

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, March 7, 1963

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

Prayer by the Rev. Mr. Olin Shute of the Methodist and Congregational Churches, North Anson.

The journal of yesterday was read and approved.

Conference Committee Report

Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature on

Bill "An Act relating to Registration of Sanitarians" (H. P. 833) (L. D. 1220) reporting that the House recede from its action whereby the Bill was referred to the Committee on State Government and refer the Bill to the Committee on Legal Affairs; that the Senate recede from its action whereby the Bill was referred to the Committee on Health and Institutional Services and concur with the House in referring the Bill to the Committee on Legal Affairs.

(Signed)

WELLMAN of Bangor

BERRY of Cape Elizabeth

SMITH of Falmouth

— Committee on part of House

HINDS of Cumberland

WHITTAKER of Penobscot

COUTURE of Androscoggin

— Committee on part of Senate

Report was read and accepted. The House receded from its action whereby the Bill was referred to the Committee on State Government and it was referred to the Committee on Legal Affairs and sent up for concurrence.

Papers from the Senate Tabled and Assigned

From the Senate: The following Order:

ORDERED, the House concurring, that Judiciary Committee Report on I.B. 1, An Act to Authorize the Construction of a Causeway Connecting Cousins Island with Littlejohns Island, and a Bridge and Causeway Connecting Littlejohns with Chebeague Island, be recalled

to the Senate from the Legislative files (S. P. 533)

Came from the Senate read and passed.

In the House, the Order was read. (On motion of Mr. Prince of Harpswell, tabled pending passage in concurrence and specially assigned for Thursday, March 14.)

Senate Reports of Committees Ought to Pass in New Draft

Report of the Committee on Business Legislation on Bill "An Act Prohibiting a General Contractor to Bid Unless Able to Perform Part of Work with Own Employees" (S. P. 356) (L. D. 1022) reporting same in a new draft (S. P. 523) (L. D. 1438 under title of "An Act Prohibiting a General Contractor to Bid Unless Able to Perform Part of Work" 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

Report of the Committee on Health and Institutional Services reporting "Ought to pass" on Bill "An Act relating to Hours of Employment in Nursing Homes" (S. P. 177) (L. D. 476)

Report of same Committee reporting same on Bill "An Act relating to the Governor Baxter State School for the Deaf" (S. P. 289) (L. D. 862)

Report of same Committee reporting same on Bill "An Act relating to Place of Residence of Superintendents of State Hospitals" (S. P. 291) (L. D. 864)

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

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

Tabled and Assigned

Report of the Committee on Municipal Affairs reporting "Ought to pass" on Bill "An Act to Amend the Charter of the City of Calais to Provide for the Acquisition of a

Water System by the City of Calais" (S. P. 118) (L. D. 346)

In the House, the Report was read.

(On motion of Mr. Davis of Calais, tabled pending acceptance of Report in concurrence and specially assigned for Wednesday, March 20.)

Report of the Committee on Public Utilities reporting "Ought to pass" on Bill "An Act relating to Permits for Contract Carriers" (S. P. 332) (L. D. 997)

Report of same Committee reporting same on Bill "An Act to Allow Temporary Authority for Motor Carrier Operations on Assignment and Transfer" (S. P. 333) (L. D. 998)

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

Report of the Committee on Retirements and Pensions reporting same on Bill "An Act relating to State Police Retirement Benefits under the Maine State Retirement System" (S. P. 457) (L. D. 1284)

Report of the Committee on Taxation reporting same on Bill "An Act relating to the Taxation of Railroad Land and Buildings" (S. P. 192) (L. D. 491)

Report of the Committee on Towns and Counties reporting same on Bill "An Act Providing County Funds for Insurance for Firemen" (S. P. 164) (L. D. 440)

Report of the Committee on Transportation reporting same on Bill "An Act relating to Registration of Motor Vehicles Required to be Registered in Another State by Maine Residents" (S. P. 345) (L. D. 1010)

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

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

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

Ought to Pass with Committee Amendment Amended in House

Report of the Committee on Business Legislation on Bill "An Act Amending Certain Statutes Relating to Licensed Small Loan Agencies" (S. P. 353) (L. D. 1019) 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. 353, L. D. 1019, Bill, "An Act Amending Certain Statutes Relating to Licensed Small Loan Agencies."

Amend said Bill by inserting after section 3 a new section to read as follows:

"Sec. 3-A, R. S., c. 59, Sec. 218, amended. The 2nd sentence of section 218 of chapter 59 of the Revised Statutes is amended to read as follows:

'In addition to the interest herein provided for, no further or other charge or amount whatsoever for any examination, service, brokerage, commission or other thing, or otherwise, shall be directly or indirectly charged, contracted for or received, except insurance premiums and lawful fees, if any, actually and necessarily paid out by the licensee to any public officer for filing or recording in any public office any instrument securing the loan, which fees may be collected when the loan is made, or at any time thereafter.'

Mr. Watkins of Windham 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 S. P. 353, L. D. 1019, Bill, "An Act Amending Certain Statutes Relating to Licensed Small Loan Agencies."

Amend said Amendment by inserting in the 10th line after the underlined words "premiums and" the underlined words and punctuation 'any gain or return to the licensee therefrom, and'

House Amendment "A" to Committee Amendment "A" was adopted in non-concurrence.

Thereupon, Committee Amendment "A" as amended by House Amendment "A" thereto was then adopted in non-concurrence and the Bill assigned for third reading the next legislative day.

Report of the Committee on Public Utilities on Bill "An Act Creating the Damariscotta Sewage District" (S. P. 253) (L. D. 627) 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. 253, L. D. 627, Bill, "An Act Creating the Damariscotta Sewage District."

