

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

Thursday, February 28, 1963

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

Prayer by the Rev. Mr. William Dawes Veazie of Gardiner.

The journal of yesterday was read and approved.

The SPEAKER: The Chair is pleased to recognize the presence in the balcony of the House of fifty pupils from English and U. S. History Classes of the 8th grade of the Brunswick Junior High School, accompanied by their teachers, Mrs. Crimmins and Mrs. Varney. These young people are guests of Representatives Giroux and Lowery of Brunswick.

On behalf of the House, the Chair extends to you a warm and cordial welcome and we trust that you will enjoy and profit by your visit with us here this afternoon. (Applause)

Papers from the Senate

From the Senate: The following Order:

ORDERED, the House concurring, that the Department of Labor and Industry shall investigate written complaints received by it of discrimination by reason of race, color, religious sect, creed, denomination, ancestry or national origin, in the employment of persons in Maine, and report its findings and recommendations to the 102nd Legislature (S. P. 503)

Came from the Senate read and passed as amended by Senate Amendment "A", as follows:

"Amend said Order in the title by striking out the words 'Department of Labor' and inserting in place thereof the words 'the Legislative Research Committee'

Further amend said Order by striking out in the first and 2nd lines the words 'Department of Labor and Industry' and inserting in place thereof the words 'Legislative Research Committee' "

In the House, the Order was read. Senate Amendment "A" was read.

On motion of Mr. Dennett of Kittery, the Order and the Amendment

were referred to the Joint Standing Committee on State Government in non-concurrence and sent up for concurrence.

From the Senate:

Joint Resolution Memorializing Congress to Extend the Northern Terminus of the Interstate and Defense Highway System in Maine from Houlton to Some Point Located on the Northern Boundary of the State of Maine (S. P. 520)

Came from the Senate referred to the Committee on Highways.

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

Senate Reports of Committees Ought to Pass in New Draft

Report of the Committee on Retirements and Pensions on Bill "An Act relating to Retirement Allowances for Certain State Employees after Restoration to Service" (S. P. 153) (L. D. 429) reporting same in a new draft (S. P. 517) (L. D. 1424) under same title and that it "Ought to pass"

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

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

Ought to Pass Tabled and Assigned

Report of the Committee on Industrial and Recreational Development reporting "Ought to pass" on Resolve Continuing New York City Public Relations Office and Providing for Contractual Services (S. P. 293) (L. D. 866)

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

In the House, the Report was read.

(On motion of Mr. Philbrick of Augusta, tabled pending acceptance of Committee Report and specially assigned for Thursday, March 7.)

Report of the Committee on Natural Resources reporting "Ought to pass" on Bill "An Act to Change the Name of Serpentine Stream, Somerset County, to Harlow Stream" (S. P. 251) (L. D. 625)

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

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

**Ought to Pass with
Committee Amendment**

Report of the Committee on Inland Fisheries and Game on Resolve Regulating Fishing in Moose River, Somerset County (S. P. 247) (L. D. 621) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Came from the Senate with the Report read and accepted and the Resolve passed to be engrossed as amended by Committee Amendment "A".

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

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

COMMITTEE AMENDMENT "A"
to S. P. 247, L. D. 621, Resolve, Regulating Fishing in Moose River, Somerset County.

Amend said Resolve by striking out, in the 5th line, the figure and word "2-fish" and inserting in place thereof the figure and words '5-fish daily'

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

Report of the Committee on Municipal Affairs on Bill "An Act Amending the Charter of the City of Presque Isle" (S. P. 184) (L. D. 483) 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. 184, L. D. 483, Bill, "An

Act Amending the Charter of the City of Presque Isle."

Amend said Bill by striking out all of the emergency preamble and the emergency clause.

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

Report of the Committee on Retirements and Pensions on Bill "An Act to Correct Inconsistencies and Inequities in the Maine State Retirement Law" (S. P. 187) (L. D. 486) 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. 187, L. D. 486, Bill, "An Act to Correct Inconsistencies and Inequities in the Maine State Retirement Law."

Amend said Bill in that part designated subparagraph "4." of section 3 by striking out in the 5th line the underlined words "bank for payment" and inserting in place thereof the underlined words 'holder in due course'

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

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

**Non-Concurrent Matter
Tabled and Assigned**

Bill "An Act Designating Mount Desert Island as Game Management Area" (H. P. 208) (L. D. 277) which was passed to be engrossed in the House on February 19.

Came from the Senate passed to be engrossed as amended by Sen-

ate Amendment "B" in non-concurrence.

In the House: On motion of Mr. Benson of Southwest Harbor, tabled pending further consideration and specially assigned the next legislative day.

Non-Concurrent Matter

Bill "An Act relating to Disability Retirement for State Employees" (H. P. 247) (L. D. 315) which was passed to be engrossed in the House on February 13.

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

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

From the Senate: The following Communication: (S. P. 519)

MAINE-NEW HAMPSHIRE INTERSTATE BRIDGE AUTHORITY

February 26, 1963

To the Honorable Senate and House of Representatives of the One Hundred and First Legislature:

Transmitted herewith is the twelfth Biennial Report of the Maine-New Hampshire Interstate Bridge Authority which is being presented in accordance with Chapter 18, Article VI, Private and Special Laws of 1937.

