

MAINE STATE LEGISLATURE

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



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

LEGISLATIVE RECORD

OF THE

One-Hundredth Legislature

OF THE

STATE OF MAINE

1961

DAILY KENNEBEC JOURNAL
AUGUSTA, MAINE

HOUSE

Wednesday, March 29, 1961

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

Prayer by the Rev. Mr. Carl H. Geores, Jr. of the Leeds Community Church.

The journal of yesterday was read and approved.

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

Report of the Committee on Education on Resolve to Establish a Secondary Area Vocational School in Washington County at Calais (S. P. 280) (L. D. 881) reporting Leave to Withdraw

Came from the Senate read and accepted.

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

Ought Not to Pass

Report of the Committee on State Government reporting "Ought not to pass" on Bill "An Act Increasing Salary of the Treasurer of State" (S. P. 302) (L. D. 890)

Came from the Senate read and accepted.

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

Ought to Pass

Report of the Committee on Business Legislation reporting "Ought to pass" on Bill "An Act to Amend the Charter of the Union Mutual Life Insurance Company" (S. P. 158) (L. D. 404)

Report of the Committee on Inland Fisheries and Game reporting same on Bill "An Act relating to Open Season on Black Bass Fishing" (S. P. 193) (L. D. 526)

Report of the Committee on Judiciary reporting same on Bill "An Act Repealing the Tri-State Authority for Collective Construction and Operation of Institutions in Maine, New Hampshire and Vermont" (S. P. 196) (L. D. 529)

Report of same Committee reporting same on Bill "An Act Providing for a Compact with New England States for Confinement, Treatment and Rehabilitation of Offenders" (S. P. 198) (L. D. 531)

Report of same Committee reporting same on Bill "An Act Concerning Qualifications of Municipal Court Judges and Associate Judges" (S. P. 252) (L. D. 769)

Report of same Committee reporting same on Bill "An Act relating to Penalty for First Offense for Driving Motor Vehicle under the Influence of Intoxicating Liquor" (S. P. 289) (L. D. 900)

Report of the Committee on State Government reporting same on Bill "An Act Providing for an Assistant County Attorney for York County" (S. P. 21) (L. D. 46)

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

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

**Ought to Pass with
Committee Amendment**

Report of the Committee on Judiciary on Bill "An Act relating to Hospitalization of Persons Suffering from Excessive Use of Alcohol" (S. P. 200) (L. D. 533) 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. 200, L. D. 533, Bill "An Act Relating to Hospitalization of Persons Suffering from Excessive Use of Alcohol"

Amend said Bill by inserting at the beginning of the first line the underlined abbreviation and figure 'Sec. 1.'

Further amend said Bill by striking out the underlined word "general" in the 4th line and inserting in its place thereof the underlined word 'a'

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

"Sec. 2. R.S., c. 25, sec. 168, amended. Section 168 of Chapter 25

of the Revised Statutes is amended to read as follows:

'Sec. 168. Agreement for personal restraint. Before any restraint shall be imposed under the authority of the preceding section 167, a voluntary agreement shall be made in writing by the person suffering from the effects of any drug mentioned in said section the use of an opiate, cocaine, chloral hydrate, other narcotic, barbiturate or the excessive use of alcohol, to the imposition of restraint upon his actions, if necessary, and such agreement must be witnessed by the husband, wife or parent of the person aforesaid, or one of the municipal officers of the city or town in which the person, so suffering, is a resident, and approved, after reasonable notice, by a Justice of the Superior Court or the judge of probate in the county where the patient resides.' "

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

Report of the Committee on State Government on Bill "An Act Increasing Salary of Secretary of State" (S. P. 384) (L. D. 1194) reporting "Ought to pass" as amended by Committee Amendment "A."

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. 384, L. D. 1194, Bill, "An Act Increasing Salary of Secretary of State."

Amend said Bill by striking out the underlined figure "\$11,500" in the 6th line and inserting in place thereof the underlined figure '\$10,200'.

Further amend said Bill in the 10th line by striking out the figure "\$1,500" in two places where it appears and inserting in place thereof the figure '\$200'.

Committee Amendment "A" was adopted in concurrence and the

Bill assigned for third reading the next legislative day.

Non-Concurrent Matter

An Act relating to Use of Motor Vehicles Without Authority in Any Place (S. P. 465) (L. D. 1464) which was recalled to the Senate from the Governor by Joint Order (S. P. 492), and which was passed to be enacted in the House on March 7 and passed to be engrossed on February 28.

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

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

Orders

On motion of Mr. Tardiff of Lewiston, it was

ORDERED, that the following be appointed to serve as Honorary Pages for today, this being Androscoggin Day at the Legislature: Ann Boulay — Lewiston High School.

Claudette Bonnefant — St. Dominic's High School, Lewiston.

Lena Marstaller — Lisbon High School.

Carlene Hatch — Livermore Falls High School.

Sandra Cutter — Edward Little High School, Auburn.

Sharon Staples — Leavitt Institute, Turner.

Lois Jordan — Mechanic Falls High School.

Thereupon, the Honorary Pages were escorted to the well of the Hall of the House by the Sergeant-at-Arms amid applause of the House.

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

Mr. Turner of Auburn was granted unanimous consent to address the House.

Mr. TURNER: Mr. Speaker, Ladies and Gentlemen of the House: As you know, today is Androscoggin Day. This is our eighth anniversary here. We of Androscoggin County are very proud of our County, with all due respect to

these other counties. We feel that we have the best in the State.

We have the great Androscoggin River which runs through the center of our County with the beautiful waterfalls in the Twin Cities. Just look over the beautiful girls that we have here today as our Pages. They come from several high schools about the County. Also as evidence of our fine County, we have many exhibits out in the rotunda. I would like to say a few words about these exhibitors.

Among the exhibitors is Bates Manufacturing Company of Lewiston, which as most of you know without a doubt, makes the finest bedspreads and sheets in the world. The Geiger Brothers, they are nationally known for the manufacture of calendars, diaries and many other printed products.

Also, the Pepperell Manufacturing Company, noted for their fine sheets and pillow cases. We have the Paine Incense Company of Lewiston. They manufacture fir balsam products, noted for their fine odors. Also, the Paragon Glass Works manufacturers, they manufacture a large variety of glass novelties, Christmas tree bulbs and so forth. Stover Broom Company, a large manufacturer of brooms of all kinds. Raytheon of Lewiston, our newest and largest manufacturing company. They specialize in electronic devices of all kinds. Carter Milling and Grain Company, headquarters in Lewiston for all kinds of feed for all kinds of animals. Then we have the Twin City Printery Company. They have the only typesetting machine of its kind in the State.

Another exhibitor is the Berry Hill Orchards of Livermore, noted for their fine apples. Also, Boothby's Orchards of Livermore, of which Representative Boothby is connected, he being the Santa who furnished the apples for the House. He also is exhibiting some fine potatoes. Look them over, you Aroostook boys; I feel there is a little education in store for you here.

Wallingford Orchards also exhibit fine apples, and try some of their cider. Okay for the dries. At one-thirty this afternoon there will be a brief speaking program in the rotunda and we would like to have

you all present. I think Mr. Karkos has a few words to say about exhibitors down in his locality.

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

Mr. KARKOS: Mr. Speaker, Ladies and Gentlemen of the House: It again becomes my pleasant duty as representative of the Lisbon-Durham area of Androscoggin County to direct your attention to the display of products manufactured in the Town of Lisbon. The firms participating are as follows: Worumbo Mill, a division of the J. P. Stevens Company, is located in Lisbon Falls and is under the supervision of John R. Clark, and they are here represented by Charles Peillet, and they have a fine line of famous Worumbo cloth, and U. S. Gypsum is also located in Lisbon Falls. It is here under the supervision of W. Clark Heitzler and Mr. Babson. Now they have a fine display of fibre board products and insulating materials. This plant has been in operation for twenty-seven years and employs about two hundred. The Worumbo employs about five hundred and twenty-five and has a payroll of more than one million dollars.

The Farnsworth Mill, a division of the Deering-Milliken Company, is located in Lisbon Center, is under the supervision of Marshall Stone, and they are here represented by Francis Lee, Personnel Manager, and Donald Getchell. They have a fine line of woolen products, nylons and synthetics. By the way, Farnsworth Mill was established in 1864 and has operated continuously since that year. The Farnsworth employs about four hundred.

Bonafide Mills, Incorporated, is located in Lisbon Village, is under the supervision of Assistant Vice President, William Rowe. This plant is here represented by Clifford Akers. They have a nice line of flooring, linoleum products, and a new product that they are trying to perfect in vinyl.

May I add in conclusion that I am proud to have shared in the observance of Androscoggin County Day with the House and Senate Members here, and Lisbon is proud of its contribution to the economy

of Androscoggin County and our State of Maine. Thank you.

The SPEAKER: Is Lena Marstaller one of the Pages here? Lena competed last week in the title of America's Junior Miss in Mobile, Alabama. (Applause)

Mrs. Kilroy of Portland presented the following Order and moved its passage:

WHEREAS, the members of the House have learned that today is the birthday of Mr. Maxwell of Jay,

BE IT ORDERED, that the members extend to Mr. Maxwell their best wishes not only for today but for the entire year.

The Order received unanimous passage. (Applause)

The SPEAKER: The Speaker at this time would like to make a few ties. The County of Androscoggin County, which was incorporated in 1854 from parts of Cumberland, Oxford, Kennebec and Lincoln Counties. The County of Androscoggin takes its name from the majestic river which flows through the county, the Androscoggin River. We think of Androscoggin as an industrial county, and indeed it is a great industrial county, being noted for its manufacturing throughout the world of textiles and many other products, including shoes. It is also an agricultural county, being noted for its sweet corn and apple culture. Also its dairy industry.

In Androscoggin County is also located Poland Springs. The County is also noted for its recreational activities, and noted for its schools including Bates College. I think that the county should be complimented most upon the ingenuity and the skill of its people. (Applause)

House Reports of Committees Leave to Withdraw

Mr. Smith from the Committee on Judiciary on Bill "An Act relating to Trial Terms and Location in Oxford County" (H. P. 819) (L. D. 1134) reported Leave to Withdraw.

