

# 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**

Tuesday, March 12, 1963

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

Prayer by the Rev. Mr. Harry Hubbling of the Glenburn and North Bangor Covenant Churches.

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

The journal of the previous session was read and approved.

**Papers from the Senate**

From the Senate:

Resolve Proposing an Amendment to the Constitution Forbidding Discrimination Against Any Person because of Race, Religion, Sex or Ancestry (S. P. 527) (L. D. 1448)

Resolve Proposing an Amendment to the Constitution Relating to Authority of Governor as Commander in Chief (S. P. 528) (L. D. 1449)

Resolve Proposing an Amendment to the Constitution to Revise Article VI Relating to the Judicial Power (S. P. 529) (L. D. 1450)

Resolve Proposing an Amendment to the Constitution Designating Procedure for Determining the Election of Governor (S. P. 530) (L. D. 1451)

Resolve Proposing an Amendment to the Constitution to Permit the Governor to Veto Items Contained in Bills Appropriating Money (S. P. 531) (L. D. 1452)

Resolve Proposing an Amendment to the Constitution to Prohibit the Unreasonable Interception of Telephone, Telegraph and Other Electronic Communications (S. P. 532) (L. D. 1443)

Came from the Senate referred to the Committee on Constitutional Amendments and Legislative Reapportionment.

In the House, referred to the Committee on Constitutional Amendments and Legislative Reapportionment in concurrence.

**Senate Reports of Committees Leave to Withdraw**

Report of the Committee on Judiciary on Bill "An Act relating to Fees of Expert Witnesses" (S. P.

390) (L. D. 1093) reporting Leave to Withdraw.

Report of same Committee reporting same on Bill "An Act relating to Appeals by the State upon Questions of Law in Criminal Cases" (S. P. 423) (L. D. 1166)

Came from the Senate read and accepted.

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

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

Report of the Committee on Judiciary reporting "Ought not to pass" on Bill "An Act relating to Jurisdiction of Juvenile Courts over Juveniles Using Vehicle Without Authority" (S. P. 392) (L. D. 1095), as it is covered by other legislation.

Came from the Senate read and accepted.

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

**Ought to Pass**

Report of the Committee on Claims reporting "Ought to pass" on Resolve in favor of Town of Arrowsic (S. P. 141) (L. D. 418)

Report of the Committee on Labor reporting same on Bill "An Act relating to Work Permits for Minors under Sixteen Years of Age" (S. P. 182) (L. D. 481)

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

In the House, Reports were read and accepted in concurrence, the Bill read twice, Resolve read once, and tomorrow assigned.

**Referred to Committee on Transportation**

Report of the Committee on Business Legislation on Bill "An Act relating to Minimum Standards for Dealers in New or Used Motor Vehicles" (S. P. 470) (L. D. 1322) reporting that it be referred to the Committee on Transportation.

Came from the Senate with the Report read and accepted and the Bill referred to the Committee on Transportation.

In the House, the Report was read and accepted and the Bill referred to the Committee on Transportation in concurrence.

### Ought to Pass with Committee Amendment

Report of the Committee on Health and Institutional Services on Bill "An Act relating to Expenses of Examination and Commitment of the Mentally Ill" (S. P. 101) (L. D. 238) 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. 101, L. D. 238, Bill, "An Act Relating to Expenses of Examination and Commitment of the Mentally Ill."

Amend said Bill by striking out all of subsection III of section 135-A and inserting in place thereof the following:

**III. Fees for transportation. In instances of indorsement on the certificate of the licensed physicians by the District Court or by a complaint justice, under section 173 or 174, for the purpose of authorizing a health or police officer to transport a patient to a hospital, fees for such transportation shall be charged in the first instance to the Department of Mental Health and Corrections. Any fee so charged shall be first approved in writing by the District Court or by a complaint justice. Reimbursement shall be sought for such expenditures as in cases of expenses incurred in probate court commitment proceedings."**

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

Report of the Committee on Health and Institutional Services on Bill "An Act Revising Laws relating to Juvenile Training Centers" (S. P. 292) (L. D. 865) 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. 292, L. D. 865, Bill, "An Act Revising Laws Relating to Juvenile Training Centers."

Amend said Bill in that part designated "Sec. 29" of section 2 by striking out all of the 6th line and inserting in place thereof the following:

'superintendent; but no child shall be committed who is deaf, mute, blind dumb or'

Further amend said Bill by striking out all of section 4.

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

### Non-Concurrent Matter

Bill "An Act relating to Prohibition Against Entering on Private Property and Peeking Therein" (H. P. 888) (L. D. 1184) which was indefinitely postponed in the House on February 19.

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

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

### Non-Concurrent Matter

An Act Revising Laws relating to Panel of Mediators (H. P. 113) (L. D. 157) which was passed to be enacted in the House on February 27 and passed to be engrossed on February 14.

Came from the Senate indefinitely postponed in non-concurrence.

In the House: On motion of Mr. Bragdon of Perham, the House voted to recede and concur with the Senate.

From the Senate: The following Communication: (S. P. 525)

STATE OF MAINE  
SENATE CHAMBER  
Augusta

March 6, 1963

To the Honorable Members  
of the House and Senate  
of the 101st Legislature  
State House  
Augusta, Maine

Ladies and Gentlemen:

I have the honor to present to you the Report of the Joint Select Committee to Study the Functioning of the Department of Economic Development, created on February 13, 1963, by Joint Order S. P. 304, as amended by House Amendment "A".

Respectfully submitted,

(Signed)

SHELTON C. NOYES  
Shelton C. Noyes, Chairman

Came from the Senate read and with accompanying Report (L. D. 1447) ordered placed on file.

In the House, the Communication was read and with accompanying Report (L. D. 1447) ordered placed on file in concurrence.

**Orders**

Mr. Brewer of Bath presented the following Order and moved its passage:

WHEREAS, Morse High School of Bath has won the State LL basketball championship and will represent the State in the New England championships at Boston Garden;

BE IT ORDERED, that the Maine House of Representatives commend this team and its coach, Clyde Haden, for their accomplishments in the field of sports and wish them continued success in their efforts to bring recognition and honors to our State;

AND BE IT FURTHER ORDERED, that a copy of this Order be sent to Morse High School of Bath.

The Order received passage. (Applause)

Mr. Crommett of Millinocket presented the following Order and moved its passage:

WHEREAS, Stearns High School of Millinocket, is the runnerup in the LL basketball championship and will represent the State in the New

England championships at Boston Garden;

BE IT ORDERED, that the Maine House of Representatives commend this team and its coach, George Wentworth, for their accomplishments in the field of sports and wish them success in their efforts to bring recognition and honors to our State;

AND BE IT FURTHER ORDERED, that a copy of this Order be sent to Stearns High School of Millinocket.

The Order received passage. (Applause)

On motion of Mr. Thaanum of Winthrop, it was

ORDERED, that Rev. Harry L. Starbuck of the Methodist Church, Winthrop, be invited to officiate as Chaplain of the House on Wednesday, April 3, 1963.