Respectfully submitted,

(Signed)

DAVID H. STEVENS
David H. Stevens, Chairman
Maine-New Hampshire
Interstate Bridge Authority

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.

Petitions, Bills and Resolves Requiring Reference

The following 6 Resolves which implement a report of the Constitutional Commission were received notwithstanding Joint Rule 19-B, in accordance with Joint Order (S. P.

26), and referred to the following Committee:

Constitutional Amendments and Legislative Reapportionment

Resolve Proposing an Amendment to the Constitution Eliminating the Requirement that the Governor Communicate Pardons to the Legislature (H. P. 987) (Presented by Mr. Berman of Houlton)

(Ordered Printed)

Resolve Proposing an Amendment to the Constitution to Provide for Taking Oaths of Senators and Representatives in Absence of Governor and Council (H. P. 988) (Presented by Mr. Dennett of Kittery)

(Ordered Printed)

Resolve Proposing an Amendment to the Constitution Relating to Power of Governor to Nominate and Appoint Civil and Judicial Officers (H. P. 989) (Presented by Mr. Pease of Wiscasset)

(Ordered Printed)

Resolve Proposing an Amendment to the Constitution Relative to Examination of Returns for Senators and to Provide for Election of Senators to Fill Vacancies (H. P. 990) (Presented by Mr. Smith of Bar Harbor)

(Ordered Printed)

Resolve Proposing an Amendment to the Constitution Eliminating Requirements Relating to Warrants for Public Money and Publication of Receipts and Expenditures (H. P. 991) (Presented by Mr. Smith of Strong)

(Ordered Printed)

Resolve Proposing an Amendment to the Constitution Clarifying Provisions Governing Assumption of Office of Governor by the President of the Senate or the Speaker of the House (H. P. 992) (Presented by Mr. Watkins of Windham)

(Ordered Printed)

Sent up for concurrence.

House Reports of Committees Leave to Withdraw

Mr. Brown from the Committee on Election Laws on Bill "An Act relating to Payment for Notices of a Municipal Caucus" (H. P. 729) (L. D. 1058) reported Leave to Withdraw.

Mr. Crockett from the Committee on Highways reported same on Bill

"An Act Providing Area Directional Signs for Brewer" (H. P. 806) (L. D. 1193)

Mr. Nadeau from same Committee reported same on Resolve in favor of the Town of Burlington (H. P. 370) (L. D. 543)

Mr. Anderson from the Committee on Inland Fisheries and Game reported same on Bill "An Act Repealing Bounty on Bobcats and Lynx" (H. P. 285) (L. D. 379)

Same gentleman from same Committee reported same on Bill "An Act relating to Open Season on Muskrat in Washington County" (H. P. 642) (L. D. 898)

Mr. Hawkes from same Committee reported same on Resolve Regulating Fishing in Six Mile Lake, Washington County (H. P. 337) (L. D. 464)

Mr. Richardson from the Committee on Sea and Shore Fisheries reported same on Bill "An Act Providing for Licensing of Salt Water Sports Fishermen" (H. P. 748) (L. D. 1077)

Mr. Smith from the Committee on State Government reported same on Bill "An Act relating to Salary of the Insurance Commissioner" (H. P. 686) (L. D. 942)

Reports were read and accepted and sent up for concurrence.

**Ought Not to Pass
Covered by Other Legislation**

Mr. Reynolds from the Committee on Inland Fisheries and Game reported "Ought not to pass" on Bill "An Act relating to Night Hunting of Skunks and Raccoons" (H. P. 808) (L. D. 1195), as it is covered by other legislation.

Mr. Dostie from the Committee on State Government reported same on Resolve Reclassifying Photographer II, Department of Economic Development, as Exhibit Director (H. P. 155) (L. D. 770), as it is covered by other legislation.

Reports were read and accepted and sent up for concurrence.

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

Mr. Wellman from the Committee on Municipal Affairs on Bill "An Act relating to Superintending School Committee of Town of Baileyville" (H. P. 389) (L. D. 588) re-

ported same in a new draft (H. P. 986) (L. D. 1428) under title of "An Act Increasing Number of Superintending School Committee of Town of Baileyville" and that it "Ought to pass"

Mr. Thaanum from the Committee on State Government on Bill "An Act relating to Appointment of Director of Transportation and General Counsel under Public Utilities Commission" (H. P. 684) (L. D. 940) reported same in a new draft (H. P. 985) (L. D. 1427) under same title and that it "Ought to pass"

Mr. Poirier from the Committee on Towns and Counties on Bill "An Act relating to Number of Signatures on Nomination Papers for Town Officers" (H. P. 847) (L. D. 1234) reported same in a new draft (H. P. 984) (L. D. 1426) under same title and that it "Ought to pass"

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

**Ought to Pass
Printed Bills**

Mr. MacLeod from the Committee on Business Legislation reported "Ought to pass" on Bill "An Act to Reduce the Cost of Renewal Fees for Cinematograph Operators' Licenses" (H. P. 720) (L. D. 1049)

