

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

Tuesday, March 14, 1961

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

Prayer by the Rev. Mr. Anson Williams of Augusta.

The members stood at attention during the playing of the National Anthem.

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 Claims on Resolve in favor of J. Douglas Paton of Fredericton, New Brunswick, Canada (S. P. 341) (L. D. 1074)

Report of the Committee on Transportation reporting same on Bill "An Act relating to Weight of Certain Commercial Vehicles" (S. P. 210) (L. D. 543)

Came from the Senate read and accepted.

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

Ought to Pass

Report of the Committee on Welfare reporting "Ought to pass" on Bill "An Act relating to the Interstate Compact on Placement of Children" (S. P. 215) (L. D. 548)

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 tomorrow assigned.

Ought to Pass with Committee Amendment

Report of the Committee on Sea and Shore Fisheries on Bill "An Act Exempting Taking of Alewives in Part of Kennebec River from Law Prohibiting Artificial Lights" (S. P. 356) (L. D. 1089) 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. 356, L. D. 1089, Bill, "An Act Exempting Taking of Alewives in Part of Kennebec River from Law Prohibiting Artificial Lights."

Amend said Bill in the 10th line by striking out the underlined period at the end and inserting in place thereof the underlined punctuation and words: ', from April 1st to October 1st of each year.'

Committee Amendment "A" was adopted and the Bill assigned for third reading tomorrow.

Report of the Committee on Transportation on Bill "An Act relating to Renewal Motor Vehicle Instruction Permits" (S. P. 212) (L. D. 545) 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. 212, L. D. 545, Bill, "An Act Relating to Renewal Motor Vehicle Instruction Permits."

Amend said Bill by inserting before the single quotation mark at the end the following underlined sentence:

'Failure to complete the driving test within said 18-month period will require submitting to a re-examination for the permit.'

Committee Amendment "A" was adopted and the Bill assigned for third reading tomorrow.

Report of the Committee on Transportation on Bill "An Act relating to Fee for Registration of Farm Trailers" (S. P. 452) (L. D. 1400) 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. 452, L. D. 1400, Bill, "An Act Relating to Fee for Registration of Farm Trailers."

Amend said Bill by striking out all of paragraphs B and C at the end and inserting in place thereof the following:

"B. no such load shall be transported a distance greater than 20 miles from the point of origin to the point of destination; and.

C. no such load shall be transported on the public highways of this State at a speed in excess of 15 miles an hour."

Committee Amendment "A" was adopted and the Bill assigned for third reading tomorrow.

Report of the Committee on Welfare on Bill "An Act Providing for Semiannual Department Review of Aid to Dependent Children" (S. P. 82) (L. D. 182) 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. 82, L. D. 182, Bill, "An Act Providing for Semiannual Department Review of Aid to Dependent Children."

Amend said Bill in the title by striking out all after the word "for" and inserting in place thereof the following: 'Review of Aid to Dependent Children by Department of Health and Welfare.'

Further amend said Bill by striking out the last 2 underlined lines and inserting in place thereof the following underlined words and

punctuation: 'shall be reviewed with the overseers of the poor or the department of public welfare of the municipality of residence, or settlement, as appropriate, by the state department, upon request by the above local officials.'

Committee Amendment "A" was adopted and the Bill assigned for third reading tomorrow.

Report of the Committee on Welfare on Bill "An Act relating to Maximum Grants in Some Public Assistance Categories" (S. P. 310) (L. D. 898) 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. 310, L. D. 898, Bill, "An Act Relating to Maximum Grants in Some Public Assistance Categories."

Amend said Bill in the 7th and 8th lines by striking out the underlined words "so much of any expenditure with respect to any month as exceeds"

Further amend said Bill in "Sec. 2." by striking out in the 9th and 10th lines the underlined words "so much of any expenditure with respect to any month as exceeds"

Further amend said Bill in the 5th and 6th lines from the end by striking out the underlined words "so much of any expenditure with respect to any month as exceeds"

Committee Amendment "A" was adopted and the Bill assigned for third reading tomorrow.

Divided Report

Majority Report of the Committee on Legal Affairs reporting "Ought not to pass" on Bill "An Act Creating a State Athletic Commission and Regulating Wrestling" (S. P. 25) (L. D. 50)

Report was signed by the following members:

Mrs. LORD of Cumberland

Messrs. NOYES of Franklin
FARRIS of Kennebec
— of the Senate.

Messrs. BRIGGS of Portland
KELLAM of Portland
Mrs. KNAPP of Yarmouth
Mr. STEWART of Presque Isle
Mrs. SPROUL of Bristol
Mr. MINSKY of Bangor
— of the House.

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

Report was signed by the following member:

Mr. BERMAN of Houlton
— of the House.

Came from the Senate with the Majority Report accepted.

In the House: Reports were read.

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

Divided Report

Majority Report of the Committee on Liquor Control reporting "Ought not to pass" on Bill "An Act relating to Sale of Liquor on New Year's Eve and New Year's Day" (S. P. 381) (L. D. 1191)

Report was signed by the following members:

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

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

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

Report was signed by the following members:

Mr. JACQUES of Androscoggin
— of the Senate.

Messrs. DOSTIE of Winslow
LACHARITE of Brunswick
— of the House.

Came from the Senate with the Majority Report accepted.

In the House: Reports were read.

On motion of Mr. Chapman of Norway, the Majority "Ought not

to pass" Report was accepted and sent up for concurrence.

Non-Concurrent Matter

Bill "An Act Dividing Township of Freeman, Franklin County, for Voting Purposes" (H. P. 302) (L. D. 454) which was passed to be engrossed in the House on February 16.

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

In the House: The House voted to recede from its action whereby the Bill was passed to be engrossed on February 16.

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

SENATE AMENDMENT "A" to H. P. 302, L. D. 454, Bill, "An Act Dividing Township of Freeman, Franklin County, for Voting Purposes"

Amend said Bill by striking out everything after the enacting clause and inserting in place thereof the following:

"Township of Freeman divided for voting purposes. The Township of Freeman in Franklin County shall be divided for voting purposes by drawing a line on the face of the earth separating the township politically as follows:

"To locate point of beginning, start at the northeast corner of the Township of Freeman where it intersects the northwest corner of the Town of New Portland, thence south following the Somerset-Franklin County line a distance of 175.5 chains; thence west still following the Somerset-Franklin County line a distance of 36 chains. This is the point of beginning. Thence at an azimuth of 295 degrees for a distance of 238.5 chains to the junction of routes 142 and 145, a point known as Knockwood Corner. Thence continuing azimuth 295 degrees from Knockwood Corner a distance of 71.01 chains to the north line of Freeman Township at a point 55.23 chains east of the northwest corner of said township which intersects with the town lines of Salem and Kingfield.

Those living to the north of described line shall vote for all national, state and county officers in the voting place in Kingfield. Those

living to the south of described line shall vote for all national, state and county officers in the voting place in Strong.

The above described division shall be for voting purposes only.

Nothing contained herein shall be construed as authorizing residents of Freeman Township to vote at an annual or special town meeting in either town or to vote on liquor local option questions in either town.

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

Non-Concurrent Matter

Bill "An Act Authorizing Municipalities to Record Certain Instruments by Microfilm" (H. P. 401) (L. D. 576) which was passed to be engrossed in the House on March 1.

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

In the House: The House voted to recede from its action whereby the Bill was passed to be engrossed on March 1.

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

SENATE AMENDMENT "A" to H. P. 401, L. D. 576, Bill, "An Act Authorizing Municipalities to Record Certain Instruments by Microfilm."

Amend said Bill in the 15th and 16th lines by striking out the underlined words "~~the original thereof~~" and inserting in place thereof the underlined words 'such mortgage papers and documents'

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

Non-Concurrent Matter

Report of the Committee on Transportation reporting "Ought not to pass" on Bill "An Act relating to Registration of Self-Propelled Wheelchairs" (H. P. 1050) (L. D. 1450) which was accepted in the House on March 7.

Came from the Senate with the Report and Bill recommitted to the

Committee on Transportation in non-concurrence.

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

Petitions, Bills and Resolves Requiring Reference

The following Resolve 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:

Towns and Counties

Resolve for Laying of the County Taxes for the Years Nineteen Hundred Sixty-one and Nineteen Hundred Sixty-two (H. P. 1079) (Presented by Mrs. Baker of Orington)

(Ordered printed)

Sent up for concurrence.

Senate Order Out of Order

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

From the Senate: The following Order:

ORDERED, the House concurring, that Senate Paper 465, Legislative Document 1464, "An Act relating to Use of Motor Vehicles without Authority in any Place" be recalled from the Governor to the Senate (S. P. 492)

Came from the Senate read and passed.

In the House, the Order was read and passed in concurrence and by unanimous consent sent forthwith to the Senate.

Orders

On motion of Mr. Turner of Auburn, it was

ORDERED, that Rev. P. Bishop Covell of the Court Street Baptist Church of Auburn be invited to officiate as Chaplain of the House on Friday, April 14, 1961.

On motion of Mrs. Knapp of Yarmouth, it was

ORDERED, that Rev. Clyde M. Campbell of the Congregational Church, Yarmouth, be invited to officiate as Chaplain of the House on Tuesday, April 4, 1961.

Mrs. Shepard of Stonington presented the following Order and moved its passage:

WHEREAS, the members of the House of Representatives have learned that today is the birthday of Mr. Turner of Auburn,

BE IT ORDERED, that the members of the House extend to Mr. Turner their congratulations and their best wishes not only for today but for the entire year. (Applause)

The Order received unanimous passage.

