

# 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 10, 1961

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

Prayer by the Rev. Mr. Louis S. Staples of the Elm Street Methodist Church, South Portland.

The journal of the previous session was read and approved.

**Papers from the Senate  
Senate Reports of Committees  
Leave to Withdraw**

Report of the Committee on Transportation on Bill "An Act Eliminating Registration and License for Certain Farm Trailers" (S. P. 148) (L. D. 331) reporting Leave to Withdraw

Report of the Committee on Welfare reporting same on Bill "An Act Providing an Interstate Welfare Compact" (S. P. 443) (L. D. 1397)

Came from the Senate read and accepted.

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

**Ought Not to Pass**

Report of the Committee on Natural Resources reporting "Ought not to pass" on Bill "An Act relating to Bulldozing into Great Ponds" (S. P. 120) (L. D. 265)

Came from the Senate read and accepted.

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

**Ought to Pass**

Report of the Committee on Business Legislation reporting "Ought to pass" on Bill "An Act relating to Assigned Risks" (S. P. 370) (L. D. 1181)

Came from the Senate with the Report read and accepted and the Bill passed to be engrossed.

In the House, the Report was read and accepted in concurrence, the Bill read twice and assigned the next legislative day.

**Ought to Pass with  
Committee Amendment**

Report of the Committee on Business Legislation on Bill "An Act relating to Fraternal Benefit Soci-

eties" (S. P. 394) (L. D. 1260) 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. 394, L. D. 1260, "An Act Relating to Fraternal Benefit Societies."

Amend said Bill by striking out the Roman Numeral "IV" and inserting in place thereof the Roman Numeral "V" in the fourth line of Subsec. A of Sec. 3 on page 2.

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

**Petitions, Bills and Resolves  
Requiring Reference**

The following Bill, approved by a majority of the Committee on Reference of Bills, and less than one-tenth of the members present objecting, was received and referred to the following Committee:

**Natural Resources**

Bill "An Act relating to Removal of Bushes and Trees from Around Dams Erected for Flood Control" (H. P. 1078) (Presented by Mr. Kennedy of Milbridge)

(Ordered Printed)

Sent up for concurrence.

**House Reports of Committees  
Ought to Be Adopted**

Mr. Gardner from the Committee on Agriculture reported "Ought to be Adopted" on Joint Resolution to Commemorate the Establishment of Uniform Weights and Measures (H. P. 1070) (L. D. 1479)

Report was read and accepted, the Resolution adopted and sent up for concurrence.

**Ought to Pass in New Draft  
New Drafts Printed**

Mr. Coulthard from the Committee on Agriculture on Bill "An Act

Regulating Disposal of Dead Poultry" (H. P. 958) (L. D. 1325) reported same in a new draft (H. P. 1076) (L. D. 1484) under same title and that it "Ought to pass"

Mr. Humphrey from the Committee on Liquor Control on Bill "An Act relating to Powers and Duties of Liquor Inspectors" (H. P. 898) (L. D. 1232) reported same in a new draft (H. P. 1077) (L. D. 1485) under same title and that it "Ought to pass"

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

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

Mr. Bragdon from the Committee on Appropriations and Financial Affairs reported "Ought to pass" on Bill "An Act relating to the Harbor Project in the Town of Wells" (H. P. 221) (L. D. 336)

Report was read.

The SPEAKER: The Chair recognizes the gentlewoman from Lebanon, Mrs. Hanson.

Mrs. HANSON: Mr. Speaker and Members of the House: This bill is a bill for dredging of Wells Harbor. The Town of Wells has been trying since 1874 to get the necessary procedure through to get this bill. In 1954, by an Act of Congress, a survey was authorized. In 1955, a preliminary favorable report was made by the United States Army Engineers Review. In 1956, five years ago, a new survey was made through an Act of Congress. In '58, a financial report was issued showing the impact economically on Wells. In 1958 the cost projected was \$540,000 exclusive of other costs, sixty-three percent of this to be paid through federal funds and thirty-seven percent by local funds, which would amount to \$100,000.

Therefore, according to our laws, under the Statutes of Maine, the Governor and Council may contribute up to one-half of the so-called non-federal amount; and therefore this bill is requesting the appropriation by the State of \$100,000 with the understanding that the Town of Wells will appropriate \$100,000 matching. Tomorrow the Town of Wells is having a town meeting and they have an article in

their report asking for \$150,000, which will more than match these funds; because they are going to provide all the necessary projects which go along with this project, such as provided in the marinas for these projects.

The present population of Wells is thirty-five hundred, but this doubles and sometimes triples during the summer season—in fact sometimes it goes up to twenty-five or thirty thousand. The cost as now projected is \$572,000, with the federal having already put aside and saved for this project \$360,000; and I understand that Margaret Chase Smith is guarding this carefully.

However, I understand these funds go into a pot for these harbor projects, and as the projects come before the federal government the amount is taken out of the pot. If we do not pass this, it is vastly possible—and get these federal funds—we are liable to lose the whole project and all these years of work.

This will take care of about a hundred and thirty boats, both recreational and fishing. A great many people coming in overland with boats would stop between the state line and Portland if such a project was here. Many of the other harbors are overcrowded now; this would take care of an overflow of boats coming in from outside. The condition of the harbor now has caused many accidents with one fatality.

The evaluation of the Town of Wells is twelve million, with a budget of over half a million. The Chamber of Commerce and practically every organization are in back of this bill. As I said, this is an emergency and I would like to see the "Ought to pass" Report accepted. Thank you.

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

Mr. Choate from the Committee on Business Legislation reported "Ought to pass" on Bill "An Act Revising the Laws Relating to Organization and Powers of Credit Unions" (H. P. 794) (L. D. 1108)

Mr. Johnson from same Committee reported same on Bill "An Act relating to Specifying Insurance and other Benefits in Contracts for Sales Financing of Motor Vehicles" (H. P. 920) (L. D. 1268)

Mr. Hutchins from the Committee on Claims reported same on Resolve in favor of Sherman Denbow of Lubec (H. P. 664) (L. D. 942)

Mr. Levesque from the Committee on Education reported same on Bill "An Act to Authorize the Municipalities of Perry and Pembroke to Form a School Administrative District" (H. P. 667) (L. D. 945)

Mr. Briggs from the Committee on Legal Affairs reported same on Bill "An Act relating to Quinellas at Harness Race Meets" (H. P. 896) (L. D. 1230)

Mr. Kellam from same Committee reported same on Bill "An Act relating to Licenses and Fees Therefor by Running Horse Racing Commission" (H. P. 827) (L. D. 1142)

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

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

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

Mr. Boothby from the Committee on Agriculture on Bill "An Act relating to Testing Milk" (H. P. 374) (L. D. 549) 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. 374, L. D. 549, Bill, "An Act Relating to Testing Milk."

Amend said Bill in the 7th line of Sec. 109-I, by striking out the following underlined numeral "5" and inserting in place thereof the following underlined numeral "7".

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

third reading the next legislative day.

Mr. Durgin from the Committee on Education on Bill "An Act relating to Form of Capital Budget Expenditure in School District Budget" (H. P. 922) (L. D. 1270) 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. 922, L. D. 1270, Bill, "An Act Relating to Form of Capital Budget Expenditure in School District Budget."

Amend said Bill by striking out the 12th and 13th lines and inserting in place thereof the following:

|                  |              |
|------------------|--------------|
| 'Capital Outlay  |              |
| Appropriation    | \$ . . . . . |
| Contingency Fund | \$ . . . . . |
| Total            |              |
| Expenditures     | \$ . . . . . |

Further amend said Bill by striking out the 9th and 10th lines from the end and inserting in place thereof the following:

|                |              |
|----------------|--------------|
| 'Total Capital |              |
| Expenditures   | \$ . . . . . |

|                |              |
|----------------|--------------|
| Total Proposed | Expenditures |
| (Operating     |              |
| and Capital)   | \$ . . . . . |

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

Mr. Estey from the Committee on Education on Bill "An Act relating to Procedure of Application for and Organization of School Administrative Districts" (H. P. 923) (L. D. 1271) 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. 923, L. D. 1271, Bill, "An Act Relating to Procedure of Application for and Organization of School Administrative Districts."

Amend said Bill, in section 3, by adding at the end of the 9th line, before the single quotation mark, the following underlined sentence: 'Notwithstanding any other provision of law to the contrary, the election of school directors shall be by a plurality vote in each municipality electing directors.'

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

Mr. Stewart from the Committee on Legal Affairs on Bill "An Act Increasing Membership of Superintending School Committee of Town of Harpswell" (H. P. 522) (L. D. 720) 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. 522, L. D. 720, Bill, "An Act Increasing Membership of Superintending School Committee of Town of Harpswell".

Amend said Bill by striking out the fourth paragraph, lines 16 to 22 inclusive, and inserting in place thereof the following:

'The membership of said committee shall be chosen as follows: One member from Great or Sabascodegan Island, one member from Orr's Island, one member from Bailey Island, one member from Harpswell Neck, and one member at large from the Town of Harpswell'.

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

Mr. Stewart from the Committee on Legal Affairs on Bill "An Act to Amend the Charter of the City of Calais" (H. P. 761) (L. D. 1047) 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. 761, L. D. 1047, Bill, "An Act to Amend the Charter of the City of Calais."

Amend said Bill by striking out all of section 6 and inserting in place thereof the following:

"Sec. 6. P. & S. L., 1947, c. 172, Art. II, § 8, additional. Article II of chapter 172 of the private and special laws of 1947, as amended, is further amended by adding a new section 8, to read as follows:

'Sec. 8. Salaries. Members of the city council shall receive \$10 for each regular monthly meeting attended of the city council, not to exceed \$120 per year. They shall receive nothing for attendance at special meetings of said city council.'

Further amend said Bill by striking out all of section 15.

Further amend said Bill by renumbering "Sec. 16." to be 'Sec. 15.'

Further amend said Bill in that part designated "Emergency clause; effective date; certificate to Secretary of State." by striking out the period at the end of the first paragraph and inserting in place thereof the following: 'or at a special election to be held before December 31, 1961.

