

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

Thursday, February 16, 1961

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

Prayer by the Rev. Mr. Daniel W. Weck of Rumford.

The journal of yesterday was read and approved.

Order Out of Order Tabled and Assigned

Mr. Jalbert of Lewiston presented the following Order out of order:

WHEREAS, Maine has a serious unemployment problem; and

WHEREAS, the number of unemployed persons as well as the number of unemployed persons who have exhausted all employment security benefits is steadily increasing; and

WHEREAS, this continued unemployment is working a hardship on the more than 30,000 unemployed workers and their families; and

WHEREAS, the seriousness of the problem has been recognized by the Governor and other state officials; now, therefore, be it

ORDERED: That the Governor name a committee to review the problem, to assemble information and to report as soon as possible any actions which, in the opinion of the committee, might be helpful in relieving the distress of the unemployed and more effectively meeting this problem which faces the State of Maine; and be it further

ORDERED: That the committee be composed of 2 representatives of industry, 2 representatives of organized labor, 2 persons representing the public, 4 members of the House of Representatives and 2 members of the Senate; the Governor to serve as chairman ex officio.

The SPEAKER: Is it the pleasure of the House that this order shall receive passage?

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

Mr. JALBERT: Mr. Speaker and Members of the House: The last report of President Kennedy revealed that the nation now has 5,400,000 persons unemployed and a

half a million of these workers have exhausted all their state benefits. In addition, many hundreds of thousands of voters are workers who are not entitled to benefits when they are employed. The nation is confronted with a grave problem and a portion of the same problem faces us here in Maine.

While the national rate of unemployment is now at about seven per cent, our rate of unemployment here in Maine is about ten point six per cent. The number of unemployed workers is rising steadily week by week. The number of workers who have completely exhausted their benefits is also rising steadily. And we must realize that many thousands of the more than thirty thousand unemployed workers are not covered by the law and are entitled to no state unemployment benefits whatsoever.

We have all read the newspaper accounts of the effect that this unemployment is having on the lives of workers and their families throughout the nation. I am sure that we are all familiar with some of the hardships among our own constituents, because there is not a community in Maine that does not have this problem to greater or lesser degree. On a nationwide level, an unemployment rate of six per cent was pin-pointed as critical by the former Eisenhower administration. We have already exceeded this critical point in Maine and the situation is growing not better, but steadily worse.

The Governor and others have stated that they are seriously concerned about the problem. I am sure that we all are, or should be, seriously concerned about the problem. However, I believe that we should do more than just express our sympathy to our fellow citizens who have the misfortune to be unemployed due to economic conditions over which they have no control. It is our duty as legislators to leave no avenue toward lessening or partial solution of this problem unexplored. I am sure that no one anticipates that a legislative committee will come up with one answer, or even a group of answers, that will instantly solve the problem. But if such a com-

mittee could produce even one constructive suggestion and a larger basis for informed action on the part of us all, then it would not be time wasted. At the very least, we owe it to our constituents to make this non-partisan effort in their behalf.

Mr. Speaker and Members of the House, I have discussed this with members of our steering committee and others. It is not my purpose to place a partisan tag on this proposal. It is not my personal idea either to have this proposal not be studied, and I assure you that the members of our party through our leadership will take it up in caucus. I hope and I know that you people should and will take it up in caucus.

For that reason, Mr. Speaker, and for the purpose of reproduction, I now move that this order lie upon the table until Wednesday next.

The SPEAKER: The gentleman from Lewiston, Mr. Jalbert, has moved that this Order be tabled until Wednesday next, pending passage, and reproduced. Is this the pleasure of the House?

The motion prevailed.

Papers from the Senate

From the Senate: The following Communication: (S. P. 459)

STATE OF MAINE BUREAU OF PUBLIC IMPROVEMENTS AUGUSTA

February 13, 1961

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

In accordance with the provisions of Section 25, Chapter 15-A, Revised Statutes (1954) of Maine, as amended, we are submitting herewith "Status of Capital Improvement Projects Authorized by the 98th and 99th Legislatures."

Respectfully,

(Signed) NIRAN C. BATES

Niran C. Bates

State Director of
Public Improvements

Came from the Senate read and ordered placed on file.

In the House, the Communication was read and with accompanying

papers ordered placed on file in concurrence.

From the Senate: The following Order:

ORDERED, the House concurring, that the members and officers of the Legislature be furnished with express and parcel transportation for all packages and department reports in a sum not exceeding \$10.00 for each member and officer thereof, and that such transportation be furnished and expended under the direction of the Secretary of the Senate and the Clerk of the House, respectively, and the unexpended balance at the close of the year 1961 shall be available for use in 1963, prior orders notwithstanding (S. P. 462)

Came from the Senate read and passed.

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

From the Senate: The following Reports:

To Governor John H. Reed and to the 100th Maine Legislature:

Gentlemen:

In compliance with Joint Order of the Ninety-ninth Maine Legislature I am submitting for your consideration the report of the Joint Interim Legislative Committee on Rules and Procedure of the Maine Legislature (S. P. 460)

Respectfully submitted,

(Signed) ROSWELL P. BATES

Roswell P. Bates,
Chairman

To Governor John H. Reed and to the 100th Maine Legislature:

Gentlemen:

In compliance with Joint Order of the Ninety-ninth Maine Legislature I am submitting for your consideration a report for the Joint Interim Legislative Committee on State Aid to Municipalities for School Construction and a Study of the Withdrawal Provisions of the School Administrative District (S. P. 461)

Respectfully submitted,

(Signed) ROSWELL P. BATES

Roswell P. Bates,
Chairman

Came from the Senate read and ordered placed on file.

In the House, the Reports were read and with accompanying papers ordered placed on file in concurrence.

Senate Reports of Committees Ought Not to Pass

Report of the Committee on Highways reporting "Ought not to pass" on 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)

Report of the Committee on Transportation reporting same on 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 read and accepted.

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

Ought to Pass

Report of the Committee on Highways reporting "Ought to pass" on Bill "An Act to Authorize the Issuance of Bonds in the Amount of Six Million Dollars on Behalf of the State of Maine to Build State Highways" (S. P. 162) (L. D. 408)

Report of the Committee on Judiciary reporting same on Bill "An Act relating to Time of the Report of the Judicial Council" (S. P. 324) (L. D. 999)

Report of the Committee on Public Utilities reporting same on Bill "An Act to Incorporate the Oxford Water District" (S. P. 299) (L. D. 910)

Report of the Committee on Taxation reporting same on Bill "An Act relating to Refund of Sales Tax" (S. P. 239) (L. D. 643)

Report of same Committee reporting same on Bill "An Act Amending the Use Fuel Tax Act" (S. P. 240) (L. D. 644)

Report of same Committee reporting same on Bill "An Act relating to Revocation of Sellers' Certificates under Sales and Use Tax Law" (S. P. 242) (L. D. 646)

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 assigned the next legislative day.

Ought to Pass with Committee Amendment

Report of the Committee on Judiciary on Bill "An Act relating to Definition of Indecent Liberties" (S. P. 19) (L. D. 19) 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. 19, L. D. 19, Bill "An Act Relating to Definition of Indecent Liberties."

Amend said Bill by striking out in the 8th, 9th, 10th, and 11th lines the underlined words and punctuation: "or, whoever, being 21 years or more of age, induces, procures or permits any person, male or female, under the age of 16 years to indulge in immoral, sexual or indecent practices with himself, herself or any person," and inserting in place thereof the following underlined words and punctuation:

'or, whoever, being 21 years or more of age, induces or procures any person under the age of 16 years to take any indecent liberty or liberties or to indulge in any indecent or immoral practice or practices with the sexual parts or organs of any person, male or female, other than the said person under the age of 16 years.'