Mr. Roberts from the Committee on Inland Fisheries and Game reported same on Resolve Regulating Fishing in St. Croix River, Washington County (H. P. 372) (L. D. 545)

Mr. Berry from the Committee on State Government reported same on Bill "An Act Placing Employees of Maine Port Authority under Personnel Law" (H. P. 504) (L. D. 706)

Mr. Crommett from the Committee on Towns and Counties reported same on Bill "An Act relating to Expending Aroostook County Funds for Ricker College" (H. P. 557) (L. D. 772)

Mr. MacPhail from same Committee reported same on Bill "An Act Increasing Number of Medical Examiners in Aroostook County" (H. P. 707) (L. D. 963)

Mr. Wight from same Committee reported same on Bill "An Act relating to Expending Aroostook Coun-

ty Funds for Maine Potato Blossom Festival" (H. P. 72) (L. D. 34)

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

Referred to Committee on Legal Affairs

Mr. Smith from the Committee on Judiciary on Bill "An Act relating to Neglect of Children" (H. P. 652) (L. D. 908) reported that it be referred to the Committee on Legal Affairs.

Same gentleman from same Committee reported same on Bill "An Act relating to Penalties for Possessing a Falsified Certificate of Birth" (H. P. 658) (L. D. 914)

Same gentleman from same Committee reported same on Bill "An Act Increasing Fees of Bail Commissioners" (H. P. 735) (L. D. 1064)

Same gentleman from same Committee reported same on Bill "An Act relating to Penalties for Carelessly Shooting a Human Being While Hunting" (H. P. 777) (L. D. 1131)

Same gentleman from same Committee reported same on Bill "An Act Prohibiting Throwing of Rocks at any Public or Private Transportation Conveyance" (H. P. 870) (L. D. 1257)

Same gentleman from same Committee reported same on Bill "An Act relating to Jurisdiction of Constables to Serve Process" (H. P. 912) (L. D. 1319)

Same gentleman from same Committee reported same on Bill "An Act relating to Transmittal to Secretary of State of Court Record of Appeal from Conviction Relative to Motor Vehicles" (H. P. 926) (L. D. 1360)

Same gentleman from same Committee reported same on Bill "An Act relating to the Down East Christmas Tree Association" (H. P. 969) (L. D. 1408)

Reports were read and accepted, the Bills referred to the Committee on Legal Affairs and sent up for concurrence.

Ought to Pass with Committee Amendment

Mr. Watkins from the Committee on Business Legislation on Bill

"An Act relating to Fees of Quasi-Public Corporations" (H. P. 630) (L. D. 886) 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. 630, L. D. 886, Bill, "An Act Relating to Fees of Quasi-Public Corporations."

Amend said Bill by striking out all of the last 2 lines and inserting in place thereof the following: "\$100,000; also 1c one mill per share and in no case less than \$10 on all shares authorized without par value but not less than the following on all shares authorized without par value:

\$25 if the number of shares does not exceed 5,000 shares

\$50 if the number of shares exceeds 5,000 but does not exceed 50,000 shares

\$100 if the number of shares exceeds 50,000 but does not exceed 100,000 shares

\$250 if the number of shares exceeds 100,000 but does not exceed 250,000 shares

\$500 if the number of shares exceeds 250,000 but does not exceed 500,000 shares

\$750 if the number of shares exceeds 500,000 but does not exceed 750,000 shares

\$1,250 if the number of shares exceeds 750,000 but does not exceed 1,250,000 shares

\$500 additional for each 500,000 shares, or any part thereof, in excess of 1,250,000 shares.'

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

Tabled and Assigned

Mr. Libby from the Committee on Claims on Resolve to Reimburse Town of Atkinson for Pauper Support of George E. Ellis (H. P. 196) (L. D. 265) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read.

(On motion of Mr. Ross of Brownville, tabled pending acceptance of Committee Report and specially assigned for Thursday, March 14.)

Mr. Anderson from the Committee on Inland Fisheries and Game on Resolve Regulating Fishing in Upper and Lower Range Ponds, Androscoggin and Cumberland Counties (H. P. 447) (L. D. 651) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Resolve read once.

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

COMMITTEE AMENDMENT "A" to H. P. 447, L. D. 651, Resolve, Regulating Fishing in Upper and Lower Range Ponds, Androscoggin and Cumberland Counties.

Amend said Resolve, in the Title, by inserting after the word and punctuation "Ponds," the words and punctuation 'Dumpling Pond and Ingalls Pond.'

Further amend said Resolve, in the headnote, by inserting after the word and punctuation "Ponds," the words and punctuation 'Dumpling Pond and Ingalls Pond.'

Further amend said Resolve, in the 4th line, by inserting after the words "Cumberland County" the punctuation and words "; Dumpling Pond, Casco, and Ingalls (Foster's) Pond, Bridgton, Cumberland County'

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

Mr. Wade from the Committee on Inland Fisheries and Game on Resolve Regulating Fishing in Howard Pond, Hanover, Oxford County (H. P. 534) (L. D. 751) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Resolve read once.

