

# 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 25, 1961

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

Prayer by the Rev. Mr. Ernest Ruark of the Mexico Baptist Church.

The journal of yesterday was read and approved.

### Papers from the Senate

From the Senate: The following Orders:

ORDERED, the House concurring, that any Town Clerk or Board of County Commissioners may, upon written request to the document clerk, receive without charge copies of all printed bills, so that there may be available to the public during the legislative session, a complete and convenient file of all printed bills (S. P. 244)

ORDERED, the House concurring, that the Joint Select Committee on Constitutional State Reapportionment and Congressional Redistricting be and hereby is directed to consider the apportionment and assignment of councilor districts, senatorial districts and districts for representatives to the Legislature, as well as such matters as relate to the apportionment and assignment of congressional districts, and report to this Legislature by bill, or otherwise (S. P. 245)

Came from the Senate read and passed.

In the House, read and passed in concurrence.

From the Senate:

Bill "An Act Providing Expanded Community Mental Health Services" (S. P. 191) (L. D. 524)

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 relating to Attending School in Administrative Units in Another State" (S. P. 192) (L. D. 525)

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 Open Season on Black Bass Fishing" (S. P. 193) (L. D. 526)

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 Trustees of and Investments by Odd Fellows' Home of Maine" (S. P. 194) (L. D. 527)

Bill "An Act relating to Certificate of Secretary of State as Evidence in Motor Vehicle Cases" (S. P. 195) (L. D. 528)

Bill "An Act Repealing the Tri-State Authority for Collective Construction and Operation of Institutions in Maine, New Hampshire and Vermont" (S. P. 196) (L. D. 529)

Bill "An Act relating to Transfer of County Jail Prisoners" (S. P. 197) (L. D. 530)

Bill "An Act Providing for a Compact with New England States for Confinement, Treatment and Rehabilitation of Offenders" (S. P. 198) (L. D. 531)

Bill "An Act Repealing Provision of Financial Responsibility Law Concerning Accident by Non-licensed Driver" (S. P. 199) (L. D. 532)

Bill "An Act relating to Hospitalization of Persons Suffering from Excessive Use of Alcohol" (S. P. 200) (L. D. 533)

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 relating to Work on Shade and Ornamental Trees" (S. P. 201) (L. D. 534)

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 Extend the Charter of the R. and T. Cement Railroad Company" (S. P. 202) (L. D. 535)

Came from the Senate referred to the Committee on Public Utilities.

In the House, referred to the Committee on Public Utilities in concurrence.

From the Senate:

Bill "An Act relating to Disability Benefits under Maine State Retirement System" (S. P. 203) (L. D. 536)

Bill "An Act relating to State Retirement Benefits for Teachers" (S. P. 204) (L. D. 537)

Bill "An Act relating to Amount of State Retirement Benefits for Teachers" (S. P. 205) (L. D. 538)

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:

Resolve Proposing an Amendment to the Constitution Changing the Tenure of Office of Sheriff to Four-Year Terms (S. P. 206) (L. D. 539)

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

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

From the Senate:

Bill "An Act Increasing Salaries of Certain Officers of Lincoln County" (S. P. 207) (L. D. 540)

Bill "An Act Increasing Salary and Expenses of Judge of Western Somerset Municipal Court" (S. P. 208) (L. D. 541)

Bill "An Act Authorizing Washington County to Construct an Addition to County Court House" (S. P. 209) (L. D. 542)

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 Weight of Certain Commercial Vehicles" (S. P. 210) (L. D. 543)

Bill "An Act relating to Fees for Replacement Motor Vehicle License Plates and Inserts" (S. P. 211) (L. D. 544)

Bill "An Act relating to Renewal of Motor Vehicle Instruction Permits" (S. P. 212) (L. D. 545)

Bill "An Act relating to Operation of Vehicles Loaned by a Dealer or Holder of a Transit Registration Certificate" (S. P. 213) (L. D. 546)

Bill "An Act relating to Furnishing List of Recipients of Aid to the Blind for Motor Vehicle Purposes" (S. P. 214) (L. D. 547)

Came from the Senate referred to the Committee on Transportation.

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

From the Senate:

Bill "An Act relating to the Interstate Compact on Placement of Children" (S. P. 215) (L. D. 548)

Came from the Senate referred to the Committee on Welfare.