On motion of Mrs. Hendricks of Portland, it was

ORDERED, that the Clerk of the House convey to Miss Ida Gagnon, Supervisor of the Legislative Telephone Room, the sympathies of the members of the House and their hopes for her speedy recovery; and

BE IT FURTHER ORDERED, that the Clerk of the House be directed to send flowers to her at the hospital.

On motion of Mr. Kimball of Mount Desert, it was

ORDERED, that Rev. Jay McCormick Inwood of the Parish of St. Mary's and St. Jude's, Northeast Harbor, be invited to officiate as Chaplain of the House on Wednesday, April 5, 1961.

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

Mr. Hutchins presented the following Joint Resolution and moved its passage:

STATE OF MAINE

In the Year of Our Lord Nineteen Hundred and Sixty-One.

Joint Resolution Extending State Greetings to National Junior Alpine Ski Championships.

WHEREAS, the National Junior Alpine Ski Championships have been scheduled by the National Ski Association of America to be held in the State of Maine at Sugarloaf Mountain on March 16th, 17th and 18th; and

WHEREAS, this is the first time these championship races have been scheduled to be held in Maine, and the second time they have been held in the Eastern part of the United States; and

WHEREAS, the competition will attract the outstanding skiers of America for their respective races, and will bring many visitors to our fair State for the first time; and

WHEREAS, the selection of Sugarloaf Mountain for the competition represents the culmination of many years of hard work to bring Maine's largest ski area to the state of outstanding development now enjoyed by both the people of Maine and by our out-of-state visitors: now, therefore, be it

RESOLVED: That the Senate and House of Representatives, of the 100th Maine Legislature extend a most hearty welcome to the competitors in the National Junior Alpine Ski Races and the best wishes of the State for an enjoyable visit in Maine; and be it further

RESOLVED: That copies of this resolution, duly authenticated by the Secretary of State be immediately transmitted by the Secretary of State to the Sugarloaf Mountain Corporation. (H. P. 1081)

The Joint Resolution received passage and was sent up for concurrence.

House Reports of Committees Leave to Withdraw

Mr. Davis from the Committee on Appropriations and Financial Affairs on Bill "An Act Appropriating Funds for Dam Across Little River" (H. P. 288) (L. D. 440) reported Leave to Withdraw

Mr. Wellman from same Committee reported same on Bill "An Act to Provide Funds for Treatment and Rehabilitation of Alcoholics" (H. P. 289) (L. D. 441)

Mr. Minsky from the Committee on Legal Affairs reported same on Bill "An Act relating to Compensation for Members of Board of Education of City of South Portland" (H. P. 327) (L. D. 479)

Mr. Finley from the Committee on Transportation reported same on Bill "An Act Permitting Certain Trailers and Truck Tractors

on Four-Lane Highways" (H. P. 717) (L. D. 916)

Reports were read and accepted and sent up for concurrence.

Ought Not to Pass

Mr. Bernard from the Committee on Business Legislation reported "Ought not to pass" on Bill "An Act relating to Heating Residential Accommodations" (H. P. 380) (L. D. 555)

Mr. Hughes from same Committee reported same on Bill "An Act relating to Special Acts of Incorporation" (H. P. 960) (L. D. 1327)

Mr. Brewer from the Committee on Claims reported same on Resolve to Reimburse Ella Braley of Belfast (H. P. 665) (L. D. 943)

Mr. Gallant from same Committee reported same on Resolve in favor of Town of Lyman for Certain Erroneous Tuition Payment (H. P. 231) (L. D. 345)

Same gentleman from same Committee reported same on Resolve Reimbursing Notre Dame Hospital, Biddeford, for Services Rendered to Mrs. Lucille Pouliot (H. P. 663) (L. D. 941)

Mr. Hughes from same Committee reported same on Resolve in favor of Elizabeth Douty of Guilford (H. P. 662) (L. D. 940)

Mr. Hutchins from same Committee reported same on Resolve in favor of Olla Curtis and Ruby Marden of Sidney (H. P. 661) (L. D. 939)

Mr. Johnson from same Committee reported same on Resolve to Reimburse the Town of Bingham for Snow Removal Costs (H. P. 732) (L. D. 1020)

Reports were read and accepted and sent up for concurrence.

Tabled

Mr. Crockett from the Committee on Highways reported "Ought not to pass" on Bill "An Act Appropriating Moneys for Construction of a Road for Elliotsville Plantation" (H. P. 385) (L. D. 560)

Report was read.

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

Mr. ANDERSON: Mr. Speaker and Members of the House: I of course will make a motion, but

before I do I think I have a few words of explanation that might be in order. I have no quarrel at the outset with the committee report. However, the opponents and proponents of this particular measure were both in Court yesterday and I spent some time listening to the arguments, and I would make a motion that this matter be tabled pending further consideration.

Thereupon, the Report with accompanying papers was tabled unassigned pending acceptance of the Committee Report.

Mr. Prue from the Committee on Highways reported "Ought not to pass" on Resolve in favor of Town of Burlington for Road Construction (H. P. 593) (L. D. 814)

Report was read and accepted and sent up for concurrence.

Tabled

Mrs. Knapp from the Committee on Legal Affairs reported "Ought not to pass" on Bill "An Act Creating a Sweepstakes to Aid Public and Private Hospitals" (H. P. 404) (L. D. 579)

Report was read.

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

Mr. HAUGHN: Mr. Speaker and Ladies and Gentlemen of the House: There is another bill still to be heard of a similar nature and where the gentleman who is the sponsor of this measure is not present this morning, in fairness to the other bill yet to be heard I move this bill be tabled unassigned pending acceptance of the committee report.

Thereupon, the Report with accompanying papers was tabled unassigned pending acceptance of the Committee Report.

Mrs. Sproul from the Committee on Legal Affairs reported "Ought not to pass" on Bill "An Act Repealing Obsolete Law Relating to Aid to Casco Bay Lines" (H. P. 514) (L. D. 712)

Report was read and accepted and sent up for concurrence.

Tabled and Assigned

Mr. Stewart from the Committee on Legal Affairs reported "Ought

not to pass" on Bill "An Act Creating the Maine Board of Auctioneers" (H. P. 100) (L. D. 140)

Report was read.

(On motion of Mr. Morrill of Harrison, tabled pending acceptance of Committee Report and specially assigned for Wednesday, March 22.)

Mr. Williams from the Committee on Natural Resources reported "Ought not to pass" on Resolve Directing Forest Commissioner to Convey Certain Land in Somerset County (H. P. 696) (L. D. 974)

Report was read and accepted and sent up for concurrence.

Ought to Pass in New Draft New Draft Printed

Mr. Morse from the Committee on Business Legislation on Bill "An Act Establishing Educational Requirements for Insurance Agents, Brokers and Adjusters" (H. P. 869) (L. D. 1204) reported same in a new draft (H. P. 1083) (L. D. 1488) under title of "An Act Establishing Educational Requirements for Insurance Agents and Brokers" and that it "Ought to pass"

Report was read and accepted, the New Draft read twice and tomorrow assigned.

Ought to Pass Printed Bill

Mr. Dennison from the Committee on Highways reported "Ought to pass" on Resolve Appropriating Funds to Complete Survey for a Maine-Quebec Highway (H. P. 478) (L. D. 678)

Report was read and accepted, the Resolve read once, and tomorrow assigned.

Ought to Pass with Committee Amendment

Mr. Berman from the Committee on Legal Affairs on Bill "An Act Increasing Compensation of Mayor and Councilmen of City of Biddeford" (H. P. 686) (L. D. 964) 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. 686, L. D. 964, Bill, "An Act Increasing Compensation of Mayor and Councilmen of City of Biddeford."

Amend said Bill by striking out the 5th line of the Referendum and inserting in place thereof the following: 'December 11, 1961. Such special election'

Further amend said Bill by striking out the 2nd and 3rd paragraphs of the Referendum and inserting in place thereof the following:

'The city clerk shall prepare the required ballots on which he shall reduce the subject matter of this act to the following questions:

"1. Shall the compensation of the mayor be increased, as provided in an act passed by the 100th Legislature?"

"2. Shall the compensation of the councilmen be increased, as provided in an act passed by the 100th Legislature?"

The voters shall indicate by a cross or check mark placed against the words "Yes" or "No" their opinion on each question.

The provisions of this act, as they relate to each question, shall become effective on January 1, 1962 only if the majority of the votes cast by the legal voters of said city is in favor of the acceptance of such question and provided further that the total number of votes cast for and against the acceptance of each question at said election equals or exceeds 20 percent of the total vote for all candidates for Governor in said city at the next preceding gubernatorial election.'

Further amend said Bill by striking out Sec. 1, in its entirety and inserting in its place thereof the following:

'Sec. 1. P. & S. L., 1933, c. 66, Sec. 3, amended. The salary and compensation of the mayor shall be \$3,000 per year'.

Committee Amendment "A" was adopted and the Bill assigned for third reading tomorrow.

Mr. Briggs from the Committee on Legal Affairs on Bill "An Act relating to Police Power Ordinances for Ogunquit Village Corporation" (H. P. 261) (L. D. 375)

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. 261, L. D. 375, Bill, "An Act Relating to Police Power Ordinances for Ogunquit Village Corporation."

Amend said Bill by inserting before the enacting clause the following emergency preamble:

'EMERGENCY PREAMBLE. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas further delay in authorizing and empowering the Ogunquit Village Corporation to enact certain police power ordinances would render hardship upon the citizens thereof; and

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

And further amend said Bill by adding the following emergency clause:

'EMERGENCY CLAUSE. In view of the emergency cited in the preamble, this Act shall take effect when approved.'