On motion of Mr. Plante of Old Orchard Beach, it was

ORDERED, that the House of Representatives declares a vacancy to exist in the representation in this House of the town of Winslow on account of the death of the Honorable William T. Dostie; and be it further

ORDERED, that a copy of this Order, certified by the Clerk of the House, be sent to the Governor, the Secretary of State, and the Municipal Officers of the Town of Winslow in which the vacancy exists.

On motion of Mr. Plante of Old Orchard Beach, it was

ORDERED, that the balance of the regular compensation of a member not paid to the late William T. Dostie in his lifetime, be paid to his widow, Mrs. William T. Dostie.

On motion of Mr. Benson of Southwest Harbor, it was

ORDERED, that Mr. Townsend of Baileyville be excused from attendance this week because of business.

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

The SPEAKER: At this time the Chair would request the Sergeant-at-Arms to escort the gentleman from York, Mr. Rust, to approach the rostrum and serve as Speaker pro tem.

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

#### House Reports of Committees Leave to Withdraw

Mr. McGee from the Committee on Education on Bill "An Act relating to Secondary School Privileges" (H. P. 764) (L. D. 1118) reported Leave to Withdraw.

Mr. Bernard from the Committee on Liquor Control reported same on Bill "An Act relating to Local Option Question on Sale of Malt Beverages in Hotels and Clubs Only" (H. P. 64) (L. D. 88)

Mr. Townsend from same Committee reported same on Bill "An Act Providing Statewide Referendum on Retail Sale of Malt Liquor" (H. P. 874) (L. D. 1261)

Mr. Waterman from the Committee on Taxation reported same on Bill "An Act relating to Reimbursement of Fuel Tax for Miles Traveled on Maine Turnpike" (H. P. 315) (L. D. 408)

Reports were read and accepted and sent up for concurrence.

#### Ought Not to Pass

Mr. Easton from the Committee on Education reported "Ought not to pass" on Bill "An Act relating to School Age in Public Schools" (H. P. 725) (L. D. 1054)

Mr. Cote from the Committee on Legal Affairs reported same on Bill "An Act Revising Laws Relating to Boilers and Unfired Steam Pressure Vessels" (H. P. 822) (L. D. 1209)

Mr. Foster from same Committee reported same on Bill "An Act Repealing the Law Regulating the Solicitation and Collection of Funds for Charitable Purposes" (H. P. 785) (L. D. 1138)

Mr. Gilbert from same Committee reported same on Bill "An Act relating to Disposal of Dilapidated Buildings" (H. P. 779) (L. D. 1132)

Mrs. White from same Committee reported same on Bill "An Act relating to Traffic Ordinances" (H. P. 824) (L. D. 1211)

Reports were read and accepted and sent up for concurrence.

#### Tabled and Assigned

Mr. Wade from the Committee on Liquor Control reported "Ought not to pass" on Bill "An Act relating to Definition of 'Hotel' under Liquor Law" (H. P. 299) (L. D. 393)

Report was read.

(On motion of Mr. Wade of Skowhegan, tabled pending acceptance of the Committee Report and specially assigned for Tuesday, March 19.)

Mr. Albair from the Committee on Taxation reported "Ought not to pass" on Bill "An Act Creating an Excise Tax on Sales of Real Estate" (H. P. 691) (L. D. 947)

Mr. Ayoob from same Committee reported same on Bill "An Act Abolishing Tax on Transient Rentals" (H. P. 885) (L. D. 1270)

Reports were read and accepted and sent up for concurrence.

#### Tabled and Assigned

Mr. Jones from the Committee on Taxation reported "Ought not to pass" on Bill "An Act relating to Taxation of Business of Raising Domestic Fowl Exclusively for Meat Purposes" (H. P. 842) (L. D. 1229)

Report was read.

(On motion of Mr. Kent of Benton, tabled pending acceptance of the Committee Report and specially assigned for Wednesday, March 27.)

#### Ought to Pass in New Draft New Draft Printed

Mr. Crockett from the Committee on Highways on Bill "An Act relating to Area Directional Signs for Belgrade Lakes Region" (H. P. 807) (L. D. 1194) reported same in a new draft (H. P. 1004) (L. D. 1454) under same title and that it "Ought to pass"

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

#### Ought to Pass Printed Bills

Mr. Snow from the Committee on Education reported "Ought to pass" on Bill "An Act to Authorize the Municipalities of Lee, Prentiss Plt.,

Springfield, Webster Plt. and Winn to Form a School Administrative District" (H. P. 527) (L. D. 744)

Mr. Baldic from the Committee on Health and Institutional Services reported same on Bill "An Act Revising Laws Relating to Hairdressers" (H. P. 864) (L. D. 1251)

Mr. Nadeau from the Committee on Highways reported same on Resolve Naming the Franklin D. Roosevelt Memorial Bridge Between Lubec and Campobello Island (H. P. 968) (L. D. 1407)

Mr. Boissonneau from the Committee on Legal Affairs reported same on Bill "An Act relating to Surrender of Motor Vehicle Operator's License to Secretary of State" (H. P. 873) (L. D. 1260)

Mr. Cote from same Committee reported same on Bill "An Act relating to Title of Inspectors under Boilers and Unfired Steam Pressure Vessels Law" (H. P. 821) (L. D. 1208)

Mr. Foster from same Committee reported same on Bill "An Act relating to Filing of Approved Subdivisions of Land" (H. P. 781) (L. D. 1134)

Mr. Gilbert from same Committee reported same on Bill "An Act Repealing Washington County Agricultural Society and Agricultural Aid Society" (H. P. 471) (L. D. 675)

Same gentleman from same Committee reported same on Bill "An Act relating to Eligibility of Trustees, Executors and Administrators as Directors of Trust Companies" (H. P. 657) (L. D. 913)

Mr. Chapman from the Committee on Liquor Control reported same on Bill "An Act relating to Resident Requirements for Malt Liquor Wholesale License" (H. P. 669) (L. D. 925)

Mr. Townsend from same Committee reported same on Bill "An Act relating to Public Meetings Held by Liquor Commission" (H. P. 787) (L. D. 1140)

Mr. Hardy from the Committee on Municipal Affairs reported same on Bill "An Act relating to Time of Meetings of Augusta City Council" (H. P. 485) (L. D. 687)

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

### Ought to Pass with Committee Amendment

Mr. Scott from the Committee on Business Legislation on Bill "An Act Prohibiting Insurance Companies from Owning Funeral Establishments and from Contracting for Funeral Services" (H. P. 800) (L. D. 1187) 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. 800, L. D. 1187, Bill, "An Act Prohibiting Insurance Companies from Owning Funeral Establishments, and from Contracting for Funeral Services."