Such special election shall be called, advertised and conducted according to the law relating to municipal elections; provided that the board of registration in the City of Calais shall not be required to prepare for posting, nor the city clerk to post, a new list of voters; and for the purpose of registration of voters said board shall be in session the 3 secular days next preceding such election, the first 2 days thereof to be devoted to registration of voters, and the last day to enable the board to verify the corrections of said lists and to complete and close up its records of said sessions.' and by striking out all of questions numbered 6 and 7, and by renumbering questions numbered "8, 9, 10 and 11" to be numbered '6, 7, 8 and 9'

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

**Divided Report  
Tabled and Assigned**

Majority Report of the Committee on Legal Affairs reporting "Ought not to pass" on Bill "An Act to Permit Sunday Hunting" (H. P. 520) (L. D. 718)

Report was signed by the following members:

Mrs. LORD of Cumberland  
Mr. FARRIS of Kennebec  
— of the Senate.  
Mr. BRIGGS of Portland  
Mrs. KNAPP of Yarmouth  
Mr. STEWART  
— of Presque Isle  
Mrs. SPROUL of Bristol  
Messrs. BERMAN of Houlton  
MINSKY of Bangor  
— of the House.

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

Report was signed by the following members:

Mr. NOYES of Franklin  
— of the Senate.  
Mr. KELLAM of Portland  
— of the House.

Reports were read.

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

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

The SPEAKER: The question now before the House is the motion of the gentleman from Bangor, Mr. Minsky, that the House accept the Majority "Ought not to pass" Report.

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

Mr. MORRILL: Mr. Speaker, I move this be tabled until Tuesday next. I think we have a little more information on this bill we would like to present.

The SPEAKER: The gentleman from Harrison, Mr. Morrill, moves that this bill and these Reports be tabled and specially assigned for Tuesday next, March 14, pending the motion of the gentleman from Bangor, Mr. Minsky, that the House accept the "Ought not to pass" Report. Is this the pleasure of the House?

The motion prevailed.

**Divided Report**

Majority Report of the Committee on Liquor Control reporting "Ought to pass" on Bill "An Act relating to Sunday Sales of Liquor by Hotels and Clubs" (H. P. 830) (L. D. 1145)

Report was signed by the following members:

Messrs. MAYO of Sagadahoc  
JACQUES  
— of Androscoggin  
— of the Senate.  
Messrs. DOSTIE of Winslow  
STEVENS of Portland  
LACHARITE  
— of Brunswick  
MORRILL of Harrison  
— of the House.

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

Report was signed by the following members:

Mrs. CHRISTIE of Aroostook  
— of the Senate.  
Messrs. COOPER of Albion  
HUMPHREY of Augusta  
CHAPMAN of Norway  
— of the House.

Reports were read.

The SPEAKER: The Chair recognizes the gentleman from Norway, Mr. Chapman.

Mr. CHAPMAN: Mr. Speaker, Ladies and Gentlemen: I do not propose to debate any of these liquor bills. I would like to state my position in relation to how I voted in the Committee, and I would request when it comes to a vote, a division.

My position is that I am not a radical prohibitionist; I hope I am not a drunk. I believe that we have liquor with us and we are going to have it for a long time, and I believe that the only problem is the proper handling of the situation. I believe further that the State of Maine now has the best liquor control of any state in the United States. That is my own personal belief, and I am here purely to object to the continual chiseling in on our present situation. I believe we are properly handled now, and I have no question or quarrel with any of the Committee, and I am not going to debate any further Committee rulings or recommendations, but I

will request a division if you please sir.

The SPEAKER: The question before the House is the acceptance of the Majority "Ought to pass" Report. All those in favor of the acceptance of the Majority "Ought to pass" Report, please rise and remain standing until the monitors have made and returned their count.

A division of the House was had.

Thirty-seven having voted in the affirmative and eighty-three having voted in the negative, the motion did not prevail.

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

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

Majority Report of the Committee on Liquor Control reporting "Ought not to pass" on Bill "An Act relating to Definition of Public Place in Law Regulating Drinking in Public Places" (H. P. 897) (L. D. 1231)

Report was signed by the following members:

Messrs. MAYO of Sagadahoc  
JACQUES  
of Androscoggin  
— of the Senate.  
Messrs. MORRILL of Harrison  
HUMPHREY of Augusta  
DOSTIE of Winslow  
COOPER of Albion  
STEVENS of Portland  
LACHARITE

of Brunswick  
— of the House.

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

Report was signed by the following members:

Mrs. CHRISTIE of Aroostook  
— of the Senate.  
Mr. CHAPMAN of Norway  
— of the House.

Reports were read.

The SPEAKER: Is the pleasure of the House to accept the Majority "Ought not to pass" Report?

The Chair recognizes the gentleman from Norway, Mr. Chapman.

Mr. CHAPMAN: If you please sir, I would request a division.

The SPEAKER: A division has been requested.

The Chair recognizes the gentleman from Rockland, Mr. Knight.

Mr. KNIGHT: Mr. Speaker, would some member of the Committee, if they choose, give a brief explanation of this bill?

The SPEAKER: The gentleman from Rockland, Mr. Knight, requests that some member of the Committee on Liquor Control give a brief explanation of the bill if they care to do so.

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

Mr. MORRILL: Mr. Speaker, I am going to ask that we table this bill until Tuesday until the proponent of the bill is here to define it.

The SPEAKER: The gentleman from Harrison, Mr. Morrill, moves that the Reports and Bill be tabled and specially assigned for Tuesday, March 14, pending acceptance of either Report. Is this the pleasure of the House?

The motion prevailed.

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

Majority Report of the Committee on Liquor Control on Bill "An Act relating to Local Option on Questions Permitting Sale of Malt Liquor on the Premises" (H. P. 1009) (L. D. 1410) reporting same in a new draft (H. P. 1075) (L. D. 1483) under title of "An Act relating to Local Option Questions on Sale of Liquor" and that it "Ought to pass"

Report was signed by the following members:

Messrs. MAYO of Sagadahoc  
JACQUES  
of Androscoggin  
— of the Senate.  
Messrs. CHAPMAN of Norway  
LACHARITE  
of Brunswick  
COOPER of Albion  
MORRILL of Harrison  
STEVENS of Portland  
DOSTIE of Winslow  
— of the House.

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

Report was signed by the following members:

Mrs. CHRISTIE of Aroostook  
— of the Senate.



Mr. HUMPHREY of Augusta  
— of the House.

Reports were read.

(On motion of Mr. Dostie of Winslow, the Reports and Bill were tabled pending acceptance of either Report and specially assigned for Tuesday, March 14.)

### Divided Report

Majority Report of the Committee on Liquor Control reporting "Ought to pass" on Bill "An Act relating to Sale of Liquor in Clubs to Members of Veterans' Organizations and Auxiliaries" (H. P. 1010) (L. D. 1411)

Report was signed by the following members:

Messrs. MAYO of Sagadahoc  
JACQUES  
of Androscoggin  
— of the Senate.

Messrs. CHAPMAN of Norway  
HUMPHREY of Augusta  
LACHARITE  
of Brunswick  
COOPER of Albion  
MORRILL of Harrison  
STEVENS of Portland  
DOSTIE of Winslow  
— of the House.

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

Report was signed by the following member:

Mrs. CHRISTIE of Aroostook  
— of the Senate.

Reports were read.

The SPEAKER: The Chair recognizes the gentleman from Winslow, Mr. Dostie.

Mr. DOSTIE: Mr. Speaker, all this bill does, any veteran's organization, the Legionnaire and the auxiliary being members, if they go out to another post, they wouldn't be able to be served liquor even if they belong in their own post, so I move the acceptance of the Majority Report.

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

### Divided Report

Report "A" of the Committee on Liquor Control reporting "Ought

to pass" on Bill "An Act relating to Possession or Transporting Liquor by Minor in Motor Vehicles" (H. P. 1012) (L. D. 1413)

Report was signed by the following members:

Mrs. CHRISTIE of Aroostook  
Mr. MAYO of Sagadahoc  
— of the Senate.

Messrs. CHAPMAN of Norway  
HUMPHREY of Augusta  
MORRILL of Harrison  
— of the House.

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

Report was signed by the following members:

Mr. JACQUES  
of Androscoggin  
— of the Senate.

Messrs. DOSTIE of Winslow  
STEVENS of Portland  
COOPER of Albion  
LACHARITE  
of Brunswick  
— of the House.

Reports were read.

The SPEAKER: The Chair recognizes the gentleman from Winslow, Mr. Dostie.

Mr. DOSTIE: Mr. Speaker, I signed this bill "Ought not to pass" because it was brought out in Committee by one of the lawyers that this bill should have gone to the Judiciary Committee. That explains my stand, why I took this stand on it. It was also brought out that you might have one of your children, either a boy or a girl using your car to go to some social and coming back might have one of his friends, give him a ride, and he happened to have a bottle without the knowledge of your boy or your daughter, the car could be impounded for fifteen days. So I didn't feel it was a very good bill. I would like to hear from some of the lawyers in the House to see if they can interpret this bill better than we did.

The SPEAKER: A question has been asked through the Chair of anyone who may choose to answer.

The Chair recognizes the gentleman from Auburn, Mr. Waterman.

Mr. WATERMAN: Mr. Speaker, I am not a lawyer, but this bill

is a law enforcement assistance. Our state police are in favor of it. Our Liquor Commission is in favor of it, and they feel that it would be a great help in enforcing our liquor laws. That is why I think this bill should be accepted with the Committee Report "A" "Ought to pass."

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

Mr. CROCKETT: Mr. Speaker, I move we commit this bill to the Judiciary, if I am in order, for information that I would like to know. I imagine it is a legal term connected there and it is no more than right that we get the attorneys' opinions on it.

The SPEAKER: The gentleman from Freeport, Mr. Crockett, moves the House substitute the Bill for the Reports, and that the Bill be committed to the Committee on Judiciary. Is this the pleasure of the House?

The motion prevailed, the Bill was committed to the Committee on Judiciary and sent up for concurrence.

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

Majority Report of the Committee on State Government reporting "Ought not to pass" on Resolve Proposing an Amendment to the Constitution for Appointment of Secretary of State by the Governor with Consent of the Senate (H. P. 637) (L. D. 854)

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.

(On motion of Mr. Fogg of Madison, tabled pending acceptance of either Report and specially assigned for Tuesday, March 14.)