Committee Amendment "A" was adopted and the Bill assigned for third reading tomorrow.

Mr. Kellam from the Committee on Legal Affairs on Bill "An Act relating to Elections in the City of Biddeford" (H. P. 688) (L. D. 966) 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. 688, L. D. 966, Bill "An Act Relating to Elections in the City of Biddeford."

Amend said Bill by striking out Section 3 in its entirety.

Committee Amendment "A" was adopted and the Bill assigned for third reading tomorrow.

Mrs. Sproul from the Committee on Legal Affairs on Bill "An Act relating to Public Ways and Parking Areas at State Institutions" (H. P. 517) (L. D. 715) 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. 517, L. D. 715, Bill, "An Act Relating to Public Ways and Parking Areas at State Institutions."

Amend said Bill by striking out all of Sec. 7-E and inserting in its place thereof the following:

'Sec. 7-E. Fines. Any person found guilty of violating any rule or regulation made pursuant to section 7-B shall, upon conviction, pay a fine as follows:

I. First offense. For the first offense in any calendar year, a fine of \$1;

II. Second offense. For the second offense in any calendar year, a fine of \$2;

III. Subsequent offense. For each offense in excess of 2 in any calendar year, a fine of \$5.

Notwithstanding any other law, the fines and costs of court paid under this section shall inure to the municipality in which the proceedings take place.'

Committee Amendment "A" was adopted and the Bill assigned for third reading tomorrow.

Mr. Stewart from the Committee on Legal Affairs on Bill "An Act relating to Appointment of Town Clerk of Town of Wells" (H. P. 263) (L. D. 377) 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. 263, L. D. 377, Bill, "An Act Relating to Appointment of Town Clerk of Town of Wells."

Amend said Bill by adding the following thereto:

'Referendum. This act shall take effect when approved, only for the purpose of permitting its submission to the legal voters of the Town of Wells present and voting at the next annual town meeting or at a special town meeting called and held for the purpose not later than 4 months after the approval of this act. In the event a special meeting is called for the purpose it shall be called, advertised and conducted according to the law relating to municipal elections; provided that the board of registration shall not be required to prepare for posting, nor the town clerk to post, a new list of voters and for the purpose of registration of voters, said board shall be in session one hour next preceding such special meeting.

The town clerk shall prepare the required ballots, on which he shall reduce the subject matter of this act to the following question: "Shall the Act Relating to Appointment of Town Clerk of Town of Wells, passed by the 100th Legislature, be accepted?" and the voters shall indicate by a cross or check mark placed against the words "Yes" or "No" their opinion of the same.

This act shall take effect for all the purposes hereof immediately upon its acceptance by a majority vote of the legal voters voting at said meeting.

The result of said vote shall be declared by the municipal officers of the Town of Wells and due certificate thereof filed by the town clerk with the Secretary of State.

Committee Amendment "A" was adopted and the Bill assigned for third reading tomorrow.

Divided Report

Majority Report of the Committee on Highways reporting "Ought not to pass" on Bill "An Act Eliminating the Tolls from Deer Isle-Sedgwick Bridge" (H. P. 477) (L. D. 677)

Report was signed by the following members:

Messrs. COLE of Waldo
FERGUSON of Oxford
— of the Senate.

Messrs. TURNER of Auburn

CARTER of Etna
PHILBRICK of Bangor
CROCKETT of Freeport
NADEAU of Biddeford
— of the House.

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

Report was signed by the following members:

Mr. BROWN of Hancock
— of the Senate.

Messrs. DENNISON
of East Machias
PRUE of Ashland
— of the House.

Reports were read.

The SPEAKER: The Chair recognizes the gentlewoman from Stonington, Mrs. Shepard.

Mrs. SHEPARD: Mr. Speaker and Members of the House: I would like to make a motion on this, but I would first like to explain this briefly if I may.

The people of the Deer Isle and Stonington area feel that we have been very patient in meeting the costs of the Deer Isle-Sedgwick bridge and we are not being unreasonable in requesting relief of the elimination of the tolls at this time. This Bridge District was organized in 1937 and the bonds were issued for a period of thirty years to expire in 1967. The bridge was opened to traffic in '39 and we paid full tolls of one dollar plus passenger fee, each way, for a period of ten years, and after twenty-two years we are still paying the highest toll of any toll bridge in Maine. In 1949 we were given the first toll reduction, and then the tolls were dropped to seventy-five cents each way, with the charge for passengers eliminated. Trucks pay a toll according to their gross weight.

Since 1949 there have been two reductions, one in August '53, when it was lowered to sixty-five cents a single trip, and another and the last reduction in July '55 when it was reduced to fifty-five cents a single trip, and commutation books for passenger vehicles are now issued for ten round trips for \$7.25, and trucks still have their own rate.

Traffic increases have allowed us to qualify for these reductions

in rates and even with no reduction since 1955 the traffic increased 6.1 percent last year. The number of vehicles crossing in this one year period totalled 118,687 cars with an income of over \$56,000. Even after the cost of all toll collection and retirement of bonds and interest, the surplus last year amounted to over \$8,000, making a total in this surplus account as of June 30 last year of \$77,346. As the traffic count has held and is increasing, it is only reasonable to expect that this account will have the same increase up to June 30 of this year, and we can expect a surplus of \$85,846 at least at that time.

What we are asking of the State is actually only the amount of \$17,000 each year for the next six years to retire the balance of these bonds and interest over and above our accumulated surplus. If you will compare this small amount with other state-supported projects, which are acceptable to all the people of Maine, by their vote of approval, we feel this is a very small request.

For comparison, last year the State's share of the island ferries amounted to \$236,113, and the total population of all four of these islands serviced by these ferries does not equal the population of our one island. State Highway funds in the amount of \$65,000 were paid on the Jonesport-Beals Bridge last year with a population of six hundred and forty. This spring construction is to start on a new three million dollar bridge at Belfast, and the State is assuming fifty percent of this cost, toll free.

It is true that there are three other toll bridges in Maine, but in each case, except the Beals Bridge, there is an alternate route to use, and also the tolls are only two and one-half cents on the Augusta Bridge, and three and one-half cents on the Bangor-Brewer Bridge, and these bridges are new in comparison to the one in our area.

I feel we had a very good hearing and we had over a hundred people there, and we have had telegrams and letters from suppliers and wholesalers from all

sections of the state who are interested in this matter. The only opposition was voiced by two people, and they felt that it might set a bad precedent. Well, actually, we feel the precedent has already been set, as we of Deer Isle and Stonington are now helping to pay taxes to support these other state-supported projects as well as all toll-free bridges in Maine.

There are over twelve hundred registered automobiles on the island and last year the amount of approximately \$80,000 was paid to the State in gas tax from this island. The State valuation of the island is \$3,400,000 and if any members of this House have ever visited the area, you will know we are noted for our beautiful coastline and scenic views and not the highways, so we aren't asking very much of the State in this request, even though we have some of the heaviest traffic loads in the State out of that island, that being the shipment of our granite from our granite quarries. Everything we have to use or sell is shipped in and out by truck, and this extra charge has to be considered.

We know the elimination of these tolls at this time will help the economy and stimulate growth of business to the whole area as well as attract summer tourist trade which we are trying so hard to do for our state. So in view of these facts, I now move that we accept the Minority Report, and when the vote is taken, I request a division. Thank you.

The SPEAKER: The question now before the House is the motion of the gentleman from Stonington, Mrs. Shepard, that the House accept the Minority "Ought to pass" Report, and a division has been requested.

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

Mr. TURNER: Mr. Speaker, Ladies and Gentlemen of the House: This is one of the hardest tasks I will have to perform at this session of the Legislature. I have neither the courage nor the desire to oppose the most gentle lady from Stonington.

The statements and the figures she has presented to you are cor-

rect. I signed the "Ought not to pass" Report for the simple reason, I did not think it was good business for the State to pay the balance due on bonds which amounts to about \$17,000 a year for six or seven years. The majority of the Committee felt like reducing the tolls; also giving some consideration to school bands and athletic teams. The most gracious lady informed us that the folks back home wanted whole hog or nothing, as smaller tolls would only lengthen the pain. Therefore, we had only two choices, yes or no. I think we did a good job as we reported out yes and no.

The SPEAKER: The question before the House is the motion of the gentlewoman from Stonington, Mrs. Shepard, that the House accept the Minority "Ought to pass" Report on Bill "An Act Eliminating the Tolls from Deer Isle-Sedgwick Bridge." All those in favor of accepting the Minority "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.

Sixty-seven having voted in the affirmative and forty-six having voted in the negative, the motion prevailed and the "Ought to pass" Report was accepted, the Bill read twice and tomorrow assigned.

Divided Report Tabled

Majority Report of the Committee on Highways reporting "Ought not to pass" on Resolve Authorizing Study of Road from Allagash Plantation to the Canadian Border (H. P. 746) (L. D. 1032)

Report was signed by the following members:

Messrs. COLE of Waldo
FERGUSON of Oxford
BROWN of Hancock
— of the Senate.

Messrs. TURNER of Auburn
DENNISON
of East Machias
CARTER of Etna
CROCKETT of Freeport
— of the House.

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

Report was signed by the following members:

Messrs. PRUE of Ashland
PHILBRICK of Bangor
NADEAU of Biddeford
— of the House.

Reports were read.

(On motion of Mr. Gallant of Eagle Lake, tabled unassigned pending acceptance of either Report.)