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

'Emergency preamble. Whereas, acts of the Legislature do not become effective until 90 days after adjournment of the Legislature unless enacted as emergencies; and

Whereas, disposal of sewage is essential to the health and well-being of the inhabitants of the Town of Damariscotta; and

Whereas, it is imperative that action be taken at the earliest possible time to eliminate any danger to such health and well-being; and

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

Further amend said Bill in the first sentence of section 8 by striking out the figure "\$250,000" and inserting in place thereof the figure '\$300,000'

Further amend said Bill by striking out all of the headnote and first paragraph of the referendum and inserting in place thereof the following:

'Emergency clause; referendum; effective date. In view of the emergency cited in the preamble, this act shall take effect when approved, only for the purpose of permitting its submission to the legal voters of the district, present and voting at a special election or elections to be called by the selectmen of the Town of Damariscotta and held not later than one year after adjournment of the Legislature. Any such special election shall be called, advertised and conducted according to the law relating to municipal elections; provided that the registrar of voters of said town shall not be required to prepare for posting, nor the town clerk to post, a new list of voters, and for the purpose of registration of voters said registrar of voters shall be in session on the secular day next preceding any such special election.'

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

Ought to Pass Amended in Senate

Report of the Committee on Highways reporting "Ought to pass" on Bill "An Act relating to Certain Advertising Signs Erected on the Interstate System" (S. P. 359) (L. D. 1025)

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

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

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

SENATE AMENDMENT "A" to S. P. 359, L. D. 1025, Bill, "An Act Relating to Certain Advertising Signs Erected on the Interstate System."

Amend said Bill by inserting after the enacting clause the following:

“Sec. 1. R. S., c. 23, Sec. 147-A, sub-Sec. III, amended. The 2nd sentence of subsection III of section 147-A of chapter 23 of the Revised Statutes, as enacted by section 2 of chapter 339 of the public laws of 1959 and as repealed and replaced by section 3 of chapter 332 of the public laws of 1961, is amended to read as follows: ‘Advertising signs or advertising structures or devices in urban areas as established by the State Highway Commission as of April 1, 1961, or subsequently established or enlarged, adjacent to segments of the interstate system which traverse commercial or industrial areas legally designated as such by incorporated municipalities after September 21, 1959.’”

Further amend said Bill by inserting at the beginning of the first line the following underlined abbreviation and figure ‘Sec. 2.’

Senate Amendment “A” was adopted in concurrence and the Bill assigned for third reading the next legislative day.

Divided Report Tabled and Assigned

Majority Report of the Committee on Judiciary on Bill “An Act relating to Counsel for Indigent Persons in Criminal Cases” (S. P. 148) (L. D. 425) reporting same in a new draft (S. P. 507) (L. D. 1423) under same title and that it “Ought to pass”

Report was signed by the following members:

Messrs. CAMPBELL of Kennebec
BOARDMAN of Washington
FARRIS of Kennebec
— of the Senate.

Messrs. BERMAN of Houlton
THORNTON of Belfast
PEASE of Wiscasset
SMITH of Bar Harbor
KNIGHT of Rockland
— of the House.

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

Report was signed by the following members:

Messrs. CHILDS of Portland

RUST of York

— of the House.

Came from the Senate with the Majority Report accepted and the Bill passed to be engrossed as amended by Senate Amendment “A”.

In the House: Reports were read.

(On motion of Mr. Smith of Bar Harbor, tabled pending acceptance of either Report and specially assigned for Wednesday, March 13.)

Non-Concurrent Matter Conference Asked

Bill “An Act Creating a Bureau of Corrections within Department of Mental Health and Corrections” (S. P. 124) (L. D. 351) on which the House accepted the Majority “Ought not to pass” Report of the Committee on State Government in non-concurrence on March 5.

Came from the Senate with that body voting to insist on its former action whereby the Minority “Ought to pass” Report was accepted and the Bill passed to be engrossed, and asking for a Committee of Conference, with the following Conferencees appointed on its part:

Messrs. WHITTAKER of Penobscot
LOVELL of York
CAMPBELL of Kennebec

In the House: On motion of Mr. Dennett of Kittery, the House voted to insist on its former action and join in a Committee of Conference.

The Speaker appointed the following Conferencees on the part of the House:

Messrs. DENNETT of Kittery
RUST of York
THANUM of Winthrop

Orders

Mr. Osgood of Corinna presented the following Order and moved its passage:

ORDERED, the Senate concurring, that Bill “An Act Creating a Sewer District in the Town of Corinna” (H. P. 394) (L. D. 593) be recalled to the House from the Engrossing Department. (H. P. 1001)

The Order received passage and, under suspension of the Rules, was sent forthwith to the Senate.

Mr. Bussiere of Lewiston presented the following Order and moved its passage:

ORDERED, the Senate concurring, that on behalf of the people of the State of Maine a formal protest be made to Senator Muskie and Senator Margaret Chase Smith, Congressmen McIntire and Tupper, the protest being made against the transferring of Internal Revenue personnel and services from the State of Maine to the Commonwealth of Massachusetts. This protest is based on the economic loss to our State as a whole and discrimination against the people of the State of Maine in the services performed. (H. P. 1003)

The Order received passage and was sent up for concurrence.

On motion of Mr. Benson of South-west Harbor, it was

ORDERED, that Mr. Bradeen of Waterboro be excused from attendance for the duration of his illness.

On motion of Mr. Wellman of Bangor, it was

ORDERED, that the Clerk of the House be directed to enter in "Appendix A" of the House Journal, which shall be a part of the Journal, the information contained in the communications from the Secretary of State required by Section 20 of Chapter 10 of the Revised Statutes; also appointments made when the Legislature is not in session.

On motion of Mr. Wellman of Bangor, it was

ORDERED, that the Department of Economic Development be directed to deliver to the Clerk of the House office for use of the members of the House, 160 copies of "New York World's Fair 1964-1965, January 24, 1963, 454 Days to Opening".

House Reports of Committees Leave to Withdraw

Mr. Pease from the Committee on Judiciary on Bill "An Act relating to Eminent Domain under Maine Housing Authorities Act" (H. P. 595) (L. D. 833) reported Leave to Withdraw.

Report was read and accepted and sent up for concurrence.

Ought Not to Pass Tabled and Assigned

Mr. MacLeod from the Committee on Business Legislation reported "Ought not to pass" on Bill "An Act Permitting Certain Corporations to Hold Stockholders Meetings Outside the State" (H. P. 761) (L. D. 1115)

Report was read.

(On motion of Mr. Smith of Bar Harbor, tabled pending acceptance of Committee Report and specially assigned for Tuesday, March 12.)