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

COMMITTEE AMENDMENT "A" to H. P. 534, L. D. 751, Resolve, Regulating Fishing in Howard Pond, Hanover, Oxford County.

Amend said Resolve, in the last line, by inserting before the word "trolling" the word 'fly'

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 Election Laws reporting "Ought not to pass" on Bill "An Act Providing for Separate Voting Place for Connor" (H. P. 728) (L. D. 1057)

Report was signed by the following members:

Messrs. FARRIS of Kennebec
STITHAM of Somerset
BROOKS of Cumberland
— of the Senate.

Messrs. BROWN of Fairfield
CROCKETT of Freeport
— of the House.

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

Report was signed by the following members:

Messrs. VILES of Anson
BINNETTE of Old Town
HARRINGTON of Dexter
MATHIESON of Montville
— of the House.

Reports were read.

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

Mr. BROWN: Mr. Speaker, as a signer of the Majority Report, I wish to point out the four reasons why I did so, "ought not to pass." The first reason is that at the present time these people have a choice of four places in which to vote. The second reason is that according to testimony given there at the hearing, the distance varied from five to fifteen miles. The third reason, there are no other unorganized townships which would have such a privilege. And the fourth reason was that while the municipal officers of Caswell are willing at the present time to create a new voting precinct for these people, there is no assurance that this will be continued. And for that reason, I move that we accept the Majority "Ought not to pass" Report.

The Speaker: The Chair recognizes the gentleman from Old Town, Mr. Binnette.

Mr. BINNETTE: Mr. Speaker, I move this lie on the table until Wednesday, March 13.

Mr. Brown of Fairfield requested a division.

The SPEAKER: The question before the House is the motion of the gentleman from Old Town, Mr. Binnette, that the Reports and Bill be tabled pending acceptance of either Report and be specially assigned for Wednesday, March 13. A division has been requested. Will all those who favor the tabling motion, please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Eighty-one having voted in the affirmative and thirty-four having voted in the negative, the tabling motion did prevail.

Divided Report Tabled and Assigned

Majority Report of the Committee on Election Laws reporting "Ought not to pass" on Bill "An Act relating to Nomination of Primary Candidates at State Conventions" (H. P. 804) (L. D. 1191)

Report was signed by the following members:

Messrs. STITHAM of Somerset
BROOKS of Cumberland
FARRIS of Kennebec
— of the Senate.

Messrs. BROWN of Fairfield
CROCKETT of Freeport
HARRINGTON of Dexter
BINNETTE of Old Town
— of the House.

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

Report was signed by the following members:

Messrs. MATHIESON of Montville
VILES of Anson
— of the House.

Reports were read.

(On motion of Mr. Viles of Anson, tabled pending acceptance of either Report and specially assigned for Wednesday, March 6.)

Divided Report

Majority Report of the Committee on State Government reporting "Ought not to pass" on Bill "An Act Removing Exemption of State

Board of Education from Authority of State Purchasing Agent" (H. P. 253) (L. D. 322)

Report was signed by the following members:

Messrs. WHITTAKER of Penobscot
LOVELL of York
Mrs. CHRISTIE of Aroostook
— of the Senate.

Messrs. DENNETT of Kittery
BERMAN of Houlton
THAANUM of Winthrop
SMITH of Strong
DOSTIE of Lewiston
CARTIER of Biddeford
— of the House.

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

Report was signed by the following member:

Mr. BERRY of Cape Elizabeth
— of the House.

Reports were read.

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

Divided Report Tabled and Assigned

Majority Report of the Committee on Taxation reporting "Ought not to pass" on Bill "An Act Providing for a State Income Tax" (H. P. 837) (L. D. 1224)

Report was signed by the following members:

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

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

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

Report was signed by the following member:

Mr. COTTRELL of Portland
— of the House.

Reports were read.

(On motion of Mr. Cottrell of Portland, tabled pending acceptance

of either Report and specially assigned for Tuesday, March 12.)

**Divided Report
Tabled and Assigned**

Majority Report of the Committee on Taxation reporting "Ought not to pass" on Bill "An Act relating to a Net Income Tax Law for the State of Maine" (H. P. 945) (L. D. 1295)

Report was signed by the following members:

Messrs. WYMAN of Washington
LETOURNEAU of York
BROWN of Hancock
— of the Senate.
Messrs. WATERMAN of Auburn
JONES of Farmington
BROWN of Fairfield
ALBAIR of Caribou
WOOD of Brooks
— of the House.

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

Report was signed by the following members:

Messrs. COTTRELL of Portland
AYOOB of Fort Fairfield
— of the House.

Reports were read.

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

Mr. CHILDS: Mr. Speaker, I move this be tabled unassigned.

Mr. Wellman of Bangor requested a division.

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

Mr. CHILDS: Mr. Speaker, I rise for the purpose of debating my motion on the time.

The SPEAKER: The gentleman may not debate the time.

Mr. CHILDS: May I make a parliamentary inquiry?

The SPEAKER: The gentleman may do so.

Mr. CHILDS: It is my understanding that a motion which was to be tabled to a day specifically or unassigned, that the reason that it was being assigned to a particular day or to a time which was not certain was debatable.