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

Non-Concurrent Matter

Bill "An Act Creating the Passenger Tramway Safety Board" (H. P. 1019) (L. D. 1420) which was referred to the Committee on State Government in the House on February 8.

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

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

Non-Concurrent Matter

Bill "An Act relating to Duties of the Attorney General" (H. P. 1021) (L. D. 1422) which was referred to the Committee on State Government in the House on February 8.

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

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

Non-Concurrent Matter

An Act to Prohibit the Taking of Lobsters and Crabs During the Hours of Darkness (H. P. 206) (L. D. 301) which was recalled from the Governor to the Senate by Joint Order (S. P. 458), and which was passed to be enacted in the House on February 8, and passed to be engrossed on January 31.

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 8 it passed the Bill to be enacted and whereby on January 31 it passed the Bill to be engrossed.

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

SENATE AMENDMENT "A" to H. P. 206, L. D. 301, Bill, "An Act to Prohibit the Taking of Lobsters and Crabs During the Hours of Darkness."

Amend said Bill by striking out the underlined word "Taking" in the 5th line and inserting in place thereof the underlined word 'Catching'

Further amend said Bill by striking out the underlined word "take" in the 8th line and inserting in place thereof the underlined word 'catch'

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

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

The SPEAKER: Is their objection at this time to taking up a Communication not on the Advance Journal? The Chair hears none. The Clerk will read the Communication.

The following Communication: (H. P. 1065)

STATE OF MAINE OFFICE OF THE GOVERNOR AUGUSTA

February 16, 1961

To the 100th Legislature
Gentlemen:

It is with distinct pleasure that I have learned of the desire of former Governor Percival Proctor Baxter to create an operating Trust Fund for Baxter State Park.

The philanthropy of Governor Baxter, over the years, has exemplified man's concern for his brethren.

May I respectfully suggest that this generous offer be accepted by you, on behalf of the citizens of Maine, with the humility and kind thought of the giver, in order that his desire to preserve the natural beauty of our State of Maine for posterity be fulfilled.

Sincerely,

(Signed) JOHN H. REED
John H. Reed
Governor

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

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

Mr. BAXTER: Mr. Speaker, Ladies and Gentlemen of the House: The task that I have today is both a rather usual task and a rather unusual task. It is usual because I will ask you somewhat later to accept under unanimous consent and notwithstanding the closure rule the introduction of a legislative document. This legislative document has been reproduced and is now on your desks.

It is unusual, I think, because this introduction has the hearty

and enthusiastic support of the Governor and the leadership of both parties. It is also unusual and particularly for us at this particular time when our main concern is spending state funds, because it seeks to bestow upon the State a gift of some four hundred and ninety-eight thousand dollars. Also we would hope with your indulgence that the document might today be processed through its entire legislative life and be brought to the Governor's desk for signature forthwith.

Now this is also a rather pleasant experience for me in that the man who seeks to have our permission to give this money to the State is my great uncle, the former Governor Percival Proctor Baxter. Lest you think this a family affair, I can assure you that because of his many years of State service he has strictly observed the rules of protocol and made his request originally to our present Chief Executive, Governor Reed.

Governor Reed then consulted with the Attorney General, with the Speaker of the House, the President of the Senate; and subsequently I was asked to present this bill to you members of the House.

I might add further in this line that one of the requests of Governor Baxter was that there be no publicity concerning this matter prior to the time that you were asked to give your consent, because he felt that perhaps you would be subjected to undue influence on his behalf. He also was asked to be with us today on the rostrum and again he felt that he wanted you to make your decision without his presence here so that you could make it in a completely unfettered manner.

Now the purpose of the gift as you can read in the last sentence of the paragraph headed, "Now therefore," is to set up a fund to be known as the "Baxter State Park Trust Fund," the principal thereof to be invested and reinvested, the income therefrom to be used by said State for the care, protection, and operation of said 193,250 acres of forest land. In this way I think my uncle hopes to help out with the maintenance and

operation of this land which he has given to the State, and which is now a State expense as far as upkeep is concerned, a State expense which I am sure all of us highly approve and an expense in connection with what I am sure we feel as one of the greatest assets that we have in the State particularly in the recreational line.

Just to put this gift in its context, I thought I would review for you the other gifts that the Governor has given the State over a period of years as developed for us by our legal secretary Miss Hary. In 1931 he gave 7,000 acres which included the mountain itself; in 1938 he gave 6,000 acres; 1939, 6,000 acres; 1940, 4,174 acres; 1941, 12,000 acres; 1942, 12,000 acres; 1943, 12,000 acres; 1944, 24,000 acres; 1945, 35,000 acres; 1947, 10,000 acres; 1949, 14,000 acres; 1955, 53,000 acres; making a total of 193,254 acres. During this period he made a donation to help with some road construction and also during the same period gave to the State his summer residence Mackworth Island and the bridge connecting it from the mainland in Portland Harbor. This was for a School for the Deaf as you know, and later in 1953 he gave \$875,000 in connection with this particular installation.

I think that reviews pretty much the nature of this bill and why we have it before us here today. In closing I would say that I hope you will accept this legislative document not only for the very practical reason that it means income to the State and a source of funds to help the support of one of our normal state functions; but also because I think all of the people of the State would hope also that you accepted this gift from a man who is undoubtedly the State's most beloved senior citizen, a man who has devoted a large part of his life to the service of his State and its people, a highly unusual man who I hope today we will choose to honor with this rather unusual parliamentary procedure and that is accepting a bill in the House of Representatives by unanimous consent notwithstanding the cloture rule.

And now, Mr. Speaker, I will yield the floor to the gentleman from Madison, Mr. Fogg.

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

Mr. FOGG: Mr. Speaker, Members of the House: I believe that this act on the part of the former Governor Baxter is the most generous act, and at a time like this when finances are so acute as far as the State of Maine is concerned, I think that it comes at a very opportune time. It will contribute an awful lot to our recreational facilities in the State of Maine. This gift along with the gifts which the Governor has given previously to this time, and the many years of service he has given to the State of Maine, I believe it establishes him as one of the greatest benefactors this State has ever had. And I most certainly hope that this Legislature will go along and accept this gift. I wouldn't want to go back home myself and tell my constituents that I had voted to turn down a half million dollars.

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

Mr. BAXTER: Mr. Speaker, I now ask unanimous consent of the House to introduce a bill, numbered House Paper 1064.

The SPEAKER: The gentleman from Pittsfield, Mr. Baxter, requests unanimous consent to introduce a bill notwithstanding the cloture date. The Clerk will read the title to the bill.

The CLERK: Bill "An Act Accepting from Percival Proctor Baxter a Gift of One Thousand Shares of the Capital Stock of the Proprietors of Portland Pier and Creating the Baxter State Park Trust Fund" (H. P. 1064)

Thereupon, on motion of Mr. Whitman of Woodstock, the Bill was given its three several readings under suspension of the rules and passed to be engrossed without reference to a Committee.

On motion of Mr. Plante of Old Orchard Beach, the Bill was sent forthwith to the Senate.

Messages and Documents

The following Communication:
(H. P. 1062)

DEPARTMENT OF STATE STATE OF MAINE AUGUSTA

February 15, 1961

To Vinal G. Good, Speaker
of the House of Representatives
of the One-Hundredth Legislature:

I have the honor to herewith transmit copies of the estimates of expenses of the sixteen counties within the State for the years 1961 and 1962, the same having been filed in this office according to the provisions of Sections 13 and 14 of Chapter 89 of the Revised Statutes of 1954.

