

# 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 26, 1963

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

Prayer by the Rev. Mr. Albert Coffey of the Second Baptist Church, Waterville.

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

The journal of the previous session was read and approved.

The SPEAKER: The Chair is pleased this morning and honored to recognize in the balcony of the House, thirty-two pupils from the fourth grade of the Sacred Heart School of Waterville, accompanied by Sister Rita, Sister St. Pierre and Mr. and Mrs. Baldic. Mr. Baldic is the son of Representative Baldic. They are the guests of Representative Baldic of Waterville.

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

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

Report of the Committee on Inland Fisheries and Game on Bill "An Act relating to Time of Hunting Season on Deer in Zone 3" (S. P. 313) (L. D. 979) reporting Leave to Withdraw.

Report of the Committee on Legal Affairs reporting same on Bill "An Act relating to False Report as to Bombs" (S. P. 81) (L. D. 189)

Report of same Committee reporting same on Bill "An Act Providing for Interlocal Contracting and Joint Enterprises" (S. P. 116) (L. D. 344)

Report of the Committee on State Government reporting same on Bill "An Act Increasing Membership on Highway Commission" (S. P. 460) (L. D. 1287)

Report of the Committee on Welfare reporting same on Bill "An Act relating to Loss of Pauper Settlement" (S. P. 467) (L. D. 1294)

Came from the Senate read and accepted.

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

**Ought Not to Pass**

Report of the Committee on Election Laws reporting "Ought not to pass" on Bill "An Act relating to Reapportionment of Party State Committees" (S. P. 471) (L. D. 1323)

Report of the Committee on Inland Fisheries and Game reporting same on Bill "An Act Prohibiting Planting Fish in Great Ponds Inaccessible to Public" (S. P. 421) (L. D. 1164)

Report of the Committee on Legal Affairs reporting same on Bill "An Act relating to Terms of Office of Commissioners of the Portland Renewal Authority" (S. P. 216) (L. D. 632)

Came from the Senate read and accepted.

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

The SPEAKER: The Chair is also pleased this morning to recognize in the rear of the Hall of the House, forty pupils from the South Portland High School, accompanied by teachers: Miss Loveitt, Mrs. Potter and Mrs. Gilmore. These young people are the guests of Representative Stuart Brown of South Portland, Representative Gustafson of South Portland, Representative Gill of South Portland, and Representative Taylor of South Portland.

On behalf of the House, the Chair extends to you young people a warm and cordial welcome, and we trust that you will enjoy and profit by your stay with us this morning. Will you stand and be recognized. (Applause)

Report of the Committee on Legal Affairs reporting "Ought not to pass" on Bill "An Act relating to Penalty for Purchase and Consumption of Liquor by Minors" (S. P. 327) (L. D. 1012)

Report of same Committee reporting same on Bill "An Act Requiring Liability Insurance for Liquor Licensees" (S. P. 454) (L. D. 1281)

Report of the Committee on State Government reporting same on Bill "An Act Increasing Salary of Mem-

bers of the Legislature" (S. P. 70) (L. D. 120)

Report of same Committee reporting same on Bill "An Act Increasing Salary of Commissioner of Inland Fisheries and Game" (S. P. 375) (L. D. 1041)

Came from the Senate read and accepted.

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

#### **Covered by Other Legislation**

Report of the Committee on State Government reporting "Ought not to pass" on Bill "An Act Providing Expense Reimbursement for Members of the Legislature" (S. P. 159) (L. D. 435), which was re-committed, 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 Taxation reporting "Ought to pass" on Bill "An Act relating to Length of Residence for Property Tax Exemptions for Veterans" (S. P. 72) (L. D. 122)

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

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

#### **Ought Not to Pass Bill Substituted for Report Indefinitely Postponed**

Report of the Committee on Industrial and Recreational Development reporting "Ought not to pass" on Bill "An Act relating to the Official Tree of the State of Maine" (S. P. 498) (L. D. 1395)

Came from the Senate with the Bill substituted for the Report and passed to be engrossed.

In the House, the Report was read.

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

Mr. LITTLEFIELD: Mr. Speaker, Ladies and Gentlemen of the House: This bill was heard before the Industrial and Recreational Develop-

ment Committee and it received an ought not to pass report. The sponsor presented the bill; no one spoke for it; no one spoke against it. I did not think a bill where so little interest was shown deserved much consideration, neither did I think it was necessary. In Maine we have a state motto, a state bird, a state song, a state flower and a state tree. Our state tree is the White Pine. This bill proposes to call it the Eastern White Pine and to give it a technical Latin name. This would be the beginning of tacking unreadable Latin names to our state emblems and fewer people would be interested in them. Today the state emblems are plainly explained in our Maine Law Book, and one can read them without a PH degree. I move that this bill and its papers be indefinitely postponed.

Thereupon, the Report and Bill were indefinitely postponed in non-concurrence and sent up for concurrence.

#### **Ought to Pass Indefinitely Postponed**

Report of the Committee on Transportation reporting "Ought to pass" on Bill "An Act Extending Time of Validity of Motor Vehicle Registrations" (S. P. 489) (L. D. 1341)

Came from the Senate with the Report read and accepted and the Bill indefinitely postponed.

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

#### **Divided Report**

Majority Report of the Committee on Legal Affairs reporting "Ought not to pass" on Bill "An Act Defining Subdivision of Land for Municipal Regulation" (S. P. 323) (L. D. 989)

Report was signed by the following members:

Mrs. SPROUL of Lincoln  
Messrs. ATHERTON of Penobscot  
STITHAM of Somerset  
— of the Senate.

Mrs. WHITE of Guilford  
Messrs. BOISSONNEAU

— of Westbrook  
FOSTER of Mechanic Falls  
COPE of Portland  
— of the House.

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

Report was signed by the following members:

Messrs. WELLMAN of Bangor  
GILBERT of Eddington  
COTE of Lewiston  
— of the House.

Came from the Senate with the Majority Report accepted.

In the House, the Report was read.

The Majority "Ought not to pass" Report was accepted in concurrence.

#### Non-Concurrent Matter

Bill "An Act relating to Issuing of Bonds by School Administrative District No. 15" (S. P. 51) (L. D. 101) which was passed to be engrossed as amended by House Amendment "A" in non-concurrence in the House on February 13.

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

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

#### Non-Concurrent Matter

Report of the Committee on Inland Fisheries and Game on Resolve Regulating Fishing in the West Branch of the Penobscot River, Piscataquis County (H. P. 214) (L. D. 283) reporting "Ought to pass" as amended by Committee Amendment "A," which Report and Resolve were indefinitely postponed in the House on February 26.

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

In the House: The Report was read.

The SPEAKER: The Chair recognizes the gentleman from Millinocket, Mr. Crommett.

Mr. CROMMETT: Mr. Speaker, Ladies and Gentlemen of the House: I move we insist on our former action and appoint a Committee of Conference.

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

Mr. JONES: Mr. Speaker, I rise relative to this legislative document with mixed emotions. At the time when we took our former action on this to indefinitely postpone it at the persuasion of some of the Representatives from this particular area, it was stated that they wished to eliminate this area from being restricted to fly fishing only because there were many who went there as families and their youngsters in the families enjoyed fishing in this particular stretch of water. The only way that they could fish easily was by the use of—or as we call it 'garden hackle,' worms.

Now I think we should reconsider this situation very very well from our former actions because in this particular area on the river, there is located above the dam; that is, this section of the river is located just below Ripogenus Dam. And as you know, there is a large pipe feeding off from the bottom of the lake above the dam down below the dam and goes into a power plant, where power is generated below the dam in this particular stretch of the water. And here the water comes down from the upper pond into the lower stream cooling off this water. And it makes a haven for fish to settle in. They all gather there because of the coolness of the water. And most of these fish are the younger fish and smaller fish. And you go there, you catch these fish by the use of worms, they have taken the hook and worm so far into their mouth that in order to dislodge the hook to free the fish, the fish is badly damaged or injured to the point where they don't live. They die. Now that is what happens when you use garden hackle for bait to catch these fish.

Now this bill would restrict the water to the use of fly fishing only. More I think as a conservation measure than anything else because if you catch these, what we call short fish, by using lure or artificial bait like a fly, they can be readily released and go on and live by the fishermen. Actually, I am an avid fishermen myself and after I learned to fly fish so-called with using flies instead of garden hackle, I have never gone back to

garden hackle because there is so much more pleasure; and I think your feeling of success, you putting your wits against those of the fish and able to lure him to the artificial lure which is a fly, and you are skillful enough to catch him and hold him on the hook until you get him in your hands. And I think if these people want to have their youngsters fish, I know that if those youngsters are given a chance to fish by fly rods and the use of flies, that those youngsters will grow up and enjoy fishing a whole lot more than they will by continuing on the old-fashioned method of using garden hackle.

So therefore and not to belabor this issue any more, I would ask each and every one of you to consider well your actions before you commit yourself on this bill. I move that we recede and concur.

The SPEAKER: For the information of the gentleman from Farmington, Mr. Jones, the motion to recede and concur is not in order. We can recede from our former action.

The Chair recognizes the gentleman from Brownville, Mr. Ross.

