senate:

Bill "An Act relating to Payment of Tax Money from Town of York to York Harbor Village Corporation" (S. P. 129) (L. D. 274)

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: The following Report:

August 30, 1960

Hon. Earle M. Hillman
President, Maine State Senate
State House
Augusta, Maine

Dear Earle:

At the last Session of the Legislature, I was appointed as Chairman of a Committee to make a study of salaries in the various counties. We have had one meeting and frankly I feel that the project involves far too much work for the appropriation granted and I feel that further expenditure of the appropriation and further expenditure of time on the part of the Committee members would not be justified, and for this reason together with some feeling of lack of cooperation on the part of the County Commissioners, I regretfully but respectfully tender my resignation as Chairman.

I am enclosing under separate cover information obtained so far.

Sincerely yours,

(Signed) ROBERT MARTIN

Came from the Senate read and ordered placed on file.

In the House, Report was read and with accompanying papers referred to the Committee on Towns and Counties in non-concurrence and sent up for concurrence.

Messages and Documents

The following Communication: (H. P. 372)

STATE OF MAINE
Department of Health and Welfare
Augusta

January 17, 1961

Honorable Harvey R. Pease, Clerk
House of Representatives
State House
Augusta, Maine

Dear Sir:

This is to inform you and to certify to you that the following Indians were properly elected to serve as representatives at the One-Hundredth Legislature:

Penobscot Tribe: John S. Nelson
(Election date: September 5, 1960)

Passamaquoddy Tribe:

George Stevens, Jr.
(Election date: November 1, 1960)

Respectfully,

(Signed) DEAN FISHER, M.D.
Dean Fisher, M.D.
Commissioner

The Communication was read, ordered placed on file and sent up for concurrence.

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 Providing for Maine Potato Advertising by the Department of Agriculture" (H. P. 284)
(Presented by Mrs. Harrington of Patten)

(Ordered Printed)
Sent up for concurrence.

Appropriations and Financial Affairs

Bill "An Act relating to Allocation of Funds for Purchase of Real Estate by State" (H. P. 285) (Presented by Mr. Bearce of Bucksport)

(Ordered Printed)

Bill "An Act Providing for the Enlargement of the Agricultural Engineering Building at the University of Maine in Orono" (H. P. 286) (Presented by Mr. Gardner of Orono)

(Ordered Printed)

Bill "An Act Providing for Renovation of Winslow Hall at the University of Maine in Orono" (H. P. 287) (Presented by same gentleman)

(Ordered Printed)

Bill "An Act Appropriating Funds for Dam Across Little River" (H. P. 288) (Presented by Mr. MacGregor of Eastport)

(Ordered Printed)

Bill "An Act Providing for Construction of an Educational Television Network for the State of Maine" (H. P. 224) (Presented by Mr. Schulten of Woolwich)

(Ordered Printed)

Bill "An Act to Provide Funds for Treatment and Rehabilitation of

Alcoholics" (H. P. 289) (Presented by Mr. Smith of Strong)
(Ordered Printed)

Resolve to Purchase Copies of "History of City of Brewer, Maine" (H. P. 290) (Presented by Mr. Ham of Brewer)
(Ordered Printed)

Resolve in favor of Maine Society of the Sons of the American Revolution (H. P. 291) (Presented by Mr. Stevens of Portland)
(Ordered Printed)

Resolve Appropriating Funds for Certain Construction at Augusta State Airport (H. P. 292) (Presented by Mr. Thaunum of Winthrop)
(Ordered Printed)

Resolve relating to Treatment of Lake Annabessacook to Eliminate Aquatic Growth (H. P. 293) (Presented by same gentleman)
(Ordered Printed)
Sent up for concurrence.

