

MAINE STATE LEGISLATURE

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



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

LEGISLATIVE RECORD

OF THE

One-Hundredth Legislature

OF THE

STATE OF MAINE

1961

DAILY KENNEBEC JOURNAL
AUGUSTA, MAINE

HOUSE

Thursday, February 9, 1961

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

Prayer by the Rev. Mrs. Alice T. Hart of Hallowell.

The journal of yesterday was read and approved.

Papers from the Senate

From the Senate:

Bill "An Act relating to Milk Purchased by Dealer from Sources Other than his Regular Producers" (S. P. 391) (L. D. 1257)

Came from the Senate referred to the Committee on Agriculture.

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

From the Senate:

Bill "An Act relating to Interest Rate for Licensed Small Loan Agencies" (S. P. 392) (L. D. 1258)

Bill "An Act relating to Establishment of Branch Banks" (S. P. 393) (L. D. 1259)

Bill "An Act relating to Fraternal Benefit Societies" (S. P. 394) (L. D. 1260)

Bill "An Act Regulating Certain Insurance Sold in Connection with Credit Transactions" (S. P. 393) (L. D. 1263)

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 relating to Sunday Hunting of Bobcat in Oxford County" (S. P. 379) (L. D. 1256)

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 Removal of Buildings Guttled by Fire or Debris Remaining after Building Destroyed by Fire" (S. P. 395) (L. D. 1261)

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 Disposition of Fines for Vehicle Overload Violators" (S. P. 397) (L. D. 1262)

Came from the Senate referred to the Committee on Transportation.

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

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

**Senate Reports of Committees
Ought to Pass**

Report of the Committee on Highways reporting "Ought to pass" on Resolve Designating Bridge over Outlet Stream, Oxford Village, as Ralph E. Edwards Bridge (S. P. 137) (L. D. 320)

Report of the Committee on Inland Fisheries and Game reporting same on Bill "An Act Providing a State-Wide Limit on Certain Fish" (S. P. 69) (L. D. 169)

Report of same Committee reporting same on Resolve Prohibiting Live Fish as Bait in Certain Waters (S. P. 26) (L. D. 51)

Report of same Committee reporting same on Resolve Regulating Salmon Fishing in Sebect Lake, Piscataquis County (S. P. 71) (L. D. 171)

Report of same Committee reporting same on Resolve Regulating Ice Fishing in Spring Lake, T3 R4, Somerset County (S. P. 110) (L. D. 255)

Report of the Committee on Natural Resources reporting same on Bill "An Act relating to Selection of Public Reserved Lots" (S. P. 75) (L. D. 175)

Report of same Committee reporting same on Bill "An Act relating to Sewage Pollution Surveys" (S. P. 144) (L. D. 327)

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

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

Ought to Pass with Committee Amendment

Report of the Committee on Election Laws on Bill "An Act Permitting Absentee Ballots for Election of Town Officials" (S. P. 65) (L. D. 165) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Came from the Senate with the Report read and accepted and the Bill passed to be engrossed as amended by Committee Amendment "A".

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

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

COMMITTEE AMENDMENT "A"
to S. P. 65, L. D. 165, Bill "An Act Permitting Absentee Ballots for Election of Town Officials."

Amend said Bill by adding at the end before the quotation mark the following underlined sentence: 'This section shall also apply subject to the same conditions, to the election of town meeting members in those communities which employ the representative town meeting form of government.'

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

Report of the Committee on Retirements and Pensions on Bill "An Act to Correct Inconsistencies and Inequities in the Maine State Retirement System Law" (S. P. 122) (L. D. 267) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Came from the Senate with the Report read and accepted and the Bill passed to be engrossed as amended by Committee Amendment "A".

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

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

COMMITTEE AMENDMENT "A"
to S. P. 122, L. D. 267 "An Act to Correct Inconsistencies and Inequities in the Maine State Retirement System Law."

Amend said Bill by striking out all of Sec. 4 and inserting in place thereof the following:

"Sec. 4. R. S., c. 63-A, § 12, **amended.** The first paragraph of section 12 of chapter 63-A of the Revised Statutes, as enacted by section 1 of Chapter 417 of the public laws of 1955, is amended to read as follows:

'All retirement allowances shall be payable for life in equal monthly installments including any fraction of a month up to the date of death. Upon attainment of eligibility for retirement and until the first payment on account of a retirement allowance becomes normally due, any member may elect to convert the retirement allowance otherwise payable on his account after retirement into a retirement allowance of equivalent actuarial value of one of the optional forms named below; provided, however, that an election of an optional benefit shall become effective on the date on which the first payment normally becomes due. the member may at any time within 30 days from the date he elects to make his benefits effective, if the written application is in the possession of the board of trustees on or before said effective date, or, at any time within 30 days of the actual receipt by the board of trustees of the written request for benefits, change his selection of option to retirement allowance, from retirement allowance to an option or from one of the options to another. After 30 days have expired from the applicable effective date, or after the first payment has been made, whichever is earlier, there may be no change in the selection.'