Passed to Be Engrossed

Bill "An Act relating to Assigned Risks" (S. P. 370) (L. D. 1181)

Bill "An Act relating to the Harbor Project in the Town of Wells" (H. P. 221) (L. D. 336)

Bill "An Act to Authorize the Municipalities of Perry and Pembroke to Form a School Administrative District" (H. P. 667) (L. D. 945)

Bill "An Act Revising the Laws Relating to Organization and Powers of Credit Unions" (H. P. 794) (L. D. 1108)

Bill "An Act relating to Licenses and Fees Therefor by Running Horse Racing Commission" (H. P. 827) (L. D. 1142)

Bill "An Act relating to Quinellas at Harness Race Meets" (H. P. 896) (L. D. 1230)

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 relating to Specifying Insurance and Other Benefits in Contracts for Sales Financing of Motor Vehicles" (H. P. 920) (L. D. 1268)

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

(On motion of Mr. Jones of Farmington, tabled pending passage to be engrossed and specially assigned for Friday, March 17.)

Bill "An Act relating to Sale of Liquor in Clubs to Members of Veterans' Organizations and Auxiliaries" (H. P. 1010) (L. D. 1411)

Bill "An Act Regulating Disposal of Dead Poultry" (H. P. 1076) (L. D. 1484)

Bill "An Act relating to Powers and Duties of Liquor Inspectors" (H. P. 1077) (L. D. 1485)

Resolve in favor of Sherman Denbow of Lubec (H. P. 664) (L. D. 942)

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

Amended Bills Tabled

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

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

(On motion of Mr. Letourneau of Sanford, tabled unassigned pending passage to be engrossed.)

Bill "An Act relating to Testing Milk" (H. P. 374) (L. D. 549)

Bill "An Act Increasing Membership of Superintending School Committee of Town of Harpswell" (H. P. 522) (L. D. 720)

Bill "An Act to Amend the Charter of the City of Calais" (H. P. 761) (L. D. 1047)

Bill "An Act relating to Form of Capital Budget Expenditure in School District Budget" (H. P. 922) (L. D. 1270)

Bill "An Act relating to Procedure of Application for and Organization of School Administrative Districts" (H. P. 923) (L. D. 1271)

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.

Passed to Be Enacted Emergency Measure

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

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 to the Senate.

Emergency Measure

An Act to Incorporate the Town of Etna School District (H. P. 329) (L. D. 481)

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. 118 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.

Emergency Measure

An Act relating to Bonds of Buckfield Village Corporation to Acquire Property and for Construction Work (H. P. 333) (L. D. 485)

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. 116 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.

Emergency Measure

An Act Creating the Old Town Junior High School District (H. P. 509) (L. D. 707)

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 to the Senate.

Emergency Measure

An Act to Incorporate the Town of Carmel School District (H. P. 609) (L. D. 826)

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. 116 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.

Emergency Measure

An Act to Enlarge the Powers of the Town of Wiscasset School District (H. P. 611) (L. D. 828)

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. 117 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.

Emergency Measure

An Act to Incorporate the Town of Bradford School District (H. P. 684) (L. D. 962)

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. 118 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.

Emergency Measure

An Act to Provide Schooling in Brunswick for Tuition Pupils from Certain Other Towns (H. P. 1068) (L. D. 1469)

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. 116 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.

Emergency Measure

An Act relating to Tuition for Summer School Attendance (H. P. 1069) (L. D. 1470)

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 neces-

sary, a division was had. 122 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.

Passed to Be Enacted

An Act relating to Duty Upon Damaging Property by Motor Vehicles (S. P. 140) (L. D. 323)

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

An Act relating to Education of Children of Estcourt, Maine (S. P. 224) (L. D. 629)

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 and Assigned

An Act Permitting Bars in Taverns (S. P. 235) (L. D. 639)

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

(On motion of Mr. Chapman of Norway, tabled pending passage to be enacted and specially assigned for Friday, March 17.)

An Act relating to Spot or Auxiliary Lights on Motor Vehicles and Lights on Snow Removal Equipment (H. P. 282) (L. D. 396)

An Act relating to Funds in Custody of Clerks of Courts (H. P. 318) (L. D. 470)

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

An Act to Reconstitute School Administrative District No. 16 (H. P. 585) (L. D. 803)

An Act to Reconstitute School Administrative District No. 15 (H. P. 587) (L. D. 808)

An Act relating to Educational Subsidies to Administrative Units (H. P. 589) (L. D. 810)

An Act to Reconstitute School Administrative District No. 14 (H. P. 590) (L. D. 811)

An Act relating to Microfilm of Criminal Records by Clerks of Courts (H. P. 814) (L. D. 1129)

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 Exempting Certain Aircraft from Sales Tax (H. P. 850) (L. D. 1164)

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

(Upon request of Mr. Bragdon of Perham, placed upon the Special Appropriations Calendar pending passage to be enacted.)

Finally Passed

Resolve Regulating Ice Fishing on Big Pond, Dexter, Penobscot County (H. P. 113) (L. D. 153)

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

Resolve Regulating Fishing in Squaw Pond, T3, R5, Piscataquis County (H. P. 146) (L. D. 209)

Resolve Regulating Fishing in Bugeye Pond, Franklin County (H. P. 245) (L. D. 359)

Resolve Regulating Fishing in Certain Waters in Piscataquis County (H. P. 596) (L. D. 817)

Resolve Designating Bridge Between Livermore and Livermore Falls as "Livermore-Livermore Falls Veterans Bridge" (H. P. 669) (L. D. 947)

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

Orders of the Day

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

Mr. CROCKETT: Mr. Speaker, Ladies and Gentlemen of the House: As you all know tomorrow is "Welcome Back Day"—we are commemorating the 100th anniversary of our State Legislature. And as your chairman from the House here, I believe you should know what is going on tomorrow, so you can prepare yourselves.

The Committee has worked hard, they have met every week, and we have had fine cooperation from our Speaker and also the President of the Senate and the leaders of

both House and Senate have given us marvelous cooperation.

Tomorrow, as I understand, this is the agenda for the day: At nine o'clock the Senate and the House of Representatives of the 100th Legislature meet in regular session in their respective chambers. Former legislators are invited to attend. At ten-thirty—there will be a session from nine o'clock until ten-thirty—the Legislature convenes a joint session in the House of Representatives. At ten forty-five Commemoration Day exercises will start. There will be distinguished guests here, welcomed by Senator Carl M. Stilphen, Chairman of Commemoration of Maine's 100th Legislature, who presides. The National Anthem played by the 195th Army Band—the Maine National Guard—seated in the rotunda. Taps sounded for the thousands of legislators who have served and died since 1820. Then we will have an invocation by one of the gentlemen of the cloth.

Robert B. Williamson, Chief Justice of the State of Maine, speaks for the Judiciary. Our worthy Speaker, Vinal G. Good, of the House speaks for the House of Representatives and introduces former Speakers. Earle M. Hillman, President of the Senate, speaks for the Senate, and introduces former Presidents of the Senate. The Chairman reads messages. Then there will be a band selection.

Governor John H. Reed speaks for the Executive and introduces former Governors and Governor of Massachusetts, John A. Volpe. John A. Volpe, Governor of Massachusetts, speaks for the parent Commonwealth.

A 50-gun salute to the States of the Union fired by the Maine National Guard from Capitol Park. That will be a cannon—cannon here—and there will be a salute for each State in the Union—and also possessions. And then there will be a benediction, then we will have a band—the 195th Army Band, Maine National Guard, will play a concert in the rotunda following the ceremony.

Now in the afternoon we have at three o'clock, the dedication of the Maine State Museum, in the south

wing of the State House. Yours truly, House Chairman of the Committee to Commemorate Maine's 100th Legislature, presides. There will be an invocation then by Rabbi Freedman.

Remarks by Arthur H. Charles who, as a member of the 98th Legislature, introduced the legislation resulting in reestablishment of the State Museum.

Remarks by Mrs. Edmund M. Socec, President of the Garden Club Federation of Maine, who was instrumental in having the State Museum reactivated.

Dedication of the Museum by Governor John H. Reed, then we will have benediction. Then in the evening, of course as you all know, and I hope you all will attend, the Governor's Ball — it is given by the Citizen's Committee of Augusta here.

Now I also want to say that you will be given a pin. They are out in the Speaker's Office now. It is a lovely memento to keep, it is gold, it cost quite a little lot of money, it is not a cheap affair, and if you will go into the Speaker's — the Clerk — Harvey's office — and sign for it, you will be given a pin to wear, and I hope you will wear them forever and a day. I thank you. (Applause)

The SPEAKER: The Chair will declare a ten minute recess and we would like to have everybody back here, if you would please, at a quarter to twelve or sixteen minutes to twelve.

After Recess

House was called to Order by the Speaker.

The SPEAKER: We are proceeding under Orders of the Day.

Mr. Williams of Hodgdon was granted unanimous consent to briefly address the House.

Mr. WILLIAMS: Mr. Speaker, Members of the House: I would like to call your attention to an item on the blue sheet there. The Natural Resources Committee through the good auspices of Representative Maurice Anderson has obtained a film from the Great Northern Paper Company. Now this film is in color and it is

wired for sound, and it lasts about one hour and one-half. It has some very beautiful shots of wildlife and wood's life. The film is new, it is just out, it is factual — it does not say too much about the Great Northern Paper Company, and it is a wonderful opportunity to see the big north woods from an easy chair. Thank you.

Mr. Tyndale of Kennebunkport was granted unanimous consent to briefly address the House.

Mr. TYNDALE: Mr. Speaker, I would like to ask if L. D. 1017, calling for An Act to Incorporate the Domestic Finance Corporation of Kennebunk is still in the House?