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

### **Senate Reports of Committees Ought to Pass**

Report of the Committee on Public Utilities reporting "Ought to pass" on Bill "An Act relating to Capital Stock of Maine Public Service Company" (S. P. 23) (L. D. 48)

Report of same Committee reporting same on Bill "An Act to Enlarge the Powers and Purposes of Rangeley Power Company" (S. P. 41) (L. D. 83)

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

In the House, Reports were read and accepted in concurrence, the Bills read twice and tomorrow assented.

### **Non-Concurrent Matter**

Bill "An Act relating to Ferry Service for Long Island Plantation" (H. P. 304) (L. D. 456) which was

referred to the Committee on Highways in the House on January 18.

Came from the Senate referred to the Committee on Appropriations and Financial Affairs in non-concurrence.

In the House: On motion of Mr. Kimball of Mount Desert, the House voted to recede and concur with the Senate.

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

### Messages and Documents

The following Communication:

#### STATE OF MAINE SUPREME JUDICIAL COURT AUGUSTA

January 24, 1961

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

Dear Mr. Pease:

There are enclosed the Answers of the Justices to the Questions of January 17, 1961, relating to the contest by Andrew Karkos of Lisbon, Maine of the seat certified to Frank M. Bowie of Durham, Maine.

Respectfully yours,

(Signed)

ROBERT B. WILLIAMSON  
Chief Justice

### Answers of the Justices

To the Honorable House of  
Representatives of the  
State of Maine:

In compliance with the provisions of Section 3 of Article VI of the Constitution of Maine, we, the undersigned Justices of the Supreme Judicial Court, have the honor to submit the following answers to the questions propounded on January 17, 1961.

Question (1): In an election contest such as the one outlined above, has the contestant complied with the provisions of Chapter 5, Section 89, of the Revised Statutes when he deposits the notice of contest in the United States Mails within the prescribed time limit, but the notice is not received un-

til after the expiration of that limit?

Answer: We answer in the negative.

"In general, where a notice, as distinguished from an acceptance, is required by contract or statute, it is a question of interpretation, but usually it must reach the person to be notified within the period stipulated; *Haldane v. United States*, 69 F. 819, 16 C.C.A. 447; *Conway v. First Nat. Bank*, 256 F. 277, 291; *Wheeler v. McStay*, 160 Ia. 745, 141 N.W. 404, L.R.A. 1915 B. 181; *Fritz v. Penna Fire Ins. Co.*, 85 N.J.L. 171, 88 A. 1065, 50 L.R.A. (N.S.) 35; *Crown Point Iron Co. v. Aetna Ins. Co.*, 127 N.Y. 608, 28 N. E. 653, 14 L.R.A. 147; . . ."

Williston on Contracts, Rev. Ed. Vol. 1, Page 243, § 87 note (3rd Ed. Jaeger, Vol. 1, Page 281, § 87 note.)

Question (II): If the answer to question number 1 above is in the negative, does the Committee on Elections have any jurisdiction to entertain the contestant's petition?

Answer: We answer in the affirmative.

The Constitution of Maine, Art. IV, Part Third, Sec. 3, provides: "Each house shall be the judge of the elections and qualifications of its own members \* \* \*."

The Constitution thus clothes each house of the Legislature with exclusive and plenary jurisdiction. The Legislature may prescribe reasonable rules of conduct and procedure in resolving election contests involving its own membership, but its jurisdiction continues to rest upon the authority vested in it by the Constitution and may not be made to depend upon any technical compliance or failure to comply with such procedural requirements. We have no official knowledge of the specific authority vested by the House in its Committee on Elections either under its rules or by any special action, but for our purposes we will assume that the Committee on Elections was established to hear and determine contested cases under the provisions of R.S. Chapter 5, Section 89 as amended

by P. L. 1959, Chapter 204, Section 26. In so acting the Committee on Elections stands in the place of the House in the first instance and derives its jurisdiction from that of the parent body. Final decision rests in the House to which the Committee reports. It follows therefore that the Committee on Elections, like the House for which it acts, may in an appropriate case disregard technical non-compliance with the statutory notice and determine a case upon its merits. The test would be whether substantial justice would be established by hearing and determining the case. In short, non-compliance with the statutory notice requirement does not negate the jurisdiction of either the House or its designated committee of reference. The foregoing principle has been applied with respect to the jurisdiction of the Congress and federal statutes imposing notice requirements. As stated in Paine on Elections (1838), Sec. 1003, Page 833:

"The statutory provision, prescribing the time within which the notice of contest is to be served, is not obligatory upon the house of representatives. A mere failure to serve this notice, within the period limited by the statute, will not always result in the dismissal of the contest, without a trial of the case on its merits. The federal constitution does not permit the house to be fettered by this statute. Since the enactment of the statute of 1851 no contest has been dismissed, without a trial on the merits, upon the sole ground that the notice was not served within the period of thirty days limited in the statute."

