

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

Friday, April 26, 1963

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

Prayer by the Rev. Mr. Aubrey Dwellley of the East Auburn Baptist Church, East Auburn.

The journal of yesterday was read and approved.

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

Report of the Committee on Judiciary on Bill "An Act relating to Preservation of Civil Rights of Persons Hospitalized for Mental Illness" (S. P. 365) (L. D. 1031) reporting Leave to Withdraw.

Came from the Senate read and accepted.

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

**Ought to Pass in New Draft
Tabled and Assigned**

Report of the Committee on Transportation on Bill "An Act relating to Redistribution of Axle Loads on Commercial Vehicles" (S. P. 206) (L. D. 516) reporting same in a new draft (S. P. 577) (L. D. 1530) under same title and that it "Ought to pass"

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

In the House, the Report was read.

(On motion of Mr. Minsky of Bangor, tabled pending acceptance of the Committee Report and specially assigned for Tuesday, April 30.)

Ought to Pass

Report of the Committee on Judiciary reporting "Ought to pass" on Bill "An Act relating to the Admission of Attorneys to the Bar of the State of Maine" (S. P. 62) (L. D. 112)

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

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

**Ought to Pass with
Committee Amendment**

Report of the Committee on Appropriations and Financial Affairs on Resolve Appropriating Moneys for Stocking Baxter State Park with Caribou (S. P. 137) (L. D. 414) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

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

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

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

COMMITTEE AMENDMENT "A" to S. P. 137, L. D. 414, Resolve, Appropriating Moneys for Stocking Baxter State Park with Caribou.

Amend said Resolve by striking out all of the 1st, 2nd, 3rd and 4th lines and inserting in place thereof the following: "That the sum of \$8,000 be appropriated from the funds of the Department of Inland Fisheries and Game for the purchase of 20 caribou from the Province of Newfoundland, said caribou to"

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

Non-Concurrent Matter

Bill "An Act Providing for Permanent Identification Cards to be Issued by the Secretary of State" (S. P. 475) (L. D. 1327) which was passed to be engrossed in non-concurrence in the House on April 24.

Came from the Senate with that body voting to adhere to its former action whereby the Bill was indefinitely postponed.

In the House:

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

Mr. COTE: Mr. Speaker, after having received some information from the Deputy Secretary of State, Mr. Edgar, it was the feeling, and also after talking with the State Police, it was their feeling if L. D. 1327 should become law, the De-

partment of State would be inundated with applications for these identification cards. It was also their feeling that the \$2 fee required in the bill would not begin to cover the cost of issuing these I. D. cards and, to make L. D. 1327 effective, the bill should carry an appropriation adequate to cover all of the above expenses with particular emphasis on the additional personnel which would be required.

I was very much in sympathy with this bill, but in view of the facts presented to me, with great reluctance, I move that we recede and concur.

Thereupon, the House voted to recede and concur with the Senate.

Non-Concurrent Matter

Bill "An Act relating to Requirements, Appointment and Term of the Adjutant General" (H. P. 250) (L. D. 319) which was passed to be engrossed as amended by Senate Amendment "A" in the House on April 17.

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

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

Non-Concurrent Matter Tabled and Assigned

Bill "An Act relating to Eligibility of Trustees, Executors and Administrators as Directors of Trust Companies" (H. P. 657) (L. D. 913) which was passed to be engrossed in the House on March 13.

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

In the House: On motion of Mr. Rust of York, tabled pending further consideration and specially assigned for Thursday, May 2.

Non-Concurrent Matter

An Act Clarifying the Inland Fish and Game Laws (H. P. 1022) (L. D. 1478) which was passed to be enacted in the House on April 17 and passed to be engrossed as

amended by Senate Amendments "B" and "C" on April 12.

Came from the Senate passed to be engrossed as amended by Senate Amendments "B", "C" and "E" in non-concurrence.

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

The following Communication:

THE SENATE OF MAINE
Augusta

April 24, 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 to Authorize the Municipalities of Detroit, Etna, Plymouth and Stetson to Form a School Administrative District" (H. P. 435) (L. D. 640)

Senators:

HICHBORN of Piscataquis
WHITTAKER of Penobscot
BROOKS of Cumberland

Respectfully yours,

(Signed)

CHESTER T. WINSLOW
Secretary of the Senate

The Communication was read and ordered placed on file.

Orders Tabled and Assigned

Mr. Treworgy of Gorham presented the following Order and moved its passage:

ORDERED, the Senate concurring, that the Legislative Research Committee is directed to study the subject matter of the Bill: "An Act Relating to Tuition for Pupils Attending Secondary School Outside of Residence." Legislative Document No. 271, introduced at the regular session of the 101st Legislature to determine whether the best interests of the State would be served by the adoption of such legislation; and be it further

ORDERED, that the Committee report the results of its study to the 102nd Legislature.

(On motion of Mr. Smith of Strong, tabled pending passage and specially assigned for Tuesday, April 30.)

Tabled and Assigned

Mr. Snow of Jonesboro presented the following Order and moved its passage:

ORDERED, the Senate concurring, that the Legislative Research Committee is directed to study the subject matter, Bill "An Act Providing State Scholarships for Education," Legislative Document No. 1305, introduced at the regular session of the 101st Legislature to determine whether the best interests of the State would be served by the adoption of such legislation; and be it further

ORDERED, that the Committee report the results of its study to the 102nd Legislature.

(On motion of Mr. Smith of Strong, tabled pending passage and specially assigned for Tuesday, April 30.)

Mr. Dennett of Kittery presented the following Order and moved its passage:

ORDERED, the Senate concurring, that there be created an Interim Joint Committee to consist of 2 on the part of the Senate and 3 on the part of the House to study and report to the 102nd Legislature on the subject matter of the Bill "An Act Transferring Indian Affairs to Governor and Council", Legislative Document No. 1222, introduced at the regular session of the 101st Legislature to determine whether the best interests of the State would be served by the adoption of such legislation; and be it further

ORDERED, that the members of the committee shall serve without compensation, but shall be reimbursed for their expenses incurred in the performance of their duties under this order; and be it further

ORDERED, that there is appropriated to the committee from the Legislative Appropriation the sum of \$500 to carry out the purposes of this order. (H. P. 1068)

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

Mr. DENNETT: Mr. Speaker, this Order is in substance a duplicate of the one that was presented the other day relative to Legislative Document 1222, "An Act Transferring Indian Affairs to Governor and Council." This Order in substance is identical with the one introduced the other day. It uses here a little different form of language and it is simply corrective in nature.

Thereupon, the Order received passage and was sent up for concurrence.

On motion of Mr. Cressey of North Berwick, it was

ORDERED, that William and Stephen Hobbs of Alfred be appointed to serve as Honorary Pages for today.

The SPEAKER: These are the children of Representative Hobbs of Alfred. The Sergeant-at-Arms will retire to the rear of the Hall of the House and escort these two young men to their positions as Honorary Pages for the day. (Applause)

Thereupon, Masters William and Stephen Hobbs of Alfred were escorted to the well of the Hall of the House by the Sergeant-at-Arms to serve as Honorary Pages for the day.

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

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

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

**House Reports of Committees
Divided Report
Tabled and Assigned**

Majority Report of the Committee on Education reporting "Ought not

to pass" on Bill "An Act Providing for State Support of Education Foundation Program and the Financing Thereof" (H. P. 899) (L. D. 1307)

Report was signed by the following members:

Messrs. BROOKS of Cumberland
WHITTAKER of Penobscot
HICHBORN of Piscataquis
— of the Senate.

Messrs. BRADEEN of Waterboro
McGEE of Auburn
LEVESQUE of Madawaska
TREWORGY of Gorham
— of the House.

Minority Report of same Committee on same Bill reporting same in a new draft (H. P. 1067) (L. D. 1532) under same title and that it "Ought to pass"

Report was signed by the following members:

Messrs. EASTON of Winterport
SNOW of Jonesboro
CURTIS of Bowdoinham
— of the House.

Reports were read.

(On motion of Mr. Mendes of Topsham, tabled pending acceptance of either Report and specially assigned for Friday, May 3.)

Passed to Be Engrossed

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

Was 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 Permitting Spendthrift Provisions Applicable to Life Insurance Proceeds". (H. P. 653) (L. D. 909)

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

(On motion of Mr. Rust of York, tabled pending passage to be engrossed and specially assigned for Wednesday, May 1.)

Amended Bill

Bill "An Act to Determine Liability and Responsibility of Drivers

of Fire Apparatus" (H. P. 736) (L. D. 1065)

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.

Third Reader

Tabled and Assigned

Bill "An Act relating to the Definition of Aid to Dependent Children" (H. P. 958) (L. D. 1392)

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

(On motion of Mr. MacLeod of Brewer, tabled pending passage to be engrossed and specially assigned for Wednesday, May 1.)

Finally Passed

Emergency Measure

Resolve Appropriating Moneys for Spruce Budworm Control (H. P. 89) (L. D. 133)

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, 120 voted in favor of same and none against, and accordingly the Resolve was finally passed, signed by the Speaker and, on motion of Mr. Bragdon of Perham, sent forthwith to the Senate.