Ought to Pass in New Draft New Draft Printed

Mr. Thornton from the Committee on Judiciary on Bill "An Act relating to Probation of Persons by Court" (H. P. 221) (L. D. 290) reported same in a new draft (H. P. 1002) (L. D. 1444) under same title and that it "Ought to pass"

Report was read and accepted, the New Draft read twice and assigned the next legislative day.

Ought to Pass Printed Bills

Mr. Blouin from the Committee on Business Legislation reported "Ought to pass" on Bill "An Act Revising the Laws Relating to the Organization and Powers of Credit Unions" (H. P. 799) (L. D. 1186)

Mr. Oberg from same Committee reported same on Bill "An Act Permitting Savings Banks to Make Loan Secured by Mortgages of Property Located in the Eastern Slope Regional Airport" (H. P. 896) (L. D. 1303)

Mrs. Vaughn from same Committee reported same on Bill "An Act relating to Solicitation of Pre-arranged Funerals and to Payments for Securing Funeral Business" (H. P. 723) (L. D. 1052)

Mr. Knight from the Committee on Judiciary reported same on Resolve Authorizing George A. Nowell to Bring Civil Action Against State of Maine (H. P. 468) (L. D. 672)

Mr. Pease from same Committee reported same on Bill "An Act Providing for Equitable Relief for Pur-

chasers of Real Estate from Municipalities" (H. P. 154) (L. D. 205)

Mr. Poirier from the Committee on Towns and Counties reported same on Bill "An Act relating to Length of Vacation of County Clerical Help" (H. P. 854) (L. D. 1241)

Mrs. Shaw from same Committee reported same on Bill "An Act relating to Appointment of Deputy County Treasurers" (H. P. 698) (L. D. 954)

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

Referred to 102nd Legislature

Mr. Smith from the Committee on Judiciary on Bill "An Act Providing for Western Hancock District Court to be Held at Bucksport" (H. P. 656) (L. D. 912) reported that it be referred to the 102nd Legislature.

Report was read and accepted and sent up for concurrence.

Ought to Pass with Committee Amendment Tabled and Assigned

Mr. Watkins from the Committee on Business Legislation on Bill "An Act Revising the Savings Bank Law" (H. P. 568) (L. D. 878) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read.

(On motion of Mr. Childs of Portland, tabled pending acceptance of Committee Report and specially assigned for Tuesday, March 12.)

Mr. Bourgoin from the Committee on Claims on Resolve to Reimburse Harry F. Sanborn, West Baldwin, for Loss of Pullets (H. P. 423) (L. D. 576) 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. 423, L. D. 576, Resolve, to Reimburse Harry F. Sanborn, West Baldwin, for Loss of Pullets.

Amend said Resolve by striking out in the 2nd line the figure "\$360"

and inserting in place thereof the figure '\$275'

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 Claims reporting "Ought not to pass" on Resolve in favor of Kermit O. Stadig of Soldier Pond (H. P. 326) (L. D. 453)

Report was signed by the following members:

Messrs. HICHBORN of Piscataquis
BOISVERT of Androscoggin
CRAM of Cumberland
— of the Senate.

Messrs. BREWER of Bath
BOURGOIN of Fort Kent
HUTCHINS of Kingfield
SUSI of Pittsfield

Mrs. LINCOLN of Bethel

Mr. LIBBY of Portland

— of the House.

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

Report was signed by the following member:

Mr. GALLANT of Eagle Lake
— of the House.

Reports were read.

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

Mr. BREWER: Mr. Speaker, I move to accept the Majority "Ought not to pass" Report.

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

Thereupon, on motion of Mr. Gallant of Eagle Lake, the Bill was tabled pending the motion of Mr. Brewer of Bath to accept the Majority "Ought not to pass" Report and specially assigned for Thursday, March 14.

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 12th, at ten o'clock in the morning. (S. P. 535)

Came from the Senate read and passed.

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

The SPEAKER: The Chair at this time would request the Sergeant-at-Arms to escort the gentleman from Cape Elizabeth, Mr. Berry, to the rostrum to serve as Speaker pro tem.

Thereupon, Mr. Berry assumed the Chair as Speaker pro tem amid the applause of the House and Speaker Kennedy retired from the Hall.

Passed to Be Engrossed

Bill "An Act relating to Issuance of Bonds of and Termination of Maine Turnpike Authority" (S. P. 56) (L. D. 106)

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

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

Mr. MINSKY: Mr. Speaker, Ladies and Gentlemen of the House: I would now like to move passage of House Amendment "A" to L. D. 106, An Act relating to Issuance of Bonds of and Termination of Maine Turnpike Authority, and I would like an opportunity to speak on the amendment.

This amendment has been printed and is now before you on your desks. Yesterday we had an extended debate on this particular bill relating to the bonds and the termination of them on the Maine Turnpike. At that time, I voted against this particular bill as I felt that perhaps the decision should be delayed until some future date. I have spent some time discussing this bill with other members of the House. I understand that there is considerable merit to the bill. I am willing to vote for its passage, but I would like to have the adoption of Amendment "A" as a safeguard and as a caution.

What this bill does is very simple. It just simply states that in the event that the tolls collected between now and 1988 which have been outlined in this Exhibit 6 which was placed upon your desks by someone—I don't know who was kind enough to do it—if the tolls

as projected on that schedule, are not sufficient to pay the bonds as they should be paid, and if the State of Maine decides that they should be paid out of other funds, that I only feel it is proper that those funds be General Highway Funds.

During yesterday's discussion, the gentleman from York, Mr. Rust, spoke of the beautiful new highway that was to be built and one of the arguments he gave or one of the statements he made was that the new road would be of equally fine or perhaps better construction than the present turnpike. It would be a very fine road. It would be ten miles shorter, and there's a question as to how many people would use the turnpike. Therefore there would be no revenue after 1988 and so there was no need to keep the tolls on. There would be very little revenue at best.

But I note that the road from Gardiner to Brunswick will be completed in 1974, and what worries me, is what is going to happen between 1974 and 1988 if our revenues are not sufficient to meet the obligations of the bond. If the new road was of such fine construction and ten miles shorter, I fear that perhaps the revenues of the toll will not be sufficient in this fourteen-year period to pay this bonded indebtedness.