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

Non-Concurrent Matter

Bill "An Act Abolishing Western Registry District in Oxford County" (H. P. 818) (L. D. 1133) which was referred to the Committee on

Judiciary in the House on February 1.

Came from the Senate referred to the Committee on Towns and Counties in non-concurrence.

In the House: The House voted to recede and concur with the Senate.

Non-Concurrent Matter

Bill "An Act relating to Spot or Auxiliary Lights on Motor Vehicles and Lights on Snow Removal Equipment" (H. P. 282) (L. D. 396) which was passed to be engrossed in the House on February 2.

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

In the House: The House voted to recede from its action whereby on February 2 it passed the Bill to be engrossed.

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

SENATE AMENDMENT "A" to H. P. 282, L. D. 396, Bill "An Act Relating to Spot or Auxiliary Lights on Motor Vehicles and Lights on Snow Removal Equipment."

Amend said Bill in the 25th line of "Sec. 2." by striking out the underlined word and punctuation "state,"

Further amend said Bill in the 44th line of "Sec. 2." by inserting after the underlined words "**chiefs of police**" the underlined words and punctuation '**state fire inspectors, inland fisheries and game wardens and sea and shore fisheries wardens**'

Senate Amendment "A" was adopted and the Bill passed to be engrossed as amended in concurrence.

Messages and Documents

The following Communication: (H. P. 1057)

STATE OF MAINE
BUREAU OF PUBLIC
IMPROVEMENTS
AUGUSTA

February 6, 1961

To the Honorable Senate and House of Representatives of the 100th Legislature

In accordance with the provisions of Section 25, Chapter 15-A, Re-

vised Statutes (1954) of Maine, as amended, we are submitting herewith "Requests for Capital Improvements" for the fiscal years 1961-62 and 1962-63.

Respectfully,

(Signed) NIRAN C. BATES

Niran C. Bates

State Director of Public Improvements

The Communication was read and with accompanying papers ordered placed on file and sent up for concurrence.

Orders

On motion of Mr. Crockett of Freeport, it was

ORDERED, that Wednesday, March 15, 1961, be designated as "Welcome Back Day" in the House of Representatives;

AND BE IT FURTHER ORDERED, that all former Speakers of the House, all former members of the House, and all former Officers of the House are hereby extended a cordial invitation to be guests of the House of Representatives of the 100th Legislature in session on that day;

AND BE IT FURTHER ORDERED, that each individual member of the present House be charged with the duty of urging all former House members from his district to avail themselves of the opportunity of returning on "Welcome Back Day" to renew old established friendships;

AND BE IT FURTHER ORDERED, that a Committee consisting of the Speaker and three members of the House be instructed to further the plans for "Welcome Back Day".

On motion of Mr. Ham of Brewer, it was

ORDERED, that Rev. Raymond Wilbur of the Congregational Church, Brewer, be invited to officiate as Chaplain of the House on Wednesday, March 15, 1961.

On motion of Mr. Chapman of Norway, it was

ORDERED, that Rev. Daniel W. Weck of Rumford be invited to officiate as Chaplain of the House on Thursday, February 16, 1961.

House Reports of Committees Leave to Withdraw

Mr. Merrill from the Committee on Inland Fisheries and Game on Resolve Regulating Fishing in Cup-suptic Lake, Oxford County (H. P. 674) (L. D. 952) reported Leave to Withdraw

Report was read and accepted and sent up for concurrence.

Ought Not to Pass

Mr. Beane from the Committee on Judiciary reported "Ought not to pass" on Bill "An Act relating to Associate Judges or Recorders Pro Tempore of Municipal Courts" (H. P. 142) (L. D. 205)

Report was read and accepted and sent up for concurrence.

Mr. Knight from the Committee on Judiciary reported "Ought not to pass" on Bill "An Act relating to Relocation Payments in Eminent Domain" (H. P. 140) (L. D. 203)

Report was read.

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

Mr. BRIGGS: Mr. Speaker and Members of the House: Speaking for the record, I wish to say that presently, in our State, if a highway is changed or a new one is built, certain utility companies will allow relocation expenses amounting to thousands of dollars. However, if a small businessman is forced out of his place of business, the owner is paid for the building but the businessman is forced to pay his own relocation expenses. If a three, four, five, or six-family house is in the way of an overpass or road, the owner is paid for the building but the tenants are forced to move at their own expense.

I do not believe that this is fair. If the State pays the utility companies, why do they discriminate against the small businessman or tenant? They also should be allowed relocation payments.

However, gentlemen, and in order not to take up too much of our valuable time here, I now reluctantly move the acceptance of the "Ought not to pass" committee report.