Claims

Resolve to Reimburse the Town of Woodland for Aid Extended to Ronald Tirrell (H. P. 294) (Presented by Mr. Bragdon of Perham)
(Ordered Printed)

Resolve to Reimburse the Town of New Sweden for Aid Extended Ronald Tirrell (H. P. 295) (Presented by same gentleman)
(Ordered Printed)

Resolve to Compensate William H. Barker of Newry for Injuries While Training with National Guard (H. P. 296) (Presented by Mrs. Lincoln of Bethel by request)
(Ordered Printed)

Resolve Reimbursing Town of Canton for Aid Extended to Kenneth Crocker and Family (H. P. 297) (Presented by Mrs. Vaughn of Peru)
(Ordered Printed)

Resolve to Reimburse Canton Water District for Damage from Highway Construction (H. P. 298) (Presented by same gentlewoman)
(Ordered Printed)

Resolve Reimbursing Town of Weston for Aid Extended to Henry Lee (H. P. 299) (Presented by Mr. Williams of Hodgdon)
(Ordered Printed)

Sent up for concurrence.

Education

Bill "An Act relating to Tuition Pupils as Basis for State Aid for

School Construction" (H. P. 300) (Presented by Mr. Brewer of Bath)

Bill "An Act to Create a School Administrative District in the Town of Lubec" (H. P. 301) (Presented by Mr. Pike of Lubec)
(Ordered Printed)
Sent up for concurrence.

Election Laws

Bill "An Act Dividing Township of Freeman, Franklin County, for Voting Purposes" (H. P. 302) (Presented by Mr. Smith of Strong)
(Ordered Printed)
Sent up for concurrence.

Highways

Bill "An Act Exempting Disabled Veterans and Persons over 65 from Gas Tax" (H. P. 303) (Presented by Mr. Bussiere of Lewiston)
(Ordered Printed)

Bill "An Act relating to Ferry Service for Long Island Plantation" (H. P. 304) (Presented by Mr. Kimball of Mount Desert)
(Ordered Printed)

Bill "An Act relating to Facilities at Picnic Grounds" (H. P. 305) (Presented by Mr. Whitney of Winn)
(Ordered Printed)

Resolve Designating Abbott Village Bridge as "The Page-Carr Bridge" (H. P. 306) (Presented by Mr. Dodge of Guilford)
(Ordered Printed)
Sent up for concurrence.

Inland Fisheries and Game

Bill "An Act relating to Hunting of Moose" (H. P. 307) (Presented by Mr. Moore of Casco)
(Ordered Printed)

Bill "An Act Repealing the Windham Game Preserve" (H. P. 308) (Presented by same gentleman)
(Ordered Printed)
Sent up for concurrence.

Sea and Shore Fisheries

Bill "An Act Regulating the Taking of Alewives in Dyer River, Lincoln County" (H. P. 309) (Presented by Mr. Waltz of Waldoboro)

Committee on Reference of Bills suggested that the Bill be referred to the Committee on Inland Fisheries and Game and printing.

(On motion of Mr. Waltz of Waldoboro, referred to the Committee

on Sea and Shore Fisheries, ordered printed and sent up for concurrence.)

Inland Fisheries and Game

Resolve Regulating Fishing in Certain Waters in Hancock County (H. P. 310) (Presented by Mr. Anderson of Ellsworth)

(Ordered Printed)

Resolve Prohibiting Use of Live Bait in Hills Pond, Franklin County (H. P. 311) (Presented by Mr. Maxwell of Jay)

(Ordered Printed)

Resolve Providing Funds for Conservation Education (H. P. 312) (Presented by Mr. Whitman of Woodstock)

(Ordered Printed)

Sent up for concurrence.

