

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and First
Legislature*

OF THE

STATE OF MAINE

1963

DAILY KENNEBEC JOURNAL
AUGUSTA, MAINE

HOUSE

Wednesday, February 13, 1963

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

Prayer by the Rev. Mr. Robert Smith of the Baptist Church, Jefferson.

The journal of yesterday was read and approved.

Papers from the Senate

From the Senate:

Bill "An Act to Create the Economic Poisons Board" (S. P. 410) (L. D. 1155)

Bill "An Act relating to Unlicensed Dogs" (S. P. 411) (L. D. 1153)

Bill "An Act relating to Lists of Dogs in Tax Assessor's Inventories" (S. P. 412) (L. D. 1154)

Bill "An Act Creating the Uniform Hazardous Substances Labeling Act" (S. P. 413) (L. D. 1156)

Bill "An Act relating to Fee for Disposal of Dogs and Damages Done by Dogs" (S. P. 414) (L. D. 1157)

Bill "An Act relating to Dog Licenses and Fees Therefor" (S. P. 415) (L. D. 1158)

Came from the Senate referred to the Committee on Agriculture.

In the House, referred to the Committee on Agriculture in concurrence.

From the Senate:

Bill "An Act to Pay School Subsidies on the Basis of Uniform Local Effort" (S. P. 416) (L. D. 1159)

Bill "An Act relating to Suspension of Schools During Teachers County Conventions" (S. P. 417) (L. D. 1160)

Came from the Senate referred to the Committee on Education.

In the House, referred to the Committee on Education in concurrence.

From the Senate:

Bill "An Act Revising Laws Relating to Pineland Hospital and Training Center" (S. P. 418) (L. D. 1161)

Bill "An Act Revising the Laws Relating to Apothecaries and the Sale of Poisons" (S. P. 419) (L. D. 1162)

Came from the Senate referred to the Committee on Health and Institutional Services.

In the House, referred to the Committee on Health and Institutional Services in concurrence.

From the Senate:

Bill "An Act Continuing Use of State Aid and Town Road Improvement Funds" (S. P. 386) (L. D. 1089)

Bill "An Act relating to Expenditures under Town Road Improvement Fund Law" (S. P. 387) (L. D. 1090)

Bill "An Act relating to Fixing the Boundaries of Highways and Town Ways" (S. P. 420) (L. D. 1163)

Came from the Senate referred to the Committee on Highways.

In the House, referred to the Committee on Highways in concurrence.

From the Senate:

Bill "An Act relating to Registration and Transportation of Deer" (S. P. 388) (L. D. 1091)

Bill "An Act Prohibiting Planting Fish in Great Ponds Inaccessible to Public" (S. P. 421) (L. D. 1164)

Came from the Senate referred to the Committee on Inland Fisheries and Game.

In the House, referred to the Committee on Inland Fisheries and Game in concurrence.

From the Senate:

Bill "An Act relating to Penalty for Violation of Liquor Laws" (S. P. 389) (L. D. 1092)

Bill "An Act relating to Fees of Expert Witnesses" (S. P. 390) (L. D. 1093)

Bill "An Act relating to Practice Before Probate Courts" (S. P. 391) (L. D. 1094)

Bill "An Act relating to Jurisdiction of Juvenile Courts Over Juveniles Using Vehicle Without Authority" (S. P. 392) (L. D. 1095)

Bill "An Act relating to Default under Trustee Process" (S. P. 422) (L. D. 1165)

Bill "An Act relating to Appeals by the State Upon Questions of Law in Criminal Cases" (S. P. 423) (L. D. 1166)

Bill "An Act relating to Authority of Department of Sea and Shore Fisheries to Search Buildings and Vehicles" (S. P. 424) (L. D. 1167)

Bill "An Act relating to Restraint of Vicious Dogs" (S. P. 425) (L. D. 1168)

Bill "An Act relating to Discrimination in Rental Housing" (S. P. 426) (L. D. 1169)

Came from the Senate referred to the Committee on Judiciary.

In the House, referred to the Committee on Judiciary in concurrence.

From the Senate:

Bill "An Act relating to Automobile Junk Yards" (S. P. 393) (L. D. 1096)

Bill "An Act Transferring Probation of Juveniles in Cumberland County to State Probation Administration" (S. P. 427) (L. D. 1170)

Bill "An Act relating to Dogs Brought to Veterinarian" (S. P. 428) (L. D. 1171)

Bill "An Act relating to Fees in Disclosure Proceedings" (S. P. 429) (L. D. 1172)

Bill "An Act relating to Enforcement of Laws Relating to Litter" (S. P. 430) (L. D. 1173)

Came from the Senate referred to the Committee on Legal Affairs.

In the House, referred to the Committee on Legal Affairs in concurrence.

From the Senate:

Bill "An Act relating to Illegal Manufacture of Liquor" (S. P. 394) (L. D. 1097)

Came from the Senate referred to the Committee on Liquor Control.

In the House, referred to the Committee on Liquor Control in concurrence.

From the Senate:

Bill "An Act relating to Right of Electric Power Companies to Take Lands for Lines by Right of

Eminent Domain" (S. P. 395) (L. D. 1098)

Bill "An Act relating to Crossing Railroad Right-of-Way by Water Utility" (S. P. 396) (L. D. 1099)

Bill "An Act relating to Identification of Authorized Carrier Vehicles" (S. P. 431) (L. D. 1174)

Bill "An Act to Clarify Granting of Water Pipe Location Permits" (S. P. 432) (L. D. 1175)

Came from the Senate referred to the Committee on Public Utilities.

In the House, referred to the Committee on Public Utilities in concurrence.

From the Senate:

Bill "An Act Providing a Sports License for Taking Lobsters" (S. P. 397) (L. D. 1100)

Came from the Senate referred to the Committee on Sea and Shore Fisheries.

In the House, referred to the Committee on Sea and Shore Fisheries in concurrence.

From the Senate:

Bill "An Act Increasing Reimbursement for Expenses of Reporter of Decisions" (S. P. 398) (L. D. 1101)

Bill "An Act relating to Term of Office of Department Heads Appointed by Governor" (S. P. 399) (L. D. 1102)

Bill "An Act Entering the State of Maine into the Interstate Library Compact" (S. P. 400) (L. D. 1103)

Came from the Senate referred to the Committee on State Government.

In the House, referred to the Committee on State Government in concurrence.

From the Senate:

Bill "An Act Creating a Permanent Commission on State Tax and Financing Policy" (S. P. 401) (L. D. 1104)

Bill "An Act relating to Excise Taxes on Motor Vehicles Paid by Members of Penobscot Tribe of Indians" (S. P. 433) (L. D. 1176)

Bill "An Act relating to Taxpayers Furnishing List of Property to Assessors" (S. P. 434) (L. D. 1177)

Came from the Senate referred to the Committee on Taxation.

In the House, referred to the Committee on Taxation in concurrence.