(Signed) WOLCOTT H. FRASER
Deputy Secretary of State

The Communication was read and with accompanying papers referred to the Committee on Towns and Counties and sent up for concurrence.

The SPEAKER: The Chair would like to call the attention to the House that we are all through referring bills, both Senate bills and House bills; therefore the committees have all the bills at this time.

Orders

Mr. Choate of Hallowell presented the following Order and moved its passage:

WHEREAS, the members of the House have learned that Mrs. Shaw of Chelsea observed her 20th birthday last Friday, February 10, and did not notify her fellow members,

BE IT ORDERED, that belated birthday best wishes be extended to her.

The SPEAKER: The Chair would declare this Order unanimously passed without amendment. (Laughter and Applause)

Senate Order 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 21, at ten o'clock in the morning. (S. P. 463)

Came from the Senate read and passed.

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

The SPEAKER: At this time the Chair will request that the Sergeant-at-Arms escort the gentleman from Woodstock, Mr. Whitman, to the rostrum for the purpose of serving as Speaker pro tem.

Thereupon, Mr. Whitman assumed the Chair as Speaker pro tem amid the applause of the House and Speaker Good retired from the Hall.

House Reports of Committees Leave to Withdraw

Mr. Edgerly from the Committee on Retirements and Pensions on Resolve Providing for State Pension for Paul Tobin of Otisfield (H. P. 103) (L. D. 143) reported Leave to Withdraw.

Mrs. Baker from the Committee on Towns and Counties reported same on Bill "An Act relating to Compensation of Chief Deputy Sheriff of Cumberland County" (H. P. 105) (L. D. 145)

Reports were 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 relating to Licensing of Home Party Plan Demonstrators" (H. P. 187) (L. D. 283)

Mr. Chapman from the Committee on Retirements and Pensions reported same on Resolve in favor of Mrs. Charles F. Moore of Auburn (H. P. 666) (L. D. 944)

Same gentleman from same Committee reported same on Resolve Granting Additional Retirement Benefits to Erna G. Adams of Bridgton (H. P. 702) (L. D. 980)

Mr. Dennison from same Committee reported same on Resolve to Increase Retirement Benefit of Cora B. Littlefield of Kennebunk (H. P. 631) (L. D. 848)

Mr. Lantagne from same Committee reported same on Resolve Providing for a Pension for Camille Dube of Plaisted (H. P. 628) (L. D. 845)

Mrs. Lincoln from same Committee reported same on Resolve Providing for State Pension for Charles Wildes of Kennebunkport (H. P. 630) (L. D. 847)

Mr. WALKER from same Committee reported same on Resolve Providing State Pension for Joseph Burrows of Kennebunkport (H. P. 629) (L. D. 846)

Mr. Wood from same Committee reported same on Resolve in favor of a Survivor Benefit Allowance for Gertrude S. Osgood of Auburn (H. P. 627) (L. D. 844)

Mr. MacGregor from the Committee on Towns and Counties reported same on Bill "An Act relating to Bonds of County Sheriffs" (H. P. 714) (L. D. 913)

Reports were read and accepted and sent up for concurrence.

Tabled Until Later in Today's Session

Mr. Malenfant from the Committee on Welfare reported "Ought not to pass" on Bill "An Act Abolishing Residence Requirements for Old Age Assistance" (H. P. 447) (L. D. 622)

Report was read.

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

Mr. PLANTE: Mr. Speaker, because of a companion item, I move that this be tabled until later in the day.

Thereupon, the Report and Bill were tabled until later in the day pending acceptance of Committee Report.

Tabled and Assigned

Mr. Smith from the Committee on Welfare reported "Ought not to pass" on Bill "An Act Eliminating Residence Requirements in Public Assistance" (H. P. 564) (L. D. 761)

Report was read.

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

Mr. PLANTE: Mr. Speaker, I move that the Bill be substituted for the Report.

The SPEAKER pro tem: The question now before the House is the motion of the gentleman from

Old Orchard Beach, Mr. Plante, that the Bill be substituted for the "Ought not to pass" Report.

The Chair recognizes the gentleman from South Portland, Mr. Hinds.

Mr. HINDS: Mr. Speaker, could I ask for a division please?

The SPEAKER pro tem: A division has been requested. All those who favor the motion of the gentleman from Old Orchard Beach, Mr. Plante, that the Bill be substituted for the Report, please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

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

The SPEAKER pro tem: Is it now the pleasure of the House that the Committee Report be accepted?

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

Mr. PLANTE: I would now like to debate the Committee Report.

The SPEAKER pro tem: The Chair will advise the gentleman that the question before the House is acceptance of the Committee Report on item 13.

Mr. PLANTE: And that is debatable sir?

The SPEAKER pro tem: The gentleman may proceed.

Mr. PLANTE: Thank you. I didn't know at this early date I would be standing here alone as a democrat fighting for part of Governor Reed's program. On page four of the Inaugural Address, I will quote what Governor John H. Reed had to say in reference to this Legislative Document, and I quote: "In the field of Public Assistance I recommend your favorable consideration of repeal of all residence requirements. This will strengthen the program at practically no cost." To these comments I highly concur. This is why I am amazed at the unanimously "Ought not to pass" Report. This is the first recorded instance where the Republican House will be repudiating part of the Governor's program. This is why I felt that in honor of the Governor's interest

and in my interest with a companion bill, I felt that I would try to save the bill. Therefore, you may do as you wish of course.

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

Mr. HAUGHN: Mr. Speaker, I move this bill be tabled and specially assigned for Wednesday next.

The SPEAKER pro tem: The question now before the House is the motion of the gentleman from Bridgton, Mr. Haughn, that this matter be tabled and specially assigned for Wednesday, February 22, pending acceptance of the Report. Is this the pleasure of the House? Will those who favor the tabling motion please say aye; those opposed, no.

A viva voce vote being doubted, a division of the House was had.

One hundred three having voted in the affirmative and twelve having voted in the negative, the tabling motion did prevail.

Ought to Pass in New Draft New Draft Printed Tabled

Mrs. Shaw from the Committee on Towns and Counties on Bill "An Act relating to Disposition of County Fees and Charges" (H. P. 36) (L. D. 70) reported same in a new draft (H. P. 1063) (L. D. 1461) under title of "An Act relating to Disposition of Certain Fees of Registers of Deeds and Registers of Probate" and that it "Ought to pass"

Report was read.

(On motion of Mr. Knight of Rockland, tabled unassigned pending acceptance of Committee Report.)

Ought to Pass Printed Bills

Mr. Choate from the Committee on Business Legislation reported "Ought to pass" on Bill "An Act to Incorporate the Economy Loan Corporation" (H. P. 576) (L. D. 796)

Mrs. Shepard from same Committee reported same on Bill "An Act to Incorporate the 'Consolidated Finance Co.'" (H. P. 575) (L. D. 795)

Mr. Chapman from the Committee on Retirements and Pensions

reported same on Resolve to Increase Retirement Benefit for Chaplain T. Greene of Princeton (H. P. 632) (L. D. 849)

Mr. Danes from the Committee on Towns and Counties reported same on Bill "An Act Increasing Temporary Loans for Cumberland County" (H. P. 365) (L. D. 517)

Mr. Tweedie from same Committee reported same on Bill "An Act relating to Expending Aroostook County Funds for Ricker College" (H. P. 640) (L. D. 857)

Mr. Hinds from the Committee on Welfare reported same on Bill "An Act relating to Income in Aid to the Blind" (H. P. 720) (L. D. 919)

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

Ought to Pass with Committee Amendment

Mr. Bernard from the Committee on Business Legislation on Bill "An Act Providing an Advisory Committee for Security Dealers" (H. P. 458) (L. D. 658) 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. 458, L. D. 658, "An Act Providing an Advisory Committee for Security Dealers."