The SPEAKER: The Speaker will inform the gentleman from Kennebunkport, Mr. Tyndale, that L. D. 1017, An Act to Incorporate the Domestic Finance Corporation of Kennebunk, is in the possession of the House.

Mr. TYNDALE: Mr. Speaker, I would like to move at this time that the House reconsider its action of March 10, 1961, whereby the House passed this Bill to be enacted.

The SPEAKER: The gentleman from Kennebunkport, Mr. Tyndale, moves that the House reconsider its action of March 10, 1961, whereby it passed this Bill to be enacted. Since no recorded vote was taken at that time, it is presumed that the gentleman from Kennebunkport, Mr. Tyndale, voted on the prevailing side. Is there objection to reconsidering that action?

The motion prevailed.

Mr. TYNDALE: Mr. Speaker, I have made a careful analysis of the feelings in the Town of Kennebunk and I find a great deal of opposition to this bill, particularly over this last weekend. We have in Kennebunk a population of some five thousand people, not any more. We have three banks — two of them containing small loan departments — within an area of nine miles we have five companies of this type described in this bill in operation at the present time.

The people of Kennebunk feel that they are not in need of an additional company of this type. The banks are in a position to

handle this business in a very adequate manner. The general feeling of the people in this town of Kennebunk, and I say a large majority, responsible people, are definitely opposed to this act at this time.

Therefore, I will now move that L. D. 1017 be indefinitely postponed.

The SPEAKER: The gentleman from Kennebunkport, Mr. Tyndale, in reference to House Paper 729, L. D. 1017, An Act to Incorporate the Domestic Finance Corporation of Kennebunk, moves that it be indefinitely postponed. The Chair will order a division.

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

A division of the House was had.

One hundred two having voted in the affirmative and ten having voted in the negative, the motion prevailed and the Bill was indefinitely postponed and sent up for concurrence.

The SPEAKER: We are proceeding under Orders of the Day.

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

SENATE DIVIDED REPORT — Majority — Ought Not to Pass—Minority—Ought to Pass—Committee on Sea and Shore Fisheries—on Bill "An Act relating to the Shucking of Shellfish." (S. P. 442) (L. D. 1396)—In Senate Majority Report Accepted.

Tabled — March 8, by Mr. Edwards of Stockton Springs.

Pending — Acceptance of Either Report.

The SPEAKER: The Chair recognizes the gentleman from Stockton Springs, Mr. Edwards.

Mr. EDWARDS: Mr. Speaker, Members of the House: This Act, L. D. 1396, the Department of Agriculture issues a certificate of Good Housekeeping to each one of these, and the Department of Pure Foods come into this also, and it seems like it is more the Department of Agriculture's bill than anything else. I move that this be

committed to the Committee on Agriculture.

Thereupon, the Bill and Reports were committed to the Committee on Agriculture and sent up for concurrence.

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

HOUSE DIVIDED REPORT—Majority—Ought Not to Pass—Minority—Ought to Pass—Committee on Legal Affairs—on Bill "An Act to Permit Sunday Hunting." (H. P. 520) (L. D. 718)

Tabled — March 10, by Mr. Morrill of Harrison.

Pending — Motion of Mr. Minsky of Bangor to accept Majority Ought Not to Pass Report.

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

Mr. MORRILL: Mr. Speaker, this bill was entered because of camp owners and people having accommodations for vacationists and sportsmen. This bill involves, or the major part of the bill, involves about four days each year, and that is the Sundays during November. Now these four days bring on a loss of about twelve to twenty days of business for this month to these vacation hosts. You could say that they are losing a half a month's business. Where I get that twelve to twenty days is the last of your week, Thursday, Friday, Saturday and Sunday. The hunting season could be the best months for this accommodation business, but it is far down the list now from best. And we cannot blame it all on Sunday hunting for this loss, the competition in the neighboring states makes up part of the difference. I feel that we can rectify this competitive angle. Now the heaviest part of this loss is stood in the southwestern part of the state you might say within twenty-five miles of the New Hampshire border. These hunters would come into Maine during the hunting season but under the present law they are all going to New Hampshire.

Looking at it in another way, some of these vacationists come into Maine during the fishing season, they arrive from mid-week on and

remain through Sunday. They would do the same during the hunting season. Now these people want this type of recreation and they are going where they can get it. Speaking of the out-of-staters that come in here hunting. I think we can make it possible for these guests of the state to use our vast facilities. Now let's not forget that these transient accommodations, hunting lodges and sporting camps, are paying real estate taxes and some of them are paying large taxes in that field, also they are collecting sales taxes for the State of Maine, and I believe that we can help them get returns from their business. We are spending a lot of money advertising Vacationland, especially our hunting and fishing seasons, the fishing season does not come under this law, but the hunting does, and I think that we had better take advantage of this advertising and let the people use Sundays as we advertise.

Once again I say if we have got what they want in Vacationland, let's make it possible for these guests to buy what we have. I believe the motion is to accept the Minority "Ought not to pass" Report, and I hope that the House does not go along with this motion.

The SPEAKER: The pending motion is to accept the Majority "Ought not to pass" Report.

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

Mr. MINSKY: Mr. Speaker, Ladies and Gentlemen of the House: I had the privilege of serving as Chairman of the Legal Affairs Committee when this bill was heard. The opponents of this bill could probably roughly be broken down into two categories: the first would be probably considered the clergymen who objected to this bill on moral grounds. I think that most of you understand the objections of the clergy to allowing Sunday hunting, and for that reason I will not go into the arguments that they gave. But I was impressed, I think that the Committee was impressed, by another group of Maine citizens who came to speak to us. Their story was a basically simple one. As much as the hunter, they too loved the Maine woods, and as much as the hunter loved the outdoors, they

loved to be outdoors, and they feel that there is no finer time of the year in the Maine woods than the fall. These people are also concerned about their wives and their children whom they want to take with them on their trips into the woods. And they quite frankly do not feel it safe to take their children and their wives into the beautiful Maine woods during the hunting season except on Sunday. Their argument was reduced very simply. If giving the hunter six days during the week, during this season, give us one. They did not particularly care which one, but they wanted one. There are many youth groups, Boy Scouts, church groups and so forth who like to go for hunting trips, camping trips and so forth out into the woods. They too want one safe day in the Maine woods.

I fully appreciate the concern of the gentleman from Harrison, Mr. Morrill, relative to our tourist industry, but we have been endowed with very beautiful woods in the State of Maine. I think they are to enjoy in all fashions and I do not think that they should be considered to exist only for the sake of the dollar. I therefore hope that this House will support the majority recommendation and accept the Majority Report of "Ought not to pass."

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

Mr. ANDERSON: Mr. Speaker, I am opposed to this bill, L. D. 718, for three reasons: First, safety; it would be a bloody battleground with the inevitable congestion of hunters; second, conservation, it would be very detrimental to our conservation program, and third my strongest feeling against it, it would be sacrilegious. I now move the Majority "Ought not to pass" Report be accepted and ask for a division.

The SPEAKER: The Chair recognizes the gentlewoman from Yarmouth, Mrs. Knapp.

Mrs. KNAPP: Mr. Speaker, I am a member of the Legal Affairs Committee and I voted against this bill. Now I like to hunt as well as anybody, but I can get hunting enough in six days and I think any

hunter can. You tell about the people that come into our State and want to hunt, the automobile dealers are closed up Sundays, they cannot do business. There is one phase of it. I think if you go up and down the turnpike on a Sunday, you will see plenty of hunters coming into our State — they don't expect to hunt Sunday. They take Saturday and Sunday to get into camp and get ready to hunt Sunday morning, and I guess that if you went to most of the camps you would find they find plenty of entertainment for themselves in those two days — Sunday without hunting. So I am certainly not in favor of this bill and I hope that it does not pass.

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

Mr. MAXWELL: Mr. Speaker, Ladies and Gentlemen of the House: I would like to state the stand of the sportsmen's clubs of the State of Maine. It so happens that I am president of the Franklin County Fish and Game Association, Vice-President of two others, one of the directors of Maine Fish and Game Association. We have all gone on record as being very much opposed to any Sunday hunting. So I hope that the "Ought not to pass" Report does pass.

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

Mr. PLANTE: Mr. Speaker, I move that this bill and all accompanying papers be indefinitely postponed.

The SPEAKER: The question now before the House is the motion of the gentleman from Old Orchard Beach, Mr. Plante, that this Bill, "An Act to Permit Sunday Hunting," House Paper 520, Legislative Document 718, and the Reports be indefinitely postponed. A division has been requested.

All those in favor of the indefinite postponement of this Bill and the Reports, please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

One hundred twenty-four having voted in the affirmative and one in the negative, the motion prevailed and the Bill was indefinitely

postponed and sent up for concurrence.

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

HOUSE DIVIDED REPORT — Majority Ought Not to Pass — Minority Ought to Pass — Committee on Liquor Control on Bill "An Act relating to Definition of Public Place in Law Regulating Drinking in Public Places." (H. P. 897) (L. D. 1231)

Tabled — March 10, by Mr. Morrill of Harrison.

Pending — Acceptance of Either Report.

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

Mr. DOSTIE: Mr. Speaker, I move for 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 Winslow, Mr. Dostie, that the House accept the Majority "Ought not to pass" Report.

All those in favor of accepting the "Ought not to pass" Report say aye; those opposed, no.

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

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

HOUSE DIVIDED REPORT — Majority Ought to Pass in new draft under new title of Bill "An Act relating to Local Option Questions on Sale of Liquor." (H. P. 1075) (L. D. 1483)—Minority Report Ought Not to Pass—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)

Tabled—March 10, by Mr. Dostie of Winslow.