From the Senate:

Bill "An Act Increasing Salaries of Treasurer and Deputy Treasurer of Cumberland County and Certain Municipal Court Judges in Cumberland County" (S. P. 402) (L. D. 1105)

Bill "An Act to Provide for Special Deputy Clerks of Court" (S. P. 403) (L. D. 1106)

Bill "An Act Increasing Salary of Superior Court Messenger of Cumberland County" (S. P. 404) (L. D. 1107)

Bill "An Act Permitting Municipalities to Establish Insurance Reserve Funds" (S. P. 405) (L. D. 1108)

Bill "An Act Increasing Salary of Clerk of Courts of Androscoggin County" (S. P. 406) (L. D. 1109)

Bill "An Act Increasing Salaries of Certain County Officials of Androscoggin County" (S. P. 407) (L. D. 1110)

Bill "An Act relating to Municipal Forest Fire Suppression Costs" (S. P. 408) (L. D. 1111)

Bill "An Act Adjusting Salary for the Supreme Judicial Court Messenger in Cumberland County" (S. P. 435) (L. D. 1178)

Bill "An Act Increasing Salaries of the County Attorneys and the Assistant County Attorneys" (S. P. 436) (L. D. 1179)

Came from the Senate referred to the Committee on Towns and Counties.

In the House, referred to the Committee on Towns and Counties in concurrence.

From the Senate:

Bill "An Act Clarifying Months Covered by Fee for Operation of Certain Trucks" (S. P. 437) (L. D. 1180)

Bill "An Act relating to Safety Requirements for Operation of Certain Motor Vehicles" (S. P. 438) (L. D. 1181)

Bill "An Act relating to Lights on Snow Removal or Sanding Equipment" (S. P. 439) (L. D. 1182)

Bill "An Act relating to Temporary Registration Permits for Cer-

tain Motor Vehicles and Special Permits for Other Vehicles" (S. P. 440) (L. D. 1183)

Came from the Senate referred to the Committee on Transportation.

In the House, referred to the Committee on Transportation in concurrence.

Senate Reports of Committees Leave to Withdraw

Report of the Committee on Judiciary on Bill "An Act Providing for Detention of Suspicious Persons by Police Officers" (S. P. 105) (L. D. 333) reporting Leave to Withdraw.

Report of the Committee on Legal Affairs reporting same on Bill "An Act Requiring State License to Sell Firearms" (S. P. 151) (L. D. 427)

Came from the Senate read and accepted.

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

Ought Not to Pass

Report of the Committee on Legal Affairs reporting "Ought not to pass" on Bill "An Act relating to Time and Penalty for Dogs Running at Large" (S. P. 111) (L. D. 340)

Came from the Senate read and accepted.

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

Covered by Other Legislation

Report of the Committee on Retirements and Pensions reporting "Ought not to pass" on Bill "An Act relating to Restoration to Service of Disability Retirants under State Retirement System" (S. P. 154) (L. D. 430), as it is covered by other legislation.

Report of same Committee reporting same on Resolve Providing for an Increase in Pension for Effie L. Warner, of Rumford (S. P. 155) (L. D. 431), as it is covered by other legislation.

Came from the Senate read and accepted.

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

Ought to Pass

Report of the Committee on Judiciary reporting "Ought to pass" on Bill "An Act relating to Penalties for Burglary and Larceny" (S. P. 108) (L. D. 336)

Report of same Committee reporting same on Bill "An Act relating to Penalty for Conveyance of Land in Plats without Approval" (S. P. 109) (L. D. 337)

Report of the Committee on State Government reporting same on Bill "An Act Providing for a Continuance of the Constitutional Commission" (S. P. 83) (L. D. 190)

Report of same Committee reporting same on Bill "An Act relating to Support of Patients at State Institutions" (S. P. 123) (L. D. 352)

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 tomorrow assigned.

Ought to Be Adopted

Report of the Committee on Agriculture on Joint Resolution Memorializing Congress to Enact Legislation Abolishing Futures Trading of Potatoes on the New York Mercantile Exchange (S. P. 127) (L. D. 354) reporting that it "Ought to be Adopted"

Came from the Senate with the Report read and accepted and the Resolution adopted.

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

From the Senate: The following Communication: (S. P. 468)

REPORT OF THE COMMITTEE TO PLAN FOR AN INSTITUTION SERVING AS A RECEPTION AND TREATMENT CENTER

January 24, 1963

Honorable Members
of the 101st Legislature:

Pursuant to the duty entrusted to it under Chapter 204 of the Private and Special Laws of 1961, the Committee to Plan for an Institution Serving as a Reception and Treat-

ment Center, herewith submits its report to the 101st Legislature.

Respectfully submitted,

(Signed)

CARL M. STILPHEN
RALPH D. BROOKS, Jr.
SYLVIO J. GILBERT
L. ERNEST THORNTON
EDWIN R. SMITH
RONALD L. KELLAM

Came from the Senate read and with accompanying Report ordered placed on file.

In the House, the Communication was read and with accompanying Report ordered placed on file in concurrence.

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

**Petitions, Bills and Resolves
Requiring Reference**

The following Bills and Resolves were received and, upon recommendation of the Committee on Reference of Bills, were referred to the following Committees:

Agriculture

Bill "An Act Revising Price Controls on Milk" (H. P. 889) (Presented by Mr. Childs of Portland)

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

Mr. CHILDS: Mr. Speaker, I move that item 1, House Paper 889, "An Act Revising Price Controls on Milk" be referred to the Committee on Business Legislation.

The SPEAKER: The gentleman from Portland, Mr. Childs, moves that this item 1, be referred to the Committee on Business Legislation and 800 copies printed. Is that the pleasure of the House?

The Chair recognizes the gentleman from Scarborough, Mr. Coulthard.

Mr. COULTHARD: Mr. Speaker and Ladies and Gentlemen of the House: We have a similar bill before the Agricultural Committee at this time. It is not turned out of Committee as yet, so I would hope that the motion of the gentleman

from Portland, Mr. Childs, would not pass.

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

Mr. CHILDS: Mr. Speaker, the bill which the gentleman from Scarborough refers to is also a bill which was presented by myself. Members of the House, there is a great distinction between the two bills. The bill which is before the Agriculture Committee and which has not been reported out, was a bill to abolish the Maine Milk Commission. This particular bill only refers to abolishing controls at the consumer level. It does not affect the producer or the farmer whatsoever. It is strictly a question of whether the dealers are getting more than a fair share of the take. It is a question of whether the consumers in the State of Maine are paying too much for milk. It is a question of the difference of price between the producer level and the consumer level and has absolutely nothing to do with the Agricultural Committee. So therefore, hoping this bill will get a fair hearing and knowing that it is a matter which concerns business more than it does agriculture, I hope that my motion will prevail.

The SPEAKER: The Chair recognizes the gentleman from Livermore, Mr. Boothby.

Mr. BOOTHBY: Mr. Speaker, I cannot see where you can divorce this from Agriculture. The Commissioner of Agriculture is an ex-officio member of the Milk Commission at the present time, and this bill directly affects all of our thousands of dairy farmers throughout the State. I think the Agricultural Committee is the proper place to handle it, and I would ask for a division.

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

Mr. KENT: Mr. Speaker, Ladies and Gentlemen of the House: Anything that has to do with the price of milk certainly affects the farmer, and I sincerely hope that the gentleman's motion is defeated.

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

Mr. CURTIS: Mr. Speaker and Ladies and Gentlemen of the House: I agree with the gentleman from Portland, Mr. Childs, that this should be handled in some sort of way to get a fairer hearing than bills previously have got in other Legislatures concerning milk.