#### **Divided Report Tabled**

Majority Report of the Committee on State Government reporting "Ought not to pass" on Resolve Proposing an Amendment to the Constitution for Appointment of Attorney General by the Governor with Consent of the Senate (H. P. 638) (L. D. 855)

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 Old Orchard Beach, Mr. Plante.

Mr. PLANTE: Mr. Speaker, today is a very long calendar and I move this be tabled until next Friday.

The SPEAKER: The gentleman from Old Orchard Beach, Mr. Plante, moves this matter be tabled until Friday, March 17.

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

Mr. WHITMAN: Mr. Speaker, I would debate the time of tabling.

The SPEAKER: The gentleman may do so.

Mr. WHITMAN: Mr. Speaker, I think perhaps it would be well to table this one unassigned.

The SPEAKER: The question now before the House is the motion of the gentleman from Woodstock Mr. Whitman, that these Reports and the Bill be tabled unassigned pending acceptance of either Report. Is this the pleasure of the House?

The motion prevailed.

### Divided Report

Majority Report of the Committee on Transportation reporting "Ought not to pass" on Bill "An Act relating to Annual Permits to Move House Trailers and Mobile Homes over Highways" (H. P. 915) (L. D. 1249)

Report was signed by the following members:

Messrs. STILPHEN of Knox  
           COLE of Waldo  
           GILBERT of Kennebec  
                     — of the Senate.  
 Messrs. WHITNEY of Winn  
           DUNN of Poland  
           FINLEY of Washington  
           LINNEKIN  
                     of Limington  
           NADEAU of Lewiston  
           BERRY of Portland  
                     — of the House.

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

Report was signed by the following member:

Mr. BUSSIÈRE of Lewiston  
                     — of the House.

Reports were read.

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

### Passed to Be Engrossed

Bill "An Act relating to Remedy of Coram Nobis" (S. P. 171) (L. D. 417)

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

The SPEAKER: The Chair recognizes the gentleman from Auburn, Mr. Waterman.

Mr. WATERMAN: I would like to ask a question through the Chair, Mr. Speaker, would somebody inform me as to the remedy here in this item 1?

The SPEAKER: The gentleman from Auburn, Mr. Waterman, has

asked a question through the Chair to anyone who may answer if he chooses.

The Chair recognizes the gentleman from Rockland, Mr. Knight.

Mr. KNIGHT: Mr. Speaker, the remedy of Coram Nobis was relatively unknown in the State of Maine until the matter of Paul Dwyer was brought up. He used this common law remedy which is civil in nature, but it goes to Constitutional rights.

An example would be that if you were deprived of a Constitutional right such as you were not brought into court for a great period of time, and during that period of time a confession was extracted from you, and later that confession was used against you, and you were convicted, you would be brought back before the original court and the question of whether you would be entitled to a new trial would be decided.

Now there are no statutes on this. The only thing that we have in the State of Maine is the common law to go by and the Federal Code as to our Constitutional rights and certain Supreme Court decisions, the Dwyer case being the most famous.

The bill here simply sets into law the rights of Coram Nobis. The only change it makes, and the Attorney General's Department feels it is not a change, is that it allows the State to appeal a decision of the court. It in effect makes it simpler for a man in Thomaston to see just what his rights are and to take effective measures to procure his Constitutional rights without cluttering up our courts with petitions and resolves that are faulty on the face of them.

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

Bill "An Act to Bring State Police, Coastal Wardens and Fish and Game Wardens under Personnel Law" (S. P. 261) (L. D. 778)

Bill "An Act Enlarging Boomage Area of Scott Paper Company in the Kennebec River" (S. P. 298) (L. D. 909)

Bill "An Act relating to Rabbit Hunting in Lincoln County" (S. P. 323) (L. D. 998)

Bill "An Act Permitting Municipalities to Raise Money for Youth Program" (S. P. 365) (L. D. 1098)

Bill "An Act relating to Penalty for Failure of Owners of Motor Vehicles to Have Vehicles Inspected" (S. P. 451) (L. D. 1316)

Bill "An Act to Clarify the Laws of the Real Estate Commission" (S. P. 480) (L. D. 1472)

Bill "An Act relating to Certificate of Secretary of State as Evidence and Suspension of Right to Operate in Motor Vehicle Cases" (S. P. 482) (L. D. 1474)

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 and Assigned

Bill "An Act Requiring the Humane Slaughtering of Livestock" (S. P. 483) (L. D. 1475)

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

(On motion of Mr. Brown of Fairfield, tabled pending passage to be engrossed and specially assigned for Wednesday, March 15.)

#### Third Reader Amended

Bill "An Act relating to Jurisdiction of Public Utilities Commission over Motor Vehicles Carrying Passengers for Hire" (S. P. 484) (L. D. 1476)

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

Mr. Pike of Lubec offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to S. P. 484, L. D. 1476, Bill, "An Act Relating to Jurisdiction of Public Utilities Commission over Motor Vehicles Carrying Passengers for Hire."

Amend said Bill in that part designated "Sec. 37" by striking out in the 4th line the underlined words "to any place" and inserting in place thereof the underlined words "between any points"

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

#### Tabled and Assigned

Bill "An Act Regulating Catching Lobsters While Swimming or Diving" (H. P. 1074) (L. D. 1481)

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

(On motion of Mr. Brewer of Bath, tabled pending passage to be engrossed and specially assigned for Tuesday, March 14.)

Resolve Authorizing Charlotte Alex to Bring Action Against the State of Maine (S. P. 4) (L. D. 4)

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

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

Mr. HARDY: Mr. Speaker, this item is a little unusual, and I wondered if I could request a bit of explanation from some member of the Judiciary Committee on this.

The SPEAKER: The gentleman from Hope, Mr. Hardy, has asked a question through the Chair to any member of the Committee on Judiciary who may answer if he chooses.

The Chair recognizes the gentleman from Bar Harbor, Mr. Smith.

Mr. SMITH: Mr. Speaker and Members of the House: The Judiciary Committee reported out unanimous "Ought to pass" on this bill. The Committee was advised by the attorney for Mrs. Charlotte Alex concerning the facts of this case, and we understood that the state workers somewhere near Skowhegan, road workers, had left a fairly good sized pile of sand in the road at night, the sand was there after dark, without flares and without signs of warning.

The Committee of course did not pass on the facts and did not pass on the merits of the case, and the purpose of the bill is to give an opportunity to Charlotte Alex to have her case decided in court.

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

Resolve Proposing an Amendment to the Constitution Relating to Residence Requirements to Vote for President and Vice-President (S. P. 238) (L. D. 642)

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

#### Amended Bills

Bill "An Act Prohibiting Dumping of Oil Which May Pollute Waters" (S. P. 76) (L. D. 176)

Bill "An Act Increasing Fees for Certificates of Approval Under Liquor Laws" (S. P. 354) (L. D. 1087)

Bill "An Act Requiring State and Municipal Consultation on Aid to Dependent Children" (H. P. 124) (L. D. 164)

Were 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.

Bill "An Act relating to Digging Clams in the Towns of Cushing, Friendship and Thomaston" (H. P. 704) (L. D. 982)

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

The SPEAKER: The Chair recognizes the gentleman from Lubec, Mr. Pike.

Mr. PIKE: Mr. Speaker, if in order, I should like to speak briefly on this item. This is a bill which holds the digging of clams in three towns, Cushing, Friendship and Thomaston, to the residents of those towns. If I am not mistaken or if the Department of Sea and Shore Fisheries is not mistaken, this is the ninety-ninth such restriction covering our flats and clam areas in the State. So much of our area is now restricted to residents, that as spring comes along, the open areas of the State get visited by crowds of people that make you think of hungry gulls on a scoot pile. You will notice perhaps that this bill has an emergency clause on it because

they would like to get them closed before the crowd of gulls arrive.

As further areas of the State get closed to anybody but residents, of course the pressure on the open areas will get worse and the tendency will be to close more and more.

I should like to tell the members of the House that I have it in mind to present a bill, possibly this session, which will operate in reverse, and will more or less state that areas which are closed to residents of other towns, it shall also apply equally that residents of those towns shall not be able to dig anywhere else except in their home place. This has gone from the, well it's rather less than the sublime to the silly to the ridiculous to almost the tragic. Here we have a fishery with a total landed value of less than \$1,000,000 with ninety-nine special restrictive laws covering various areas of the State, plus of course the sixty or more polluted areas which have to be closed on account of the danger to health.

I just would like to call the attention of the House to the inevitable tendency whereby within a few years now there won't be any flats left in the State where anybody can dig unless he gets a certificate and is fingerprinted and really goes through a whole F.B.I. investigation. Thank you very much.

Thereupon, the Bill was passed to be engrossed as amended by Committee Amendment "A" and sent to the Senate.

Bill "An Act relating to Election of Governors and Representative to the Legislature of Passamaquoddy Tribe of Indians" (H. P. 1054) (L. D. 1454)

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

Mr. Whitman of Woodstock offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to H. P. 1054, L. D. 1454, Bill, "An Act Relating to Election of Governors and Representative to the Legislature of Passamaquoddy Tribe of Indians."

Amend said Bill, in the Title, by striking out the words "to the Legislature" and inserting in place thereof the words and punctuation 'at the Legislature.'

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

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Resolve Regulating Fishing in Long Pond, Franklin County (S. P. 167) (L. D. 413)

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

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

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#### House at Ease

Called to order by the Speaker.

#### Paper from the Senate

The following paper from the Senate was taken up out of order by unanimous consent:

Report of the Committee on Appropriations and Financial Affairs, acting by authority of Joint Order (S. P. 487) reporting a Bill (S. P. 489) (L. D. 1482) under title of "An Act to Appropriate Moneys for Improvements, Renovations and Repairs of State Buildings and Facilities" and that it "Ought to pass"

Came from the Senate with the Report read and accepted and the Bill given its several readings under suspension of the rules and passed to be engrossed.

In the House, the Report was read and accepted in concurrence, the Bill given its three several readings under suspension of the rules without reference to the Committee on Bills in the Third Reading, passed to be engrossed in concurrence, and sent forthwith to the Senate.

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#### Passed to Be Enacted Emergency Measure

An Act relating to Number of Councillors and Superintending

School Board of Town of Fort Fairfield (H. P. 515) (L. D. 713)

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. 110 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.