Question (III): In what way, if any, would the answers to either of the above questions be affected if it is shown that Mr. Bowie was informed orally, before the expiration of the time limit, that Mr. Karkos intended to contest his election to the House of Representatives?

Answer: We answer that the fact stated would not affect or alter our

answers to questions I and II above.

Dated at Augusta, Maine, this 24th day of January, 1961.

Respectfully submitted:

(Signed)

ROBERT B. WILLIAMSON  
DONALD W. WEBBER  
WALTER M. TAPLEY, JR.  
FRANCIS W. SULLIVAN  
F. HAROLD DUBORD  
CECIL J. SIDDALL

The Communication was read and ordered placed on file.

### **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:

#### **Appropriations and Financial Affairs**

Bill "An Act Appropriating Moneys to Effectuate Compensation for State Employees" (H. P. 565) (Presented by Mr. Bragdon of Perham) (Ordered Printed)

Bill "An Act Providing for the Construction of Health and Physical Education Facilities at the State Teachers Colleges and Fort Kent State Normal School" (H. P. 566) (Presented by Mr. Brewer of Bath)

(Ordered Printed)

Bill "An Act Providing for the Construction of an Addition to Edmunds Elementary School in the Unorganized Territory" (H. P. 567) (Presented by Mr. Pike of Lubec)

(Ordered Printed)

Resolve Appropriating Funds for Regional Airport to Service Augusta, Waterville and Surrounding Areas (H. P. 568) (Presented by Mr. Brown of Fairfield)

(Ordered Printed)

Resolve Appropriating Funds for Publication of Civil War History in Maine (H. P. 569) (Presented by Mr. Dennison of East Machias)

(Ordered Printed)

Resolve Appropriating Moneys for the Repair of Buildings at Gorham State Teachers' College (H. P. 570) (Presented by Mr. Estey of Portland)

(Ordered Printed)

Resolve Providing Funds for Public Landing at Islesford, Hancock

County (H. P. 571) (Presented by Mr. Kimball of Mount Desert)  
(Ordered Printed)

Resolve Providing for Legislative Research Committee Study of State and Municipal Sewage Problems (H. P. 572) (Presented by Mr. Schulten of Woolwich)  
(Ordered Printed)

Resolve in Favor of School Administrative District No. 14, Danforth-Weston, for School Construction Aid (H. P. 573) (Presented by Mr. Wheaton of Princeton)  
(Ordered Printed)

Sent up for concurrence.

### Business Legislation

Bill "An Act Revising the Savings Bank Laws" (H. P. 574) (Presented by Mr. Berman of Auburn)  
(Ordered Printed)

Bill "An Act to Incorporate the 'Consolidated Finance Co.'" (H. P. 575) (Presented by Mr. Plante of Old Orchard Beach by request)  
(Ordered Printed)

Bill "An Act to Incorporate the Economy Loan Corporation" (H. P. 576) (Presented by Mr. Schulten of Woolwich)  
(Ordered Printed)

Sent up for concurrence.

### Claims

Resolve in favor of Clarence Ricker of Clinton (H. P. 577) (Presented by Mr. Cooper of Albion)  
(Ordered Printed)

Resolve to Reimburse Guy Cyr of Hamlin for Property Damage by Highway Relocation (H. P. 578) (Presented by Mr. Johnson of Stockholm)  
(Ordered Printed)

Resolve Reimbursing Bay Ferry Corporation for Loss of Business (H. P. 579) (Presented by Mr. Kimball of Mount Desert)  
(Ordered Printed)

Resolve Reimbursing Town of Exeter for Aid Extended to Mrs. Virginia Smith (H. P. 580) (Presented by Mr. Merrill of Stetson)  
(Ordered Printed)

Resolve in favor of Town of Chelsea for Aid to Calvin York and Family (H. P. 581) (Presented by Mr. Philbrick of Augusta)  
(Ordered Printed)

Resolve to Reimburse Town of Bristol for Aid Extended to Charles

Maines (H. P. 582) (Presented by Mrs. Sproul of Bristol)  
(Ordered Printed)

Resolve to Reimburse Town of Danforth for Aid Extended to Fredrick Frye (H. P. 583) (Presented by Mr. Wheaton of Princeton)  
(Ordered Printed)

Resolve to Reimburse Town of Danforth for Aid Extended to Lillian Murray (H. P. 584) (Presented by same gentleman)  
(Ordered Printed)

Sent up for concurrence.