Mr. Dennett from the Committee on State Government reported

same on Bill "An Act Providing Group Hospital, Medical and Surgical Insurance Plan for State Employees, Public School Teachers and Local Governmental Employees" (H. P. 906) (L. D. 1240)

Reports were read and accepted and sent up for concurrence.

Ought Not to Pass

Mr. Danes from the Committee on Health and Institutional Services reported "Ought not to pass" on Bill "An Act Clarifying the Plumbing Law" (H. P. 741) (L. D. 1028)

Mr. Bearce from the Committee on State Government reported same on Bill "An Act to Reimburse Town of Thomaston for Cost of Municipal Services Provided for the State" (H. P. 705) (L. D. 983)

Mr. Haughn from same Committee reported same on Bill "An Act relating to the Insurance Commissioner" (H. P. 903) (L. D. 1237)

Mr. Kimball from same Committee reported same on Bill "An Act Increasing Expense Allowance for Advisory Council of Department of Inland Fisheries and Game" (H. P. 1024) (L. D. 1425)

Mr. Nadeau from the Committee on Transportation reported same on Bill "An Act relating to Weight of Certain Three-Axle Trucks" (H. P. 436) (L. D. 611)

Reports were read and accepted and sent up for concurrence.

Ought to Pass in New Draft New Drafts Printed

Mr. Bearce from the Committee on State Government on Bill "An Act relating to Inspection and Supervision of Public Improvements by Bureau of Public Improvements" (H. P. 843) (L. D. 1157) reported same in a new draft (H. P. 1098) (L. D. 1511) under same title and that it "Ought to pass"

Mr. Dunn from the Committee on Transportation on Bill "An Act relating to Initial Motor Vehicle Number Plates" (H. P. 217) (L. D. 312) which was recommended, reported same in a new draft (H. P. 1096) (L. D. 1509) under title of "An Act relating to Initial, Digital and Antique Motor Vehicle Registration Plates" and that it "Ought to pass"

Mr. Linnekin from same Committee on Bill "An Act relating to

Registration of Self-Propelled Wheelchairs" (H. P. 1050) (L. D. 1450) which was recommitted, reported same in a new draft (H. P. 1097) (L. D. 1510) under title of "An Act relating to Registration of Motorized Invalid Chairs" and that it "Ought to pass"

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

Ought to Pass Printed Bills

Mrs. Knapp from the Committee on Health and Institutional Services reported "Ought to pass" on Bill "An Act Providing for Registration of Sanitariums" (H. P. 975) (L. D. 1342)

Mr. Dennett from the Committee on State Government reported same on Bill "An Act Authorizing State of Maine to Convey Knox Arboretum, Knox County" (H. P. 779) (L. D. 1061)

Same gentleman from same Committee reported same on Bill "An Act relating to Confidential Records in Insurance Department" (H. P. 942) (L. D. 1290)

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

Divided Report

Majority Report of the Committee on Claims on Resolve in favor of James E. Woods of Calais (H. P. 462) (L. D. 662) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was signed by the following members:

Messrs. PORTEOUS of Cumberland
BREWSTER of York
— of the Senate.

Messrs. HUGHES of St. Albans
ANDERSON of Greenville
HAGUE of Gorham
GALLANT of Eagle Lake
BREWER of Bath
JOHNSON of Stockholm
HUTCHINS of Kingfield
— of the House.

Minority Report of same Committee on same Resolve reporting "Ought to pass" as amended by Committee Amendment "B" submitted therewith.

Report was signed by the following member:

Mr. PARKER of Piscataquis
— of the Senate.

Reports were read.

On motion of Mr. Brewer of Bath, the Majority "Ought to pass" Report was accepted and the Bill read twice.

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

COMMITTEE AMENDMENT "A"
to H. P. 462, L. D. 662, Resolve,
in Favor of James E. Woods of
Calais.

Amend said Resolve in the 2nd line by striking out the figure "\$6,000" and inserting in place thereof the figure '\$2,500'

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

Divided Report Tabled and Assigned

Majority Report of the Committee on Transportation reporting "Ought not to pass" on Bill "An Act Permitting Certain Commercial Vehicles to Exceed Weight Limits" (H. P. 560) (L. D. 757)

Report was signed by the following members:

Messrs. STILPHEN of Knox
COLE of Waldo
GILBERT of Kennebec
— of the Senate.

Messrs. WHITNEY of Winn
NADEAU of Lewiston
LINNEKIN of Limington
DUNN of Poland
— of the House.

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

Report was signed by the following members:

Messrs. FINLEY of Washington
BUSSIÈRE of Lewiston
BERRY of Portland
— of the House.

Reports were read.

(On motion of Mr. Johnson of Smithfield, tabled pending acceptance of either Report and specially assigned for Friday, April 14.)

Divided Report Tabled and Assigned

Majority Report of the Committee on Transportation reporting

"Ought not to pass" on Bill "An Act relating to Weight Tolerances for Motor Vehicles Carrying Firewood, Pulpwood, Logs or Bolts" (H. P. 861) (L. D. 1175)

Report was signed by the following members:

Messrs. COLE of Waldo
GILBERT of Kennebec
STILPHEN of Knox
— of the Senate.

Messrs. BERRY of Portland
WHITNEY of Winn
DUNN of Poland
LINNEKIN of Limington
NADEAU of Lewiston
— of the House.

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

Report was signed by the following members:

Messrs. BUSSIÈRE of Lewiston
FINLEY of Washington
— of the House.

Reports were read.

(On motion of Mr. Johnson of Smithfield, tabled pending acceptance of either Report and specially assigned for Wednesday, April 12.)

Divided Report Tabled and Assigned

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

Report was signed by the following members:

Messrs. COLE of Waldo
GILBERT of Kennebec
— of the Senate.

Messrs. WHITNEY of Winn
NADEAU of Lewiston
DUNN of Poland
BERRY of Portland
— of the House.

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

Report was signed by the following members:

Mr. STILPHEN of Knox
— of the Senate.

Messrs. BUSSIÈRE of Lewiston
LINNEKIN of Limington

FINLEY of Washington
— of the House.

Reports were read.

(On motion of Mr. Ham of Brewer, tabled pending acceptance of either Report and specially assigned for Friday, March 31.)

Divided Report Tabled and Assigned

Majority Report of the Committee on Transportation on Bill "An Act relating to Notification for Renewal of Operators' Licenses and Providing for a Two Year License" (H. P. 949) (L. D. 1297) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was signed by the following members:

Messrs. STILPHEN of Knox
COLE of Waldo
GILBERT of Kennebec
— of the Senate.

Messrs. BERRY of Portland
WHITNEY of Winn
FINLEY of Washington
— of the House.

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

Report was signed by the following members:

Messrs. NADEAU of Lewiston
LINNEKIN of Limington
BUSSIÈRE of Lewiston
— of the House.

Reports were read.

(On motion of Mr. Baxter of Pittsfield, tabled pending acceptance of either Report and specially assigned for Wednesday, April 5.)

Passed to Be Engrossed

Bill "An Act to Repeal the Acts Creating the Oxford Village Corporation" (S. P. 143) (L. D. 326)

Bill "An Act relating to License Fees by Boxing Commission" (S. P. 175) (L. D. 421)

Bill "An Act to Repeal the Charter of the Cousins and Littlejohns Islands Village Corporation" (H. P. 203) (L. D. 298)

Bill "An Act Repealing Certain Obsolete Private and Special Laws relating to City of Portland" (H. P. 408) (L. D. 583)

Bill "An Act relating to Formation of School Administrative Dis-

tricts for Certain Towns in York County" (H. P. 470) (L. D. 670)

Bill "An Act to Incorporate the Town of St. Albans School District" (H. P. 516) (L. D. 714)

Bill "An Act Transferring South Portland Sewerage District to City of South Portland" (H. P. 606) (L. D. 823)

Bill "An Act relating to Notes of Augusta Parking District" (H. P. 613) (L. D. 830)

Bill "An Act relating to Power of Squirrel Island Village Corporation to Borrow Money" (H. P. 615) (L. D. 832)

Bill "An Act Repealing Law Enabling School District Number One in Gorham to Hold Trust Funds for Educational Purposes" (H. P. 762) (L. D. 1048)

Bill "An Act relating to Superintending School Committee of Town of Gorham" (H. P. 763) (L. D. 1049)

Bill "An Act relating to Holding of Property by Nonprofit Corporations Operating Educational Television or Radio Stations" (H. P. 826) (L. D. 1141)

Bill "An Act Enabling Municipalities to Obtain Additional Federal Grants for Urban Renewal Projects" (H. P. 938) (L. D. 1286)

Bill "An Act to Incorporate the Town of Athens School District" (H. P. 1007) (L. D. 1408)

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

Amended Bills

Bill "An Act Revising the Savings and Loan Laws" (S. P. 404) (L. D. 1386)

Bill "An Act relating to Municipal Regulation of Subdivisions of Land" (H. P. 258) (L. D. 372)

Bill "An Act relating to Allowance for Uniforms of the Police Department of the City of Lewiston" (H. P. 279) (L. D. 393)

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.

Resolve for Laying of the County Taxes for the Years Nineteen Hundred Sixty-one and Nineteen Hun-

dred Sixty-two (H. P. 1079) (L. D. 1490)

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

Passed to Be Enacted Emergency Measure

An Act relating to Hunting and Fishing Licenses to Canadian Soldiers Stationed in Maine (H. P. 980) (L. D. 1367)

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. 107 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.