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

Mr. Rust from the Committee on Judiciary reported "Ought not to pass" on Bill "An Act Prohibiting Disclosure of Race or Color on Operators' Licenses" (H. P. 200) (L. D. 295)

Report was read.

The SPEAKER: The Chair recognizes the gentleman from Old Orchard Beach, Mr. Plante.

Mr. PLANTE: Mr. Speaker and Ladies and Gentlemen of the House: If the drivers' license form called for skin color, I would not have presented this document. There are two important definitions of race and under neither could race be of much assistance in establishing identity. Physical anthropologists, the scientists of race, define it as a genetically stable population, and neither the United States population nor any considerable part of it qualifies as a race except as pure descent from populations of long ago can be proved in individual cases. In addition, the stability of racial populations does not imply uniformity among the members but that the proportion of those exhibiting any trait, however diverse, remains constant from generation to generation.

The other definition is that of prejudiced individuals. For them there are two races. The members of one claim pure descent within the privileged portion of the population; all others, including those of mixed heritage, are condemned to the non-privileged portion. Under either definition, a race includes such a variety of skin colors and other characteristics that race can never give positive identification.

The only purpose the race designation on drivers' licenses serves is to give some legal sanction to those who by an arbitrary definition of race wish to deprive some of their fellow citizens of their just rights. On the other hand, if the licenses listed skin color pink (not white, copper, brown, etc.) along with eye color and hair color, identification would be improved.

In closing may I point out, that we are the only New England

State calling for race on our license form; and of the thirty-one states calling for same, the bulk of them are from the South.

However, knowing the political exigencies as they are, I now regretfully move that the committee report be accepted.

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

Ought to Pass in New Draft New Drafts Printed

Mr. Pike from the Committee on Public Utilities on Bill "An Act relating to Signals at Railroad Crossings" (H. P. 418) (L. D. 593) reported same in a new draft (H. P. 1058) (L. D. 1319) under same title and that it "Ought to pass"

Same gentleman from the Committee on Sea and Shore Fisheries on Bill "An Act Regulating the Digging of Clams in Wells, York County" (H. P. 4) (L. D. 23) reported same in a new draft (H. P. 1059) (L. D. 1320) under same title and that it "Ought to pass"

Reports were read and accepted, the New Drafts read twice and assigned the next legislative day.

Ought to Pass Printed Bills

Mr. Dodge from the Committee on Inland Fisheries and Game reported "Ought to pass" on Bill "An Act relating to Closed Time on Deer in Long Island Plantation" (H. P. 138) (L. D. 201)

Mr. Knight from the Committee on Judiciary reported same on Bill "An Act relating to Facsimile Signature of Forest Commissioner" (H. P. 77) (L. D. 119)

Same gentleman from same Committee reported same on Bill "An Act relating to Unlawful Use of Motor Vehicle Operators' Licenses" (H. P. 399) (L. D. 574)

Mr. Cyr from the Committee on Public Utilities reported same on Bill "An Act Increasing Indebtedness of Limestone Water and Sewer District" (H. P. 161) (L. D. 224)

Mr. Ham from same Committee reported same on Bill "An Act relating to Source of Supply for Hampden Water District" (H. P. 336) (L. D. 488)

Same gentleman from same Committee reported same on Bill "An Act relating to Water Supply and Indebtedness of South Berwick Water District" (H. P. 529) (L. D. 727)

Mr. Haughn from same Committee reported same on Bill "An Act relating to Charges and Real Estate Liens by Westbrook Sewerage District" (H. P. 620) (L. D. 837)

Same gentleman from same Committee reported same on Bill "An Act to Incorporate the Jay Village Water District" (H. P. 623) (L. D. 840)

Mr. Pike from same Committee reported same on Bill "An Act to Clarify the Eminent Domain Appeal Procedure in the Bowdoinham Water District Charter" (H. P. 30) (L. D. 64)

Same gentleman from same Committee reported same on Bill "An Act Increasing Borrowing Capacity of Mars Hill Utility District" (H. P. 625) (L. D. 842)

Mr. Tyndale from same Committee reported same on Bill "An Act relating to Lien Notices and Time of Annual Meeting of Kennebunk Sewer District" (H. P. 337) (L. D. 489)

Same gentleman from same Committee reported same on Bill "An Act to Incorporate Starks Water District" (H. P. 622) (L. D. 839)

Same gentleman from same Committee reported same on Bill "An Act to Increase Service Area and Borrowing Capacity of East Boothbay Water District" (H. P. 624) (L. D. 841)

Mr. Westerfield from same Committee reported same on Bill "An Act to Amend the Charter of the Kennebec Water District" (H. P. 417) (L. D. 592)

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

Ought to Pass with Committee Amendment

Mr. Moore from the Committee on Inland Fisheries and Game on Resolve Closing Hay Pond, Penobscot County, to Ice Fishing (H. P. 149) (L. D. 212) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Resolve read once.