The question now which every farmer is up against, if the farmer is interested in, then perhaps I agree with what has been said that he is interested in somewhat, although this particular bill if enacted as written, it would not affect the farmer but little. In other words, it does not change his, but it does do something which is time that something should be done and which has not been done over the number of years past since we had the establishment of this control board. The dairies who retail the milk in this State of Maine have got themselves into a position where it is almost impossible to appear against them or do anything against them. They are — in fact in my own county they have become so powerful that for some just minor thing that doesn't matter a bit as far as a good quart of milk is produced, they just cut off the producer, and I think it is high time that this condition be brought before Business Legislation or somewhere where it might get a real good hearing, and I shall support, and I trust other farmers will, support the gentleman from Portland, Mr. Childs' motion.

The SPEAKER: Is the House ready for the question? The Chair recognizes the gentleman from Scarborough, Mr. Coulthard.

Mr. COULTHARD: Mr. Speaker, Ladies and Gentlemen: One more word if I may. The price fixing or control by the Commission so-called, I might say that the Commission is made up of producers, producer-dealers, consumers and as the gentleman from Livermore said, the Commissioner of Agriculture, so all parties concerned would have a voice in the price of milk. Thank you.

The SPEAKER: The question before the House is the motion of the gentleman from Portland, Mr. Childs, that Bill "An Act Revising Price Controls on Milk", House Paper 889, be referred to the Com-

mittee on Business Legislation, and a division has been requested. All those in favor of this matter being referred to the Committee on Business Legislation please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Forty-nine having voted in the affirmative and seventy-two having voted in the negative, the motion did not prevail.

Thereupon, the Bill was referred to the Committee on Agriculture, 800 copies ordered printed and sent up for concurrence.

Bill "An Act Increasing Consumer Membership on the Maine Milk Commission" (H. P. 890) (Presented by Mr. Denbow of Lubec)

(Ordered Printed)

Sent up for concurrence.

Tabled and Assigned

Bill "An Act relating to Rate of Distribution of Pari Mutuel Pools and Unclaimed Tickets at Horse Racing" (H. P. 891) (Presented by Mr. Dostie of Lewiston by request)

(On motion of Mr. Wellman of Bangor, tabled pending reference to Committee and tomorrow assigned.)

Tabled and Assigned

Bill "An Act relating to Apportionment of Stipend to Agricultural Societies" (H. P. 892) (Presented by Mr. Gifford of Manchester)

(On motion of Mr. Wellman of Bangor, tabled pending reference to Committee and tomorrow assigned.)

Appropriations and Financial Affairs

Bill "An Act Providing a Full-Time Economist for the Department of Economic Development" (H. P. 893) (Presented by Mr. Giroux of Brunswick)

(Ordered Printed)

Bill "An Act to Provide for a State Committee on Children and Youth" (H. P. 894) (Presented by Mrs. Kilroy of Portland)

(Ordered Printed)

Bill "An Act Establishing a Forest Products and Industrial Research Laboratory" (H. P. 895)

(Presented by Mr. Plante of Old Orchard Beach)

(Ordered Printed)

Sent up for concurrence.

Business Legislation

Bill "An Act Permitting Savings Banks to Make Loan Secured by Mortgages of Property Located in the Eastern Slope Regional Airport" (H. P. 896) (Presented by Mr. Dunn of Denmark)

(Ordered Printed)

Sent up for concurrence.

Education

Bill "An Act Revising the Educational Foundation Program Allowance" (H. P. 897) (Presented by Mr. Easton of Winterport)

(800 copies Ordered Printed)

Bill "An Act Providing State Scholarships for Education" (H. P. 898) (Presented by Mr. Plante of Old Orchard Beach)

(800 copies Ordered Printed)

Bill "An Act to Correct Errors and Inconsistencies in the Education Laws" (H. P. 960) (Presented by Mr. Bradeen of Waterboro)

(Ordered Printed)

Bill "An Act Providing for State Support of Education Foundation Program and the Financing Thereof" (H. P. 899) (Presented by Mr. Mendes of Topsham)

(Ordered Printed)

Bill "An Act relating to Teaching Benefits for Military Service" (H. P. 900) (Presented by Mr. Plante of Old Orchard Beach)

(Ordered Printed)

Bill "An Act to Provide Uniformity in School Administrative District Meetings" (H. P. 901) (Presented by Mr. Wood of Brooks)

(Ordered Printed)

Sent up for concurrence.

Election Laws

Bill "An Act relating to Election Recounts" (H. P. 902) (Presented by Mr. Crockett of Freeport)

(Ordered Printed)

Bill "An Act relating to Qualifications for Voting at Local District Elections" (H. P. 903) (Presented by Mr. Philbrick of Augusta)

(Ordered Printed)

Sent up for concurrence.

Health and Institutional Services

Bill "An Act relating to Optometric Services under Aid to the Blind and Nonprofit Hospital Organization Laws" (H. P. 904) (Presented by Mrs. Lincoln of Bethel)

(Ordered Printed)

Bill "An Act Making Mandatory the Reporting of Blindness to Department of Health and Welfare" (H. P. 905) (Presented by Mr. Philbrick of Augusta)

(Ordered Printed)

Bill "An Act Providing for the New England Health Services and Facilities Compact" (H. P. 906) (Presented by Mr. Ross of Brownville)

(Ordered Printed)

Sent up for concurrence.

Industrial and Recreational Development

Bill "An Act Establishing a Division of Foreign Trade in the Department of Economic Development" (H. P. 907) (Presented by Mr. Jalbert of Lewiston)

(Ordered Printed)

Sent up for concurrence.

Inland Fisheries and Game

Bill "An Act relating to Hunting Raccoons and Bobcats" (H. P. 908) (Presented by Mr. Crockett of Freeport)

(Ordered Printed)

Sent up for concurrence.

Judiciary

Bill "An Act relating to Civil Liability of Legal Entities and Certain State Agencies" (H. P. 909) (Presented by Mr. Berman of Houlton)

(Ordered Printed)

Bill "An Act Repealing the Administrative Code" (H. P. 910) (Presented by Mr. Berry of Cape Elizabeth)

(Ordered Printed)

Bill "An Act relating to Short Forms for Deeds and Mortgages" (H. P. 911) (Presented by Mr. Cote of Lewiston)

(Ordered Printed)

Bill "An Act relating to Jurisdiction of Constables to Serve Process" (H. P. 912) (Presented by Mr. Cottrell of Portland by request)

(Ordered Printed)

Bill "An Act Increasing Certain Fees to Registers of Deeds" (H. P. 913) (Presented by Mr. Crockett of Freeport)

(Ordered Printed)

Bill "An Act relating to Suspension of Registration of Motor Vehicles Driven by Certain Persons When Arrested" (H. P. 914) (Presented by Mr. Knight of Rockland)

(Ordered Printed)

Bill "An Act relating to Liberation of Convicts Unable to Pay Fine or Costs" (H. P. 915) (Presented by same gentleman)

(Ordered Printed)

Bill "An Act relating to Use in Probate Court of Blanks Made by Commission on Probate Rules and Blanks" (H. P. 916) (Presented by same gentleman)

(Ordered Printed)

Bill "An Act relating to Order of Divorce Concerning Minor Children" (H. P. 917) (Presented by same gentleman)