Amend said Bill by inserting at the end before the period the following underlined words and punctuations:

' or the use of an insurance policy to provide security for the payment of a funeral'

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

Mr. Levesque from the Committee on Education on Bill "An Act to Authorize the Municipalities of Detroit, Etna, Plymouth and Stetson to Form a School Administrative District" (H. P. 435) (L. D. 640) 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. 435, L. D. 640, Bill, "An Act to Authorize the Municipalities of Detroit, Etna, Plymouth and Stetson to Form a School Administrative District."

Amend said Bill in the 20th line by striking out the punctuation and words " , or any combination thereof,"

Further amend said Bill in the 25th and 26th lines by striking out the punctuation and words " , or any combination thereof,"

Further amend said Bill by striking out all of the 27th, 28th, 29th and 30th lines which read as fol-

lows: "Said district shall contract, pursuant to the Revised Statutes of 1954, chapter 41, section 111-E-1, with a School Administrative District composed of Corinna and Newport, or with the town of Hermon, for the education of high school pupils."

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

Mr. McGee from the Committee on Education on Bill "An Act to Authorize the Municipalities of Corinna and Newport to Form a School Administrative District" (H. P. 367) (L. D. 540) 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. 367, L. D. 540, Bill, "An Act to Authorize the Municipalities of Corinna and Newport to Form a School Administrative District."

Amend said Bill by striking out in the 10th and 11th lines from the end the words and punctuation " , or any combination thereof"

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

Mrs. Hendricks from the Committee on Health and Institutional Services on Bill "An Act relating to Definition of Practice of Barbering and Listing Exceptions" (H. P. 731) (L. D. 1060) 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. 731, L. D. 1060, Bill, "An Act relating to Definition of Practice of Barbering and Listing Exceptions."

Amend said Bill by striking out all of paragraph C of subsection I of section 1 and inserting in place thereof the following:

"C. Singeing, dyeing, tinting, bleaching or shampooing the hair or applying cosmetic preparations

to the hair, scalp, face, neck or upper part of the body; such dyeing, tinting or bleaching shall not be practiced unless the barber or apprentice barber has taken a course with a minimum of 75 hours in such practices, approved by the board;"

Further amend said Bill by striking out the period and single quotation mark at the end of paragraph E of subsection III of section 2 and insert in place thereof the following " ;"

Further amend said Bill by adding at the end the following underlined new paragraph:

'F. When done upon the occupant in his hotel or motel room.'

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

Mr. Cottrell from the Committee on Taxation on Bill "An Act relating to Sales Tax on Transportation Charges" (H. P. 350) (L. D. 504) 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. 350, L. D. 504, Bill, "An Act relating to Sales Tax on Transportation Charges."

Amend said Bill in the last line by striking out the underlined word "independent" before the underlined words "contract carrier"

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

#### Divided Report

Majority Report of the Committee on Inland Fisheries and Game reporting "Ought not to pass" on Bill "An Act relating to the Killing of Bears in Organized Townships" (H. P. 769) (L. D. 1123)

Report was signed by the following members:

Messrs. STILPHEN of Knox  
STITHAM of Somerset  
CYR of Aroostook  
— of the Senate.

Messrs. BENSON  
of Southwest Harbor  
HAWKES of Standish

ROBERTS of South Berwick  
 COOKSON of Glenburn  
 REYNOLDS of Buxton  
 WADE of Skowhegan  
 — of the House.

Minority Report of same Committee on same Bill reporting "Ought to pass" as amended by Committee Amendment "A" submitted there-with.

Report was signed by the following member:

Mr. ANDERSON of Ellsworth  
 — of the House.

Reports were read.

The SPEAKER pro tem: The Chair recognizes the gentleman from Farmington, Mr. Jones.

Mr. JONES: Mr. Speaker and Members of the House: I would like to make a motion on this legislative document, and then speak briefly on same.

The SPEAKER pro tem: Will the gentleman make his motion?

Mr. JONES: Mr. Speaker, I move that we accept the Minority "Ought to pass" Report, as approved with Committee Amendment "A."

Ladies and Gentlemen of the House: This bill as amended, I believe, takes out the features that some of the folks might have objected to in such a bill. As amended by Committee Amendment "A" or H-98, that restricts the bill to Franklin and Oxford Counties in the organized townships of same, south of the Appalachian Trail. First, the title would be changed to read on the killing of bears in the organized townships in certain portions of Franklin and Oxford Counties. Second, it would not pay any award on bears killed until after May first — please follow me closely on this because it is very important — or on any bears killed after September 30th of the year. In other words, it isn't to become a premium or an award to some hunter out during the hunting season in the fall in October and November shooting a bear and be getting a premium on same. It is not for that intent.

Also, it doesn't cover for the killing of bears, you must understand, in unorganized or wildlands. It is only to cover organized territories. Also, there is a protection on your public dumps. Now many times we

have certain dumps around where garbage is placed and bear gather around those dumps to feed, and those dumps become a place where people would like to travel to and see the bear. So those places are protected. Under the bill here, no bear could be killed within one-half mile of a place of that sort unless they had permission, a written permit, from the Fish and Game Department.

So, therefore as the bill is, it is restricted to a portion of Franklin and Oxford Counties. Please understand, it is not state-wide. It is for these portions in the municipalities in these areas. I think with this explanation I again move to accept the Minority Report "Ought to pass." Thank you.

The SPEAKER pro tem: The Chair recognizes the gentleman from Wilton, Mr. Scott.

Mr. SCOTT: Mr. Speaker, Ladies and Gentlemen of the House: I want to go on record in support of my good friend and colleague from Franklin County, Mr. Jones. There is a great deal of interest in Franklin County on this bear bill and obviously there must be need for it. So I want to go on record as in support of this measure.

The SPEAKER pro tem: The Chair recognizes the gentleman from Kingfield, Mr. Hutchins.

Mr. HUTCHINS: Mr. Speaker, Ladies and Gentlemen of the House: We do have more or less a problem in the organized territories in that area. It being so near to the area where there are numerous bears, the farmers, the sheep raisers do have considerable trouble. I believe this might be some relief for them, and I would be in favor of the bill.

The SPEAKER pro tem: The Chair recognizes the gentleman from Norway, Mr. Chapman.

Mr. CHAPMAN: Mr. Speaker, Ladies and Gentlemen: I come as you well know from bear country. Recently a bear crossed the black road as near my house as the Augusta House is here. Within two miles across the lake, the bear moved right into the barn of some people to take sheep. While I like bears all right, I like them at a distance, but I don't like them in my barn or right in my own door-

yard. I therefore would like to support the bill as presented by Representative Jones.

The SPEAKER pro tem: The Chair recognizes the gentleman from Farmington, Mr. Jones.

Mr. JONES: Mr. Speaker, when the vote is taken, I would request a division.

The SPEAKER pro tem: Is the House ready for the question? The question before the House is the motion of the gentleman from Farmington, Mr. Jones, that the House accept the Minority "Ought to pass" Report on Bill "An Act relating to the Killing of Bears in Organized Townships," House Paper 769, Legislative Document 1123, and a division has been requested.