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

COMMITTEE AMENDMENT "A" to H. P. 149, L. D. 212, "Resolve Closing Hay Pond, Penobscot County, to Ice Fishing."

Amend said Resolve, by striking out the letter and figure "R6" in the last line and inserting in place thereof "R8".

Committee Amendment "A" was adopted and the Resolve assigned for second reading the next legislative day.

Mr. Dunn from the Committee on Transportation on Bill "An Act relating to Registration of Saddle-mount Motor Vehicles" (H. P. 281) (L. D. 395) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Bill read twice.

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

COMMITTEE AMENDMENT "A" to H. P. 281, L. D. 395, Bill "An Act Relating to Registration of Saddle-mount Motor Vehicles."

Amend said Bill in the 6th line by inserting after the underlined word "operations" the underlined words and punctuation ' , as defined by the Public Utilities Commission.'

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

Divided Report Tabled and Assigned

Majority Report of the Committee on Inland Fisheries and Game on Bill "An Act Providing for Bounty on Bears" (H. P. 17) (L. D. 36) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was signed by the following members:

Mr. CYR of Aroostook
— of the Senate

Messrs. MOORE of Casco
DODGE of Guilford
HANSON of Bradford
WADE of Skowhegan

WALLS of Millinocket
MERRILL of Stetson
— of the House

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

Report was signed by the following members:

Messrs. STILPHEN of Knox
CARPENTER of Somerset
— of the Senate

Mr. ANDERSON of Ellsworth
— of the House

Reports were read.

The SPEAKER: The Chair recognizes the gentleman from Ellsworth, Mr. Anderson.

Mr. ANDERSON: Mr. Speaker, I move that the House accept the Minority "Ought not to pass" Report.

The SPEAKER: The gentleman from Ellsworth, Mr. Anderson, moves that the House accept the Minority "Ought not to pass" Report.

Whereupon, Mr. Storm of Sherman requested a division.

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

Mr. JONES: Mr. Speaker, I move that the item be tabled and assigned for next Tuesday.

Thereupon, the Reports and Bill were tabled pending the motion of Mr. Anderson of Ellsworth that the Minority "Ought not to pass" Report be accepted and specially assigned for Tuesday, February 14.

Order out of Order

The following paper from the Senate was received out of order:

From the Senate: The following Order:

ORDERED, the House concurring, that when the Senate and House adjourn, they adjourn to meet on Tuesday, February 14, at ten o'clock in the morning. (S. P. 457)

Came from the Senate read and passed.

In the House, the Order was read and passed in concurrence.

Passed to Be Engrossed

Bill "An Act relating to Cheating by False Pretenses" (S. P. 8) (L. D. 8)

Bill "An Act relating to Order of Divorce Concerning Minor Children" (S. P. 95) (L. D. 190)

Bill "An Act relating to Civilian Employees of Maine National Guard under State Retirement System" (S. P. 145) (L. D. 328)

Bill "An Act to Authorize the Municipalities of Cumberland, North Yarmouth and Pownal to Form a School Administrative District" (H. P. 190) (L. D. 286)

Bill "An Act relating to Snow Removal and Maintenance of Certain Portions of Controlled Access Highways" (H. P. 234) (L. D. 348)

Bill "An Act to Create a School Administrative District in the Town of Lubec" (H. P. 301) (L. D. 453)

Bill "An Act relating to Allowance to Distributors for Gasoline Losses" (H. P. 361) (L. D. 513)

Bill "An Act relating to Depositing Refuse" (H. P. 952) (L. D. 1255)

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

Indefinitely Postponed

Bill "An Act relating to Employment of Minors under 18 Years of Age" (H. P. 1055) (L. D. 1264)

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

The SPEAKER: The Chair recognizes the gentleman from Hope, Mr. Hardy.

Mr. HARDY: Mr. Speaker and Ladies and Gentlemen of the House: In regard to this matter, L. D. 1264, it has been redone since it first came before our committee. I have been a reluctant member of that Committee in going along with this. The more I look at it the more convinced I am that I shouldn't be going along with it. We have adequate protection for our teen-agers up through and including sixteen years, but this bill goes beyond that, and it takes in that group seventeen and eighteen years old, sixteen to eighteen. In doing so, we are legislating against a group that has got to make a living, that drop out of school systems. We don't have enough trade schools for them to go to and so in essence we are just taking them out of some

of these sources of gainful employment that they might be able to pick up.

Now to this list, as you can see by looking at 1264, has been added construction projects. Well I can conceive that in construction work there are some very dangerous phases, but also in construction work there are some jobs, even water boys, we will take that, being very undangerous, that a lad of this age could do. Same thing in regard to tree surgery. All tree surgeons, all of the work involving tree surgery, does not involve the climbing of trees and the cutting of lines. These men take many clearing projects, just simple cutting brush and burning brush and so forth, and I don't consider this employment dangerous. It is another source of job for this seventeen-eighteen year old boy.

