

# 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**

Friday, March 3, 1961

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

Prayer by the Rev. Mr. Earl Waterman of the Advent Christian Church, Chelsea.

The journal of the previous session was read and approved.

**Papers from the Senate  
Senate Reports of Committees  
Ought to Pass**

Report of the Committee on Education reporting "Ought to pass" on Bill "An Act relating to Attending School in Administrative Units in Another State" (S. P. 192) (L. D. 525)

Report of same Committee reporting same on Bill "An Act relating to Education of Children of Estcourt, Maine" (S. P. 224) (L. D. 629)

Report of the Committee on Judiciary reporting same on Bill "An Act relating to Duty Upon Damaging Property by Motor Vehicles" (S. P. 140) (L. D. 323)

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

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

**Non-Concurrent Matter  
Tabled and Assigned**

Bill "An Act Providing for Maine Potato Advertising by the Department of Agriculture" (H. P. 284) (L. D. 436) which was passed to be engrossed as amended by Committee Amendment "A" in the House on February 23.

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

In the House: The House voted to recede from its action on February 23 whereby it passed the Bill to be engrossed as amended by Committee Amendment "A".

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

SENATE AMENDMENT "A" to H. P. 284, L. D. 436, Bill, "An

Act Providing for Maine Potato Advertising by the Department of Agriculture."

Amend said Bill in the title by striking out the words "by the Department of Agriculture"

(On motion of Mrs. Harrington of Patten, tabled pending adoption of Senate Amendment "A" and specially assigned for Friday, March 10.)

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

**Non-Concurrent Matter**

Report of the Committee on Claims reporting "Ought not to pass" on Resolve to Reimburse Town of Bristol for Aid Extended to Charles Maines (H. P. 582) (L. D. 802) which was accepted in the House on February 28.

Came from the Senate with the Report and Resolve recommitted to the Committee on Claims in non-concurrence.

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

**House Reports of Committees  
Ought to Pass in New Draft  
New Drafts Printed**

Mr. Cyr from the Committee on Public Utilities on Bill "An Act to Create the Fort Kent Sewerage District" (H. P. 528) (L. D. 726) reported same in a new draft (H. P. 1072) (L. D. 1477) under title of "An Act to Create the Fort Kent Sewerage and Water District" and that it "Ought to pass"

Mr. Pike from same Committee on Bill "An Act to Create the Bethel Utilities District" (H. P. 61) (L. D. 103) reported same in a new draft (H. P. 1073) (L. D. 1478) under same title and that it "Ought to pass"

Mr. Chapman from the Committee on Retirements and Pensions on Resolve Changing Survivor Payments to Mrs. Anita K. Lyons of Bangor, as Guardian for Minors (H. P. 268) (L. D. 382) reported same in a new draft (H. P. 1071) (L. D. 1473) under same title and that it "Ought to pass"

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

### Ought to Pass Printed Bills

Mr. Hopkinson from the Committee on Agriculture reported "Ought to pass" on Bill "An Act Regulating Vaccine Dealers and Distributors" (H. P. 956) (L. D. 1323)

Mr. Edwards from the Committee on Business Legislation reported same on Bill "An Act to Incorporate the 'Maine Credit Union League'" (H. P. 654) (L. D. 932)

Mr. Anderson from the Committee on Claims reported same on Resolve in favor of Elude Cantara of Biddeford (H. P. 43) (L. D. 84)

Mr. Brewer from same Committee reported same on Resolve Reimbursing Town of Weston for Aid Extended to Henry Lee (H. P. 299) (L. D. 451)

Mr. Hutchins from same Committee reported same on Resolve Reimbursing Town of Exeter for Aid Extended to Mrs. Virginia Smith (H. P. 530) (L. D. 800)

Mr. Sirois from the Committee on Education reported same on Bill "An Act to Authorize the Municipalities of Carthage, Dixfield and Weld to Form a School Administrative District" (H. P. 472) (L. D. 672)

Mr. Crockett from the Committee on Highways reported same on Bill "An Act Requiring Public Utilities Commission Approval of Rates for Ferry Service for North Haven, Vinalhaven, Islesboro, Swan's Island and Long Island Plantation" (H. P. 475) (L. D. 675)

Same gentleman from same Committee reported same on Bill "An Act to Protect the Traveling Public and Persons Working on Highways" (H. P. 807) (L. D. 1121)

Mr. Dodge from the Committee on Inland Fisheries and Game reported same on Bill "An Act relating to Speed of Power Boats in Merrymeeting Bay" (H. P. 381) (L. D. 1216)

Mr. Hanson from same Committee reported same on Resolve Regulating Fishing in Roach River,

Piscataquis County (H. P. 24) (L. D. 43)

Mr. Merrill from same Committee reported same on Bill "An Act Repealing Grassy Pond Game Preserve and Gribbel Game Preserve" (H. P. 749) (L. D. 1035)

Same gentleman from same Committee reported same on Bill "An Act relating to Night Hunting of Wild Birds" (H. P. 879) (L. D. 1214)

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

### Tabled and Assigned

Mr. Wade from the Committee on Inland Fisheries and Game reported "Ought to pass" on Bill "An Act Designating Mount Desert Island as Game Management Area" (H. P. 878) (L. D. 1213)

Report was read.

(On motion of Mr. Kimball of Mount Desert, tabled pending acceptance of Committee Report and specially assigned for Friday, March 24.)

Mr. Wade from the Committee on Inland Fisheries and Game reported "Ought to pass" on Bill "An Act relating to Boundaries of Merrymeeting Bay Game Sanctuary" (H. P. 880) (L. D. 1215)

Same gentleman from same Committee reported same on Resolve Regulating Taking of Smelts in Kingsbury Pond and Mayfield Pond (H. P. 148) (L. D. 211)

Same gentleman from same Committee reported same on Resolve Opening Baker Pond, Somerset County, to Fly Fishing (H. P. 595) (L. D. 816)

Mr. Thornton from the Committee on Judiciary reported same on Bill "An Act Providing for Municipal Court Conferences" (H. P. 321) (L. D. 473)

Mr. Brown from the Committee on Natural Resources reported same on Bill "An Act to Prevent the Pollution of the Waters of Oyster River Pond, Knox County" (H. P. 769) (L. D. 1055)

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

Mr. Burns from the Committee on Natural Resources reported "Ought to pass" on Bill "An Act Classifying Certain Tidewaters Bordering Thomaston" (H. P. 693) (L. D. 971)

Report was read.

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

Mr. BAXTER: Mr. Speaker, I move that this item lay upon the table unassigned pending acceptance of the Committee Report.

The SPEAKER: The gentleman from Pittsfield, Mr. Baxter, moves this matter be tabled unassigned pending acceptance of the Committee Report.