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

A division of the House was had.

Fifty-eight having voted in the affirmative and forty-six having voted in the negative, the motion prevailed.

Thereupon, the Minority "Ought to pass" Report was accepted and the Bill read twice.

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

COMMITTEE AMENDMENT "A" to H. P. 769, L. D. 1123, Bill, "An Act Relating to the Killing of Bears in Organized Townships."

Amend said Bill in the title by adding at the end before the period the following words 'in Certain Portions of Franklin and Oxford Counties'

Further amend said Bill in the 4th line by striking out in the headnote the underlined word "Bounty" and inserting in place thereof the underlined word 'Award'; and by striking out in the 5th and 6th lines the underlined words and comma "except in that portion of Franklin County north of the Appalachian Trail,"; and by striking out in the 7th line the underlined word "kill" and inserting in place thereof the underlined word 'killed'; and by inserting in the 8th line after the underlined word "plantations" the following underlined words 'in that portion of Franklin and Oxford Counties south of the Appalachian Trail'

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

#### Divided Report

Majority Report of the Committee on Liquor Control on Bill "An Act relating to Hours for Sale of Liquor by Hotels and Class A Restaurants" (H. P. 118) (L. D. 162) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was signed by the following members:

Messrs. KIMBALL of Hancock  
JACQUES of Androscoggin  
— of the Senate.

Messrs. TOWNSEND of Baileyville  
WADE of Skowhegan  
BERNARD of Sanford  
TARDIFF of Lewiston

Mrs. OAKES of Portland  
— of the House.

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

Report was signed by the following members:

Mrs. CHRISTIE of Aroostook  
— of the Senate.

Messrs. CHAPMAN of Norway  
MEISNER  
of Dover-Foxcroft  
— of the House.

Reports were read.

The SPEAKER pro tem: The Chair recognizes the gentleman from Norway, Mr. Chapman.

Mr. CHAPMAN: Mr. Speaker and Ladies and Gentlemen of the House: I move we accept the Minority "Ought not to pass" Report.

The SPEAKER pro tem: Is it the pleasure of the House to accept the Minority Report?

(Cries of "No.")

The SPEAKER pro tem: All those in favor, will say aye; those opposed, no.

A viva voce vote being taken, the motion did not prevail.

The SPEAKER pro tem: Is it now the pleasure of the House to accept the Majority "Ought to pass" Report?

The motion prevailed.

Mr. SMITH of Strong: Mr. Speaker?

The SPEAKER pro tem: For what purpose does the gentleman arise?

Mr. SMITH: I called Mr. Speaker, I think just one-half second before the gavel went down. I would like to make a few remarks on this bill, and if so, then I will not have to make them on the others.

The SPEAKER pro tem: The gentleman may proceed, and the question before the House is the first reading of the bill.

Mr. SMITH: Thank you, Mr. Speaker.

It is quite evident that the majority of this House is going to vote for item 32. I wasn't aware of the fact that these were going to come here this morning, due to the fact that we have been out, but I see there are quite a few of these bills from the Liquor Committee before us for today. I am not going to debate each one of these bills, but I do feel that there are two of them here, this is one, that I would be a little remiss on if I did not oppose it.

This bill here extends the time of closing one extra hour at night. Apparently, there are those who feel that we cannot get enough liquor in us at the regular closing hour, so we need another hour. Of course I know that there are some that wish this for good legitimate reasons; down along the coast in the hotels and so forth, I understand their reasons.

I do object, however, to the fact that there has come into this Legislature a great swarm of bills that have for their main purpose the further liberalizing of the liquor laws. And I believe the thing that we are debating today is not this particular bill or any other bill, but whether or not we want to further liberalize our liquor laws in the State of Maine.

I am opposed to this further liberalization, feeling that we have enough chance to get what we want already. You would expect me of course to be opposed to this, but I oppose it not just because of my particular profession, but I oppose this because of the fact that there are young people up and down this State of Maine to whom I owe something. I believe in them. I don't want to see them corrupted, destroyed any more than they already are. And when they can take an automobile up in the country areas

where we live even an hour later at night with little or no control as to what they have in their car, drinking and carousing around, then I think it is time that we as a responsible Legislature did something about it. If you want to vote to do this, all right, but this is just another attempt to further liberalize the liquor industry that already is well liberalized throughout the State of Maine.

I am not sure, Mr. Speaker, just whether or not I could now call for any division, but I think possibly I will call for a division at the first opportunity, whatever opportunity that is, or after the first reading of the bill maybe. If this is the time to do it, I would call for a division.

The SPEAKER pro tem: The question before the House is on the first reading of the bill.

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

Mr. ANDERSON: Mr. Speaker, Ladies and Gentlemen of the House: I would like to go on record as being perfectly in accord with the remarks made by the Representative from Strong, Mr. Smith.

The SPEAKER pro tem: If there is no objection, we will proceed with the first reading of the bill.

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

Mr. MCGEE: I would like to make a motion, and if it is in order, I would like to tell the reason why afterwards. I would move that this bill be put on the table until Thursday next.

The SPEAKER pro tem: The gentleman from Auburn, Mr. McGee, moves that this item 32 be tabled until Thursday next. Is that the pleasure of the House?

All those in favor of the motion of the gentleman from Auburn, Mr. McGee, that this item be tabled until Thursday will signify by saying aye; those opposed, no.

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

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

Thereupon, the Bill "An Act relating to Hours for Sale of Liquor by Hotels and Class A Restaurants,"

House Paper 118, Legislative Document 162, was given its two several readings.

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

COMMITTEE AMENDMENT "A" to H. P. 118, L. D. 162, Bill, "An Act Relating to Hours for Sale of Liquor by Hotels and Class A Restaurants."

Amend said Bill by adding at the end thereof the following underlined words and punctuation: 'according to the prevailing time in the State as shown in chapter 1 section 4.'

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

#### Divided Report

Majority Report of the Committee on Liquor Control reporting "Ought not to pass" on Bill "An Act relating to Reporting System for Payment of Malt Liquor Excise Taxes" (H. P. 602) (L. D. 837)

Report was signed by the following members:

Messrs. KIMBALL of Hancock  
JACQUES of Androscoggin  
— of the Senate.  
Mrs. OAKES of Portland  
Messrs. TOWNSEND of Baileyville  
WADE of Skowhegan  
BERNARD of Sanford  
— of the House.

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

Report was signed by the following members:

Mrs. CHRISTIE of Aroostook  
— of the Senate.  
Messrs. CHAPMAN of Norway  
MEISNER  
of Dover-Foxcroft  
— of the House.

Reports were read.

The SPEAKER pro tem: The Chair recognizes the gentleman from Norway, Mr. Chapman.