The SPEAKER: Will the gentleman confine his remarks to a parliamentary inquiry.

Mr. CHILDS: My parliamentary inquiry is, is a motion which is to table — put it this way, my parliamentary inquiry is, may I debate the day that a matter is to be tabled to?

The SPEAKER: The gentleman may not debate a motion relative to tabling. Will the gentleman defer for just a moment?

For the information of the gentleman, he has made his tabling motion and he has not definitely stated a time. Therefore, it is not debatable. The question now before the House is the motion of the gentleman from Portland, Mr. Childs, that this matter, item 36 be tabled unassigned, and a division has been requested.

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

Mr. JALBERT: Mr. Speaker, am I in order in asking the gentleman from Portland to temporarily withdraw his motion?

The SPEAKER: The gentleman is not in order, but the Chair will recognize the gentleman from Portland if he so desires.

Mr. CHILDS: Mr. Speaker, I wish to withdraw my motion, and I now move this matter lie upon the table specially assigned for Wednesday, April 3rd.

The SPEAKER: The gentleman from Portland, Mr. Childs, now moves this matter be tabled and specially assigned for Wednesday, April 3rd.

Mr. Wellman of Bangor requested a division.

The SPEAKER: A division has been requested on the tabling motion of the gentleman from Portland, Mr. Childs.

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

Mr. CHILDS: Mr. Speaker, may I inquire if I am in order to debate why I want this matter tabled to this late date?

The SPEAKER: The gentleman may debate the time only, whether it should be considered now, on April 3, or when it should be considered.

Mr. CHILDS: Mr. Speaker, I shall keep away from the merits of the bill. I shall debate the matter on why I believe this matter should be

tabled until April 3rd. At the present time, we have no idea how much money we are going to be looking for. I understand that it may be some \$18,000,000. I am also well aware of the fact that the majority leadership is in favor of a sales tax. I am also well aware of the fact that the majority leadership does not know whether they have sufficient votes to obtain a sales tax. If we end up defeating all tax measures, and by the process of elimination, leave the members of the Legislature with only a sales tax to vote, I believe it would be very unfair to everybody, and my reason for tabling for this long length of time is because I believe that all tax measures should be discussed at the same time when we know exactly how much money we are looking for.

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

Mr. WELLMAN: Mr. Speaker, I would call to the attention of the members of the House that item 35, An Act Providing for State Income Tax is —

The SPEAKER: Will the gentleman confine his remarks to the time involved in the motion?

Is the House ready for the question? The question before the House is the motion of the gentleman from Portland, Mr. Childs, that item 36 be tabled and assigned to Wednesday, April 3rd, and a division has been requested. All those in favor of the motion that this matter be tabled until Wednesday, April 3rd, will please rise and remain standing in your places until the monitors have made and returned the count.

Mr. CHILDS: Mr. Speaker?

The SPEAKER: For what purpose does the gentleman rise?

Mr. CHILDS: I ask that this vote be taken by the yeas and nays.

The SPEAKER: Will the gentleman defer until we have the count and then we will entertain your motion.

The count was taken by division.

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

Mr. CHILDS: Mr. Speaker, I now move that the vote be taken by the yeas and nays.

The SPEAKER: The gentleman from Portland, Mr. Childs, now asks the vote be taken by the yeas and nays. In order for the Chair to entertain such a motion it must have the expressed desire of one-fifth of the membership present. Will those who desire a roll call vote, please rise and remain standing in your places until the monitors have made and returned the count.

A sufficient number arose.

The SPEAKER: Obviously, more than one-fifth of the members present having arisen, a roll call is ordered. Is the House ready for the question? The question before the House is the motion of the gentleman from Portland, Mr. Childs, that the Reports and Bill be tabled and specially assigned for Wednesday, April 3. All those in favor of the tabling motion will answer "yes" when their name is called, those opposed to the tabling motion will answer "no" when their name is called. The Clerk will call the roll.

ROLL CALL

YEA — Anderson, Orono; Baldic, Bedard, Binnette, Blouin, Boissonneau, Bourgoin, Burns, Bussiere, Cartier, Childs, Cote, Cottrell, Crommett, Dostie, Lewiston; Dudley, Edwards, Gallant, Giroux, Hendricks, Jalbert, Jameson, Jobin, K a r k o s, Kilroy, Levesque, Lowery, Nadeau, Noel, O'Leary, Pitts, Plante, Poirier, Lewiston; Prince, Oakfield; Reynolds, Snow.