Finally Passed Emergency Measure

Resolve Authorizing Cianchette Bros., Inc. to Bring Civil Action Against State of Maine (H. P. 402) (L. D. 577)

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

Passed to Be Enacted

An Act to Ratify the Incorporation of Pierce Cemetery Association (S. P. 114) (L. D. 259)

An Act relating to Limitation on Lien on Nursing Home in Town of Madawaska (S. P. 141) (L. D. 324)

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

An Act Limiting the Sale of Alcoholic Beverages in Certain New Retail Stores and Restaurants in the Unorganized Territory (S. P. 495) (L. D. 1492)

An Act relating to Raising Money for Support of Poor in Pleasant

Ridge Plantation, Somerset County (H. P. 362) (L. D. 514)

An Act Providing for Emergency Interim Executive and Judicial Succession (H. P. 492) (L. D. 692)

An Act relating to Canes Carried on Public Streets or Highways by Blind Persons (H. P. 753) (L. D. 1039)

An Act Defining Junior High School (H. P. 803) (L. D. 1117)

An Act Prohibiting Use of Power Boats on Pennemaquan River, Town of Pembroke (H. P. 927) (L. D. 1275)

An Act relating to First Baptist Church of Kittery Point (H. P. 1083) (L. D. 1493)

Finally Passed

Resolve for Repairing Fish Screen at Outlet of Messalonskee Lake in Oakland (H. P. 35) (L. D. 69)

Resolve Opening Desert Pond, Kennebec County, to Fishing (H. P. 44) (L. D. 85)

Resolve Regulating Fishing in Temple Pond, Somerset County (H. P. 147) (L. D. 210)

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

Orders of the Day

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

Mr. LOWERY: Mr. Speaker, may I refer to item five on page three? The "Ought not to pass" Report on Bill "An Act relating to the Insurance Commissioner." I ask that the House at this time reconsider its action whereby it accepted the "Ought not to pass" Report.

The SPEAKER: In reference to item five on page three, it comes from the Committee reporting "Ought not to pass," on Bill "An Act relating to the Insurance Commissioner," Legislative Document 1237, the gentleman from Brunswick, Mr. Lowery, moves that the House reconsider its action whereby it accepted the Committee "Ought not to pass" Report.

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

Mr. HAUGHN: Mr. Speaker, as a member of the State Government Committee, I feel it is my duty to bring to the attention of the House what this particular bill means. It is two bills in one. It is one to give the Commissioner the right to hire a new examiner, I would have to dig up the bill, looking it up now — the second part of the bill gives a pay raise to the Commissioner, and transfers from the Legislative branch to the Executive branch. I might say the Committee dwelled on this subject very thoroughly. We held an executive session yesterday, this bill was presented by Mr. Ham, I believe, and it was brought to the attention of the committee because we could not get the full information at the public hearings when we invited the Commissioner of Insurance down before us, he spent roughly three-quarters of an hour explaining and defining this bill. And the final conclusion come to, we would be setting up a new department within the Insurance Commissioners.

Now the basic discussion seemed to be around the federal action, a proposal of a sub-committee in the Federal Government. Now we have had this threat over us for the past eight years to my knowledge, not only in the State of Maine but all over the entire United States to set up within our Insurance Commission, a chief examiner, because at the present time we do hire outside help to come in and examine these insurance companies on behalf of the State, which has to be done every two years of the five major companies.

It cost the State approximately \$40,000 for this help. We were told it would be cheaper for the State to set up this new department. Now we analyzed and broke it down and we find that it is going to cost the State pretty nearly \$100,000 to go into a new program and set up a new division within that State and take from the Legislative branch the right to set the salaries of the Insurance Commissioner. And this new chief examiner, it was set up on the Executive Department, will receive a higher pay as a supporter than would the

Commissioner of the Insurance Commission.

So, with those facts in mind, our committee unanimously turned this bill down. Because if we set up a new department, it is going to cost approximately \$60,000 more than it is on the present setup, this proposal would save federal intervention into the states for investigation of insurance examination, it is only a threat over the years — it has never come to being, until such time as we have any problems, I cannot see spending \$60,000 more of the State's money.

As I say, your committee was very thorough and very cautious with this particular bill, and we gave a special hearing through the Commissioner himself. And it seems to dwell more on giving over the Governor and Council and increasing his pay through this procedure beyond legislative prerogative. So I hope that we will not reconsider our action whereby we accepted the Committee Report which was unanimous.

The SPEAKER: For the information of the House, we are considering an item on page three, item five, Legislative Document 1237, "An Act relating to the Insurance Commissioner."

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

Mr. HAM: Mr. Speaker, Ladies and Gentlemen of the House: It is true what my colleague Representative Haughn said, I did present this bill. However, I would like to second what he said that I do think that the committee gave this bill thorough consideration. Now it is something that I believe in future years we should consider more seriously. However, I do believe also that there are insurance men on that committee that have been in this House considerably longer than I have, and I am very glad, even though I don't like to see any particular bill that's put in, defeated; to go along with their judgment on this bill. And I, for one, concur with the decision of the committee.

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

Mr. WHITMAN: Mr. Speaker, I wish to concur with the gentleman

from Bridgton, Mr. Haughn, in his remarks. I being a member of the State Government Committee, we certainly did give this bill due consideration and perhaps even more than various other bills. As you will notice if you will look at the bill itself, actually it is a double-barreled affair. In the first paragraph, the bill removes the Insurance Commissioner from the Legislature as to the determination of his salary. The bill would have the Governor and Council set the salary for the Insurance Commissioner. That in itself would practically constitute a separate bill; however, it goes on to include a chief insurance examiner which is entering into a entirely new procedure. As the procedure is today, the Insurance Commission is hiring outside experts to do this work on a per diem basis.

Upon considering the reasons for the new insurance examiners, it was brought out at the hearing that there has been in the past a Federal Supreme Court ruling that insurance business has become interstate commerce, and thereby the Insurance Commissions are very much afraid that the Federal Government will enter the management of insurance. And, subsequently, the Federal Committees recommended state insurance examiners; however upon examination of the facts that were brought out, it was concluded that the Supreme Court ruling was made eighteen years ago and no concrete effort upon the Federal level has been made to change the methods of examination. For that reason, we felt that we would be setting up an entirely new department that is being handled very well as it is today.

The SPEAKER: The question before the House is the motion of the gentleman from Brunswick, Mr. Lowery, that the House reconsider its action whereby it adopted the "Ought not to pass" Report.

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

Mr. HAUGHN: Mr. Speaker, just to request a division.

The SPEAKER: A division has been requested.

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

Mr. JONES: Mr. Speaker, I, for one, would say that previous action that we have taken on this bill by following the report of the committee "Ought not to pass" is very judicious and we should adhere to what we have already done in the past. And that is to adhere to "Ought not to pass."

The SPEAKER: Is the House ready for the question? All those in favor of the reconsidering motion on Bill "An Act relating to the Insurance Commissioner," House Paper 933, Legislative Document 1237, please rise and remain standing until the monitors have made and returned their count.

A division of the House was had.

None having voted in the affirmative and one hundred seven having voted in the negative, the motion to reconsider did not prevail.

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

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

HOUSE DIVIDED REPORT—Majority Ought Not to Pass — Minority Ought to Pass — Committee on Labor on Bill "An Act relating to Costs of Witness and Attorney Fees Under Workmen's Compensation Act." (H. P. 255) (L. D. 369)

Tabled — March 22, by Mr. Fogg of Madison.

Pending — Acceptance of Either Report.

The SPEAKER: The Chair recognizes the gentleman from Madawaska, Mr. Levesque.

Mr. LEVESQUE: Mr. Speaker, being the sponsor of this bill to have the attorney's fees paid by the employer which you have L. D. 369, I feel that this is a very good bill for the people that would get injured in a plant, and it does not mean to say that every case is going to be an injured employee, is going to have to be represented by an attorney, and only those cases that the Commission or the Commissioner feels that is on the border line and that suddenly an employee that has been injured, he has not the financial resources to be able to hire attorney or attorney fee or medical physician that would be able to help him

process his case. So therefore, I hope that the ladies and gentlemen of this House will see my point of view on it, that the injured employee needs this kind of protection and only by the recommendation of the Commission or the Commissioner, would this bill be effective. And only as I said previously those cases which would be on the border line that there be some doubt on the part of the Commission. And I certainly hope that the House comes out and helps out to accept the Minority "Ought to pass" Report. And I would ask a division.

The SPEAKER: The gentleman from Madawaska, Mr. Levesque, moves that the House accept the Minority "Ought to pass" Report. The report was eight for the majority and two for the minority.

The Chair recognizes the gentleman from Winthrop, Mr. Thaenum.

Mr. THAENUM: Mr. Speaker, Ladies and Gentlemen of the House: This L. D. 369 was carefully gone over by the committee and as the gentleman from Madawaska told you it does involve the payment of fees to the — what will be the losing parties as I understand it in this case. Whether or not the appropriation for the Industrial Accident Commission includes money for these purposes or not, I am not too well aware, but I am rather inclined to think that their budget does not include funds for this purpose. There was another point or two that was brought out before the committee, particularly by the legal profession. I am not a lawyer, but it was brought out that this was entirely foreign to the usual practices in the courts and so forth to pay the expenses of the losing parties in such proceedings. I think that we are all in sympathy with the injured worker, but this is very much a great change in our past practices in workmen's compensation proceedings, and with this statement I hope that the gentleman's motion for the passage of the Minority Report will not prevail. The Majority Report of the committee was very much in favor of an "Ought not to pass" Report in this case.

The SPEAKER: The Chair rec-

ognizes the gentleman from Houlton, Mr. Berman.

Mr. BERMAN: Mr. Speaker, I noted that Mr. Thaanum, a member of the committee, felt that some members of the legal profession said that the payment of attorney's fees was foreign to proceedings in court and that is certainly true. However, some fifty-odd years ago, when humane men and the suffragettes were very much appalled by the human wreckage that was coming out of industrial accidents, prevailed upon legislatures throughout the United States to set up the Workmen's Compensation system, it was contemplated at that time, that no attorneys would represent either the employer or the employee, that the Workmen's Compensation board would act for the injured employee.