Pending—Acceptance of Either Report.

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

Mr. DENNETT: Mr. Speaker, and Members of the House: This

bill has come out of Committee in a New Draft and I believe that the House should have a fairer explanation of what this bill attempts to accomplish.

First, I would make it definitely understood that despite the fact that this bill was heard before the Committee on Liquor Control, that it is not intended to be either a wet measure or a dry measure. Rather, it is intended to be an economy measure for the State of Maine.

If this bill should receive a passage, the State of Maine would be ten thousand dollars in pocket. These figures are authentic and they come from the office of the Secretary of State. Now the intention of the bill. Presently, as you know, every two years the various towns and cities who throughout our State vote on a number of questions on a referendum ballot whether their town is going to permit the sale of malt beverages in one way or another, whether they shall have a liquor store, hotels, restaurants and so forth and so on.

With this bill into effect the status quo would remain, if a town is presently wet, it would be wet; if it was dry, it would be dry. But there is ample opportunity for the inhabitants of any town or city to petition for a vote on any of these questions that they see fit to vote on. In towns only twenty-five signatures on a petition are necessary, in cities merely one hundred. Now this does not place this referendum vote beyond the reach of any group in any town or city. However, again and this reaches the real heart of the question, there are a great number of these places that are no longer interested in voting on the questions. Now if we take cities, large cities such as Portland, Bangor, year after year they have gone the same way, and there has apparently been no desire on the part of the people to change in any way, shape or manner.

Now if these people did not have to vote, every two years on this question, the State would be considerable money in pocket and also would these cities, because it certainly costs money to count all these ballots.

Now we will take the other side of the ledger. There are many smaller communities who are dry, it is their desire to stay dry. There is no reason why this vote should be presented to them every two years. We have, I believe, four hundred and ninety-three communities in the State of Maine, many of them are very, very small. There are even such questions appearing on this ballot as, do you favor a liquor store in your community? Well this thing in itself is asinine. A community of three or four hundred people do not want a liquor store, they have no intention of ever desiring one in the least. There is no real reason why this should be before them. Now I think in general, I have covered it fairly well. I think you have a fair but brief explanation, but remember that no one is deprived of their right under the law, their right of petition is very simple, yet if this thing did come to pass, the State of Maine could save at least ten thousand dollars every biennium.

The SPEAKER: The Chair recognizes the gentleman from Strong, Mr. Smith.

Mr. SMITH: Mr. Speaker, it has been my habit since these liquor bills have come up to refrain from speaking on any of them, and due to the fact that this is neither a wet nor a dry issue, I have chosen to take this one to just speak on briefly.

Due to the fact that it is has been presented as an economy measure, I wanted to bring out the fact that in our cities and towns in the State of Maine, liquor is almost — is a conviction with people. Being either for it or against it — is a conviction. And ever since the days of the prohibition there are many of us who have felt that the best expression of the people of the State of Maine in regards to these questions have been in the local option field.

We have spoken to the people in our own area about this and they are all convinced that local option is one of the most democratic ways of handling the liquor business in the State of Maine, and I feel personally that to change this in any way, is just to change it. As far as economy, I doubt if we will re-

ceive any economy, the ballot in the places where it will have to be presented will be twice as long and, due to the fact that liquor is a conviction with people, you will always be receiving petitions to have these votes. Regardless of whether a town is wet or dry, there will always be twenty-five people on one side or the other who will be requesting the vote every other year. And regardless of whether or not a city the size of Lewiston or Bangor always votes wet, there are at least one hundred dries there that would consider that they were not performing their religious convictions, if they did not circulate a petition. You would have your vote anyway, you would have a ballot twice as long. I seriously question whether or not there would be any economy for the State of Maine—anything saved there. And why change just to change? We have one of the best working systems in the whole country as far as I am concerned in regard to it now, and I do not believe the people of the State of Maine are dissatisfied with local option.

I trust that when — in this measure — when the vote is taken that the Minority Report of "Ought not to pass" is accepted.

The SPEAKER: Does the gentleman make that motion?

Mr. SMITH: I would make that motion.

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

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

Mr. DENNETT: Mr. Speaker, I do not wish to take a violent issue with my colleague, Mr. Smith, the gentleman from Strong, but I would point out that regardless of anything the ballot would not be twice as long. There are just so many questions on the ballot anyway and they could not print any more than what the law allows for.

But I do believe that this thing should have an opportunity and have a chance. I believe that it could save the State of Maine some money.

I note that even at the elections in the community which I represent, each year hundreds of these ballots are passed in blank. The people have no interest in voting on these particular subjects. Now if there are really rabid people in the communities that desire a referendum, that is why the law is left as it is—to permit these people to ask for this referendum so that no one will be deprived of their right to vote under local option. I certainly think this bill is worthy of a trial and I sincerely hope that the motion by the gentleman from Strong, Mr. Smith, does not prevail. And when the vote is taken, Mr. Speaker, I ask for a division.

The SPEAKER: The Chair recognizes the gentleman from Strong, Mr. Smith.

Mr. SMITH: Mr. Speaker, I just referred back here to the actual paper—I don't want to debate this length of the ballot or anything, but I do know that there are ten questions here seems to me that's being called on—to be voted on—and that is what I meant when I said it would be twice as long. As of now, I think we have five and one of them is split. Now, I checked with, as I told you before, with the three places in my area over the weekend that sell beer, and they are all opposed to this, and I wish I knew how the folk all over the State felt, but I have checked in my own area, and they are opposed to this bill. I just wanted to make that clear. Thank you.

The SPEAKER: Is the House ready for the question? The question before the House is the motion of the gentleman from Strong, Mr. Smith, that the House accept the Committee "Ought not to pass" Report.

All those in favor of accepting the Committee "Ought not to pass" Report, please rise and remain standing until the monitors have made and returned the count.

A division of the House was had. Thirty-seven having voted in the affirmative and eighty-nine having voted in the negative, the motion did not prevail.

Thereupon, the New Draft of Bill "An Act relating to Local Option

Questions on Sale of Liquor." House Paper 1075, Legislative Document 1483, was read twice, and the Bill assigned for third reading tomorrow.

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

HOUSE DIVIDED REPORT—Majority Ought Not to Pass—Minority Ought to Pass—Committee on State Government—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)

Tabled — March 10, by Mr. Fogg of Madison.

Pending — Acceptance of Either Report.

The SPEAKER: The Chair recognizes the gentleman from Brunswick, Mr. Lowery.

Mr. LOWERY: Mr. Speaker and Members of the House: I move that the Minority Report be accepted, and I wish to speak briefly on the subject.

The SPEAKER: The gentleman may proceed.

Mr. LOWERY: The legislation that I have introduced is not new. It has been introduced before in previous legislative sessions and has been the subject of many heated debates. It is legislation that has been strongly recommended in the past in the Public Administration Survey Report and also by the former Committee on State Government. As you know, the recommendation is an effort to strengthen the executive branch of government.

In reviewing all former debates on the subject, it is most difficult to find a single logical objection. Defeat of the issue in the past has been purely and simply on party lines. I do not believe that this should be the attitude of the members of this Legislature who are primarily interested in good government, and I believe that regardless of party, if we favor a strong executive branch of state government, we should consider this proposal on its merits.

I intend in my remarks to cast no reflections on the present holder of this office. I have great re-

spect for him. I consider him a real servant of the state and a truly dedicated public official. However, the point that we have to consider is that of executive responsibility. Under Article V of the Constitution of the State of Maine, it clearly states that the supreme executive power of the State shall be vested in the governor, yet we weaken that statement in the same Article when we delegate the choice of one of the most responsible positions, that of Secretary of State, to election by the Legislature. The Secretary of State should be the right hand of the Governor. Under the Constitution, it is the Secretary's duty to keep all records of the State; to attend the Governor, council and branches of the Legislature; to keep and preserve the records of all the official acts and proceedings of the Governor and Council, Senate and House of Representatives and, when so required, to lay the same before either branch of the Legislature.

A position of such responsibility, so closely allied to the office of the chief executive, should require that the selection and the responsibility for that selection, be made by the Governor.

If the Legislature should make a bad selection, as could conceivably happen under the present system of election, it would be impossible to hold it responsible for the action. There is not one individual at whom to point a finger of blame at. In other words, the Legislature cannot be held accountable by public opinion as a governor can.

One of the main objections to this resolve in the past has been that in making this appointment it would grant more power to the Governor and also that election by the Legislature takes the job out of politics. I ask you to draw your own conclusions as to the latter. As for granting more power to the Governor, this argument does not hold water. He is now empowered to appoint the high court judges, the Chief Justice and the Department heads. Certainly he should be empowered and be considered completely competent to make his own selection for Secretary of State.

Therefore, I ask acceptance of the Minority Report.

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

Mr. DENNETT: Mr. Speaker and Members of the House: I rise in opposition to the motion of the gentleman from Brunswick, Mr. Lowery, and I will agree with him on one point, and that is the point of logic. I believe the arguments perhaps on both sides are purely logical; it all depends on what and to what political philosophy that one subscribes.

Now the strengthening of the executive is readily admitted by the gentleman from Brunswick, and I think that is the one thing that the philosophy of the majority party in the main opposes. I think that history has shown down through the years that when the legislature was stripped of its powers and the powers placed in the hands of the executive, the powers of the people in themselves had been weakened. Way back even in our Revolutionary days I think you will all recall that one of the things even in the Declaration of Independence was the opposition to the fact that the governors, the provincial governors had stripped the legislatures of their powers and had taken it upon themselves.