Passed to Be Enacted

An Act Providing Area Directional Sign for Damariscotta-Pemaquid Region (S. P. 312) (L. D. 978)

An Act relating to Disposition of Convicts and Persons Detained in County Jails Alleged to be Mentally Ill (S. P. 385) (L. D. 1088)

An Act relating to Temporary Registration Permits for Certain Motor Vehicles and Special Permits for Other Vehicles (S. P. 440) (L. D. 1183)

An Act to Establish and Regulate Commercial Driver Education Schools and Instructors (S. P. 478) (L. D. 1330)

An Act Repealing Law Relating to Use of Prior Convictions in Suspension of Motor Vehicle Licenses for Driving under the Influence (H. P. 738) (L. D. 1067)

An Act relating to License Fee for Boarding Homes (H. P. 865) (L. D. 1252)

An Act relating to Statute of Limitations for Actions Against Tax Collectors (H. P. 868) (L. D. 1255)

An Act relating to Suspension of Registration of Motor Vehicles Driven by Certain Persons When Arrested (H. P. 914) (L. D. 1321)

An Act relating to Order of Divorce Concerning Minor Children (H. P. 917) (L. D. 1351)

An Act Authorizing County Commissioners for York County to Make a Loan for Courthouse Addition (H. P. 1053) (L. D. 1520)

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.

Orders of the Day

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

HOUSE REPORT — Ought to pass in New Draft under New Title of "An Act relating to Allocating Moneys from Organized Township's Fund for Managing Public Reserved Lots in Plantations." (H. P. 1037) (L. D. 1503) — Committee on Natural Resources on Bill "An Act Repealing Law Allocating Moneys from Organized Township's Fund for Managing Public Reserved Lots in Plantations." (H. P. 163) (L. D. 212) — (Recommitted Bill.)

Tabled — April 12, by Mr. Cookson of Glenburn.

Pending — Acceptance of Report.

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

Mr. GALLANT: Mr. Speaker, I move that we accept the "Ought to pass" Report of the Committee on House Paper 1037, L. D. 1503.

The SPEAKER pro tem: The gentleman from Eagle Lake, Mr. Gallant, moves that the House accept the "Ought to pass" in New Draft Report on Legislative Document 1503.

The Chair recognizes the gentleman from Anson, Mr. Viles.

Mr. VILES: Mr. Speaker, I move this be tabled until the next legislative day.

The SPEAKER pro tem: The gentleman from Anson, Mr. Viles, moves that this item be tabled until the next legislative day. Is this the pleasure of the House?

(Cries of "No")

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

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

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

Mr. RUST: Mr. Speaker, the reason that the motion was made to table this item this morning was because the gentleman from Glenburn, Mr. Cookson, who was interested in the bill was unable to be here today. I hope somebody else will make a motion to retable this until Tuesday or Wednesday next.

Whereupon, on motion of Mr. Pease of Wiscasset, the Report and Bill were retabled pending acceptance of the "Ought to pass" Report and specially assigned for Wednesday, May 1.

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

HOUSE MAJORITY REPORT (8) — Ought not to pass — Minority Report (2) — Ought to pass — Committee on State Government on Resolve Authorizing the Disposal of Western Maine Sanatorium. (H. P. 401) (L. D. 600)

Tabled — April 16, by Mr. Berry of Cape Elizabeth.

Pending — Motion of Mr. Hammond of Paris to Accept Minority OTP Report.

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

Mr. HAMMOND: Mr. Speaker, I move that the House accept the Minority "Ought to pass" Report.

The SPEAKER pro tem: The gentleman from Paris, Mr. Hammond, moves that the House accept the Minority "Ought to pass" Report. Is this the pleasure of the House?

Mr. Pease of Wiscasset then requested a division on the motion to

accept the Minority "Ought to pass" Report.

The SPEAKER pro tem: A division has been requested. All those in favor of accepting the Minority "Ought to pass" Report, will please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Sixty-seven having voted in the affirmative and thirty having voted in the negative, the motion did prevail.

Thereupon, the Resolve was read once and assigned for second reading the next legislative day.

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

AN ACT Transferring Duties of Commissioner of Agriculture Relating to Shellfish to Commissioner of Sea and Shore Fisheries and Revising Laws Thereto. (S. P. 554) (L. D. 1489)

Tabled — April 16, by Mr. Coulthard of Scarborough.

Pending — Passage to be Enacted.

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

Mr. COULTHARD: Mr. Speaker, Ladies and Gentlemen of the House: I now move that this bill be indefinitely postponed, and I would like to speak briefly to my motion.

The SPEAKER pro tem: The gentleman may proceed.

Mr. COULTHARD: Mr. Speaker, Ladies and Gentlemen of the House: This bill seems logical and just, but I would like to explain what it really does. The Agriculture Department now has a Food Inspection Division whereas the Sea and Shore Fisheries does not. If passed, it would create such a division within the Sea and Shore Fisheries Department and it calls for an appropriation of approximately \$50,000 which could very well increase in the years to come. Now the Agriculture Department is now taking very good care of this duty, and it was brought out at the hearing that these two departments are working well together, but Sea and Shore Fisheries feel they are closer to the situation. To this I would agree,

but whereas these two departments are cooperating and working well together, I feel we could very well get along as we are and save the \$50,000 appropriation.

The SPEAKER pro tem: The question before the House is the motion of the gentleman from Scarborough, Mr. Coulthard, that the Bill be indefinitely postponed. Is that the pleasure of the House?

The motion prevailed.

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

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

AN ACT to Grant a New Charter to the City of South Portland. (H. P. 344) (L. D. 529)

Tabled — April 16, by Mr. Brown of South Portland.

Pending — Passage to be Enacted.

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

Mr. WELLMAN: Mr. Speaker, I move this item lay on the table until the next legislative day.

Mr. Gill of South Portland then requested a division on the tabling motion.

The SPEAKER pro tem: A division has been requested. All those in favor of the tabling motion, will please rise and remain standing until the monitors have made and returned their count.

A division of the House was had.

Sixty-six having voted in the affirmative and thirty having voted in the negative, the tabling motion did prevail.

Thereupon, the Bill was tabled pending passage to be enacted and specially assigned for Tuesday, April 30.

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

Bill "An Act relating to Permit to Operate Certain Farm Trucks." (H. P. 857) (L. D. 1244)

Tabled — April 17, by Mr. Coulthard of Scarborough.

Pending—Passage to be Engrossed.

Mr. Coulthard of Scarborough offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to H. P. 857, L. D. 1244, Bill, "An Act Relating to Permit to Operate Certain Farm Trucks."

Amend said Bill in the 4th and 6th lines by striking out the underlined word and punctuation "unladen,"

Further amend said Bill by striking out all of the last 2 underlined sentences and inserting in place thereof the following underlined sentences:

"Each farm truck so operated shall have adequate brakes and lights. The permit shall specify the route or routes of travel and time of day during which such permit shall be valid. It shall be unlawful to operate such a vehicle on the highway at a distance of more than 10 miles from the place where the vehicle is customarily kept."

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

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

HOUSE REPORT — Ought to pass in New Draft under New Title of "An Act Authorizing Insurance Commissioner to Regulate Exits in Certain Buildings." (H. P. 1054) (L. D. 1521) — Committee on Legal Affairs on Bill "An Act Authorizing Governor and Council to Regulate exits in Certain Buildings." (H. P. 784) (L. D. 1137)

Tabled — April 18, by Mr. Childs of Portland.

Pending — Acceptance of Report.

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

Mr. WELLMAN: Mr. Speaker, I note the absence of the gentleman from Portland, Mr. Childs, but he spoke to me sometime ago and I believe it is with his permission that I would move the acceptance of the report.

Thereupon, the "Ought to pass" Report was accepted, the New Draft read twice and assigned the next legislative day.

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

SENATE REPORT — Ought to pass in New Draft (S. P. 559) (L. D. 1499) — Committee on Appropriations and Financial Affairs on RESOLVE, relating to Research and Experimental Work in Relation to the Culture of Sugar Beets in Maine." (S. P. 222) (L. D. 610)—Engrossed in Senate.

Tabled — April 9, by Mr. Richardson of Stonington.

Pending — Acceptance of Report.

On motion of Mr. Richardson of Stonington, the "Ought to pass" in New Draft Report was accepted in concurrence, the New Draft read once and assigned the next legislative day.

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

Bill "An Act relating to Definition of 'Hotel' Under Liquor Law." (H. P. 299) (L. D. 393) — In House Engrossed with House "A" (Filing H-146) — In Senate Indefinitely Postponed in Non-Concurrence.

Tabled — April 9, by Mr. Rust of York.

Pending — Further Consideration.

On motion of Mr. Rust of York, retabled pending further consideration and specially assigned for Wednesday, May 1.

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

SENATE REPORT — Ought to pass with Committee Amendment "A" (Filing S-106) — Committee on State Government on Bill "An Act Increasing Salary of Forest Commissioner." (S. P. 374) (L. D. 1040)—In Senate Engrossed as Amended.

Tabled — April 9, by Mr. Bragdon of Perham.

Pending — Acceptance of Report.

The SPEAKER pro tem: The Chair recognizes the gentleman from Perham, Mr. Bragdon.

Mr. BRAGDON: Mr. Speaker, at this time I would like to move indefinite postponement of Committee Amendment "A" to Senate Paper 374, Legislative Document 1040, "An Act Increasing the Salary of Forest

Commissioner." If you go along with me on this motion, I will then offer House Amendment "A" to this bill. I have cleared this move with the House Chairman and some House members of the State Government Committee, and I believe they are in accord with me.

The SPEAKER pro tem: Is it the pleasure of the House that the Committee "Ought to pass" Report be accepted?

The motion prevailed, and the Bill was read twice.

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

COMMITTEE AMENDMENT "A" to S. P. 374, L. D. 1040, Bill, "An Act Increasing Salary of Forest Commissioner."