Now over a period of time, the employers and the insurance carriers have seen fit in order to cut down on the cost, or so they thought, to hire very powerful attorneys to represent the insurance companies in these workmen's compensation cases. And in many instances, the injured employee is never represented. Now when the injured employee is represented in these cases, the maximum which he can hope to obtain on a weekly settlement is a substantially small sum, and I believe the present maximum is some \$39. Furthermore, many attorneys are not interested in representing the injured employees for a very practical reason that these cases can be very complicated cases and very time consuming cases, and the injured employee is not in any sort of financial position to give fair compensation to his attorney. Now some attorneys who are very much interested in the injured employees have taken these cases at personal sacrifices and all this bill is providing is a fair and sensible method whereby in the discretion of the Commission, and in Maine I am happy to say that we have a very good Commission and a very fair-minded Commission, in the discretion of the Commission in a deserving case, that the injured employee who is getting at the most \$39 a week compensation will

be able to have some witness fees and a modest attorney fee paid.

I do hope that the motion of my neighbor from Madawaska, that the Minority Report be accepted will pass, because that certainly is the fair thing to do in this workmen's compensation field. Thank you.

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

Mr. ESTEY: Mr. Speaker, Ladies and Gentlemen of the House: This is again one of the perennial bills that has been before the Legislature's Labor Committee. I believe we are putting ourselves in a dangerous position here in awarding fees for attorneys and witnesses in an appeal hearing. Two of the Commissioners on the Board are attorneys and they are charged to watch and take care of the rights of the injured employee, and have an enviable record in that direction. This is to me a dangerous precedent in that if an appeal goes to hearing on an appeal — actually goes to a court case — they are charged to bear that injured employee's interests. If we were to pass this bill and an appeal case was lost, I feel that we would be faced in future legislatures with resolves to reimburse employees who had lost a case before the Commission. As Mr. Thaanum pointed out, I don't believe there's an appropriation in the budget for the Commission to cover such costs, and I believe that we ought to accept the "Ought not to pass" Report on this bill.

The SPEAKER: The Chair recognizes the gentleman from Madawaska, Mr. Levesque.

Mr. LEVESQUE: Mr. Speaker, the reason for this type of legislation is this, that four or five years ago a member that was injured could be represented up to a certain extent by a member of his international union if he belonged to a union. Five years ago, I believe that was taken out and therefore they cannot be represented in any way through their agent. And furthermore, I think it's very unfair that the companies can have their attorneys through their insurance and physicians come out before the Commission and be able to put out a case against the

worker where it's a border line case, and again as Mr. Estey from Portland has pointed out these people that are on the Commission would have to approve such attorneys to represent the employee on a border line case and only on those cases would the Commission be allowed to have the injured employee come out with an attorney to help him process his case. And I certainly feel that this would be a good bill. The employee certainly cannot afford to pay those fees where he has been injured and the companies through their insurance are all being covered by insurance. So therefore they have their agents and I feel that the employee should have the same prerogative. Thank you.

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

Mr. TYNDALE: Mr. Speaker, as you know sometime ago I presented before this House a bill in regards to filing petitions for review for the Workmen's Compensation Act. I think there is a great deal to say in regard to the Industrial Accident Commission. I believe that there could be some improvements -- a great deal of improvements -- as to both the conduct of hearings and the work load that the Industrial Accident Commission has to bear. As far as the clarification of this bill, I can bring to you an illustration that actually happened. An employee in Kennebunkport, this happened to be a town employee at that time, was called before the Industrial Accident Commission. When I appeared—he asked me if I wouldn't appear with him, which I gladly consented being a selectman of the town at that time -- we went before the Industrial Accident Commission and I saw them represented by a very capable attorney. Certainly I did not intend to match legal wits with this gentleman. However, we managed to get through the hearing disregarding all the legal terms that he brought up at that time and came somewhat to a satisfactory conclusion.

There is other legislation in the House in regards to the Industrial Accident Commission, and which Mr. Thaanum has kindly consented

to work with a group on, and in view of this forthcoming legislation, I would like to table this unassigned for the time being.

The SPEAKER: In reference to item one on page eight, Legislative Document 369, Bill "An Act relating to Costs of Witness and Attorney Fees Under Workmen's Compensation Act," the gentleman from Kennebunkport, Mr. Tyndale, moves that this bill be tabled unassigned then pending the motion of the gentleman from Madawaska, Mr. Levesque, that the House accept the Minority "Ought to pass" Report. Is this the pleasure of the House?

Mr. ESTEY: I request a division on the tabling motion, if you please.

The SPEAKER: A division has been requested on the tabling motion.

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

A division of the House was had.

Sixty-six having voted in the affirmative and forty-five having voted in the negative, the motion to table prevailed.

The SPEAKER: The Chair would like to recognize the presence in the gallery of a group of seventh and eighth grade students from Troy Central School, accompanied by their teacher, Mr. Halle. Also in the gallery we have thirty-three students, a group studying American History, from the Leavitt Institute, they are accompanied by their instructor, Mr. Mark Plante.

On behalf of the House, the Chair extends to you a most hearty and cordial welcome and we hope that you will enjoy and profit by your visit with us here today. (Applause)

The SPEAKER: The Chair recognizes the presence in the Hall of the House of the Maine Poultry Queen, Miss Susan Allen of Skowhegan. The Chair will request that the Sergeant-at-Arms escort the Poultry Queen to the well of the hall of the House to make some presentations.

Thereupon, Miss Susan Allen, Maine Poultry Queen, was escorted

to the well of the hall of the House by the Sergeant-at-Arms.

Miss SUSAN ALLEN: Mr. Speaker, Ladies and Gentlemen of the House: Since the Maine Broiler Festival at Belfast last July, it has been my privilege to represent Maine's largest agricultural industry—poultry. Today, I want to thank you for giving me the added privilege of appearing here, to call attention to a large segment of that industry—eggs. And to give you a few facts about good Maine eggs.

Our table egg production plays a major role in our seventy-five million dollar poultry industry. In fact, a whopping twenty-eight million dollars. We celebrate March as Maine Egg Month, but the fact is eggs make good eating any month in the year. They are nutritious, easy on the pocketbook and on the waistline too, and chances are if your skin has been glowing recently and there's a twinkle in your eye, it's the iron and the copper in the eggs you have been eating that put it there.

It now gives me a great deal of pleasure, Mr. Speaker, to present you with this invitation to this year's Maine Broiler Festival on July 8. It will mean the end of a wonderful year for me as Maine Poultry Queen, but I am looking forward to the Festival. And I know you and your family will enjoy it also. (Applause)

The SPEAKER: I will prepare to take that picture back and show it to my wife. (Laughter) She enjoyed the one that I had taken with the Potato Blossom Queen. I am torn between going to Androscoggin County and seeing the pages we have with us today, Belfast to the Poultry Festival and to Aroostook to see the Potato Blossom Queen. If the summer is long enough, I hope to be in all three places of course at different times.

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 House Paper 827, Legislative Document 1142, "An Act relating to Licenses and Fees There-

for by Running Horse Racing Commission" be recalled from the Governor to the Senate (S. P. 501)

Came from the Senate read and passed.

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

The SPEAKER: The Chair would like to recognize at this time twenty-five students from the Woodstock High School, Bryant Pond, accompanied by Mrs. Stephen Jenkins and Miss Donna Miller, teachers. On behalf of the House, the Chair extends to you a most hearty cordial welcome and we hope that you too will enjoy and profit by your visit with us here today. (Applause)

The SPEAKER: Incidentally the Poultry Queen, Miss Susan Allen of Skowhegan, was crowned Poultry Queen at the Maine Broiler Festival at Belfast last July. In October she represented the Maine Poultry Industry at the Northeast Poultry Provinces Council at Syracuse, New York and was selected Poultry Princess of the Northeast. (Applause)

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

Motion that the House Reconsider its Action whereby it Failed to Enact An Act Revising the Law on Tax on Transient Rentals. (H. P. 551) (L. D. 748) (Emergency)

Tabled — March 22, by Mr. Baxter of Pittsfield.

Pending — Consideration.

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

Mr. BAXTER: Mr. Speaker, as I explained about a week ago this is a general revision of the transient rental tax law based on the experience that the department has had with it over the past two years. It failed of passage one Friday morning when we had a very light attendance, it being an emergency bill. Largely because some people didn't understand some of the parts of it. Since then we have had it on the table so that they could look it over, and offer amendments if they so wished and they have done, they have been satisfied with the bill and so

now it is ready to go along its way. However, it is an emergency and it does look as though we have the same problem as we had last time. In fact this time, there may not even be 101 here, and therefore I guess I will have to table this until Tuesday, April 4.

Thereupon, the Bill was tabled pending the motion of Mr. Jalbert of Lewiston to reconsider failure of passage for enactment, and specially assigned for Tuesday, April 4.

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

HOUSE DIVIDED REPORT—Report "A" Ought to Pass — Report "B" Ought Not to Pass—Committee on Inland Fisheries and Game on Bill "An Act relating to Use of Live Bait in Little Sebago Lake, Cumberland County." (H. P. 389) (L. D. 564)

Tabled — March 24, by Mr. Kellam of Portland.

Pending — Motion of Mr. Moore of Casco to Accept Report "A".

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

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

Bill "An Act to Regulate Credit Life and Credit Accident and Health Insurance" (H. P. 870) (L. D. 1205)

Tabled — March 17, by Mr. Hughes of St. Albans.

Pending — Passage to be Engrossed.

(On motion of Mr. Choate of Hallowell, the House voted to retable the Bill pending passage to be engrossed and specially assigned for Friday, March 31.)

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

SENATE REPORT — Ought to Pass With Committee Amendment "A" (Filing S-51) — Committee on Labor on Bill "An Act to Amend the Workmen's Compensation Act." (S. P. 173) (L. D. 419)

Tabled — March 21, by Mr. Minsky of Bangor.

Pending — Acceptance of Report. (On motion of Mr. Minsky of Bangor, the House voted to retable the Bill pending acceptance of the Report and specially assigned for Tuesday, April 4.)

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

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

Tabled — March 22 by Mr. Hinds of So. Portland.

Pending — Adoption of House Amendment "A" (Filing H-117)

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

Mr. DANES: Mr. Speaker, because of the absence of Mr. Hinds, the gentleman who tabled this item on the 22nd of March, I would move that this item be retabled until Wednesday next.