Mr. CHAPMAN: Mr. Speaker, Ladies and Gentlemen of the House: I respectfully request that this bill be withdrawn and transferred to the Committee on Taxation where I believe this is more applicable. This is not a prohibition bill. It is a dollars and cents bill, regardless of how you spell the word "cents,"

and I would like to have this withdrawn and transferred.

The SPEAKER pro tem: The Chair understands that the gentleman from Norway, Mr. Chapman, moves that the House accept the Minority "Ought to pass" report.

The Chair recognizes the gentleman from Skowhegan, Mr. Wade.

Mr. WADE: Mr. Speaker, Ladies and Gentlemen of the House: The last Legislature or the 100th Legislature in special session, passed a law allowing the wholesalers to pay their tax monthly to the State instead of paying the State in advance each time that they order. That is the way the law now is.

This law goes into effect July 1, 1963. This bill that we are debating would repeal that law. The majority of the Liquor Control Committee could see no reason why the malt beverage industry should not be allowed to file a bond with the State or with the Liquor Commission and pay the tax once a month, such as all other excise tax commodities now do in the State of Maine. For instance, the tobacco tax, the gasoline tax, and the sales tax is paid by this method, and I know of no complaints that it is unfair or unworkable.

There are some thirty-seven other states and the District of Columbia that now use this system for collecting their tax on malt beverages, and the Committee heard evidence that those states are very happy with the system that they employ. This does not change the amount of the tax, nor does it relieve any licensee from their responsibility of paying. If you go along with the Majority Report of the Committee, you will only be approving an alternate method of paying. That was adopted by the last Legislature in special session, and I hope that we will vote now to accept the Majority "Ought not to pass" Report.

The SPEAKER pro tem: The question before the House is the motion of the gentleman from Norway, Mr. Chapman, that the House accept the Minority "Ought to pass" Report. The Chair will request a division.

All those in favor of the motion of the gentleman from Norway, Mr. Chapman, will please rise and re-

main standing until the monitors have made and returned their count.

A division of the House was had.

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

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

#### Divided Report

Majority Report of the Committee on Liquor Control on Bill "An Act Permitting Certain Liquor Licensees Providing Entertainment to Charge Admission" (H. P. 671) (L. D. 927) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was signed by the following members:

Messrs. JACQUES of Androscoggin  
KIMBALL of Hancock  
— of the Senate.

Messrs. CHAPMAN of Norway  
WADE of Skowhegan  
BERNARD of Sanford  
TOWNSEND of Baileyville

Mrs. OAKES of Portland

Mr. MEISNER  
of Dover-Foxcroft  
— of the House.

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

Report was signed by the following member:

Mrs. CHRISTIE of Aroostook  
— of the Senate.

Reports were read.

The Majority "Ought to pass" Report was accepted and the Bill read twice.

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

COMMITTEE AMENDMENT "A" to H. P. 671, L. D. 927, Bill, "An Act Permitting Certain Liquor Licensees Providing Entertainment to Charge Admission."

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

"Licensed hotels and restaurant malt liquor licensees who have been issued such special amusement permit may charge admission."

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

#### Divided Report

Majority Report of the Committee on Liquor Control reporting "Ought to pass" on Bill "An Act relating to Amount of Liquor Transported for Personal Use" (H. P. 672) (L. D. 928)

Report was signed by the following members:

Messrs. KIMBALL of Hancock  
JACQUES of Androscoggin  
— of the Senate.

Messrs. CHAPMAN of Norway  
WADE of Skowhegan  
BERNARD of Sanford  
TOWNSEND of Baileyville

Mrs. OAKES of Portland

Mr. MEISNER  
of Dover-Foxcroft  
— of the House.

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

Report was signed by the following member:

Mrs. CHRISTIE of Aroostook  
— of the Senate.

Reports were read.

The Majority "Ought to pass" Report was accepted, the Bill read twice and assigned for third reading tomorrow.

#### Divided Report

Majority Report of the Committee on Liquor Control reporting "Ought to pass" on Bill "An Act Permitting Sale of Liquor by Passenger Boat Corporations" (H. P. 673) (L. D. 929)

Report was signed by the following members:

Messrs. JACQUES of Androscoggin  
KIMBALL of Hancock  
— of the Senate.

Messrs. CHAPMAN of Norway  
WADE of Skowhegan  
BERNARD of Sanford

Mrs. OAKES of Portland

Mr. TOWNSEND of Baileyville  
— of the House.

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

Report was signed by the following members:

Mrs. CHRISTIE of Aroostook  
— of the Senate.

Mr. MEISNER  
of Dover-Foxcroft  
— of the House.

Reports were read.

The Majority "Ought to pass" Report was accepted, the Bill read twice and assigned for third reading tomorrow.

#### Divided Report

Majority Report of the Committee on Liquor Control on Bill "An Act relating to Sale of Liquor in Clubs to Members of Fraternal Organizations and Auxiliaries" (H. P. 744) (L. D. 1073) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was signed by the following members:

Messrs. KIMBALL of Hancock  
JACQUES of Androscoggin  
— of the Senate.

Messrs. CHAPMAN of Norway  
WADE of Skowhegan  
BERNARD of Sanford  
TOWNSEND of Baileyville

Mrs. OAKES of Portland  
— of the House.

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

Report was signed by the following members:

Mrs. CHRISTIE of Aroostook  
— of the Senate.

Mr. MEISNER  
of Dover-Foxcroft  
— of the House.

Reports were read.

The Majority "Ought to pass" Report was accepted and the Bill read twice.

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

COMMITTEE AMENDMENT "A" to H. P. 744, L. D. 1073, Bill, "An Act Relating to Sale of Liquor in Clubs to Members of Fraternal Organizations and Auxiliaries."

Amend said Bill by inserting at the end before the period the following underlined words 'and their guests accompanying them'

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

#### Divided Report

Majority Report of the Committee on Liquor Control reporting "Ought not to pass" on Bill "An Act Prohibiting the Solicitation to

Purchase Liquor in Hotels and Restaurants" (H. P. 745) (L. D. 1074)

Report was signed by the following members:

Messrs. JACQUES of Androscoggin  
KIMBALL of Hancock  
— of the Senate.

Messrs. CHAPMAN of Norway  
WADE of Skowhegan  
BERNARD of Sanford  
TOWNSEND of Baileyville

Mrs. OAKES of Portland  
— of the House.

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

Report was signed by the following members:

Mrs. CHRISTIE of Aroostook  
— of the Senate.

Mr. MEISNER  
of Dover-Foxcroft  
— of the House.

Reports were read.

The Majority "Ought not to pass" Report was accepted and sent up for concurrence.

#### Divided Report

Majority Report of the Committee on Transportation reporting "Ought not to pass" on Bill "An Act Providing Special License Plates for United States Postmasters" (H. P. 78) (L. D. 40)

Report was signed by the following members:

Messrs. STILPHEN of Knox  
JOHNSON of Somerset  
PHILBRICK of Penobscot  
— of the Senate.

