

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Fourth
Legislature*

OF THE

STATE OF MAINE

1969

KENNEBEC JOURNAL
AUGUSTA, MAINE

HOUSE

Tuesday, February 11, 1969

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

Prayer by the Rev. Mr. George Broadbent of Fairfield.

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

The journal of the previous session was read and approved.

The SPEAKER: The Chair is delighted to recognize in the Hall of the House this morning a former member who has been re-elected, has been ill, but has now returned to us, the gentleman from Dover-Foxcroft, Mr. Meisner.

The Governor and Council does not have a quorum at this time, but he will notify this body when a quorum is present and the gentleman will then take his oath and subscribe to it.

Mr. MEISNER: Thank you very much. (Applause)

Papers from the Senate

Bills and Resolves from the Senate requiring reference were disposed of in concurrence.

Reports of Committees

Ought Not to Pass

Report of the Committee on Liquor Control reporting "Ought not to pass" on Bill "An Act Providing for Compulsory Adult Identification Cards under Liquor Law" (S. P. 92) (L. D. 281)

Came from the Senate read and accepted.

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

Ought to Pass

Report of the Committee on Health and Institutional Services reporting "Ought to pass" on Bill "An Act Requiring Reconstructed Public Buildings be Made Accessible to the Physically Handicapped" (S. P. 100) (L. D. 310)

Report of the Committee on Inland Fisheries and Game reporting same on Bill "An Act relating to Fishing in Narraguagus River, Washington County" (S. P. 39) (L. D. 122)

Report of the Committee on Judiciary reporting same on Resolve

Authorizing Germaine P. Guerette and Edmund Guerette to Bring Action Against the State of Maine (S. P. 108) (L. D. 319)

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

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

Ought to Pass with Committee Amendment

Report of the Committee on Natural Resources on Resolve Authorizing the State Tax Assessor to Convey by Sale the Interest of the State in Certain Lands in the Unorganized Territory (S. P. 34) (L. D. 92) 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" (S-8) was read and adopted in concurrence, and tomorrow assigned for second reading of the Resolve.

Non-Concurrent Matter

Bill "An Act relating to Reimbursement of Fuel Tax for Miles Traveled on Maine Turnpike" (H. P. 371) (L. D. 511)

Which was referred to the Committee on Transportation in the House on January 30.

Came from the Senate referred to the Committee on Highways in non-concurrence.

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

Non-Concurrent Matter

Bill "An Act relating to Tandem Trailers" (H. P. 400) (L. D. 510)

Which was referred to the Committee on Transportation in the House on January 29.

Came from the Senate referred to the Committee on Highways in non-concurrence.

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

Messages and Documents

The following Communication:

STATE OF MAINE
OFFICE OF THE GOVERNOR
AUGUSTA

February 11, 1969

The Honorable Bertha W. Johnson
Clerk of the House of
Representatives

State House

Augusta, Maine

Dear Mrs. Johnson:

Today, in accordance with my Constitutional duty, I am submitting a message on Education.

It contains proposals which supplement those in my Budget Message delivered to the 104th Legislature on January 9, 1969.

Sincerely,

(Signed) KENNETH M. CURTIS
Governor

The Communication was read and ordered placed on file.

Petitions, Bills and Resolves

Requiring Reference

The following Bills and Resolves were received and, upon recommendation of the Committee on Reference of Bills, were referred to the following Committees:

Agriculture

Bill "An Act relating to Penalty for Sale of Diseased Horses" (H. P. 537) (Presented by Mrs. White of Guilford)

Bill "An Act relating to Taking Possession of Animals Unlawfully Detained" (H. P. 538) (Presented by same member)

(Ordered Printed)

Sent up for concurrence.

Appropriations and Financial Affairs

Bill "An Act Appropriating Funds to Expand Homemaker Services in the Department of Health and Welfare" (H. P. 539) (Presented by Mrs. White of Guilford)

Resolve Providing for Purchase of Two Hundred Copies of History of Parkman" (H. P. 540) (Presented by same member)

(Ordered Printed)

Sent up for concurrence.

Business Legislation

Bill "An Act to Clarify the General Law Relating to Formation of Corporations" (H. P. 541) (Presented by Mr. Brennan of Portland)

Bill "An Act relating to Bank Reporting, Reserves and Loan Limits" (H. P. 542) (Presented by Mr. Scott of Wilton)

(Ordered Printed)

Sent up for concurrence.