NAY — Albair, Anderson, Ellsworth; Benson, Berry, Birt, Boothby, Bragdon, Brewer, Brown, South Portland; Brown, Fairfield; Carter, Chapman, Choate, Cookson, Coulthard, Cressey, Crockett, Davis, Dennett, Drake, Dunn, Easton, Ewer, Finley, Foster, Gifford, Gilbert, Gill, Gustafson, Hammond, Hardy, Harrington, Hawkes, Hendsbee, Henry, Humphrey, Hutchins, Jones, Kent, Laughton, Libby, Lincoln, Linnekin, Littlefield, MacGregor, M a c L e o d, MacPhail Mathieson, McGee, Meisner, Mendes, Minsky, Mower, Norton, Oberg, Osborn, O s g o o d, Pease, Philbrick, Prince, Harpswell;

Rand, Rankin, Richardson, Ricker, Ross, Brownville; Ross, Augusta; Sahagian, Scott, Shaw, Smith, Bar Harbor; Smith, Falmouth; Smith, Strong; Taylor, Thaanum, Thornton, Treworgy, Turner, Tyndale, Vaughn, Viles, Wade, Waltz, Waterman, Watkins, Welch, Wellman, White, Guilford; Whitney, Wight, Presque Isle; Williams, Wood, Young.

ABSENT — Ayoob, Berman, Bernard, Bradeen, Cope, Curtis, Denbow, Dostie, Winslow; Hanson, Hobbs, Jewell, Knight, Maddox, Oakes, Pierce, Poirier, Van Buren; Roberts, Rust, Susi, Tardiff, Townsend, Ward.

Yes 36; No 92; Absent 22.

The SPEAKER: Thirty-six having voted in the affirmative and ninety-two having voted in the negative, with twenty-two absentees, the motion does not prevail.

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

Mr. CHILDS: Mr. Speaker, I move this item lie on the table and be specially assigned for March 27.

Mr. Wellman requested a division.

The SPEAKER: The question before the House is the motion of the gentleman from Portland, Mr. Childs, that the Reports and Bill be tabled and specially assigned for Wednesday, March 27, and a division has been requested.

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

Mr. CHILDS: Mr. Speaker, I request the vote be taken by the yeas and nays.

The SPEAKER: The gentleman from Portland, Mr. Childs, requests the vote be taken by the yeas and nays. In order for the Chair to order the yeas and nays, it must have the expressed desire of one-fifth of the members present. Will those in favor of the yeas and nays please rise and remain standing until the monitors have made and returned the count.

Thirty-three members arose.

The SPEAKER: More than one-fifth of the members present having arisen, a roll call is ordered. The question before the House is the motion of the gentleman from Portland, Mr. Childs, that the Re-

ports and Bill "An Act relating to a Net Income Tax Law for the State of Maine", L. D. 1295 be tabled and specially assigned for Wednesday, March 27. All those in favor of the tabling motion will answer "yes" when their name is called; those opposed to the tabling motion will answer "no" when their name is called. The Clerk will call the roll.

ROLL CALL

YEA — Anderson, Orono; Baldie, Bedard, Binnette, Blouin, Boissonneau, Bourgoin, Burns, Bussiere, Cartier, Childs, Cote, Cottrell, Crommett, Dostie, Lewiston; Dudley, Edwards, Gallant, Giroux, Hendricks, Jalbert, Jameson, Jobin, Karkos, Kilroy, Levesque, Lowery, Nadeau, Noel, O'Leary, Pitts, Plante, Poirier, Lewiston; Prince, O a k f i e l d; Reynolds.

NAY — Albair, Anderson, Ellsworth; Benson, Berry, Birt, Boothby, Bragdon, Brewer, Brown, South Portland; Brown, Fairfield; Carter, Chapman, Choate, Cookson, Coulthard, Cressey, Crockett, Davis, Dennett, Drake, Dunn, Easton, Ewer, Finley, Foster, Gifford, Gilbert, Gill, Gustafson, Hammond, Hardy, Harrington, Hawkes, Hendsbee, Henry, Humphrey, Hutchins, Jones, Kent, Laughton, Libby, Lincoln, Linnekin, Littlefield, MacGregor, MacLeod, MacPhail, Mathieson, McGee, Meisner, Mendes, Minsky, Mower, Norton, Oberg, Osborn, Osgood, Pease, Philbrick, Pierce, Prince, Harpswell; Rand, Rankin, Richardson, Ricker, Ross, Brownville; Ross, Augusta; Sahagian, Scott, Shaw, Smith, Bar Harbor; Smith, Falmouth; Smith, Strong; Snow, Taylor, Thaanum, Thornton, Treworgy, Turner, Tyndale, Vaughn, Viles, Wade, Waltz, Waterman, Watkins, Welch, Wellman, White, Guilford; Whitney, Wight, Presque Isle; Williams, Wood, Young.

ABSENT — Ayoob, Berman, Bernard, Bradeen, Cope, Curtis, Denbow, Dostie, Winslow; Hanson, Hobbs, Jewell, Knight, Maddox, Oakes, Poirier, Van Buren; Roberts, Rust, Susi, Tardiff, Townsend, Ward.

Yes 35; No 94, Absent 21.

The SPEAKER: Thirty-five having voted in the affirmative and ninety-four having voted in the neg-

ative, with twenty-one absentees, the motion does not prevail.

(Thereupon, on motion of Mr. Jalbert of Lewiston, the Reports and Bill were tabled pending acceptance of either Report and specially assigned for Wednesday, March 13.)

Order Out of Order

From the Senate: The following Order:

ORDERED, the House concurring, that when the Senate and House adjourn, they adjourn to meet on Tuesday, March 5th at ten o'clock in the morning. (S. P. 522)

Came from the Senate read and passed.