The Chair recognizes the gentleman from Friendship, Mr. Winchenpaw, and must advise him that a tabling motion is not debatable excepting as to time.

Mr. WINCHENPAW: Mr. Speaker, I left my glasses home, but I think this is a bill of mine—

The SPEAKER: The gentleman is debating.

Mr. WINCHENPAW: Well, can't I ask a parliamentary question?

The SPEAKER: A parliamentary question may be asked.

Mr. WINCHENPAW: This is a bill that concerns Thomaston tidewaters. I can't see my journal because I left my glasses home.

The SPEAKER: The Chair would advise the gentleman that—

Mr. WINCHENPAW: Alright, I found out what I want to know, thank you very much, and I request a division on the tabling motion.

The SPEAKER: A division has been requested. Will those who favor the motion to table this matter unassigned pending acceptance of the Report, please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Four having voted in the affirmative and seventy-three having voted in the negative, the tabling motion did not prevail.

Thereupon, the "Ought to pass" Report was accepted, the Bill read twice, and assigned the next legislative day.

Mr. Westerfield from the Committee on Public Utilities reported

"Ought to pass" on Bill "An Act Protecting the Source of Public Water Supply" (H. P. 835) (L. D. 1150)

Mr. Chapman from the Committee on Retirements and Pensions reported same on Resolve Increasing Pension of Martha Morey of Shirley Mills (H. P. 626) (L. D. 843)

Mr. Edgerly from same Committee reported same on Resolve Increasing State Pension for Mrs. Katie Libby of Charleston (H. P. 530) (L. D. 728)

Mr. Wood from same Committee reported same on Resolve Increasing Pension of Merle Merrill of Montville (H. P. 104) (L. D. 144)

Mr. Pike from the Committee on Sea and Shore Fisheries reported same on Bill "An Act to Amend and Repeal Certain Private and Special Laws Relating to Sea and Shore Fisheries" (H. P. 205) (L. D. 300)

Same gentleman from same Committee reported same on Bill "An Act to Correct Errors and Omissions in Sea and Shore Fisheries Public Laws" (H. P. 207) (L. D. 302)

Mr. Tyndale from same Committee reported same on Bill "An Act relating to Taking Clams from Batson's River in the Town of Kennebunkport" (H. P. 703) (L. D. 981)

Same gentleman from same Committee reported same on Bill "An Act relating to Number of Lobster Traps on Trawls in York County" (H. P. 838) (L. D. 1153)

Mr. Young from same Committee reported same on Bill "An Act relating to Close Time on Lobsters about Monhegan" (H. P. 119) (L. D. 159) which was recommitted.

Mr. Bearce from the Committee on State Government reported same on Resolve Authorizing State to Convey Certain Land to Cumberland County (H. P. 542) (L. D. 739)

Mr. Dostie from same Committee reported same on Bill "An Act Placing Directors of Health and Social Welfare under Personnel Law" (H. P. 537) (L. D. 735)

Mr. Haughn from same Committee reported same on Resolve Authorizing the Director of the

Bureau of Public Improvements to Convey Certain Land in Hallowell (H. P. 635) (L. D. 852)

Mr. Kimball from same Committee reported same on Bill "An Act to Create the Bureau of Maine Archives" (H. P. 539) (L. D. 737)

Mr. Bussiere from the Committee on Transportation reported same on Bill "An Act relating to Definition of Owner under Motor Vehicle Law" (H. P. 1049) (L. D. 1449)

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

#### **Referred to Committee on Judiciary**

Mr. Morse from the Committee on Business Legislation on Bill "An Act relating to Dissolution of Corporations by Action of Stockholders" (H. P. 791) (L. D. 1105) reported that it be referred to the Committee on Judiciary.

Report was read and accepted, the Bill referred to the Committee on Judiciary and sent up for concurrence.

#### **Referred to Committee on Industrial and Recreational Development**

Mr. Turner from the Committee on Highways on Resolve Authorizing State Highway Commission to Study Desirability of a Bridge Across Taunton River (H. P. 747) (L. D. 1033) reported that it be referred to the Committee on Industrial and Recreational Development.

Report was read and accepted, the Resolve referred to the Committee on Industrial and Recreational Development and sent up for concurrence.

#### **Ought to Pass with Committee Amendment**

Mr. Boothby from the Committee on Agriculture on Bill "An Act Revising the Laws relating to Veterinarians" (H. P. 865) (L. D. 1200) 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. 865, L. D. 1200, Bill, "An Act Revising the Laws Relating to Veterinarians."

Amend said Bill in section 3 in the 13th line by striking out the underlined word "shall" and inserting in place thereof the underlined word 'may'

Further amend said Bill in section 3 in the 15th line by striking out the underlined words "national board" and inserting in place thereof the underlined words 'national examining services'

Further amend said Bill by adding at the end of section 3 the following underlined paragraph:

**'If any applicant qualifies for examination, he may be issued, until the results of the applicant's examination have been given, a permit to conduct inspections of meat and meat products. The permit shall terminate with the examination following the applicant's qualifications.'**

Further amend said Bill in section 4 in the 10th line by striking out the comma after the underlined word "Government" and inserting in place thereof the underlined word 'or' and by striking out the underlined words "or private industry"

Further amend said Bill in section 7 in the 3rd and 4th lines by striking out the underlined words "New England"

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

Mr. Coulthard from the Committee on Agriculture on Bill "An Act relating to Transportation of Certain Poultry" (H. P. 954) (L. D. 1321) 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. 954, L. D. 1321, Bill, "An Act Relating to Transportation of Certain Poultry."

Amend said Bill in the 6th line by adding the following underlined words after the underlined word **"hatched"**, **"to any other location in the State of Maine"**.

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

Mr. Gardner from the Committee on Agriculture on Bill "An Act Revising the Maine Milk Law" (H. P. 219) (L. D. 334) 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. 219, L. D. 334, Bill, "An Act Revising the Maine Milk Law."

Amend said Bill in the 3rd line of subsection XVIII of section 87-B by inserting after the underlined words **"are made"** the underlined words **"as a business"**.

Further amend said Bill in section 87-C in the 10th and 11th lines by deleting the following underlined words and punctuation: **"or produce grade A milk or to pasteurize grade A milk, as the case may be."**

Further amend said Bill in section 87-C by adding at the end thereof the following underlined paragraphs:

**"Any person wishing to produce grade A milk or to pasteurize grade A milk, as the case may be, shall apply to the commissioner for a license, furnishing such information as may be required upon a form prescribed by the commissioner. The commissioner, if satisfied, after inspection or investigation, that the applicant has complied with the rules and regulations and standards of definition and quality pertaining to grade A milk and pasteurized grade A milk, shall issue a license."**

**The commissioner shall, after investigation and public hearing, adopt and promulgate rules and regulations, and standards of definition and quality for the production, pasteurization and distribution of grade A milk."**

Further amend said Bill in section 87-F under subsection I by deleting the last underlined sentence of the first paragraph, which reads as follows: **"Raw milk or raw cream shall be placed in the final container and capped on the dairy farm where it is produced."**

Further amend said Bill in section 87-F in the 9th line by striking out the underlined figure **"25,000"** and inserting in place thereof the underlined figure **"50,000"**.