The same thing in the public utilities. All public utilities are not pole climbers and wire stringers or what have you. They also have right of ways they must take care of, and so they too are able to use certain times of year some of these older teen-age boys that have been legislated out of their income and their jobs.

As I have already mentioned, our unemployment figures do show an awful lot of these boys in that age group, and by passing a bill of this type we are only adding to the lads that are going to be in that group of unemployment. So with this explanation of my feelings here, I now move indefinite postponement of this bill and accompanying papers.

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

Mr. CURTIS: I request a division, Mr. Speaker.

The SPEAKER: The question now before the House is the motion of the gentleman from Hope, Mr. Hardy, that this item be indefinitely postponed. A division has been requested.

Will those who favor the motion of the gentleman from Hope, Mr. Hardy, that Bill "An Act relating to Employment of Minors under 18 Years of Age" be indefinitely postponed, please rise and remain

standing until the monitors have made and returned the count.

A division of the House was had.

One hundred and twenty-one having voted in the affirmative and none having voted in the negative, the motion did prevail, the Bill was indefinitely postponed and sent up for concurrence.

Tabled and Assigned

Bill "An Act Exempting Taxicab Drivers from the Minimum Wage Law" (H. P. 1056) (L. D. 1265)

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

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

Mr. CURTIS: Mr. Speaker and Members of the House: I am very reluctant to table anything, but this item relating to exempting taxicab drivers from the minimum wage law, I would like to table that until Thursday next because I would like to talk to someone about it who knows more about it than I do and find out what it is all about.

The SPEAKER: The question before the House is the motion of the gentleman from Bowdoinham, Mr. Curtis, that this Bill be tabled and specially assigned for Thursday, February 16, pending passage to be engrossed. Is this the pleasure of the House?

The motion prevailed.

Resolve to Provide Retirement Credit for Kenneth W. Hodgdon of Augusta (S. P. 146) (L. D. 329)

Resolve in favor of Charles A. Dean Memorial Hospital of Greenville (H. P. 130) (L. D. 193)

Resolve to Reimburse the Town of Limestone for 1958 Connor Poll Taxes Paid the State (H. P. 132) (L. D. 195)

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

Amended Resolve

Resolve Regulating Fishing in Wadleigh Pond, Piscataquis County (H. P. 144) (L. D. 297)

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

Mr. Anderson of Greenville offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to H. P. 144, L. D. 207, Resolve Regulating Fishing in Wadleigh Pond, Piscataquis County.

Amend said Resolve in the title and in the headnote by adding after the word "in" the following word 'Big'

Further amend said Resolve by adding after the word "in" in the 3rd line the following word 'Big'

House Amendment "A" was adopted and the Resolve passed to be engrossed as amended and sent up for concurrence.

Resolve Designating Bridge at North Rumford as "Howe Bridge" (H. P. 235) (L. D. 349)

Resolve Designating Certain Waters in Porter as "Black Lake" (H. P. 335) (L. D. 487)

Resolve Designating Howard Cushman Brook, Aroostook County (H. P. 415) (L. D. 590)

Were reported by the Committee on Bills in the Third Reading, read the second time, 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 Relating to Uniforms for Deputy Sheriffs." (H. P. 723) (L. D. 790) — New Draft of (H. P. 169) (L. D. 232)

Tabled—Jan. 31, by Mr. Haughn of Bridgton.

Pending—Passage to be Engrossed.

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

Mr. HAUGHN: Mr. Speaker and Members of the House: This particular bill, the reason I tabled it at that time was because we did not have time for information regarding this bill and if we let the bill go with our forthcoming short space of time with a state bill which involves each and every county, and several members of

the several counties have come to me in regards to this and want caucus delegation meetings on it. I would now move this be retabled unassigned and will move these bills and expedite them at the proper time.

The SPEAKER: The gentleman from Bridgton, Mr. Haughn, with reference to this matter, moves that this item be tabled unassigned pending passage to be engrossed. Is this the pleasure of the House?

The motion prevailed.

The Chair laid before the House the second tabled and today assigned matter: Bill "An Act to Incorporate the Town of Bucksport School District." (Emergency) (H. P. 117) (L. D. 157)

Tabled—Feb. 1, by Mr. Bearce of Bucksport.

Pending—Third Reading.

Whereupon, the Bill was given its third reading.

Mr. Bearce of Bucksport offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to H. P. 117, L. D. 157, "AN ACT to Incorporate the Town of Bucksport School District."