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#### Passed to Be Enacted Emergency Measure

An Act relating to School Administrative Districts Contracting for Secondary Education with other Administrative Units (H. P. 734) (L. D. 1022)

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. 115 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.

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#### Finally Passed Emergency Measure

Resolve Providing Funds for Conservation Education (H. P. 312) (L. D. 464)

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. 120 voted in favor of same and none against, and accordingly the Resolve was finally passed, signed by the Speaker and sent to the Senate.

Mr. JOHNSON of Smithfield: Mr. Speaker?

The SPEAKER: For what purpose does the gentleman arise?

Mr. JOHNSON: I would like to ask a question through the Chair with reference to the last item, sir.

The SPEAKER: What is the nature of the question?

Mr. JOHNSON: The nature of the question would be the question sir. It has reference to the Appropriations Committee, why they did not table this item on the special House table?

The SPEAKER: The Chair recognizes the gentleman from Perham, Mr. Bragdon.

Mr. BRAGDON: Mr. Speaker, in answer to the gentleman's question, I think the point is that this appropriation comes out of dedicated funds and does not affect the general fund picture.

#### **Passed to Be Enacted Emergency Measure**

An Act to Appropriate Moneys for Improvements, Renovations and Repairs of State Buildings and Facilities (S. P. 489) (L. D. 1482)

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. 123 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.

#### **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 14, 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. 490)

#### **Passed to Be Enacted**

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

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

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

Were reported by the Committee on Engrossed Bills as truly and strictly engrossed, passed to be enacted, signed by the Speaker and sent to the Senate.

#### **Tabled**

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

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed.

(On motion of Mr. Smith of Strong, tabled unassigned pending passage to be enacted)

#### **Tabled and Assigned**

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

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed.

(On motion of Mr. Bedard of Saco, tabled pending passage to be enacted and specially assigned for Tuesday, March 14)

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

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

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

An Act Providing for Transfer of Certain State Property to Maine Maritime Academy (H. P. 532) (L. D. 730)

An Act relating to Emergency Location of Governments for State Political Subdivisions (H. P. 533) (L. D. 731)

An Act relating to Emergency Location of State Government (H. P. 534) (L. D. 732)

An Act Providing for Emergency Interim Legislative Succession (H. P. 535) (L. D. 733)

An Act Revising and Clarifying the Laws Relating to the State Bureau of the Budget (H. P. 536) (L. D. 734)

An Act relating to Publication of Limited Partnerships (H. P. 653) (L. D. 931)

An Act to Incorporate the "Atlas Loan Co." (H. P. 656) (L. D. 934)

An Act to Incorporate the Domestic Finance Corporation of Kennebunk (H. P. 729) (L. D. 1017)

An Act to Incorporate the Domestic Finance Corporation of Dexter (H. P. 730) (L. D. 1018)

An Act to Incorporate the "Allied Finance Co." (H. P. 731) (L. D. 1019)

An Act relating to Collateral for Bank Employee Loans (H. P. 793) (L. D. 1107)

### Finally Passed

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

Resolve Opening Cross Lake, Aroostook County, to Ice Fishing for Cusk (H. P. 20) (L. D. 39)

Resolve Regulating Fishing in Rockabema Lake, Aroostook County (H. P. 39) (L. D. 73)

Resolve Prohibiting Use of Live Bait in Hills Pond, Franklin County (H. P. 311) (L. D. 463)

Were reported by the Committee on Engrossed Bills as truly and strictly engrossed, Bills passed to be enacted, Resolves finally passed, all signed by the Speaker and sent to the Senate.

### Communication Out of Order

The following Communication:

March 8, 1961

The Hon. Vinal G. Good  
Speaker of the House  
100th Legislature  
Augusta, Maine

Dear Sir:

I hereby submit my resignation as a member of the Joint Standing Committee on Legal Affairs, effective today.

Respectfully,

(Signed) NORMAN MINSKY  
Norman Minsky

Was received out of order by unanimous consent, read and ordered placed on file, and the resignation accepted.

The SPEAKER: The Speaker now will assign the gentleman from Bangor, Mr. Minsky, as the sixth ranking member of the Committee on Judiciary.

The Speaker will also assign the gentlewoman from Bristol, Mrs. Sproul, as the House Chairman of the Committee on Legal Affairs.

The Chair will also assign as the fourth ranking member of the Committee on Legal Affairs, the gentleman from Cape Elizabeth, Mr. Berry.

### Orders Out of Order

On motion of Mr. Baxter of Pittsfield, it was

ORDERED, that Rev. Peter Kemper of the Baptist Church, Pittsfield, be invited to officiate as Chaplain of the House on Wednesday, March 29, 1961.

Mr. Whitman of Woodstock presented the following Order and moved its passage:

WHEREAS, the members of the House have learned that tomorrow is the birthday of Mr. Baxter of Pittsfield,

BE IT ORDERED, that the members extend to Mr. Baxter their congratulations and best wishes for the entire year. (Applause)

The Order received unanimous passage.

Mr. Williams of Hodgdon presented the following Order and moved its passage:

WHEREAS, the members of the House have learned that yesterday was the birthday of Mr. Karkos of Lisbon and today is the birthday of Mrs. Karkos,

BE IT ORDERED, that the members extend to Mr. and Mrs. Karkos their congratulations and best wishes for the entire year. (Applause)

The Order received unanimous passage.

Mr. Karkos of Lisbon was granted unanimous consent to address the House.

Mr. KARKOS: Mr. Speaker, Ladies and Gentlemen: I am sure Mrs. Karkos joins me in thanking you for your felicitations and wishes. (Applause)

On motion of Mr. Hancock of Nobleboro, it was

ORDERED, that Mr. Leonard Marks of the Christian Science Church of Damariscotta be invited



to officiate as Chaplain of the House on Wednesday, April 12, 1961.

### Orders of the Day

The Chair laid before the House the first item of unfinished business under Bills in the Third Reading assigned for yesterday:

Bill "An Act Repealing Certain Laws Permitting Taking of Clams for Bait Purposes in Polluted Areas" (H. P. 342) (L. D. 494)

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

The SPEAKER: The Chair recognizes the gentleman from Kennebunkport, Mr. Tyndale.

Mr. TYNDALE: Mr. Speaker, due to the long legislative day and the crowded calendar of next week, I move this bill be tabled and assigned for Tuesday, March 21.

The SPEAKER: In reference to item one on page ten, L. D. 494, the gentleman from Kennebunkport, Mr. Tyndale, moves that this item be tabled and assigned to March 21, pending passage to be engrossed. Is this the pleasure of the House?

The motion prevailed.

The Chair laid before the House the second, third and fourth items of unfinished business under Amended Bills in the Third Reading assigned for yesterday:

Bill "An Act Amending Charter of the Telephone Workers Credit Union of Maine" (H. P. 655) (L. D. 933)

Resolve Authorizing Construction of Causeway in Little Sebago Lake (H. P. 694) (L. D. 972)

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.

Resolve Regulating Fishing in Moose River, Somerset County (H. P. 242) (L. D. 356)

Was reported by the Committee on Bills in the Third Reading, read the second time, passed to be engrossed as amended by House

Amendment "A" and sent to the Senate.

The Chair laid before the House the first tabled and Tuesday assigned matter of unfinished business:

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

Tabled — March 3, by Mr. Storm of Sherman.

Pending — Passage to be Engrossed.

The SPEAKER: The Chair recognizes the gentleman from Sherman, Mr. Storm.

Mr. STORM: Mr. Speaker, Members of the House: I am well aware that I am taking a dangerous position here in opposing anything having to do with veterans or their families, but to me this appears to be a totally unnecessary exemption to clutter up our taxation laws. It is true that at the present time this would apply to only a few cases, that has been true of all of the veterans' exemptions at the time that they were passed, but as time goes on the number seems to increase. I believe that to be the case with this one.

If there really is a hardship case existing where something of this sort will be necessary, I believe that it is already covered under the exemptions that appear in Chapter 399, Section 4-D of the Public Laws of 1955, and I quote: "The estate of those persons who by reason of infirmity or poverty are in the judgment of the assessors unable to contribute toward the public charges are exempt."

Without further ado, I am going to move the indefinite postponement of this bill.

The SPEAKER: The question now before the House is the motion of the gentleman from Sherman, Mr. Storm, that in reference to item one, page ten, "An Act relating to Exempting from Taxation Mothers of Deceased Veterans," House Paper 907, Legislative Document 1241, that it be indefinitely postponed.

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

Mr. MAXWELL: Mr. Speaker, Ladies and Gentlemen of the House: As a member of the Taxation Committee, I would like to clarify our stand on this particular item.

This bill had a good hearing before the committee, I would like to read from the Legislative Document itself. This has to be the mother of a deceased veteran who is sixty-two years of age or older and is an unremarried widow who is in receipt at the present time of a pension or compensation from the Federal Government based upon the service-connected death of her son.

So you can see that the qualifications are very rough. This bill does refer to the Gold Star mothers only, they have had to lose a boy in the service to qualify and must be receiving compensation from the United States Government.

Many of them are too proud to ask under existing laws. We in the Taxation Committee felt this was a must and voted unanimous to pass the bill. The cost in tax dollars cannot be evaluated, but would come under the thirty-five hundred dollar real estate exemption as it now exists on the books.

A few days back we passed in this House a bill introduced by me this year covering that exemption placing it on the residence only of the veteran or in this case, the veteran's mother, and I do not think this is too much to ask.

There was no opposition appearing at the hearing, and municipal associations, also the Taxation Department, seemed to think it a good move. Maybe this would save much embarrassment for these mothers.

I move that this—or rather, I would hope that this motion does not prevail.

The SPEAKER: The Chair recognizes the gentleman from Waterboro, Mr. Bradeen.

Mr. BRADEEN: Mr. Speaker, Ladies and Gentlemen of the House: I am very glad indeed to endorse the remarks of my friend from Jay, Mr. Maxwell, I can assure you people one and all that this bill had the most careful and I am glad to say impartial con-

sideration of the Committee on Taxation. Mr. Maxwell has already read to you the provisions of the bill; they are honest, they are fair, and in my humble opinion, entirely justified. Thank you very much.