Amend said Bill, by striking out the underlined word "shall" in the seventh line and adding the underlined word 'may'

Further amend said Bill by striking out the underlined word "except" in the seventh line and adding the underlined words 'by the Commissioner.'

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

Mr. Johnson from the Committee on Business Legislation on Bill "An Act Revising Statutes Regulating Branching and Consolidations by Banks" (H. P. 459) (L. D. 659) 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. 459, L. D. 659, Bill "An Act Revising Statutes Regulating Branching and Consolidations by Banks."

Amend said Bill by adding after the underlined words "Knox County" in the 16th line, the following underlined words and punctuation: 'or Lincoln County, nor shall it apply to branches or agencies acquired incidental to the consolidation of banks provided that the main offices of the consolidating banks are in the same or adjoining counties'

Further amend said Bill in the 12th line of section 2 by adding after the underlined words "Knox County" the following underlined words and punctuation: 'or Lincoln County, nor shall it apply to branches or agencies acquired incidental to the consolidation of banks provided that the main offices of the consolidating banks are in the same or adjoining counties'

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

At this point, Speaker Good returned to the rostrum.

SPEAKER GOOD: The Speaker wishes to compliment the gentleman from Woodstock, Mr. Whitman, for the very excellent performance of his duties as Speaker pro tem.

Thereupon, the Sergeant-at-Arms conducted the gentleman from Woodstock, Mr. Whitman, to his seat on the Floor, amid the applause of the House, and Speaker Good resumed the Chair.

The SPEAKER: Is there objection to taking up out of order at this time a bill on its passage to be enacted? The Chair hears none.

Passed to Be Enacted Emergency Measure

An Act Accepting from Percival Proctor Baxter a Gift of One Thousand Shares of the Capital

Stock of the Proprietors of Portland Pier and Creating the Baxter State Park Trust Fund (H. P. 1064)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a division was had. 131 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent forthwith to the Senate.

Passed to Be Engrossed

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

Bill "An Act Dividing Township of Freeman, Franklin County, for Voting Purposes" (H. P. 302) (L. D. 454)

Bill "An Act Regulating the Taking of Alewives in Dyer River, Lincoln County" (H. P. 309) (L. D. 461)

Bill "An Act relating to Taking Quahogs in Maquoit Bay, Cumberland County" (H. P. 343) (L. D. 495)

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

Amended Bill

Bill "An Act Regulating the Maximum Size of Otter Trawlers in Casco Bay and Adjacent Waters" (H. P. 344) (L. D. 496)

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

Mr. Prince of Harpswell offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to H. P. 344, L. D. 496, Bill "An Act Regulating the Maximum Size of Otter Trawlers in Casco Bay and Adjacent Waters."

Amend said Bill, in subsection I of that part designated "Sec. 36-C", by adding after the underlined word "area" in the 4th line the underlined words 'during the months of June, July and August of each year'

The SPEAKER: The Chair recognizes the gentleman from Hodgdon, Mr. Williams.

Mr. WILLIAMS: For the benefit of a man from the north woods, would you please request some seafaring man to explain what under the light of heaven an Otter Trawl is?

The SPEAKER: The question before the House is the adoption of House Amendment "A". Is it now the pleasure of the House that House Amendment "A" shall be adopted?

The motion prevailed, House Amendment "A" was adopted, the Bill passed to be engrossed as amended and sent to the Senate.

Bill "An Act Closing Casco Bay and Adjacent Waters to the Use of Otter Trawls" (H. P. 345) (L. D. 497)

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

Amended Bill

Bill "An Act Regulating Size of Otter Trawls and Other Trawls in Casco Bay and Adjacent Waters" (H. P. 346) (L. D. 498)

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

Mr. Prince of Harpswell offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to H. P. 346, L. D. 498, Bill "An Act Regulating Size of Otter Trawls and Other Trawls in Casco Bay and Adjacent Waters."

Amend said Bill in subsection I of that part designated "Sec. 36-B" by adding after the underlined word "area" in the 3rd line the underlined words 'during the months of June, July and August of each year'

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

Bill "An Act relating to Digging of Clams in Town of Deer Isle from June to September" (H. P. 348) (L. D. 500)

Bill "An Act relating to Digging of Clams in Deer Isle and Stonington, Hancock County" (H. P. 349) (L. D. 501)

Bill "An Act relating to Taking of Smelts in Addison, Columbia Falls, Harrington, Cherryfield, Milbridge and Steuben" (H. P. 420) (L. D. 595)

Bill "An Act relating to Motor Vehicle Operators' Licenses for Members of the Armed Forces" (H. P. 437) (L. D. 612)

Bill "An Act relating to Reciprocity for Nonresidents in Motor Vehicle Laws" (H. P. 440) (L. D. 615)

Bill "An Act relating to Temporary Driver's Permit" (H. P. 441) (L. D. 616)

Bill "An Act relating to Definition of Motorcycle" (H. P. 443) (L. D. 618)

Bill "An Act relating to Duplicate Motor Vehicle Operators' Licenses" (H. P. 439) (L. D. 614)

Bill "An Act relating to Registration of Motor Vehicles" (H. P. 445) (L. D. 620)

Bill "An Act relating to Taking Smelts in East Machias River by Gill Nets" (H. P. 633) (L. D. 850)

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

Amended Bills

Bill "An Act to Incorporate the Castine Water District" (H. P. 527) (L. D. 725)

Was reported by the Committee on Bills in the Third Reading, read the third time, passed to be engrossed as amended by Committee Amendment "A" and sent to the Senate.

Tabled

Bill "An Act Clarifying the Time of Payment of Wages" (S. P. 22) (L. D. 47)

Mr. BRAGDON: Mr. Speaker.

The SPEAKER: For what purpose does the gentleman arise?

Mr. BRAGDON: With regard to item 19, I would like to request that this bill be tabled pending passage to be engrossed.

The SPEAKER: Did you name a time for assignment?

Mr. BRAGDON: I would suggest it be tabled unassigned. I will

take it off as soon as possible.

The SPEAKER: The gentleman from Perham, Mr. Bragdon, moves that with reference to item 19, that this be tabled unassigned pending acceptance of the Report of the Committee on Bills in the Third Reading. Is this the pleasure of the House?

The motion prevailed.

Orders of the Day

The SPEAKER: Orders of the day.

Mr. HAUGHN: Mr. Speaker?

The SPEAKER: For what purpose does the gentleman arise?

Mr. HAUGHN: Mr. Speaker, to briefly address the House.

The SPEAKER: The gentleman from Bridgton, Mr. Haughn, requests unanimous consent to briefly address the House. Is there objection? The Chair hears none and the gentleman may proceed.

Mr. HAUGHN: Mr. Speaker, may I inquire of the Clerk if we have in possession of the House L. D. 248, An Act Changing Name of Portland Symphony Orchestra to Maine Symphony Orchestra?

The SPEAKER: The Chair wishes to inform the gentleman from Bridgton, Mr. Haughn, that L. D. 248 is in the possession of the House.

The Chair recognizes the gentleman from Mount Desert, Mr. Kimball.