Now we have already started or are about to start the work on the Brunswick-Gardiner road. There will be money in the current highway budget for preliminary surveys, the acquisition of rights-of-way, etc. I have no dispute concerning the Highway Department commencing this. They claim they have studied this program well. I assume they have. They claim they have projected the revenues on the tolls from the turnpike, and I hope that they have done this well. But let us assume that they have not done this as well as they anticipate. Let us assume that with all their good intentions, there has been a miscalculation, and I simply say that using miscalculation and if State funds are to be used, let those funds come from the highway budget and not from the general funds of the State of Maine.

Let us not forget that forty-three cents of every tax dollar paid in the State of Maine is now contributed to the Highway Fund. We do not need this always. We do not pass upon this in our general budget. They have adequate funds.

I would also like to point out to you that contained in L. D. 106 is the following statement: (this refers to the turnpike and its properties) "its leases, rights, easements, franchises and bridges, lands and properties shall become the property of the State of Maine and all revenue therefrom become payable to the Treasurer of the State of Maine as a part of the highway funds of the State of Maine." So what revenues may be coming into the State after the tolls are eliminated because of easements, because of leases, because of rights-of-way, these would include restaurants and gasoline stations, this money is to enure to the benefit of the Highway Department, and I feel that if there is to be a deficit, let this also come from the Highway Department.

Now it might be questioned why do we want to bother to do this now? Let's worry about this later. That same argument can be turned around and say let's worry later about removing bonds when it is paid. It was stated yesterday that they wanted an expression of legislative intent today as to what would happen in 1988. They want it expressed today that we will not continue to collect tolls after the bonds have been paid, and if they wish this, then I do not think it unfair to say in return, then let us have an expression of legislative intent today. If the revenues are not sufficient then any deficit that is to be paid, shall also be paid from highway funds. This expression of legislative intent is as valid as the intent expressed in the bill itself.

Now the question is raised whether or not if the bonds fail, the money will have to be paid by the State. I have read the original act, the bonding agreement very clearly states that the credit of the State of Maine is not pledged for payment of these bonds. And this particular amendment still will not pledge the credit of the State of Maine to pay these bonds. It simply

says that in the event the tolls are not sufficient and state funds are used—it does not say state funds shall be used—but in the event that state funds are used, such state funds shall be expended from the general highway fund.

I think it only fair to state that if this becomes their property, if state funds are to be used, then these state funds should come from that department which proposes that it take over the turnpike from that state department which has designed our highway program and that state department, should this occur, has made the miscalculation. Thank you.

The SPEAKER pro tem: The gentleman from Bangor, Mr. Minsky, presents House Amendment "A" and moves its adoption.

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

HOUSE AMENDMENT "A" to S. P. 56, L. D. 106, Bill, "An Act relating to Issuance of Bonds of and Termination of Maine Turnpike Authority."

Amend said Bill by adding at the end the following new section:

"Sec. 3. P. & S.L., 1941, c. 69, Sec. 12, Par. (5), additional. Section 12 of chapter 69 of the private and special laws of 1941 is amended by adding a new paragraph (5) to read as follows:

'(5) In the event that the authority shall make default in the payment of principal or interest on any of the bonds issued under this chapter and state funds are used for the payment of the bonds so in default, such state funds shall be expended from the General Highway Fund.'

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

Mr. CHILDS: Mr. Speaker and Members of the House: First let me say that I don't believe that we should even attempt to dictate to some subsequent Legislature. Second, if the subsequent Legislature is not in favor of this particular bill, all they would have to do is repeal this measure. Third, if this amount is ever paid off by the General Highway Fund, a subsequent Legislature could also replace the money which goes into the General Highway Fund from the Gen-

eral Fund. Therefore, I don't believe this amendment would accomplish anything, and I therefore move it be indefinitely postponed.

The SPEAKER pro tem: The question now before the House is the motion of the gentleman from Portland, Mr. Childs, that House Amendment "A" be indefinitely postponed.

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

Mr. DENNETT: Mr. Speaker and Members of the House: I rise in opposition to the motion made by the gentleman from Portland, Mr. Childs. I think this House yesterday showed no hesitation whatsoever in accepting a bill which imposed upon a subsequent Legislature a certain intent. I believe Mr. Minsky's bill today implies intent along the same lines. I think to preserve the integrity of the State of Maine, that we must show good faith in some manner. Mr. Minsky has outlined his amendment and what it covers in every detail. There should be no question in anyone's mind. I think it is very clear. His presentation was very concise.

I feel very strongly that inasmuch as there has been so much invested in the State of Maine in this turnpike by outside investors, they should have some expression of intent by this Legislature. What Mr. Childs has said is very true. We cannot impose on another Legislature, but we did yesterday. I urge that this motion to indefinitely postpone be defeated.

The SPEAKER pro tem: The Chair recognizes the gentleman from Bath, Mr. Drake.

Mr. DRAKE: Mr. Speaker and Ladies and Gentlemen of the House: I rise in support of the motion of the gentleman from Portland, Mr. Childs. I have a great deal of admiration and respect for the gentleman from Bangor, Mr. Minsky, but at the same time I question the validity of this amendment because I doubt that it is constitutional to pledge State of Maine funds in a manner suggested by this amendment. I doubt that the state can pledge its credit for bonds not issued by the state. This amendment in effect pledges the credit of the State of Maine for

the fulfillment of an obligation of a private corporation.

I would also like to further mention the fact that I think it should be important to note that the Maine Turnpike Authority has not taken any position in regard to the bill for which this amendment is to be attached either in this session or when it was brought up four years ago. It is quite apparent that the Authority is not concerned to the extent of taking any position on the matter at all. Thank you.

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

Mr. CURTIS: Mr. Speaker, Ladies and Gentlemen: I just cannot understand in reading this amendment the meaning given to it by my good friend from my own county. I don't see anything in it which could be unconstitutional. I do not see anything in it whereby it would be pledging the state to anything. It just simply says that if we do have to eventually pay, which by law that has been passed sometime that we will, if they default, why it will be taken from the highway fund. And I move that when the vote is taken, it be taken by a division.