(Ordered Printed)

Bill "An Act relating to Statute of Limitations on Actions for Malpractice of Physicians" (H. P. 918) (Presented by same gentleman)

(Ordered Printed)

Bill "An Act to Create a Law Revision Commission" (H. P. 919) (Presented by same gentleman)

(Ordered Printed)

Bill "An Act relating to Validation of Certain Real Estate Mortgages" (H. P. 920) (Presented by Mr. McGee of Auburn)

(Ordered Printed)

Bill "An Act relating to the Uniform Disposition of Unclaimed Property Act" (H. P. 921) (Presented by Mr. Pease of Wiscasset)

(Ordered Printed)

Bill "An Act Revising the Administrative Code" (H. P. 922) (Presented by same gentleman)

(Ordered Printed)

Bill "An Act Transferring Duties of Liquor Hearing Examiner to the District Court" (H. P. 923) (Presented by Mr. Ricker of Wales)

(Ordered Printed)

Bill "An Act relating to Operation of a Motor Vehicle While under the Influence of Intoxicating Liquor or Drug" (H. P. 924) (Presented by Mr. Rust of York)

(Ordered Printed)

Bill "An Act relating to Search Warrants" (H. P. 925) (Presented by same gentleman)

(Ordered Printed)

Bill "An Act relating to Transmittal to Secretary of State of Court Record of Appeal from Conviction Relative to Motor Vehicles" (H. P. 926) (Presented by same gentleman)

(Ordered Printed)

Bill "An Act relating to Appointment and Duties of Deputy Registers of Probate" (H. P. 927) (Presented by Mr. Thornton of Belfast)

(Ordered Printed)

Sent up for concurrence.

Labor

Bill "An Act Revising the Workmen's Compensation Act" (H. P. 928) (Presented by Mr. Ewer of Bangor)

(1,000 copies Ordered Printed)

Bill "An Act relating to Employment of Persons Because of Age" (H. P. 929) (Presented by Mrs. Kilroy of Portland)

(Ordered Printed)

Sent up for concurrence.

Legal Affairs

Bill "An Act relating to Operating Business on Sunday and Certain Holidays" (H. P. 930) (Presented by Mr. MacGregor of Eastport)

(1,000 copies Ordered Printed)

Bill "An Act relating to Operating Business on the Lord's Day and Certain Holidays" (H. P. 931) (Presented by Mr. Smith of Strong)

(1,000 copies Ordered Printed)

Bill "An Act Creating a State Lottery for the State of Maine" (H. P. 932) (Presented by Mr. Busiere of Lewiston)

(Ordered Printed)

Bill "An Act relating to Recording of a Memorandum of Lease of Real Estate" (H. P. 933) (Presented by Mr. Pease of Wiscasset)

(Ordered Printed)

Bill "An Act Designating the General Election as a Legal Holiday" (H. P. 934) (Presented by Mr. Plante of Old Orchard Beach)

(Ordered Printed)

Bill "An Act Prohibiting Employment of Funeral Directors by Cemeteries" (H. P. 935) (Presented by

Mr. Wight of Presque Isle by request)

(Ordered Printed)

Sent up for concurrence.

Liquor Control

Bill "An Act relating to the Retail Sale of Vinous Liquors" (H. P. 936) (Presented by Mr. Philbrick of Augusta)

(Ordered Printed)

Bill "An Act Providing Funds for Treatment, Care and Rehabilitation of Alcoholics" (H. P. 937) (Presented by Mr. Waterman of Auburn)

(Ordered Printed)

Sent up for concurrence.

Natural Resources

Bill "An Act Classifying Certain Tidal Waters in Scarborough, Cumberland County" (H. P. 938) (Presented by Mr. Coulthard of Scarborough)

(Ordered Printed)

Bill "An Act relating to the Application of the Christmas Tree Law to Knox, Lincoln and Waldo Counties" (H. P. 939) (Presented by Mr. Waltz of Waldoboro)

(Ordered Printed)

Sent up for concurrence.

Sea and Shore Fisheries

Bill "An Act Regulating the Maximum Size of Otter Trawlers in Casco Bay and Adjacent Waters" (H. P. 940) (Presented by Mr. Brown of South Portland by request)

(Ordered Printed)

Bill "An Act relating to Suspension of Certain Licenses by Commissioner of Sea and Shore Fisheries" (H. P. 941) (Presented by Mr. Prince of Harpswell by request)

(Ordered Printed)

Sent up for concurrence.

State Government

Bill "An Act to Create a Commission on Intergovernmental Relations" (H. P. 942) (Presented by Mr. Cope of Portland)

(Ordered Printed)

Bill "An Act Increasing Salary and Expenses of Reporter of Decisions" (H. P. 943) (Presented by Mr. Crockett of Freeport)

(Ordered Printed)

Bill "An Act relating to Appointment of Commissioner of Finance and Administration and the State Budget Officer" (H. P. 944) (Presented by Mr. Giroux of Brunswick) (Ordered Printed)

Sent up for concurrence.

Taxation

Bill "An Act relating to a Net Income Tax Law for the State of Maine" (H. P. 945) (Presented by Mr. Childs of Portland) (1,500 copies Ordered Printed)

Bill "An Act Exempting Nonprofit Organizations from the Sales Tax" (H. P. 946) (Presented by Mr. Anderson of Ellsworth) (Ordered Printed)

Bill "An Act relating to Taxation of Junk Motor Vehicles" (H. P. 947) (Presented by Mr. Harrington of Dexter) (Ordered Printed)

Bill "An Act Exempting Boats and Motors from Property Tax" (H. P. 948) (Presented by Mr. Knight of Rockland by request) (Ordered Printed)

Bill "An Act Exempting from Sales Tax Sales of Meals Served by Certain Institutions and Homes Licensed by Department of Health and Welfare" (H. P. 949) (Presented by Mr. Plante of Old Orchard Beach) (Ordered Printed)

Bill "An Act Exempting Certain Elderly Persons from Real Estate Taxes" (H. P. 950) (Presented by same gentleman) (Ordered Printed)

Bill "An Act Making Motor Vehicles of Certain Public Utilities Subject to Motor Vehicle Excise Tax" (H. P. 951) (Presented by Mrs. Shaw of Chelsea) (Ordered Printed)

Bill "An Act relating to Distribution of State Tax in Unorganized Territory" (H. P. 952) (Presented by Mr. Viles of Anson) (Ordered Printed)

Sent up for concurrence.

Towns and Counties

Bill "An Act Requiring Line Budget for County Appropriations for all Counties" (H. P. 953) (Present-

ed by Mr. Plante of Old Orchard Beach)

(Ordered Printed)

Sent up for concurrence.

Transportation

Bill "An Act relating to the Licensing of Motor Vehicle Manufacturers, Distributors and Wholesalers" (H. P. 954) (Presented by Mr. Finley of Washington)

(Ordered Printed)

Bill "An Act Providing for Tie Rod Locks for Certain Motor Vehicles" (H. P. 955) (Presented by Mr. McGee of Auburn by request) (Ordered Printed)

Bill "An Act Providing for a Pine Tree in Lieu of a Hyphen on Motor Vehicle Registration Plates" (H. P. 956) (Presented by Mr. Plante of Old Orchard Beach by request)

(Ordered Printed)

Sent up for concurrence.