Further amend said Bill in section 87-F by striking out all of subsections II, III, IV and V.

Further amend said Bill in section 87-F under subsection IX by striking out in the first line the underlined words **"raw"** and **"for"**, and by striking out in the 2nd line the underlined word **"pasteurization"**.

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

#### Tabled and Assigned

Mr. Choate from the Committee on Business Legislation on Bill "An Act Amending Charter of the Telephone Workers Credit Union of Maine" (H. P. 655) (L. D. 933) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read.

(On motion of Mr. Lowery of Brunswick, tabled pending acceptance of Committee Report and specially assigned for Tuesday, March 7.)

Mr. Brewer from the Committee on Claims on Resolve in favor of Irving L. Leach of Bluehill (H. P. 657) (L. D. 935) 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. 657, L. D. 935, Resolve, in Favor of Irving L. Leach of Bluehill.

Amend said Resolve, by striking out the figure **"\$1,291.48"** in the second line, and inserting in place thereof, the figure **"\$600.00"**

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

The SPEAKER: At this time the Chair would recognize the presence in the gallery of fifteen students from Jay High School accompanied by their teacher, Mr. Lorenzi. On behalf of the House the Chair extends to you a most hearty and cordial welcome, and we hope you will enjoy and profit by your visit with us here today. (Applause)

Mr. Sirois from the Committee on Education on Bill "An Act to Authorize Enfield, Greenbush, Greenfield, Howland, Maxfield, Passadumkeag, LaGrange and Seboeis Plantation to Form a School Administrative District" (H. P. 737) (L. D. 1025) 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. 737, L. D. 1025, Bill, "An Act to Authorize Enfield, Greenbush, Greenfield, Howland, Maxfield, Passadumkeag, LaGrange and Seboeis Plantation to Form a School Administrative District."

Amend said Bill in the Title by striking out the word "Enfield"

Further amend said Bill in the first line by striking out the underlined word "Enfield"

Further amend said Bill in the 2nd line by striking out the word "Enfield"

Further amend said Bill in the 6th line by striking out the word "Enfield"

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

Mr. Nadeau from the Committee on Highways on Resolve Designating the Augusta-Waterville Portion of the Interstate System in Maine as Clinton A. Clauson Memorial Highway (H. P. 808) (L. D. 1122) 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. 808, L. D. 1122, Resolve, Designating the Augusta-Waterville Portion of the Interstate System in Maine as Clinton A. Clauson Memorial Highway.

Amend said Resolve in the 4th line by striking out the words "Augusta to Waterville" and inserting in place thereof the following: 'the northerly end of the Maine Turnpike in Augusta to the Main Street interchange in Waterville'

Further amend said Resolve in the 5th line from the end by striking out the underlined words and punctuation "Augusta to Waterville," and inserting in place thereof the underlined words and punctuation 'the northerly end of the Maine Turnpike in Augusta to the Main Street interchange in Waterville.'

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

Mr. Hanson from the Committee on Inland Fisheries and Game on Resolve Regulating Fishing in Ireland Pond, Penobscot County (H. P. 597) (L. D. 818) 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. 597, L. D. 818, Resolve, Regulating Fishing in Ireland Pond, Penobscot County

Amend said Resolve, in the 3rd line, by adding after the word "live" the words 'fish as'

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

#### Tabled and Assigned

Mr. Moore from the Committee on Inland Fisheries and Game on Resolve Regulating Fishing in Moose River, Somerset County (H. P. 242) (L. D. 356) 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. 242, L. D. 356, Resolve, Regulating Fishing in Moose River, Somerset County.

Amend said Resolve by striking out in the 8th and 9th lines the words and punctuation "2 trout, salmon or togue from September 16th to September 30th" and inserting in place thereof the following words 'one fish for the calendar years 1962 and 1963'

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

Mr. ANDERSON: Mr. Speaker and Members of the House: I appreciate what this amendment is supposed to do, but a quick glance at it would indicate that it isn't going to do what it is supposed to do; therefore, I would move that this be tabled pending adoption of the amendment and assigned for the next legislative day.

The SPEAKER: The gentleman from Greenville, Mr. Anderson, moves this matter be tabled and specially assigned for Tuesday, March 7, pending adoption of Committee Amendment "A". Is this the pleasure of the House?

The motion prevailed.

Mr. Wade from the Committee on Inland Fisheries and Game on Bill "An Act relating to Removal of Ice Fishing Shacks" (H. P. 137) (L. D. 200) 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. 137, L. D. 200, Bill, "An Act Relating to Removal of Ice Fishing Shacks."

Amend said Bill by striking out in the 7th line the underlined words "after March 1st of each year" and inserting in place thereof the following underlined words "3 days after the waters on which such

shack or temporary structure is located closes to ice fishing'

Further amend said Bill by inserting before the last underlined sentence the following underlined sentence:

'When said structure is on the ice of any inland waters the owner's name shall be painted on the outside of said shack in 2-inch letters.'

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

Mr. Wade from the Committee on Inland Fisheries and Game on Resolve Closing Hayden Brook, Somerset County, to All Fishing (H. P. 244) (L. D. 358) 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. 244, L. D. 358, Resolve, Closing Hayden Brook, Somerset County, to All Fishing.

Amend said Resolve by adding at the end, before the period, the following words: 'from ice out to June 1st'

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

Mr. Beane from the Committee on Judiciary on Bill "An Act relating to Jurisdiction of Violations of Maine Forestry District Laws" (H. P. 115) (L. D. 155) 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. 115, L. D. 155, Bill, "An Act Relating to Jurisdiction of Violations of Maine Forestry District Laws".

Amend said bill by striking out in the 8th line the word "shall" and inserting in its place thereof the word "may"

Committee Amendment "A" was adopted and the Bill assigned for

third reading the next legislative day.

Mr. Beane from the Committee on Judiciary on Bill "An Act Providing for a Review of Laws of Forestry Department" (H. P. 143) (L. D. 206) 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. 143, L. D. 206, Bill, "An Act Providing for a Review of Laws of Forestry Department".

Amend said Bill by inserting in the 2nd line after the words and punctuation "authorized," the words and punctuation **'and designated.'**

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

Mr. Perry from the Committee on Natural Resources on Resolve Designating Island in Little Sebago Lake as "Dav Brien Island" (H. P. 695) (L. D. 973) 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. 695, L. D. 973, Resolve Designating Island in Little Sebago Lake as "Dav Brien Island."