Amend said Bill by adding at the end of the next to the last paragraph before the period, the following: **“; but failure of approval of this charter either by the necessary percentage of voters at such election or otherwise shall not prevent a 2nd election held at any annual town meeting of the Town of Bucksport or a special town meeting called and held for the purpose held on or before the first day of April, 1963”**

House Amendment "A" was adopted, the Bill passed to be engrossed as amended and sent up for concurrence.

The Chair laid before the House the third tabled and today assigned matter: House Order—Requesting Opinion of the Supreme Court Relative to the Constitutionality of H. P. 464, L. D. 664.

Tabled—February 8 under House Rule 43.

Pending—Passage.

The Order received passage.

The Chair laid before the House the fourth tabled and today assigned matter: Bill "An Act Relating to Use of Artificial Lights for Lighting Game." (H. P. 112) (L. D. 152)

Tabled—February 8, by Mr. Morrill of Harrison.

Pending—Passage to be Engrossed.

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

Mr. MORRILL: Mr. Speaker, I like the idea of this bill but I don't think it is written right and I think it needs some amendments, so I would like to table this until next Thursday, February 16.

The SPEAKER: The gentleman from Harrison, Mr. Morrill, moves that this matter be tabled and specially assigned for Thursday, February 16, pending passage to be engrossed. Is this the pleasure of the House?

The motion prevailed.

Mr. Smith of Strong was granted unanimous consent to address the House.

Mr. SMITH: Mr. Speaker, after a brief explanation, I will propose to introduce a bill by unanimous consent notwithstanding the cloture date.

My memory is very short and one of the gentlemen in my district asked me two or three months ago to be sure and introduce a matter that he had on his heart. I intended to do so by request, but due to the fact that my memory doesn't serve me properly at times, I forgot completely about it until I received a letter from him and he reminded me of the fact that the time had come and gone. This is a bill to open the entire State of Maine at all times to daylight saving, and therefore, I submit to you now this bill. It would open the State of Maine the year round to daylight saving time. I now request unanimous consent to introduce this bill.

The SPEAKER: The gentleman from Strong, Mr. Smith, requests unanimous consent to introduce a bill notwithstanding the cloture order. The Clerk will read the title of the bill.

The CLERK: Bill "An Act Creating Eastern Daylight Time for the State of Maine."

The SPEAKER: Is there objection to the admission of this bill notwithstanding the cloture order? (Cries of "Yes") The Chair hears objection and the Bill is not introduced.

On motion of Mr. Baxter of Pittsfield, the House voted to reconsider its action of yesterday whereby Bill "An Act Providing Funds to Municipalities for Purchase of Fire Equipment," H. P. 1045, was referred to the Committee on Appropriations and Financial Affairs, ordered printed and sent up for concurrence.

On further motion of the same gentleman, the Bill was referred to the Committee on Business Legislation, ordered printed and sent up for concurrence.

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

The SPEAKER: The Chair understands that the gentleman from Milbridge, Mr. Kennedy, requests unanimous consent to briefly address the House, and the gentleman may proceed:

Mr. KENNEDY: Mr. Speaker, Ladies and Gentlemen of the House: Pursuant to our action taken in the 99th Legislature, namely, to create a Committee for the purpose of celebrating this our 100th session, it has been agreed by your Committee that one phase of this celebration would be through the medium of a variety of ceremonies presented in the House weekly. These presentations will be along the line of legislative history that will prove of interest.

Work is being done in this field and we have enlisted the aid and support of some State Department talent to this end. Miss Edith Hary has recourse, in her department, to a wealth of valuable information relative to the historical events of our past legislative proceedings. Through her efforts and interest, I am sure we will have a bountiful amount of material from which to choose. We trust that the presentations will be entertaining as well as informa-

tive. The coming weeks will be the test as to whether the existence of this committee is justified.

Our Chairman, the Honorable Mr. Crockett, with the approval of our Honorable Speaker, encouraged me to lead off with a presentation today. My presentation may seem a departure from our Maine legislative scene. In order to close this breach of events and thought, I will mention here that our own Honorable Hannibal Hamlin was a member of this House in 1835, its Speaker in 1837 and again in 1839. You will also remember that Hannibal Hamlin was the wartime Vice President of Abraham Lincoln.

This being the month of February, ladies and gentlemen, it is fitting that we join together in paying tribute to the greatest man in the Nineteenth Century. The author of "Human Destiny" declares that there emerges but one "Great Man" in each century. I am sure that we can agree, President Lincoln was the man of his century.

Many volumes have been written about Mr. Lincoln, but time here today will not permit even a brief synopsis of his eventful life. A product of pioneer parents, born in a log cabin, self-educated, country lawyer, prairie politician, Congressman. . . President. These are cold meaningless words until our memory embellishes them and brings forth the warmth, humor and pathos that filled his life.

John Bigelow writes, "He was so modest by nature that he was perfectly content to walk behind any man who wished to walk before him." Walt Whitman tells us, "He was the grandest figure on the crowded canvas of the drama of the Nineteenth Century."