Mr. ROSS: Mr. Speaker, I have to concur with the gentleman from Millinocket, Mr. Crommett. In the first place, seven miles of river is a long stretch of water. The people from Millinocket like to fish this particular stretch, and one thing that made my mind up in this matter is the fact that there are trash fish in this particular stretch of river. One of the proponents admitted that himself. Now a couple of weeks ago, there was a delegation down here of adults taking a course in government, they visited the House and the Senate, and I took it upon myself to interview a couple of them from Millinocket to see how they felt about this because I have no personal interest in the matter, and they informed me that the people in Millinocket wanted it left as it is under the General Laws and not to fly fishing only as they felt it was discriminatory.

The SPEAKER: The Chair recognizes the gentlewoman from Guilford, Mrs. White.

Mrs. WHITE: Mr. Speaker, I now move that we recede, and I would

wish to read to you a list of the reasons why I feel this Resolve should pass.

This river has been famous for years for its good salmon and trout fishing. This requested seven mile stretch, has previously been fly fishing only and held up well while under those restrictions. This seven mile stretch is mostly fast, white water mixed with deep pools. The slippery rocky shores are not utilized by small children, nor should they be due to the danger of slipping into rough water.

Due to cold water from the lake bottom being pulled down through the tunnel to the power house and there expelled into the river channel again, there are provided excellent holding areas for small salmon in large numbers. This is one of the last good salmon rivers in this section of the state, and is very worthy of protection to insure its continuance as such.

The Millinocket area and the sporting camps surrounding it, highly benefit financially from the large numbers of fishermen from all over the State of Maine as well as neighboring states that travel to it to fish. Under the General Law, the river and area will show diminishing returns.

The Fish and Game Department have signified their accord with this bill, and at the public hearing, only one person objected to the bill while many signified favorably for it either by voice or petition.

The SPEAKER: The Chair recognizes the gentleman from Millinocket, Mr. Crommett.

Mr. CROMMETT: Mr. Speaker, I find myself in an unfavorable position of disagreeing with a lady. The paper you have on your desks signed by the gentlewoman from Guilford, Mrs. White, I will comment only on the last three. The first part of number six, I assure you that the Town of Millinocket or the economy of the Town of Millinocket is not dependent on the fishermen. Under the General Laws, the river and area will show diminishing returns. That is a matter of opinion. The Fish and Game Department have signified their accord with this bill. I do not know that they insist that this bill

be passed. I do not think that the Department or this Legislature should pass a law contrary to the wishes of the majority of the people involved. There is only one person who objected to this bill at the public hearing. This is absolutely not true, there were two that objected as well as two that favored it. This petition of names favoring this bill was from people outside the borders of the State of Maine. It is my opinion that this petition should not have been considered.

The sponsor of this bill has made the statement that the people of Millinocket come up here and catch our fish. I leave you to your own conclusion. Previously he has stated that the Chamber of Commerce of Millinocket was in favor of this bill. That is not so. The Chamber of Commerce has not taken any action. The secretary of the Chamber called me and said the interest shown in this bill—he made a survey of the town, and he found that the people were overwhelmingly against this measure.

I have traveled over many of the waters of the State of Maine, and have always cherished the memories of the hospitality of the people who live by the river. The people of Millinocket whom I represent will be forever grateful for your support in the defeat of this measure.

The SPEAKER: The Chair recognizes the gentleman from Glenburn, Mr. Cookson.

Mr. COOKSON: Mr. Speaker and Members of the House: Being a member of the Committee that passed out this bill by a unanimous "ought to pass," I would like to rise in support of the report and state my reasons.

First, we must remember that there are thousands of acres of lakes and miles of brooks and rivers in this immediate area now open to general fishing laws where the people of Millinocket and anyone else may fish. Second, this is truly one of the fine salmon and trout rivers that we have left and should have the protection necessary to help keep it that way. Under this bill, no one is being discriminated against. All can fly fish

on this stretch of river. The Fish and Game Department feels that it is a good conservation measure especially to help to prevent so many of these small fish being caught and so many of them die after being thrown back. These are just a few reasons why I feel that I must go along with the "ought to pass" report.

The SPEAKER: Is the House ready for the question?

The Chair recognizes the gentleman from East Millinocket, Mr. Birt.

Mr. BIRT: Mr. Speaker, I would like to concur with my good friend from Millinocket, Mr. Crommett, and my good friend from Brownville, Mr. Ross. When this bill was heard, the person who came down and spoke for it, spoke as a representative of the Fin and Feather Club, which is a large group of sportsmen in the Millinocket area. So I feel that he spoke as a representative of a large group, he was sent down by that group, and the fly fishing will still be allowed in there, and there are several lakes in that area that have also been restricted to fly fishing. When this river was originally under the fly fishing law, at that time there was no highway along that river. At the present time there is a highway along there and picnic grounds along. You have children going up there who don't—in many cases probably can't even afford the equipment that would be necessary to fly fish and those children wouldn't be allowed to fish in the river. They would be up there to the picnic grounds and not be able to take any advantage of the river there. I would certainly hope that the House will go along with Mr. Crommett in action of non-concurrence with the Senate.

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

Mr. ANDERSON: Mr. Speaker, in regard to legislative document 283, Resolve Regulating Fishing in the West Branch of the Penobscot River, Piscataquis County, came out of the Fish and Game Committee unanimous "ought to pass." These men are picked because of their knowledge of matters of this sort, and I certainly hope my colleagues

will recognize their good judgment.

The Fish and Game Department has signified their accord with this bill. They are professionals in this line, and as my colleague, the gentleman from Skowhegan, Mr. Wade, pointed out to you in a speech last week from the floor of this House, what is the sense of throwing good money down the drain for the operation of this Department if we refuse to go along with their recommendations. I would like to say this, the gentleman, Mr. Wade, knows whereof what he speaks. He is a retired superintendent of hatcheries and certainly should have knowledge in regard to these matters.

In regard to the seven points brought out by Mrs. White, some of the opponents of the bill have questioned the validity of these eight points. I would like to say that the Sporting Camps Association would be very proud to prove every one of these statements.

I have in my hand an article by Arthur Sullivan, one of the greatest sports writers in his field.

I am not going to bore you with reading all of this. "A Skowhegan man introduced the bill, and George Emerson, well known Sourdnhunk Lake camp operator has given it a push, but the move to to go back to fly fishing this beautiful salmon stream has the backing of many Massachusetts, Connecticut and New York anglers. Stan Bitchell of Peabody, well known lecturer and an angler familiar with the salmon streams of the northeast got the ball started in earnest among the non-residents. He drew up a petition that hundreds of Bay State holders of Maine licenses signed quickly. Stan visited the United Fly Tiers first. These dedicated fishermen of the fly rallied to the plan quickly.

The movement spread to New York. There Ted Regowski, a lawyer and one of the most talented anglers in the east jumped on the band wagon. Martin Bovey of the newly formed Trout Unlimited Group hailed the move. Ted Crosby, preparing for the Miramichi Anglers Dinner slated at the Harvard Club February 19, said he backed the

movement too. Bitchell says fly fishing only won't hurt the locals. There is plenty of water where they can fish, bait or spin. All he and the hundreds of fly fishing only addicts ask is to restore the upper section of the river from Ripogenus Dam down to Sourdnhunk Stream to fly fishing only."

And here is a letter that I have from Ted Regowski. Two groups of anglers in New York City will lend their support. The Anglers' Club of New York numbering 400 members and the Midtown Anglers' Club numbering 50 active members. All these anglers are travelers who have at some time or another had an interest in angling in Maine.

And here is a letter to the Maine Fish and Game Commission, Department of Inland Fisheries and Game. I am not going to bore you with reading it, but it urges the passage of this bill.

And the Maine Sporting Lodges Association. I am not going to bother to read the letter, but I will read the officers who are behind this measure. President, George B. Emerson; Vice President, Don H. Wilson, Moosehead Lake; Directors, Bert Mosher, John Russell, Floyd Cobb, Thornton Eastman, Evelyn Pray, Arthur Augustine, Roland Martin, Woodworth Wheaton, Dana McNally, and the Advisory Committee, Eddy T. Jones; and our own Col. Malcolm L. Stoddard of Hallowell; Treasurer, Beverly Weatherbee; Secretary, Marge Lovejoy.

And here is a letter, I am not going to bore you by reading all of it, from the Director of Physical Education, Archie T. Holt from the University of Vermont. He writes to Robert Elliot, Department of Economic Development, Recreation Division, and urges the passage of this bill.

I have a letter here to Bud Leavitt, two full pages, urging the passage of the bill. I have a petition from Business Week with twenty-five names on it urging the passage of this bill, and I have here two sheets of a petition with names. I will read the petition.

"We, the undersigned, fishing license holders of the State of Maine, respectfully request the Legisla-



ture to consider the advisability of returning the fly fishing law only to the West Branch of the Penobscot River below Ripogenus Dam."

They have said that this particular stretch of water would not be dangerous to our youth. There is nobody any more interested in our youth than I am. Two weeks every year I donate my services to the Youth Conservation Camp at Branch Pond, where I teach canoeing. I certainly would not allow one of my boys on the West Branch fishing unless I had a rope tied around him. Years ago, I worked for the Great Northern Paper Company as Woods Clerk. I was there when the Ripogenus Dam was built, and I certainly know this particular stretch of water, and I know that many log-drivers met their death on this stretch of water.

I sincerely hope that the motion to recede and concur does prevail.

The SPEAKER: Is the House ready for the question?