Welfare

Bill "An Act relating to Definition of Dependent Child under Aid to Dependent Children" (H. P. 957) (Presented by Mr. Brown of South Portland)

(Ordered Printed)

Bill "An Act relating to the Definition of Aid to Dependent Children" (H. P. 958) (Presented by same gentleman)

(Ordered Printed)

Bill "An Act Eliminating Residence Requirements in Public Assistance" (H. P. 959) (Presented by Mr. Plante of Old Orchard Beach)

(Ordered Printed)

Sent up for concurrence.

Orders

On motion of Mr. Viles of Anson, it was

ORDERED, that Rev. Olin Shute of the Methodist and Congregational Churches, North Anson, be invited to officiate as Chaplain of the House on Thursday, March 7, 1963.

On motion of Mrs. Vaughn of Peru, it was

ORDERED, that Rev. Everett Sjöberg of the Baptist Church, West Peru, be invited to officiate as Chaplain of the House on Wednesday, March 6, 1963.

On motion of Mr. Harrington of Dexter, it was

ORDERED, that Rev. Gordon F. Parlin of the Methodist Church, Dexter, be invited to officiate as Chaplain of the House on Tuesday, March 5, 1963.

House Reports of Committees Leave to Withdraw

Mr. Bradeen from the Committee on Education on Bill "An Act to Authorize the Municipalities of Etna and Plymouth to Form a School Administrative District" (H. P. 271) (L. D. 365) reported Leave to Withdraw.

Mr. Dudley from the Committee on Municipal Affairs reported same on Bill "An Act relating to Sick Leave for Members of Police Department of City of Lewiston" (H. P. 300) (L. D. 394)

Reports were read and accepted and sent up for concurrence.

Ought Not to Pass Tabled and Assigned

Mr. Gallant from the Committee on Claims reported "Ought not to pass" on Resolve Reimbursing Town of Medway for Certain Pauper Relief (H. P. 192) (L. D. 261)

Report was read.

(On motion of Mr. Birt of East Millinocket, tabled pending acceptance of Committee Report and specially assigned for Wednesday, February 20.)

Mr. Wade from the Committee on Inland Fisheries and Game reported "Ought not to pass" on Bill "An Act Prohibiting Use of Power Boats on Tim Pond and Mud Pond, Franklin County" (H. P. 284) (L. D. 378)

Report was read and accepted and sent up for concurrence.

Ought to Pass Printed Bills

Mr. Karkos from the Committee on Business Legislation reported "Ought to pass" on Bill "An Act relating to Incorporation of Maine Hereford Association" (H. P. 419) (L. D. 572)

Mr. Oberg from same Committee reported same on Bill "An Act to Incorporate Elco Acceptance Corporation" (H. P. 362) (L. D. 535)

Mrs. Vaughn from same Committee reported same on Bill "An Act relating to Stuffed Toys" (H. P. 420) (L. D. 573)

Mr. Watkins from same Committee reported same on Bill "An Act to Incorporate the Domestic Acceptance Corporation" (H. P. 363) (L. D. 536)

Mr. Libby from the Committee on Claims reported same on Resolve Granting World War I Bonus to Albert C. Lorentzen of Portland (H. P. 195) (L. D. 264)

Mr. Susi from same Committee reported same on Resolve in favor of Edwin C. Chick of Norway (H. P. 268) (L. D. 362)

Mr. Anderson from the Committee on Inland Fisheries and Game reported same on Resolve Regulating Fishing in Katahdin Lake, Penobscot County (H. P. 210) (L. D. 279)

Mr. Reynolds from same Committee reported same on Resolve Regulating Ice Fishing in Mill Privilege Lake, Carroll and T. 5, R. 1, Penobscot County (H. P. 209) (L. D. 278)

Mr. Wade from same Committee reported same on Resolve Regulating Fishing in Fifth Debsconeag Lake, Piscataquis County (H. P. 211) (L. D. 280)

Mr. Gifford from the Committee on Labor reported same on Bill "An Act Revising Laws Relating to Panel of Mediators" (H. P. 113) (L. D. 157)

Mrs. Lincoln from the Committee on Municipal Affairs reported same on Bill "An Act relating to Organization of Police Department of City of Lewiston" (H. P. 238) (L. D. 306)

Reports were read and accepted, the Bills read twice, Resolves read once, and tomorrow assigned.

Referred to Committee on Taxation

Mr. Townsend from the Committee on Liquor Control on Bill "An Act Decreasing the Excise Tax on Malt Liquor" (H. P. 670) (L. D. 926) reported that it be referred to the Committee on Taxation.

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

**Ought to Pass with
Committee Amendment**

Mrs. Hendricks from the Committee on Health and Institutional Services on Bill "An Act Increasing Fees and Clarifying Barber Licensing Law" (H. P. 30) (L. D. 54) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Bill read twice.

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

COMMITTEE AMENDMENT "A" to H. P. 30, L. D. 54, Bill, "An Act Increasing Fees and Clarifying Barber Licensing Law."

Amend said Bill in that part designated "Sec. 1" in paragraph "C" by inserting after the underlined word and punctuation "tinting," and before the word "shampooing" the underlined word and punctuation "bleaching," and by inserting after the semicolon and before the single quotation mark at the end, the following underlined words and punctuation, "and such dyeing, tinting or bleaching shall not be practiced unless the barber or apprentice barber has taken a course with a minimum of 75 hours in such practices, approved by the board;"

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

Mr. Ewer from the Committee on Labor on Bill "An Act relating to Definition of 'Construction' under Construction Safety Rules and Regulations" (H. P. 114) (L. D. 158) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Bill read twice.

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

COMMITTEE AMENDMENT "A" to H. P. 114, L. D. 158, Bill, "An Act Relating to Definition of 'Construction' Under Construction Safety Rules and Regulations."

Amend said Bill in that part designated "Sec. 38-B." in subsection IV in the 6th line by indicating the striking out of the word "only" by drawing a line through as follows "only".

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

Mr. Wellman from the Committee on Municipal Affairs on Bill "An Act relating to Duties and Compensation of Council of Town of Oakland" (H. P. 4) (L. D. 24) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Bill read twice.

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

COMMITTEE AMENDMENT "A" to H. P. 4, L. D. 24, Bill, "An Act Relating to Duties and Compensation of Council of Town of Oakland."

Amend said Bill by striking out all of Sec. 1 and inserting in place thereof the following: "Sec. 1, P. & S. L., 1935, c. 58 Sec. 5, amended. The first sentence of section 5 of chapter 58 of the private and special laws of 1935 is repealed and the following enacted in place thereof:

'Said council elected, as herein provided, shall enact all ordinances authorized by the Revised Statutes, chapter 90-A, section 3, subsection II, relating to enacting ordinances on public ways and other public property.'

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

**Divided Report
Tabled**

Majority Report of the Committee on Taxation reporting "Ought to pass" on Bill "An Act Increasing Sales Tax" (H. P. 313) (L. D. 406)

Report was signed by the following members:

Messrs. WYMAN of Washington
BROWN of Hancock
— of the Senate.

Messrs. WATERMAN of Auburn
WOOD of Brooks
ALBAIR of Caribou
BROWN of Fairfield
JONES of Farmington
— of the House.