Thereupon, the Bill was retabled pending adoption of House Amendment "A" and specially assigned for Wednesday, April 5.

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

Bill "An Act Prohibiting Stocking Certain Waters with Fish" (H. P. 877) (L. D. 1212) In House Read Twice.

Tabled — March 24, by Mr. Plante of Old Orchard Beach.

Pending — Adoption of Committee Amendment "A" (Filing H-113)

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

COMMITTEE AMENDMENT "A" to H. P. 877, L. D. 1212, Bill, "An Act Prohibiting Stocking Certain Waters with Fish."

Amend said Bill by striking out the underlined words "pools or ponds" in the 5th line and inserting in place thereof the underlined word 'waters'

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

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

HOUSE REPORT — Ought Not to Pass — Committee on Legal Affairs on Bill "An Act relating to Municipal Officers in the City of Lewiston." (H. P. 156) (L. D. 219)

Tabled — March 28, by Mr. Malenfant of Lewiston.

Pending — Motion of Mr. Berry of Cape Elizabeth to accept committee report.

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

Mr. **MALENFANT**: Mr. Speaker, before I make a motion, I would like to explain to this House the merits of this bill. In Lewiston we have got a very poor form of government. The city operates on the thirteen commissions. Lewiston operates — the system that we have in Lewiston is the only one in the United States. As it is now there are five men on each commission except two commissions; there are two commissions with three.

Some members of the commissions run for public office. They use the power of their office and the personnel of their office to help their campaign. Last year one member of the Welfare Commission ran for Mayor. He put three or four loafers on the Welfare Department. The taxpayers had to support them. They got their board and room just to distribute some circulars and cards to help the candidate. In order to stop that the people of Lewiston asked me to present this bill. Now I make a motion to substitute the bill for the ought not to pass report of the Committee.

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

Mr. **JALBERT**: Mr. Speaker, this is not part of Androscoggin Day I assure you. While I am on my feet, Mr. Speaker, this might be as propitious a time as any to say that we might as well have the meeting that we were scheduled to have in your office out in the open. I want to assure you, and I am not romancing for any motions or any bills, you know me better than that, that I meant yesterday to apologize for the remarks

that I was about to make. I think many of you who know me know that I can get angry and very angry very quickly, and get very, very happy just as quickly, and I want to assure you that the only one slight difference between you and I is the fact that we have a different political philosophy, but that doesn't alter the fact that I have a great deal of admiration and respect for you. I might as well get that off my chest.

As far as this bill is concerned, it reads merely that no person holding any political appointive office shall become a candidate for an elective municipal office unless he first resigns from his appointive office.

Now there are people that can protect themselves at hearings and making public statements and one thing and another. There are others who certainly cannot protect themselves when statements are made about them on the Floor of this House or the other branch. The gentleman from Lewiston, Mr. Malenfant, mentioned that last year this gentleman ran for Mayor, he was on a board, he happened to be on the Board of Health and Welfare, and to step up his campaign, that he had people put on the welfare rolls so-called so that they could work for him. The individual who ran for Mayor happened to be a seat mate of mine in public schools, and a finer man and a finer citizen, even his opponents admitted, there wasn't and couldn't be in the City of Lewiston. He is now being heralded as our next chief executive. And I assure you that that kind of a statement in my opinion, is wrong, is erroneous, should not be entertained; it could not be any further from the truth, and with those remarks I hope that the motion to substitute the bill for the report will not prevail, and that the Legal Affairs unanimous report ought not to pass will be accepted.

The **SPEAKER**: The Chair thanks the gentleman from Lewiston, Mr. Jalbert, for his kind remarks. The feeling is mutual.

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

Mr. **DOSTIE**: Mr. Speaker and Members of the House: I am a

representative from Lewiston and I have been contacted by a lot of people, and all the people that contacted me asked me to vote against this bill. They feel that things are run right in Lewiston as it is, so therefore I hope the motion of the gentleman from Lewiston, Mr. Malenfant, does not prevail.

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

Mr. MALENFANT: Mr. Speaker and Members of the House: If you notice, it is always the same ones that oppose my bill. The gentleman from Lewiston, Mr. Jalbert, never occupied municipal office. He ran for Mayor against me once and I beat him by a four thousand vote majority. Just like an elephant he never forgets me.

I have served as a municipal officer for twelve years. If the people of Lewiston think enough of me to elect and re-elect me for twelve years, they must think that everything I am going to present here is right. I am going to ask the House to support my bill for one reason — I mean many reasons, but the main reason is not to give a chance to the gentleman from Lewiston, Mr. Jalbert, to tell the people outside that he controls the majority of this House.

The SPEAKER: The Chair recognizes the gentlewoman from Bristol, Mrs. Sproul.

Mrs. SPROUL: Mr. Speaker, I would like to state the position of the Legal Affairs Committee. This bill provides no person holding any municipal appointive office shall become a candidate for any other office unless he resigns. That situation could quite conceivably be a dangerous one. A person might want to hold more than one office. Also we had a good hearing on this, and this bill was opposed by the League of Women Voters, by the Vigilantes, by another organization which calls themselves the Lewiston Improvement for Tomorrow group. It certainly was our feeling that this bill was not a good bill, and I hope that the motion of the gentleman from Lewiston, Mr. Malenfant, does not prevail.

Mr. Malenfant of Lewiston was granted permission to address the House a third time.

Mr. MALENFANT: Mr. Speaker, this bill does not deprive the commissioner to run for public office, but I want them to resign their office before they file their papers. That includes only municipal office.

The SPEAKER: Is the House ready for the question?

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

Mr. TARDIFF: Mr. Speaker, when the vote is taken I move for a division.

The SPEAKER: A division has been requested. The question before the House is the motion of the gentleman from Lewiston, Mr. Malenfant, that the House substitute the Bill "An Act relating to Municipal Officers in the City of Lewiston" for the Committee "Ought not to pass" Report. All those in favor of the motion to substitute the bill for the report please rise and remain standing until the monitors have made and returned their count.

A division of the House was had.

Two having voted in the affirmative and one hundred nine having voted in the negative, the motion did not prevail.

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

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

HOUSE REPORT — Ought Not to Pass — Committee on Legal Affairs on Bill "An Act relating to Number of Members and Terms of Office of Boards and Commissions of City of Lewiston." (H. P. 204) (L. D. 299)

Tabled — March 28, by Mr. Malenfant of Lewiston.

Pending — Acceptance of Report.

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

Mr. MALENFANT: Mr. Speaker, Members of the House: A good soldier never gives up the battlefield. I am a good soldier and I am going to stay on the battlefield until the last fight is over, but to win my battle I need re-

enforcements, more than I had on the first bill. (laughter)

This bill, I have got a referendum on this bill. When the Lewiston City charter was adopted in 1939 two commissions had only three members. The Fire Commission was only three members. The Police Commission was only three members but they are appointed by the Governor. All the rest of the commissions was five members. The Police Department gets tired to wait every two years when they were in need of something, because the commission was appointed by the Governor. So one of our Senators, the late Senator Boucher presented a bill to bring the commission back to Lewiston to be appointed by the Mayor. At the same time he raised the number of the commissioners from three to five. The very same group that opposed this bill was opposed to increasing the number of the commissioners from three to five. It said three was better. Today the very same bunch come up again to oppose my bill, they say no, three is no good, five is better.

As it is, this bill will save \$4,000 to the city every year. Only the Finance Board, the two men on the Finance Board, that is going to save \$1,000, that they have five men on each board, only three members on every board that runs the whole show. The other two just say yes. They receive \$300 a year just to be yes-men, so we don't need them there.

All that I want, I want the support of this House to give a chance to the people of Lewiston to vote on this bill. In 1949 at one of our municipal elections we had a referendum. The question on the referendum was "Are you satisfied with the present City Charter?" The vote on the referendum was ten to one, no, they were not satisfied. But this House don't give us a chance to change it. We have been trying every two years. The same bunch that always operates, always opposes my bill, always come up. They are just like a bad penny, they always come back.

I am going to repeat again that there is a referendum on this bill. Now please in order to help the taxpayers of Lewiston, vote on this

bill. If this bill doesn't go through I am going to be ashamed to go back to Lewiston and say the House defeated my bill because I am proud to be a member of this House. This has a referendum on it and I hope you give me a fair deal. I hope you give a fair deal to the taxpayers of Lewiston to support this bill. Now, Mr. Speaker, I make a motion to substitute the bill for the ought not to pass report of the committee.

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

Mr. JALBERT: Mr. Speaker and Members of the House: The gentleman from Lewiston, Mr. Malenfant mentioned on the previous bill that I opposed him because I still was smarting under the clobbering he gave me. I carried four out of seven wards. I lost by a few votes in the first election but I lost control in the run-off because I had no more funds left and so I got hold of a lot of automobiles with what funds I had left and my opponent immediately got on the radio and said he had no funds, so he said I can't hire cars, my opponent has a lot of cars, drive in his cars and ride in his cars to the polls and vote for me. It was a thoroughly honest gesture I know.

Also, as far as opposing his bill on a serious nature, I have presented not sniping amendments to the charter, but seventeen amendments to the Lewiston charter since its inception in 1939. It is a unique form of government, but it is a good form of government because it allows many, many people from all walks of life to participate in it. I have always presented my amendments after listening to a charter revision committee also made up of people of all walks of life. I have never presented a bill or amendments to the charter on my own, such as I have the parking bill that is now signed by the Governor.

As far — again referring to the gentleman from Lewiston, it is surprising to me that when he defeated me for Mayor he was also a member of this House, that he didn't then think of the taxpayers of the City of Lewiston and present a bill

like this. He is waiting now of course because he possibly is out of office. The bill has been heard by the Legal Affairs Committee, the report was unanimous ought not to pass and I hope the motion of the gentleman from Lewiston does not prevail.

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

Mr. DOSTIE: Mr. Speaker and Members of the House: I have to repeat the same things as I did on the first bill, and before this is over, my name will be mentioned too the same as the gentleman from Lewiston, Mr. Jalbert. I got up to oppose this bill and I hope the motion does not prevail.