Amend said Bill in the first line by striking out the underlined abbreviation and figure "Sec. 1."

Further amend said Bill in the 6th line by striking out the underlined figure "\$14,250" and inserting in place thereof the underlined figure "\$11,500"; and by striking out the underlined figure "\$9,500" and inserting in place thereof the underlined figure "\$7,750"

Further amend said Bill by striking out all of section 2.

The SPEAKER pro tem: The Chair recognizes the gentleman from Perham, Mr. Bragdon.

Mr. BRAGDON: Mr. Speaker, I would now move indefinite postponement of Committee Amendment "A" for the reasons which I have just given.

Thereupon, Committee Amendment "A" was indefinitely postponed in non-concurrence.

Mr. Bragdon of Perham then offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to S. P. 374, L. D. 1040, Bill, "An Act Increasing Salary of Forest Commissioner."

Amend said Bill in the 6th line by striking out the underlined figure "\$14,250" and inserting in place thereof the underlined figure "\$11,500"; and by striking out the underlined figure "\$9,500" and inserting in place thereof the underlined figure "\$7,666.67"

Further amend said Bill in section 2 by striking out in the 2nd line the figure "\$800" and inserting in place thereof the figure "\$69.40"; and by striking out in the 3rd line the figure "\$1,000" and inserting in place thereof the figure "\$83.33"

The SPEAKER pro tem: The Chair recognizes the gentleman from Perham, Mr. Bragdon.

Mr. BRAGDON: Mr. Speaker, I would like to speak briefly. This amendment does not change the amount of the salary of the Commissioner as reported by the State Government Committee. It merely retains the present ratio payments to that salary which are two-thirds from the unorganized territory fund and one-third from the general fund. I hope that this amendment will be adopted.

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

Mr. DENNETT: Mr. Speaker, unless there be any doubt, I would most heartily concur with the gentleman from Perham, Mr. Bragdon. This does not change the Committee Report in any manner. It grants a \$250 raise which was the same as reported out of committee. Mr. Bragdon's amendment is merely corrective in the formula that is applied in the payment of this salary. I trust this amendment will be adopted.

Thereupon, House Amendment "A" was adopted in non-concurrence and the Bill assigned for third reading the next legislative day.

The SPEAKER pro tem: The Chair is pleased to recognize in the gallery the presence of the eighth grade from Windsor School, accompanied by Mrs. Dow, Mrs. Boggs, Mrs. Cargille and their teacher, Mr. Rich.

On behalf of the House it is a pleasure to welcome you here today and we hope that you will enjoy your presence with us. (Applause)

Order Out of Order

From the Senate: The following Order:

ORDERED, the House concurring, that when the Senate and House adjourn, they adjourn to meet on Tuesday, April 30, 1963. (S. P. 579)

Came from the Senate today read and passed.

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

The Chair laid before the House the tenth tabled and today assigned matter of Unfinished Business:

HOUSE REPORT — Ought not to pass as covered by other Legislation — Committee on Labor on Bill "An Act Amending Certain Provisions of the Employment Security Law." (H. P. 115) (L. D. 159)

Tabled — April 16, by Mr. Jalbert of Lewiston.

Pending — Acceptance of Report.

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

Mr. JALBERT: Mr. Speaker, Members of the House: This item is identical to the next one which is the measure of the gentleman from Bowdoinham, Mr. Curtis. I now move the acceptance of the "Ought not to pass" Report.

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

The Chair laid before the House the eleventh tabled and today assigned matter of Unfinished Business:

HOUSE REPORT — Ought not to pass as covered by other Legislation — Committee on Labor on Bill "An Act Repealing Certain Portions of the Employment Security Law." (H. P. 1) (L. D. 7)

Tabled — April 16, by Mr. Jalbert of Lewiston.

Pending — Acceptance of Report.

On motion of Mr. Jalbert of Lewiston, retabled pending acceptance of the Committee Report and specially assigned for Thursday, May 2.

The Chair laid before the House the twelfth tabled and today assigned matter of Unfinished Business:

Bill "An Act relating to Power of Eminent Domain of Maine State Park and Recreation Commission." (S. P. 542) (L. D. 1468) — House "A" (Filing H-220)

Tabled — April 16, by Mr. Wellman of Bangor.

Pending—Passage to be Engrossed.

Mr. WELLMAN: Mr. Speaker, I move the adoption of House Amendment under the filing number H-286.

The SPEAKER pro tem: The Chair understands that the gentleman from Bangor, Mr. Wellman, moves that the rules be suspended for the purpose of reconsidering our action whereby House Amendment "A" was adopted. Is this the pleasure of the House?

The motion prevailed.

The SPEAKER pro tem: The Chair understands that the gentleman from Bangor, Mr. Wellman, now moves that the House reconsider its action of April 16 where House Amendment "A" was adopted. Is this the pleasure of the House?

The motion prevailed.

Thereupon, on motion of Mr. Wellman of Bangor, the Bill was tabled pending the adoption of House Amendment "A" and specially assigned for Tuesday, April 30.

The Chair laid before the House the thirteenth tabled and today assigned matter of Unfinished Business:

SENATE REPORT — Ought to pass as Amended by Committee Amendment "A" (Filing S-104) — Committee on State Government on Bill "An Act Increasing the Salary of the Commissioner of Labor and Industry." (S. P. 302) L. D. 875)

Tabled — April 18, by Mr. Smith of Strong.

Pending — Acceptance of Report.

Thereupon, the Committee "Ought to pass" Report was accepted in concurrence and the Bill read twice.

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

COMMITTEE AMENDMENT "A" to S. P. 302, L. D. 875, Bill, "An Act Increasing the Salary of the Commissioner of Labor and Industry."

Amend said Bill in the 5th line by striking out the underlined figure "\$10,000" and inserting in place thereof the underlined figure "\$9,000"; and by striking out in the 6th line the stricken out figure "\$1,000" and the underlined figure "\$2,000" and inserting in place thereof the figure "\$1,000"

Further amend said Bill in the 11th line by striking out the figure "\$2,250" and inserting in place thereof the figure '\$834'; and by striking out in the 12th line the figure "\$3,000" and inserting in place thereof the figure '\$1,000'

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

Mr. SMITH: Mr. Speaker, am I in order at this time to present House Amendment "A" to Committee Amendment "A"?

The SPEAKER pro tem: The gentleman is in order.

Mr. SMITH: Mr. Speaker, I would present House Amendment "A" to Committee Amendment "A", Filing Number H-288 and move its adoption.

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

HOUSE AMENDMENT "A" to Committee Amendment "A" to S. P. 302, L. D. 875, Bill, "An Act Increasing the Salary of the Commissioner of Labor and Industry."

Amend said Amendment in the first paragraph by striking out everything after the underlined quotation and figure "\$9,000"

Further amend said Amendment by striking out in the 7th line the punctuation and figure "'\$834'" and inserting in place thereof the punctuation and figure "'\$1,668'"; and by striking out in the 9th line the punctuation and figure "'\$1,000'" and inserting in place thereof the punctuation and figure "'\$2,000'"

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

Mr. SMITH: Mr. Speaker, I would like to speak just briefly to this amendment. The original bill, L. D. 875, called for an increase of \$3,000 to the salary, the annual salary, and as a member of the Industrial Accident Commission to the Commissioner of Labor. It came before our committee and our committee presented this Committee Amendment "A" which reduced that increase from \$3,000 to \$1,000 and made that increase to be an increase in the annual salary from \$8,000 to \$9,000 and leaving the pay as a member of the Industrial Ac-

cident Commission the same at \$1,000.

After looking over the increases that have been given to other commissioners, it seems to me that this is not a fair and a just increase to the Commissioner of Labor. She is a woman and sometimes I think that we think that women can operate on less money than men can, but here is a woman that I believe is doing as much work in her department as any commissioner is doing in any department in the State of Maine. I feel that her salary should be at least equal to the salary increases that other commissioners are getting. What we are attempting to do here is only a fair and a just thing in presenting a non-discriminatory House Amendment that has the effect of doing the following: it leaves her annual salary at \$9,000, the same as Committee Amendment "A" would do; but it would increase her pay as a member of the Industrial Accident Commission to the original bill, an increase of \$1,000 to \$2,000 which has the total effect of increasing her pay \$2,000. This is still \$1,000 less than what was originally asked. I trust the House can go along and hope it will with raising her pay the same or pretty much the same as the other commissioners are getting. Thank you, Mr. Speaker.

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

Mr. DENNETT: Mr. Speaker and Members of the House: Reluctantly I arise to oppose the motion made by the gentleman from Strong, Mr. Smith. So far this legislature has gone along with the reports of the Committee on State Government. I feel this morning that if anything is done to upset and disturb the formula for pay raises as put out by this committee, it will establish a precedent and we will be deluged with more amendments for more pay raises and it will only add confusion to an already troubled situation. Now frankly this came out of committee with a unanimous "Ought to pass" Report. We were all agreed and in every instance on these pay-raise bills we were agreed on what the formula should be and

what the raises, if any, should be granted. Now this upsets the apple cart. I am very fearful as to what its consequences might be.

Now there is no member of the committee that bore any animosity toward the Commissioner of Labor and Industry, neither were there any personal feelings in any manner. We are all agreed that she has done a good job, but after all, what do we employ people for in these capacities if it is not to do a good job? It is to be expected. I cannot see where in this instance any further pay raise other than that which was granted by the Committee Report should be accepted in this body. Therefore, Mr. Speaker, I now move the indefinite postponement of this amendment, and when the vote is taken, I ask for a division.