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

Mr. JONES: Mr. Speaker, Honorable Gentlewomen and Gentlemen of the House: We have belabored this bill and this article for quite a while, and I won't take much longer on it. I would like to ask the gentleman through the Chair who still feels as though these youngsters should use worms there to catch these fish, just how he feels on this matter because every fish that they catch is a dead fish regardless of what size he is. Now when better than sixty percent of the fish that they catch there is not of legal size, and get them off the hook, they go back in the water, but they will subsequently die, I would like to ask through the Chair how he feels about that, if he would care to answer.

The SPEAKER: The gentleman from Farmington, Mr. Jones, poses a question through the Chair to any member who may answer if he wishes.

The Chair recognizes the gentleman from East Millinocket, Mr. Birt.

Mr. BIRT: Mr. Speaker, being not much of a fisherman myself, I may not have the best answer,

but in talking with people who have fished the river for years they tell me there are quite a few trash fish in there. Many of the fish that you will catch along the shore which would be caught with worms or bait of that type would be your trash fish. That as far as your fish that are actually caught there, your best fishing is being done with streamer flies out in the river. So they don't feel that you are going to do any great harm to the salmon fishing in the river by opening it to the general law.

The SPEAKER: Is the House ready for the question?

The gentleman may continue.

Mr. BIRT: Mr. Speaker, I would like a clarification of the question; I'm in doubt now as to exactly what the question was. I had believed that Mr. Crommett had made a motion, and I would like a clarification.

The SPEAKER: The motion of precedence before the House is the motion of the gentleman from Farmington, Mr. Jones, that the House recede from its former action whereby this Resolve was indefinitely postponed in the House on February 26. Is the House ready for the question?

Those in favor of receding from its former action whereby the Resolve Regulating Fishing in the West Branch of the Penobscot River, Piscataquis County, House Paper 214, Legislative Document 283, was indefinitely postponed on February 26, will say aye; those opposed, no.

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

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

Thereupon, on motion of Mr. Crommett of Millinocket, the House voted to insist and ask for a Committee of Conference.

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

### Non-Concurrent Matter

Report of the Committee on Towns and Counties reporting "Ought not to pass" on Bill "An Act Requiring Line Budget for County Appropriations for all Counties" (H. P. 953) (L. D. 1387) which was read and accepted in the House on March 14.

Came from the Senate with the Bill substituted for the Report and passed to be engrossed as amended by Senate Amendment "A" in non-concurrence.

In the House: On motion of Mr. Plante of Old Orchard Beach, on a viva voce vote, the House voted to recede.

On further motion of Mr. Plante of Old Orchard Beach, the House voted to substitute the Bill for the "Ought not to pass" Report.

Thereupon, the Bill was given its two several readings, and Senate Amendment "A" was read by the Clerk as follows:

SENATE AMENDMENT "A" to H. P. 953, L. D. 1387, Bill, "An Act Requiring Line Budget for County Appropriations for all Counties."

Amend said Bill, in the Title, by striking out the words "all Counties" and inserting in place thereof the words 'York County'

Further amend said Bill, in the 2nd line, by striking out the word "repealed" and inserting in place thereof the words 'amended to read'

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

"The provisions of this This paragraph shall apply to Andros-coggin County and York County only."

Senate Amendment "A" was adopted in concurrence.

Mr. Plante of Old Orchard Beach offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to H. P. 953, L. D. 1387, Bill, "An Act Requiring Line Budget for County Appropriations for all Counties."

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

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

'Sec. 2. Effective date. This act as it applies to York County shall become effective for the calendar years 1965 and 1966 and thereafter.'

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

The following Communication:

STATE OF MAINE  
SENATE CHAMBER

March 20, 1963

Hon. Harvey R. Pease  
Clerk of the House of Representatives  
101st Legislature

Sir:

The President of the Senate today appointed the following conferees on the part of the Senate to join the House on the disagreeing action of the two branches of the Legislature on:

Bill "An Act relating to the Killing of Bears in Organized Townships in Certain Portions of Franklin and Oxford Counties" (H. P. 769) (L. D. 1123)

Senators:

STILPHEN of Knox  
STITHAM of Somerset  
CYR of Aroostook

Respectfully yours,  
(Signed) CHESTER T. WINSLOW  
Chester T. Winslow  
Secretary of the Senate

The Communication was read and ordered placed on file.

### Orders

On motion of Mr. Mendes of Tops-ham, it was

ORDERED, that Mr. Chapman of Norway be excused from attendance for the duration of his illness.

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

WHEREAS, the basketball team of Stearns High School, Millinocket, known as "The Minutemen" has won the New England Basketball Tournament, held at the Boston Gar-

den last Saturday, March 23, 1963; now, therefore, be it

ORDERED, the Senate concurring, that the Legislature of the State of Maine extend congratulations to Coach George Wentworth and his team for their achievement and wish them well in the future; and be it further

ORDERED, that attested copies of this Joint Order be immediately transmitted by the Clerk of the House to Coach Wentworth and the Department of Athletics of Stearns High School. (H. P. 1019)

The Order received unanimous passage and was sent forthwith to the Senate. (Applause)

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

WHEREAS, the basketball team of Morse High School, Bath, known as "The Shipbuilders" was runner-up in the New England Basketball Tournament, held at the Boston Garden last Saturday, March 23, 1963; now, therefore, be it

ORDERED, that the House of Representatives extend congratulations to Coach Clyde Haden and his team for the fine game played and the exceptional sportsmanship that was so evident throughout the entire game, which brings great credit to the State of Maine; and be it further

ORDERED, that attested copies of this Order be immediately transmitted by the Clerk of the House to Coach Haden and the Department of Athletics of Morse High School.

The Order received unanimous passage and was sent up for concurrence. (Applause)

Mr. Brewer of Bath was granted unanimous consent to briefly address the House.

Mr. BREWER: Mr. Speaker, Ladies and Gentlemen of the House: At a time like this, I think the two orders as presented seem a little bit impersonal. To those of us who were in Boston Garden on Saturday night, were thrilled at the type of basketball played by both teams. It was truly a championship game

played in championship style, and by two great groups of boys.

One was brilliant in victory, and the other brilliant in defeat. On behalf of my colleague and myself and the citizens of Bath, we extend our congratulations to Stearns High School and their wonderful coach and gallant boys for a very successful season.

I would like to go further and speak just a moment on the fans and the students that attended the game at the Boston Garden. I know I would be inadequate in expressing my opinions, but there are certain sports writers in Boston that expressed it adequately. Especially Jerry Nason of the Boston Globe, and I would like to just read excerpts. He starts this article off by saying: "the Maine final was refreshing. There were no odds, there was no betting, there was no ridicule, there was no booing, there was no name-calling, and there were no rumbles. This is an undisguised 'Oscar' Award to the fans-with-the-most for '63 — the Stein Song set.

"Maine folk last week gave us big-city dwellers a lesson in the home fan virtues of fair play, enthusiasm, sportsmanship, and disposition. When John Kiley at the organ broke out the Stein Song, as his preliminary offering at the pipes, 12,000 fans stood in bare-headed reverence."

There were no further clutches of odds. There was no paper currency passed in open defiance. No ridicule was hurled upon one team by the supporters of the other. Good plays were applauded generously by both partisan groups. No cymbals crashed a deliberately disconcerting tumult—no rival fans belted and booed in distracting unison—when Stearns and Morse players stood poised on the foul line for important shots. There was no bickering, name calling or mutual exchange of insults among opposing factions. No fists were swung in either anger or petulance in the post-game lobby scenes. No kids had to be frisked for lethal weapons. The losers took it hard, but clean; the winners took it high

but with generosity. There were no rumbles.

And as one police officer assigned to the Garden remarked, "It was like having the night off." Could we ask for a better reference? Thank you. (Applause)

On motion of Mr. Noel of Waterville, it was

ORDERED, that Pamela, Patricia and Arthur Baldic of Waterville be appointed to serve as Honorary Pages for today.

The SPEAKER: Pamela, Patricia and Arthur Baldic are appointed Honorary Pages for the day, and the Sergeant-at-Arms will retire to the rear of the Hall of the House and conduct them to their positions to serve as Honorary Pages for the day.

These children are the grandchildren of Representative Baldic of Waterville.

Thereupon, Pamela, Patricia and Arthur Baldic of Waterville were escorted to the well of the Hall of the House by the Sergeant-at-Arms to serve as Honorary Pages for the day. (Applause)

Mr. Pease of Wiscasset presented the following Order and moved its passage:

ORDERED, the Senate concurring, that Bill "An Act relating to Publications Printed or Published by the State" (H. P. 252) (L. D. 321) be recalled from the Legislative Files to the House. (H. P. 1020)

The Order received passage and was sent up for concurrence.

#### House Reports of Committees Leave to Withdraw

Mr. Easton from the Committee on Education on Bill "An Act to Provide Uniformity in School Administrative District Meetings" (H. P. 901) (L. D. 1309) reported Leave to Withdraw.

Mr. Ewer from the Committee on Labor reported same on Bill "An Act relating to Petition for Review of Incapacity under Workmen's Compensation Act" (H. P. 60) (L. D. 83)

Same gentleman from same Committee reported same on Bill "An Act to Provide Witness and Attor-

ney Fees under Workmen's Compensation Act" (H. P. 819) (L. D. 1206)

Mr. Choate from the Committee on Municipal Affairs reported same on Bill "An Act Increasing Salary of Mayor and Providing Compensation of Councilmen of City of Gardiner" (H. P. 125) (L. D. 169)

Mr. Wellman from same Committee reported same on Bill "An Act relating to Fences Around Public Burying Grounds" (H. P. 121) (L. D. 165)

Mr. Wood from the Committee on Taxation reported same on Bill "An Act Exempting Certain Fraternal Associations from Property Taxation" (H. P. 254) (L. D. 323)

Reports were read and accepted and sent up for concurrence.