The SPEAKER: The question before the House is the motion of the gentleman from Sherman, Mr. Storm, that this Bill, L. D. 1241, be indefinitely postponed. Are you ready for the question?

All those in favor of indefinite postponement of this Bill please say aye; those opposed, no.

A viva voce vote being taken, the motion did not prevail.

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

#### Order Out of Order

Mr. Baxter of Pittsfield presented the following Order and moved its passage:

WHEREAS, the members of the House of Representatives have learned that tomorrow is the birthday of Mr. Chase, House Doorkeeper and a former member of the House;

BE IT ORDERED, that the members extend to Mr. Chase their congratulations and best wishes for the entire year. (Applause)

The Order received unanimous passage.

The Chair laid before the House the second tabled and Tuesday assigned matter of unfinished business:

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

Tabled — March 3, by Mr. Perry of Easton.

Pending — Adoption of House Amendment "A". (Filing H-43)

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

Mr. MOORE: Mr. Speaker, Ladies and Gentlemen of the House: In the two terms that I have been here and on the Fish and Game Committee, I find that it requires as much effort to protect our game and conserve our natural resources as it requires to protect our tax-

payers' dollars. And it seems to me that these two — this bill has a lot to do with our taxpayers' dollars also, because without conservation of our game—and it is fast disappearing from this State—we are going to lose the attraction for the tourists. Only this month in the Fish and Game "Outdoor Life" Magazine, there is an article there that would cost twenty-five thousand dollars as advertising for this State if we had to buy it. Simply because one man came down and caught a salmon and he took pictures of the Machias River and all through the Cherryfield area and it is some article; but we have not heard that from the Fish and Game Department because it wasn't referring to bounties. But it is a fact just the same.

Now as a lot of you realize, in this area all through the State now we are getting more requests for five fish limit. A lot of bills in this term asking for five fish—the biologists in the fisheries division are asking it for conservation measures only — the whole of Baxter Park is five fish limit. Of course, Desolation Pond is only five fish, too. (Laughter) We Republicans are going to have that name changed.

Pertaining to the hearing on this bill, folks from all over the state were there to speak for this bill, every association or club from Cumberland and York right through to Aroostook spoke for it. After this hearing and in the next two hearings when there would be a large group — in fact the next week — there was a large group of clubs represented from southern Aroostook and we asked them how they felt about the bill — and they were all in the complete accord with this. I think it is a very good bill and I think it is very necessary.

When we adopted the fifteen fish limit, there were one hundred seventy-five thousand fishermen in the State, that is, people licensed to fish. Now there are two hundred and twenty-seven thousand people licensed to fish, which is another proof, as far as I am concerned, that it means that we have got to conserve our natural resources.

I hope that this amendment or any other amendment to change this does not prevail. And I hope the bill is passed as it was passed out of the Fish and Game Committee unanimous ought to pass. There are already three counties in this State that have this law now and it has been very satisfactory. I think that is all. Thank you.

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

Mr. ANDERSON: Mr. Speaker, Ladies and Gentlemen of the House: If we are dedicated to the conservation of our natural resources, I do not feel that we should go along with an increase in bag limit of our fish. Certainly we must try to satisfy our natives—it is their—these fish are their rightful heritage. But we should not overlook the commercial aspect. We have thousands of sportsmen coming into the State each year and they spend fabulous amounts of money on food, clothing, fishing gear, guides, camps, cottages, and a hundred and one other incidentals.

We must save some fish for them, keep them satisfied to assure their return year after year. I think it would be poor business on our part to increase the bag limit on fish. I ask you, Mr. Speaker and Ladies and Gentlemen of the House, would it be wise "to kill the goose that lays the golden egg"?

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

Mr. DODGE: Mr. Speaker, and Members of the House: My county is on the ten fish limit—we are perfectly satisfied with it—we think it would be a nice thing to extend it through all the State, and if we could have a guarantee that we would catch even five fish on a trip, we would like to have that.

The SPEAKER: The pending motion is on the adoption of House Amendment "A."

The Chair recognizes the gentleman from Medford, Mr. Hichborn.

Mr. HICHBORN: Mr. Speaker, Ladies and Gentlemen of the House: It is my understanding that two years ago the committee on Inland Fisheries and Game re-

ported favorably on a bill which would have provided a uniform bag limit for the entire State. And subsequent to that so many changes were made that the law as enacted bore little resemblance to the original bill. Again this year the Committee on Inland Fisheries and Game have unanimously reported in favor of a uniform bag limit of ten. But we find again that there are certain areas asking for special privileges and, if we do not watch out, we are going to have the same result that we had two years ago.

Up in Piscataquis County where we have some of the best fishing in the State we were not at all happy with a different limit for different counties, and it is the hope of many of my own constituents that this uniform limit of ten be applied to the State as a whole.

The SPEAKER: The Chair recognizes the gentleman from Easton, Mr. Perry.

Mr. PERRY: Mr. Speaker, Members of the House: Before writing this amendment I consulted the Chairman of Inland Fish and Game and he went along with me and I presumed that he was going to. But if he doesn't care to, why I do not want to stand out with what the committee approved.

The SPEAKER: The pending question is the motion on the adoption of House Amendment "A." Are you ready for the question? All those in favor of adopting House Amendment "A," please say aye; those opposed, no.

A viva voce vote being taken, the motion did not prevail.

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

The Chair laid before the House the third tabled and Wednesday assigned matter of unfinished business:

HOUSE REPORT — Ought Not to Pass — Committee on Agriculture on Bill "An Act Relating to Price Controls on Milk." (H. P. 448) (L. D. 648)

Tabled — February 23, by Mr. Jameson of Bangor.

Pending — Acceptance of Report.

The SPEAKER: The Chair recognizes the gentleman from Auburn, Mr. Turner.

Mr. TURNER: Mr. Speaker, Members of the House: My seatmate, the gentleman from Bangor, Mr. Jameson, is home sick, and he asked that this be tabled until Tuesday next.

Thereupon, the Bill was retabled and specially assigned for Tuesday, March 21, pending acceptance of the Report.

The Chair laid before the House the fourth tabled and Wednesday assigned matter of unfinished business:

Bill "An Act to Authorize Cumberland County to Raise Money for the Construction of a County Jail." (H. P. 428) (L. D. 603)

Tabled — February 28, by Mr. Crockett of Freeport.

Pending — Adoption of House Amendment B.

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

Mr. DANES: Mr. Speaker, Ladies and Gentlemen of the House: It is a well established fact to the County of Cumberland that we are in dire need of a new jail. This is a necessity for many reasons. Primarily the present structure was completed and first occupied in 1858, a hundred and three years ago. There are many reasons why we do need this new jail, and should have it just as soon as possible. Most important points are those of sanitation, security, and safety. Now the point of sanitation, the facilities at the present structure are just about nil, they are antiquated as is the entire structure. On the point of security, security is of an absolute minimum and it is very important that it be at the maximum. On the point of safety, the heating facilities are in such poor condition that if they were to be used to their full extent, there is a great possibility of explosion and danger to the personnel as well as the inmates.

At the hearing before the Committee on Towns and Counties, the committee was well informed by both proponents and the opponents. The proponents offered

photos that were recently made to show the conditions at the jail as they presently are. They were referred to by some members of the committee as horrifying. It was charged by the opponents that those pictures were made prior to the recent renovating, to a point. I have in my possession a notarized statement from the Allied Detective Agency signed by John E. O'Donnell, that these photos were taken on January 24, 1961 and developed on February 4, 1961, which was just a short period before the hearing, as a matter of fact just about two weeks.

Now insofar as the adoption of this Amendment, House Amendment "B" is concerned, it would be an additional cost to the people in Cumberland County. In the first place, there would have to be advertising on it, the Secretary of State for printing and distributing of ballots would be approximately twenty-five hundred dollars. Printing promotive information would be one thousand dollars; advertising and display, two thousand dollars; and there is a fee of twenty-five thousand dollars for architecture. It may be argued that this is not a necessity before any referendum be presented to the people; however, in order that people will know exactly what is to be done it would be necessary to have all these plans complete.

There are very many reasons more that I could elaborate on as to the necessity of this building, and more in keeping with what has passed here recently in the House — was not passed, but was suggested — that the Governor be requested to appoint a committee to make a survey as to unemployment. Now unemployment in this case could be helped by the construction of this building in the very near future.

Now for this reason and for very many more that could be presented, I would move for the indefinite postponement of House Amendment "B."

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

Mr. ESTEY: Mr. Speaker, Ladies and Gentlemen of the House:

In addition to some of the figures our colleague, Mr. Danes, has just given you, I would remind you, too, that the old jail is located in the section of our city called Bayside, which has been under an urban renewal program for several years. This urban renewal program is due for completion one year from now, March, 1962. An estimate has been established of twenty-five thousand dollars to tear down and complete the — rearrange the property of the old jail location — for which Portland would come into a two-thirds federal subsidy support program under the urban renewal, which means about seventeen thousand dollars of potential federal money to help this cost.

In the 99th Legislature this item appeared on our calendar nine times and about five times in the Senate, and a Committee of Conference deadlocked. If this referendum were lost, and if it did go to referendum and it were lost, the charges that Mr. Danes has given you, the loss of this seventeen thousand dollars of federal money would still have to go on a county tax.

In the last six years Cumberland County has spent thirty-five thousand dollars for repairs to the old jail and we are facing now the complete renovation of our sewer and water systems from not only within the building but toward the street. Many of the arguments used last time were relative to location. The location problem is pretty well solved, the new jail will be located in the business section of the city adjacent to the city police station and garage, and city parking lot, the County Court House being just across the street; and the City of Portland has indicated a sincere interest in participating in the proposed tunnel connecting the County Jail with the County Court House which would mean maximum security and efficiency.

I certainly hope that the motion for indefinite postponement prevails and we can clear our calendar today.

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

Mr. BRIGGS: Mr. Speaker and Members of the House: I hope the gentleman's motion does not prevail. This amendment sends the question of the county jail to a referendum. With the ever increasing burden each year on the taxpayers, the question of a \$700,000 jail in Cumberland County should be decided by the people of Cumberland County who must pay the bill with higher taxes. I believe in home rule and the taxpayers should be allowed to vote on such a large bond issue as provided by law in the Revised Statutes of 1954, Chapter 89, Sections 27 and 29. This chapter states that any bond issue in Cumberland County shall go to a referendum of the taxpayers of the county.