### Education

Bill "An Act to Reconstitute School Administrative District No. 16" (H. P. 585) (Presented by Mr. Choate of Hallowell)  
(Ordered Printed)

Bill "An Act Changing Fort Kent Normal School to Fort Kent Teachers' College" (H. P. 586) (Presented by Mr. Cyr of Fort Kent)  
(Ordered Printed)

Bill "An Act to Reconstitute School Administrative District No. 15" (H. P. 587) (Presented by Mr. Durgin of Raymond)  
(Ordered Printed)

Bill "An Act to Provide Schooling in Brunswick for High School Tuition Pupils from Certain Other Towns" (H. P. 588) (Presented by Mr. Lowery of Brunswick)  
(Ordered Printed)

Bill "An Act relating to Apportionments of Educational Subsidies to School Administrative Districts" (H. P. 589) (Presented by Mr. Wheaton of Princeton)  
(Ordered Printed)

Bill "An Act to Reconstitute School Administrative District No. 14" (H. P. 590) (Presented by same gentleman)  
(Ordered Printed)

Sent up for concurrence.

### Highways

Bill "An Act to Authorize the Construction of a Causeway Connecting Cousins Island with Littlejohns Island, and a Bridge and Causeway Connecting Littlejohns with Chebeague Island" (H. P. 591) (Presented by Mr. Prince of Harpswell)  
(Ordered Printed)

Resolve Designating Causeway to Cousins Island as "The Carl W.

Seabury Highway" (H. P. 592)  
(Presented by Mrs. Knapp of Yarmouth)

(Ordered Printed)

Resolve in favor of Town of Burlington for Road Construction (H. P. 593) (Presented by Mr. Whitney of Winn)

(Ordered Printed)

Sent up for concurrence.

#### **Inland Fisheries and Game**

Bill "An Act relating to Open Season on Deer in Zone 2" (H. P. 594) (Presented by Mr. Anderson of Ellsworth)

(Ordered Printed)

Resolve Opening Baker Pond, Somerset County, to Fly Fishing (H. P. 595) (Presented by Mr. Anderson of Greenville)

(Ordered Printed)

Resolve Regulating Fishing in Certain Waters in Piscataquis County (H. P. 596) (Presented by Mr. Dodge of Guilford)

(Ordered Printed)

Resolve Regulating Fishing in Ireland Pond, Penobscot County (H. P. 597) (Presented by Mrs. Harrington of Patten)

(Ordered Printed)

Resolve Regulating Fishing in Certain Waters in Penobscot County (H. P. 598) (Presented by same member)

(Ordered Printed)

Sent up for concurrence.

#### **Judiciary**

Bill "An Act relating to Larceny by Trustee in Trust Receipt Transactions" (H. P. 599) (Presented by Mr. Berman of Auburn)

(Ordered Printed)

Sent up for concurrence.

#### **Tabled**

Bill "An Act relating to Payments to County Law Libraries in Aroostook County" (H. P. 600) (Presented by Mr. Berman of Houlton)

(On motion of Mr. Baxter of Pittsfield, tabled pending reference to committee and unassigned.)

#### **Judiciary**

Bill "An Act relating to Contracts of Minors in Furthering Their Higher Education" (H. P.

601) (Presented by Mr. Levesque of Madawaska)

(Ordered Printed)

Resolve Authorizing Clifford E. Grass to Bring Civil Action Against State of Maine (H. P. 602) (Presented by Mr. Tweedie of Mars Hill)

(Ordered Printed)

Sent up for concurrence.

#### **Labor**

Bill "An Act to Amend the Employment Security Law" (H. P. 603) (Presented by Mr. Estey of Portland)

(1,250 copies Ordered Printed)

Sent up for concurrence.