Judiciary

Bill "An Act relating to Payments to Androscoggin County Law Library" (H. P. 313) (Presented by Mr. Berman of Auburn)

(Ordered Printed)

Bill "An Act relating to a Chattel Mortgage Recording Law" (H. P. 314) (Presented by same gentleman)

(Ordered Printed)

Bill "An Act relating to Examination of Alleged Insane Criminals before Municipal Courts" (H. P. 315) (Presented by Mr. Knight of Rockland)

(Ordered Printed)

Bill "An Act relating to Actions for Injuries Causing Death" (H. P. 316) (Presented by same gentleman)

(Ordered Printed)

Bill "An Act relating to Municipal Traffic Control Ordinances" (H. P. 317) (Presented by Mr. Rust of York)

(Ordered Printed)

Bill "An Act relating to Funds in Custody of Clerks of Courts" (H. P. 318) (Presented by same gentleman)

(Ordered Printed)

Bill "An Act Increasing Payments to York County Law Library" (H. P. 319) (Presented by same gentleman)

(Ordered Printed)

Bill "An Act relating to the Payment to the Sagadahoc County Law

Library" (H. P. 320) (Presented by Mr. Schulten of Woolwich)

(Ordered Printed)

Bill "An Act Providing for Municipal Court Conferences" (H. P. 321) (Presented by Mr. Stewart of Presque Isle)

(Ordered Printed)

Bill "An Act Repealing Reckless Homicide Statute" (H. P. 322) (Presented by same gentleman)

(Ordered Printed)

Bill "An Act relating to Use of Motor Boats on Jerry Pond, Penobscot County" (H. P. 323) (Presented by Mr. Walls of Millinocket)

(Ordered Printed)

Sent up for concurrence.

Labor

Bill "An Act Exempting Certain Employees from Minimum Wage Law" (H. P. 324) (Presented by Mr. Winchenpaw of Friendship)

(750 copies Ordered Printed)

Sent up for concurrence.

Legal Affairs

Bill "An Act Revising the Charter of the City of Ellsworth" (H. P. 325) (Presented by Mr. Anderson of Ellsworth)

(Ordered Printed)

Bill "An Act Providing for a Revised Charter for the City of Portland" (H. P. 326) (Presented by Mr. Berry of Portland)

(Ordered Printed)

Bill "An Act relating to Compensation for Members of Board of Education of City of South Portland" (H. P. 327) (Presented by Mr. Brown of South Portland)

(Ordered Printed)

Bill "An Act to Incorporate the Town of Newburgh School District" (H. P. 328) (Presented by Mr. Carter of Etna)

(Ordered Printed)

Bill "An Act to Incorporate the Town of Etna School District" (H. P. 329) (Presented by same gentleman)

(Ordered Printed)

Bill "An Act relating to Revenues for Lewiston Parking District" (H. P. 330) (Presented by Mr. Jallbert of Lewiston)

(Ordered Printed)

Bill "An Act Creating the Limestone Medical District" (H. P. 331)

(Presented by Mr. Johnson of Stockholm)

(Ordered Printed)

Bill "An Act Increasing Indebtedness of Deer Isle School District" (H. P. 332) (Presented by Mrs. Shepard of Stonington)

(Ordered Printed)

Bill "An Act relating to Bonds of Buckfield Village Corporation to Acquire Property and for Construction Work" (H. P. 333) (Presented by Mrs. Vaughn of Peru)

(Ordered Printed)

Sent up for concurrence.

Natural Resources

Bill "An Act relating to Depositing Refuse" (H. P. 334) (Presented by Mr. Bradeen of Waterboro)

(Ordered Printed)

Resolve Designating Certain Waters in Porter as "Black Lake" (H. P. 335) (Presented by Mr. Walker of Brownfield)

(Ordered Printed)

Sent up for concurrence.

Public Utilities

Bill "An Act relating to Source of Supply for Hampden Water District" (H. P. 336) (Presented by Mr. Littlefield of Hampden)

(Ordered Printed)

Bill "An Act relating to Lien Notices and Time of Annual Meeting of Kennebunk Sewer District" (H. P. 337) (Presented by Mr. Tyndale of Kennebunkport)

(Ordered Printed)

Sent up for concurrence.