#### Covered by Other Legislation

Mr. Osborn from the Committee on Transportation reported Leave to Withdraw on Bill "An Act Increasing Fees of Number Plates for Semi-Trailers" (H. P. 709) (L. D. 965), as it is covered by other legislation.

Report was read and accepted and sent up for concurrence.

#### Ought Not to Pass Recommitted

Mr. Coulthard from the Committee on Agriculture reported "Ought not to pass" on Bill "An Act Revising Price Controls on Milk" (H. P. 889) (L. D. 1296)

Report was read.

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

Mr. COULTHARD: Mr. Speaker and Members of the House: Due to a misunderstanding on the part of the Committee on reporting this bill, L. D. 1296, "An Act Revising Price Controls on Milk" unanimous "Ought not to pass," I now move this bill be recommitted to the Committee.

The SPEAKER: The gentleman from Scarborough, Mr. Coulthard, moves the Report and Bill be recommitted to the Committee on Agriculture.

The Chair recognizes the gentleman from Lubec, Mr. Denbow.

Mr. DENBOW: Mr. Speaker, the reason for asking that this be recommitted is the fact that this is actually a divided report, and it

came out fully "Ought not to pass" which was in error. Therefore, it should be sent back to the Committee.

The SPEAKER: Is is the pleasure of the House that the Report and Bill be recommitted to the Committee on Agriculture?

The motion prevailed. Sent up for concurrence.

Mr. Curtis from the Committee on Education reported "Ought not to pass" on Bill "An Act relating to Admission to Kindergarten and Grade One in the Public Schools." (H. P. 204) (L. D. 273)

Mr. Treworgy from same Committee reported same on Bill "An Act relating to Nomination of Teachers" (H. P. 632) (L. D. 888)

Mr. Ross from the Committee on Highways reported same on Bill "An Act Providing Annual Fee in Lieu of Tolls for Members of the Legislature Using the Augusta Memorial Bridge" (H. P. 528) (L. D. 745)

Mr. Choate from the Committee on Municipal Affairs reported same on Bill "An Act relating to Sick Leave for Employees of Public Works Department of City of Lewiston" (H. P. 608) (L. D. 843)

Mrs. Lincoln from same Committee reported same on Bill "An Act relating to Election of Certain Municipal Officials" (H. P. 675) (L. D. 931)

Mr. Brown from the Committee on Taxation reported same on Bill "An Act Exempting Materials Used in Certain Buildings Operated by Nonprofit Corporations from Sales and Use Tax" (H. P. 793) (L. D. 1146)

Mr. Waterman from same Committee reported same on Bill "An Act Providing State Tax on Deed Transfers" (H. P. 692) (L. D. 948)

Same gentleman from same Committee reported same on Bill "An Act Exempting Certain Housing for the Elderly from Taxation" (H. P. 794) (L. D. 1147)

Reports were read and accepted and sent up for concurrence.

**Tabled and Assigned**

Mr. Whitney from the Committee on Transportation reported "Ought

not to pass" on Bill "An Act relating to Display of Name of Owner of Lessee of Trucks" (H. P. 710) (L. D. 966)

Report was read.

(On motion of Mr. Mendes of Topsham, tabled pending acceptance of Committee Report and specially assigned for Friday, March 29.)

**Covered by Other Legislation**

Mr. Wellman from the Committee on Municipal Affairs reported "Ought not to pass" on Bill "An Act relating to Appointment, Compensation and Duties of Chief of the Fire Department of City of Westbrook" (H. P. 477) (L. D. 680), as it is covered by other legislation.

Report was read and accepted and sent up for concurrence.

**Ought to Pass in New Draft  
New Drafts Printed  
Passed to Be Engrossed**

Mr. Drake from the Committee on Highways on Resolve Authorizing State Highway Commission to Extend Approaches of any New Maine-New Hampshire Bridge to Provide Access to Interstate Highway in Town of York (H. P. 581) (L. D. 819) which was recommitted, reported same in the original new draft (H. P. 975) (L. D. 1347) under title of "Resolve Authorizing State Highway Commission to Construct Certain Highway Facilities on Interstate Highway 95 in the Towns of Kittery and York" and that it "Ought to pass"

Report was read.

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

Mr. BERRY: Mr. Speaker and Members of the House: We have back before us from the Highway Committee exactly the same piece of legislation that this House had before it and recommitted to that Committee.

At that time, the House gave the matter very careful consideration and heard I feel very fairly presented, the arguments on both sides. Certainly they do not need to be repeated and belabored here. The majority of this House felt that the legislation should perhaps be kept alive so that out of it could

come something in the form perhaps of an interchange at York on the present Maine Turnpike. However, the Committee certainly did not agree with the majority of the House because we have it back with us with a unanimous "Ought to pass" in its form.

Recently there appeared in the editorial column of the leading daily paper in the eastern part of the State the statement that several pieces of legislation dealing with the Highway Commission had been steamrollered through the Legislature. I don't agree with this. I feel that this House has reviewed on the individual merits the various bills which have been before it. I feel that the House took very courageous and intelligent action when it recommitted it, and I sincerely hope it will take the same when it supports my move that the Bill and Report be indefinitely postponed.

The SPEAKER: The question before the House is the motion of the gentleman from Cape Elizabeth, Mr. Berry, that the Report and Bill be indefinitely postponed.

The Chair recognizes the gentleman from York, Mr. Rust.

Mr. RUST: Mr. Speaker, Ladies and Gentlemen of the House: I naturally oppose the motion of the gentleman from Cape Elizabeth, Mr. Berry, and hope that it does not prevail. The reason that this bill was sent back to the Committee, as far as I am concerned, was the fact that it was not thoroughly understood at that time because it was contingent upon several other bills which at that time had not passed. Now we have approved our new so-called high-level bridge across the river. We have approved a bill which will provide 90-10 financing for that facility. These are the requirements for this particular piece of legislation. Therefore, this is part of the same package for the same purpose to provide a good access for traffic coming into the State of Maine. And I also understand that the Federal Highway Department Bureau of Public Roads in Washington has approved the money that is necessary on a 90-10 financing of this project. This bill has had the serious consideration of our High-

way Committee; it is approved by the Highway Commission and it has the approval of the Federal Bureau of Public Roads, and I have good reason to assure you that the officials of the Maine Turnpike are also willing to cooperate on this particular piece of legislation. I hope the motion does not prevail so the Committee Report will be accepted. I request a division.

The SPEAKER: A division has been requested. All those in favor of the indefinite postponement of the Report and Bill will please rise and remain standing until the monitors have made and returned the count.

A division of the House was had. Fourteen having voted in the affirmative and ninety-two having voted in the negative, the motion did not prevail.

Thereupon, the Report was accepted, and the Resolve already having had its two several readings was passed to be engrossed and sent to the Senate.

Mrs. Kilroy from the Committee on Municipal Affairs on Bill "An Act Amending Certain Provisions of the Charter of the Town of Old Orchard Beach" (H. P. 607) (L. D. 842) reported same in a new draft (H. P. 1017), (L. D. 1472) under same title and that it "Ought to pass"

Mr. Wellman from same Committee on Bill "An Act relating to Fees of Tax Collector of Town of Dedham in Collecting Lucerne-in-Maine Village Corporation Taxes" (H. P. 486) (L. D. 688) reported same in a new draft (H. P. 1018) (L. D. 1473) under same title and that it "Ought to pass"

Reports were read and accepted, the New Drafts read twice and tomorrow assigned.

#### Ought to Pass Printed Bills

Mr. Denbow from the Committee on Agriculture reported "Ought to pass" on Bill "An Act Regulating the Storage and Transportation of Frozen Foods" (H. P. 756) (L. D. 1085)

Mr. Choate from the Committee on Municipal Affairs reported same on Bill "An Act to Provide Adjust-

ments in Pensions Being Paid to Members of the Police and Fire Departments of the City of Portland" (H. P. 545) (L. D. 761)

Mr. Dudley from same Committee reported same on Bill "An Act relating to Election and Term of Board of Assessors of City of Bath" (H. P. 542) (L. D. 759)

Same gentleman from same Committee reported same on Bill "An Act Amending the Charter of the City of Brewer" (H. P. 605) (L. D. 840)

Same gentleman from same Committee reported same on Bill "An Act relating to Disposal of Certain Municipal Records" (H. P. 746) (L. D. 1075)

Mrs. Kilroy from same Committee reported same on Bill "An Act relating to Payments in Lieu of Taxes under Urban Renewal Authorities Law" (H. P. 674) (L. D. 930)

Same member from same Committee reported same on Bill "An Act Increasing Salary of Mayor, Providing Compensation of Councilmen and Providing Initiative and Referendum for City of Gardiner" (H. P. 997) (L. D. 1445)

Mr. Wellman from same Committee reported same on Bill "An Act Providing for Civil Service for the Old Orchard Beach Police Department" (H. P. 606) (L. D. 841)

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

#### Recommitted

Mr. Wellman from the Committee on Municipal Affairs reported "Ought to pass" on Bill "An Act relating to the Assessment of Towns in Aid to Dependent Children Grants" (H. P. 788) (L. D. 1141)  
Report was read.