#### **Legal Affairs**

Bill "An Act to Grant a New Charter to the Town of Old Orchard Beach" (H. P. 604) (Presented by Mr. Plante of Old Orchard Beach by request)

(1,000 copies Ordered Printed)

Bill "An Act to Grant a New Charter to the City of South Portland" (H. P. 605) (Presented by Mr. Danes of South Portland)

(750 copies Ordered Printed)

Bill "An Act Transferring South Portland Sewerage District to City of South Portland" (H. P. 606) (Presented by same gentleman)

(750 copies Ordered Printed)

Bill "An Act to Ratify and Confirm the Incorporation of the Lewiston and Auburn Society for the Prevention of Cruelty to Animals" (H. P. 607) (Presented by Mr. Berman of Auburn)

(Ordered Printed)

Bill "An Act Amending Charter of City of Westbrook" (H. P. 608) (Presented by Mr. Burns of Westbrook)

(Ordered Printed)

Bill "An Act to Incorporate the Town of Carmel School District" (H. P. 609) (Presented by Mr. Carter of Etna)

(Ordered Printed)

Bill "An Act Eliminating Smokeless Powder from Explosives Regulations" (H. P. 610) (Presented by Mr. Choate of Hallowell)

(Ordered Printed)

Bill "An Act to Enlarge the Powers of the Town of Wiscasset School District" (H. P. 611) (Presented by Mr. Hancock of Nobleboro)

(Ordered Printed)



Bill "An Act to Dissolve School Administrative District No. 2 and to Authorize the Municipalities of Mapleton, Castle Hill and Chapman to Form a School Administrative District" (H. P. 612) (Presented by Mr. Perry of Easton)

(Ordered Printed)

Bill "An Act relating to Notes of Augusta Parking District" (H. P. 613) (Presented by Mr. Philbrick of Augusta)

(Ordered Printed)

Bill "An Act Providing for Civil Service for the Old Orchard Beach Police Department" (H. P. 614) (Presented by Mr. Plante of Old Orchard Beach)

(Ordered Printed)

Bill "An Act relating to Power of Squirrel Island Village Corporation to Borrow Money" (H. P. 615) (Presented by Mrs. Sproul of Bristol)

(Ordered Printed)

Bill "An Act relating to Superintending School Committee of Town of Kennebunkport" (H. P. 616) (Presented by Mr. Tyndale of Kennebunkport)

(Ordered Printed)

Bill "An Act relating to Superintending School Committee of Town of Kennebunk" (H. P. 617) (Presented by same gentleman)

(Ordered Printed)

Bill "An Act to Provide for the Dissolution of School Administrative District No. 3" (H. P. 618) (Presented by Mr. Westerfield of Liberty)

(Ordered Printed)

Bill "An Act to Annex Certain Islands to Town of Danforth" (H. P. 619) (Presented by Mr. Wheaton of Princeton)

(Ordered Printed)

Sent up for concurrence.

#### Public Utilities

Bill "An Act relating to Charges and Real Estate Liens by Westbrook Sewerage District" (H. P. 620) (Presented by Mr. Burns of Westbrook)

(Ordered Printed)

Bill "An Act relating to Maintenance and Use of Landings on Islands of Casco Bay" (H. P. 621) (Presented by Mr. Estey of Portland)

(Ordered Printed)

Bill "An Act to Incorporate Starks Water District" (H. P. 622) (Presented by Mr. Johnson of Smithfield)

(Ordered Printed)

Bill "An Act to Incorporate the Jay Village Water District" (H. P. 623) (Presented by Mr. Maxwell of Jay)

(Ordered Printed)

Bill "An Act to Increase Service Area and Borrowing Capacity of East Boothbay Water District" (H. P. 624) (Presented by Mrs. Sproul of Bristol)

(Ordered Printed)

Bill "An Act Increasing Borrowing Capacity of Mars Hill Utility District" (H. P. 625) (Presented by Mr. Tweedie of Mars Hill)

(Ordered Printed)

Sent up for concurrence.

#### Retirements and Pensions

Resolve Increasing Pension of Martha Morey of Shirley Mills (H. P. 626) (Presented by Mr. Anderson of Greenville)

(Ordered Printed)

Resolve in favor of a Survivor Benefit Allowance for Gertrude S. Osgood of Auburn (H. P. 627) (Presented by Mr. Berman of Auburn)

(Ordered Printed)

Resolve Providing for a Pension for Camille Dube of Plaisted (H. P. 628) (Presented by Mr. Cyr of Fort Kent)

(Ordered Printed)

Resolve Providing State Pension for Joseph Burrows of Kennebunkport (H. P. 629) (Presented by Mr. Tyndale of Kennebunkport)

(Ordered Printed)

Resolve Providing for State Pension for Charles Wildes of Kennebunkport (H. P. 630) (Presented by same gentleman)

(Ordered Printed)

Resolve to Increase Retirement Benefit of Cora B. Littlefield of Kennebunk (H. P. 631) (Presented by same gentleman)

(Ordered Printed)

Resolve to Increase Retirement Benefit for Chaplain T. Greene of Princeton (H. P. 632) (Presented by Mr. Wheaton of Princeton)

(Ordered Printed)

Sent up for concurrence.