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

Mr. CURTIS: Mr. Speaker, Ladies and Gentlemen: I do not agree with my good friend, the gentleman from Kittery. In the 99th Legislature, I think we went along with a raise for practically everyone but the Commissioner. In the 100th we didn't go along with a raise for anyone. Now I think the Commissioner, you are saying it mildly when you say she is just doing a good job. She is doing an outstanding job. I have had occasion on several occasions to prove it. I will tell you of just one occasion. A gentleman down in my area, not in the town that I represent, came to me and he was in dire trouble. He operates a machine which is a boring machine to find out — the bridge people or the state highway to find out what we find down below. A man goes down 100 feet to find out what the bedrock is. It seemed that a gentleman from Canada also was doing the same thing. And he told him, if you want to go along with me, why I will give you some work. If you don't I am going to underbid everything. Now if you will go along with me, I will give you some of this work and I will furnish you people from Canada which will work for less money than you are paying your men from Maine. That is the way you are going to get anything. So this machine cost a lot of money

—I forget how many tens of thousands of dollars. So I said the place to go is to go see the Commissioner. So he came up and we went over to see her, and she started in. She didn't go over anybody's head. She went to Bangor first to the proper authorities and then to Boston and then finally wound up in Washington. Well, the result was in less than one-half hour, we had it all straightened out and these gentlemen from Canada, this man could underbid if he had a mind to, but they couldn't come in here and cut the prices of labor here in Maine. A great many people were affected by that and she did a wonderful job. She knew how to do it, and it was done right away. And the man has continued and is still in business. Now that is the kind of a Commissioner you have got. We are not paying her sufficiently; we have used her niggardly and I hope that you don't go along with the indefinite postponement because the amendment if there is anything about it unfair, it is not enough.

The SPEAKER pro tem: The question before the House is the motion of the gentleman from Kittery, Mr. Dennett, that House Amendment "A" to Committee Amendment "A" be indefinitely postponed.

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

Mr. ANDERSON: Mr. Speaker, Ladies and Gentlemen of the House: I want to go on record as concurring with the gentleman from Kittery, Mr. Dennett, and I certainly hope the motion to indefinitely postpone Amendment "A" to Amendment "A" is soundly defeated.

The SPEAKER: Is the House ready for the question? A division has been requested.

The Chair recognizes the gentleman from Strong, Mr. Smith.

Mr. SMITH: Mr. Speaker, it is with no joy that I stand here in opposition to the gentleman from Kittery, Mr. Dennett, for I think he knows and we all know that we have worked together pretty much during this entire session and I have the utmost respect for his work and his leadership in our Committee on State Government.

It is true that I voted with the rest of the people of the Committee at the time that the Committee vote was taken to have this Committee Amendment "A" which would reduce the original request by \$2,000. And on very few occasions do we ever change our minds, but this is one of the times when I have, and I will admit it. After looking over this whole program seeing what other commissioners are getting from \$14,000 to \$17,000 many of them and she getting only \$8,000, I felt it was unfair. That is one of the reasons why we have put this amendment in. As far as the formula on our committee is concerned, we have operated very well. I don't think I am disturbing any formula, but of course, this is a disturbance to what the committee did. But as of any formula, I don't know any formula that we were actually operating under.

The Commissioner of Labor has done an outstanding piece of work, as the gentleman from Bowdoinham, Mr. Curtis says, my good uncle. I am very happy he says this as this is one of the few times that we have been together in this Legislature. And she is not going to be in this office very much longer, I believe only a couple of years; and I feel that this is only just and fair. This will help her in her retirement and I trust when the division is taken, that the motion to indefinitely postpone does not prevail.

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

Mr. HENDSBEE: Mr. Speaker, Ladies and Gentlemen of the House: As an individual, I might say to you that I take great pride in supporting the motion of the gentleman from Strong. As many of you know, I was a cripple for over a year due to an accident in industry. At times, there are foul-ups in your insurance benefits and things of that type. To a man who was confined to a wheelchair, it was very difficult to get around to get anything done. But I want to say to you here and now that the Commissioner of Labor did everything that was humanly possible to help me in my case, and when you have been

as active as I have been and suddenly find yourself confined to a wheelchair with the possibility of being a cripple all the rest of your life, when somebody comes to your help—and you are in need of financial help which you are entitled to get, but have a little difficulty getting it, and it clears the way for you to make life a little better, a little easier, these are kind of people, ladies and gentlemen, that we need on the kind of a job that our Commissioner of Labor holds and the work that she does. As a member and an official of organized labor, I might say that we have never had a more cooperative Commissioner than the one we have right now. People who do the work are entitled to all that we can give them. I trust that you will support the motion of the gentleman from Strong.

The SPEAKER pro tem: The question before the House is the motion of the gentleman from Kittery, Mr. Dennett, that House Amendment "A" to Committee Amendment "A" on Bill "An Act Increasing Salary of the Commissioner of Labor and Industry," Senate Paper 302, Legislative Document 875, be indefinitely postponed. A division has been requested.

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

A division of the House was had.

Sixty-eight having voted in the affirmative and thirty-seven having voted in the negative, the motion to indefinitely postpone did prevail.

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

The Chair laid before the House the fourteenth tabled and today assigned matter of Unfinished Business:

HOUSE JOINT ORDER in Re Study of Efficiency of Department of Economic Development.

Tabled — April 19, by Mr. Plante of Old Orchard Beach.

Pending — Passage.

Thereupon, on motion of Mr. Plante of Old Orchard Beach, reta-

bled pending passage and specially assigned for Wednesday, May 1.

The Chair laid before the House the fifteenth tabled and today assigned matter of Unfinished Business:

Bill "An Act relating to Motor Vehicle Registration Plates." (S. P. 569) (L. D. 1514)

Tabled — April 19, by Mr. Viles of Anson.

Pending — Passage to be Engrossed.

The SPEAKER pro tem: The Chair recognizes the gentleman from Anson, Mr. Viles.

Mr. VILES: Mr. Speaker, I now move this bill be passed to be engrossed.

On motion of Mr. Plante of Old Orchard Beach, tabled until later in today's session.

The Chair laid before the House the sixteenth tabled and today assigned matter of Unfinished Business:

Bill "An Act Appropriating Funds for Grants-in-Aid for Construction of Municipal Sewage Treatment Facilities." (S. P. 90) (L. D. 227)

Tabled — April 19, by Mr. MacLeod of Brewer.

Pending—Passage to be Engrossed.

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

The Chair laid before the House the seventeenth tabled and today assigned matter of Unfinished Business:

Bill "An Act to Authorize Town of Woodville to Pay for Power Line." (H. P. 258) (L. D. 327)

Tabled — April 9, by Mr. Birt of East Millinocket.

Pending—Passage to be Engrossed.

Mr. Birt of East Millinocket offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to H. P. 258, L. D. 327, Bill, "An Act to Authorize Town of Woodville to Pay for Power Line."

Amend said Bill in the Title by striking out the words "Pay for

Power Line" and inserting in place thereof the words 'Provide Electricity for Municipal Use'

Further amend said Bill by striking out everything after the title and inserting in place thereof the following:

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

Whereas, the construction of power lines to rural areas of the State for the purpose of providing electric power to the inhabitants is essential to promote the overall health, prosperity and development of the State; and

Whereas, the following legislation is vitally necessary to allow the Town of Woodville to provide electricity for said town; and

Whereas, it is imperative that the power line should be constructed as soon as possible this year; 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, Be it enacted by the People of the State of Maine, as follows:

Town of Woodville; authorized. The Town of Woodville is authorized upon the vote of a special or annual town meeting to raise, appropriate and borrow a sum not to exceed \$31,000 to construct a power line in said town at a location to be determined by the municipal officers for the purpose of supplying electricity for municipal use.

Emergency clause. In view of the emergency cited in the preamble, this act shall take effect when approved.'

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

The Chair laid before the House the eighteenth tabled and today assigned matter of Unfinished Business:

Bill "An Act Regulating the Pledging of Credit of the City of Bidde-

ford." (H. P. 123) (L. D. 167) — In House Indefinitely Postponed.

In Senate Engrossed with Committee Amendment "A" (Filing H-196) Tabled — April 17, by Mr. Cartier of Biddeford.

Pending — Further Consideration.

On motion of Mr. Cartier of Biddeford, the House voted to insist on its former action whereby the Bill was indefinitely postponed.

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

HOUSE REPORT — Ought not to pass — Covered by other Legislation — Committee on Legal Affairs on Bill "An Act relating to Sale of Beverages in Returnable Bottles." (H. P. 65) (L. D. 89) — In House April 18th Ought Not to Pass Report Accepted.

Tabled — April 19, by Mr. Cookson of Glenburn.

Pending — Motion of Mr. Osgood of Corinna to Reconsider.

The SPEAKER pro tem: The question before the House is the motion of the gentleman from Corinna, Mr. Osgood, to reconsider the action of the House in accepting the "Ought not to pass" Report on April 19, and the Chair recognizes that gentleman.

Mr. OSGOOD: Mr. Speaker, Ladies and Gentlemen: We have before us this morning a bill which will save a considerable amount of money for the taxpayers of this state. An editorial in the Portland Sunday Telegram a few weeks ago had this to say, and I quote: "State Highway report shows that their cost for cleaning up roadsides was \$75,000, and a conservative estimate is that it cost the municipalities of the state two hundred plus." We do not contend that this litter consists entirely of bottles, but we do say, and it is a well-known fact, that these non-returnable bottles constitute a very large percentage of this litter.