Mr. KIMBALL: Mr. Speaker, as one of those who voted on the prevailing side, I would move that we at this time reconsider our action on L. D. 248.

Mr. MINSKY: Mr. Speaker?

The SPEAKER: Will the gentleman defer a moment please? The gentleman from Mount Desert, Mr. Kimball, has moved that the House reconsider its action of yesterday whereby this Bill and the Report were indefinitely postponed. The question now before the House is the motion of the gentleman from Mount Desert, Mr. Kimball, that the House reconsider its action whereby this Bill was indefinitely postponed yesterday.

The Chair recognizes the gentleman from Bangor, Mr. Minsky.

Mr. MINSKY: Mr. Speaker, Ladies and Gentlemen of the House: There are several individuals

whom I know are interested in this bill who are not present today. I would therefore move that this matter be tabled and specially assigned for Tuesday next.

The SPEAKER: The question now before the House is the motion of the gentleman from Bangor, Mr. Minsky, that L. D. 248, Senate Paper 103, entitled An Act Changing Name of Portland Symphony Orchestra to Maine Symphony Orchestra, be tabled and specially assigned for Tuesday next, February 21, pending the motion of the gentleman from Mount Desert, Mr. Kimball, that the House reconsider its action whereby yesterday it indefinitely postponed the Bill and the Report. Is this the pleasure of the House?

The motion prevailed.

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

Ought Not to Pass Report—Committee on Claims—on "Resolve in Favor of A. R. Palmer of Litchfield for Damaged Well." (H. P. 110) (L. D. 150)

Tabled — February 7, by Mr. Philbrick of Bangor.

Pending—Acceptance of Report.

On motion of Mr. Philbrick of Bangor, the "Ought not to pass" Report was accepted and sent up for concurrence.

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

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

Tabled—February 9, by Mr. Curtis of Bowdoinham.

Pending—P a s s a g e to be Engrossed.

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

Mr. CURTIS: Mr. Speaker and Ladies and Gentlemen: I am rather grieved that this bill got so far along before it came to my attention, and we are kind of hurrying things along. I am more grieved to think that it even got into the hopper at all. I am much concerned with what it is trying to do. Now surely I ride in a taxicab once in awhile, and I sure-

ly pay a good fair price, and I want to be taxied around by somebody who is getting proper wages and who knows how to drive an automobile and will land me safely where I am headed, and I have no fault to find that this has been done in the times that I have had occasion to ride in a taxicab. I am just wondering what might happen if they could hire any old body and pay any old price. Now I am quite sure that under present living conditions the one dollar an hour is little enough for most anybody. In fact in my own little business, I don't have much of it now, but I do have some school boys come over and work for me on Saturdays and just a couple of weeks ago one came over and they had been working for me and I had been giving them a dollar an hour, they were only fourteen and fifteen years old, but this particular day I didn't have anything for him to do, but inasmuch as he came along, I said you can stay along with me, so he walked around and handed me a hammer when I needed it, passed me a nail, and kept me company, and that night I gave him eighty cents an hour. I called him up the next Saturday and asked if he was coming down and he said no he wasn't. I don't know as I blame him. He didn't do anything but still he thought he ought to have a dollar an hour.

Now here are men who have to have a living and someone thinks they can work for less than a dollar an hour. I think it is quite ridiculous. Therefore, I move indefinite postponement of this bill and accompanying papers. I request a division.

The SPEAKER: The gentleman from Bowdoinham, Mr. Curtis, moves this Bill be indefinitely postponed.

The Chair recognizes the gentleman from Friendship, Mr. Winchenpaw.

Mr. WINCHENPAW: Mr. Speaker, I would like to say just a few words in explanation of this bill. It came up before our Labor Committee and we went over it pretty thoroughly and many of the boys in the House have studied it since it was tabled and we want

to thank Mr. Curtis for tabling it because some of us had planned to do it anyway, and we have come to the conclusion that these taxicab drivers are pretty well paid and pretty well satisfied. I had some figures this morning and I can't quote them to the penny, but one taxicab company took in over six hundred dollars in one day and they turned back thirty-eight percent of that to their drivers, and some companies paid thirty-five percent to their drivers.

We think that the taxicabs should operate on this free enterprise basis rather than on a dollar an hour basis, because the drivers have more interest in doing their work if they are on a commission basis. If they know they are only going to get a dollar an hour why that's that, they aren't in too much of a hurry to wait on you, but if they know they are going to get thirty-five percent of the commissions, why we feel that they will do a better job. So I hope that the motion to indefinitely postpone does not prevail.

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

Mr. BROWN: Mr. Speaker, in respect to this bill, I had placed before me day before yesterday a list of taxicab drivers who had gone on record in a petition in favor of being eliminated from the minimum wage law. That weekend prior to that I had talked to two of those on that list who said that they wished to testify but were afraid of their employment if they so did. As I have not completed my investigation of this thing, I move at this time for postponement until Thursday next.

The SPEAKER: The question now before the House is the motion of the gentleman from South Portland, Mr. Brown, that Bill "An Act Exempting Taxicab Drivers from the Minimum Wage Law, House Paper 1056, Legislative Document 1265, be tabled and specially assigned for Thursday, February 23, pending the motion of the gentleman from Bowdoinham, Mr. Curtis, that the Bill be indefinitely postponed. Is this the pleasure of the House?

The motion prevailed.

The Chair laid before the House the third 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 9, 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, this act, use of artificial lights for lighting game, I think the title is very good to the bill but I think what the bill would do, would do a lot more damage than the good it would do. I think it takes into consideration that if you were caught out at night with a flashlight on somebody else's property, even if you weren't hunting, you could be arrested for game hunting. I believe it even goes so far as the artificial lights if you were driving down the turnpike and a deer went in front of you and your lights were on the deer, I believe the game warden could arrest you for putting artificial lights on the game. I think it gets a little bit out of line and I don't think we need this type of legislation on the books. I'm going to move for indefinite postponement of this bill.

The SPEAKER: The question now before the House is the motion of the gentleman from Harrison, Mr. Morrill, that this bill be indefinitely postponed.

The Chair recognizes the gentleman from Milbridge, Mr. Kennedy.

Mr. KENNEDY: Mr. Speaker, Ladies and Gentlemen of the House: I would like to talk to you a few minutes about the seriousness of this bill. I'll lead off by assuring you that this is not a Department bill. Due to complaints of my constituents of people lighting game, flashing lights in their windows in isolated communities, has caused them a lot of fear for their safety, many times thinking these lights as they come through the window that the house might be on fire. I also would call to your attention that there are alleged violations of using lights on

game that our deer herds are being slaughtered contrary to law.

The service must have some means of protecting our game, and I feel that this is a good one. I could go on at great length, I might, as I said a few days ago on the floor of this House, ask that this bill be tabled again, but I'll leave it to the wisdom of the members of this House as to whether we should protect the violators of our hunting laws or whether we should protect our game and our citizens from the wanton use of lights. You will notice from the bill as you read it, that this lighting is restricted to September the first to December the thirty-first. It's rather ridiculous when I hear the arguments that if you drive down the highway, a light shining on a deer, that you might be arrested if caught. I believe that officers in the State of Maine are responsible people, and I don't believe that they are going to use their authority to make it miserable or disagreeable for any citizen in the State.

But we must do something. We must have some approach to aid them in their efforts in protecting our game and of upholding the laws of our State. We have a law on the book, as I understand it, that it's prohibited to carry an unsheathed scythe in an open vehicle. I don't know of any people being picked up on this violation, but it does occur in our rural districts. I don't believe there's been a case of anyone being arrested for carrying an unsheathed scythe in an open vehicle.