**Sea and Shore Fisheries**

Bill "An Act relating to Taking Smelts in East Machias River by Gill Nets" (H. P. 633) (Presented by Mr. Dennison of East Machias)

(Ordered Printed)

Sent up for concurrence.

**State Government**

Resolve Proposing an Amendment to the Constitution Changing Date of General Election (H. P. 634) (Presented by Mr. Bussiere of Lewiston)

(Ordered Printed)

Resolve Authorizing the Director of the Bureau of Public Improvements to Convey Certain Land in Hallowell (H. P. 635) (Presented by Mr. Choate of Hallowell)

(Ordered Printed)

Resolve Proposing an Amendment to the Constitution Changing the Tenure of Office of Representatives to Four-Year Terms (H. P. 636) (Presented by Mr. Danes of South Portland)

(Ordered Printed)

Resolve Proposing an Amendment to the Constitution for Appointment of Secretary of State by the Governor with Consent of the Senate (H. P. 637) (Presented by Mr. Lowery of Brunswick)

(Ordered Printed)

Resolve Proposing an Amendment to the Constitution for Appointment of Attorney General by the Governor with Consent of the Senate (H. P. 638) (Presented by same gentleman)

(Ordered Printed)

Resolve Authorizing Director of Public Improvements to Grant Certain Easements on Land of the State in Augusta (H. P. 639) (Presented by Mr. Philbrick of Augusta)

(Ordered Printed)

Sent up for concurrence.

**Towns and Counties**

Bill "An Act relating to Expendings Aroostook County Funds for Ricker College" (H. P. 640) (Presented by Mr. Berman of Houlton)

(Ordered Printed)

Bill "An Act Increasing Salary of Register of Probate of Kennebec County" (H. P. 641) (Presented by Mr. Choate of Hallowell)

(Ordered Printed)

Bill "An Act relating to Public Funds for Wiscasset Municipal Airport" (H. P. 642) (Presented by Mr. Hancock of Nobleboro)

(Ordered Printed)

Bill "An Act Increasing Compensation of Jurors" (H. P. 643) (Presented by Mrs. Lincoln of Bethel)

(Ordered Printed)

Bill "An Act Increasing Salaries of Judge and Associate Judge of Kennebunk Municipal Court" (H. P. 644) (Presented by Mr. Tyndale of Kennebunkport)

(Ordered Printed)

Sent up for concurrence.

**Orders**

Mr. Crockett of Freeport presented the following Order and moved its passage:

ORDERED, the Senate concurring, that a Joint Committee consisting of one member of the Senate and two members of the House of Representatives to be appointed by the President of the Senate and the Speaker of the House, respectively, serve as a liaison committee with the subcommittee of the Legislative Research Committee and its retired members, and the Department of Economic Development and the Maine State Librarian, to complete the formulation of plans to commemorate the 100 legislatures of Maine and to include the dedication of the State Museum, leading up to and including the celebration day of March 15th.

The Order received passage and was sent up for concurrence.

The SPEAKER: Pursuant to this order, the Chair will appoint to this Joint Select Committee on the part of the House, the gentleman from Freeport, Mr. Crockett, and the gentleman from Milbridge, Mr. Kennedy.

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

ORDERED, that the members of the House of Representatives extend their sympathy and their hopes for a speedy and complete recovery to Mr. Brown of Cape Elizabeth; and

BE IT FURTHER ORDERED, that the Clerk of the House be directed to send flowers to Mr. Brown together with a note of sympathy from the members.

Mr. Lowery of Brunswick presented the following and moved its passage:

WHEREAS, the Brunswick Junior High School Band, under the direction of Mr. Ernest George, was invited and did participate in the presidential inaugural parade;

BE IT ORDERED, that the members of the House of Representatives extend its congratulations to Brunswick Junior High School and to the band for its grand performance; and

BE IT FURTHER ORDERED, that the Clerk of the House be directed to send an attested copy of this Order to Brunswick Junior High School.