We all cherish the memory of this master carpenter of phrases, who was able to say at the close of the "great conflict" and at his second inaugural, "With malice toward none; with charity for all; with firmness in the right, as God gives us to see the right, let us strive on to finish the work we are in; to bind up the nation's wounds; to care for him who shall have borne the battle, and for his widow and his orphan. . . to do all which

may achieve and cherish a just, and a lasting peace, among ourselves and with all nations."

We are all familiar with his masterful address at Gettysburg, and it is a testimonial of his greatness that we know so little of the address delivered by the nation's most eminent orator of the time, the Honorable Edward Everett, who spoke one hour and fifty-seven minutes. It had been the effort of his life and embodied the perfections of the school of oratory in which he had spent his career. Lincoln's address of two minutes is still remembered and considered a masterpiece of American literature.

Abraham Lincoln, born February 12, 1809, died April 15, 1865. This was Tolstoy's tribute, "A saint of humanity whose name will live thousands of years in the legends of future generations. We are still too near his greatness, and so can hardly appreciate his divine power; but after a few centuries more our posterity will find him considerably bigger than we do."

Homer Koch of Kansas spoke this tribute in the House of Representatives on Feb. 12, 1923:

"There is no new thing to be said about Lincoln. There is no new thing to be said of the mountains, or of the sea, or of the stars. The years go their way, but the same old mountains lift their granite shoulders above the drifting clouds; the same mysterious sea beats upon the shore; the same silent stars keep holy vigil above a tired world. But to the mountains and sea and stars men turn forever in unwearied homage. And thus with Lincoln. For he was a mountain in grandeur of soul, he was a sea in deep undervoice of mystic loneliness, he was a star in steadfast purity of purpose and service. And he abides."

We say. . . a man born to kindness, a heart filled with humility and love for his fellow man. Lincoln exemplifies all the good and great attributes we Americans can now well be proud.

"For whosoever exalteth himself shall be abased; and he that humbleth himself shall be exalted." (Applause)

The SPEAKER: As pointed out by the gentleman from Milbridge, Mr. Kennedy, we are observing at this time the 100th Legislature. The official celebration will be held on March 15, 1961 of this year. However, the committee in the Department of Economic Development working on this project and a committee in the House and Senate working on this project, felt that perhaps we should have a little something one day a week as we went along.

We are going to have two items today. The item we have to present for the second item today is a very interesting one in that it is a resume of the first session of the House of Representatives of this State that was held in Portland, Maine on May 31, 1820. This paper has been compiled by the DED Committee and the committee of the House and Senate and has some very interesting items in it pertaining to that first day's session, and the Chair understands at this time that the gentleman from Waterboro, Mr. Bradeen, requests unanimous consent to briefly address the House.

Mr. BRADEEN: Mr. Speaker and Ladies and Gentlemen of the House: This is a most pleasant assignment. Ordinarily I don't do very much reading, but I am very glad to try this one. This paper, which has been passed to me, bears the earmarks of a very concisely written historical essay, and warrants your attention I'm sure.

On the morning of May 31, 1820, a group of 141 newly-elected office holders appeared at the county courthouse in Portland, Maine, produced their credentials and were seated as the charter members of Maine's House of Representatives.

Among the first orders to be voiced in the House was provision to clear the three front benches assigned for the accommodation of the Senate while in joint convention. The 20 Senators met in a two-story Capitol building paid for and constructed by citizens of Portland on a site where the Portland City Hall is now situated.

As part of the pomp and circumstance of that first Legislative day, a civic cavalcade met at Shaw's Corner in Westbrook at 8

a.m. to escort into town the State's first Governor, the Honorable William King of Bath.

The issues the State Representatives faced in the next 29 days were not as controversial as those to confront successors in future years, but every move they made became a first for the newborn State of Maine.

Procedures and formalities differed in many respects over the next 141 years, but many parallels can still be found in the modern-day House. Only nine counties, York, Cumberland, Lincoln, Hancock, Kennebec, Washington, Oxford, Somerset and Penobscot, were represented in the spring of 1820, but just as in 1961, the oldest legislator present was unanimously requested to take the chair until the constitutional organization of the House. He was John Low, Esq. of Lyman. The Honorable Benjamin Ames of Bath was later chosen unanimously to be the first Speaker. James Loring Child of Augusta became the first Clerk.

On the third day, a message was sent to the House by the Honorable William King of Bath, first Governor of Maine, in which he outlined the issues of the times. First, however, he paid tribute to the State of Massachusetts for yielding her jurisdiction over such a large portion of her citizens and territory, over which Massachusetts had held an undisputed and rightful sovereignty. The first Governor felt the friendly manner in which Maine was separated from Massachusetts laid the foundation for lasting harmony between the two states.