I don't believe, ladies and gentlemen, that if you are driving along the highway and you see deer in the fields and you happen to shine a light on those deer as you pass by, unless you are the alleged violator, that you will be arrested for it as a crime. I can't believe that, ladies and gentlemen, because I believe that our police force is a responsible agency of our law enforcement in the State of Maine. So rather than belabor this any longer, I'll leave it to the wisdom of the House and when the vote is taken, I ask for a division.

The SPEAKER: The Chair rec-

ognizes the gentleman from Pittsfield, Mr. Baxter.

Mr. BAXTER: Mr. Speaker, I would like to ask a question through the Chair. I would like to ask the gentleman from Casco, Mr. Moore, what the nature of the committee report was on this bill.

Mr. MOORE: Mr. Speaker, Members of the House: As I recall the report was unanimously in favor of this bill, and I haven't my notes here, they are down in the Clerk's office. I know that this bill received a tremendous amount of support at the hearing, but I can't give you the names of the folks that testified because my notes are all down there. But I am sure we reported it out unanimous ought to pass.

The SPEAKER: The Chair recognizes the gentleman from Jay, Mr. Maxwell.

Mr. MAXWELL: Mr. Speaker, Ladies and Gentlemen of the House: I went on record that day as supporting this bill in front of the committee. I do so again now.

The SPEAKER: The question now before the House is the motion of the gentleman from Harrison, Mr. Morrill, that the bill be indefinitely postponed.

The Chair recognizes the gentleman from Guilford, Mr. Dodge.

Mr. DODGE: Mr. Speaker, Members of the House: This bill I think is a good bill. In my territory the way that deer are sometimes hunted under lights is this: A car goes along and drops a hunter somewhere in a field where they think the deer will come out in. He goes back into the woods and stays there. The car comes back and throws a light over that field; now according to law at the present time, if they light a deer in there and your warden finds that car and there's no guns in the car, there's nothing to say that that car is hunting. The hunter is off somewhere else watching for a deer to be lit up by the lights. This will simply give your wardens a chance to stop this kind of hunting.

The SPEAKER: The Chair recognizes the gentleman from St. Albans, Mr. Hughes.

Mr. HUGHES: Mr. Speaker, on January tenth of this year, I re-

ceived a letter from one of my constituents in the town of Harmony. His name is signed to the letter and anybody can have it that wants it, but I would like to read part of it.

"I heard Bud Leavitt's program last Saturday night, so I decided to start something. I am for any hunting law that will be introduced during this session of Legislature."

And he signed his name and at the bottom it says "P. S. I am enclosing a list of the boys in the shop who feel like I do." He works in the shoe shop, by the way. "Didn't circulate this paper only a little while in the shop, so it gives one a good idea how most of the people in this area feel." And that paper was enclosed with sixty-one names on it.

The SPEAKER: The question now before the House is the motion of the gentleman from Harrison, Mr. Morrill, that this Bill "An Act Relating to Use of Artificial Lights for Lighting Game" House Paper 112, Legislative Document 152, be indefinitely postponed, and a division has been requested.

All those in favor of the motion to indefinitely postpone please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Six having voted in the affirmative and one hundred twenty-eight having voted in the negative, the motion did not prevail.

Thereupon, on motion of Mr. Kennedy of Milbridge, the Bill was passed to be engrossed and sent to the Senate.

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

Bill "An Act Establishing Regional Technical and Vocational Centers" (S. P. 413) (L. D. 1455)—In Senate referred to Committee on Education.

Tabled — February 15, by Mr. Whitman of Woodstock.

Pending—Reference.

Thereupon, on motion of the same gentleman, was referred to the Committee on Education in concurrence.

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

Bill "An Act to Simplify Exemption of Veteran's Property from Taxation" (H. P. 549) (L. D. 746)

Tabled — February 15, by Mr. Chapman of Norway.

Pending—Passage to be engrossed.

Thereupon, on motion of the same gentleman, passed to be engrossed and sent up for concurrence.

The SPEAKER: The Chair would like to call your attention to the fact that you have heard several people speak this afternoon and some of them were very clear. And I think that is due to the fact that they had the microphone pointed approximately at their chin. They were a distance of approximately six or seven inches from the microphone. Some of you may not know it but everything that you say is being recorded on records and also on tape, and if you do not speak into the microphone sometimes that is not recorded.

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

Bill "An Act Relating to Trapping Beaver in Organized and Unorganized Territory" (H. P. 92) (L. D. 132)

Tabled—February 15, by Mr. Smith of Strong.

Pending—Passage to be engrossed.

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

Mr. CURTIS: Mr. Speaker, Members of the House: The gentleman from Strong was kind enough to table this for me the other day because I was called over to the Highway Department on business pertaining to one of the towns which I have the honor to represent.

Now just why I am interested in this particular bill is because that I do own or at least I am privileged to pay taxes on quite a considerable amount of forest land, and I do own it, which is why I got into that item, must have some good salesman any way.

Now the law provides, as it is now, that if anyone wants to trap beaver on there they have to get my consent, because we are in an organized township. Now there are beaver, or should I say is beaver, or are beavers in this area. In fact on two or three of these particular pieces there are beaver, and so when they ask me I say OK, I don't care. But there's one that I call Area 138, I don't want you trapping over there. Now I don't hunt beaver, I don't hunt at all. I never killed a deer in my life; although I belong to several of the associations and I don't fish because it takes so little to keep me busy that I don't have time. Although in this area that I do pay taxes on, the State does put out quite a few hundred trout, and I never post it. Now that's why I'm interested.

If this bill should become law, then I'll have to post that territory to keep people out from taking those beavers.

Now why I want those beavers to stay there, they've already destroyed the lumber on twenty acres of land and probably in my lifetime would never grow again if they killed them all off now, but the youngsters around there and quite a number of people who come into our State see these beaver working and they go in there and look to their heart's content.

So I thought that one of my good friends, in fact the sponsor of this bill, came to me, and he said why he put this in is because it is hard for the poor trappers to find the owners. That many of them didn't live within the State and some went South, well, I'll never get money enough to go south, so they can always find me anyway. But so I thought I would correct that and so I started to get out an amendment, and about that time another of my good friends here come and said if you've got an amendment to that, why don't you put in the unorganized territory. Now I forget what he said, whether he lived in or near an unorganized territory and he'd like to have that they would ask to take those beaver because near his place there was a nice

pond and the children in his area liked to skate on that pond. So I changed it over and got that. After I got all settled down why a Page came to me and said a gentleman of the House wants to see you at the rear of the House, so I went back and he said what's going on? What have you got here? Well, you have got this thing on your desk and probably you can read it as well as I can. Well the whole matter of the fact is this. I want those beaver to stay there and I don't want to post this land. In fact some of the sporting clubs that I belong to would like to have me post it. In fact they have gone so far as to go out and post it themselves and I sent a man up and knocked their signs down, because I think you all know that the Department of Inland Fisheries and Game does not — is not enabled to come to this Legislature and ask for an appropriation. All they get is a dedicated revenue of their license fees and that is what they have to operate on. Inasmuch as I don't go hunting, I do feel that you folks who are keeping up this business and are paying for a chance to hunt, I think you ought to have a chance to hunt, and I am perfectly happy to let you hunt on my land at anytime, hunt and fish to your heart's content, and so I don't want to post it.