Messrs. WHITNEY of Winn  
OSBORN of Presque Isle  
FINLEY of Washington  
DAVIS of Calais  
LAUGHTON of Ripley  
LINNEKIN of Limington  
— of the House.

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

Report was signed by the following member:

Mr. BUSSIERE of Lewiston  
— of the House.

Reports were read.

The SPEAKER pro tem: The Chair recognizes the gentleman from Gardiner, Mr. Hanson.

Mr. HANSON: Mr. Speaker, Members of the House: I wish to table this bill, pending the acceptance of the committee report until Tuesday, the 19th.

The SPEAKER pro tem: Is it the pleasure of the House, that the motion of the gentleman from Gardiner, Mr. Hanson, that this item be tabled until Tuesday, March 19, be accepted?

All those in favor please say aye; those opposed, no.

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

Fifty-two having voted in the affirmative and fifty-three having voted in the negative, the motion to table did not prevail.

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

**Divided Report  
Tabled and Assigned**

Report "A" of the Committee on Liquor Control reporting "Ought to pass" on Bill "An Act relating to Operation of Retail Store and Restaurant Prior to Application to Sell Malt Liquor" (H. P. 826) (L. D. 1213)

Report was signed by the following members:

- Mr. JACQUES of Androscoggin  
— of the Senate.
- Messrs. TOWNSEND of Baileyville  
WADE of Skowhegan  
BERNARD of Sanford
- Mr. OAKES of Portland  
— of the House.

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

Report was signed by the following members:

- Mr. KIMBALL of Hancock
- Mr. CHRISTIE of Aroostook  
— of the Senate.
- Messrs. CHAPMAN of Norway  
MEISNER  
of Dover-Foxcroft  
— of the House.

Reports were read.

The SPEAKER pro tem: The Chair recognizes the gentleman from Norway, Mr. Chapman.

Mr. CHAPMAN: Mr. Speaker, Ladies and Gentlemen of the House: I signed this Report B due to the

difficulty of policing. I recommend that we accept the Report B.

The SPEAKER pro tem: The question before the House is the motion of the gentleman from Norway, Mr. Chapman, that the House accept Report B. Is that the pleasure of the House?

The Chair recognizes the gentleman from Eastport, Mr. MacGregor.

Mr. MacGREGOR: Mr. Speaker and Members of the House: This bill was heard by the Liquor Control Committee of this Legislature and given a Majority "Ought to pass" Report.

It simply removes from the liquor laws, a provision that restricts the Commission from granting a license to a retail store applicant or a restaurant applicant, until 90 days have expired.

This means that regardless of the stability of the applicant, of his standing in the community or meeting the many exacting requirements of the Maine State Liquor Commission established either by law or regulation, the applicant must wait 90 days or three months before a license may be issued.

Think of it, here is an applicant who has applied at his local level and gone through careful scrutiny by municipal officers and been granted a license at the local level, and then he comes to the State for issuance of the State license, only after meeting all requirements of law and regulations, to be told that he will still have to wait a three month period before receiving his license.

Now only recently Shaw's Market in Portland, a very established business, is establishing a market under a new corporate name and is required to wait, even though they have been a reputable operator for many years. Olfene's of Auburn and Lewiston is another typical example, and I could go on and offer many others.

There is one simple answer to all this—the State Liquor Commission is armed, and they should be, with all the law necessary to see that a licensee is a proper licensee under the established requirements of the Commission. And, if the law is not definitely sufficient, they have a

right under the new law to adopt such regulations as necessary to make sure that the applicant measures up to all requirements.

For more efficient, fair and proper handling of applicants based on proper determination of qualifications, I urge adoption of the Majority Report of the Committee. Thank you.

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

Mr. SMITH: Mr. Speaker, having been snowed under or drank under the table at least once this morning, I hesitate a little bit about getting up here, but the remarks of Mr. MacGregor are well taken and I can see his point on the established businesses. I was wondering if it would be possible for Mr. MacGregor to — or somebody, maybe not to put him on the spot, to amend this so that established businesses could get their license when they apply for it. I think there is a fear that a person just going into business for the express purpose of selling malt beverages, might be able to open up something without having any safeguard at all there. In other words, the so-called niche in the wall or hole in the wall. I would be in favor of going along with this bill if the House would permit it to be tabled one day for the purpose of working out a suitable amendment along that line. I think I will move that this be tabled until tomorrow.

The SPEAKER pro tem: The Chair recognizes the gentleman from Dover-Foxcroft, Mr. Meisner.

Mr. MEISNER: Mr. Speaker, I just rise to say that I would like to go along with Mr. Smith in having this tabled until tomorrow.

The SPEAKER pro tem: Does the gentleman so move?

Mr. MEISNER: Yes.

The SPEAKER pro tem: The question before the House is the motion of the gentleman from Dover-Foxcroft, Mr. Meisner, that this item be tabled until tomorrow. Is that the pleasure of the House? (Cries of "no.")

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

Seventy-five having voted in the affirmative and thirty-seven having

voted in the negative, the tabling motion did prevail.

Thereupon, the Reports were tabled, pending the motion of Mr. Chapman of Norway that the House accept Report B, "Ought not to pass," and specially assigned for tomorrow.

At this point, Speaker Kennedy returned to the rostrum, amid the applause of the Members.

SPEAKER KENNEDY: It is the privilege of the Speaker this morning to express most gratefully to those gentlemen his gratitude for serving as Speakers pro tem. I haven't had the opportunity in the past because we adjourn. So, I do thank the gentleman from Cape Elizabeth, Mr. Berry; the gentleman from Kennebunkport, Mr. Tynedale; and the gentleman from York, Mr. Rust. I am sure the members join me in commending them for the excellent performance of their duties as Speaker pro tem. (Applause)

#### Passed to Be Engrossed

Bill "An Act Providing County Funds for Insurance for Firemen" (S. P. 164) (L. D. 440)

Bill "An Act relating to Hours of Employment in Nursing Homes" (S. P. 177) (L. D. 476)

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

Bill "An Act relating to the Governor Baxter State School for the Deaf" (S. P. 289) (L. D. 862)

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

Bill "An Act relating to Permits for Contract Carriers" (S. P. 332) (L. D. 997)

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

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)

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

Bill "An Act relating to State Police Retirement Benefits under

the Maine State Retirement System" (S. P. 457) (L. D. 1284)

Bill "An Act Prohibiting a General Contractor to Bid Unless Able to Perform Part of Work" (S. P. 523) (L. D. 1438)

Bill "An Act Providing for Equitable Relief for Purchasers of Real Estate from Municipalities" (H. P. 154) (L. D. 205)

Bill "An Act relating to Appointment of Deputy County Treasurers" (H. P. 698) (L. D. 954)

Bill "An Act relating to Solicitation of Pre-arranged Funerals and to Payments for Securing Funeral Business" (H. P. 723) (L. D. 1052)

Bill "An Act Revising the Laws Relating to the Organization and Powers of Credit Unions" (H. P. 799) (L. D. 1186)

Bill "An Act relating to Length of Vacation of County Clerical Help" (H. P. 854) (L. D. 1241)

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)

Bill "An Act relating to Probation of Persons by Court" (H. P. 1002) (L. D. 1444)

Resolve Authorizing George A. Nowell to Bring Civil Action Against State of Maine (H. P. 468) (L. D. 672)

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

#### Amended Bills

Bill "An Act Creating the Damariscotta Sewage District" (S. P. 253) (L. D. 627)

Resolve to Reimburse Harry F. Sanborn, West Baldwin, for Loss of Pullets (H. P. 423) (L. D. 576)

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 as amended by Committee Amendment "A" and sent to the Senate.