Amend said Resolve in the title by striking out the word "Brien" and inserting in place thereof the word **'Brian'**.

Further amend said Resolve by striking out in the 5th line the word "Brien" and inserting thereof the word **'Brian'**.

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

Mr. Ham from the Committee on Public Utilities on Bill "An Act Regulating Emergency Calls on Party Lines" (H. P. 700) (L. D. 978) 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. 700, L. D. 978, "An Act Regulating Emergency Calls on Party Lines."

Amend said Bill by striking out all of the amending clause and inserting in place thereof the following amending clause:

**'R.S., c. 131, §§ 36-A-36-C, additional.** Chapter 131 of the Revised Statutes, as amended, is further amended by adding 3 new sections to be numbered 36-A to 36-C, to read as follows.'

Further amend said Bill by striking out all of the underlined section 36-C.

Further amend said Bill by striking out in the 5th line the underlined figure and letter **"36-C"** and inserting in place thereof the underlined figure and letter **'36-B'**

Further amend said Bill by striking out all of the 28th and 29th lines and inserting in place thereof the following:

**'Sec. 36-C. Penalty for violation. Whoever violates sections 36-A to 36-B shall be punished by a fine of not more than \$300 or'**

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

Mr. Wood from the Committee on Retirements and Pensions on Bill "An Act relating to Disability Retirement under Maine State Retirement Law" (H. P. 837) (L. D. 1152) 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. 837, L. D. 1152, Bill, "An Act Relating to Disability Retirement Under Maine State Retirement Law."

Amend said Bill by adding at the end, before the quotation mark, the following underlined sentence: **'The effect of this paragraph shall be retroactive.'**

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

Mr. Kimball from the Committee on State Government on Resolve Authorizing Director of Public Improvements to Grant Certain Easements on Land of the State in Augusta (H. P. 639) (L. D. 856) 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. 639, L. D. 856, Resolve, Authorizing Director of Public Improvements to Grant Certain Easements on Land of the State in Augusta.

Amend said Resolve by adding after the title the following preamble:

**'Emergency preamble.** Whereas, it is necessary for the health and safety of the public to construct a trunk storm sewer line to drain areas in the vicinity of the Blaine House in Augusta; and

Whereas, it is necessary that said work be done as soon as possible to prevent some flooding of streets and property and to prevent delay of parts of said line now under progress of construction; and

Whereas, legislation is required to secure easements across state land in Augusta for said line and any other sewer and storm water lines that later may be necessary; and

Whereas, in the judgment of the legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now therefore,

Further amend said Resolve by adding at the end the following:

**'Emergency clause.** In view of the emergency cited in the preamble, this resolve shall take effect when approved.'

Committee Amendment "A" was adopted and the Resolve assigned

for second reading the next legislative day.

### Divided Report

Majority Report of the Committee on Inland Fisheries and Game reporting "Ought to pass" on Resolve Closing South Brook, Piscataquis County, to All Fishing (H. P. 241) (L. D. 355)

Report was signed by the following members:

Mr. CYR of Aroostook  
— of the Senate.

Messrs. MOORE of Casco  
DODGE of Guilford  
HANSON of Bradford  
MERRILL of Stetson  
WALLS of Millinocket  
— of the House.

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

Report was signed by the following members:

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

Messrs. WADE of Skowhegan  
ANDERSON of Ellsworth  
— of the House.

Reports were read.

On motion of Mr. Anderson of Greenville, the Majority "Ought to pass" Report was accepted, the Resolve read once and assigned for second reading the next legislative day.

### Divided Report

Majority Report of the Committee on Inland Fisheries and Game reporting "Ought not to pass" on Resolve Regulating Fishing in Katahdin Lake, Penobscot County (H. P. 673) (L. D. 951)

Report was signed by the following members:

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

Messrs. ANDERSON  
— of Ellsworth  
WADE of Skowhegan  
MOORE of Casco  
DODGE of Guilford

MERRILL of Stetson  
HANSON of Bradford  
— of the House.

Minority Report of same Committee reporting "Ought to pass" on same Resolve.

Report was signed by the following member:

Mr. WALLS of Millinocket  
— of the House.

Reports were read, the Majority "Ought not to pass" Report accepted and sent up for concurrence.

#### **Divided Report Tabled and Assigned**

Majority Report of the Committee on Sea and Shore Fisheries reporting "Ought to pass" on Bill "An Act Repealing Certain Laws Permitting Taking of Clams for Bait Purposes in Polluted Areas" (H. P. 342) (L. D. 494)

Report was signed by the following members:

Messrs. MAYO of Sagadahoc  
CHASE of Lincoln  
— of the Senate.

Messrs. LOWERY of Brunswick  
YOUNG of Gouldsboro  
PRINCE of Harpswell  
PIKE of Lube  
— of the House.

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

Report was signed by the following members:

Mr. BREWSTER of York  
— of the Senate.

Messrs. TYNDALE  
— of Kennebunkport  
MADDOX of Vinalhaven  
SEVIGNY of Biddeford  
— of the House.

Reports were read.

(On motion of Mr. Lowery of Brunswick, the Reports and Bill were tabled pending acceptance of either Report and specially assigned for Tuesday, March 7.)

#### **Divided Report**

Majority Report of the Committee on State Government reporting "Ought not to pass" on Resolve Proposing an Amendment to the Constitution Changing Date of General Election (H. P. 634) (L. D. 851)

Report was signed by the following members:

Mr. NOYES of Franklin  
Mrs. CHRISTIE of Aroostook  
Mr. LOVELL of York

— of the Senate.  
Messrs. DENNETT of Kittery  
KIMBALL

— of Mount Desert  
HAUGHN of Bridgton  
WHITMAN of Woodstock  
BEARCE of Bucksport  
DOSTIE of Lewiston

— of the House.

Minority Report of same Committee reporting "Ought to pass" on same Resolve.

Report was signed by the following member:

Mr. NOEL of Waterville  
— of the House.

Reports were read.

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

#### **Divided Report**

Majority Report of the Committee on State Government reporting "Ought not to pass" on Resolve Proposing an Amendment to the Constitution Creating the Office of Lieutenant-Governor and Providing for Succession of Office of the Governor (H. P. 422) (L. D. 597)

Report was signed by the following members:

Mr. NOYES of Franklin  
Mrs. CHRISTIE of Aroostook  
Mr. LOVELL of York

— of the Senate.  
Messrs. DENNETT of Kittery  
KIMBALL

— of Mount Desert  
HAUGHN of Bridgton  
WHITMAN of Woodstock  
BEARCE of Bucksport  
— of the House.

Minority Report of same Committee reporting "Ought to pass" on same Resolve.

Report was signed by the following members:

Messrs. DOSTIE of Lewiston  
NOEL of Waterville  
— of the House.