Governor King asked that early attention be given to the formation of a Supreme Judicial Court, and the House later took action to that effect. A resolve called for the establishment of a Board of Jurisprudence to prepare a digest of all statutes of Massachusetts then in force. In the 1821 session, legislators adopted much of the Massachusetts law.

King urged that those in agricultural pursuits be encouraged, and cited the manufacturing business as one acquiring new energy. He pointed to the unusual number of sites in Maine where water power

could be applied and suggested exempting all such manufacturing establishments that were or would be located in the State from every form of taxation for a considerable length of time. The proposal failed of enactment.

The first Governor also stressed interest in the fisheries of the coast, bays and rivers and called attention to the need for preservation of the State's timber. The House passed a total of 32 acts and 35 resolves in the brief session, the first of which was an act to create the Augusta Union Society for the purpose of establishing and maintaining a library in the community which seven years later would be designated as the State capital.

Other acts, which today would be considered private and special laws, involved such business as incorporating towns and business firms. A medical school was established at Bowdoin College. Enabling legislation gave towns the right, after a favorable town meeting vote, to order that cattle be prevented from going at large within certain particular parts of town without a keeper.

A resolve called for the establishment of a State seal, crest, motto, shield and emblem, the design of which has changed but little over the years.

The first Executive Council, Senate and House members received pay of \$2.00 a day for each day of attendance.

When horsepower burned hay instead of oil and gasoline, office holders received \$2.00 for every ten miles they traveled, but their paid traveling expenses were limited to one round trip per session between their homes and Portland.

Salaries established in the first session found the Governor being paid \$1,500 a year; the Chief Justice received \$1,800; the Attorney General \$800; the State Treasurer \$900; and the Secretary of State and the Adjutant General \$700 each.

The subjects presented for discussion at the first session were not of a particularly controversial nature, but, in the words of the first Speaker of the House, they were "subjects which in my ap-

prehension involve the vital interests, not only of the present, but future and distant generations."

As we, members of the House of Representatives of the 100th Legislature, look back across the years to 1820, I think we all agree that the members of that first Maine House did their work well. I thank you for your kind attention. (Applause)

The SPEAKER: Since we have been in session today quite long, I am going to just read at this time a brief progress report to date as compared to the 99th session. In the 99th session at the end of the sixth week, which we are now ending here, 736 items had been referred to committees for hearings, that was 736 items. At the end of the sixth week in this session we have referred to committees 1,450 items. In the 99th Legislature, at the end of the sixth week, of the 736 items the committees had reported out 93 items. This year we have reported out 194 items.

We save the dessert until the end of the session today. The Chair recognizes the presence in the House of the Potato Blossom Queen, Miss Carol Ivey of Houlton, Maine. The Chair will request that the Sergeant-at-Arms escort the Potato Blossom Queen to the well of the House at this time.

Whereupon Miss Carol Ivey, Maine Potato Blossom Queen, was escorted to the well of the House by the Sergeant-at-Arms, amid the applause of the House, the members rising.

Miss IVEY: Mr. Speaker, Ladies and Gentlemen of the House: I'd like to thank you so very much for giving me the opportunity to be presented here today. Now, if you don't mind, I'd like to forget the formalities and be the daughter of the Aroostook County potato farmer that I am, and just tell you, "Shucks," I sure

am glad to be here. Seriously though, I am deeply honored to have been chosen to represent this great potato industry of Maine though I found it a very thrilling and educational experience, especially in this last Maine Potato Week, which began with a whirlwind of appearances in Bangor and Augusta; and tonight I'll be leaving for Quebec City, next month I'll be going out-of-state to spread a few good words about this wonderful Maine potato. I know you're all very anxious to get away from speeches and speakers, so I'll close with the presentation of a pie to Mr. Speaker. And don't any of you dare ask me what kind of a pie it is.

I'd like to present to you, Mr. Speaker, a Maine potato pie, with the compliments of our Maine Potato Industry. (Applause)

Whereupon, Miss Carol Ivey presented Speaker Good with a potato pie.

The SPEAKER: I've always enjoyed eating Maine potatoes, and I've had them in various forms. I do not remember of having had a potato pie before, but I'm sure that I will greatly enjoy it. I wouldn't eat anything but a Maine potato. I eat as many potatoes as I wish because they are low in caloric value but they are very high in nutrition. So I recommend them to everybody who wants to build a strong body.

I would like to say that one of the members of our great House here prepared and cooked this potato pie. And that is the gentlewoman from Falmouth, Mrs. Smith. She used the facilities in cooking this in Augusta at the home of Miss Ida Gagnon and the mother of Miss Ida Gagnon, Mrs. Eva Gagnon.

On motion of Mr. Baxter of Pittsfield,

Adjourned until Tuesday, February 14, at ten o'clock in the morning.