An editorial in the Bangor Daily News had this to say on this bill: "This is a good bill, but it doesn't go far enough."

There is another excellent bill before this Legislature; we had it in the House the other day, introduced

I believe by Senator Kimball, that can be endorsed without reservation. His bill gives the authority of enforcement to every law enforcement officer in the state from a constable up to the top-ranking ones. There are other good litter bills that merit our attention. But the bill before you today is a companion bill to any bill that we may adopt because it attacks the problem from a different angle, at its source so to speak. We believe that these two bills working together will reduce this major problem to a minor one and eventually practically eliminate it.

Twenty-five years ago not many bottles littered the roadsides and ditches, the hayfields and croplands adjoining the highways. Now we are reliably informed that some of the chain stores have increased their purchases of beverages in non-returnable bottles by 50 percent in the last 36 months. So you see the situation is getting no better fast.

As yet I have not mentioned the problems these beverage bottles have presented to the farmers of our state. As the volume of sales has increased on these non-returnable bottles, so has the number increased that farmers have found on their property. This has become a very expensive problem for these gentlemen to the tune of thousands of dollars. Tractors and other farm machinery tires have been ruined. As hay is cut and baled, often bottles are found broken inside the bales. Many times this glass is not discovered, and cows have swallowed the jagged bits of glass. Then there is no remedy and it means the loss of a valuable animal.

Now, ladies and gentlemen, we have the opportunity to gain some relief from this expensive and vexing problem without any cost to the taxpayer. We believe that the members of the 101st Legislature will agree with us that the farmers of this state have been very patient with us the past years. Now this time has come when something can and we feel must be done. Let us not forget this group of gentlemen, the farmers of Maine, contribute millions to the economy of the state.

Furthermore, we are glad to know there are approximately 200,000 vot-

ers interested in this bill, including the State Grange, the Farm Bureau, the garden clubs, all groups interested in the beautification, as well as the farmers and other property owners.

We don't know of any beverage-bottling firms in the State of Maine whose bottles are not returnable. Are we going to allow out-of-state companies to make the State of Maine roadsides and adjoining fields a dumping ground for unwanted bottles? Yes, there will be some bottles thrown out, even returnable bottles, but these bottles will soon be picked up by those who want to get the money that can be realized from them.

Now, this bill has come out "Ought not to pass." I believe that we need it in conjunction with this other one. Now, it's up to the people, it's up to the legislators to make this decision, and taking everything into consideration, I would like a division on this and perhaps maybe a roll call as there are so many people involved that I think that they should know how we vote on this. I am willing that the people back home know how I vote on everything that I vote on here; sometimes perhaps I'm wrong, but I am doing what I think I ought to, and I think that we should want them to know. Thank you.

The SPEAKER pro tem: The Chair recognizes the gentleman from Caribou, Mr. Norton.

Mr. NORTON: Mr. Speaker, Ladies and Gentlemen of the House: I am a freshman legislator and perhaps I should not speak at this time. However, I am especially interested in this bill. This bill relates to returnable malt beverage bottles and other bottles. I feel quite strongly regarding same. I also realize that they reported out of two committees unfavorably and probably will not pass. However, I do want to register a protest and state my reasons. I am largely concerned with the malt beverage bottles thrown out along our highways. Perhaps, and I firmly believe this, that the situation is much more acute in northern Maine than elsewhere. These bottles are classed as non-returnable. It is possible to make them returnable, a great

many of them would be picked up and returned by our young people, and I have also seen grown men picking up bottles for the small return they got from them. Perhaps, if they were returnable, they would not be thrown out quite so indiscriminately.

All bottles and trash are unsightly, but the malt beverage bottle is a much greater hazard. In northern Maine after an entire winter accumulation of snow and bottles, our highways are an unsightly mess. It is not as noticeable on the high-speed highways in southern Maine. A town committeeman wrote me this past winter telling about cleaning up along the highways of his farms. One spring he picked up eight barrels of empty bottles. That is a lot of trash. At home it is my first duty every morning to go around my lawns and pick up the bottles and trash accumulated during the night. If I do not take a container, it frequently requires more than one trip to clean it up.

My business as a farm machinery dealer takes me out among the farmers very frequently, and I am compelled to listen to their troubles and complaints regarding damage to their tractor tires and tires on other machinery caused by these bottles. I do wish to tell my first experience on making a call on a farmer. I was driving in the grass along the edge of the highway, I cut and ruined two 900 x 14 tires on my car. Later the service mechanic, while making calls, ruined two more tires hidden in the grass. This damage was all done by malt beverage bottles hidden in the grass along the highway.

There is a bill coming up a little later imposing a heavy fine for throwing out trash, but trash and especially bottles are for the most part thrown out during the night. It is difficult to catch and fine an unknown party. I firmly believe that we need this bill. Thank you.

The SPEAKER pro tem: The Chair recognizes the gentleman from Eddington, Mr. Gilbert.

Mr. GILBERT: Mr. Speaker, the Committee on Legal Affairs listened to all these arguments and still was not convinced that this was the proper vehicle or would solve the

problem. It was admitted by everyone that even though bottles are now returnable, that they are now found along the highways and the by-ways, so by making all bottles returnable will just increase the mess that much more. But secondly, and this is the thing that bothered me considerably is by making bottles returnable with the hope that the children would go out on the highways to pick them up, I don't consider a very good safety program.

The SPEAKER pro tem: The question before the House is the motion of the gentleman from Corinna, Mr. Osgood, that the House reconsider its action whereby it accepted the "Ought not to pass" Report.

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

Mr. BOOTHBY: Mr. Speaker, I want to concur with the first two speakers on this problem. To the gentleman on the Legal Affairs Committee, I think that if he will make a personal inspection of those bottles that are the litter, he will find very very few of them are returnables.

The SPEAKER pro tem: Is the House ready for the question?

The Chair recognizes the gentleman from Corinna, Mr. Osgood.

Mr. OSGOOD: Mr. Speaker, I request a roll call please.

The SPEAKER pro tem: A roll call has been requested.

The Chair recognizes the gentleman from Owl's Head, Mr. MacPhail.

Mr. MacPHAIL: Mr. Speaker, I cannot see how the passage of this bill would solve this problem in any way. The reason that most of the bottles littering the highways are non-returnable is because most malt beverages are sold that way at the present time. However, if this were outlawed, still returnable bottles would litter the highways as they do at the present time. However, not only does it call for malt beverages in returnable bottles, it calls for outlawing all of malt beverage and soft drinks as well in tin containers. I doubt if we would want to eliminate those. They are most convenient. The malt beverage containers would also litter the highways so you have got your litter

problem, but you would also eliminate the ginger ale, orangeade and other stuff that is available today in most convenient tin containers. I would hope that the acceptance of this "Ought not to pass" Report be adhered to.

The SPEAKER pro tem: The Chair recognizes the gentleman from Dexter, Mr. Harrington.

Mr. HARRINGTON: Mr. Speaker, Members of this House: Last weekend I had the privilege of picking up 236 bottles, and my total net profit for that was six cents. Now that represents an accumulation along about three quarters of a mile of pavement on both sides of the road. I do this every spring. Thank you.

The SPEAKER pro tem: The Chair recognizes the gentleman from Corinna, Mr. Osgood.

Mr. OSGOOD: Mr. Speaker, in reply to the gentleman behind me here I wish to state this bill mentions, in fact, it includes only glass containers. There are the culprits.

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

Mr. MCGEE: Mr. Speaker, this bill asking for reconsideration has some merit. The thing that I don't like about it and I think the thing that we ought to take care of is to think that we are depending on children to pick up bottles on the highways. Now I trust we are making every effort to do what we can to preach safety to children to keep them off the highways. That is why I don't think we ought to take a chance on allowing the children to be on the highways doing this kind of work.

The SPEAKER pro tem: The Chair recognizes the gentleman from Dexter, Mr. Harrington.

Mr. HARRINGTON: Mr. Speaker and Members of the House: I have heard children belabored here picking up these bottles, but in my own case I know that several of these people that pick up these bottles aren't children; and again back to this field, the fellow that takes care of that field very nicely with the exception of the six cents, he is no child. Thank you.

The SPEAKER pro tem: A roll call has been requested. In order

for the Chair to order a roll call it must have the desire of one-fifth of the members of the House present. All those who desire a roll call please rise and remain standing until the monitors have made and returned the count.

An insufficient number arose.

The SPEAKER pro tem: Obviously, less than one-fifth of the members having arisen, a roll call is not ordered.

The question before the House is the motion of the gentleman from Corinna, Mr. Osgood, that the House reconsider its action whereby it accepted the "Ought not to pass" Report.

Mr. Anderson of Ellsworth requested a division.

The SPEAKER pro tem: A division has been requested. All those in favor of reconsideration will rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

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

The Chair laid before the House the twentieth tabled and today assigned matter of Unfinished Business:

HOUSE REPORT — Ought not to pass — Committee on Municipal Affairs on Bill "An Act to Increase the Term of Office of the Mayor, City Council, Board of Police and Board of Education, Warden and Ward Clerk for the City of Biddeford." (H. P. 546) (L. D. 762)

Tabled — April 19, by Mr. Cartier of Biddeford.

Pending — Acceptance of Report.

On motion of Mr. Nadeau of Biddeford, the Bill was substituted for the "Ought not to pass" Committee Report, the Bill read twice and assigned the next legislative day.