Now the only thing that I can do if this bill receives passage to save these beaver, is to post my land, and that I don't want to do. So I have got myself in such a mess now that I am going to move indefinite postponement, and you are not going to make me a bit mad if you vote against me; you are not going to make me a bit mad if you pass this bill, because I love you all anyway regardless of the awful bills some of you put in. Without further ado, I move indefinite postponement of this bill and I ask for a division.

The SPEAKER: The Chair recognizes the gentleman from Jay, Mr. Maxwell.

Mr. MAXWELL: Mr. Speaker and Members of the House: Perhaps I can clarify this for the gentleman from Bowdoinham, Mr. Curtis. I, myself, own several hun-

dred acres of land including areas that have some beaver ponds on them. I don't allow them to be open to the public. All he has to do is to go talk to the Commissioner or to any one of the biologists or game wardens and that area will be automatically closed for him.

The SPEAKER: The Chair recognizes the gentleman from Guilford, Mr. Dodge.

Mr. DODGE: Mr. Speaker, under the general law regarding trappers, this section 70, "No person shall trap on or in any organized or incorporated place, or in any unorganized place on the cultivated or pasture area of land that is used for agricultural purposes, and on which land there is an occupied dwelling, or within two hundred yards of any occupied dwelling, without first obtaining the written consent of the owner or occupant of the land on which said trap is to be set." Now that covers unorganized places as well as organized. Now some places that aren't organized have farms on them. Now the bill that we want to take out takes beaver out of the general law, but makes it so that you can trap on unorganized territory without consent of the owner. Now that is alright on wild lands, but on lands where they have farms and so on, the man in the unorganized territory would like to have it so that he can say whether they can trap or not on that territory.

The SPEAKER: The Chair recognizes the gentleman from Sangerville, Mr. Edgerly.

Mr. EDGERLY: Mr. Speaker, Ladies and Gentlemen of the House: I don't know my good friend, Mr. Curtis, but he gets me mixed up. I won't know how to trap a beaver when next winter comes. But this law that he wishes to take off those beaver up in there. If I'm not awfully mistaken there's a law that if Mr. Curtis wants to keep those beaver, he can post around that beaver house, around the bog where the house is, I think it's three hundred feet away, it won't take only three or four signs, and he's got his beaver safe, they are his. Nobody's going to trap. I've traveled into a place with a whole pack of traps on my back, got in there and found a house posted

like that. I turned right around and walked out. I knew better than trap a place like that, but I think Mr. Curtis can save his beaver by just posting that beaver house. I may be wrong, but I don't think I am. And this law that is getting permission, it affects the trappers and causes them lots of hard work for nothing.

They will go in in the fall after it freezes up, go up the bogs, streams, hunting for beaver. Well lots of you folks that fish, you know these streams meander around first one way and then another and the bogs the same, by and by you don't know the direction just where you are. You found some beaver then you go out and ask the first fellow you come to near there who owns that land well, he'll tell you someone owns it way over across two or three towns. There's nothing you can do but go and see him. You go over there hunt him up, yes, he's way in the woods somewhere, he won't be out until night. Well, away you'll go in the woods to see him, if you want to trap. Get in there and ask him about it, he'll laugh at you and say of course I want them trapped. I'll almost pay you for trapping them. He says anytime that there's beaver on my land, trap them, well that's the way you will find landowners. They want to get rid of them where they are doing damage. It's quite a lot of extra time for a trapper to have to go get permission.

I don't know I might have told Mr. Curtis about this getting permission in Florida, I had that happen in my home town. Found some beaver and found out that they had gone to Florida. Well, I was determined, and I wrote to them; I got a reply back so I had time to trap a week there. They wanted them trapped, but that's the way it goes. I hope you pass this bill as it is without any amendment and it will be all right. I think Mr. Curtis can take care of his beaver with those posters.

The SPEAKER: The Chair recognizes the gentleman from Freeport, Mr. Crockett.

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

House: It isn't very often that I get up and speak on regards to beavers or game of any kind, but I believe the entirety of this bill as written, I disagree with my colleague from Bowdoinham in regards to his amendment. I hope that you gentlemen accept the bill and kill the amendment.

The SPEAKER: The Chair recognizes the gentleman from Mexico, Mr. Matheson.

Mr. MATHESON: Mr. Speaker, Ladies and Gentlemen of the House: I suppose, as sponsor of this bill, a few words of explanation are in order. I am glad the gentleman from Guilford mentioned section seventy. This is section one hundred and nineteen, chapter thirty-seven, and it is a long section. It relates to trapping beaver in unorganized and in organized territories. It just strikes out those four lines, it in no way infringes on the rights and duties of the Fish and Game Department. It in no way abrogates or disturbs the trespass law. We have a trespass law to take care of those things, and I am not sure the State of Maine pays people to go around policing their property. It in no way disturbs the right to secure every citizen protects their own property.

It is a nuisance law inasmuch as it affects beaver trappers. It doesn't affect other trappers, it affects beaver trappers. Now the season is very short at least, as the gentleman from Sangerville has said, he got one week at trapping after writing down to Florida and all that. I won't go into great detail about that, I believe that you fully understand that and I have a great deal of faith in your sense of protection if you see what I mean.

Now we don't need to go into that. However, I would like to point out one thing. We hear a lot these days about industry in Maine, both big and little, we've been offered vacations for twenty-five people to get them to go to work. It wouldn't be surprising to me that there is a lot more than twenty-five people interested in or trapping in the State of Maine. There's a lot more than twenty-five people engaged in the trap-

ping industry in the State of Maine full-time excluding the part-time trappers. These people are the backbone of the State of Maine. I will stand here and say that they are the salt of the earth, I know a lot of them. It's a hard job, they have a rough time getting a living.

Now anything that we can do to make it a little easier for them without it costing us any money, it seems to me that we should do it. Now this particular law, I want to repeat again, applies only to beavers, not to section seventy as the gentleman has mentioned. We have plenty of trespass laws to take care of this. You know, we don't ask a brook fisherman to get a written permit. This amendment calls for a written permit, it heaps coals of fire on their head, first a written consent rather — first it was just implied consent. Now we don't ask people who go brook fishing and hunting and everything to get consent.

You know I'm not a native of the State of Maine, but I love the State of Maine and every blade of grass there is in it. I like to think like Will Rogers, I've never met a man I didn't like. I like to brook fish, and I have brook fished all over this State; at no time so long as I stayed away from property that's been posted, has anyone ever bothered me.

I am not a hunter, but I see these fellows in their bright colors early in the morning go forth into battle in the hopes that they will come home that evening with a deer. They too are not troubled as to just where they want to go hunting and fishing. You know that we can get this down to a point where all we have is a police state.

Now we have ample protection here and surely we don't expect our game wardens to go on snowshoes up and down these brooks all winter long to check on beaver trappers to see whether or not they have a permit. I have a lot of faith that they won't abuse their privilege.

I would just like to say one more thing. I am sure these people, these trappers, do not expect or prefer perfection, let's say, but they do hope for better things and

they have a right to that. And while I prize them in full worth, the sentiments back of this amendment, justice to these people demands that I object to its passage.

Therefore, Mr. Speaker, I move that this amendment be indefinitely postponed, and I request a division.

The SPEAKER: The Chair would advise the gentleman that there is no amendment offered as yet. The question before the House and the one you are debating is a motion of the gentleman from Bowdoinham, Mr. Curtis, that the bill be indefinitely postponed. No amendment has as yet been offered.

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

Mr. CURTIS: Mr. Speaker and dearly beloved: I have not offered this amendment because so many people had so many things put into it, I thought it was too ridiculous, just the same as I think the bill is too ridiculous, so take your own head.