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

Mr. TURNER: Mr. Speaker, I can remember when the bonds were sold for the turnpike extension from Portland to Augusta, and the original bonds that was from Portland to Kittery were two and one-half to two and three-quarters. I don't know which one. One or the other was the price of the bonds. I do not remember which. Owing to the risk the bondholders were taking on the new extension from Portland to Augusta and whereby they had no guarantee by the State on the bonds, they called all the old bonds in and issued new ones to the tune of four percent. So all turnpike bonds now are four percent with no state guarantee. This looks to me like "kids-play" now for the state to stick their necks out in this deal. This is just a move to confuse the issue and scuttle the bill. I too move indefinite postponement of this amendment.

The SPEAKER pro tem: The Chair recognizes the gentleman from Southport, Mr. Rankin.

Mr. RANKIN: Mr. Speaker, Ladies and Gentlemen: I myself don't care much for this amendment. It could be an invitation for the Turnpike Authority to become less prudent, but I think it is up to you people whether you want to let this bill fly right out the front door or not to the front office. I would like to see, but I know the motion at the present time is to indefinitely postpone, I would like to have a bill of this nature before it is decided upon by us, be referred to the Committee on Judiciary.

The SPEAKER pro tem: The Chair recognizes the gentleman from South Paris, Mr. Hammond.

Mr. HAMMOND: Mr. Speaker, Ladies and Gentlemen: I do not believe that the State of Maine's credit should be pledged in this issue. This turnpike was born a private enterprise; it is living a private enterprise; and it undoubtedly dies a private enterprise; I don't believe the State should be connected with it.

The SPEAKER pro tem: The question before the House is the motion of the gentleman from Portland, Mr. Childs, that the amendment be indefinitely postponed, and a division has been requested.

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

Mr. CROCKETT: Mr. Speaker, less than twenty-four hours ago, we passed this legislation. Now all of a sudden because somebody might be a little sore and they are trying to pull a fast one, now I am coming right out with it and I can be accused of it or not, it don't make no difference to me, but I like to speak the truth. You are being asked here to pledge the future members of the State Legislature from eighteen to twenty years from now to pay this bond off if it was necessary, which I know it will never be, we will never have to do, but it might be a possibility and if you buy this amendment today, you are pledging the future legislators of this House to which I don't want to do, and I don't think you do.

The SPEAKER pro tem: The Chair recognizes the gentleman from York, Mr. Rust.

Mr. RUST: Mr. Speaker, Ladies and Gentlemen of the House: I rise in support of the motion of the gentleman from Portland, Mr. Childs to indefinitely postpone this amendment. Now we had an extensive debate on this particular bill yesterday, and there is no need of going into the merits of the bill.

I just would like to point out two things in regard to it. The effect of this amendment is not all that the gentleman from Bangor, Mr. Minsky, indicates. And it would seem to me that he is overly concerned about the revenue to pay off the turnpike bonds. He indicated to you that there was a sheet on your desks relative to the estimated revenues of the turnpike. Now these estimated figures have been produced by a firm known as Coverdale and Colpitts. And Coverdale and Colpitts is the engineering firm for the Maine Turnpike, and these are figures that they produced to support the estimated revenues to finance the bonds. And I am sure that if they indicated these revenues were going to be produced in order to have bonds issued, they were on the conservative side to be sure that there would be no difficulty.

Now to further support the facts of these figures by Coverdale and Colpitts, the gentleman from Cape Elizabeth, Mr. Berry, in his debate yesterday, clearly indicated that the revenues would be at least four million a year and they could go to ten million in the future. So it seems to me that based on this survey here, there is actually enough revenue and will be more than enough revenue to meet the commitments other than the turnpike bonds.

Now the second point I would like to make is what the effect of this amendment does. Now any of you who have a mortgage on your home with a local bank there, and I am sure that a good many of us do, what this amendment does will be just like the local banker calling you in and saying gentlemen, I don't think your mortgage is any good anymore. I want you to go down to the town hall, get the town

to vote to guarantee the mortgage, and then I will continue with it. And that is just what this amendment would do, and I see no need for it.

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

Mr. MINSKY: Mr. Speaker, I would like to straighten out what I think have been a couple of misconceptions. I first would like to assure the gentleman from Freeport, Mr. Crockett, that I am not playing sneaky games, and I am quite sincere in what I am doing. But what has distressed me is the fact that the word pledge has been tossed around in a couple of ways that I am not sure are entirely proper. Number 1, the credit of the State of Maine is not pledged by this amendment. It says: "In the event that the authority shall make default xxx and state funds are used". It does not commit a ny future legislature without its approval of committing any funds. I checked this very carefully this morning. I checked it with people not members of this Legislature, but other state officials. It was their interpretation that this did not pledge the future credit of the State of Maine.

Secondly, one member this morning said that he didn't see why we should pledge or make a pledge in behalf of a future Legislature. Well if he is against that, then I don't quite understand how he can be for L. D. 106 in the first place, because this is a pledge in the same fashion committing a future Legislature, which also could be repealed by a later one as could this amendment. I don't think it is quite consistent to say I can pledge as to what I like and not pledge as to what I don't like, because I don't like pledges. You have got to have a better reason than that. And I must admit through all the assurances I have had that there would be plenty of money to pay off the bonds, and since they are so confident that the money is going to be available, I am a little bit surprised that this amendment bothers them so much. They should be able to just laugh it off and say: it will never take effect because there is plenty of money.

The SPEAKER pro tem: The question before the House is the motion of the gentleman from Portland, Mr. Childs, that House Amendment "A" — the Chair recognizes the gentleman from Biddeford, Mr. Nadeau.

Mr. NADEAU: Mr. Speaker, I want to go on record against the amendment and support the motion of the gentleman from Portland, Mr. Childs.

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

Mr. BROWN: Mr. Speaker, Ladies and Gentlemen of the House: I am certainly not a lawyer, but it certainly looks to me by the intent of this act, the intent or the effect of this legislation, would surely say if these bonds did become in default, and if I was a lawyer or the bonding company or the Highway Commission, I would certainly say that this, that I would like to have this if I went to Court to defend that action. It certainly in my opinion, would place the credit or show the intent that if these bonds were paid by the State, that we, the Legislature, in 1963, felt that we were morally obligated by this amendment.