The Chair laid before the House the twenty-first tabled and today assigned matter of Unfinished Business:

HOUSE REPORT — Ought to pass with Committee Amendment "A" (Filing H-273) — Committee on Education on Bill "An Act relating to Disposal of Certain Real Proper-

ty by Directors of School Administrative Districts." (H. P. 724) (L. D. 1053)

Tabled — April 19, by Mr. Curtis of Bowdoinham.

Pending — Acceptance of Report.

On motion of Mr. Curtis of Bowdoinham, the "Ought to pass" Committee Report was accepted and the Bill read twice.

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

COMMITTEE AMENDMENT "A" to H. P. 724, L. D. 1053, Bill, "An Act Relating to Disposal of Certain Real Property by Directors of School Administrative Districts."

Amend said Bill in the 8th and 9th lines of section 1 by striking out the underlined words "of its origin without calling a district meeting for that purpose" and inserting in place thereof the following underlined words "where the same is located provided the School Administrative District had assumed no indebtedness or lease obligation on account of said property"

Further amend said Bill by striking out all of the 10th, 11th, 12th, 13th and 14th underlined lines of section 2 and inserting in place thereof the following:

"the directors may sell school property and buildings to the town where the same are located at a mutually acceptable price without advertising, provided the School Administrative District had assumed no indebtedness or lease obligation on account of said property."

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

The Chair laid before the House the twenty-second tabled and today assigned matter of Unfinished Business:

Bill "An Act Providing Access Roads to Ski Areas Open to General Public." (S. P. 570) (L. D. 1515)

Tabled — April 19, by Mr. Pease of Wiscasset.

Pending — Passage to be Engrossed.

The SPEAKER pro tem: The Chair recognizes the gentleman from Wiscasset, Mr. Pease.

Mr. PEASE: Mr. Speaker, I would ask through the Chair of any member of the Committee that heard the bill and reported it out in new draft, if the residents of a municipality which might be affected by this have at any time during the proceedings the right to vote on the question of whether or not one of these highways would be constructed? The purpose of the question is that in sub-section VI of the bill the municipality shall assume the responsibility for properly maintaining the road as a public highway after it is once constructed.

The SPEAKER pro tem: The gentleman from Wiscasset, Mr. Pease, poses a question through the Chair to anyone who may care to answer.

Is it now the pleasure of the House that this Bill be passed to be engrossed?

The motion prevailed. Sent to the Senate.

The Chair laid before the House the twenty-third tabled and today assigned matter of Unfinished Business:

Bill "An Act Revising the Laws Relating to Litter." (H. P. 1055) (L. D. 1522)

Tabled — April 19, by Mr. Wellman of Bangor.

Pending — Passage to be Engrossed.

Mr. Wellman of Bangor offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to H. P. 1055, L. D. 1522, Bill, "An Act Revising the Laws Relating to Litter."

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

'Sec. 1. R.S., c. 137, Sec. 28-A, repealed. Section 28-A of Chapter 137 of the Revised Statutes, as enacted by chapter 177 of the public laws of 1961, is repealed.'

Further amend said Bill in that part designated "Sec. 30." of section 2 by striking out the single quotation mark at the end and inserting in place thereof the following underlined paragraph:

"Every law enforcement officer in the State, including wardens of the Department of Inland Fisheries and Game, wardens of the Department of Sea and Shore Fisheries, foresters of the Forestry Department and liquor inspectors of the State Liquor Commission shall have authority to enforce this section and section 29."

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

The Chair laid before the House the twenty-fourth tabled and today assigned matter of Unfinished Business:

AN ACT relating to Non-alcoholic Drink Products and Beverages. (S. P. 469) (L. D. 1346)

Tabled — April 19, by Mr. Scott of Wilton.

Pending—Passage to be Enacted.

Thereupon, on motion of Mr. Scott of Wilton, passed to be enacted, signed by the Speaker and sent to the Senate.

The Chair laid before the House the twenty-fifth tabled and today assigned matter of Unfinished Business:

AN ACT relating to Proceedings in Adoption of Children." (H. P. 1024) (L. D. 1485)

Tabled — April 19, by Mr. Minsky of Bangor.

Pending—Passage to be Enacted.

On motion of Mr. Knight of Rockland, passed to be enacted, signed by the Speaker and sent to the Senate.

The Chair laid before the House the twenty-sixth tabled and today assigned matter of Unfinished Business:

RESOLVE Reimbursing Bay Ferry Corporation for Loss of Its Business. (H. P. 92) (L. D. 136)

Tabled — April 23, by Mr. Childs of Portland.

Pending — Final Passage.

On motion of Mr. Brewer of Bath, retabled pending final passage and specially assigned for Tuesday, April 30.

The Chair laid before the House the twenty-seventh tabled and today

assigned matter of Unfinished Business:

HOUSE MAJORITY REPORT (7) — Ought to Pass — Minority Report (3) — Ought not to pass — Committee on Natural Resources on Bill "An Act Classifying Certain Tidal Waters in Hancock County." (H. P. 346) (L. D. 501)

Tabled — April 16, by Mr. Williams of Hodgdon.

Pending — Acceptance of Either Report.

On motion of Mr. Williams of Hodgdon, the Majority "Ought to pass" Report was accepted, the Bill read twice and assigned the next legislative day.

The Chair laid before the House the twenty-eighth tabled and today assigned matter of Unfinished Business:

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

Tabled — April 16, by Mr. Treworgy of Gorham.

Pending—Passage to be Engrossed.

On motion of Mrs. Smith of Falmouth, retabled pending passage to be engrossed and specially assigned for Friday, May 3.

The Chair laid before the House the twenty-ninth tabled and today assigned matter of Unfinished Business:

Bill "An Act to Authorize Cumberland County to Raise Money for Court House Capital Improvements." (S. P. 283) (L. D. 797) — Committee Amendment "A" (Filing S-93)

Tabled — April 16, by Mrs. Smith of Falmouth.

Pending—Third Reading.

On motion of Mrs. Smith of Falmouth, retabled pending third reading and specially assigned for Friday, May 3.

The Chair laid before the House the thirtieth tabled and today assigned matter of Unfinished Business:

SENATE REPORT — Ought to pass with Committee Amendment "A" (Filing S-140) — Committee on Towns and Counties on Bill "An Act Increasing Salary of Superior

Court Messenger of Cumberland County." (S. P. 404) (L. D. 1107) of Bridgton.

Tabled — April 17, by Mr. Oberg Pending — Acceptance of Report.

On motion of Mrs. Smith of Falmouth, retabled pending acceptance of the Committee Report and specially assigned for Friday, May 3.

The Chair laid before the House the thirty-first tabled and today assigned matter of Unfinished Business:

SENATE REPORT — Ought to pass in New Draft (S. P. 553) (L. D. 1490) — Committee on Agriculture on Bill "An Act to Create Water Conservation Districts and to Expand Powers of Soil Conservation Districts." (S. P. 45) (L. D. 125) (Filing S-155)

Tabled — April 18, by Mr. Smith of Bar Harbor.

Pending—Acceptance of Report.

On motion of Mr. Young of Gouldsboro, retabled pending acceptance of Committee Report and specially assigned for Tuesday, April 30.

The Chair laid before the House the thirty-second tabled and today assigned matter of Unfinished Business:

SENATE REPORT — Ought to pass with Committee Amendment "A" (Filing S-152) — Committee on Labor on Bill "An Act Revising Laws Relating to Elevators." (S. P. 181) (L. D. 480)

Tabled — April 18, by Mr. MacPhail of Owl's Head.

Pending—Acceptance of Report.

The **SPEAKER** pro tem: The Chair recognizes the gentleman from Owl's Head, Mr. MacPhail.

Mr. MacPHAIL: Mr. Speaker, Ladies and Gentlemen of the House: this bill does nothing whatever except increase the fees for inspection of elevators, nothing to do with safety whatever. Passenger elevators are required to be inspected now three times a year and freight elevators twice a year, for which at the present time they receive \$6.00 per inspection. I find that an inspection of an elevator consumes approximately half an hour's time which means \$12.00 an hour. They

are asking for \$20.00 an hour. In view of the fact that the taxpayer is asked this year to absorb some twenty-odd million dollars in additional departmental expenditures, it would seem that this additional departmental gouge is entirely unnecessary, and I move the indefinite postponement of this bill and all accompanying papers.

The SPEAKER pro tem: The gentleman from Owl's Head, Mr. MacPhail, moves the indefinite postponement of the Report and the Bill.

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

Mr. EWER: Mr. Speaker, as a member of the Committee on Labor which reported this bill out and amended it to meet the objections of one of the groups in the state, that is the poultry raisers, I feel that the statement of the gentleman from Owl's Head, Mr. MacPhail, in regard to this not helping safety out at all, does not have as much merit perhaps as it might seem at first glance. The bill, through its increase in fees for inspection, will allow a more thorough job to be done than what has been done at present, and while of course passenger elevators are pretty strictly inspected now, yet there are some freight elevators which do not get the inspection, in the opinion of the Labor Committee, that they should have, and we felt that this bill was a step in the right direction. I hope the motion to indefinitely postpone does not prevail.

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

Mr. JONES: Mr. Speaker, Ladies and Gentlemen of the House: I would like to inquire through the Chair of anyone who might answer as to whether or not these elevators which are covered by liability insurance, if the insurance carrier doesn't notify the department as to the safety of these elevators along parallel lines with the steam boilers. You have a state law whereby steam boilers above a certain pressure have to be inspected. However, when these boilers are covered with insurance, the insurance carrier makes the inspection and so notifies the department, so it is not necessary for the department in-

dividual to go out and make the inspection. I wonder if there is a parallel in this situation if somebody can answer it.