Now this bill as written strikes out the reference to a referendum. A referendum can be undertaken with very small cost at the next regular town meeting or election. In fact, in Portland, which pays over fifty percent of the county tax, we have a referendum coming up shortly on another question; therefore, the only cost would be for the ballots. As far as the architect's fees are concerned, that, I suppose, would have to be drawn up anyway.

This bill was introduced in the 99th Legislature and it called for \$1,350,000. This year the bill called for \$1,000,000 and an alert committee amended it down to \$700,000. This proves the old adage, "haste makes waste." The taxpayers of Cumberland County have already saved \$650,000, fifty percent of this due to an alert committee.

I am not against a new jail, I might vote for one if it went to a referendum. However, there are people who believe that badly needed schools should come first. Let the people decide the issue. There is a great deal of sentiment for district jails. Perhaps in a few years this will come about. Do the taxpayers want to spend \$700,000 now or wait awhile? They should be allowed to decide. I say, give them a chance to decide.

All State bond issues by law must go to a referendum. Is the County above the State? Therefore, gentlemen and ladies of the House, I urge a favorable vote on House

Amendment "B," and I hope the motion does not prevail.

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

Mr. BERRY: Mr. Speaker, in reference to my good friend from Portland, Mr. Briggs, on a referendum vote, I believe according to the Statute there has been an amendment to this. If I am misinformed I stand to be corrected.

And also in regards to the architectural fees of \$25,000, this \$25,000 fee, if the issue goes without a referendum, will come out of the bond issue. If this goes to a referendum vote, the \$25,000 will have to come from the county budget. Preparations must be made so that the people, the city, and the county, will know what they propose for a jail.

Now, we have talked about referendums here before in 1959, on the county jail; we have talked about a referendum vote. I believe that we have appropriated other county budgets that have not gone before a referendum vote and never will. They were passed here and been forgotten. I would like to read to you now a letter from Washington from the President of the United States, John F. Kennedy. I think that this has some reflection to the L. D. 1482 that has been enacted here this morning, and also to our county jail.

"To City and County Officials: I am taking the liberty of writing to you to urge that your community make every effort to accelerate essential building and expenditure programs that will help revitalize our economy.

"Local construction provides approximately 40 percent of the total Federal, State and local construction outlay of the United States, including that for the military.

"I have already directed executive agencies of the Federal Government to speed their work to provide jobs and business support for the country. We are working closely with State Officials toward the same goal. The key role of local Government in our national life can now most tangibly be demonstrated by accelerating its construction, purchasing and other needed programs.

"I know that I can count on your all-out effort on behalf of the economic vigor of our individual communities and, through them, the entire nation." The letter is signed, John F. Kennedy.

Mr. Speaker, I now hope the motion before the House, adopting the referendum, does not prevail. Thank you.

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

Mr. DANES: Mr. Speaker, just to correct one statement that the gentleman from Portland, Mr. Briggs, made in his talk, to the fact that the original bill was drawn up for the amount of \$1,000,000 and that the committee had reduced it to \$700,000. This is not so. The committee did not reduce it, they did reduce it but only on the suggestion of our county commissioners.

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

Mr. BROWN: Mr. Speaker, it seems though a lot of credit has been taken for reducing this cost from the last Legislature to this, both in the Legislature and outside the Legislature. I think credit belongs where credit is due, to an unobscured deputy sheriff who is chief of the County Jail, that spent all his vacation and asked for more time on his own expense and toured very many sections of the United States inspecting jails and came home with some plans and fostered those plans to the commissioners, and that is where the credit is due. Thank you, Mr. Chairman.

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

Mr. HAUGHN: Mr. Speaker, Ladies and Gentlemen of the House: I was elected from an area which does pay only probably a small proportion of this cost, but we are deeply concerned and interested because the court in northern Cumberland County is in my area which has to have full use of the facilities. But I will not play political football with an issue because I think that was done in the 99th Legislature. I will say I am opposed to this referendum and

for these particular reasons, as you know all referendums that have gone out to be voted upon by such a minority amount of people because they have confidence in the people that they have elected to send up here who know both sides of the story. In other words, a minority group has proclaimed through the press as being a majority vote. It is in that sense of the word, but it is not twenty-five percent of the total vote cast of eligible voters. So therefore, in my particular area I have made a canvass and I have found that people say you know both sides of the issue, both sides of the problem, we have elected you to use your judgment.

If you will read this bill very carefully, it gives the entire Cumberland County delegation pretty good control over the expansions of any wasteful thoughts or any ideas of any county commissioners or sheriffs. So, with this in mind, I hope the motion of Mr. Danes of South Portland will prevail because I do not think the people want a referendum, plus the cost, plus the delay, and those who might take credit for reduction of costs are playing a political football in my mind.

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

Mr. KELLAM: Mr. Speaker, Ladies and Gentlemen of the House: I think the only question before the legislative body this morning is whether we shall permit the residents of Cumberland County to exercise their privileges which they now enjoy under the general laws of the State of Maine.

Mr. Briggs' amendment merely asks that this bill go to referendum of the people and if they really want a new building they will say so. The Statutes now provide that financing of this type and the moving of county buildings in the manner suggested by the bill must go to the individual towns for approval. Now the talk of whether we should exercise our discretion rather than to send things to referendum, seems to me to have overlooked the fact that the Statutes of the State of Maine specifically provide that matters of

this type do go to the people for approval. So if that is the case, possibly we should change the Statutes. This bill attempts to circumvent the law by providing at the top of the second page of the bill, that it will be passed without benefit of these statutory provisions. I therefore feel that there is no harm to be done to the county government or any of the municipalities within the County by allowing them to express their opinion on this bill.

I had a note here as to the cost of architect fees involved in bringing a referendum vote, which seems to me to be about as absurd an item that can be imagined. The question as to whether we should have a new county jail certainly shouldn't rest upon how well the plans are presented by architects for a new county jail, it should be decided upon what the condition of the present county jail is. And the jail is there for everyone to see. It has been suggested by Representative Briggs that the sheriffs open up the jail and let people look at it, which they have done in recent weeks. People can very easily go down and inspect the jail. There is no secrecy involved in this matter, if they really need a jail, I believe they can get it across to the public that they need a jail and if they can't convince the people that they should finance, go into debt to finance a new building, then they should not have it.

I do not believe that I am expected to refuse to allow a bill to go to referendum merely on the basis that I may believe people do not want it, when I come to the conclusion that there is a strong element within the county that do not want this project to take place, I feel obligated to allow that to go to referendum and let them speak on this matter. And I hope that you will be with me too.

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

Mr. BERRY: Mr. Speaker, in regards to a referendum again I believe that many of our smaller communities through the county have already taken up at their town meetings which at that time

call for a referendum vote. Now if this goes to a referendum vote there is great possibility that it will have to be curtailed until next March. Also in reading the letter expediting local construction in relieving our unemployment I believe that we can best do this by enacting this here today and taking the matter as an issue that has prevailed before. Thank you.

The SPEAKER: The Chair recognizes the gentlewoman from Portland, Mrs. Hendricks.

Mrs. HENDRICKS: Mr. Speaker and Members of the House: I very sincerely feel that there is a great deal of uncertainty as to the future of county government, and for this reason I believe that the taxpayers of Cumberland County should have the opportunity to vote on the final decisions of this committee that is being set up by this L. D. Now this Legislative Document 603 sets up a committee which will consist of all the members elected from Cumberland County to the Legislature. Now I am not in favor of a new county jail, according to this bill I would have to serve on this committee. And many of my constituents would like to have the opportunity to vote on whether they want to continue and expand county jails.

For these reasons I don't feel as if I should serve on this committee and I do feel that the voters of our county should have an opportunity to vote on whether or not they would like to accept the final plans of this committee.

Now, I have a little write-up here, which appeared in the Portland Sunday Telegram of August 2, 1959: "Two men whose opinion everyone respects have commented on the problem of county jails.

"The two men are Maine's Attorney General Frank E. Hancock and Cumberland County Attorney Arthur Chapman, Jr.

"Their comment was to the effect that the state would be better off if a district jail system could replace the present county jails. Their suggestion came in the wake of an investigation of the Cumberland County jail by the State Department of Institutional Services.



"It is becoming increasingly apparent that the failure of the 99th Legislature to authorize the construction of a new jail for Cumberland County was a blessing in disguise."

The bill last year called for \$1,350,000. Now I understand that one of our Cumberland County commissioners, Cram, made a survey as to how many states were building jails; and I understand that he found out that Georgia was about the only one, and they built one for \$290,000. So I don't think that speaks very well for county jails.

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

Mr. JALBERT: Mr. Speaker, I think that this has been rehearsed long enough. I move the previous question.

The SPEAKER: The gentleman from Lewiston, Mr. Jalbert, has moved the previous question. For the Chair to entertain a motion for the previous question it must be authorized to do so by at least one-third of the Members present. Will all those who desire the previous question, please rise and remain standing until the monitors have made and returned the count.

A sufficient number arose.

The SPEAKER: Obviously more than one-third of the members present having arisen, the motion does prevail.

The question now before the House is the motion of the gentleman from South Portland, Mr. Danes, that House Amendment "B" be indefinitely postponed. The Chair will order a division. All those in favor of the indefinite postponement of House Amendment "B" please rise and remain standing until the monitors have made and returned their count.

A division of the House was had.

The SPEAKER: The Chair recognizes the gentlewoman from Portland, Mrs. Hendricks.

Mrs. HENDRICKS: Mr. Speaker, I would like to have a roll call so that we can go on record as to who wants to spend the taxpayers' money without giving them a chance to decide on what they are spending it for.

The SPEAKER: The gentlewoman from Portland, Mrs. Hendricks, has requested a roll call. 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 of 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-nine members arose.

The SPEAKER: One hundred and twenty-four being present and twenty-nine being more than one-fifth, a roll call is ordered.

The Chair will repeat the question. The question before the House is the motion of the gentleman from South Portland, Mr. Danes, that House Amendment "B" to Bill "An Act to Authorize Cumberland County to Raise Money for the Construction of a County Jail, House Paper 428, Legislative Document 603, be indefinitely postponed. If you are in favor of the indefinite postponement of House Amendment "B" you will say "yes" when your name is called; if you are opposed, you will say "no" when your name is called. The Clerk will call the roll.