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

Report was signed by the following members:

Mr. LETOURNEAU of York
— of the Senate.
Messrs. COTTRELL of Portland
AYOOB of Fort Fairfield
— of the House.

Reports were read.

(On motion of Mr. Albair of Caribou, tabled pending acceptance of either Report and unassigned.)

Passed to Be Engrossed

Bill "An Act to Incorporate the Seaboard Finance Company of Pine Tree" (S. P. 138) (L. D. 415)

Bill "An Act to Incorporate the Seaboard Finance Company" (S. P. 139) (L. D. 416)

Bill "An Act relating to Use of Service Facilities by Banks" (S. P. 140) (L. D. 417)

Bill "An Act Classifying Card Brook in Ellsworth" (H. P. 34) (L. D. 220)

Bill "An Act relating to Discharge in Bankruptcy under Financial Responsibility Law" (H. P. 110) (L. D. 154)

Bill "An Act relating to Disability Retirement for State Employees" (H. P. 247) (L. D. 315)

Bill "An Act relating to Certificates for Female Dogs" (H. P. 261) (L. D. 355)

Bill "An Act to Consolidate the Maine Unitarian Association with Northeast District of the Unitarian Universalist Association" (H. P. 295) (L. D. 389)

Bill "An Act to Consolidate The Universalist Church of Maine with Northeast District of the Unitarian Universalist Association" (H. P. 296) (L. D. 390)

Bill "An Act Increasing Indebtedness of Limestone Water and Sewer District" (H. P. 304) (L. D. 397)

Bill "An Act Clarifying the Corporate Powers of the Franciscan Fathers of Maine" (H. P. 342) (L. D. 499)

Bill "An Act to Incorporate the Port Clyde Water District" (H. P. 494) (L. D. 696)

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 relating to Powers of Enforcement by Inland Fish and Game Wardens" (H. P. 3) (L. D. 23)

Bill "An Act relating to Retirement of Policemen and Firemen by Local Districts Participating in Maine State Retirement System" (H. P. 305) (L. D. 398)

Resolve Authorizing George W. Carson, Jr. and Marion P. Carson to Bring Action Against the State of Maine (H. P. 226) (L. D. 296)

Resolve Designating the Veterans Memorial Bridge at Belfast (H. P. 277) (L. D. 371)

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

Passed to Be Enacted Emergency Measure

An Act relating to Rules and Regulations in Fishing. (S. P. 60) (L. D. 110)

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

Emergency Measure

An Act Authorizing the Municipalities of Dexter, Garland and Ripley to Form a School Administrative District (H. P. 93) (L. D. 137)

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

Emergency Measure

An Act to Authorize the Municipalities of Amity, Cary Plantation,

Haynesville, Hodgdon, Linneus, Ludlow and New Limerick to Form A School Administrative District (H. P. 95) (L. D. 139)

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

Emergency Measure

An Act to Authorize the Municipalities of Bradford, Corinth, Exeter, Hudson and Kenduskeag to Form a School Administrative District (H. P. 201) (L. D. 270)

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

Emergency Measure

Resolve Opening Kingsbury Pond and Mayfield Pond to Smelt Fishing (H. P. 108) (L. D. 152)

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

Enactor

Tabled and Assigned

An Act Authorizing Maine Forestry Department to Accept Federal Funds (S. P. 69) (L. D. 119)

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

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

Passed to Be Enacted

An Act Requiring Information from Banks for Division of Veterans Affairs (S. P. 76) (L. D. 184)

An Act relating to Authorization of Husson College to Confer Degrees (H. P. 28) (L. D. 52)

An Act Permitting Hunting by Bow and Arrow on Swan Island, Hancock County (H. P. 105) (L. D. 149)

An Act Creating the Hog Island Game Sanctuary (H. P. 146) (L. D. 197)

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

An Act to Incorporate the Public Finance Corporation of Belfast (H. P. 185) (L. D. 254)

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

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

Mr. TAYLOR: Mr. Speaker, Ladies and Gentlemen of the House: I am very strongly opposed to the passage of item 11, Legislative Document 254, on the grounds that the purpose of this bill is to create a new charter for each branch of the Public Finance Corporation when there is already a charter allowing this corporation to operate its main office and branch offices presently in effect. It becomes obvious that the issuance of a separate charter for each branch is a tax dodge, to evade full payment of corporation taxes to our Federal Government and, as a responsible Legislator, I do not believe that the Members of this House should become a party to legalize ways and means for any corporation to evade Federal taxes.

Pending a possible amendment to this present law, I hereby move that this bill be indefinitely postponed.

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

Mr. MacLEOD: Mr. Speaker, we heard this bill in the Business Legislation Committee and it came

out of that Committee with a unanimous "Ought to pass" Report. I don't think it is the duty of this Legislature to prohibit business or to make it difficult for business to operate in this Country or in this State when it is acceptable under the tax laws of the United States of America. We have many businesses in this State that form separate corporations for tax purposes and do this legally. If this is the prime reason why the Public Finance Corporation is forming this new corporation for tax reasons, I still don't think it is our business to prohibit them from engaging in business.

The SPEAKER: The Chair recognizes the gentleman from Augusta, Mr. Humphrey.

Mr. HUMPHREY: Mr. Speaker, the Public Finance Corporation system is owned and operated by American Investment Company of Illinois, a reasonable organization whose shares are listed on the New York Stock Exchange. It has been doing business in the State of Maine for quite a long while, and now operates nineteen licensed small loan agencies all over the State. Our statutes and the banking law require that each office be specially licensed by the Bank Commission. The system is now operated with thirteen charters, thirteen separate corporations, some of which have more than one licensed office. Public Finance wishes a separate corporate charter for each location, and are willing to pay the corporation franchise taxes to the State of Maine necessary to exist as a corporation. These bills are only to permit such existence. They do not license the doing of business, they already have their license. And I will say the State will lose \$500 on each one of these if this bill is indefinitely postponed. I hope the motion of the gentleman from South Portland, Mr. Taylor, does not prevail, and I ask for a division.

The SPEAKER: Is the House ready for the question? The Chair recognizes the gentlewoman from Peru, Mrs. Vaughn.

Mrs. VAUGHN: Mr. Speaker, Ladies and Gentlemen of the House: I would like to add to what the gentleman from Brewer, Mr. Mac-

Leod, has said, that this was checked out with the Bank Commissioner, and they have no objections to these finance companies being given separate charters. This was asked at our committee hearings and this is what he said, they had no objection to them. And again, I wish to reiterate what the gentleman from Augusta, Mr. Humphrey, has already said, that it does mean \$500 to the State on each one of these that are incorporated. Thank you.

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

Mr. CHILDS: Mr. Speaker, I only want to say that at the present time there is a bill before Congress which will prevent finance companies from doing this in the future. At the present time it is still legal. If we did have a corporate income tax in the State of Maine I would certainly oppose this legislation because it would have an impact on the State's finances, but at the present time we do not have a corporate income tax and it will not have any effect on the State.