Bill "An Act relating to Certain Advertising Signs Erected on the Interstate System" (S. P. 359) (L. D. 1025)

Was reported by the Committee on Bills in the Third Reading, read

the third time, passed to be engrossed as amended by Senate Amendment "A" and sent to the Senate.

Bill "An Act Amending Certain Statutes Relating to Licensed Small Loan Agencies" (S. P. 353) (L. D. 1019)

Was reported by the Committee on Bills in the Third Reading, read the third time, passed to be engrossed as amended by Committee Amendment "A" as amended by House Amendment "A" thereto in non-concurrence and sent up for concurrence.

#### Passed to Be Enacted Emergency Measure

An Act Increasing Territorial Limits of Presque Isle Sewer District (H. P. 166) (L. D. 215)

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

#### Emergency Measure

An Act to Create the Georges Valley Community School District (H. P. 387) (L. D. 586)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a division was had. 116 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

#### Passed to Be Enacted

An Act Amending the Charter of the City of Presque Isle (S. P. 184) (L. D. 483)

An Act to Correct Inconsistencies and Inequities in the Maine State Retirement Law (S. P. 187) (L. D. 486)

An Act to Change the Name of Serpentine Stream, Somerset County, to Harlow Stream (S. P. 251) (L. D. 625)

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

An Act Designating Mount Desert Island as Game Management Area (H. P. 208) (L. D. 277)

An Act relating to Size of Salmon Taken from Waters of Aroostook County (H. P. 281) (L. D. 375)

An Act to Correct Errors and Omissions in the Public Laws relating to Sea and Shore Fisheries (H. P. 308) (L. D. 401)

An Act Revising the Maine Voluntary Apprenticeship Law (H. P. 340) (L. D. 497)

An Act Increasing Indebtedness of Mexico Sewer District (H. P. 393) (L. D. 592)

An Act to Incorporate the Stonington Water District (H. P. 395) (L. D. 594)

An Act Providing for Approval of Bonds or Notes at Special Elections in City of Saco (H. P. 474) (L. D. 677)

An Act Amending Charter of City of Portland Concerning Rotation on Candidates' Names on Ballots (H. P. 481) (L. D. 684)

An Act to Provide Survivor Benefits for Certain Members of the Police and Fire Departments of City of Portland (H. P. 483) (L. D. 685)

An Act relating to Open Fishing Season in Cumberland, Oxford and York Counties (H. P. 650) (L. D. 906)

An Act relating to False Report of Deposit of Bombs or Other Infernal Devices (H. P. 981) (L. D. 1420)

An Act Exempting Proceeds of Pension and Profit Sharing Plans from Inheritance Tax Law (H. P. 983) (L. D. 1422)

#### Finally Passed

Resolve Regulating Fishing in Moose River, Somerset County (S. P. 247) (L. D. 621)

Resolve Regulating Fishing in Certain Waters in Piscataquis County (H. P. 213) (L. D. 282)

Resolve Regulating Fishing on Part of Kennebec River, Somerset County (H. P. 373) (L. D. 546)

Resolve Providing Funds for Windbreaker on Bridge Between Old Town and Indian Island (H. P. 443) (L. D. 648)

Resolve Regulating Fishing in Mill Brook, Hanover, Oxford County (H. P. 533) (L. D. 750)

Resolve Regulating Fishing in Jones Pond, Hancock County (H. P. 594) (L. D. 832)

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 (9) REPORT — Ought not to pass — MINORITY (1) REPORT — Ought to pass— Committee on Taxation on Bill "An Act Providing for a State Income Tax." (H. P. 837) (L. D. 1224)

Tabled — February 28, by Mr. Cottrell of Portland.

Pending — Acceptance of Either Report.

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

Mr. COTTRELL: Mr. Speaker and Fellow Members: In the few short weeks that I have been privileged to be in this great State House area, I think my feelings about the 101st Legislature can best be expressed by Tommy Dorsey's old theme song, "I'm Getting Sentimental Over You." I have enjoyed deeply this experience.

Many of us are registered Republicans, some registered Democrats; but in these crucial times especially, when discussing the great problem of taxation, I am certain we would all prefer to be known as registered Americans. The right to tax ourselves is one of the most privileged rights ever to be won in mankind's long struggle with the king's tax gatherers.

Our own state history of sales and income taxation reveals its bipartisan nature. In 1947, former Governor Hildreth in his budget message virtually asked the legislature for needed revenue, either by a sales tax or an income tax or a combination sales and income tax, which taxes had been the recommendation of his special Gulick report. He also commented at the time that had the legislature adopted a sales or income tax during

the war, the financial load at that time would not have been so rocky.

However, that legislature, receiving a combination sales and income tax bill from the special committee, with a unanimous report of "Ought to pass," failed on its passage to be enacted. Seventy-five voted "yes," fifty-nine voted "no," fourteen were absent, thus lacking the two-thirds required majority for an emergency measure. In this legislature there were one hundred and twenty-seven Republicans and twenty-four Democrats. Judge McGlaufflin, a Republican from Portland, was its great champion.

Two years later in 1949, former Governor Payne, during the session of that legislature, made a special appearance in this House and from this very rostrum made a personal appeal for an income tax. And the next year in 1950, nothing having been done and as the state was relinquishing property taxes, Governor Payne set up the Maine Tax Revision Committee, composed of fifty citizens in all walks of life; and their final recommendation was a combination sales and income tax, giving our state as they said a broader and more equitable tax base. The Chairman of this committee was Dr. Phillips, President of Bates College. Its Vice Chairman is now one of our most eminent jurists, the father of our most distinguished President of the Senate. And as we know, the legislature of that year finally adopted a sales tax.

More recently, the League of Women Voters has made a most helpful and thorough bipartisan study of state taxation, printed in what we all know as their 'black and white booklet.' They have since taken the position that Maine should add an income tax to its structure. And finally, at our pre-legislative conference in December, as we all know, Dr. George Ellis, President of the Federal Reserve Bank of Boston, a Maine citizen and an economist, who is not only familiar with our own resources and problems, but is also most familiar with our total New England economy, advised that instead of increasing our sales tax at this time we adopt an income tax, to better

our economic development position and use sources of our wealth, which have no opportunity to contribute under our present tax structure. And even more recently, responsible leaders have stated that Maine must start to consider an income tax.