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

Divided Report Tabled and Assigned

Report "A" of the Committee on State Government reporting "Ought to pass" on Bill "An Act relating to Location of Office of Board of Harbor Commissioners for the Harbor of Portland" (H. P. 502) (L. D. 704)

Report was signed by the following members:

Mr. WHITTAKER of Penobscot
Mrs. CHRISTIE of Aroostook
— of the Senate.

Messrs. BERMAN of Houlton
SMITH of Strong
CARTIER of Biddeford
— of the House.

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

Report was signed by the following members:

Mr. LOVELL of York
— of the Senate.

Messrs. BERRY of Cape Elizabeth
THAANUM of Winthrop
DENNETT of Kittery
DOSTIE of Lewiston
— of the House.

Reports were read.

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

Mr. BERRY: Mr. Speaker, I move the House accept Report "B", the Minority "Ought not to pass" Report.

The SPEAKER: The gentleman from Cape Elizabeth, Mr. Berry,

moves the House accept the Minority "Ought not to pass" Report, Report "B" of the Committee.

(On motion of Mr. Brown of South Portland, the Reports and Bill were tabled pending the motion of the gentleman from Cape Elizabeth, Mr. Berry, to accept Report "B" and specially assigned for Wednesday, March 6.)

Passed to Be Engrossed

Bill "An Act relating to Salaries Paid by the State to Minister of the Gospel" (S. P. 156) (L. D. 432)

Bill "An Act relating to Investment of Municipal Funds" (S. P. 308) (L. D. 974)

Bill "An Act relating to Rental of Space in County Buildings by State Departments" (S. P. 377) (L. D. 1043)

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

Third Reader Amended

Tabled and Assigned

Bill "An Act to Provide Aid to Blind Persons in Voting" (H. P. 206) (L. D. 275)

Was reported by the Committee on Bills in the Third Reading.

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

Mrs. HENDRICKS: Mr. Speaker and Members of the House: First of all, I wish to thank the members who went along with me yesterday on this matter when we received a vote of sixty-one in favor of the bill to fifty-one opposed. However, I feel that fifty-one was quite a large number to be opposed to the bill; therefore I have an amendment which I feel will take care of the opposition to the bill, and the amendment is filing number H-75. I move its adoption.

The SPEAKER: Is it the pleasure of the House to accept the report of the committee?

The motion prevailed.

The SPEAKER: Now the gentleman from Portland, Mrs. Hendricks, offers House Amendment "A," and the Clerk will read the amendment.

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

HOUSE AMENDMENT "A" to H. P. 206, L. D. 275, Bill, "An Act to Provide Aid to Blind Persons in Voting."

Amend said Bill by striking out all of the part designated subsection "IV," and inserting in place thereof the following:

"IV. Blindness. A voter who is blind may obtain assistance in marking his ballot from 2 election officers, not of the same political faith, but may be of the same political faith at primary elections, or father, mother, brother, sister, husband, wife or child as he may select, providing that said aide is of voting age and that no candidate for election shall act as aide."

House Amendment "A" was adopted and the Bill read the third time.

(On motion of Mr. Smith of Strong, tabled pending passage to be engrossed and assigned the next legislative day.)

Bill "An Act relating to Escapes from Custody of Police Officers" (H. P. 982) (L. D. 1421)

Resolve Regulating Fishing in Certain Waters of Somerset and Kennebec Counties (S. P. 207) (L. D. 517)

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

Amended Bills

Bill "An Act relating to Municipal Revenue Bonds" (S. P. 340) (L. D. 1005)

Bill "An Act to Create a Recess Committee to Study the Desirability and Need of Establishing a Department of Rehabilitation" (H. P. 501) (L. D. 703)

Resolve in favor of Oscar Hanley of Newcastle (S. P. 49) (L. D. 99)

Resolve Authorizing Anthony M. Look and the A. M. Look Canning Company to Sue the State of Maine (S. P. 248) (L. D. 622)

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 to Amend the Charter of the Oxford Water District Relative to Rates (S. P. 186) (L. D. 485)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a division was had, 121 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 Amending the Charter of the Presque Isle Water District (H. P. 67) (L. D. 91)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a division was had, 118 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Passed to Be Enacted

An Act relating to Premarital Medical Examinations (S. P. 144) (L. D. 421)

An Act relating to Supplemental Tax Assessments (S. P. 191) (L. D. 490)

An Act relating to Definition of Case under Excise Tax Law on Sardines (S. P. 193) (L. D. 492)

An Act to Provide for Acceptance of Federal Funds by State Park and Recreation Commission (H. P. 131) (L. D. 174)

An Act to Increase the Borrowing Capacity of the Topsham Sewer District, to Authorize the Town to Contribute to Construction Costs and Otherwise Amend the Charter (H. P. 303) (L. D. 396)

An Act Authorizing Bureau of Public Improvements to Study Desirability of a Dam Across Bagaduce River (H. P. 330) (L. D. 457)

An Act relating to Revocation of Sellers' Certificates under Sales and Use Tax Law (H. P. 351) (L. D. 505)

An Act to Repeal the Dry Bean Tax (H. P. 352) (L. D. 506)

An Act relating to Meaning of Letters Used in State Valuation (H. P. 354) (L. D. 507)

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.