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

Mr. WELLMAN: Mr. Speaker, in view of the large sum of money that is connected with this bill, and in view of the fact that these welfare problems are difficult to integrate into the over-all program, I would now move that this bill be referred to the Appropriations Committee.

Thereupon, the Committee "Ought

to pass" Report was accepted, and the Report and Bill recommitted to the Committee on Appropriations and Financial Affairs and sent up for concurrence.

Mr. Gustafson from the Committee on Retirements and Pensions reported "Ought to pass" on Resolve Increasing Retirement Benefit for Georgia Dinsmore of Bath (H. P. 14) (L. D. 10)

Mrs. Hendricks from same Committee reported same on Bill "An Act Increasing Pensions of State Employees Retired on Council Orders" (H. P. 827) (L. D. 1214)

Mr. Prince from same Committee reported same on Bill "An Act relating to Application of Federal Social Security to Permit Political Subdivisions to Offer Social Security Benefits to Superintendents of Schools" (H. P. 678) (L. D. 934)

Mr. Wood from the same Committee reported same on Resolve Providing a Pension for Margaret H. Frisbee of Belfast (H. P. 349) (L. D. 503)

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

#### Tabled and Assigned

Mr. Cottrell from the Committee on Taxation reported "Ought to pass" on Bill "An Act Exempting Certain Fraternal Societies from Property Taxes" (H. P. 844) (L. D. 1231)

Report was read.

(On motion of Mr. Anderson of Orono, tabled pending acceptance of Committee Report and specially assigned for Wednesday, April 3.)

Mr. Jones from the Committee on Taxation reported "Ought to pass" on Bill "An Act relating to Exemption from Taxation of Property of the United States" (H. P. 512) (L. D. 714)

Mrs. Shaw from the Committee on Towns and Counties reported same on Resolve for Laying of the County Taxes for the Years Nineteen Hundred Sixty-three and Nineteen Hundred Sixty-four (H. P. 1016) (L. D. 1471)

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

### Ought to Pass with Committee Amendment

Mr. Philbrick from the Committee on Public Utilities on Bill "An Act to Incorporate the Phippsburg Cemetery District" (H. P. 552) (L. D. 767) 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. 552, L. D. 767, Bill, "An Act to Incorporate the Phippsburg Cemetery District."

Amend said Bill by inserting after the Title and before the enacting clause the following Emergency Preamble:

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

Whereas, owning, maintaining and operating a cemetery by a municipality is a matter of public interest and welfare; and

Whereas, the following legislation is vitally necessary to permit the voters of the Town of Phippsburg to approve, as soon as possible, the incorporation of the Phippsburg Cemetery District; 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 section 4 by striking out the first sentence and inserting in place thereof the following:

'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 Town of Phippsburg present and voting at a special election to be called by the selectmen of the Town of Phippsburg and held not later than 4 months after the effective date of this act.'

Further amend said Bill in the next to last paragraph of section

4 by striking out the figure "20 percent" and inserting in place thereof the figure "10 percent"

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

### Tabled and Assigned

Mr. Albair from the Committee on Taxation on Bill "An Act Increasing Exemption of Veteran's Property from Taxation" (H. P. 695) (L. D. 951) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read.

(On motion of Mr. Easton of Winterport, tabled pending acceptance of the Committee Report and specially assigned for Friday, March 29.)

Mr. Davis from the Committee on Transportation on Bill "An Act relating to Height of Motor Vehicles and Trailers" (H. P. 712) (L. D. 968) 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. 712, L. D. 968, Bill, "An Act relating to Height of Motor Vehicles and Trailers."

Amend said Bill by striking out all of the 8th line and inserting in place thereof the following:

'the. The load on any motor vehicle or trailer may extend 1 foot'

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

### Divided Report

Majority Report of the Committee on Agriculture reporting "Ought not to pass" on Bill "An Act relating to Treatment of Garbage Before Fed to Swine" (H. P. 405) (L. D. 558)

Report was signed by the following members:

Messrs. CYR of Aroostook

PIKE of Oxford

— of the Senate.

Messrs. BOOTHBY of Livermore  
MEISNER of Dover-Foxcroft



DENBOW of Lubec  
MOWER of Bangor  
— of the House.

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

Report was signed by the following members:

Mrs. HARRINGTON of Penobscot  
— of the Senate.

Mr. COULTHARD  
of Scarborough  
— of the House.

Reports were read.

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

**Divided Report  
Tabled and Assigned**

Majority Report of the Committee on Agriculture reporting "Ought not to pass" on Bill "An Act relating to Apportionment of Stipend to Agricultural Societies" (H. P. 892) (L. D. 1414)

Report was signed by the following members:

Messrs. PIKE of Oxford  
CYR of Aroostook  
— of the Senate.

Messrs. MOWER of Bangor  
COULTHARD  
of Scarborough  
BOOTHBY of Livermore  
MEISNER of Dover-Foxcroft  
— of the House.

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

Report was signed by the following members:

Mrs. HARRINGTON of Penobscot  
— of the Senate.

Mr. DENBOW of Lubec  
— of the House.

Reports were read.

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

Mr. DENBOW: Mr. Speaker, I move the Majority Report be accepted.

The SPEAKER: The gentleman from Lubec, Mr. Denbow, moves the acceptance of the Majority "Ought not to pass" Report.

(On motion of Mr. Gifford of Manchester, the Reports and Bill were tabled pending the motion of the gentleman from Lubec, Mr. Denbow, to accept the Majority Report, and specially assigned for Tuesday, April 2.)

**Divided Report  
Tabled and Assigned**

Majority Report of the Committee on Labor on Bill "An Act relating to Minimum Wages for Firemen" (H. P. 227) (L. D. 297) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was signed by the following members:

Messrs. JOHNSON of Somerset  
HINDS of Cumberland  
COUTURE of Androscoggin  
— of the Senate.

Messrs. BROWN of South Portland  
PRINCE of Oakfield  
EWER of Bangor  
NOEL of Waterville  
— of the House.

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

Report was signed by the following members:

Messrs. MENDES of Topsham  
GIFFORD of Manchester  
DUNN of Denmark  
— of the House.

Reports were read.

(On motion of Mr. Mendes of Topsham, tabled pending acceptance of either Report and specially assigned for Tuesday, April 2.)

**Divided Report  
Tabled and Assigned**

Report "A" of the Committee on Labor reporting "Ought to pass" on Bill "An Act relating to Employment of Minors under Eighteen Years of Age" (H. P. 377) (L. D. 552) which was recommitted.

Report was signed by the following members:

Messrs. HINDS of Cumberland  
COUTURE of Androscoggin  
— of the Senate.

Messrs. EWER of Bangor  
BROWN of South Portland  
NOEL of Waterville  
— of the House.

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

Report was signed by the following members:

Mr. JOHNSON of Somerset  
— of the Senate.  
Messrs. PRINCE of Oakfield  
GIFFORD of Manchester  
MENDES of Topsham  
DUNN of Denmark  
— of the House.

Reports were read.

(On motion of Mr. Gifford of Manchester, tabled pending acceptance of either Report and specially assigned for Friday, March 29.)

### Third Reader Tabled and Assigned

Bill "An Act relating to Excise Tax on Motor Vehicles Owned by Domestic Corporations Partnerships and Charitable Institutions" (S. P. 464) (L. D. 1291)

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

Mr. Smith of Strong offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to S. P. 464, L. D. 1291, Bill, "An Act relating to Excise Tax on Motor Vehicles Owned by Domestic Corporations, Partnerships and Charitable Institutions."

Amend said Bill in the title by striking out after the word "Partnerships" the words "and Charitable Institutions" and inserting in place thereof the punctuation and words "Charitable Institutions and Religious Societies"

Further amend said Bill by adding after section 1 a new section to read as follows:

"Sec. 2. R. S., c. 91-A, section 125, sub-section VIII-A, additional. Section 125 of chapter 91-A of the Revised Statutes, as enacted by section 1 of chapter 308 of the public laws of 1959 and as amended by chapter 89 of the public laws of 1961, is further amended by adding a new sub-section VIII-A, to read as follows:

**'VIII-A. Religious societies. Vehicles owned and used solely for their own purposes by houses of**

**religious worship or religious societies entitled to exemption under section 10, subsection II, paragraph G.'**"

Further amend said Bill by re-numbering section 2 to be section 3.

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

(On motion of Mr. Smith of Strong, tabled pending passage to be engrossed and specially assigned for Wednesday, April 3.)

### Passed to Be Engrossed

Bill "An Act relating to Effective Date for Salary Increase for County Officers" (S. P. 543) (L. D. 1467)

Bill "An Act Increasing Amount of Wages Exempt from Trustee Process" (H. P. 234) (L. D. 302)

Bill "An Act Amending Charter of Augusta Sewerage District" (H. P. 495) (L. D. 697)

Bill "An Act Increasing Compensation of Trustees of York Water District" (H. P. 498) (L. D. 700)

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 Mileage and Expenses for Members of Legislature" (H. P. 613) (L. D. 848)

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

(On motion of Mr. Childs of Portland, tabled pending passage to be engrossed and specially assigned for Wednesday, March 27.)