The SPEAKER pro tem: Is the House ready for the question? The question before the House is the motion of the gentleman from Portland, Mr. Childs, that House Amendment "A" be indefinitely postponed and a division has been requested.

Will all those in favor of the indefinite postponement of House Amendment "A" please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Ninety-eight having voted in the affirmative and twenty-eight having voted in the negative, the motion did prevail.

The SPEAKER pro tem: The Chair recognizes the gentleman from Southport, Mr. Rankin.

Mr. RANKIN: Mr. Speaker, this is a motion I have never made, but I would at this time move that this bill and all accompanying papers be sent to the Committee on Judiciary for further study, and if they themselves are unable to decide on the validity of this act, I would suggest that perhaps in their

wisdom they would choose to send it to the Supreme Court of Maine.

The SPEAKER pro tem: The question before the House is the motion of the gentleman from Southport, Mr. Rankin, that the Bill "An Act relating to Issuance of Bonds of and Termination of Maine Turnpike Authority," Legislative Document 106 and all accompanying papers be referred to the Committee on Judiciary.

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

Mr. CHILDS: Mr. Speaker, I believe that the only issue that the so-called attorneys were concerned with, was the issues on the validity of this amendment which has now been defeated. Therefore, I can see no need of it going to the Judiciary Committee, and I oppose the motion of the gentleman from Southport, Mr. Rankin.

The SPEAKER pro tem: The Chair recognizes the gentleman from Southport, Mr. Rankin.

Mr. RANKIN: Mr. Speaker, I request when the vote is taken it be taken by division.

The SPEAKER pro tem: The Chair recognizes the gentleman from York, Mr. Rust.

Mr. RUST: Mr. Speaker, I support the gentleman from Portland, Mr. Childs, in opposing this motion to send this bill to Judiciary for the same reason, the amendment is the only problem, it has been defeated and to send it to Judiciary would be just a waste of time, and I am sure that the results would be exactly the same as has been voted here this morning. This is not a proper amendment.

The SPEAKER pro tem: Is the House ready for the question? The question before the House is the motion of the gentleman from Southport, Mr. Rankin, that the Bill and all accompanying papers be referred to the Committee on Judiciary and a division has been requested.

All those in favor of referring this bill to the Committee on Judiciary will please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Ten having voted in the affirmative and one hundred seven having

voted in the negative, the motion did not prevail.

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

Bill "An Act relating to Construction of a Bridge to Span the Piscataqua River from Kittery, Maine to Portsmouth, New Hampshire" (S. P. 58) (L. D. 108)

Bill "An Act relating to Lapsing of Funds Appropriated to Construct a Fishway at Aroostook Falls" (S. P. 163) (L. D. 439)

Bill "An Act relating to Time of Salary Payments to County Commissioners" (S. P. 284) (L. D. 798)

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 Tabled and Assigned

Bill "An Act Providing for Adult Identification Cards under Liquor Law" (S. P. 300) (L. D. 873)

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

(On motion of Mr. Cartier of Biddeford, tabled pending passage to be engrossed and specially assigned for Wednesday, March 13.)

Bill "An Act Providing for Issuance of Warnings to Licensees for Liquor Violations" (S. P. 329) (L. D. 994)

Bill "An Act relating to Insurance for U-Drive Motor Vehicles" (S. P. 351) (L. D. 1017)

Bill "An Act relating to Capital Stock of Industrial Banks" (S. P. 352) (L. D. 1018)

Bill "An Act relating to Participation Loans, Other Than Real Estate, by Savings Banks" (S. P. 357) (L. D. 1023)

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

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

Bill "An Act relating to Location of Office of Board of Harbor Com-

missioners for the Harbor of Portland" (H. P. 502) (L. D. 704)

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

Mr. Brown of South Portland offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to H. P. 502, L. D. 704, Bill, "An Act Relating to Location of Office of Board of Harbor Commissioners for the Harbor of Portland."

Amend said Bill by striking out all of the 4th and 5th lines and inserting in place thereof the following:

"Said board shall have an office either in the City of Portland or the City of South Portland in which shall be kept all maps, charts, plans, and documents"

The SPEAKER pro tem: The Chair recognizes the gentleman from Portland, Mr. Libby.

Mr. LIBBY: Mr. Speaker, Ladies and Gentlemen: This was a minor item yesterday; it is today, but I think clarification is in order. This amendment changes the original bill, original law, by merely adding "South Portland". The City of Portland is already on the bill. The only objection we have in Portland is that if rent is to be paid on the office of Harbor Commissioners, no matter where it is located, it is paid solely and only by the City of Portland. Therefore, we would like this office to remain in the City of Portland if we are going to pay the rent. That is what this all boils down to. Therefore, I move this item 11, L. D. 704, with the amendment, be indefinitely postponed.

The SPEAKER pro tem: The question before the House is the motion of the gentleman from South Portland, Mr. Brown, that the House adopt House Amendment "A".

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

Mr. BROWN: Mr. Speaker, Ladies and Gentlemen of the House: The only thing I would like to submit to you without getting into too much of a handle here, is the fact that Portland has never paid the

rent, and there is nothing in their budget to pay any rent any more. Now these people have gone and found a place that the taxpayers money will not be used on. All I submit to you is let's uphold these people and people like them, that can save tax dollars. This point as to how much shipping is where, that is beside the point. I think these people have done a tremendous job in trying to save the tax dollar, and all they would ask is the unanimous vote of the Commission, which is a State Commission, to have their office in South Portland.

Now I relented and said to the City Manager and the Corporation Counsel of Portland that I would let it go — it would be better for them they felt if I just had it Portland and South Portland. Now it seems as though they have changed their minds on that. Maybe they never will come up with any rent. Let's let these boys have a rent-free home.

The SPEAKER pro tem: The question before the House is the motion of the gentleman from South Portland, Mr. Brown, that House Amendment "A" be adopted. All those in favor of the adoption of House Amendment "A" will please say aye; those opposed, no.