Retirements and Pensions

Bill "An Act relating to Application of Federal Social Security to Policemen" (H. P. 338) (Presented by Mr. Thaanum of Winthrop)

(Ordered Printed)

Resolve in favor of Merle S. Goodwin, of Brewer (H. P. 339) (Presented by Mr. Carter of Etna)

(Ordered Printed)

Resolve Providing for Pension for Jerome Goodchild of Augusta (H. P. 340) (Presented by Mr. Humphrey of Augusta)

(Ordered Printed)

Resolve to Increase Retirement Benefit of Ralph C. Rackliff, of Augusta (H. P. 341) (Presented by same gentleman)

(Ordered Printed)

Sent up for concurrence.

Sea and Shore Fisheries

Bill "An Act Repealing Certain Laws Permitting Taking of Clams for Bait Purposes in Polluted Areas" (H. P. 342) (Presented by Mr. Lowery of Brunswick)

(Ordered Printed)

Bill "An Act relating to Taking Quahogs in Maquoit Bay, Cumberland County" (H. P. 343) (Presented by same gentleman)

(Ordered Printed)

Bill "An Act Regulating the Maximum Size of Otter Trawlers in Casco Bay and Adjacent Waters" (H. P. 344) (Presented by Mr. Prince of Harpswell)

(Ordered Printed)

Bill "An Act Closing Casco Bay and Adjacent Waters to the Use of Otter Trawls" (H. P. 345) (Presented by same gentleman)

(Ordered Printed)

Bill "An Act Regulating Size of Otter Trawls and Other Trawls in Casco Bay and Adjacent Waters" (H. P. 346) (Presented by same gentleman)

(Ordered Printed)

Bill "An Act Regulating Catching Lobsters While Swimming or Diving" (H. P. 347) (Presented by same gentleman)

(Ordered Printed)

Bill "An Act relating to Digging of Clams in Town of Deer Isle from June to September" (H. P. 348) (Presented by Mrs. Shepard of Stonington)

(Ordered Printed)

Bill "An Act relating to Digging of Clams in Deer Isle and Stonington, Hancock County" (H. P. 349) (Presented by same member)

(Ordered Printed)

Bill "An Act relating to Taking Lobsters by Skin Diving" (H. P. 350) (Presented by Mr. Tyndale of Kennebunkport)

(Ordered Printed)

Sent up for concurrence.

State Government

Bill "An Act relating to Determination of Salaries of Certain State Officials" (H. P. 351) (Presented by Mr. Anderson of Greenville)

(Ordered Printed)

Bill "An Act relating to Leases of Facilities for State Government"

(H. P. 352) (Presented by Mr. Bearce of Bucksport)

(Ordered Printed)

Bill "An Act to Clarify State Disbursements" (H. P. 353) (Presented by Mr. Humphrey of Augusta)

(Ordered Printed)

Bill "An Act Permitting Counties to Expend Money for Advisory Organizations" (H. P. 354) (Presented by Mr. Stevens of Portland)

(Ordered Printed)

Bill "An Act relating to Disposition of Property in Hebron, formerly Western Maine Sanatorium" (H. P. 355) (Presented by Mr. Whitman of Woodstock)

(Ordered Printed)

Resolve Proposing an Amendment to the Constitution to Eliminate the Office of Treasurer of State (H. P. 356) (Presented by Mr. Plante of Old Orchard Beach)

(Ordered Printed)

Resolve Proposing an Amendment to the Constitution to Require a Roll Call Vote upon all Bills on Final Passage (H. P. 357) (Presented by same gentleman)

(Ordered Printed)

Sent up for concurrence.

Taxation

Bill "An Act relating to Apportionment to Municipalities of Tax on Telephone and Telegraph Companies" (H. P. 358) (Presented by Mrs. Shaw of Chelsea)

(Ordered Printed)

Bill "An Act relating to Apportionment to Municipalities of Tax on Railroads" (H. P. 359) (Presented by same member)

(Ordered Printed)

Bill "An Act Exempting Certain Elderly Persons from Real Estate Taxes" (H. P. 360) (Presented by Mr. Stevens of Portland by request)

(Ordered Printed)

Bill "An Act relating to Allowance to Distributors for Gasoline Losses" (H. P. 361) (Presented by Mr. Wheaton of Princeton)

(Ordered Printed)

Sent up for concurrence.