Another thing that this tends to do, it is a move of course actually toward abolishing the Governor's Council. Another thing that it does, and I think in itself, this is a most logical argument, and presents a very serious thing, and that is placing the powers of confirmation in one branch of the Legislature only. Heretofore and down through the years this Legislature has acted with a bilateral course. Both bodies in joint convention have always appointed these various people to offices. This would place in the hands of one body alone the right to confirm, and it is my feeling; I believe it was the feeling of the majority of the Committee, that this, in stripping one body of power and investing it solely in another, tends to divide the Legislature itself.

I think that I could go on quite at some length explaining other reasons why I believe this is not a good bill, but the hour is going on and the time is brief, and I do not wish to impose myself upon you. And I would certainly ask that the Minority Report does not prevail, and that when the vote is taken that it be taken by division.

The SPEAKER: The Chair recognizes the gentleman from Brunswick, Mr. Lowery.

Mr. LOWERY: Mr. Speaker, I would like at this time to say that any Constitution should be reviewed from time to time. What may have been a satisfactory arrangement in 1820 does not mean necessarily that it is acceptable in 1961. The need for strengthening the executive branch of state government has been recognized in other states as well as in Maine, and is being continuously advocated by both political parties.

Various Constitutional changes to that end are being sought in California, Georgia, Kansas, New York, North Carolina, Vermont and Wisconsin. Proposals for administrative reorganization are becoming much more numerous from the executive branches themselves. For example, in Colorado, the Governor is proposing by Constitutional amendment the creation of a Governor's cabinet. Connecticut, Oklahoma, South Dakota and Utah are all advocating changes in their Constitutions that would strengthen the executive branch. And that is in effect what we are trying to do with the introduction of this resolve.

In our two newest states, Alaska and Hawaii, whose Constitutions are considered near models, and were written for our times, it is significant to note that the office of Secretary of State is considered as a most vital part of the executive branch of government. In Alaska, the Governor and Secretary of State are elected on the same ticket, and the Secretary of State is next in line for succession. In Hawaii there is no office of Secretary of State, but the duties are being performed by the Lieutenant-Governor.

This is a Democratic measure we will admit. I still ask that the Minority Report be accepted.

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

Mr. DOSTIE: I move a roll call on this please.

The SPEAKER: A roll call has been requested. Is the House ready for the question? 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 those who desire a roll call please rise and remain standing until the monitors have made and returned the count.

An insufficient number arose.

The SPEAKER: Obviously, less than one-fifth of the members present having arisen, a roll call is not ordered. A division has been requested. The question before the House is the motion of the gentleman from Brunswick, Mr. Lowery, that the House accept the Minority "Ought to pass" Report on Resolve, Proposing an Amendment to the Constitution for Appointment of Secretary of State by the Governor with Consent of the Senate, House Paper 637, Legislative Document 854. Will those in favor of accepting the Minority "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-one having voted in the affirmative and one hundred having voted in the negative, the motion did not prevail.

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

Mr. Anderson of Greenville was granted unanimous consent to address the House briefly.

Mr. ANDERSON: Mr. Speaker and Members of the House: The hour is late, and my remarks will be very brief. You heard a description of the activities given by the gentleman from Freeport, Mr. Crockett, this morning. And in order to extend to the returning House members the courtesy that has been extended to them over the past years, I am now going to make

a request. I now ask unanimous consent that during the day tomorrow all former members and officers of the House be invited to occupy seats inside the rail.

The SPEAKER: The gentleman from Greenville, Mr. Anderson, has requested unanimous consent that during the session tomorrow, that all former members and officers of the House be invited to occupy seats inside the rail. Is there objection? The Chair hears none.

The motion prevailed.

The SPEAKER: The Chair would like to explain to the House that we have two Committees functioning tomorrow. One Committee is on the One-Hundredth Legislature, the Chairman of that Committee is the gentleman from Freeport, Mr. Crockett; and we have another Committee which functions every year that the Legislature is in session, Welcome Back Day, and the Chairman of that Committee is the gentleman from Greenville, Mr. Anderson.

Mr. Rust of York was granted unanimous consent to address the House briefly.

Mr. RUST: Mr. Speaker, Ladies and Gentlemen of the House: It is a great pleasure for me to make a few remarks today about one of Maine's fine educational institutions, in fact, one of the finest of its kind in the entire United States. An institution which not only cuts and polishes the rough stone of the mind, but provides the cloth out of which the individual's character is cut. I am speaking of the Maine Maritime Academy at Castine.

This institution was founded in 1941 to train Maine boys for careers in the United States Merchant Marine. Going to sea has been a traditional career for Maine men and is embodied in our State Seal. The Academy started with a dozen boys with a twelve months' course of instruction at a vacant summer inn known as the Pentagoet. Today it has close to four hundred boys, offers a four year course of study leading to a degree in Marine Science, a license in the United States Merchant Marine and a Naval Commission and it is bulging

the seams of the old Castine Normal School.

Operating on a limited budget with crowded and makeshift conditions, it is yet an institution of which Maine can well be proud. It is perpetuating Maine's fine tradition of the sea; academically, it is on a par with the other four marine academies in the United States, which are the Massachusetts Maritime Academy, the New York Maritime Academy, the California Maritime Academy and the Federal Academy at Kings Point. Our graduates are in constant demand, not so much because of any particular shortage in the field, but because of the quality and the character of our Maine boys, and in this age of atomic energy, our Academy is the first to offer qualified instruction in the field of nuclear propulsion.

Today, there was distributed to each of you this brief booklet entitled Looking Ahead with the Maine Maritime Academy. It tells you what the Academy is, what it offers to our Maine boys, and what it would like to do in the immediate future.

Our Training Ship, State of Maine, docked in New York this week after a successful three months training cruise to the Mediterranean and was privileged to be visited by Governor Reed yesterday. In fact, Governor Reed and the Admiral of the Academy and some of the Cadets of the training ship were on the "Today" show in New York. It was taped yesterday, by the way. The training ship will dock at State Pier in Portland this Friday. Sunday morning at 7:30 a.m. it will steam to Castine. On behalf of the Midshipmen, Officers and Trustees of the Academy, I extend to each of you and to one additional guest each, a most cordial and sincere invitation to take this brief and refreshing ocean voyage with us to Castine. Return transportation to Bangor or to Portland will be arranged for you.

At present, more than thirty Legislators plus their guests have arranged to take this trip. As a graduate of the Academy, I will be happy to assist you in any way possible in this regard.

Finally, I urge each of you to read this brief booklet for there may be some boy in your area who would be interested in the Academy and the opportunities which this splendid institution offers. I thank you.

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

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

Tabled—March 10, by Mr. Brewer of Bath.

Pending — Passage to be engrossed.

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

Mr. BREWER: Mr. Speaker and Ladies and Gentlemen of the House: I tabled this bill last week because I felt it was somewhat of a departure from the bills that were originally heard in committee. I happened to attend that hearing. There were three bills pertaining to skin diving; two have since been withdrawn: one which provided a bag limit, skin divers; the other one which prevented skin divers from selling their lobsters commercially. I felt that both these bills would provide the proper legislation to protect the lobster industry. But it was felt by the sponsors that they should be withdrawn.

You have on your desks today two letters from separate skin diving groups who I believe advance sound feelings why they feel that they are being discriminated against. Under this redraft, L. D. 1481, there is a statement of facts which poses a question. I would like to read the statement of facts first.

"The lobster fishery of Maine, being Maine's most valuable fishery, is hereby declared to be a commercial and not a sport operation. Lobsters should be taken only by the conventional method of traps on the bottom attached to buoys at the surface."

I would like to ask through the Chair of some member of the Committee, does this bill legislate against any other commercial fishing group who derive part or all of their livelihood by the quick

catching of lobsters other than the conventional method of traps?

The SPEAKER: The gentleman from Bath, Mr. Brewer, has asked a question through the Chair to any member of the committee, who may answer if he chooses.

The Chair recognizes the gentleman from Harpswell, Mr. Prince.

Mr. PRINCE: Mr. Speaker and Members of the House: I think it is quite self-explanatory that the only method of catching lobsters along the Maine coast is with the conventional lobster trap, which six thousand fishermen use commercially to make a livelihood.

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

Mr. BREWER: Mr. Speaker, I would like to ask through the Chair another question of the committee, do draggers take lobsters and sell them commercially?

The SPEAKER: The gentleman from Bath, Mr. Brewer, has asked a question through the Chair to any member of the committee, who may answer if he chooses; and the Chair recognizes the gentleman from Harpswell, Mr. Prince.

Mr. PRINCE: Mr. Speaker, the best statistics that I can find is that in 1960 the draggers reported twenty-nine pounds of lobsters caught and sold.

The SPEAKER: This bill is pending passage to be engrossed.

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

Mr. PIKE: Mr. Speaker and Members of the House: Before making a motion, I would like to say a few words about this bill. We had several related bills before the committee, and of all the bills we had I don't think any group were more carefully considered or even prayerfully considered. The hearings were quite full. Now it did happen that the lobstermen took more time than the skin divers. That apparently is an occupational disease of lobstermen. The skin divers presented their case quite clearly, in writing and orally. The committee came to some facts, which we should have known but emerged pretty clearly.