A viva voce vote being taken, the motion did prevail.

The SPEAKER pro tem: The Chair recognizes the gentleman from Portland, Mr. Libby.

Mr. LIBBY: Mr. Speaker, I request the indefinite postponement of this bill L. D. 704 and I ask for a division.

The SPEAKER pro tem: The question now before the House is the motion of the gentleman from Portland, Mr. Libby, that the House indefinitely postpone L. D. 704, item 11 on page 6.

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

Mr. BROWN: Mr. Speaker and Members of the House: I hope this motion is defeated.

The SPEAKER pro tem: The Chair recognizes the gentlewoman from Portland, Mrs. Kilroy.

Mrs. KILROY: Mr. Speaker, on this particular bill, the office has always been in the City of Portland.

Two years ago, due to one of the members having an office in South Portland, gave this office to the Harbor Commission to hold their meetings. He was a member of this Commission at that time. I feel if the City of Portland is to pay the bills, we should have something to say about it. The port of Portland has many longshoremen and many people that have business in the port of Portland, and I feel this bill should be indefinitely postponed. I go along with the motion of the gentleman from Portland, Mr. Libby. I ask for a division.

The SPEAKER pro tem: The question before the House is the motion of the gentleman from Portland, Mr. Libby, that Bill "An Act relating to Location of Office of Board of Harbor Commissioners for the Harbor of Portland," L. D. 704, be indefinitely postponed. A division has been requested.

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

Fifty-two having voted in the affirmative and sixty-six having voted in the negative, the motion did not prevail.

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

The SPEAKER pro tem: The Chair is now pleased to recognize the presence in the gallery of the House of the eighth grade of the Palermo Consolidated School, together with their teacher, Mrs. Beatrice Hannan. They are accompanied by several mothers, Mrs. Wood, Mrs. Glendenning and Mrs. Leeman. They are guests of our esteemed colleague, Representative Mathieson of Montville, whose granddaughter is a member of this class.

On behalf of the House, it is a pleasure to welcome you here and we hope you profit by your stay with us today. (Applause)

Bill "An Act relating to Seine or Bag Net of Bait Dealers under Fish and Game Law" (H. P. 647) (L. D. 903)

Bill "An Act Changing Old Orchard Beach Bird Sanctuary to

Ocean Park Game Preserve and Bird Sanctuary" (H. P. 648) (L. D. 904)

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 Tabled and Assigned

Bill "An Act relating to Nomination of Primary Candidates at State Conventions" (H. P. 804) (L. D. 1191)

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

(On motion of Mr. Ross of Brownville, tabled pending passage to be engrossed and specially assigned for Thursday, March 21.)

Third Reader Tabled and Assigned

Bill "An Act relating to Open Season for Fishing in Fish River, Aroostook County" (H. P. 813) (L. D. 1200)

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

(On motion of Mr. Gallant of Eagle Lake, tabled pending passage to be engrossed and specially assigned for Thursday, March 14.)

Bill "An Act relating to Hunting of Skunks and Raccoons in the Daytime" (H. P. 999) (L. D. 1442)

Resolve in favor of Town of Burlington for Winter Road Maintenance (H. P. 270) (L. D. 364)

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 Revising the Savings and Loan Laws" (S. P. 350) (L. D. 1016)

Bill "An Act relating to Certificate of Registration to Practice Barbering" (H. P. 730) (L. D. 1059)

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

**Passed to Be Enacted
Emergency Measure**

An Act to Incorporate the Town of Winterport School District (H. P. 160) (L. D. 210)

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. 129 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
Tabled and Assigned**

An Act Appropriating Funds for State of Maine's Participation in the New York World's Fair, 1964-1965 (H. P. 356) (L. D. 530)

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

(On motion of Mr. Wellman of Bangor, tabled pending passage to be enacted and specially assigned for Tuesday, March 19.)

Emergency Measure

An Act Increasing Number of Superintending School Committee of Town of Baileyville (H. P. 986) (L. D. 1428)

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.

Passed to Be Enacted

An Act Increasing Indebtedness of Town of Fairfield School District (H. P. 158) (L. D. 331)

An Act relating to Election of Constables in City of Portland (H. P. 388) (L. D. 587)

Finally Passed

Resolve Authorizing Amanda Moreau to Bring Action Against the State of Maine (H. P. 112) (L. D. 156)

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.

Orders of the Day

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

SENATE REPORT — Ought to Pass — Committee on Industrial and Recreational Development— on RESOLVE, Continuing New York City Public Relations Office and Providing for Contractual Services. (S. P. 293) (L. D. 866)

Tabled — February 28, by Mr. Philbrick of Augusta.

Pending — Acceptance in concurrence.

The SPEAKER pro tem: The Chair recognizes the gentleman from Augusta, Mr. Philbrick.

Mr. PHILBRICK: Mr. Speaker, I tabled this last week in order to get a little more information. I have found out that Senate Paper 293, L. D. 866 is covered by other legislation likewise, so I move the indefinite postponement of this L. D. 866.

The SPEAKER pro tem: The question before the House is the motion of the gentleman from Augusta, Mr. Philbrick, that this Resolve and accompanying papers be indefinitely postponed.

The Chair recognizes the gentleman from Hampden, Mr. Littlefield.

Mr. LITTLEFIELD: Mr. Speaker, Ladies and Gentlemen of the House: I wish to support the motion to indefinitely postpone. This resolve was referred to the Committee on Industrial and Recreational Development and it has been given a hearing. I reluctantly signed the "Ought to pass" Report to let it come before the House and to learn just what the House really wants to do about bills of this nature.

The bill states, "That there be appropriated from the Unappropriated Surplus of the General Fund the sum of \$25,000 for the fiscal year ending June 30, 1964 and the sum of \$25,000 for the fiscal year ending June 30, 1965," that is \$50,000 for the biennium. This sum would be spent by the D.E.D. to

continue a New York City Public Relations Office and to provide for contractual services.

Since August 1960, the department has operated a public relations office in New York City on a test basis, employing the contractual services of a publicity agent, with salary and expense. One example of the type of publicity which this office has developed is the program which brings foreign correspondents from the New York and Washington areas, here as weekend guests of Maine. Years before we had a Development Commission, foreign people were coming here to work, to spend vacations at Bar Harbor and other Maine resorts, and our products were being sent to foreign ports.