Towns and Counties

Bill "An Act relating to Raising Money for Support of Poor in Pleasant Ridge Plantation, Somers-

et County" (H. P. 362) (Presented by Mr. Beane of Moscow)

(Ordered Printed)

Bill "An Act Increasing Salary of Judge of Western Hancock Municipal Court" (H. P. 363) (Presented by Mr. Bearce of Bucksport)

(Ordered Printed)

Bill "An Act Exempting Town of Alfred from Apportionment of County Tax" (H. P. 364) (Presented by Mr. Bradeen of Waterboro)

(Ordered Printed)

Bill "An Act Increasing Temporary Loans for Cumberland County" (H. P. 365) (Presented by Mr. Brown of Cape Elizabeth)

(Ordered Printed)

Bill "An Act to Change the Name of Stockton Springs to Stockton" (H. P. 366) (Presented by Mr. Edwards of Stockton Springs)

(Ordered Printed)

Bill "An Act Increasing Salary of Sheriff of Somerset County" (H. P. 367) (Presented by Mr. Fogg of Madison)

(Ordered Printed)

Bill "An Act Increasing Salary of Judge and Recorder of Van Buren Municipal Court" (H. P. 368) (Presented by Mr. Poirier of Van Buren)

(Ordered Printed)

Bill "An Act Increasing Salary of Clerk of Courts of York County" (H. P. 369) (Presented by Mr. Rust of York)

(Ordered Printed)

Bill "An Act Increasing Salaries of County Attorney and Assistant County Attorney of Aroostook County" (H. P. 370) (Presented by Mr. Stewart of Presque Isle)

(Ordered Printed)

Bill "An Act Increasing Salaries of Judge and Recorder of Presque Isle Municipal Court" (H. P. 371) (Presented by same gentleman)

(Ordered Printed)

Sent up for concurrence.

Orders

Tabled and Assigned

Mr. Haughn of Bridgton presented the following Order:

ORDERED, the Senate concurring, that the State Controller supply for use of the Legislature two hundred copies of a list of State Employees with their salaries as of December 31, 1960; and be it further

ORDERED, that said lists be distributed, one to each member of the Senate, House and Council; two to the Executive; one to the Secretary of the Senate; one to the Clerk of the House; and the balance to the State Librarian for exchange purposes.

The SPEAKER: The Chair recognizes the gentleman from Bridgton, Mr. Haughn.

Mr. HAUGHN: Mr. Speaker, Ladies and Gentlemen of the House: It has been customary in the past that you should have knowledge of the earnings of the State employees and officials of the State and with a bill coming up and a budget pending before us of over \$2,000,000, to enlighten you and give you the knowledge of the need and desire of that, I think that this order would be the proper thing so you would be properly enlightened and understand the problem.

Therefore, I move that this order be tabled and specially assigned for tomorrow to give you an opportunity to study this.

The SPEAKER: The gentleman from Bridgton, Mr. Haughn, has moved that this order be tabled and specially assigned for tomorrow pending passage. Is this the pleasure of the House?

The motion prevailed.

On motion of Mr. Matheson of Mexico, it was

ORDERED, that Rev. Ernest Ruark of the Mexico Baptist Church be invited to officiate as Chaplain of the House on Wednesday, January 25, 1961.

House Reports of Committees Ought Not to Pass

Mr. Brown from the Committee on Election Laws reported "Ought not to pass" on Bill "An Act Changing the Date of the Primary Election" (H. P. 70) (L. D. 112) Report was read.

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

Mr. FOGG: Mr. Speaker, I would like to request that this item one lie on the table until the next legislative day pending acceptance of the Committee Report.

The SPEAKER: The gentleman from Madison, Mr. Fogg, moves

that this item be tabled until the next legislative day pending acceptance of the Committee Report. Is this the pleasure of the House?