Reports were read.

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

Mr. MAXWELL: Mr. Speaker, I move this bill be tabled until Wednesday next pending acceptance of either Report.

The SPEAKER: The gentleman from Jay, Mr. Maxwell, moves that with reference to this matter, the Reports and Resolve be tabled and specially assigned for Wednesday next, March 8, pending acceptance of either Report. Is this the pleasure of the House?

Mr. DENNETT: Mr. Speaker?

The SPEAKER: The Chair would like to advise the gentleman from Kittery, Mr. Dennett, that a tabling motion is not debatable, and the Chair recognizes that gentleman.

Mr. DENNETT: Mr. Speaker, I move a division.

The SPEAKER: A division has been requested. All those in favor of the tabling motion please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Twenty-six having voted in the affirmative and eighty-five having voted in the negative, the tabling motion did not prevail.

The SPEAKER: The Chair recognizes the gentleman from Kittery, Mr. Dennett.

Mr. DENNETT: Mr. Speaker, I now move acceptance of the Majority "Ought not to pass" Report.

The SPEAKER: The gentleman from Kittery, Mr. Dennett, moves the House accept the Majority "Ought not to pass" Report. Is this the pleasure of the House?

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

Mr. JALBERT: Mr. Speaker, not speaking on the bill, but when I heard the noise as the eighty some-odd rose, I could hear a couple of squeaky noises in the steamroller, so I suggest it be placed in the Highway Garage for the weekend and be re-oiled for the next caucus.

The SPEAKER: The question now before the House is the motion of the gentleman from Kittery, Mr. Dennett, that the House accept the Majority Report.

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

Mr. MAXWELL: Mr. Speaker, Ladies and Gentlemen of the House: This bill, L. D. 597, has been my dream for the past two years, and now I hope that it can become a reality. Let's take a good look at it and judge it on its merits alone and not because it happens to be a Democratic measure, after which I am sure it will become a very vital part of our Maine Constitution.

I have done a considerable amount of research on the office of Lieutenant-Governor as it is used in other states. Thirty-nine of them used it prior to Alaska and Hawaii. Now I understand they both have one, making only nine states that don't use a Lieutenant-Governor. Their duties range from a little to a lot, their pay likewise. I think New York has a very good system, and this bill of mine is patterned somewhat from theirs. The election of the Governor and Lieutenant-Governor on the same ticket with one cross or check mark would tend to give us the continuity of government that the people want and expect when they vote for a certain party and a certain philosophy. I like to think that with two persons working together there would be a better balance of philosophy in any party.

To quote from Benjamin Nispel, a professor of political science; "Since Vice-Presidency of the United States has increased in prestige and usefulness in the last several years, it seems appropriate to appraise its counterpart on the state level, the Lieutenant-Governor." From American State Government "it is the fifth wheel of the Coach of State." I am sure no one of us would like to go home today without a spare tire.

I cannot visualize a large corporation without at least one vice-president. Even our departments in the State of Maine have Deputy Commissioners. To quote from Governor Reed's Inaugural Address on page 16, I quote:

"I want to suggest to you that the Governor, because of his office, is in a position to be the top salesman for the state. I would, therefore, recommend the creation of a new position in the Executive Department. This person would

work with the Governor, with the Department of Economic Development . . . indeed, with all Maine people and with people out-of-state. . . . to the end that the Governor may be constantly informed of opportunities where he may personally serve in the role. . . ."

Now I submit to you that this bill would fill the Governor's wish on this subject, and furthermore, this person would be elected by the people, as should be the case of a person with so important a roll. The Lieutenant-Governor could take a load off the Governor by taking care of some social functions. I think the Governor needs such a man. Looking toward the future I am very optimistic for the State of Maine.

Again I would like to stress that it is very important that the party of the people's choice remain in power for the term they are elected for. The office of Lieutenant-Governor has filled vital needs in many states and its usefulness seems apparent. The end is that the final say-so of my bill would be left to the people of Maine to vote by referendum. Let's give them a chance to do so. May I thank you for your patience and express to you my deep pleasure of having had this opportunity to talk with you. I would ask for a division.

The SPEAKER: The Chair recognizes the gentleman from Kittery, Mr. Dennett.

Mr. DENNETT: Mr. Speaker, we have heard the previous speaker, the gentleman from Jay, Mr. Maxwell, and I think he has brought out something which would lead to a great misunderstanding here this morning, and that is, first, to the effect that the Governor, present Governor of the State of Maine, desires a Lieutenant-Governor. Frankly, nothing could be further from the truth.

The Governor has personally stated that he is opposed to a Lieutenant-Governor, and has said so many times in his various addresses prior to his election.

Another thing, the gentleman from Jay compared the State of Maine to the State of New York. I think that in itself is a very unfair comparison. The State of

New York is in itself a mighty empire, particularly in population. I can readily see where there would be things necessary for the State of New York that certainly would not be applicable to the State of Maine.

The Committee considered this very, very carefully. We are perfectly aware that it represents two different political philosophies. I believe our Report represents the political philosophy of the majority party, and I certainly cannot see at this time that we can afford the superfluous position of a Lieutenant-Governor. Our line of succession is well established by law. We have nothing lacking. Just because we do not elect a Lieutenant-Governor of the same party does not mean that we have a gap in our line of succession. It is well taken care of.

Another thing that was particularly brought out in the hearing before the Committee was the fact that this Lieutenant-Governor could act for ceremonial purposes. Ladies and Gentlemen of the House, I think this would be a pretty expensive luxury for the State of Maine. I certainly hope that you vote to accept the Majority "Ought not to pass" Report.

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

Mr. FOGG: Mr. Speaker and Members of the House: I am not going to take very long to talk on this, I think Representative Maxwell has presented some very good ideas as to why we should have a Lieutenant-Governor, and to be sure, if the Governor wanted an assistant or the equivalent of a Lieutenant-Governor, I feel that they wouldn't call it a Lieutenant-Governor because the Lieutenant-Governor idea is a Democratic suggestion, and I think that the State does need a Lieutenant-Governor. However, I know that we are defeated on this thing, but I would like to ask for a roll call vote.

The SPEAKER: A roll call has been requested.

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

Mr. MALENFANT: Mr. Speaker and Members of the House: This bill came before the House in the past and it was defeated, and I hope the same thing happens today, that the bill is defeated. I don't believe the State of Maine is ready to pay a man to sit there waiting for the Governor to die to take his place. I hope the motion to accept the "Ought not to pass" Report of the Committee prevails. (Applause)

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

Mr. WHITMAN: Mr. Speaker and Members of the House: It seems to me that in recent past years the State of Maine has been afflicted with a disease that I would call "constitutional tinkophobia." Certain misguided individuals, and I will say that this pertains to both parties, seem to think that the way to make progress and make a big showing is to introduce legislation providing for Constitutional amendments. Now this disease is not a minor affliction like a skin disease. This is a deadly serious disease, because it strikes at the vital organs of our entire state governmental structure.