The SPEAKER pro tem: The gentleman from Farmington, Mr. Jones, has posed a question through the Chair to anyone who may answer if he wishes.

The Chair recognizes the gentleman from Denmark, Mr. Dunn.

Mr. DUNN: Mr. Speaker, it was my understanding, Ladies and Gentlemen of the House, that an insured elevator is not inspected by the Labor Department, I think. I wouldn't be positive, but it is my understanding that that took care of that.

There was one — before the vote is taken, I would like to read a couple of paragraphs here from the presentation the Department of Labor and Industry gave on this bill. It said these amendments are simply to increase the certificate fee from \$2.00 to \$3.00; the fee for state inspections from \$6.00 to \$10.00 and to increase the initial inspection fee from \$10.00 to \$20.00. These increased fees would more nearly approximate the operating costs of the present day. The revenue of the Elevator Division is dedicated to the enforcement of the elevator law. At the present time, we have an annual deficit of about \$4,100 which must be provided from the general fund. The proposed increase in fees would reduce the annual deficit by approximately \$3,453.

One case that was mentioned by the inspector when he was before the Committee was that he made a trip to inspect a new installation I believe it was in Madawaska, but it was way at the northern end of the state, took the whole trip which was two days and he got back and sent them a bill for \$10.00. So there are circumstances there that it probably averages up, and the Commissioner asked us even if we deleted the part of the bill that referred to agricultural elevators, she hoped that we would go along with these new rates, because they were needed. I hope the indefinite postponement does not prevail.

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

Mr. SCOTT: Mr. Speaker, this bill, in my opinion, does nothing but put more controls on the farmer. They are already having troubles enough and I am very happy to go along with my friend from Owl's Head, Mr. MacPhail.

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

Mr. EWER: Mr. Speaker, the Labor Committee gave this bill a re-hearing at the request of the farmers, and at that time, they agreed to set up some machinery of their own after a study for self-policing of their elevator problems, so we gave them the Committee Amendment "A" which releases farm elevators and conveyors and so on from the inspection law. As the gentleman from Denmark, Mr. Dunn pointed out, this measure purely and simply is one to enable the department to begin to approximate the cost of this inspection to the state. On the motion for indefinite postponement I would ask for a division. Thank you.

The SPEAKER pro tem: A division has been requested. The question before the House is the motion of the gentleman from Owl's Head, Mr. MacPhail, that the Report and Bill "An Act Revising Laws Relating to Elevators," Senate Paper 181, Legislative Document 480, be indefinitely postponed.

All those in favor of the motion to indefinitely postpone 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.

Fifty-nine having voted in the affirmative and thirty having voted in the negative, the motion did prevail, the Report and Bill were indefinitely postponed in non-concurrence and sent up for concurrence.

The Chair laid before the House the thirty-third tabled and today assigned matter of Unfinished Business:

HOUSE MAJORITY REPORT (8) — Ought not to pass — Minority Report (2) — Ought to pass with Committee Amendment "A" (Filing H-259) — Committee on Legal Affairs on Bill "An Act to Revise

the Electrician Licensing Law." (H. P. 380) (L. D. 555)

Tabled — April 18, by Mr. Philbrick of Augusta.

Pending — Acceptance of Either Report.

On motion of Mr. Wellman of Bangor, retabled pending acceptance of either Report and specially assigned for Tuesday, April 30.

The Chair laid before the House the thirty-fourth tabled and today assigned matter of Unfinished Business:

Bill "An Act Providing for an Insurance Reserve Fund for City of Portland." (S. P. 540) (L. D. 1465)

Tabled — April 19, by Mr. Philbrick of Augusta.

Pending — Passage to be Engrossed.

Mr. Dennett of Kittery offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to S. P. 540, L. D. 1465, Bill, "An Act Providing for an Insurance Reserve Fund for City of Portland."

Amend said Bill in the Title by striking out the words "an Insurance" and inserting in place thereof the words "a Cumulative"

Further amend said Bill by striking out in the 4th line the underlined word "insurance"

Further amend said Bill by striking out all of the first underlined sentence of section 13 and inserting in place thereof the following:

'A cumulative reserve fund is hereby authorized for the purpose of enabling the city to pay losses incurred under deductible insurance policies.'

Further amend said Bill by striking out in the 13th and 14th lines the underlined word "insurance"

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

Mr. DENNETT: Mr. Speaker and Members of the House: Pending adoption of this amendment, I would speak briefly as to what this is all about.

Frankly, I have no desire whatsoever, to inject myself into the affairs of the City of Portland, but this bill as originally written estab-

lishes a reserve fund to pay off losses which might occur under a deductible policy held by the City of Portland. Now a deductible policy is not customarily carried by most cities and towns, particularly those of smaller population than the City of Portland. But the City of Portland is a large city, and they feel that they can afford to do this and thus receive a considerable saving on the amount that they pay for insurance; but as the bill was originally written, insurance being a very complex matter in itself, it more or less establishes a dangerous precedent, and this amendment is corrective. It allows the City of Portland to do exactly what they intended under this original bill, but it spells it out in a more definite form. It does not harm their intent in any way whatsoever. I have spoken to most of the members. I tried to contact them all of the Portland Delegation, and they are all agreed this amendment in no way will upset that which it is intended to do and I urge its adoption.

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

The Chair laid before the House the thirty-fifth tabled and today assigned matter of Unfinished Business:

Bill "An Act Providing for Vehicle Equipment Safety Compact." (H. P. 465) (L. D. 669) — Committee Amendment "A" (Filing H-255)

Tabled — April 19, by Mr. Waterman of Auburn.

Pending — Passage to be Engrossed.

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

Mr. WATERMAN: Mr. Speaker, Ladies and Gentlemen of the House: I had a few misgivings on this bill and I wondered just what its effect might be and as to whether on page 5 of the document under Article V "Legislative approval. If the constitution of a party state requires, or if its statutes provide, the approval of the legislature by appropriate resolution or act may be made a

condition precedent to the taking effect in such party state of any rule, regulation or code. In such event, the commissioner of such party state shall submit any commission rule, regulation or code to the legislature as promptly as may be in lieu of administrative acceptance or rejection thereof by the party state." I wanted to make sure that the legislature would have final say, and I have been assured that that is so, so I now move the passage to be engrossed of this bill.

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

The Chair laid before the House the thirty-sixth tabled and today assigned matter of Unfinished Business:

Bill "An Act relating to Joint Committee Between George Stevens Academy and Nearby Towns." (H. P. 1062) (L. D. 1524)

Tabled — April 23, by Mr. Richardson of Stonington.

Pending—Passage to be Engrossed.

Mr. Richardson of Stonington offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to H. P. 1062, L. D. 1524, Bill, "An Act Relating to Joint Committee Between George Stevens Academy and Nearby Towns."

Amend said Bill by striking out in the 2nd line the figure "5" and inserting in place thereof the figure '2'

Further amend said Bill by striking out all of the 5th, 6th, 7th and 8th lines and inserting in place thereof the following:

'superintending school committee of each town sending the majority of its secondary students and one additional member of the board of trustees for each such town sending the majority of its secondary students. Such joint committee shall be formed'

Further amend said Bill by striking out in the 14th line the word "all" and inserting in place thereof the words 'the majority of'

Further amend said Bill by inserting before the last sentence a

new sentence to read as follows: 'The secretary of the joint committee shall be the superintendent of schools of the town in which the academy is geographically located.'

The SPEAKER pro tem: The Chair recognizes the gentleman from Stonington, Mr. Richardson.

Mr. RICHARDSON: Mr. Speaker, in view of the fact that this was a redraft by the Committee, I felt that perhaps the trustees and the various school boards involved should have an opportunity to express their opinion on this bill. This amendment is the result of a meeting last Sunday afternoon with the various groups concerned. Yesterday I was extended the courtesy of appearing at the Education Executive session and explaining these changes, and got their approval therefor. So I sincerely hope that this amendment will be accepted since it is affecting only one academy in the state.

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

The Chair laid before the House the thirty-seventh tabled and today assigned matter of Unfinished Business:

HOUSE REPORT — Leave to Withdraw as Covered by Other Legislation — Committee on Towns and Counties on Bill "An Act relating to Travel Allowance for Jurors." (H. P. 138) (L. D. 181)

Tabled — April 24, by Mr. Smith of Bar Harbor.

Pending — Acceptance of Report. On motion of Mr. Young of Gouldsboro, retabled pending acceptance of Report and specially assigned for Tuesday, April 30.

The Chair laid before the House the thirty-eighth tabled and today assigned matter of Unfinished Business:

SENATE REPORT — Ought to Pass with Committee Amendment "A" (Filing S-127 — Committee on Public Utilities on Bill "An Act to Clarify Granting of Water Pipe Location Permits." (S. P. 432) (L. D. 1175)

Tabled — April 24, by Mr. Benson of Southwest Harbor.

Pending—Acceptance of Report.

The SPEAKER pro tem: The Chair recognizes the gentleman from Rockland, Mr. Knight.

Mr. KNIGHT: Mr. Speaker and Members of the House: I was absent that day, and it was tabled for my benefit. I had originally tabled it. My questions have been answered and I now wish to say that I have no objections to this bill and I move its acceptance.

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

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

COMMITTEE AMENDMENT "A" to S. P. 432, L. D. 1175, Bill, "An Act to Clarify Granting of Water Pipe Location Permits."