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

Mr. MALENFANT: Mr. Speaker and Members of the House: Last December when the gentleman from Lewiston, Mr. Jalbert, pointed out that I had all these bills in Mr. Slosberg's office, he told me that he was going to kill all my bills. He seems to think that he controls the majority of the House. Now all that I want, I am going to repeat again, give a chance to the people of the City of Lewiston to vote on this bill on this referendum. I ask for a division.

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

Mr. KIMBALL: Mr. Speaker, may I ask a question through the Chair? I am not quite certain in my mind, but as I understood the gentleman from Lewiston, Mr. Malenfant, said that a referendum was held, a local referendum in which the voters stated ten to one they would like to have a chance to have a referendum. I missed that point. May I ask that question?

The SPEAKER: The gentleman from Mount Desert, Mr. Kimball, has asked a question through the Chair of the gentleman from Lewiston, Mr. Malenfant, who may answer if he chooses.

Mr. MALENFANT: Mr. Speaker and Members of the House: In 1949 we had a referendum just to find out the opinion of the people.

The question on the referendum was are you satisfied —

The SPEAKER: I hope the gentleman will confine himself to answering the question because he has already spoken twice.

Mr. MALENFANT: That is what I want to answer.

The SPEAKER: You may proceed.

Mr. MALENFANT: The question on the referendum was, "Are you satisfied with the present City Charter?" Ten to one, no, they were not satisfied.

The SPEAKER: The Chair recognizes the gentlewoman from Bristol, Mrs. Sproul.

Mrs. SPROUL: Mr. Speaker and Members of the House: Reference has been made to the charter of the City of Lewiston. At the hearing the feeling of the Committee was that the people in Lewiston were pretty much satisfied with the charter. Also they cited instances back in 1939 of corrupt government and so on in Lewiston, and they thought they were more protected now by the charter.

Also, I will have to agree with the gentleman from Lewiston, Mr. Malenfant, on one count, and that is that the same bunch seem to oppose the bill, the Lewiston Improvement for Tomorrow, the League, and so on, but we feel that they do have a charter, and the charter is working as well as any human invention can be expected to work, and therefore, we opposed the bill. I hope the motion does not prevail.

The SPEAKER: Is the House ready for the question? The question before the House is the motion of the gentleman from Lewiston, Mr. Malenfant, to substitute Bill "An Act relating to Number of Members and Terms of Office of Boards and Commission of City of Lewiston," House Paper 204, Legislative Document 299, for the Committee "Ought not to pass" Report, and a division has been requested.

All those who favor substituting the Bill for the "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-two having voted in the affirmative and seventy-one having voted in the negative, the motion did not prevail.

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

The SPEAKER: The Chair would like to compliment the groups in the balcony for their very rapt attention.

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

An Act relating to Workmen's Compensation Insurance. (H. P. 201) (L. D. 296)

Tabled—March 28, by Mr. Brown of So. Portland.

Pending—Passage to be Enacted.

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

Mr. ESTEY: Mr. Speaker, I must first apologize to this House and to my learned and esteemed colleague, Mr. Knight from Rockland, in being absent yesterday when he asked a question pertaining to this bill. It just so happened that I was making an important telephone call and did not anticipate the large crowds in the rotunda and was held up and didn't get back here in time to discuss this motion.

I can answer the question to the House now and I have talked to Mr. Knight immediately after yesterday's adjournment, and he is perfectly satisfied, I have answered all his questions and he will permit me to take this bill off the table and continue with it.

Pursuant to an order of the 99th Legislature, Senate Paper 502, there was a joint interim committee established to study the Workmen's Compensation Law. And this bill is the result of that study. The committee was made up of Judge Cyril Joly who is Chairman of the Commission, Roger Putnam, representing industry; Mr. Benjamin Dorsky, representing labor; Mr. Thomas N. Weeks, representing the insurance companies, and Harold Towle of the Commission, acting as secretary. This bill is nothing more than a clarification of the law of workmen's compensation regarding an assenting employer. I

am not familiar enough with all the aspects of the Workmen's Compensation law to discuss it in detail, but principally this bill provides that if an employer covers his employees with insurance, he is considered an assignee employer without any further complications as far as the law is concerned.

The Commission needs this clarification in the law. It has had a good hearing and a unanimous "Ought to pass" report, and I have satisfied Mr. Knight's questions. I know Mr. Brown is not present today, but he was a member of the committee and he tabled it because he knew I was not here to answer the questions.

I therefore move that this be passed to be enacted.

Thereupon, the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

The SPEAKER: The Chair recognizes the presence in the hall of the House of the Mayor of Lewiston, now Senator Jacques and a former member of this House. The Chair will request that the Sergeant-at-Arms escort the gentleman to the rostrum to sit with the Speaker for as long as he cares to during the session.

Thereupon, Senator Emile Jacques was escorted to the rostrum by the Sergeant-at-Arms, amid the applause of the members of the House.

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

Resolve Changing Survivor Payments to Mrs. Anita K. Lyons of Bangor, as Guardian for Minors, House Paper 1071, Legislative Document 1473.

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

Mr. BRAGDON: Mr. Speaker, this resolve was placed on the Special Appropriations Calendar because it carries the cost of \$5,744.23. It is now agreed that this amount affects the Retirement and Pension Fund only, and we should not have been concerned with it

in the first place. We now admit our error and move that this bill receive its final passage.

Thereupon, the Resolve was finally passed, signed by the Speaker, and sent to the Senate.

On motion of Mr. Tyndale of Kennebunkport, the House voted to take from the table the twenty-ninth tabled and unassigned matter:

HOUSE REPORT—Ought not to Pass—Committee on State Government on Bill "An Act Increasing Salary of Commissioner of Inland Fisheries and Game." (H. P. 778) (L. D. 1060)

Tabled—March 24, by Mr. Tyndale of Kennebunkport.

Pending—Acceptance of Report.

Thereupon, on motion of the same gentleman, the "Ought Not to Pass" Report was accepted and sent up for concurrence.

On motion of Mr. Letourneau of Sanford, the House voted to take from the table the fifteenth tabled and unassigned matter:

Bill "An Act relating to Fraternal Benefit Societies" (S. P. 394) (L. D. 1260)—In Senate Passed to be Engrossed with Committee Amendment. (Filing S-36)

Tabled—March 14, by Mr. Letourneau of Sanford.

Pending—Passage to be Engrossed.

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

On motion of Mr. Stewart of Presque Isle, the House voted to take from the table the third tabled and unassigned matter:

HOUSE REPORT—Ought to Pass With Committee Amendment "A" (Filing H-44)—Committee on Inland Fisheries and Game on Resolve, regulating Ice Fishing on Portage Lake, Aroostook County. (H. P. 489) (L. D. 689)

Tabled — February 23, by Mr. Stewart of Presque Isle.

Pending—Acceptance of Report.

The SPEAKER: The Chair recognizes the gentleman from Presque Isle, Mr. Stewart.

Mr. STEWART: Mr. Speaker, I now move that this resolve and all

its accompanying papers be indefinitely postponed.

The SPEAKER: The question now before the House is the motion of the gentleman from Presque Isle, Mr. Stewart, that the Report and the Resolve be indefinitely postponed.

The Chair recognizes the gentleman from Ashland, Mr. Prue.

Mr. PRUE: Mr. Speaker and Members of the House: This bill happens to be one of my bills, and at the hearing that we had it was a unanimous committee report and there was no opposition at the hearing, and I have many telegrams and letters on this matter; but rather than take up any more time, and there may be a possible amendment that would take away some of the difficulties, I would like to ask the House to let me table this until next Wednesday.

The SPEAKER: The question now before the House is the motion of the gentleman from Ashland, Mr. Prue, that L. D. 689 be tabled until Wednesday, April 5, pending the motion of Mr. Stewart of Presque Isle to indefinitely postpone. Is this the pleasure of the House?

The motion prevailed.

On motion of Mr. Maddox of Vinalhaven, the House voted to take from the table the eighteenth tabled and unassigned matter:

An Act Requiring Public Utilities Commission Approval of Rates for Ferry Service for North Haven, Vinalhaven, Islesboro, Swan's Island and Long Island Plantation. (H. P. 475) (L. D. 675)

Tabled—March 15, by Mr. Maddox of Vinalhaven.

Pending—Passage to be Enacted.

Thereupon, on motion of the same gentleman, the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

On motion of Mr. Albair of Caribou, the House voted to take from the table the seventh tabled and unassigned matter:

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

Tabled—March 10, by Mr. Albair of Caribou.

Pending—Passage to be En-grossed.

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

Mr. ALBAIR: Mr. Speaker, if it is permissible, I would like to speak on seven, eight, nine and ten.

The SPEAKER: The gentleman would have to speak on one at a time.

Mr. ALBAIR: What I had to say in reference to item seven, L. D. 688, I would like to point out that there are two lakes involved in this one resolve. It is pretty hard for people to make up their minds on one particular bill when one might be in favor of another.

The delegation met last week and we tried to resolve these various—relative to ice fishing. As you probably know, there are ten lakes—you have a mass opening of lakes here. I don't know what the motive is behind this but I can't see it at this time; it will create a lot of problems relative to policing of these lakes; it will present undue pressure as far as the wardens, probably—to be present when fishing is taking place.

I would now move that L. D. 688 with all its accompanying papers be indefinitely postponed.

The SPEAKER: The question before the House is the motion of the gentleman from Caribou, Mr. Albair, that item seven be indefinitely postponed.

The Chair recognizes the gentleman from Ashland, Mr. Prue.