The Chair recognizes the gentleman from Woodstock, Mr. Whitman.

Mr. WHITMAN: Mr. Speaker, I would request a division.

The SPEAKER: The gentleman from Woodstock, Mr. Whitman, has requested a division. Will all those who favor the motion of the gentleman from Madison, Mr. Fogg, to table this item until tomorrow or the next legislative day, please rise and remain standing until the monitors have made and returned their count.

Mrs. HENDRICKS of Portland: Mr. Speaker, may I ask a question?

The SPEAKER: For what purpose does the gentlewoman arise?

Mrs. HENDRICKS: I would like to know whose bill that is.

The SPEAKER: The gentlewoman from Portland, Mrs. Hendricks, has asked a question through the Chair and anyone may answer it who chooses.

The Chair recognizes the gentleman from Madison, Mr. Fogg.

Mr. FOGG: Mr. Speaker, that is Mr. Jalbert's bill, the gentleman from Lewiston. The only reason why I am tabling it is because the Committee Report is coming out and he is not present —

The SPEAKER: The gentleman from Madison, Mr. Fogg, is debating the tabling motion and may not proceed along that line.

Did the gentlewoman from Portland, Mrs. Hendricks, have her question answered?

Mrs. HENDRICKS: I believe I understand that that is Mr. Jalbert's bill.

The SPEAKER: The question now before the House is the motion of the gentleman from Madison, Mr. Fogg, that this bill be tabled and specially assigned for the next legislative day. A division has been requested. All those in favor of the tabling motion please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Thirty-two having voted in the affirmative and one hundred four

having voted in the negative, the tabling motion did not prevail.

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

Ought to Pass Printed Bill

Mr. Kimball from the Committee on State Government reported "Ought to pass" on Bill "An Act relating to Appointment of Baxter State Park Agents and Representatives" (H. P. 76) (L. D. 118)

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

Orders of the Day

The SPEAKER: The House is proceeding under orders of the day.

On motion of the gentleman from Pittsfield, Mr. Baxter, the House voted to take from the table the first tabled and unassigned matter, House Order Relative to amending Rule 8 and adding new Rule 31A, tabled by that gentleman on January 11 pending passage.

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

Mr. BAXTER: Mr. Speaker, so that this order can receive the study it deserves and so that the members of the House can be properly informed as to its implications in the operation of the House, I now move that this order be referred to the House Committee on Rules and Business.

The SPEAKER: The gentleman from Pittsfield, Mr. Baxter, moves that this item be referred to the Committee on Rules and Business of the House. Is this the pleasure of the House?

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

Mr. JALBERT: Mr. Speaker, I wonder if I could approach the rostrum and ask that you request the gentleman from Pittsfield, Mr. Baxter and the gentleman from Madison, Mr. Fogg, to also approach the rostrum?

The SPEAKER: The gentleman may do so.

(Conference at rostrum)

The SPEAKER: The motion pending before the House is the motion

of the gentleman from Pittsfield, Mr. Baxter, that item number one be referred to the House Committee on Rules and Business of the House. Is this the pleasure of the House?

The motion prevailed.

On motion of the gentleman from Pittsfield, Mr. Baxter, the House voted to take from the table the second tabled and unassigned matter, House Order Relative to adding House Rule 35A and amending House Rule 36, tabled on January 11 by that gentleman pending passage.

On further motion of the same gentleman, the Order was referred to the House Committee on Rules and Business of the House.

On motion of the gentleman from Lewiston, Mr. Jalbert, the House voted to take from the table the third tabled and unassigned matter, Joint Order Relative to adding new Joint Rule No. 23, Senate Paper 52, tabled on January 12 by that gentleman pending passage. In the Senate, Senate Amendment "A" was adopted and referred to the Committee on State Government.