Now we are not proposing these Constitutional amendments to revise the statutes or the public laws, this is tinkering with the basic laws of the State of Maine. We are dealing with the Constitution of the State of Maine.

Now often times I have been referred to as the pimple on the nose of progress, and people might say that I am an obstructionist, that I like everything just as it was when my grandfather was living. Well, in that last case, I most certainly do like things as my grandfather saw them, because in this particular instance relating to the Constitution of the State of Maine, our forefathers provided for us something which we can be immensely proud of in the fact as it is reflected today, the fact that the State of Maine has to take a back seat to no one as to the quality of our present system of state government. This is something which we should consider wholeheartedly each and

every time we are faced with a Constitutional amendment. We have something here in the State of Maine that we should be particularly proud of and we should consider it at all times. These Constitutional amendments often are brought in without complete justification, without merit in many cases, and without obvious proof of necessity or proof that they would in any way better our present status and our quality of state government.

For that reason, I am opposed to this particular bill; for that reason I shall be opposed to many further Constitutional amendment bills.

The SPEAKER: Is the House ready for the question? A roll call has been requested. For the Chair to order a roll call, it must have an expression of a desire for a roll call by at least one-fifth the members present. Will all those who desire a roll call, please rise and remain standing until the monitors have made and returned their count.

Twenty-seven members arose.

The SPEAKER: Since twenty-seven is less than one-fifth of the total enrollment, it will be necessary for the Chair to determine the total number of members present to determine whether or not twenty-seven is equal to or exceeds one-fifth of those present, so will the monitors kindly count the total number present in each section.

One hundred seventeen members were present.

The SPEAKER: The total number present is one hundred seventeen. Those who expressed a desire for a roll call was twenty-seven, and twenty-seven being more than one-fifth of those present, a roll call is ordered.

The Chair will restate the question. The question before the House is the motion of the gentleman from Kittery, Mr. Dennett, that the House accept the Majority "Ought not to pass" Report of the Committee on State Government on Resolve Proposing an Amendment to the Constitution Creating the Office of Lieutenant-Governor and Providing for Succession of Office of the Governor, House Paper 422,

Legislative Document 597. If you are in favor of accepting the Majority "Ought not to pass" Report, you will answer "yes" when your name is called. If you are opposed to the acceptance of the Majority "Ought not to pass" Report, you will answer "no" when your name is called. The Clerk will call the roll.

### ROLL CALL

YEA — Albair, Anderson, Ellsworth; Baker, Baxter, Bearce, Berman, Auburn; Berry, Cape Elizabeth; Berry, Portland; Boothby, Bradeen, Bragdon, Brewer, Brown, Fairfield; Brown, So. Portland; Brown, Vassalboro; Buckley, Busiere, Carter, Chapman, Norway; Choate, Cooper, Coulthard, Crockett, Curtis, Danes, Dennett, Dodge, Drake, Dunn, Durgin, Edgerly, Estey, Finley, Gardner, Gill, Hague, Ham, Hancock, Hanson, Bradford; Hanson, Lebanon; Hardy, Harrington, Hichborn, Hinds, Hopkinson, Hughes, Humphrey, Hutchins, Johnson, Smithfield; Kennedy, Kimball, Knapp, Knight, Lincoln, Linnekin, Littlefield, MacGregor, Maddox, Malenfant, Matheson, Merrill, Minsky, Moore, Morrill, Morse, Perry, Pike, Prince, Schulten, Shaw, Shepard, Smith, Falmouth; Smith, Strong; Sproul, Stewart, Storm, Swett, Thaanum, Thornton, Turner, Tweedie, Tyndale, Vaughn, Wade, Waltz, Waterman, Wellman, Westerfield, Wheaton, Whitman, Whitney, Williams, Winchenpaw, Wood, Young.

NAY — Anderson, Greenville; Beane, Moscow; Binnette, Boissonneau, Burns, Cyr, Dostie, Lewiston; Dostie, Winslow; Fogg, Gallant, Hendricks, Jalbert, Jameson, Jobin, Johnson, Stockholm; Karkos, Kilroy, Lane, Lantagne, Levesque, Lowery, Maxwell, Nadeau, Biddeford; Noel, Philbrick, Bangor; Poirier, Sevigny, Sirois, Walls.

ABSENT — Beane, Augusta; Bedard, Berman, Houlton; Bernard, Briggs, Chapman, Gardiner; Cox, Davis, Dennison, Edwards, Hartshorn, Haughn, Jones, Kellam, Lacharite, Letourneau, Mathews, Nadeau, Lewiston; Philbrick, Augusta; Plante, Prue, Rust, Smith, Bar Harbor; Stevens, Tardiff, Walker.

Yes, 95; No, 29; Absent 26.

The SPEAKER: Ninety-five having voted in the affirmative, twenty-nine having voted in the negative, with twenty-six absentees, the motion to accept the Majority "Ought not to pass" Report does prevail.

Sent up for concurrence.

### 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, March 7, at ten o'clock in the morning.

Came from the Senate read and passed.

In the House, the Order was read and passed in concurrence. (S. P. 481)

### Passed to Be Engrossed

Bill "An Act relating to Compensation of Members of Board of Registration in Medicine and Certain Fees" (S. P. 184) (L. D. 430)

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

Bill "An Act relating to Employment of Minors in Establishments Selling Frozen Dairy Products" (S. P. 255) (L. D. 772)

Bill "An Act relating to Employment of Minors in Automatic Laundries" (S. P. 256) (L. D. 773)

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

### Tabled

Bill "An Act relating to Completion of the York River Project in York" (S. P. 265) (L. D. 782)

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

(On motion of Mr. Bragdon of Perham, tabled unassigned pending passage to be engrossed.)

Bill "An Act relating to Powers of Maine Fidelity Life Insurance Company" (S. P. 278) (L. D. 879)



Bill "An Act relating to Temporary Motor Vehicle Number Plates for Nonresident Members of Armed Services" (S. P. 388) (L. D. 1198)

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 Increase Borrowing Capacity of City of Calais School District" (H. P. 257) (L. D. 371)

Resolve Regulating Fishing in Dodge Pond, Franklin County (S. P. 166) (L. D. 412)

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

#### Tabled

Bill "An Act Providing State Aid to Towns for Care of Poor Persons" (S. P. 84) (L. D. 183)

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

(On motion of Mr. Bragdon of Perham, tabled unassigned pending passage to be engrossed.)