Lobstering is by ratio around four to one our most valuable fishery in landed value. I make that ex-

planation because my genial Secretary of the Maine Sardine Council, Dick Reed, comes out and says that sardines are more valuable. I am a sardine man and when sardines are put in cans with oil and a lot of labor added, there is a real question, I think they do bring more money into the State, but the landed value of the fish from the water, the herring taken for sardines is about three million dollars. Last year the landed poundage of lobsters was about twenty-five million, and the value was roughly twelve and one-half to fifteen million. At least three, and probably more than four to one above any other fishery. The people who get all or the principal part of their livelihood from lobster fishing run between fifty-five hundred and six thousand. Again a ratio of probably three or four to one more than the nearest fishery.

There is a third thing about the lobster fishery, it is the only fishery that I know of, outside of stationary weirs on the shore, that advertises the presence of its quarry by a floating buoy, so that nobody needs to wonder where professional fishermen think the lobsters are, there is the buoy, and as an amateur, it is just about as obvious that that is the place to hunt for lobsters as let's say the presence of an apple orchard is to hunt for apples if the owner is not handy.

There is another thing that became very clear, that with out lobster grounds along the coast, they are getting more and more taken up, and the pressure both among the lobstermen and between them and other people is growing. The lobster grounds — you see there is no private property much below low tide except where wharves stick out in the water. By Federal law now, the State owns the land under the water out to the three-mile limit, but there is no private, personal property. These I suspect, if it is anything like my district, the lobstermen's areas are pretty well settled very much the way that New York newsboys settle who is going to sell papers on a particular corner, a combination of persuasion, argument, fisticuffs, perhaps the cutting of a few warps,

and other perhaps more efficient methods of persuasion. Those are, however, pretty well set now by custom and tradition.

Now it was said and said pretty strong, what harm do these few lobsters do that our boys come and take home for the family or take home and put in the pot right on the shore. It is a difficult question to answer. I don't know if there is any real answer to it, but you could see coming this continual pressure from the lobstermen themselves, the continual growth of the industry, and what is most convincing to me, this sole or principal method of livelihood by six thousand people in the State of Maine who just naturally do resent somebody else coming into their backyard and stealing their apples. Let's say they're not really their apples, but they think they are. Now if you know lobstermen, and I think you do, they are apt to be a little independent in their ways. I could use stronger adjectives such as onerous, onery, or cantankerous, and sometimes I wouldn't be too far off the mark, but of all our fisheries, it is the one fishery that it seems to me is decidedly commercial. I expect there is some sport in catching a lobster as a skin diver. You will note, however, that this bill provides that anybody who catches one is under no penalty if he lets it go. So if he has caught him and had his fun, then he is entitled to let it go and no harm is done. But on the whole we figured this situation would get worse and worse over a period, and we thought it was time to make a clean cut of the matter and establish state policy on it.

I think to the surprise of all of us on the Committee, we unanimously agreed on this bill, recommended that it ought to pass, and I move that it does pass.

The SPEAKER: The Chair recognizes the gentleman from Harpswell, Mr. Prince.

Mr. PRINCE: Mr. Speaker, this legislative document, L. D. 1481, is a conservation and propagation measure and probably one of the most important bills that has come before this Legislature to date, as it deals in one of Maine's great industries. This bill is designed to

protect the lobster fishing industry in the State of Maine and the six thousand lobster fishermen who make a livelihood of catching lobsters by the conventional wood trap. The lobster fisherman along the coast of Maine has a large capital investment and he has no guarantee when he will lose his traps or his entire investment, it can take place overnight.

This bill also provides for conservation and propagation which is extremely important for the success and the continuance of the lobster industry. The Department of Sea and Shore Fisheries and the lobster fishermen of the coast of Maine work hand in hand to make this industry survive. The Department of Sea and Shore Fisheries is constantly doing research work, checking disease, checking markets, distributing seed lobsters along the coast of Maine, and offering a warden service that polices the flow of illegal lobsters by those who do not care about the industry or the service that the Department offers to the fishermen.

The lobster fisherman likewise is doing his part by building a better trap to catch a more selective lobster; by building his trap, putting his laths close together at the bottom, stopping the claws and the tails from falling through, thus preventing the killing and crushing of many lobsters as the trap comes up over the side of the boat; punching or making an indentation in the middle flipper of the seed carrying lobster, so that reproduction can take place. This punched lobster becomes an illegal lobster—it cannot be removed from the sea.

The lobster fishermen as a whole are constantly watching for short lobsters, and they are watching for disease — the dreaded disease, the red tail. They likewise are watching each other. The combination of the Department and the fishermen working hand in hand to protect this valuable industry is making it possible for six thousand men to make a livelihood lobster fishing.

Where time is pressing here, I don't believe I will go on with all this speech; but we have heard

legislation here this winter from inland legislators who are asking for restocking of fresh fish in our streams, lakes, and ponds; and we have seen amendment after amendment to these various pieces of legislation, which I concur with and think is very good for the fresh fish, for the State of Maine, and for the sport business. These legislators know the importance of conservation and propagation, and that same thing holds true for Sea and Shore Fisheries.

There are a great many people who feel that the ocean has an inexhaustible supply of marine fish, and this is not true. I don't believe the Department of Inland Fisheries and Game would like to see the skin divers dipping in their waters after they have stocked them with trout, salmon, and so forth. I am not conversant on inland fish, but I am conversant on marine fishing. I haven't any ill feelings toward the skin divers; in fact the men that I met at the public hearing seemed to be a fine group of fellows. But all skin divers do not belong to organizations and they do not have a code of ethics. Many of them catch lobsters by the thousands and they catch them in the summertime when the water is warm and when lobsters are shedding and easy to capture.

This is not discriminatory legislation; any skin diver who is a citizen of Maine has a right to obtain a license from the Department of Sea and Shore Fisheries, set out traps, and fish on the par with our commercial fishermen who use the conventional trap. And on the other hand, the lobster fisherman has no right to skin dive for lobsters. This bill is not telling the skin diver that he can't fish or dive in the coastal waters of Maine. This is a conservation and propagation measure.

The State of Maine is the largest lobster producing state in the United States and we should be recognized as the barometer state and our fishermen should have something to say about marketing, about price, and about methods of catching lobsters. They have all kinds of troubles, they are sandwiched in between a highly com-

petitive Canadian market and always an unsettled market in Massachusetts and New York. I do feel that there will help come in the not too distant future from the Maine Lobstermen's Association, who will be striving for better legislation and better markets.

Yes, Maine is the largest lobster producing state in the United States, and the Maine lobster is probably the greatest attraction in the New England States and especially in the State of Maine. The Massachusetts skin divers outnumber the commercial fishermen about forty to one, and Massachusetts has a problem and it has got to be solved. The State of New Hampshire solved its problem in the early days by prohibiting the skin diver from catching lobsters along that coast. We have got to do the same thing here.

It is not a sporting thing to do when skin divers find it convenient to dive down and open up the trap doors of a lobster fisherman, helping themselves from the trap of what lobsters he wants, and leaves the trap door open. These lobsters should remain on the bottom of the ocean, for the fishermen to catch in their traps. I would like to ask the Members of this House whose judgment they would consider to be the better of the two—the skin diver who leaves his office in the afternoon and decides to take two or three hours and go skin diving, or the commercial lobster fisherman who is on the water every day and makes it a year living?

We should not deny the group of men who ask for so little from the Legislature and, ladies and gentlemen of this House, this is the time to act; not after the lobsters are gone. And I move that this bill will get its third reading.

The SPEAKER: The Chair recognizes the gentlewoman from Yarmouth, Mrs. Knapp.

Mrs. KNAPP: Mr. Speaker and Members of the House: There is one phase of this lobster fishing or skin diving that has not been brought to light. As you know, our seed lobsters deposit their eggs in places where they think that they will have a good chance to hatch. Now if we have the skin divers

around in the kelp and in amongst the rocks at this time when these eggs are laying dormant they are going to stir them up so the small fish are going to eat them. And we are going to lose a lot of lobsters that way. So I am not in favor of the skin divers.

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

Mr. MAXWELL: Mr. Speaker, Ladies and Gentlemen of the House: I am not a skin diver, I am not a lobsterman, I come from way inland but as I read this over, number 1481, I noticed under number one:

"Exception if lobster immediately liberated alive when caught. If any lobster so caught or taken is immediately liberated alive into coastal waters, then the person so liberating the lobster is excused from the unlawful taking or catching of it."

I just would like to pose a question, I wonder if this skin diver happened to have a trap and it was laying there on the bottom, why couldn't he pick up lobsters and deposit them in that trap and be within this law as it is written?

The SPEAKER: The pending motion is on passage to be engrossed.

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

Mr. HAM: Mr. Speaker, Ladies and Gentlemen of the House: I would like to table this until Friday, March 17, due to the fact that I would like to speak against the bill. And I do not want to take up the time right now.

The SPEAKER: The gentleman from Brewer, Mr. Ham, moves that L. D. 1481, be tabled and assigned to Friday, March 17, pending passage to be engrossed.

Mr. PIKE of Lubec: I request a division on the tabling motion.

The SPEAKER: A division has been requested.

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

A division of the House was had.

Thirty having voted in the affirmative and seventy-eight in the negative, the motion did not prevail.

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

The SPEAKER: The Chair would request that the Minority and Majority Floor Leaders meet with the Speaker immediately following this session here at the well of the House.

Mr. Kennedy of Milbridge was granted unanimous consent to address the House briefly.

Mr. KENNEDY: I would like to remind the various delegations that the Legislative committee on Reapportionment will meet on Thursday morning at nine-thirty in Room 225, and I urge the chairman of each delegation to be prepared to present figures to this committee.

On motion of Mr. Baxter of Pittsfield,

Adjourned until nine o'clock tomorrow morning.