Enactor

Tabled and Assigned

An Act Providing for a Two-year Motor Vehicle Operator's License (H. P. 355) (L. D. 508)

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

(On motion of Mr. Edwards of Raymond, tabled pending passage to be enacted and specially assigned for Wednesday, March 6.)

An Act Permitting Public Utilities Commission to Extend Time for Filing Public Utility Balance Sheets (H. P. 391) (L. D. 590)

An Act relating to Incorporation of Maine Hereford Association (H. P. 419) (L. D. 572)

An Act Releasing Interest of State in Certain Land in Poland, Androscoggin County (H. P. 601) (L. D. 836)

An Act relating to Issuance of Certificates of Shares (H. P. 666) (L. D. 922)

Finally Passed

Resolve Regulating Fishing in Kennebago River, Franklin County (S. P. 210) (L. D. 520)

Resolve Regulating Fishing in Hatcase Pond in Penobscot and Hancock Counties (H. P. 976) (L. D. 1348)

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

HOUSE MAJORITY REPORT — Ought not to pass — MINORITY REPORT — Ought to Pass — Committee on Education on Bill "An

Act relating to Certificates for Teaching." (H. P. 24) (L. D. 48)

Tabled — February 19, by Mr. Easton of Winterport.

Pending — Acceptance of Either Report.

On motion of Mr. Treworgy of Gorham, recommitted to the Committee on Education and sent up for concurrence.

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

HOUSE MAJORITY REPORT — Ought not to pass — MINORITY REPORT — Ought to Pass with Committee Amendment "A" (Filing No. H-38) — Committee on Education on Bill "An Act relating to Attendance and Tuition at Approved Secondary Schools." (H. P. 26) (L. D. 50)

Tabled — February 20, by Mr. Easton of Winterport.

Pending — Acceptance of Either Report.

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

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

SENATE REPORT — Ought not to pass — Committee on Election Laws on Bill "An Act Eliminating Straight Ticket Square from General Election Ballot." (S. P. 358) (L. D. 1024)

Tabled — February 26, by Mr. McGee of Auburn.

Pending — Acceptance of Report.

On motion of Mr. McGee of Auburn, the Senate "Ought not to pass" Report was accepted in concurrence.

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

RESOLVE Regulating Fishing in Pleasant Pond, Island Falls and Township 4 Range 3, Aroostook County. (H. P. 536) (L. D. 753)— In House Read Once, Committee Amendment "A" adopted, (Filing H-57)

Tabled — February 27, by Mr. Wade of Skowhegan.

Pending — Second Reading.

On motion of Mr. Wade of Skowhegan, the House voted to suspend the rules and to reconsider its action of February 26 whereby it adopted Committee Amendment "A".

Mr. Wade of Skowhegan then offered House Amendment "A" to Committee Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to H. P. 536, L. D. 753, Resolve Regulating Fishing in Pleasant Pond, Island Falls and Township 4 Range 3, Aroostook County.

Amend said Amendment by striking out in the last line the figure "6" and inserting in place thereof the figure '4'

House Amendment "A" to Committee Amendment "A" was adopted. Committee Amendment "A" as amended by House Amendment "A" thereto was adopted, the Resolve given its second reading, passed to be engrossed as amended and sent to the Senate.

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

RESOLVE Granting a Right of Way by the State to Catherine L. Howell of Cape Elizabeth." (H. P. 509) (L. D. 711) — In House Read Twice.

Tabled — February 27, by Mr. Wellman of Bangor.

Pending — Passage to be Engrossed.

Mr. Tyndale of Kennebunkport offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to H. P. 509, L. D. 711, Resolve, Granting a Right of Way by the State to Catherine L. Howell of Cape Elizabeth.

Amend said Resolve, in the first line, by inserting after the words "State Park" the words 'and Recreation'

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

The SPEAKER: The House is proceeding under Orders of the Day.

The Chair recognizes the gentleman from Washington, Mr. Finley.

Mr. FINLEY: Mr. Speaker, may I inquire if the Clerk has in his possession House Paper 422, L. D. 575?

The SPEAKER: The Chair would inform the gentleman that the paper is in the possession of the House, "Resolve to Reimburse the Town of Washington for Aid to State Paupers."

Mr. FINLEY: Mr. Speaker and Members of the House: I move we reconsider our action of yesterday whereby the "Ought not to pass" Committee Report was accepted.

The SPEAKER: The gentleman from Washington, Mr. Finley, moves the House reconsider its action of February 27 whereby it accepted the "Ought not to pass" Report of the Committee on Claims on "Resolve to Reimburse the Town of Washington for Aid to State Paupers," L. D. 575. Is this the pleasure of the House?

The motion prevailed.

On further motion of the same gentleman, the Report and Resolve were tabled pending acceptance of the Committee Report and specially assigned for Thursday, March 14.)

On motion of Mr. Turner of Auburn,

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