The Order received passage.

The SPEAKER: This order was supposed to have been put in yesterday at the same time that the order was put in congratulating the band of Deering High School but, due to the bad weather and the shortness of time in the morning before the session, it was not put in until today.

#### House Reports of Committees Leave to Withdraw

Mr. Nadeau from the Committee on Transportation on Bill "An Act relating to Notification of Expiration of Motor Vehicle Operators' Licenses" (H. P. 106) (L. D. 146) reported Leave to Withdraw.

Report was read and accepted and sent up for concurrence.

#### Ought Not to Pass

Mr. Hughes from the Committee on Business Legislation reported "Ought not to pass" on Bill "An Act Permitting Certain Corporations to Hold Stockholders Meetings Outside the State" (H. P. 25) (L. D. 44)

Mr. Dostie from the Committee on State Government reported same on Bill "An Act Providing Stamped Envelopes When Sales Tax Forms Sent by State Tax Assessor" (H. P. 120) (L. D. 163)

Mr. Berry from the Committee on Transportation reported same on Bill "An Act relating to Disposition of Fines for Violation of Motor Vehicle Laws" (H. P. 173) (L. D. 236)

Reports were read and accepted and sent up for concurrence.

#### Tabled

Mr. Bussiere from the Committee on Transportation reported "Ought not to pass" on Bill "An Act relating to Initial Motor Vehicle Number Plates" (H. P. 217) (L. D. 312)

Report was read.

The SPEAKER: The Chair recognizes the gentleman from Harrison, Mr. Morrill.

Mr. MORRILL: Mr. Speaker, I move this matter be tabled unassigned pending substitution of the bill for the report.

The SPEAKER: The gentleman from Harrison, Mr. Morrill, moves that item five be tabled unassigned pending acceptance of the Committee Report.

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

Mr. JALBERT: Mr. Speaker, I would like to ask a question through the Chair of the gentleman from Woodstock, Mr. Whitman, if I may.

The SPEAKER: The gentleman from Lewiston, Mr. Jalbert, wishes to address a question through the Chair to the gentleman from Woodstock, Mr. Whitman, who may answer if he chooses.

Mr. JALBERT: The question is, I was wondering if he was going to move for a division.

Mr. MORRILL: We want to table that unassigned because there is other legislation coming along that might have some bearing on this bill.

The SPEAKER: The Chair recognizes the gentleman from Woodstock, Mr. Whitman, but the Chair would caution the gentleman that he may not debate a tabling motion.

Mr. WHITMAN: Mr. Speaker, in answer to the question of the gentleman from Lewiston, Mr. Jalbert, I would say I see no reason for a division on this question.

The SPEAKER: The Chair will put the motion once more. The question before the House is the motion of the gentleman from Harrison, Mr. Morrill, that the Bill and Report be tabled unassigned pending acceptance of the Committee Report. Is this the pleasure of the House?

The motion prevailed on a viva voce vote.

Mr. Finley from the Committee on Transportation reported "Ought not to pass" on Bill "An Act relating to Disposal of Fines Collected for Violation of Law Regulating Motor Trucks for Hire" (H. P. 174) (L. D. 237)

Report was read and accepted and sent up for concurrence.

### **Ought to Pass Printed Bills**

Mr. Bearce from the Committee on State Government reported "Ought to pass" on Resolve Authorizing the State Military Defense Commission to Convey Certain Land in Rockland (H. P. 22) (L. D. 41)

Mr. Haughn from same Committee reported same on Resolve Loaning to City of Hallowell the Replaced Furniture of the Executive Council Chambers (H. P. 50) (L. D. 91)

Mr. Noel from same Committee reported same on Resolve Authorizing the Maine Military Defense Commission to Convey Certain Land in Bangor (H. P. 163) (L. D. 226)

Mr. Whitman from same Committee reported same on Bill "An Act relating to Bids for State Purchases" (H. P. 122) (L. D. 162)

Mr. Linnekin from the Committee on Transportation reported same on Bill "An Act relating to Exemption from Laws Regulating Motor Trucks for Hire" (H. P. 218) (L. D. 313)

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

### **Passed to Be Engrossed**

Bill "An Act relating to Maintenance of Morse's Bridge, Bangor" (H. P. 3) (L. D. 22)