The SPEAKER: The Chair recognizes the gentleman from Mexico, Mr. Matheson.

Mr. MATHESON: Mr. Speaker, I withdraw my motion relative to the amendment. I am sorry for the mistake, and I hope the motion of the gentleman from Bowdoinham, Mr. Curtis, does not prevail.

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

Mr. JONES: Mr. Speaker, in order to clarify I think a possible bit of confusion, I wondered if we could through the Chair, ask the gentleman from Jay, Mr. Maxwell, to restate the other law pertaining to this on protection. Can you hear me?

The SPEAKER: I am sorry, I didn't hear the gentleman.

Mr. JONES: I would ask to possibly clarify some of the confusion that might be existing here, if Mr. Maxwell could repeat what he said relative to other laws giving an owner protection.

The SPEAKER: The gentleman from Farmington, Mr. Jones, has asked a question through the Chair of the gentleman from Jay, Mr.

Maxwell, who may answer if he chooses.

Mr. MAXWELL: What I said was this, —

The SPEAKER: The Chair would advise the gentleman that since we have lost the power, he will have to speak a little louder please.

Mr. MAXWELL: What I had to say was this, if you own property on which there are beaver, you may ask that that property be closed to beaver trapping and the Department will do so.

The SPEAKER: Does the gentleman from Farmington, Mr. Jones, consider his question answered?

Mr. JONES: I fully understand it and I hope everyone else does.

The SPEAKER: The Chair recognizes the gentleman from Skowhegan, Mr. Wade.

Mr. WADE: Mr. Speaker and Members of the House: I think that the section has been misinterpreted this afternoon. It is Section 119 of the Revised Statutes, Biennial Revision of the Inland Fish and Game Laws. I won't quote it because it is lengthy, but I think if anybody interested in this particular bill would familiarize himself with the contents of this section, it would clarify the thing in their minds.

The SPEAKER: The question before the House is the motion of the gentleman from Bowdoinham, Mr. Curtis, that Bill "An Act Relating to Trapping Beaver in Organized and Unorganized Territory" House Paper 92, Legislative Document 132, be indefinitely postponed. A division has been requested. Will all those who favor the indefinite postponement of this bill, please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Eight having voted in the affirmative and ninety-four having voted in the negative, the motion did not prevail.

Thereupon, the Bill was passed to be engrossed and sent to the Senate.

The SPEAKER: The Chair lays before the House item 12 on page 5 of the calendar, tabled earlier in the day by the gentleman from Old Orchard Beach, Mr. Plante, pending acceptance of the "Ought

not to pass" Committee Report on Bill "An Act Abolishing Residence Requirements for Old Age Assistance" House Paper 447, Legislative Document 622, and the Chair recognizes that gentleman.

Mr. PLANTE: Mr. Speaker and Ladies and Gentlemen of the House: I am fully concerned as is the leadership and I feel I am far more interested in the human need and this L. D. coupled with item 13 on the same page is concerned with human beings. I proposed before Committee to amend this bill to make it identical to the one I saved today. Therefore, I now appropriately yield to the gentleman from Pittsfield, Mr. Baxter.

Thereupon, on motion of Mr. Baxter of Pittsfield, the Report and Bill were tabled pending acceptance of the Report and specially assigned for Wednesday, February 22.

On motion of Mrs. Sproul of Bristol, the House voted to take from the table the first tabled and unassigned matter:

House Report — "Ought to Pass with Committee Amendment" "A" — Committee on Legal Affairs on Bill "An Act Relating to Annual Meeting of Bayville Village Corporation" (H. P. 49) (L. D. 90)

Tabled—Jan. 31, by Mrs. Sproul of Bristol.

Pending—Acceptance of Report.

On further motion of the same gentlewoman, the Report was accepted and the Bill read twice.

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

COMMITTEE AMENDMENT "A" to H. P. 49, L. D. 90, Bill "An Act Relating to Annual Meeting of Bayville Village Corporation."

Amend said Bill by inserting in the first line before the headnote 'Sec. 1'.

Further amend said Bill by adding at the end the following section:

"Sec. 2. P. & S. L., 1911, c. 227, § 14, amended. Sec. 14 of chapter 227 of the Private and Special Laws amended to read as follows:

The last sentence of section 14 of chapter 227 of the private and special laws of 1911 is amended to

read as follows: ('George M. Harmon, Albert E. Shipman, Charles Fletcher, George P. Merrill, Frederick A. Smith, Leland F. Bridgman, Bryant G. Smith and Joshua M. Dill, or either of them, may call all meetings of the corporation previous to the acceptance of the charter and the election of officers, and notify the persons entitled to vote therein to meet at some suitable time and place within the said limits of this corporation, by posting of notices in two public places within the limits of said corporation, seven 14 days at least before the time of holding said meeting; all subsequent meetings shall be called and notified by the overseers as town meetings are called and notified by the selectmen; either of the above named persons are authorized to preside at any meeting previous to the acceptance of the charter until the meeting is organized and until a moderator shall have been chosen by ballot and sworn; at all meetings of the corporation a moderator shall be chosen in the manner, and with the same power as in town meetings.')

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

Mr. Crockett of Freeport was granted unanimous consent to address the House briefly.

Mr. CROCKETT: Mr. Speaker, for the last eight or ten hours there has been a package lying on my desk here, a sealed package. I don't know what it contains, but I will say this, if you will allow the gentleman to step forward to the well of the House, and if he can identify it and prove he is the legal owner, and pay a small demurrage of three cents, I will deliver the package to him.

The SPEAKER: The gentleman from Freeport, Mr. Crockett, states that after adjournment of this session, he will be waiting at the rear of the House to return the item to the rightful owner if they can prove that they own it, and provided further that they pay the necessary demurrage.

Mr. Haughn of Bridgton was granted unanimous consent to address the House briefly.

Mr. HAUGHN: Mr. Speaker and Members of the House: There have been several requests made by members to me to see what we could do about getting identification cards from the State Police which we in previous sessions have been able to obtain. I have now contacted Captain Lincoln at State Police Headquarters and to anybody who will leave their name with me, I can make arrangements in small groups to go over and have that identification photo made for all legislators.

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

Mr. SMITH: Mr. Speaker, I would like to call attention of the House to an article on the bottom of this blue page that has been distributed whereby the Governor invites all the Representatives to a prayer breakfast at the Augusta House next Wednesday at 7:30 a. m. If you can get up that early in the morning, he would like to have you eat breakfast with him. Tickets are on sale and Representative Waterman and myself have them, they cost \$1.75, very expensive for breakfast, but part of that, and this is what I would like to tell you, part of that \$1.75 is to go to buy a gift or to

give a gift to the Governor at that time, an appropriate gift, similar to the one that is given to the President of the United States at that prayer breakfast that they have each year in Washington, D. C. The Governor would like to have everybody come that can.

The SPEAKER: The Chair wishes at this time to make some progress announcements. I realize we have been here now for two and one-half hours and you have been very patient, and I also realize the tremendous job that the Members of the House are doing in their committee work, and the progress report at this particular time, the end of the seventh week, is very satisfactory, and I would like to cite these figures. At the end of the seventh week in the previous Legislature, the 99th Legislature, there had been 881 items referred to committees for hearing at this time. We have referred at this time 1,450. At the end of the seventh week in the 99th Legislature there had been reported out of committees 154 items. At the end of the seventh week the 100th Legislature had reported out of committees 282 items.

On motion of Mr. Baxter of Pittsfield,

Adjourned until Tuesday, February 21 at ten o'clock in the morning.