Funds for this program have come from the advertising and promotion account of the Department of Economic Development and I question whether this Legislature should appropriate this additional \$50,000 for the next biennium to continue a program to finance these activities.

I shall support the motion of the gentleman from Augusta, Mr. Philbrick, to indefinitely postpone this bill.

The SPEAKER pro tem: The question before the House is the motion of the gentleman from Augusta, Mr. Philbrick, that this Resolve and accompanying papers be indefinitely postponed in non-concurrence. Is this the pleasure of the House?

The motion prevailed. Sent up for concurrence.

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

HOUSE REPORT — Leave to Withdraw — Committee on Retirements and Pensions on Bill "An Act relating to Retirement Allowance of Policemen and Firemen under State Retirement System." (H. P. 612) (L. D. 847)

Tabled — March 5, by Mr. Hammond of Paris.

Pending — Acceptance of Report.

Thereupon, on motion of Mr. Hammond of Paris, the "Leave to Withdraw" Report was accepted and sent up for concurrence.

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

RESOLVE, Regulating Fishing in Upper and Lower Range Ponds, Dumpling Pond and Ingalls Pond, Androscoggin and Cumberland Counties. (H. P. 447) (L. D. 651) — (Filing H-72)

Tabled — March 5, by Mr. Burns of Westbrook.

Pending — Passage to be Engrossed.

On motion of Mr. Edwards of Raymond, retabled pending passage to be engrossed and specially assigned for Thursday, March 14.

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

RESOLVE, Authorizing the Maine Defense Commission to Convey Certain Land in Presque Isle. (H. P. 511) (L. D. 713) — Engrossed in both Branches.

Tabled — March 6, by Mr. Wight of Presque Isle.

Pending — Final Passage.

The SPEAKER pro tem: The Chair recognizes the gentleman from Presque Isle, Mr. Wight.

Mr. WIGHT: Mr. Speaker, the Attorney General's office is not entirely satisfied with the description of the land to be conveyed and recommended, and an amendment is offered. I ask that the rules be suspended in order that I may move to reconsider the passage to be engrossed of this Resolve.

Thereupon, the House voted to suspend the rules and to reconsider its action of February 26 whereby this Resolve was passed to be engrossed.

Mr. Wight of Presque Isle offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to H. P. 511, L. D. 713, Resolve, Authorizing the Maine Defense Commission to Convey Certain Land in Presque Isle.

Amend said Resolve in the 16th line by inserting after the figure and word "50 feet" the word "southerly"

House Amendment "A" was adopted, the Bill passed to be en-

grossed as amended by House Amendment "A" in non-concurrence and sent up for concurrence.

Mr. Libby of Portland was granted unanimous consent to address the House.

Mr. LIBBY: Mr. Speaker, may I inquire if Bill "An Act Increasing Salaries of Members of Council of City of Portland," House Paper 604, Legislative Document 839, is in the possession of the House?

The SPEAKER pro tem: The Chair would advise the gentleman that the document is in the possession of the House.

Thereupon, on motion of that gentleman, the House voted to suspend the rules and to reconsider its action of yesterday whereby this bill was passed to be engrossed.

The SPEAKER pro tem: The Chair recognizes the gentleman from Portland, Mr. Libby.

Mr. LIBBY: Mr. Speaker, I now move that this bill lie on the table pending passage to be engrossed.

The SPEAKER pro tem: Does the gentleman assign a date?

Mr. LIBBY: Not at the moment, Mr. Speaker.

The SPEAKER pro tem: The gentleman from Portland, Mr. Libby, moves that this document, L. D. 839, be placed on the table unassigned.

Mr. Pease of Wiscasset requested a division.

The SPEAKER pro tem: A division has been requested. The question before the House is the motion of the gentleman from Portland, Mr. Libby, that this Bill be tabled unassigned.

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

A division of the House was had.

Nineteen having voted in the affirmative and seventy-one having voted in the negative, the motion to table unassigned did not prevail.

Thereupon, on motion of Mr. Libby of Portland, the Bill was tabled pending passage to be engrossed

and specially assigned for Thursday, March 21.

The SPEAKER pro tem: The Chair wishes to announce the appointment of a delegation to represent the House of Representatives of the 101st Legislature at the services for our late esteemed member, Mr. Dostie: the gentleman from Old Orchard Beach, Mr. Plante; the gentleman from Waterville, Mr. Noel; the gentleman from Waterville, Mr. Baldic; the gentleman from Lewiston, Mr. Jalbert; the gentleman from Augusta, Mr. Humphrey; and the gentleman from Augusta, Mr. Ross. And the Chair would announce that the services are at nine o'clock in Winslow on Saturday.

On motion of Mr. Jalbert of Lewiston, the following Resolution:

STATE OF MAINE
101st LEGISLATURE
HOUSE RESOLUTIONS

March 7, 1963

WHEREAS, the members of the House of Representatives of the One Hundred and First Legislature have learned with profound sorrow and deep regret of the death yesterday of an esteemed colleague, Honorable William T. Dostie, Representative from Winslow, and a member of the House of Representatives for nine consecutive sessions;

AND WHEREAS, as a legislator he represented his district and the people of the State of Maine in the finest tradition, being ever honorable and kindly in judging his fellowman;

AND WHEREAS, the members of the House of Representatives sense in his passing a personal loss and a genuine grief;

NOW, THEREFORE, BE IT RESOLVED: That the State of Maine mourns the loss of a faithful and valued public servant, and the members of the House of Representatives lament the departure of an esteemed and trusted friend;

AND BE IT FURTHER RESOLVED: That these Resolutions be entered in the Journal of the House and an engrossed copy of these

Resolutions be sent to the family of the deceased;

AND BE IT FURTHER RESOLVED: That as a further token of respect the House do now stand adjourned.

Was received out of order under

suspension of the rules, read and adopted.

In accordance with the above Resolution, the House stood adjourned, the time being Tuesday morning, March 12, 1963 at ten o'clock in the forenoon.