## ROLL CALL

YEA — Albair, Anderson, Ellsworth; Anderson, Greenville; Baker, Baxter, Bearce, Berry, Portland; Bradeen, Bragdon, Brewer, Brown, South Portland; Brown, Vassalboro; Carter, Cooper, Coulthard, Crockett, Danes, Dunn, Durgin, Edgerly, Estey, Finley, Gardner, Gill, Hague, Ham, Hancock, Hanson, Bradford; Hanson, Lebanon; Hardy, Harrington, Haughn, Hichborn, Hinds, Hopkinson, Hughes, Humphrey, Hutchins, Jones, Kennedy, Kimball, Knapp, Lincoln, Linnekin, Littlefield, MacGregor, Maddox, Matheson, Mathews, Merrill, Minsky, Moore, Morrill, Morse, Perry, Philbrick, Augusta; Philbrick, Bangor; Pike, Prince, Schulten, Shaw, Shepard, Smith, Bar Harbor; Smith, Falmouth; Sproul, Stevens, Stewart, Storm, Swett, Thaanum, Thornton, Turner, Tweedie, Tyndale, Walker, Waltz, Waterman, Westerfield, Wheaton, Whitman, Whitney, Wood, Young.

NAY — Beane, Moscow; Bedard, Berman, Auburn; Berman, Houlton; Binnette, Boissonneau, Boothby, Briggs, Brown, Fairfield; Buckley, Burns, Bussiere, Chapman, Norway; Curtis, Cyr, Dodge, Dostie, Winslow; Fogg, Gallant, Hendricks, Jalbert, Jobin, Johnson, Smithfield; Johnson, Stockholm; Karkos, Kellam, Kilroy, Lane, Lantagne, Levesque, Lowery, Malenfant, Maxwell, Nadeau, Biddeford; Nadeau, Lewiston; Noel, Poirier, Prue, Sirois, Smith, Strong; Tar-diff, Vaughn, Walls, Williams, Winchenpaw.

ABSENT — Beane, Augusta; Bernard, Berry, Cape Elizabeth; Chapman, Gardiner; Choate, Davis, Dennett, Dennison, Dostie, Lewiston; Drake, Edwards, Hartshorn, Jameson, Knight, Lacharite, Letourneau, Plante, Rust, Sevigny, Wade, Wellman.

Yes 83; No 45; Absent 21.

The SPEAKER: Eighty-three having voted in the affirmative, forty-five in the negative, twenty-one being absent, the motion to indefinitely postpone House Amendment "B" does prevail.

Thereupon, the Bill was given its third reading, passed to be engrossed as amended by Committee Amendment "A" and House Amendment "C" and sent to the Senate.

The Chair laid before the House the fifth tabled and Wednesday assigned matter of unfinished business:

Resolve Regulating Ice Fishing on Umsaskis Lake and Long Lake, Aroostook County (H. P. 488) (L. D. 688)

Tabled — February 28, by Mr. Storm of Sherman.

Pending — Passage to be Engrossed.

The SPEAKER: The Chair recognizes the gentleman from Caribou, Mr. Albair.

Mr. ALBAIR: Mr. Speaker, Members of the House: This L. D. 688, being legislation affecting Aroostook County lakes, and the Aroostook delegation having discussed this L. D. last Tuesday, and being unable to resolve a satisfactory solution, due to the limited time available at this meeting, I

now move that item five be tabled unassigned pending passage to be engrossed.

The SPEAKER: In reference to item five, on page 11, the gentleman from Caribou moves that this be tabled unassigned. Is this the pleasure of the House?

The motion prevailed.

The Chair laid before the House the sixth tabled and Wednesday assigned matter of unfinished business:

Resolve Regulating Ice Fishing on Millinagassett Lake, Mooseleuk Lake and Big Machias Lake (H. P. 485) (L. D. 685)

Tabled — February 28, by Mr. Storm of Sherman.

Pending — Passage to be Engrossed.

(On motion of Mr. Albair of Caribou, tabled unassigned pending passage to be engrossed.)

The Chair laid before the House the seventh tabled and Wednesday assigned matter of unfinished business:

Resolve Regulating Ice Fishing on First Musquacook Lake and Second Musquacook Lake, Aroostook County (H. P. 486) (L. D. 686)

Tabled — February 28, by Mr. Storm of Sherman.

(On motion of Mr. Albair of Caribou, tabled unassigned pending passage to be engrossed.)

The Chair laid before the House the eighth tabled and Wednesday assigned matter of unfinished business:

Resolve Regulating Fishing in Eagle Lake, St. Froid Lake and Long Lake, Aroostook County (H. P. 396) (L. D. 571)

Tabled — February 28, by Mr. Storm of Sherman.

Pending — Passage to be Engrossed.

(On motion of Mr. Albair of Caribou, tabled unassigned pending passage to be engrossed.)

The Chair laid before the House the ninth tabled and Wednesday assigned matter of unfinished business:

Resolve Regulating Ice Fishing on Millinocket Lake, Big Pleasant

Lake and Spider Lake, Piscataquis County (H. P. 483) (L. D. 683)

Tabled — February 28, by Mr. Dodge of Guilford.

Pending — Passage to be Engrossed.

On motion of Mr. Dodge of Guilford, the Resolve was passed to be engrossed and sent to the Senate.

The Chair laid before the House the tenth tabled and Wednesday assigned matter of unfinished business:

Bill "An Act Relating to Night Hunting of Wild Birds" (H. P. 879) (L. D. 1214)

Tabled — March 7, by Mr. Moore of Casco.

Pending — Passage to be Engrossed.

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

Mr. MOORE: Mr. Speaker, the reason I tabled that was to prepare an amendment for it, and I have not got the amendment written up, so I would like to table it until Wednesday next if I may.

The SPEAKER: In reference to item 10 on page 11, the gentleman from Casco, Mr. Moore, moves that this be retabled to Wednesday next pending passage to be engrossed. Is this the pleasure of the House?

The motion prevailed.

The Chair laid before the House the eleventh tabled and Wednesday assigned matter of unfinished business:

Bill "An Act Relating to Employment of Minors Under 16 Years of Age" (H. P. 759) (L. D. 1045)

Tabled — March 7, by Mr. Wellman of Bangor.

Pending — Motion of Mr. Turner of Auburn to Indefinitely Postpone the Bill.

The SPEAKER: The Chair recognizes the gentleman from Bangor, Mr. Wellman.

Mr. WELLMAN: Mr. Speaker, when I tabled this bill, I was worried about the relationship of Section 22, to Section 23. I have asked various members of the committee, and I now understand Section 22 bears no relationship to

Section 23. Twenty-three is an absolute prohibition. Section 22, that is the employment of minors under eighteen, is a discretionary one with the Commissioner.

The SPEAKER: The Chair recognizes the gentleman from Auburn, Mr. Turner.

Mr. TURNER: As a parting shot to this bill, Mr. Speaker and Members of the House, I would like to say that if you go along and kill this bill nobody will be hurt, but if you pass this bill, we do not know what will happen. It has such a broad base, and I move indefinite postponement, and I request a division.

The SPEAKER: A division has been requested.

The Chair recognizes the gentleman from Rumford, Mr. Jobin.

Mr. JOBIN: Mr. Speaker, Ladies and Gentlemen of the House: It is not my intention to dwell very long on this subject any more. I wish merely to remind my colleagues that a motion to indefinitely postpone this bill was defeated last week in this House. And I am certain that by this time all the pros and cons of this bill have been pretty well considered. Therefore, I certainly hope that the House remains consistent and sees fit to defeat this motion again.

The SPEAKER: Is the House ready for the question? The question before the House is the motion of the gentleman from Auburn, Mr. Turner, that this bill be indefinitely postponed.

All those in favor of the postponing of this bill please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Sixty-two having voted in the affirmative and fifty having voted in the negative, the Bill was indefinitely postponed and sent up for concurrence.

The Chair laid before the House the twelfth tabled and Wednesday assigned matter of unfinished business:

An Act Relating to Deduction of Sentence in County Jails (S. P. 18) (L. D. 18)

Tabled — March 7, by Mr. Watterman of Auburn.

Pending — Enactment.

On motion of Mr. Waterman of Auburn, the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

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

HOUSE DIVIDED REPORT—Majority "Ought Not to Pass" — Minority "Ought to Pass" — Committee on Claims on Resolve, to Reimburse Guy Cyr of Hamlin for Property Damage by Highway Relocation. (H. P. 578) (L. D. 798)

Tabled — February 28, by Mr. Johnson of Stockholm.

Pending — Acceptance of Either Report.

The SPEAKER: The Chair recognizes the gentleman from Stockholm, Mr. Johnson.

Mr. JOHNSON: Mr. Speaker and Ladies and Gentlemen of the House: I would like to have that bill retabled until March 17, for further study.

Thereupon, the Bill was retabled until Friday, March 17, pending acceptance of either Report.

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

Bill "An Act Providing for Maine Potato Advertising by the Department of Agriculture" (H. P. 284) (L. D. 436)

Tabled — March 3, by Mrs. Harrington of Patten.

Pending — Adoption of Senate Amendment "A" (Filing No. S-30)

The SPEAKER: The Chair recognizes the gentlewoman from Patten, Mrs. Harrington.

Mrs. HARRINGTON: Mr. Speaker and Members of the House: If we should adopt Senate Amendment "A," all that would be left of my bill would be the title. I have cleared this with Senator Noyes and he is willing to eliminate the amendment. So I move the indefinite postponement of Senate Amendment "A."

The SPEAKER: The question now before the House is the motion of the gentlewoman from Patten, Mrs. Harrington, that Senate Amendment "A" be indefinitely postponed. All those in favor say "aye"; those opposed, "no."

A viva voce vote being taken, the motion prevailed.

Thereupon, the Bill was passed to be engrossed in non-concurrence and sent up for concurrence.

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

Bill "An Act to Create the Bethel Utilities District" (H. P. 1073) (L. D. 1478) — New Draft of (H. P. 61) (L. D. 103)

Tabled — March 7, by Mr. Pike of Lubec.

Pending — Passage to be Engrossed.