Mr. PRUE: Mr. Speaker, this resolve is another one of my bills. The reason that I filed these bills was on the advice of our Fish and Game Club in the area. They voted unanimously to put these lake bills in. Now on item seven, these two particular lakes are up in the deep woods and they only get fished in the summer by going in by airplane mostly. In the wintertime there are hauling roads that go up through by these lakes, and there are people who like to fish as well in the winter as they do in the summer; and it would seem to me that everybody could

not afford to hire an airplane and fish in the area, so I think that this is a little closed bill—rather it gives everybody a chance to do a little fishing, have a little outing and a little recreation up in the area. And the associated clubs of Aroostook County went on up, there were six clubs, and four clubs voted for these particular bills, two clubs voted against them. One club didn't have its dues paid, it refrained from voting but they said if they had had their dues paid up they would have voted for the bill.

Now that is my reason for putting these bills in, it seems to me what people want; and I'm down here trying to do what I think the people want. I am not representing any of you, I am not much of a fisherman myself, but I do believe that the people should have a right to fish as much in the winter as they do in the summer; and if they have a better way of getting there by these hauling roads, and I saw many like bills go through here for ice fishing this session, so I don't think that we are too much out of line. And I hope that the motion of the gentleman from Caribou does not prevail.

The SPEAKER: The Chair recognizes the gentleman from Eagle Lake, Mr. Gallant.

Mr. GALLANT: Mr. Speaker, I am from that area, and I see that they have different meetings at different times during the summer about those lakes, and many clubs were represented, they have a biologist there, they have representation from the Fish and Game Department, and they would not oppose the fishing and they said that there wouldn't any harm be done if they fished those lakes in the winter. And that would only be for a couple of months during the winter and it's only for a two years' trial. I hope the motion of the gentleman from Caribou, Mr. Albair, does not prevail. Thank you very much.

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

Mr. JOHNSON: Mr. Speaker, I ask for a division please.

The SPEAKER: A division has been requested.

The Chair recognizes the gentleman from Mars Hill, Mr. Tweedie.

Mr. TWEEDIE: Mr. Speaker and Members of the House: I have had very strong opposition to opening these lakes for ice fishing. The principal reason is this, it is no trouble to go and fish these lakes all day in the summer now and get skunked. The ice fishing opens it up for a very few people. The principal objection that I seem to receive is that it is not difficult at all to clean all of the salmon and trout from these ponds in the wintertime. When they go to spawn, they stay near the spawning beds. The natives who do this, who live immediately around the area, can get them all almost, and it is no trouble at all to buy a few in the summer after you have been skunked, from the deep freezers of some of these guys.

I ask that the motion prevail.

The SPEAKER: The Chair recognizes the gentleman from Presque Isle, Mr. Stewart.

Mr. STEWART: Mr. Speaker and Ladies and Gentlemen of the House: I hate to prolong this, I realize that we are talking merely about a hole in the ice here. Actually this type of legislation is not new in the legislative hall. I understand from my predecessor that this has been going on for years and years. In this case there is not one lake asked for, but two; and as you read your calendar on other bills you will note in places where there are three lakes asked for. It is more like a barrage, where they fire hoping they will hit something. Now, in Aroostook County, as perhaps throughout the state, we are on the horns of a dilemma. We have many lakes and many fishermen, but not all the fish that we would like. Certainly we must conserve our fish and if you will recall a short time ago the County of Aroostook voted unanimously with the members of this House, on a ten fish limit, in order to preserve the fish that we now have.

The people in this area are not ice fishing nearly as much as they do open water fishing; the majority of the fishermen are open water. This type of bill is for a small number of fishermen and not

the great majority. Therefore, I hope that the motion of the gentleman from Caribou, Mr. Albair, does prevail.

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

Mr. JOHNSON: Mr. Speaker, I belong to Sportsmen, Incorporated of Stockholm, I am a paid up member. And two weeks ago Saturday the Treasurer was down and visited us down in Augusta; and Mr. Jacobs told me, he said, "Jim," he says, "we would like to have all the lakes open." And I notice on a Sunday if you take your car and drive around Augusta and the surrounding towns, you can see the fish houses out on the lake, the boys having a good time; but if you come up through Aroostook, you can't see one place that you can go ice fishing in the wintertime. Thank you.

The SPEAKER: Is the House ready for the question?

The Chair recognizes the gentleman from Madawaska, Mr. Levesque.

Mr. LEVESQUE: Mr. Speaker and Members of the House: I can very well see where some objections would be made to some ice fishing, but in this area, Long Lake being in my district, and I have had different people and groups of people who referred to Long Lake as one of the lakes that has been closed and is now ready for being reopened for ice fishing in the winter. Now if all the biologists agree that it will not hurt the fish in Long Lake and if the Commissioner of Inland Fish and Game agrees on the same thing, and yet you have some representation from any local area come up and say it will hurt the fish, I don't think that is very good legislation.

Now the subject has come up as to being unable to police the area. There is only smelt fishing in all those lakes, so I don't think by adding these lakes to fishing to other than smelt fishing would hurt, and would also be so hindered on the servicing of these lakes that it would be made impossible, because all these people in those areas that I represent have strongly agreed with the biologists that it will not hurt the fish. And

they came down at the hearing, which the hearing was made for everybody to speak, enough of the people who were against it had enough to say to come down here and oppose this bill, and there were different groups, sportsmens organizations that came down to the hearings and gave their reasons why it ought to pass; so therefore I hope that the motion of the gentleman from Caribou, Mr. Albair, does not prevail.

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

Mr. BRAGDON: Mr. Speaker and Members of the House: I qualify myself to speak in this matter by saying that I am not a fisherman, either an ice fisherman nor do I fish in the summer. However, I do try to take what seems to me to be a practical view of this situation. I feel that I have a right to take this view inasmuch as there is a decided difference of opinion which I find in talking with the so-called experts. So I am only giving my views for what they are worth. It does not make sense to me that we can go into these lakes the last two months in the winter and catch out a substantial amount of trout and salmon and find there is good fishing the following spring when the sun gets warm and the ice begins to go out and the urge comes upon people from all over the state to get up in those areas and fish and bring some business into the area. These are beautiful lakes, they are salmon and trout lakes; and I believe that we could improve them by — we have already voted to keep down the fish limit, which I believe is wise. The number of fish being caught in these lakes is gradually decreasing.

However, I do think that they are a tremendous asset to the State of Maine. I believe that we should do more in the way of stocking them, make them more attractive so, as we advertise Maine and possibly Aroostook County, that we are going to attract people not only from other areas in the State but from outside the State. We certainly are not going to do this if we eliminate the fish. It is certainly no use to do a lot of

advertising and have people come in and find that what we've advertised is not there. So, I hope that we will do a better job of stocking these lakes, improve the fishing, do some more advertising, and I don't believe we can logically do it by allowing people to go in in the wintertime when a certain few people know where the fish are and catch them out at that time.

I certainly hope that you will go along with the motion of the gentleman from Caribou, Mr. Albair, and these remarks that I have now made will apply to all the other bills in this same category.

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

Mr. STORM: Mr. Speaker, after listening to the battle of Lewiston, I very much dislike to get involved in the Aroostook war. I would simply like to point out I have no personal interest in these ice fishing bills, but I have been contacted by some people who are interested in seeing them turned down. I would like to point out that the Long Lake mentioned in the item under discussion, item seven, is a different Long Lake than the one mentioned in L. D. 571, which is under item ten. There are two Long Lakes involved. Thank you.

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

Mr. EDGERLY: Mr. Speaker and Ladies and Gentlemen: I didn't think — I am no fisherman at all, when the fellows from up in Aroostook County go out in the winter and clean the lake right out of fish, they are pretty good fishermen I should say. And I don't think what fish anybody catches through the ice will harm the fish a mite in the summer. What does harm the fish in the summer is the sports that come and catch their limit, and they don't know when to stop and they stay right there and fish and throw them back. And they kill more than half of what they catch and throw back. We should have a law that when anyone catches their limit they should have to stop fishing. Everyone knows that fish don't live

after you handle them and hurt them with a hook. I for one don't see how it does any harm to fish through the ice. There are plenty of people who enjoy fishing through the ice that don't go fishing in the summer. Why deprive them of a little fishing through ice? Thank you.

The SPEAKER: The Chair recognizes the gentleman from Fort Kent, Mr. Cyr.

Mr. CYR: Mr. Speaker and Members of the House: As this seems to be a local issue, it sort of involves me also, coming from the area. It seems that I am obliged to express my view. Having been the president of the local fish and game club in my town for several years, it has been our policy up there to encourage the closing of lakes to ice fishing except for smelts. Most of our lakes up there are open for smelt fishing, and we consider it sufficient.

Furthermore, we always encourage the lakes to limit them to fly fishing in the area of Long Lake, Umsaskis and any of those lakes at the head of the Allagash, and also in the head of Fish River and Red River. Those lakes are all now at the present time closed to ice fishing and the trout fishing in the St. Croix and Eagle Lake has improved considerably since the ice fishing was made away with. And those places are limited to fly fishing and to five fish only. So I think I have to go along with the motion of the gentleman from Caribou, Mr. Albair.

The SPEAKER: Is the House ready for the question?

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

Mr. ALBAIR: Mr. Speaker, just a point of clarity. I would like to — the reason being I would like this included in the record. I have a wire here from Caribou dated February the 7th. It is addressed to myself, House of Representatives, Augusta. "Sportsmen's, Inc. are opposed opening of lakes in Fish River chain to ice fishing." The only reason I bring this out, it has been mentioned that there are groups as proponents. I have a group here as an opponent.

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

Mr. JOHNSON: Mr. Speaker, could I ask Mr. Albair a question?

The SPEAKER: The gentleman may ask the question.

Mr. JOHNSON: Mr. Albair, are you a member of the Sportsmen's, Inc. in Aroostook County?

The SPEAKER: The gentleman from Stockholm, Mr. Johnson, has asked a question through the Chair of the gentleman from Caribou, Mr. Albair, who may answer if he chooses.

Mr. ALBAIR: It is in the negative, Mr. Johnson.

The SPEAKER: Is the House ready for the question? The question before the House is the motion of the gentleman from Caribou, Mr. Albair, that Resolve, Regulating Ice Fishing on Umsaskis Lake and Long Lake, Aroostook County, be indefinitely postponed. A division has been requested.

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

A division of the House was had.