Bill "An Act relating to Chief Administrative Officer of Board of County Commissioners of Aroostook County" (S. P. 333) (L. D. 1008)

Was reported by the Committee on Bills in the Third Reading, read the third time, passed to be engrossed as amended by Senate Amendment "A" 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 Exempting Certain Nonprofit and Charitable Institutions from Sales and Use Tax Law." (H. P. 1060) (L. D. 1360)

Tabled — February 28, by Mr. Bragdon of Perham.

Pending — Enactment.

On motion of Mr. Bragdon of Perham, tabled until later in today's session.

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

Resolve, to Reimburse Edward M. Healy for Repairs to Androscoggin Lake Dam. (H. P. 232) (L. D. 346)

Tabled — February 28, by Mr. Bragdon of Perham.

Pending — Enactment.

On motion of Mr. Bragdon of Perham, tabled until later in today's session.

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

Resolve, in Favor of the Town of Minot. (H. P. 58) (L. D. 99)

Tabled — February 28, by Mr. Bragdon of Perham.

Pending — Passage to be Engrossed.

On motion of Mr. Bragdon of Perham, tabled until later in today's session.

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

Resolve, to Reimburse the Town of Woodland for Aid Extended to Ronald Tirrell. (H. P. 294) (L. D. 446)

Tabled — February 22, by Mr. Bragdon of Perham.

Pending — Passage to be Engrossed.

On motion of Mr. Bragdon of Perham, tabled until later in today's session.

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

Resolve, to Reimburse the Town of New Sweden for Aid Extended Ronald Tirrell." (H. P. 295) (L. D. 447)

Tabled — February 22, by Mr. Bragdon of Perham.

Pending — Passage to be Engrossed.

On motion of Mr. Bragdon of Perham, tabled until later in today's session.

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

Resolve, in Favor of Levite Pelletier of St. David. (H. P. 463) (L. D. 663)

Tabled — February 22, by Mr. Bragdon of Perham.

Pending — Passage to be Engrossed.

On motion of Mr. Bragdon of Perham, tabled until later in today's session.

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

HOUSE ORDER — Relative to Bills and Resolves Carrying Appropriations to be Placed on Special House Calendar.

Tabled — March 1, by Mr. Wellman of Bangor.

Pending — Passage.

Thereupon, the Order received passage.

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

Bill "An Act Relating to Exempting from Taxation Mothers of Deceased Veterans." (H. P. 907) (L. D. 1241)

Tabled — March 1, by Mr. Storm of Sherman.

Pending — Passage to be Engrossed.

On motion of Mr. Storm of Sherman, retabled pending passage to be engrossed and specially assigned for Tuesday, March 7.

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

Resolve, Regulating Fishing in Wiggin Brook, Piscataquis County. (H. P. 145) (L. D. 208)

Tabled — March 1, by Mr. Anderson of Greenville.

Pending — Passage to be Engrossed.

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. 145, L. D. 208, Resolve, Regulating Fishing in Wiggin Brook, Piscataquis County.

Amend said Resolve by adding at the end before the period the following words 'to all persons under the age of 17 years'

House Amendment "A" was adopted and the Resolve passed to

be engrossed as amended and sent to the Senate.

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

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

Tabled — March 1, by Mr. Bragdon of Perham.

Pending — Enactment.

Upon request of Mr. Bragdon of Perham, placed on Special Appropriations Calendar.

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

HOUSE REPORT — Ought Not to Pass — Committee on Inland Fisheries and Game — on Bill "An Act Prohibiting Hunting from State Highways." (H. P. 481) (L. D. 681)

Tabled — February 21, by Mr. Curtis of Bowdoinham.

Pending — Acceptance of Report.

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

Mr. CURTIS: Mr. Speaker, Ladies and Gentlemen of the House: I tabled this bill because several people asked me to table it. They were not able to get up here to the hearing and they were very much interested in the passage of this bill. One of these people who contacted me — last hunting season there was a man shot right near his house on his own land because of this kind of hunting. And he thought that this might stop that.

I talked with some of the Committee who brought out this bill "Ought not to pass," and it seemed to be that some of them thought, at least they said they did, that the wardens or somebody told them they thought it could not be enforced. I just can't go along with that idea about enforcement of laws in the State of Maine, because I believe that ninety-five percent of all of our people in the State of Maine want to obey the law and perhaps more, perhaps ninety-eight percent. There are just a few that get a kick out of disobeying law. And I'm quite sure

if this bill is passed — and it was so posted occasionally that they could not hunt within fifty yards, that's only one hundred fifty feet off the road — why you would have no trouble with enforcement, at least ninety-five percent and probably ninety-nine percent would not try it. Maybe one or two might try it.

With that in mind, I'm going to ask that we might substitute the bill for the report, and when the vote is taken it will be by a division.

The SPEAKER: In reference to item 11, L. D. 681, the question now before the House is the motion of the gentleman from Bowdoinham, Mr. Curtis, that we substitute the bill for the report.

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

Mr. ANDERSON: Mr. Speaker, Ladies and Gentlemen of the House: The Inland Fisheries and Game book is so cluttered with confusing and overlapping laws now that it is almost impossible for a sportsman to step into the woods without breaking four or five of these laws.

As a safety measure this bill, L. D. 681, does no good for the high-powered rifles of today will hold up for twenty-five hundred yards. It would be impossible to enforce as any hunter apprehended could say that he was over fifty yards from the highway, his word would be just as good as the warden's.

This bill, if passed, would just result in more confusion. I now move that the committee report "Ought not to pass" be accepted.

The SPEAKER: The question before the House is the motion of the gentleman from Bowdoinham, Mr. Curtis, that the House substitute the bill for the report. That will be the prevailing motion, and a division has been requested.

All those in favor of substituting the bill for the report please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Five having voted in the affirmative and one hundred five

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

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

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

HOUSE REPORT — Ought to Pass in New Draft — (H. P. 1066) (L. D. 1463) — Committee on Judiciary — on Bill "An Act Relating to First Baptist Church of Kittery Point." (H. P. 248) (L. D. 362)

Tabled — February 21, by Mr. Rust of York.

Pending — Acceptance of Report.

On motion of Mr. Knight of Rockland, the Bill was recommitted to the Committee on Judiciary and sent up for concurrence.

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

Bill "An Act Providing a State-Wide Limit on Certain Fish." (S. P. 69) (L. D. 169) — In Senate Passed to be Engrossed.

Tabled — February 23, by Mr. Wheaton of Princeton.

Pending — Passage to be Engrossed.

Mr. Perry of Easton offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to S. P. 69, L. D. 169, Bill, "AN ACT Providing a State-Wide Limit on Certain Fish."

Amend said Bill by striking out the last paragraph and inserting in place thereof the following:

"No person shall take, catch, kill or have in possession more than 15 fish of the salmon, trout, togue or black bass species in the County of Aroostook, Androscoggin, Cumberland, Hancock, Kennebec, Knox, Lincoln, Oxford, Penobscot, Sagadahoc, Waldo, Washington and York during any one day of any open season, from any or all of the rivers, streams, brooks, lakes and ponds in said counties county, except as provided for by rules and regulations of the department under section 9."