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

Further amend said Bill in the 14th line by inserting after the underlined word "obtain" the underlined words 'street opening'

Further amend said Bill in the 23rd line by inserting after the underlined word "such" and before the underlined word "permit" the underlined word 'location'

Further amend said Bill in the 3rd paragraph of that part designated "Sec. 13." by inserting before the underlined word "permit" in the first line the underlined word 'location'; and by inserting before the underlined word "permit" in the 2nd line the underlined word 'location'; and by inserting before the underlined word "permit" in the 5th line the underlined word 'location'; and by inserting before the underlined word "permit" in the 12th line the underlined word 'location'; and by inserting before the underlined word "permits" in the 13th line the underlined word 'location'

Further amend said Bill in the 4th paragraph of that part designated "Sec. 13." by inserting before the underlined word "permit" in 2 places in the first line the underlined word 'location'; and by inserting before the underlined word

"permit" in the 5th line the underlined word **'location'**

Further amend said Bill in the 5th paragraph of that part designated "Sec. 13." by inserting before the underlined word **"permit"** in the first line the underlined word **'location'**; and by inserting before the underlined word **"permit"** in the 2nd line the underlined word **'location'**

Further amend said Bill in the 6th paragraph of that part designated "Sec. 13." by inserting after the underlined word **"under"** in the 2nd line the underlined word **'location'**

Further amend said Bill in the 9th paragraph of that part designated "Sec. 13." by inserting before the underlined word **"permits"** in the first line the underlined word **'location'**

Further amend said Bill in the next to the last line by inserting after the underlined words **"water utility"** the following underlined punctuation and words **' , any other parties to the appeal.'**

Further amend said Bill by adding at the end before the single quotation mark the following new paragraph:

'Said water utility shall also comply with sections 38 to 41.'

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

"Sec. 2. R. S., c. 50, Sec. 17, amended. Section 17 of chapter 50 of the Revised Statutes is amended to read as follows:

'Sec. 17. Certain Corporations authorized to place wires, pipes, cables, etc., under surface of streets, subject to permit from municipal officers. Telegraph, telephone, gas, water, pipe line, electric light, heat or power companies chartered by special act of Legislature or organized under the general laws of the State, and all such companies, wherever chartered or organized, engaged in the business of transmitting intelligence, heat, light or power by electricity, or of transporting or distributing water as a public utility, or of transporting oil, gas, gasoline, petroleum or any other liquids or gases as a common carrier for hire, or of furnishing

gas for light, heat or power, may, in any city or town, place their pipes, hydrants and appurtenances, wires and cables and all conduits and other structures for conducting and maintaining such pipes, wires and cables under the surface of those streets and highways in which such companies are empowered to obtain locations for their pipes, hydrants and appurtenances, poles and wires; subject, however, to the written permit therefor of the municipal officers of such city or town, and subject also to such rules and regulations as to location and construction as such municipal officers may designate in their permit. Proceedings for obtaining such permit shall be had in accordance with the provisions of sections 36 to 43. Permits to open streets and highways for the purpose of relaying or repairing such pipes, hydrants and appurtenances, wires, cables, conduits and other structures may be granted without notice.'

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

The Chair laid before the House the thirty-ninth tabled and today assigned matter of Unfinished Business:

AN ACT relating to Research Studies to Reduce Morbidity or Mortality in Motor Vehicles." (S. P. 492) (L. D. 1344) — In Senate Referred to Committee on Judiciary. In House Engrossed with Committee Amendment "A" (Filing S-99)

Tabled — April 24, by Mr. Birt of East Millinocket.

Pending — Further Consideration. On motion of Mr. Birt of East Millinocket, the House voted to precede and concur with the Senate.

The Chair laid before the House the fortieth tabled and today assigned matter of Unfinished Business:

AN ACT relating to Services for Locating Deserting Parents and Other Persons Liable for Support of Dependents. (S. P. 490) (L. D. 1342)

Tabled — April 24, by Mrs. White of Guilford.

Pending — Motion of Mr. Pease of Wiscasset to Indefinitely Postpone.

The SPEAKER pro tem: The Chair recognizes the gentleman from Wiscasset, Mr. Pease.

Mr. PEASE: Mr. Speaker, I withdraw my motion to indefinitely postpone.

Thereupon, having been reported by the Committee on Engrossed Bills as truly and strictly engrossed, the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

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

AN ACT to Correct the Name of Heron Lake Dam Company and Relating to Its Powers. (S. P. 281) (L. D. 795)

Tabled — April 19, by Mr. Harrington of Dexter.

Pending — Passage to be Enacted.

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

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

AN ACT Authorizing Certain Minors to Contract and Discharge for Life and Health Insurance." (H. P. 659) (L. D. 915)

Tabled — April 23, by Mr. Foster of Mechanic Falls.

Pending — Passage to be Enacted.

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

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

HOUSE REPORT — Ought Not to Pass — Committee on Judiciary on Bill "An Act Increasing Certain Fees to Registers of Deeds." (H. P. 913) (L. D. 1320) In House April 12, Report Accepted. In Senate Bill Substituted for Report and Engrossed with Senate "A" (Filing S-172)

Tabled — April 24, by Mr. Pease of Wiscasset.

Pending — Motion of Mr. Smith of Bar Harbor to recede and Substitute Bill for ONTP Report.

On motion of Mr. Knight of Rockland, retabled pending same motion

and specially assigned for Tuesday, April 30.

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

HOUSE JOINT ORDER Relative to Study and Report to the 102nd Legislature on Subject Matter of Bill "An Act Transferring Indian Affairs to Governor and Council." (H. P. 835) (L. D. 1222) — (H. P. 1064) — Passage Reconsidered.

Tabled — April 25, by Mr. Dennett of Kittery.

Pending — Passage.

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

Mr. DENNETT: Mr. Speaker, due to the fact that we passed a corrected order this morning covering this subject matter, I now move the indefinite postponement of this order.

Thereupon, the Order was indefinitely postponed.

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

HOUSE REPORT — Ought to pass with Committee Amendment "A" (Filing H-235) — Committee on Municipal Affairs on Bill "An Act relating to a Tax Assessor for City of Bath and Amending Payment of Bonds by City of Bath." (H. P. 543) (L. D. 760)

Tabled — April 25, by Mr. Drake of Bath.

Pending — Acceptance of Report.

On motion of Mr. Drake of Bath, retabled pending acceptance of Report and specially assigned for Wednesday, May 1.

The SPEAKER pro tem: The Chair lays before the House item 15 on page 7, tabled earlier in the day by the gentleman from Old Orchard Beach, Mr. Plante:

Bill "An Act relating to Motor Vehicle Registration Plates." (S. P. 569) (L. D. 1514)

Tabled — April 19, by Mr. Viles of Anson.

Pending — Passage to be Engrossed.

On motion of Mr. O'Leary of Mexico, retabled pending passage to be engrossed and specially assigned for Tuesday, April 30.

Order out of Order

Mr. Minsky of Bangor presented the following Order out of order by unanimous consent and moved its passage:

ORDERED, that Kathryn and Daniel Pease of Wiscasset be appointed to serve as Honorary Pages for today. (Applause)

Thereupon, Miss Kathryn Pease and Master Daniel Pease of Wiscasset were escorted to the Well of the Hall of the House by the Sergeant-at-Arms to serve as Honorary Pages for the day.

At this point, Speaker Kennedy returned to the rostrum.

The SPEAKER: The Chair would thank the gentleman from Cape Elizabeth, Mr. Berry, for serving as Speaker pro tem.

Whereupon, the Sergeant-at-Arms conducted the gentleman from Cape Elizabeth, Mr. Berry, to his seat on the Floor of the House amid applause, and Speaker Kennedy resumed the Chair.

The SPEAKER: The Chair would request the Sergeant-at-Arms to escort the gentleman from Wiscasset, Mr. Pease, to the rostrum to serve as Speaker pro tem.

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

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

Mr. JALBERT of Lewiston: To make comment. One Pease, pretty bad; two Pease's very bad; four Pease's, Amen. (Applause)

The SPEAKER pro tem: The Chair wishes to announce that the House has disposed of all matters of unfinished business and all matters tabled and today assigned.

On motion of Mr. Wellman of Bangor, the House voted to take up the second matter on the calendar recalled from the Legislative Files by Joint Order:

RESOLVE Granting to the State Park and Recreation Commission the Power to Acquire by Eminent Domain Land at West Quoddy Head. (H. P. 979) (L. D. 1418)

On further motion of Mr. Wellman of Bangor, the House voted to suspend the rules and to reconsider its action of March 19 whereby the Leave to Withdraw Report was accepted.

The SPEAKER pro tem: The Chair understands the gentleman from Bangor, Mr. Wellman, now moves the Resolve be substituted for the Committee Report.

Mr. RUST of York: I would request a division on that motion.

The SPEAKER pro tem: All those in favor of the motion to substitute the Resolve for the Leave to Withdraw Report of the Committee, please rise and remain standing until the monitors have made and returned the count.

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

Mr. BERRY: I move this matter lie on the table until the next legislative day.

The SPEAKER pro tem: The gentleman from Cape Elizabeth, Mr. Berry, moves that this item lay on the table until the next legislative day.

Mr. WELLMAN of Bangor: I request a division.

The SPEAKER pro tem: A division has been requested. All those in favor of the tabling motion will please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Sixty-six having voted in the affirmative and thirty-three having voted in the negative, the Resolve was tabled pending the motion of Mr. Wellman of Bangor to substitute the Resolve for the Leave to Withdraw Report.

On motion of Mr. Jalbert of Lewiston,

Adjourned until Tuesday, April 30, at ten o'clock in the morning.