Bill "An Act to Validate Proceedings Authorizing the Issuance of Bonds by School Administrative District No. 11" (H. P. 6) (L. D. 25)

Bill "An Act relating to Notes Issued by School Administrative Districts" (H. P. 32) (L. D. 66)

Bill "An Act relating to Payments by Baxter State Park Authority to Maine Forestry District" (H. P. 75) (L. D. 117)

Bill "An Act Authorizing Selectmen or Municipal Officers to Fill

Vacancies on Board of School Directors" (H. P. 79) (L. D. 122)

Resolve Authorizing Forest Commissioner to Occupy Certain State Property (H. P. 102) (L. D. 142)

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

### **Orders of the Day**

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

Bill "An Act Revising the Laws Relating to the Organization and General Supervisory Powers of the Department of Banks and Banking." (H. P. 494) (Committee on Reference of Bills suggests Committee on Judiciary)

Tabled—Jan. 24, by Mr. Choate of Hallowell.

Pending—Reference.

On motion of Mr. Choate of Hallowell, referred to the Committee on Business Legislation, ordered printed, and sent up for concurrence.

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

Bill "An Act Relating to Sewage Treatment Plant for City of Saco." (Emergency) (H. P. 508) (Committee on Reference of Bills suggests Committee on Legal Affairs)

Tabled—Jan. 24, by Mr. Haughn of Bridgton.

Pending—Reference.

On motion of Mr. Haughn of Bridgton, referred to the Committee on Legal Affairs, ordered printed, and sent up for concurrence.

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

Bill "An Act Relating to Automobile Travel by State Employees." (H. P. 540) (Committee on Reference of Bills suggests Committee on State Government)

Tabled—Jan. 24, by Mr. Wellman of Bangor.

Pending—Reference.

On motion of Mr. Wellman of Bangor, referred to the Committee on Appropriations and Financial Affairs, ordered printed, and sent up for concurrence.

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

Mr. Jalbert of Lewiston was granted unanimous consent to address the House.

Mr. JALBERT: Mr. Speaker and Members of the House: As no doubt many of you know, over this weekend all roads lead to Lewiston. The International Snowshoe Congress will be held. This Congress is made up of over one hundred and twenty clubs, snowshoe clubs from Maine, New Hampshire, Massachusetts, Connecticut, and all parts of Canada. People are coming to this Congress by bus, train, plane, and some of them actually are walking. I just spoke a few minutes ago to three gentlemen who are now in the town of my friend, Mr. Whitman, Bryant Pond. They will land in Norway tonight and they will land in Lewiston tomorrow night.

The Congress is brief, but the activities are many. The first activity will be Friday night, what we call the "Burning of the Green." Every tree, Christmas tree, in Lewiston was gathered under one roof, and we will burn them in good Maine green fashion Friday night. On Saturday morning we hold races, and also Saturday afternoon. These are World Championship races conducted under the sponsorship of the AAU. If you want to see something, you want to see twenty men or women running on snowshoes over hurdles. We have to date over fifty press, radio and TV representatives who are going to attend the Congress. The Governor of Maine will attend the Congress in a special uniform, the Governor of New Hampshire will attend the Congress in a special uniform.

Friday night also, we have the Coronation Ball, and two highlights of the Congress are the parades. These parades are held—every club has a drum corps, or a band, all uniforms are of different colors. There are two parades, one Saturday night and one Sunday. The one Saturday night is at 7:30, and the one Sunday is at 10:15, walking to church. And if you want to see a real treat, you want to see over one hundred clubs parading in different beautiful, colorful uniforms. Our headquarters will be at the DeWitt, I'll be stationed there from Friday noon until Sunday night late. My dear friend, former Representative Albert Cote, will be there in uniform. If you can't see me, I think you may be able to see Albert. We would like to invite you to join with us in our festivities. Thank you very much. (Applause)

The SPEAKER: Reference is made to House Paper 250, Legislative Document 364, Bill "An Act Relating to Qualifications of Licensed Private Detectives," and the disagreeing action on the part of the House whereby on January 24, 1961 it insisted on its action of January 17, 1961 and a Committee of Conference was requested.

Pursuant to this action, the Speaker will appoint on the part of the House the following Conferencees:

Mrs. HENDRICKS of Portland  
Messrs. PLANTE  
of Old Orchard Beach  
KENNEDY of Milbridge

On motion of Mr. Baxter of Pittsfield,

Adjourned until one thirty o'clock tomorrow afternoon.