Thereupon, on motion of Mr. Pike of Lubec, 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 to Create the Fort Kent Sewerage and Water District" (H. P. 1072) (L. D. 1477) — New Draft of (H. P. 528) (L. D. 726)

Tabled — March 7, by Mr. Pike of Lubec.

Pending — Passage to be Engrossed.

The SPEAKER: The Chair recognizes the gentleman from Lubec, Mr. Pike.

Mr. PIKE: Mr. Speaker, it has proved more difficult than we thought to work out the exact amendments to this bill, so I would like to have it retabled and specially assigned for Friday, March 17.

Thereupon, the Bill was retabled until Friday, March 17, pending passage to be engrossed.

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

Bill "An Act Revising the Maine Milk Law" (H. P. 219) (L. D. 334)

Tabled — March 7, by Mr. Kimball of Mount Desert.

Pending — Acceptance of Report of Committee on Bills in the Third Reading.

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

Mr. KIMBALL: Mr. Speaker, satisfactory study having been made of this bill, I move that we accept the report of the Committee on Bills in the Third Reading.

Thereupon, the Report of the Committee on Bills in the Third Reading was accepted, the Bill given its third reading, passed to be engrossed and sent to the Senate.

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

Bill "An Act Amending the Christmas Tree Law" (H. P. 265) (L. D. 379) — In Senate House Amendment "A" and Senate Amendment "A" Adopted in non-concurrence. (Filing Nos. H-30 & S-29)

Tabled — March 7, by Mr. Williams of Hodgdon.

Pending — Further Consideration.

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

Mr. WILLIAMS: Mr. Speaker, I now move that we adopt Senate Amendment "A."

The SPEAKER: The gentleman from Hodgdon, Mr. Williams, moves that the House reconsider its action whereby it passed this bill to be engrossed. Is there objection? The Chair hears none. It is a vote.

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

SENATE AMENDMENT "A" to H. P. 265, L. D. 379, Bill, "An Act Amending the Christmas Tree Law."

Amend said Bill by adding after section 1 the following section:

"Sec. 1-A. R. S., c. 36, § 67-A, amended. The 3rd sentence of section 67-A of chapter 36 of the Revised Statutes, as enacted by chapter 283 of the public laws of 1959, is amended to read as follows: 'The annual fee for such registration, when obtained from the Forestry Department, shall be \$1 payable to the Treasurer of State and credited to the State Forestry Department for administration of sections 67-A to 67-J **General Fund**; and if such registration is obtained from any town or city

clerk, the annual fee shall be \$1.25 \$1 of which shall be payable to the Treasurer of State and credited to the State Forestry Department for administration of sections 67-A to 67-J **General Fund**; and 25c shall be retained by the town or city clerk for the service of issuing the certificates of registration.'"

Further amend said Bill by striking out the last 2 underlined lines and inserting in place thereof the following underlined words: "**to the General Fund.**"

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

"Sec. 5. R. S., c. 36, § 67-F, amended. The last sentence of section 67-F of chapter 36 of the Revised Statutes, as enacted by chapter 283 of the public laws of 1959, is amended to read as follows: 'In case the owner does not want the trees or boughs, the State may then dispose of them, and any moneys derived from the disposition of said trees and boughs shall be paid over to the landowner if his identity can be established, otherwise to the Treasurer of State and credited to the State Forestry Department for administration of the provisions of section 67-A to 67-J **General Fund.**'"

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

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

HOUSE REPORT — Ought Not to Pass — Committee on Highways — on Resolve, Designating a Third Traffic Lane for Waterville-Winslow Bridge. (H. P. 745) (L. D. 1031)

Tabled — March 7, by Mr. Dostie of Winslow.

Pending — Acceptance of Report.

The SPEAKER: The Chair recognizes the gentleman from Winslow, Mr. Dostie.

Mr. DOSTIE: Mr. Speaker and Ladies and Gentlemen of the House: I have talked with Commissioner Stevens last Wednesday and he advised me that a third lane wouldn't be flexible, but what we really need on account of the

bottleneck there is another two lanes or another bridge which will be taken care of in the next biennium. I now move we accept the "Ought not to pass" Report.

A viva voce vote being taken, the "Ought not to pass" Report was accepted and sent up for concurrence.

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

**HOUSE REPORT — Ought Not to Pass — Committee on Transportation — on Bill "An Act Authorizing Green Blinker Lights on Doctors' Vehicles."** (H. P. 438) (L. D. 613)

Tabled — March 7, by Mr. Crockett of Freeport.

Pending — Acceptance of Report.

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

Mr. CROCKETT: Mr. Speaker, Ladies and Gentlemen: On this item, Legislative Document 613, I find that this bill is covered in another bill to come before us very shortly. Therefore, I now move we accept the "Ought not to pass" Report.

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

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

**Bill "An Act Revising Statutes Regulating Branching and Consolidations by Banks"** (H. P. 459) (L. D. 659) — (Committee Amendment Filing No. H-34)

Tabled — March 7, by Mr. Johnson of Smithfield.

Pending — Passage to be Engrossed.

The SPEAKER: The Chair recognizes the gentleman from Oakland, Mr. Morse.

Mr. MORSE: Mr. Speaker, the Committee on Business Legislation has had this bill tabled waiting for some other bills that may influence this measure to come out. Since they haven't come just yet, I would like to table this bill unassigned.

Thereupon, the Bill was retabled unassigned pending passage to be engrossed.

On motion of Mr. Bragdon of Perham, the House voted to take from the table the ninth tabled and unassigned matter, Bill "An Act Relating to Completion of the York River Project in York," Senate Paper 265, Legislative Document 782, tabled on March 3 by that gentleman pending passage to be engrossed.

On further motion of the same gentleman, the Bill was passed to be engrossed and sent to the Senate.

Upon request of Mr. Bragdon of Perham, the sixth matter on the Special Appropriations Calendar was removed and placed before the House:

**Bill "An Act Relating to Student Rates for Ferry Service for North Haven, Vinalhaven, Islesboro and Swan's Island,"** House Paper 476, Legislative Document 676.

The SPEAKER: The Chair recognizes the gentleman from Perham, Mr. Bragdon.

Mr. BRAGDON: Mr. Speaker, this bill was placed on this calendar on recommendation from the Finance Department. They felt on first looking at it that it would entail some loss of revenue. They now take the position that this loss would be small, if any, and they are in accord with having this bill removed from our calendar and proceed on its way. I will make the proper motion if you see fit to move this along.

#### **Passed to Be Enacted Emergency Measure**

**An Act relating to Student Rates for Ferry Service for North Haven, Vinalhaven, Islesboro and Swan's Island** (H. P. 476) (L. D. 676)

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. 104 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

The SPEAKER: The Chair recognizes the gentleman from Brewer, Mr. Ham.

Mr. HAM: Mr. Speaker, I move for reconsideration of our former action on item 24, page 6, H. P. 915, L. D. 1249, Bill "An Act relating to Annual Permits to Move House Trailers and Mobile Homes over Highways."

The reason for this request is so that it can be recommitted to committee, the Transportation Committee, on the basis that there is now new information, and also in view of the fact that there are other bills of this nature before the Committee as respect length and width of our transportation vehicles on our state highways. This action has the blessing of both the House Chairman of this Committee and the Senate Chairman of this Committee.

The SPEAKER: The gentleman from Brewer, Mr. Ham, moves the House reconsider its action whereby it accepted the Majority "Ought not to pass" Report of the Committee on Transportation on Bill "An Act relating to Annual Permits to Move House Trailers and Mobile Homes over Highways." Is this the pleasure of the House?

The motion prevailed.

Thereupon, on further motion of Mr. Ham of Brewer, the Reports and Bill were recommitted to the Committee on Transportation and sent up for concurrence.

Mr. Fogg of Madison was granted unanimous consent to address the House briefly.

Mr. FOGG: Mr. Speaker, this morning when L. D. 1482 was introduced appropriating moneys for improvements, renovations and repairs to the state buildings, I was glad to go along with that bill because even though I didn't have time to discuss it with the membership of the party much, I did have time to study and go over it enough with the Democratic members of the Appropriations Committee to realize that they are all good items, worthwhile, and they are much needed repairs, and I hope that this money going into the economy of this State will help.

On February 22 we did act upon something else which is connected with the help of the economy of this State; that was a resolve relative to creating a committee to study unemployment in Maine. Now on the suggestion of the Majority Floor Leader that this study be made by the M.E.S.C. Advisory Committee, I went along with that, because he stated they could do it quicker and easier than any other committee.

I would like to ask the Majority Floor Leader now if he at this time, through the Chair, if he would be willing to make some sort of report as to how this committee is coming along on its study?

The SPEAKER: The gentleman from Madison, Mr. Fogg, has asked a question through the Chair of the gentleman from Pittsfield, Mr. Baxter, who may answer if he chooses.

Mr. BAXTER: Mr. Speaker, with regard to the question brought up by the Minority Floor Leader, both this committee and the original committee mentioned, was a committee to assist the Chief Executive, and I believe it is a matter for the Executive Department and has been taken up with the Committee by the Executive Department.

At this time I have not inquired as to the exact status of the consultation, although I will say that I have received information from the Employment Security Commission covering the work which the Advisory Committee has done.

The SPEAKER: The Speaker would like to read to you what our status is as of the end of this week. Going back two years at this time, 1,243 bills had been referred to committees, that was 1243. At this time this year, 1462 have been referred to committees. Reported out of committees two years ago, was 446 bills or items. Reported out at this time in the 100th Legislature, is 629 items. In other words, we are ahead of two years ago by 183 bills.

The progress of the Legislature appears to be very satisfactory and all committee members are to be

congratulated for the excellent performance of their duties to date.

The Chair would like to state that the schedule for next week will probably be as follows: There will be a session on Tuesday morning beginning at 10:00 o'clock, and a session on Wednesday morning beginning at 9:00 o'clock, and a session on Friday morning, also beginning at 9:00 o'clock. Thursday there will be Committee hearings all day, and of course Wednesday afternoon there will be Committee hearings, also.

The Chair would like to announce also that there will be a Republican caucus in this House next week on Thursday. There will be no caucus on Tuesday or Wednesday, but there will be one on Thursday of the Republicans in this House at 7:30.

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On motion of Mr. Whitman of Woodstock,

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