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

Mr. JALBERT: Mr. Speaker, I would for a moment refer myself to the courtesy extended to me by the gentleman from Madison, Mr. Fogg, when I wasn't where I should have been a few moments ago, on a bill of mine concerning the election laws with a straight "Ought not to pass" Report on it. I am not particularly anxious to have these measures referred to the State Government Committee. I was in hopes as a member of the interim committee that they would be given their proper explanation on the Floor of the House. It means that we go to the State Government Committee now and rehash it, and the two measures that I am now taking from the table and referring to the Committee just means exactly what happened to me personally this morning. In spite of the fact that my good colleague was extending me a courtesy, if I had known what I was voting on, I would not have

arisen in favor of tabling because if I can't convince one out of a Committee of ten, how am I going to try to convince one hundred and fifty-one?

That is exactly what we people were discussing. We are going to now have to go into the rules of House Business and rehash two years work, go into the State Government Committee and also again rehash the whole thing all over again. I think that possibly sometime deep in May some of us shadows might remind some members that possibly these rules might have been adopted and we might have gotten home a little earlier. I hope I am wrong, but I don't think I will be.

The SPEAKER: The Clerk will read Senate Amendment "A."

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

SENATE AMENDMENT "A" TO Order adding Joint Rule 23 to provide a manual for the guidance of joint standing committees.

Amend said Order by deleting paragraph 3 on page 2.

Further amend said Order by deleting paragraph 8 and replacing with the following language: "No member shall be permitted to vote on any question in either branch of the Legislature, nor in committee, whose private right, distinct from public interest, is immediately involved."

Further amend said Order by deleting under paragraph 13, page 6, section "B", the following words: "except in the case of ONTP reports which shall be reported to the Joint Committee on Rules and Business."; and by replacing the comma after the word "Legislature" with a period.

Further amend said Order in paragraph 16, by deleting the seventh and eighth sentences, beginning with the words "A unanimous ONTP report," and ending with the words "reported back to the house of origin."

Further amend said Order by deleting the second sentence in paragraph 18, beginning with the words, "This is an attempt" and ending with the words, "delaying disposition of bills."

Further amend said Order by deleting the second sentence of para-

graph 19, beginning with the words, "Financial obligations", and ending with the words "in the form of an Order."

Senate Amendment "A" was adopted in concurrence.

Thereupon, on motion of Mr. Baxter of Pittsfield, the Joint Order as amended by Senate Amendment "A" was referred to the Committee on State Government in concurrence.

On motion of the gentleman from Lewiston, Mr. Jalbert, the House voted to take from the table the fourth tabled and unassigned matter, Joint Order Relative to amending Joint Rules No. 1, No. 10 and No. 11, Senate Paper 53, tabled on January 12 by that gentleman pending passage. In the Senate, Senate Amendment "A" was adopted and referred to the Committee on State Government.

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

SENATE AMENDMENT "A" to Order amending Joint Rule 11.

Amend said Order by changing the last word in the second paragraph from "to" to "may".

Further amend said Order by changing the first word in the third paragraph from "To" to "May".

Further amend said Order by deleting paragraph four.

Further amend said Order by deleting the seventh and final paragraph.

Senate Amendment "A" was adopted in concurrence.

On motion of Mr. Jalbert of Lewiston, the Joint Order as amended by Senate Amendment "A" was referred to the Committee on State Government in concurrence.

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

The Chair would like to make a few announcements. You have perhaps seen a notice of a Bar Association meeting in this House for tomorrow at 2:30. However, that does not preclude the House having a session tomorrow commencing at 1:00 P.M., and there will be a motion made to that effect later. In other words, we will have time tomorrow afternoon to have a session.

Tomorrow before we adjourn, I will again have a report of the accomplishments of the Committees that we have made this week, and the assignments for next week, and will again read them from this rostrum.

I would like to suggest that if you wish to have conferences in the back of the House during the

session that you step out into the hall, since we can hear about everything that you say down here and it at times could be disturbing.

On motion of Mr. Whitman of Woodstock,

Adjourned until one o'clock tomorrow afternoon.