The SPEAKER: Is the House ready for the question? The question before the House is the motion of the gentleman from South Portland, Mr. Taylor, that item 11, "An Act to Incorporate the Public Finance Corporation of Belfast," House Paper 185, Legislative Document 254, be indefinitely postponed. A division has been requested. All those in favor of the motion to indefinitely postpone will please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

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

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

An Act to Incorporate the Public Finance Corporation of Biddeford (H. P. 186) (L. D. 255)

An Act to Incorporate the Public Finance Corporation of Ellsworth (H. P. 187) (L. D. 256)

An Act to Incorporate the Public Finance Corporation of Houlton (H. P. 188) (L. D. 257)

An Act to Incorporate the Public Finance Corporation of Lincoln, Me. (H. P. 189) (L. D. 258)

An Act to Incorporate the Public Finance Corporation of Portland No. 2 (H. P. 190) (L. D. 259)

An Act to Incorporate the Public Finance Corporation of Northern Maine (H. P. 191) (L. D. 260)

Finally Passed

Resolve Opening St. Georges and Little St. Georges Lakes, Waldo County, to Ice Fishing (S. P. 59) (L. D. 109)

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

Tabled And Assigned

Resolve Regulating Salmon Fishing Nahmakanta Lake, Piscataquis County (H. P. 5) (L. D. 11)

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

(On motion of Mr. Anderson of Ellsworth, tabled pending final passage and specially assigned for Wednesday, February 20.)

Resolve Regulating Ice Fishing on Lake Wassookeag, Dexter, Penobscot County (H. P. 107) (L. D. 151)

Resolve Relating to Ice Fishing and Night Fishing on Indian Pond, Somerset and Piscataquis Counties (H. P. 150) (L. D. 201)

Resolve Authorizing Director of Public Improvements to Convey Land in Scarborough to George W. Scamman, Robert W. Scamman and Wentworth W. Scamman (H. P. 312) (L. D. 405)

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

Orders of the Day

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

HOUSE REPORT — Ought not to pass — Committee on Inland Fisheries and Game on Bill "An Act relating to Method of Taking Smelts in Fish River Chain of Lakes, Aroos-

took County." (H. P. 37) (L. D. 60)

Tabled—January 30, by Mr. Plante of Old Orchard Beach.

Pending—Acceptance.

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

Mr. GALLANT: Mr. Speaker and Members of the House: I would like to take this opportunity to thank Mr. Plante for tabling this bill. The intent of this bill was not triple hooks but was a single hook spaced about four inches apart, which is not a detriment to the fish when they can't fish for the fish. Ladies and Gentlemen, I now move to substitute the bill for the report and if it passes that stage I will offer an amendment. Thank you.

The SPEAKER: The gentleman from Eagle Lake, Mr. Gallant, moves that the bill be substituted for the "Ought not to pass" Report. All those in favor of the motion will say aye; those opposed, no.

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

Seventy-three having voted in the affirmative and twenty-eight having voted in the negative, the motion prevailed, the Bill was substituted for the Report, the Bill read twice and tomorrow assigned.

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

House Order Relative to Members being Absent for Committee Meeting.

Tabled—February 12, by Mr. Jalbert of Lewiston.

Pending—Passage.

On motion of Mr. Jalbert of Lewiston, referred to the Committee on Rules and Business of the House.

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

Bill "An Act Permitting Credit Sales for Liquor to be Consumed on the Premises" (S. P. 8) (L. D. 18)

Tabled—February 6, by Mr. Jones of Farmington.

Pending — Passage to be Engrossed.

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

Mr. JALBERT: Mr. Speaker, I rise in substitution for Mr. Jones of Farmington who has laryngitis. He now wants me to move that the bill be passed to be engrossed.

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

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

An Act Providing a State-wide Limit on Certain Fish (H. P. 33) (L. D. 57)

Tabled—February 6 by Mr. Anderson of Ellsworth.

Pending—Passage to be Enacted.

On motion of Mr. Anderson of Ellsworth, retabled pending passage to be enacted and specially assigned for Wednesday, February 20.

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

HOUSE REPORT—Ought not to pass — Committee on Judiciary on Resolve Authorizing the Estate of Frank E. Lemli, Formerly of The Forks, Maine, to Sue the State of Maine (H. P. 382) (L. D. 551)

Tabled—February 12, by Mr. Rust of York.

Pending—Acceptance.

On motion of Mr. Rust of York retabled pending acceptance of the Committee Report and specially assigned for Wednesday, February 27.

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

HOUSE REPORT—Ought to pass in new draft—Committee on Judiciary on Bill "An Act relating to Prohibition Against Loitering on Private Property or Peeking Therein" (H. P. 219) (L. D. 288) reporting same in a new draft (H. P. 888) (L. D. 1184) under same title.

Tabled — February 12, by Mr. Smith of Bar Harbor.

Pending—Acceptance.

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

Mr. SMITH: Mr. Speaker, I move acceptance of the "Ought to pass" report in new draft.

The SPEAKER: The gentleman from Bar Harbor, Mr. Smith, moves the acceptance of the "Ought to pass" in new draft report. Is that the pleasure of the House?

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

Mr. JALBERT: Mr. Speaker and Members of the House: Yesterday I hadn't peeked at the right rule until I got straightened out by the Speaker in an attempt to ask a question pending this legislation. I don't intend to go to the same well today. And also because of the fact that when I did ask my question from any member of the Judiciary Committee yesterday, I didn't see too many members of the committee rise too quickly to answer my question; so they somewhat left the situation up to our good friend from Bar Harbor, Mr. Smith. So today, to somewhat bail him out, I will direct my question to a specific member of the Judiciary Committee. He might throw the ball to somebody else. I would ask my question of the gentleman from Portland, Mr. Childs, to explain this little gem to us.

The SPEAKER: The gentleman from Lewiston, Mr. Jalbert, has posed a question through the Chair to the gentleman from Portland, Mr. Childs; and he may answer if he so desires, and the Chair recognizes that gentleman.

Mr. CHILDS: Mr. Speaker and Members of the House: I am assuming that the gentleman from Lewiston is asking me to define "peek"; but the dictionary which I have is a very small one, and I believe it says though that peeking is one who glances through a small crack. Now, you are asking me when a person would be guilty of this crime. Assuming that it's a small crack and he peeks in, he would be guilty; if he goes up to a window and just looks, he would not be guilty. Also I assume that if he is gawking, he would therefore not be guilty of peeking. But as I said, my dictionary is very small and I do know that the gentleman who sits on Judiciary with me, the gentleman from Wis-

casset, Mr. Pease, has a very, very large dictionary and he probably can give you a much better definition of the word "peek."

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

Mr. JALBERT: Mr. Speaker, I fail to see the gentleman from Wiscasset rise to follow up on the question, so I will ask him to explain — the gentleman from Wiscasset, Mr. Pease — to explain his version of this gem.

The SPEAKER: The gentleman from Lewiston, Mr. Jalbert, poses a question through the Chair to the gentleman from Wiscasset, Mr. Pease, who may answer if he so desires; and the Chair recognizes that gentleman.

Mr. PEASE: Mr. Speaker and Members of the House and in particular, the gentleman from Lewiston, Mr. Jalbert: It is my understanding that the bill as originally introduced by the gentleman from Manchester, Mr. Gifford, was intended to provide a particular statutory remedy for the case where an individual wandered or loitered or entered upon the private property of another for the purpose of peeping, gawking, looking through small cracks, and in any other manner causing a general nuisance in the use of his eyes to seek to determine what the interior of the building might look like or what might be in the interior of the building or what that object in the building might look like.