Bill "An Act relating to Appointment of a Chief Insurance Examiner" (H. P. 687) (L. D. 943)

Bill "An Act Increasing the Number of Medical Examiners for Oxford County" (H. P. 700) (L. D. 956)

Bill "An Act relating to Instruction in High Schools on American Freedoms" (H. P. 763) (L. D. 1117)

Bill "An Act Providing Fire Protection for Rockwood Township in Somerset County" (H. P. 856) (L. D. 1243)

Bill "An Act to Create a Commission on Intergovernmental Relations" (H. P. 942) (L. D. 1376)

Bill "An Act relating to the Down East Christmas Tree Association" (H. P. 969) (L. D. 1408)

Resolve Providing for Retirement and Pension for Stephen A. Regina and Saco (S. P. 188) (L. D. 487)

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 Third Reader  
Tabled and Assigned**

Bill "An Act relating to Inspection of Motor Vehicles" (S. P. 39) (L. D. 32)

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

Mr. Finley of Washington offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to S. P. 39, L. D. 32, Bill, "An Act relating to Inspection of Motor Vehicles."

Amend said Bill in section 1 by striking out all of the amending clause and inserting in place thereof the following:

'R. S., c. 15, sections 13-A - 13-G, additional. Chapter 15 of Revised Statutes is amended by adding 7 new sections, to be numbered 13-A to 13-G, to read as follows:'

Further amend said Bill in that part designated "Sec. 13-B." of section 1 by striking out in the 7th line the underlined figure "13-I" and inserting in place thereof the underlined figure "13-G"

Further amend said Bill by striking out all of those parts designated "Sec. 13-H" and "Sec. 13-I" of section 1.

Further amend said Bill by inserting after section 1 thereof, the following sections:

"Sec. 1-A. R. S., c. 22, section 13, amended. The last sentence of the next to the last paragraph of section 13 of chapter 22 of the Revised Statutes, as enacted by chapter 209 of the public laws of 1961, is amended to read as follows:

'Section 45 Chapter 15, section 13-A, shall not apply to such invalid chairs but the Secretary of State shall not issue such registration un-

less he is satisfied that such chair is equipped with an adequate stopping and holding device and means of giving audible signal.'

Sec. 1-B. R. S., c. 22, section 16, sub-section I, D, amended. The last sentence of paragraph D of subsection I of section 16 of chapter 22 of the Revised Statutes, as last repealed and replaced by section 9 of chapter 363 of the Public Laws of 1959, is amended to read as follows:

'The Secretary of State may waive the provisions of section 45 chapter 15, section 13-A, with respect to vehicles operated in accordance with this paragraph.'

Further amend said Bill in the headnote of section 3 by striking out the underlined figures and punctuation "40, 41-A,"

Further amend said Bill in the 3rd, 4th and 5th lines of section 3 by striking out the words, figures and punctuation "section 40 of chapter 22, as amended, section 41-A of chapter 22, as enacted by section 1 of chapter 134 of the public laws of 1959."

Further amend said Bill by renumbering the sections of said bill to read consecutively.

House Amendment "A" was adopted.

(On motion of Mr. Pease of Wassett, tabled pending passage to be engrossed and specially assigned for Wednesday, March 27.)

**Third Reader  
Tabled and Assigned**

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

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 Tuesday, April 2.)

**Amended Bills**

Bill "An Act relating to Purchase of Lands by Atlantic Sea Run Salmon Commission" (H. P. 63) (L. D. 87)

Bill "An Act relating to Reporting by Those Who Treat Gunshot Wounds" (H. P. 116) (L. D. 160)

Bill "An Act relating to the Beginning of Standard Time" (H. P. 156) (L. D. 207)

Bill "An Act relating to Hours for Dancing and Entertainment in Public Places" (H. P. 297) (L. D. 391)

Bill "An Act to Reconstitute School Administrative District No. 18" (H. P. 328) (L. D. 455)

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.

Bill "An Act to Reconstitute School Administrative District No. 20" (H. P. 365) (L. D. 538)

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

Mr. Ayooob of Fort Fairfield offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to H. P. 365, L. D. 538, Bill, "An Act to Reconstitute School Administrative District No. 20."

Amend said Bill by inserting after section 2 thereof, a new section, 3, as follows:

**'Sec. 3. Validation of bond issue.** The issuance by said district of \$900,000, 4 percent capital outlay bonds dated October 1, 1962, is hereby validated, confirmed and made effective, and all the proceedings taken by said district or by the board of school directors of said district with respect to the issuance of said bonds are hereby validated, confirmed and made effective.'

Further amend said Bill by renumbering sections 3 and 4 to be 4 and 5 respectively.

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

Bill "An Act to Reconstitute School Administrative District No. 24" (H. P. 366) (L. D. 539)

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" and sent to the Senate.

Bill "An Act to Create the Fort Kent Sewerage District" (H. P. 489) (L. D. 691)

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

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

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

HOUSE AMENDMENT "A" to H. P. 489, L. D. 691, Bill, "An Act to Create the Fort Kent Sewerage District."

Amend said Bill, in the Referendum, by striking out in the 7th line the words "Said board of selectmen" and inserting in place thereof the words 'The registrar of voters'; and by striking out in the 12th line the word "selectmen" and inserting in place thereof the words 'registrar of voters'; and by striking out in the 14th line the words "said board" and inserting in place thereof the words 'the registrar of voters'; and by striking out in the 16th line the word "board" and inserting in place thereof the words 'registrar of voters'

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

Bill "An Act relating to Neglect of Children" (H. P. 652) (L. D. 908)

Bill "An Act relating to Penalties for Possessing a Falsified Certificate of Birth" (H. P. 658) (L. D. 914)

Bill "An Act relating to Micro-filming Records" (H. P. 741) (L. D. 1070)

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 Placing Vocational Teachers in Unclassified Service (S. P. 53) (L. D. 103)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds

vote of all the members elected to the House being necessary, a division was had. 125 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

**Passed to Be Enacted**

An Act to Prevent Pollution of the Waters of Floods Pond and Burnt Pond (S. P. 250) (L. D. 624)

An Act Regulating the Taking of Clams in Wells, York County (S. P. 500) (L. D. 1397)

An Act Increasing Fees and Clarifying Barber Licensing Law (H. P. 30) (L. D. 54)

An Act to Reconstitute School Administrative District No. 21 (H. P. 205) (L. D. 274)

An Act Transferring Burial Allowance Program for Veterans from Department of Health and Welfare to Division of Veterans Affairs (H. P. 311) (L. D. 404)

An Act Authorizing Bureau of Public Improvements to Study Desirability of a Dam Across Taunton River (H. P. 331) (L. D. 458)

An Act Increasing Mileage Allowance for State Employees on State Business (H. P. 400) (L. D. 599)

An Act relating to Location of Office of Board of Harbor Commissioners for the Harbor of Portland (H. P. 502) (L. D. 704)

An Act Increasing Funeral Allowance in Public Assistance Cases (H. P. 560) (L. D. 775)

An Act Repealing Law Requiring Clerk of Courts to Mail Divorce Judgments When Duty to Support (H. P. 771) (L. D. 1125)

An Act relating to Underwater Swimming and Diving (H. P. 790) (L. D. 1143)

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

An Act relating to Surrender of Motor Vehicle Operator's License to Secretary of State (H. P. 873) (L. D. 1260)

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

**Enactor**

**Tabled and Assigned**

An Act relating to Appointment and Duties of Deputy Registers of Probate (H. P. 927) (L. D. 1361)

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

(On motion of Mr. Thornton of Belfast, tabled pending passage to be enacted and specially assigned for Friday, March 29.)

An Act relating to Suspension of Certain Licenses by Commissioner of Sea and Shore Fisheries (H. P. 1005) (L. D. 1455)

An Act Providing for Jurisdiction of Kittery Port Authority Over Town Wharves and Relating to Organization and Powers of the Authority (H. P. 1006) (L. D. 1456)

**Finally Passed**

Resolve in favor of Allie P. Lewis, of Palmyra, for Well Damage (S. P. 242) (L. D. 616)

Resolve Regulating Fishing in Upper and Lower Range Ponds, Dumping Pond and Ingalls Pond, Androscoggin and Cumberland Counties and Lily Pond, Cumberland County (H. P. 447) (L. D. 651)

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:

SENATE MAJORITY REPORT (9)—Ought not to pass—MINORITY REPORT (1)—Ought to pass—Committee on Retirements and Pensions on Bill "An Act relating to Credit for Military Service Under State Retirement Law." (S. P. 334) (L. D. 999)—In Senate Majority Ought not to pass Report Accepted.

Tabled—March 19, by Mr. Wood of Brooks.

Pending—Acceptance of Either Report.

The SPEAKER: The Chair recognizes the gentleman from Madison, Mr. Hendsbee.

Mr. HENDSBEE: Mr. Speaker and Members of the House: Pursuant to

additional information which has been received on this bill, I would now respectfully request that the Reports and the Bill be recommitted to the Committee on Retirements and Pensions.

Thereupon, the Reports and Bill were recommitted to the Committee on Retirements and Pensions in non-concurrence and sent up for concurrence.

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

SENATE REPORT—Ought to Pass in New Draft under New Title of Bill "An Act relating to Power of Eminent Domain of Maine State Park and Recreation Commission." (S. P. 542) (L. D. 1468)—on Bill, "An Act relating to Power of Eminent Domain of Maine State Park Commission." (S. P. 77) (L. D. 185)—Engrossed in Senate.

Tabled—March 22, by Mr. Childs of Portland.

Pending—Acceptance in concurrence.

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

Mr. DENBOW: Mr. Speaker, this was tabled for further study for my benefit, and I simply want to say that the study has been made and I now go along with the "Ought to pass" Report.