The SPEAKER: The Chair recognizes the gentleman from Casco, Mr. Moore.

Mr. MOORE: Mr. Speaker, I feel this bill is of importance in the conservation field of this State and I would like to wait until there are more members present in this House; I would like the privilege of tabling this until Tuesday next.

The SPEAKER: In reference to item thirteen, L. D. 169, the gentleman from Casco, Mr. Moore, has moved that this item be tabled pending adoption of House Amendment "A" and specially assigned for Tuesday, March 7. Is this the pleasure of the House?

The motion prevailed.

At this point, on request of Mr. Bragdon of Perham, items one through six inclusive under tabled and today assigned matters were placed on the Special Appropriations Calendar.

Mr. Maddox of Vinalhaven was granted unanimous consent to address the House briefly.

Mr. MADDUX: Mr. Speaker, Ladies and Gentlemen of the House: As part of the weekly program in this 100th Legislature, I offer a brief summary of the legislative session of one hundred years ago.

The 40th Legislature convened in annual session on January 2, 1861 with James G. Blaine as Speaker and Charles Miller as Clerk, and one hundred and fifty-one members all very happy because their pay had been increased by the 39th Legislature to \$150 per session. The membership was divided into eight divisions with a like number of monitors and it was ordered that the House be furnished with two unabridged dictionaries and the Clerk print on the cover of each, very plainly, the words "House of Representatives." Evidently someone was suspicious.

In convention of the two Houses, the Governor made note in his address that the receipts for the year of 1860 from all sources was \$452,000; expenditures, \$483,000. There were eight standing committees, one of which was the committee on Change of Names and on the Record of January 16, 1861, we find Newhall H. Mink asking for

the services of this Committee. Among the twenty-three Joint Committees were such titles as on Federal Relations, on Banks and Banking, on Mercantile Affairs and Insurance, on Militia, on Indian Affairs, and on the Reform School.

The House met six days a week at ten in the morning, but on Thursday, February 7, Mr. Frye of Lewiston moved the House adjourn until seven o'clock in the morning of the next legislative day. The journal of the next three days tells how this situation was dealt with. Friday, February 8, met according to adjournment, not a quorum present, adjourned, attest Charles Miller, Clerk. Saturday, February 9, met according to adjournment, not a quorum present, adjourned, attest Charles Miller, Clerk. On Monday, February 11, a quorum not being present, on motion of Mr. Currier of Athens, the House adjourned until eleven-thirty, at which time a quorum being present the House proceeded with the business of the Day.

The 40th Legislature dealt with many problems similar to those facing us today. On February 16, 1861, under Papers from the Senate, we have a report on Judiciary — A petition that the Constitution be changed so that the Senate shall not consist of more than twenty-one members, that the House shall not consist of more than one hundred members, that the members of the Legislature and the Governor be chosen for two years, and that the Legislature be required to assemble but once in two years. On this report the committee requested Leave to Withdraw. It is interesting to note that the same proposals as regards House membership have been made recently. And also that a change in the term of the Senate has been proposed in this session.

On this same day we find other familiar items, An Act Regulating the Taking of Fish by Trawl Within the Territorial Waters of the State of Maine, An Act Regarding the Salary of the Cumberland County Commissioners, and exactly one hundred years ago, another

old friend, An Act Regarding a Bounty on Bears. (Laughter)

Much of the time of this 40th Legislature was spent on the division, annexation, and incorporation of towns. But they also had time to pass on such bills as "An Act to Punish the Enticing Away of Unmarried Females," "An Act Passed against Taverns and Tippling Shops." And on January 19, Mr. Hamilton of Biddeford, presented an order that no member shall speak more than thirty minutes on one subject.

A committee for reapportionment of Legislative districts was appointed. And also "An Act to Incorporate the City of Lewiston." On February 27, a committee of three from the House with such as may join and confer with the Senate committees, with the several committees to ascertain when they could make their final reports. And on March 16, the House was ordered to hold two sessions daily. On March 7, the Committee on Judiciary reported out many bills in an effort to clear its table. Among them one "Ought to pass" on a Bill to Dissolve the Bonds of Matrimony between Thomas G. and Jane Goodwin.

At this time it was deemed expedient to limit debate to ten minutes, and only twice on the same subject. And March 15, believing the end to be in sight, the House adjourned until seven the next morning and at noon on March 16, 1861, a message was sent to the Senate that adjournment be extended until nine-thirty in the evening. The Senate concurring, the 40th Legislature after sixty legislative days, having passed fifty-eight public laws, eighteen Private and Special Laws, ninety-five Resolves, adjourned without day.

To be called in special session on April 22 for the serious business of providing men and money for the defense and preservation of the Union, in answer to the call of President Lincoln. Their duties ended after four days, their accomplishments passed into history, and as we replace this volume among the records in the Archives of the State Library, we

look back across one hundred historical and significant years, and say, "well done, 40th Legislature." (Applause)

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On motion of Mr. Hughes of St. Albans, the House voted to take from the table the seventh tabled and unassigned matter:

HOUSE REPORT — Ought Not to Pass — Committee on Transportation on Bill "An Act Relating to Warning Lights on Motor Vehicles." (H. P. 916) (L. D. 1250)

Tabled — February 23, by Mr. Hughes of St. Albans.

Pending — Acceptance of Report.

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

Mr. HUGHES: Mr. Speaker, this is somewhat of a safety measure in part, and we feel that we can salvage part of the bill by having it recommitted to the Committee on Transportation. I have cleared it with the Senate Chairman and the House Chairman and other members of the committee, and it is all agreeable to them, it will not have to be readvertised, so there will be no additional cost and no time lost. So I move it be recommitted to the Committee on Transportation.

The SPEAKER: In reference to item seven, L. D. 1250, the gentleman from St. Albans, Mr. Hughes, moves that this bill be recommitted to the Committee on Transportation. Is this the pleasure of the House?

The motion prevailed, the Bill was recommitted and sent up for concurrence.

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The SPEAKER: The Chair would like to call to your attention on the blue sheet you have before you on announcements, one pertaining to the opening ceremonies of the Mars Hill Mountain Ski Area, on Sunday, March 5. The Speaker hopes that we will see you all there.

The Chair would like to take a brief moment to announce progress to date. In the previous Legislature, the 99th, the Committees had reported out three hundred

and fifty items, we have reported out to date, five hundred and forty-seven items — three hundred fifty to five hundred and forty-seven.

There will be a caucus of all Republicans in this House on Tues-

day next at seven-thirty in the evening.

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On motion of Mr. Whitman of Woodstock,

Adjourned until Tuesday, March 7, at ten o'clock in the morning.