Sixty-three having voted in the affirmative and fifty having voted in the negative, the motion prevailed, the Resolve was indefinitely postponed and sent up for concurrence.

The SPEAKER: At this time the Chair would request the gentleman from Pittsfield, Mr. Baxter, to approach the rostrum to serve as Speaker pro tem.

Thereupon, Mr. Baxter assumed the Chair as Speaker pro tem and Speaker Good retired from the hall.

On motion of Mr. Albair of Caribou, the House voted to take from the table the eighth tabled and unassigned matter:

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

Tabled — March 10, by Mr. Albair of Caribou.

Pending — Passage to be Engrossed.

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

Mr. ALBAIR: Mr. Speaker, at this time I would move indefinite postponement of this Resolve and all accompanying papers, the reason being as has been previously stated.

The SPEAKER pro tem: The Chair recognizes the gentleman from Ashland, Mr. Prue.

Mr. PRUE: Mr. Speaker, since the statement has been made that we were going to just simply open every lake up here, I might say under this Resolve, these three particular lakes, I think an amendment could be prepared here to strike out some of those lakes, so I now ask the House to go along with me to table this until next Wednesday.

Thereupon, a division of the House was had.

Sixty-four having voted in the affirmative and forty having voted in the negative, the Resolve was tabled pending the motion of the gentleman from Caribou, Mr. Albair, to indefinitely postpone the Resolve, and specially assigned for Wednesday, April 5.

On motion of Mr. Albair of Caribou, the House voted to take from the table the ninth tabled and unassigned matter:

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

Tabled — March 10, by Mr. Albair of Caribou.

Pending — Passage to be Engrossed.

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

Mr. ALBAIR: Mr. Speaker, I would now move to indefinitely postpone this L. D.

The SPEAKER pro tem: The gentleman from Caribou, Mr. Albair, moves that item nine, L. D. 686, and all its accompanying papers be indefinitely postponed.

The Chair recognizes the gentleman from Ashland, Mr. Prue.

Mr. PRUE: Mr. Speaker, this being another one of the so-called great lakes bills, why since this

bill was put in, I understand that there was a dam maintained by the Maine Public Service, they are not going to maintain any more, and there no longer will be a light there, destroying the dam. So on this particular one just showing that I am trying to be reasonable with this House, I will concur with Mr. Albair.

The SPEAKER pro tem: The question before the House is the motion of the gentleman from Caribou, Mr. Albair, to indefinitely postpone item nine, L. D. 686. All those in favor of the indefinite postponement, say aye; those opposed, no.

A viva voce vote being taken, the motion prevailed and the Resolve was indefinitely postponed and sent up for concurrence.

On motion of Mr. Albair of Caribou, the House voted to take from the table the tenth tabled and unassigned matter:

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

Tabled — March 10, by Mr. Albair of Caribou.

Pending — Passage to be Engrossed.

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

Mr. ALBAIR: Mr. Speaker, I would like to point out that under this L. D. there are three lakes. It's nothing but repetition at this time, but there are three lakes, and I can't see how anybody would be in favor of one lake could vote to apply opening fishing to one of these — the three are in the one bill — I just can't see it, so I would also move to indefinitely postpone this L. D.

The SPEAKER pro tem: The question now before the House is the motion of the gentleman from Caribou, Mr. Albair, that item ten, L. D. 571, be indefinitely postponed.

The Chair recognizes the gentleman from Eagle Lake, Mr. Gallant.

Mr. GALLANT: Mr. Speaker and Members of the House: I would like to table this bill until Wednesday next.

The SPEAKER pro tem: The question before the House is the motion of the gentleman from Eagle Lake, Mr. Gallant, that this bill be tabled until Wednesday next.

Thereupon the Bill was retabled pending the motion of Mr. Albair of Caribou to indefinitely postpone and specially assigned for Wednesday, April 5.

On motion of Mr. Pike of Lubec, the House voted to reconsider its action whereby on March 28 it accepted the Senate "Ought not to pass" Report on Bill "An Act relating to Coercive Practices in Retail Sale and Distribution of Gasoline," S. P. 403, L. D. 1299.

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

Mr. PIKE: Mr. Speaker, I would now move that this item be tabled until Wednesday next.

Thereupon, the Bill was tabled pending the acceptance of the committee "Ought not to pass" report and specially assigned for Wednesday, April 5.

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

Mr. TYNDALE: Mr. Speaker, at this time I thought you would like to read this letter with me because I feel that the contents are apropos at this time, and will indicate the healthy climate of Maine for industrial activity. This letter is from Mr. Henry L. Callahan, Senior Vice President, Sylvania Electric Products.

"Dear Monty:

"We have indeed been pleased with our Waldoboro operation, and would most certainly give thought to expansion elsewhere in the State of Maine if the occasion should arise.

"Thanks for your continuing interest in Sylvania."

And he adds a post script. "Monty, as you may know we are planning quite a large addition to the Waldoboro plant."

I think this is a fine indication that our State of Maine is going to move forward in this direction. (Applause)

At this point, Speaker Good returned to the rostrum.

SPEAKER GOOD: The Chair wishes to congratulate the gentleman from Pittsfield, Mr. Baxter, for his excellent performance as Speaker pro tem.

On motion of Mr. Bragdon of Perham, the House voted to take from the table the thirty-eighth tabled and unassigned matter:

Bill "An Act relating to Specially Designed Motor Vehicles Number Plates for Representatives of Indian Tribes at the Legislature," (H. P. 1047) (L. D. 1447)

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

Pending — Passage to be Engrossed.

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

Mr. BRAGDON: Mr. Speaker, when I tabled this bill I was under the impression that the Indians within our borders do now vote in elections the same as you or I. I find that I was only partly right, because of a request by the Indian tribes themselves, they do, I understand, vote for every other candidate except Representatives to the Legislature. When this law was changed giving them the right to vote, it was at their own request.

So they do not, as I understand it, vote for Representatives. My point being that they were represented here in this House and that it perhaps was not logical to give them special number plates. So I am not going to oppose this bill, however, I would like to point out two things. I asked a few questions in regard to it. One was do they now occupy seats in the House, the answer was no. I said what numbers are they going to have on their plates, the answer was probably one and two. Well that doesn't bother me any, if it does anybody else in the State of Maine, why that's their problem — not mine.

So, I did find out though that instead of the seal of the State of Maine they will probably have an Indian head or words "Indian representative," so this being a very minor matter, and perhaps because

I did partially misunderstand it, I have no further objections to this bill.

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

Mr. HAUGHN: Mr. Speaker, Ladies and Gentlemen of the House: I appreciate the comments of my colleague from Perham, Mr. Bragdon, and if he wants to give number one back to the Indians, I am all for it. (Laughter)

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

Mr. TURNER: Mr. Speaker, I think it's alright to have one Indian have seat number one and I move indefinite postponement of the bill, so there won't be any conflict.

The SPEAKER: The Gentleman from Auburn, Mr. Turner, has moved that the bill be indefinitely postponed.

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

Mr. SMITH: Mr. Speaker, this bill came before our committee and the Indians came down and they wanted to have their own plates, and we have had quite a lot of fun with it this morning, however it is a serious matter with the Indians. And if a tribe can be appeased and made happy over a couple of number plates, the committee felt that was a small price to pay to keep the Indians happy over the situation. And therefore, we brought back the report that we did, which I believe was "Ought to pass." And I hope this motion to indefinitely postpone does not prevail.

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

Mr. PIKE: Mr. Speaker, hadn't meant to get my bill in this matter, but it is probably a good time to bring it up. The previous speaker has mentioned the childish pleasure which some people would have in getting license plates. I think we have to realize that we were the leaders in this childishness, or maybe the unmentionable other body was the leader, but this strikes me all in all a piece of foolishness, and I don't see why if we have plates, the other body has

plates, the council has plates, you have got another bill up here having plates, why everybody shouldn't have special plates. It is a spreading thing this — I call it childishness, and I don't think I am very far off the mark—although I must say that I will probably hear some disagreement on the point. I will go along with the gentleman from Auburn on his motion to indefinitely postpone this and any other bills of a similar sort to come up before this Legislature.

The SPEAKER: Is the House ready for the question? The question before the House is the motion of the gentleman from Auburn, Mr. Turner, that the bill be indefinitely postponed. All those in favor say aye; opposed, no.

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

Forty-eight having voted in the affirmative and fifty-eight having voted in the negative, the motion did not prevail.

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

On motion of Mr. Bragdon of Perham, the House voted to take from the table the thirty-ninth tabled and unassigned matter:

Bill "An Act Providing Added Special Designating Plates for Handicapped Person." (H. P. 1087) (L. D. 1497)

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

Pending — Passage to be Engrossed.

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

Mr. BRAGDON: Mr. Speaker and Members of the House: I tabled these two bills somewhat together just to get some information in regard to what they were doing and what other bills of the same nature we had coming before us. We did see what I understand is the only other bill with regard to special plates go by the House this morning.

I did find out that this bill simply provides a tag on the present number plate of handicapped persons which will be provided by the

Secretary of State at a fee of \$1.00 and I have no objection.

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

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

Mr. HAUGHN: Mr. Speaker, just for the purpose of making two announcements, one regarding a supper meeting tonight, the Cumberland County delegation scheduled for the Worster House, has been cancelled, and will be put on the agenda tomorrow for the next meeting.

And one more to notify the House of the condition of my colleague Mr. Knight from Rockland. He has gone to Boston today and will be there for approximately three to four days for a physical examination due to his physical condition.

Mr. Gardner of Orono was granted unanimous consent to address the House briefly.

Mr. GARDNER: Mr. Speaker and Members of the House: The eggs are hard boiled and salt is provided. (Applause)

The SPEAKER: The Chair would announce the schedule for next week will probably be the same as it was this week. However, the week after next there may be a change in that we may hold a session on Thursday, since Committee work is beginning to get caught up or cleaned up. On Friday of this week we will adjourn prior to noon.

On motion of Mr. Wade of Skowhegan,

Adjourned until Friday, March 31, at nine o'clock in the morning.