Thereupon, the Majority "Ought to pass" in New Draft Report was accepted in concurrence, the New Draft read twice and tomorrow assigned.

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

SENATE MAJORITY REPORT (9)—Ought to Pass as Amended by Committee "A" (Filing S-78)—Minority Report (1)—Ought Not to Pass—Committee on State Government on Bill "An Act Increasing Salary of Hearing Examiner for State Liquor Commission." (S. P. 337) (L. D. 1002)—In Senate Reports and Bill Indefinitely Postponed.

Tabled—March 22, by Mr. Thaanum of Winthrop.

Pending—Acceptance of Either Report.

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

Mr. DENNETT: Mr. Speaker, I move the acceptance of the Majority "Ought to pass" Report as amended by Committee Amendment "A."

The SPEAKER: The gentleman from Kittery, Mr. Dennett, moves the acceptance of the Majority "Ought to pass" as amended by Committee Amendment "A" Report. Is this the pleasure of the House?

The Chair recognizes the gentleman from Rockland, Mr. Knight.

Mr. KNIGHT: Mr. Speaker and Members of the House: I believe that the Committee Amendment and the Report should be indefinitely postponed. The hearing examiner was hired at a salary of \$6,000. It would be a breach of contract of the faith on the part of the State to cut his salary. This does not give him a raise, it just leaves him where he is, and the matter would be ended. For that reason, I move indefinite postponement.

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

Mr. DENNETT: Mr. Speaker and Members of the House: I am truly sorry to have to enter into this this morning, but I feel that I must rise and oppose the motion that has just been made by the gentleman from Rockland, Mr. Knight.

Before I enter into this, I would like the House to definitely understand one point, and that is that I am not, nor do I intend to enter into any personalities. I do not know this person. I have no constituent who ever claimed to have wrongly suffered at his hands. I have no reason but to believe that he has carried out his work according to his office, but there are a number of other points that I would like to bring out and show you why your Committee reported this in this manner. The Committee on State Government is not a frivolous Committee. Neither does it pass out frivolous reports. This was a nine to one report, and in essence it cuts the salary by \$1,000.

Now I believe there might be a difference in philosophy here and

possibly in principle. But it is the duty and it is also the pleasure of the Legislature to set the salaries of these officers. I do not know who entered into any contract, but this Legislature has not, at this moment, entered into any contract with anyone. I believe it is the duty of this Legislature to set salaries commensurate with the work involved.

This bill came into the Committee on State Government with this office asking for an increase of \$2,000. Presently, it pays \$6,000 and it asked for an increase to \$8,000. Your Committee heard the witnesses and the evidence that was offered at the hearing. It was brought out that this office involved 26 days of hearings last year, and that appears to be pretty much of an average rate. For this, the hearings officer received \$6,000 or \$230.00 per day. He asked for a \$2,000 increase which would bring it roughly speaking to \$309.00 a day. Your Committee thought that this was considerably out of line.

Now let me make a comparison here today with other hearings officers in the State of Maine, particularly in the Motor Vehicle Department. In the Motor Vehicle Department one hearings officer last year, who is employed full time, and receives a salary approximating \$8,000 a year, heard in excess of 5,000 cases. This liquor hearings officer heard 294. Now this seems to be pretty much out of line. If we project the liquor hearings examiner's salary on an annual basis, the same perhaps as the motor vehicle hearings officer, we find that presently at \$6,000 he would be receiving \$60,000 a year. This is pretty much in excess of any salary that is given in the State of Maine, and even makes the Governor's salary look pretty slim. If he had had a \$2,000 raise, that could be projected to \$78,000 a year, only \$22,000 short of the President of the United States. We felt this was an excessive salary. We also feel very strongly that this Legislature has the right to set salaries. We cut this salary by \$1,000 to \$5,000 a year. Even at \$5,000 a year this approximates \$200 a day for days entailed in hearings, and it

certainly is even too much then, but we didn't want to go too far. We felt that this was fair and it was just.

Now I will go a little bit beyond this. This hearings officer maintains an office in the City of Lewiston, and there he has a full-time paid secretary who is paid by the State of Maine at the rate of \$99.00 a week. These have all been looked into. I am presenting you with facts. This is not fictional in any way, shape or manner.

Now it is pretty difficult to assume that for 26 days of hearings for 294 cases that this secretary would be involved on a full work week all the year. So we can only assume that this gentleman I believe is also a lawyer, it is quite possible she is doing some of his work or that she isn't doing anything at all, but she is employed for the full year with the State paying the bill of \$99.00 a week. This hasn't been touched in any way, shape or manner, but the salary has been cut \$1,000. These salaries for these sinecures, and probably there are more that exist in the State of Maine, I do not know, this one was forcibly brought to our attention, cause dissension amongst full-time employees. Here are hearing commissioners in the Motor Vehicle Department working full time day in and day out hearing thousands of cases and only receiving slightly more remuneration on an annual basis for a man hearing 294 cases. How do these people feel? How well does this fit into state government? It causes dissension. It causes unpleasantness. And they feel too that they should receive more money because they make comparisons. This job, which was established some few years ago, was not established by this administration, but by a prior one, and it evidently was intended to be a plum, and now it turns out not to be only a plum, but a double-dipped sugar plum. It is a sinecure from the word go. The Legislature is being challenged here this morning on its right to set salaries. It is perfectly within the right, and I believe that a man should be paid commensurate with

the services that he renders, and I think the facts prove here in this case that this is not taking place. I do not ask you one way or another to go along with or go along against me. But when the vote is taken on this, I hope that you will only vote according to your conscience, and remember that the taxpayers of the State of Maine are footing these bills. This money should not be frittered away. When the vote is taken I ask for a division.

The SPEAKER: Is the House ready for the question?

The Chair recognizes the gentleman from Wiscasset, Mr. Pease.

Mr. PEASE: Mr. Speaker and Members of the House: I hesitate to rise and follow such an accomplished speaker, and one who obviously on behalf of the Committee on State Government has his facts in order.

I would also hesitate to indicate that it is not the prerogative or the right of the Legislature to set the salary of any individual in state government. I would call to your attention, however, that the particular position of hearing officer for the Liquor Commission is one which requires a professional man. It is a part time position and it is necessary that he take time from his private practice to serve the State of Maine. I will admit that perhaps the reference to 26 hearing days may be correct. It is my understanding that this, or any other hearing officer, in this capacity or in any other, hears more than one case on each day of hearings. Sometimes, and this is much different from the hearing officers of the Secretary of State's Office on motor vehicle cases, because I am sure many of you are familiar that they hear and decide a matter in many times a matter of minutes. This is an instance where voluminous testimony is taken, evidence is presented, the individual charged with that responsibility must go over the record that has been prepared. I would venture a guess that on some of these cases this may entail two to three days of study of the record. A decision must be reduced to writing, the reasons for

that decision given, and then presented.

We are urged this morning to cut the salary for a position, not for a man, but for a position, which was established by a prior Legislature presumably on some reasonable basis. It would occur to me that although the position of hearing officer has heard only 26 days of hearings in the past year, we have no idea of how many days of hearings or how many hearings this man must have had during the coming biennium, the coming two years. The position is accepted by an individual realizing that responsibility, and realizing the amount of money that has been set aside for that position. The number of cases, the amount of time he spends, is determined by the enforcement officials who present these matters, and with more enforcement certainly comes more cases. We are increasing our activity in the Legislature in making our liquor laws more liberal, and I would venture a guess that this will cause more instances where enforcement procedures that are taken will be subject to hearings before the examiner. For these reasons, and I am sure for other reasons with which you and I are familiar, I am pleased to support the motion of the gentleman from Rockland, Mr. Knight, to indefinitely postpone this bill and all its accompanying papers.

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

Mr. JALBERT: Mr. Speaker and Members of the House: Relative to the position taken by some that we will go to the facts, I would like to clarify one or two points.

I think my good friend from Wiscasset, Mr. Pease, touched briefly on one of them, and that is the time spent after the hearing by the hearing examiner. I know that the time spent is very, very lengthy. It adds days upon days after the hearing procedure. Also, that the hearings themselves sometimes go from morning 'til very late in the evening.

Wherein it concerns the lady who is apparently a full time employee of the hearing examiner in his of-



office in Lewiston, which would con- note that she does work for him, I might state to my very dear friend from Kittery, Mr. Dennett, that the lady does not live in Lewiston. She does not work in Lewiston. She is a state employee. She takes at the hearings when she travels with the hearings examiner, she takes down every word that is taken at the hearing, because whatever decision is made, there can be a right for appeal. After she has taken every one of these words in shorthand at the hearing, which goes hours and hours on the days of the hearings, then she goes back and she must do the work herself because she is the only one who certainly can read her own notes. She has to type these, submit these transcripts to the hearing examiner, who then himself, after taking notes at the hearing, who then himself proceeds to write the decision which is sometimes very, very lengthy.

I am certainly not taking issue with anyone. However, insofar as the gentleman in question is concerned, the hearing examiner, the gentleman from Kittery, Mr. Dennett, said he did not know the gentleman. At least on the Floor of the House I would like to introduce him. He happens to be one departmental head that the Appropriations Committee commended when he came before us, because he, upon a question, told us that — I saw no expenses on the days that he went to Bangor. He is a Bangor product. So he told us that when he goes and has hearings in Bangor, he goes and stays with his folks, which was to be commended. Again to add impetus to my feeling toward the young man, he is as strong an opponent to my party that lives in our area; I respect and admire him for it. I respect and admire his integrity. If I were going to name a departmental head who gives of his time and effort, at any time any more willingly than this young man, I would start among all of the departmental heads even though they are legion among my friends, I know and I pray; I would however, be forced to place him high in the priority, and I certainly endorse the motion of the

gentleman from Rockland, Mr. Knight.