We know that the sales and income taxes are the work horses of state taxation. Twenty-five states presently use both; another thirteen employ the sales tax; and another ten levy only the income tax. Another way of saying this is, thirty-eight states use the sales tax, thirty-five the income tax. The new States of Hawaii and Alaska use both.

This Legislature has been asked for nine million dollars of annual additional revenue, which many would say is not unreasonable; but it means a thirty-three and one third percent increase in our one major form of taxation. Because of these various facts, I introduced the 1955 Vermont-patterned income tax bill to stimulate as broad a discussion as possible of our tax structure, hoping that our bankers, industrialists, businessmen, and economists might comment on Dr. Ellis's reasoning — well documented reasoning, which I alone cannot rebut.

While I am not convinced that raising our sales tax one per cent at this time will damage our economy permanently, I am not yet convinced that it is the wisest course. I believe the 102nd Legislature will also be faced with the problem of raising additional revenue and we cannot continually sew a new one percent patch on a well worn sales tax garment. Sooner or later we must constructively broaden our tax base, and the longer it is postponed the more difficult it will be. Maine is not alone, thirty other states are presently seeking one and a half billions of additional revenue. And the Department of Finance of the State of California sees no end to the demand for annual increases in the foreseeable future.

The problem of a rapidly increasing population, the problem of increasing our industrial growth rate, to decrease unemployment, and

to supply new jobs for an expanding labor force, and to increase our total wealth, are very formidable problems in themselves. But in addition, we realize — though faintly at times — that we are engaged in a never ending war on many fronts for the preservation of our very way of life itself, an expensive war which takes sixty-one cents of every federal tax dollar. Indeed, these are most challenging times, but perhaps not so challenging as an earlier time when a minority of Americans pledged their lives, their fortunes, and their sacred honor, and fought against great odds, even against an equal number of Americans as well as the enemy, to establish a new nation.

In closing I would like to think I have made two points, that taxation is a bipartisan problem and that a tax structure should be fully discussed, not only the amount of taxation but its form. And at this point I will wash my hands of L. D. 1224. From my limited viewpoint I might wistfully hope that the Majority Party in its wisdom and strength would move to table this bill until all the facts are in. But, whatever is done, may the exercise of sound reason and enlightened conscience make the final record of this 101st Legislature one to stand fully approved as the years pass on.

Mr. Speaker, I now move that the "Ought not to pass" report of the committee be accepted.

The SPEAKER: The question before the House is the motion of the gentleman from Portland, Mr. Cottrell, that the Majority "Ought not to pass" Report be accepted. Is that 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:

Bill "An Act relating to Retirement Allowances for Certain State Employees After Restoration to Service." (S. P. 517) (L. D. 1424)

Tabled — March 5, by Mr. Jobin of Rumford.

Pending — Passage to be Engrossed.

On motion of Mr. Jobin of Rumford, the Bill was passed to be engrossed and sent to the Senate.

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

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

Tabled — March 7, by Mr. Smith of Bar Harbor.

Pending — Acceptance of Report.

On motion of Mr. Smith of Bar Harbor, the "Ought not to pass" Report was accepted and sent up for concurrence.

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

HOUSE REPORT — Ought to pass with Committee Amendment "A" — (Filing H-90) — Committee on Business Legislation on Bill "An Act Revising the Savings Bank Law." (H. P. 568) (L. D. 878)

Tabled — March 7, by Mr. Childs of Portland.

Pending — Acceptance of Report.

On motion of Mr. Childs of Portland, the "Ought to pass" Report was accepted.

Thereupon, the Bill was given its several two readings.

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

COMMITTEE AMENDMENT "A" to H. P. 568, L. D. 878, Bill, "An Act Revising the Savings Bank Law."

Amend said Bill in the 8th line of section 1 by striking out the underlined word "trust" and inserting in place thereof the underlined word 'unit'

Further amend said Bill in that part designated paragraph "a." of subsection III of section 6 by striking out in the 7th line the underlined figure and sign "10 percent" and inserting in place thereof the underlined figure and sign '7 per cent'

Further amend said Bill by adding after section 6 the following new section:

**“Sec. 6-A. R. S., c. 59, Sec. 19-I, subsection XII, paragraph C amended. Paragraph C of subsection XII of section 19-I of chapter 59 of the Revised Statutes, as enacted by section 1 of chapter 380 of the public laws of 1955, is amended to read as follows:**

**‘C. In obligations issued, assumed or guaranteed by the International Bank for Reconstruction and Development or the Inter-American Development Bank.’ ”**

Further amend said Bill by striking out all of that part designated paragraph “C.” of section 13 and inserting in place thereof the following:

**“C. That no dividend may be declared in an amount greater than gains of the current or immediately preceding dividend period, except that the trustees may create a special reserve and may from time to time allocate thereto income and realized capital gains, and may by express vote use additional funds from such reserve for the purpose of maintaining a current dividend rate.’ ”**

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

Mr. Ewer of Bangor was granted unanimous consent to briefly address the House.

Mr. EWER: Mr. Speaker and Ladies and Gentlemen of the House: In the opening days of this session, we had before us the matter of Constitutional Amendment — the Federal Constitutional Amendment, which was referred to committee by the gentleman from Kittery, Mr. Dennett. At that time I think very few of us knew very much about this amendment and its possibilities.

About two weeks ago, in the Christian Science Monitor, there was an article from Washington by their correspondent Richard L. Strout, which I have had duplicated and

will try to get on your desks tomorrow. This gives an altogether different viewpoint regarding this amendment than anything that I have realized before and I think it is something that we should all study very carefully, both now and at the time that this bill comes out from committee. I am very glad, personally, that I found this article regarding the same. Thank you.

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

Mr. RUST: Mr. Speaker and Ladies and Gentlemen of the House: In regard to the pending bill relating to seat belts, I had distributed to the members of the House this morning some information which I consider pertinent. This information is delivered to you at my own expense and no one else's. I hope that you will take a few moments to read it because the remarks contained within these pamphlets are pertinent. I would also like to point out to you that the gentleman referred to in the article, the Mr. White of the Motor Vehicle Research of New Hampshire, is a recognized authority on engineering studies. He has done work for the Chrysler Corporation, Libby-Owens Ford, E. I. Dupont, B. F. Goodrich, U. S. Bureau of Public Roads, U. S. Air Force, U. S. Army, U. S. Navy, Sears Roebuck and Company, Travelers Insurance, Aetna Insurance, and the Liberty Mutual Insurance Company, plus many others. Thank you.

The SPEAKER: The House is proceeding under Orders of the Day, and the Clerk has no notices.

On motion of Mr. Bernard of Sanford,

Adjourned until nine o'clock tomorrow morning.