In going over this in the Judiciary Committee, and in a serious vein, we determined that the original draft would perhaps make it a crime for an individual to look for a lost golf ball for example, in that he might be wandering on private property. Consequently, in working this out with the Attorney General's office, we came up with a new draft which made it specifically a crime—it is a misdemeanor, not a felony—a misdemeanor to enter upon the private property and peek in the nighttime, but only into an inhabited building or structure located on that particular piece of property.

I am not sure that the prestige of the Maine Legislature is going

to rise and fall on the passage or failure of passage of this particular bill; perhaps its sponsor would have more particular information.

The SPEAKER: The Chair recognizes the gentleman from Manchester, Mr. Gifford.

Mr. GIFFORD: Mr. Speaker and Ladies and Gentlemen of the House: Certainly a little fun should be a part of every day. It would be a dull life indeed if we could not have our bit of levity, if we could not from time to time enjoy a joke at another's expense, expecting of course that the day will come when the tables might well be turned; and this bill that I introduced in its original form I confess lends itself very well to the purpose in which it has been used here this morning. However, I can assure you that it is not a funny matter to the victims of this type of offensive activity. And certainly I feel confident that you will agree with me that this type of activity should be condemned and that our Statutes should make provision for the apprehension and conviction of this type of individual.

This bill was introduced to fill a void in our Statutes which do not spell out this type of offense in a clear manner, a void which makes more difficult law enforcement and prosecution of this offense against society. We have heard them talking about "peeping Toms." We all know what they are. We all certainly condemn the "peeping Tom" and we desire him to be brought to justice. This bill is intended to assist in that aim.

In its original form there were objections to it, although the original was a copy of an existing Statute in another state, in the State of California. But there were objections that I feel were justifiable ones, by members of the Judiciary Committee, who felt that possibly the innocent were not well protected under it and that certainly we have as much interest in protecting the innocent as in bringing the wrongdoer to justice. Consequently it chose to redraft the bill and present it to you in the form in which it now appears. I am sure that we may feel confident; the learned gentlemen of the Judiciary Committee

have gone over it carefully from this point of view, and that we have little to fear if it becomes law.

I certainly would urge you, while enjoying the fun that we have this morning, to seriously consider and consider favorably the passage of this bill to aid and prevent as much as it is ever possible recurrences of this type of activity, which I am sure we all agree is offensive to our society.

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

Mr. CHILDS: Mr. Speaker, I now have to speak in a rather serious tone on this. I have noticed that there is a difference in the title of the bill and the contents of the bill. The title of the bill is relating to prohibition against loitering on private property or peeking therein, and the contents of the bill reads "and peeking therein." Right now I can't recall just what the intent of the committee was, so possibly if the contents of the bill is what we wanted then the title of the bill would not be important; but if the title of the bill is what we wanted, there may be some necessary changes have to be made in it.

The SPEAKER: The question before the House is the motion of the gentleman from Bar Harbor, Mr. Smith, that Bill "An Act relating to Prohibition Against Loitering on Private Property or Peeking Therein" ought to pass in new draft. Is that the pleasure of the House?

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

Mr. WELLMAN: Mr. Speaker, I move that this item be tabled until tomorrow.

Thereupon, the Report and New Draft were tabled pending acceptance and specially assigned for tomorrow.

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

An Act relating to Testamentary Additions to Trusts (S. P. 37) (L. D. 30)

Tabled — February 12, by Mr. Smith of Bar Harbor.

Pending—Passage to be Enacted.

On motion of Mr. Smith of Bar Harbor, retabled pending passage to be enacted and specially assigned for Wednesday, February 20.

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

HOUSE REPORT—Ought not to pass — Committee on Inland Fisheries and Game on Resolve, Regulating Bag Limit of Trout in Aroostook County. (H. P. 45) (L. D. 68)

Tabled — February 12, by Mr. Wellman of Bangor.

Pending—Motion of Mr. Cookson of Glenburn to accept Report.

The SPEAKER: The Chair recognizes the gentleman from Houlton, Mr. Berman.

Mr. BERMAN: Mr. Speaker, this is a bill which I introduced for the President of the Houlton Fish and Game Club. Now I have confidence in the essential fairness of the House Chairman, Frank Anderson and the other House Members of this Committee, and I bow to their decision in this matter and offer no objection to the acceptance of the Committee Report.

The SPEAKER: The pending question is the motion of the gentleman from Glenburn, Mr. Cookson, that the "Ought not to pass" Committee Report be accepted. Is this the pleasure of the House?

The motion prevailed. Sent up for concurrence.

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

Bill "An Act relating to Issuing of Bonds by School Administrative Districts" (S. P. 51) (L. D. 101)

Tabled — February 12, by Mr. Bradeen of Waterboro.

Pending — Passage to be Engrossed.

Mr. Snow of Jonesboro offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to S. P. 51, L. D. 101, Bill, "An Act Relating to Issuing of Bonds by School Administrative Districts."

Amend said Bill, in the Title, by striking out the word "Districts"

and inserting in place thereof the words and figure 'District No. 15.'

Further amend said Bill by striking out, in the 2nd line, the words "Districts are" and inserting in place thereof the words and figure 'District No. 15 is'

Further amend said Bill by striking out, in the 7th line, the word "Districts" and inserting in place thereof the words and figure 'District No. 15'; and by striking out, in the 8th line, the word "their" and inserting in place thereof the word 'its'

Further amend said Bill by striking out, in the 12th line, the word "the"; and by striking out in said 12th line the word "Districts" and inserting in place thereof the words and figure 'District No. 15'

Further amend said Bill by striking out everything after the enacting clause, except the emergency clause, and inserting in place thereof the following:

'Issuing of bonds by School Administrative District No. 15. Notwithstanding any other provision of law, each issue of bonds for capital outlay purposes for School Administrative District No. 15, Gray and New Gloucester, shall mature in such annual installments as shall be determined by the Board of School Directors, so that the first installment shall be payable not later than 2 years after the date of issue and the last installment not later than 25 years from the date thereof.'

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

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

Mr. WATERMAN: Mr. Speaker, I would inquire if House Paper 875, Bill "An Act relating to Refund of Excise Taxes on Malt Beverages Sold to Maine Army National Guard Training Site" is still in the possession of the House?

The SPEAKER: The Chair would inform the gentleman that the bill is in the possession of the House.

Thereupon, on motion of Mr. Waterman of Auburn, the House voted to reconsider its action of February 12 whereby the Bill was referred to the Committee on Liquor Control.

On further motion of the same gentleman, the Bill was referred to the Committee on Taxation, ordered printed and sent up for concurrence.

Mr. Coulthard of Scarborough was granted unanimous consent to address the House briefly.

Mr. COULTHARD: Mr. Speaker and Ladies and Gentlemen of the House: On behalf of the State Department of Agriculture, and the potato industry of the State of Maine, I want to take this opportunity to thank Representative Albert E. Cote of Lewiston for the help which he gave us in our Maine Potato Week promotion in Lewiston and Auburn last Friday and Saturday. Thank you.

On motion of Mr. Jameson of Bangor,

Adjourned until one-thirty o'clock tomorrow afternoon.