The SPEAKER: The Chair recognizes the gentleman from Madison, Mr. Hendsbee.

Mr. HENDSBEE: Mr. Speaker, in reference to this discussion of this bill, I wish to state here that I have been personally acquainted with this gentleman in question for many years. He has a very distinguished career in the United States Navy; was a former member of the United States Court of Appeals; he came to our town some years ago as a practicing attorney. He conducted quite a thriving business in our town at that time. He was appointed a trial justice. He conducted himself in a very creditable manner, and with the background of my knowledge of this particular individual, I should be very happy to support the indefinite postponement.

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

Mr. DENNETT: Mr. Speaker, I have no intention of attacking the personality of the party concerned, but unfortunately about all the testimony in favor of indefinitely postponing the bill has not been directed to the position but rather to the man, to the personality. I don't question that he is a good fellow or that he is a smart fellow or that he is an honorable citizen. I am directing my opposition to this proposal to indefinitely postpone this bill to the position. Now there is one thing that I would like to clarify. The information I quoted here was obtained through the efforts of the Finance Officer of this Legislature, and I am merely quoting the information I have been given. If there is any error in any way, I have no other way to explain it other than what I have before me, and I have not misquoted anything.

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

Mr. SMITH: Mr. Speaker, as a member of the State Government Committee, it has amazed me considerably that such inequities in any salary paid by the taxpayer should

exist. Here is one that has been discovered. I support the statements made by the gentleman from Kittery, Mr. Dennett, and hope that the motion to indefinitely postpone does not prevail.

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

Mr. JALBERT: Mr. Speaker, as a long time foe of the setup of the Finance Officer, I presume my point has finally been proven. Now I shall check the records of this comment made by myself as well as my good friend from Kittery, Mr. Dennett, and I think it will further add impetus to my comments. I would also like to state this man is a judge; this man has a livelihood of people that represent their industry, and in one sweep, he can knock them out. However, I wanted to get up on my feet when he — comments what are really the facts. If one really wants the facts, he can go over to the Liquor Commission and find out the facts and maybe even talk with the gentleman in question in person.

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

Mr. CURTIS: Mr. Speaker, I wish to concur with my good friend from Kittery in presenting these things. It is not going to be long before we are going to be asked to increase the revenues in the State of Maine. What are we going to tell the people back home? Now what are some of these people who are in favor of throwing this money away, two or three hundred dollars a day, what are they going to say, and I am afraid some of them are not going to be willing to increase the revenues. If we are going to throw money away like that, what am I going to tell my people back home about this Legislature? I sure hope that this Legislature will vote as their conscience approves, and I am sure they don't approve of throwing away money.

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

Mr. MCGEE: Mr. Speaker, and Members of the House: I would just like to add one thing to

this situation. I have been familiar with this case for a long time. The gentleman in question has given up all criminal practice because two-thirds of criminal cases has something to do with the liquor cases. Without carrying on any further debate, I know for the reputation of this House and some of the things that are behind this bill, it is much better for us today to support indefinite postponement and concur with the Senate, and I would recommend that.

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

Mr. SMITH: Mr. Speaker, I don't want to become involved in the merits of whether this man earns his salary or does not earn it. I merely would like to point out that there is an important principle involved here. This man is a Hearings Officer who has a semi-judicial function. It is now proposed that his salary during his term of office be diminished. If the Legislature chooses to change the salary schedule for certain officers—that is, judicial officers, it certainly should do that as of the expiration of a term and not while the man is serving. It definitely would have an implication of acting as a result of certain functions perhaps which this Hearings Officer performs which didn't meet the approval of the Legislature or others.

The SPEAKER: Is the House ready for the question?

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

Mr. WELLMAN: Has a division been requested?

The SPEAKER: A division has been requested. The question before the House is the motion of the gentleman from Rockland, Mr. Knight, that the Reports and Bill "An Act Increasing Salary of Hearing Examiner for State Liquor Commission," Senate Paper 337, Legislative Document 1002, be indefinitely postponed. A division having been requested, all those in favor of indefinite postponement, please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Seventy-nine having voted in the affirmative and forty-seven having voted in the negative, the motion did prevail.

Thereupon, the Reports and Bill were indefinitely postponed in concurrence.

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

HOUSE MAJORITY REPORT (6)—Ought Not to Pass—Minority Report (4)—Ought to Pass—Committee on State Government on Bill "An Act Limiting the Amount of Salary of Certain State Officers." (H. P. 830) (L. D. 1217)

Tabled—March 22, by Mr. Berry of Cape Elizabeth.

Pending—Acceptance of Either Report.

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

Mr. BERRY: Mr. Speaker, Ladies and Gentlemen of the House: L. D. 1217 covers the salaries of state officials which are set by the Governor and Council, and it intends to limit them over the next two year period to a ceiling, and this in itself, I think we are all in favor of insofar as no harm is done. The State Government Committee was torn between two decisions on this bill and another one.

This bill deals with salaries, as I said, set by the Governor and Council. The other bill deals with salaries set by the Legislature. There was a feeling in the Committee that there is a little play back and forth, and that as a result of change in one group of officials, the change becomes contagious and the other officials' salaries fluctuate accordingly. This seems to be a general problem, and I believe the State Government Committee intends to report out a Resolve that this principle be studied during the next legislative recess by the Legislative Research Committee, because it certainly does seem inequitable that in part one group such as our body sets salaries, and yet similar officials performing equally vital functions have their salaries set by the Governor and Council. There would certainly seem to be room

here for a broad philosophical decision to be made.

Now within the Committee, there was dissension on this particular bill. I and the majority of the group felt that it is unfair during the time this decision is being made or the study is being made by the Research Committee, that we set a ceiling on salaries of officials who are now handled by the Governor and Council. It well may be that two years from now a decision would be made, but in the meantime some of us feel that the status quo should be maintained—not that the salaries should be maintained, but that the right of the Governor and Council to fix the salaries be maintained.

Accordingly, Mr. Speaker, I move that the Majority "Ought not to pass" Report be accepted.

The SPEAKER: The gentleman from Cape Elizabeth, Mr. Berry, now moves that the Majority "Ought not to pass" Report be accepted. Is this the pleasure of the House?

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

Mr. BERMAN: Mr. Speaker, Ladies and Gentlemen of the House: I oppose the motion of Mr. Berry that the "Ought not to pass" Report be accepted. Now in the Committee on State Government, the decision was a close one. This was a six to four vote. Now it is certainly a cause of great concern to see the salaries of some department heads set by one branch of the government and the salaries of other department heads set by the Legislature. Now if I am not mistaken, our State Government is one of separation of powers and checks and balances. The Legislature should legislate; the Executive should execute the laws; and the Judges should judge.

Now this Legislature has the duty to appropriate the money to run the state government. And I submit that this is the legislative prerogative that should not be diminished. Now here is a problem that we can correct. I don't see that there is any need to put this off to a study by the Legislative Research Committee. I certainly think

that where money is going to be a great problem in this session, that we take action now. And for these fundamental and basic reasons, I hope that the motion of the gentleman from Cape Elizabeth, Mr. Berry, will not prevail.

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

Mr. ANDERSON: Mr. Speaker, it has been a mystery to me also why some of these salaries are set by the Legislature and others are not. As it now stands, these privileged department heads, the State Police Chief, Commissioner of Economic Development, Director of Civil Defense, Director of Public Improvements, State Tax Assessor, Chairman of the Highway Commission, and the Commissioner of Health and Welfare can appear before the Governor and Council and, to use the vernacular of the street, play on their sympathies with a tear-jerking story and get what they want. I think that the salaries should be retained or the right to set the salaries should be retained by the Legislature.

The SPEAKER: Is the House ready for the question? The question before the House is the motion of the gentleman from Cape Elizabeth, Mr. Berry, that the House accept the Majority "Ought not to pass" Report on Bill "An Act Limiting the Amount of Salary of Certain State Officers," House Paper 830, Legislative Document 1217. All those in favor of that motion will say aye; those opposed, no.

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

Thereupon, on motion of Mr. Berman of Houlton, the House voted to accept the Minority "Ought to pass" Report, and the Bill was read twice and assigned for third reading tomorrow.

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

Bill "An Act Increasing Salaries of Members of Council of City of Portland." (H. P. 604) (L. D. 839) —Engrossment Reconsidered.

Tabled — March 22, by Mr. Cottrell of Portland.

Pending — Passage to be Engrossed.

On motion of Mrs. Kilroy of Portland, retabled pending passage to be engrossed and specially assigned for Friday, March 29.

Mr. Noel of Waterville was granted unanimous consent to address the House briefly.

Mr. NOEL: "Mr. Speaker, Ladies and Gentlemen of the Maine House of Representatives: It is with sincere gratitude and appreciation that I send my thanks to you for your many kindnesses to my late husband, William Dostie. For the flowers, the Masses, and those of you who attended the services, I shall always be grateful." Signed, Mrs. William T. Dostie. Thank you.

On motion of Mr. Gifford of Manchester,

Adjourned until nine o'clock tomorrow morning.