Claims

Resolve in Favor of Town of Harrington for Medical Care of an Indigent (H. P. 543) (Presented by Mr. Kennedy of Milbridge)

Resolve to Reimburse George Burns of Cambridge for Well Damage by Highway Maintenance (H. P. 544) (Presented by Mr. Quimby of Cambridge)

Resolve to Reimburse Levi Hanson of Ripley for Property Damage by Highway Maintenance (H. P. 545) (Presented by same gentleman)

(Ordered Printed)

Sent up for concurrence.

Education

Bill "An Act to Incorporate the Town of Wales School District" (H. P. 546) (Presented by Mr. Buckley of Leeds)

Bill "An Act relating to Action That May Be Taken at School Administrative District Budget Meetings" (H. P. 547) (Presented by Mrs. Cummings of Newport)

Bill "An Act Restoring the School Construction Aid Percentages to the Average Percentages of the Original 1957 Act" (H. P. 548) (Presented by Mr. Millett of Dixmont)

Bill "An Act relating to Audits of School Revenues and Expenditures" (H. P. 549) (Presented by same gentleman)

(Ordered Printed)

Sent up for concurrence.

Judiciary

Bill "An Act relating to Admission to the Pineland Hospital and Training Center" (H. P. 550) (Presented by Mr. Brennan of Portland)

Bill "An Act relating to Discharge from Hospitals for the

Mentally Ill" (H. P. 551) (Presented by same gentleman)

Committee on Reference of Bills suggested that the Bills be referred to the Committee on Health and Institutional Services and printing.

On motion of Mr. Brennan of Portland, referred to the Committee on Judiciary, ordered printed and sent up for concurrence.

Inland Fisheries and Game

Bill "An Act Establishing a Statewide Open Deer Season for the Month of November" (H. P. 552) (Presented by Mr. Crommett of Millinocket)

Bill "An Act Repealing Big Squaw Mountain Game Preserve and Amending the Piscataquis and Somerset Game Preserve" (H. P. 553) (Presented by Mrs. White of Guilford)

(Ordered Printed)
Sent up for concurrence.

Judiciary

Bill "An Act relating to Orders of Care Pending Hearing in Child Custody Cases" (H. P. 554) (Presented by Mr. Benson of Southwest Harbor)

Bill "An Act relating to Period of Real Estate Mortgage Foreclosure" (H. P. 555) (Presented by same gentleman)

Bill "An Act Revising the Short Form Deeds Act" (H. P. 556) (Presented by Mr. Breman of Portland)

Bill "An Act relating to Governmental Immunity in Civil Actions" (H. P. 557) (Presented by same gentleman)

Bill "An Act relating to Charitable Organization's Immunity in Civil Actions" (H. P. 558) (Presented by same gentleman)

Bill "An Act to Authorize Attorneys-at-Law to Take Acknowledgements on Deeds and other Written Instruments" (H. P. 559) (Presented by same gentleman)

Bill "An Act Amending the Post Conviction Statute" (H. P. 560) (Presented by Mr. Cox of Bangor)

Bill "An Act Controlling the Sale and Possession of Cannabis (Marijuana) and Peyote" (H. P. 561) (Presented by Mr. Jalbert of Lewiston)

Bill "An Act to Increase the Penalties for the Sale and Possession of Marijuana, and Narcotic and Hallucinatory Drugs" (H. P. 562) (Presented by same gentleman)

Bill "An Act relating to Credit Card Crimes" (H. P. 563) (Presented by Mr. Rideout of Manchester)

Bill "An Act relating to Acts of Cruelty to Animals" (H. P. 564) (Presented by Mrs. White of Guilford)

(Ordered Printed)
Sent up for concurrence.

Labor

Bill "An Act relating to Certain Disqualifications under the Employment Security Law" (H. P. 565) (Presented by Mr. Carter of Winslow)

Bill "An Act relating to Definition of Week under the Employment Security Law" (H. P. 566) (Presented by same gentleman)

Bill "An Act Creating the Maine Labor Relations Act" (H. P. 567) (Presented by Mr. McTeague of Brunswick)

(Ordered Printed)
Sent up for concurrence.

Legal Affairs

Bill "An Act relating to the City Charter of the City of Caribou, Authority of the City Council and Time of Elections in the City of Caribou" (H. P. 568) (Presented by Mr. Allen of Caribou)

Bill "An Act Regarding Unsealed Instruments" (H. P. 569) (Presented by Mr. Brennan of Portland)

Bill "An Act Increasing Compensation of Members of Augusta City Council" (H. P. 570) (Presented by Mr. Moreshead of Augusta by request)

Bill "An Act relating to Licensing of Premises for Dancing Purposes" (H. P. 571) (Presented by Mr. Porter of Lincoln)

Bill "An Act to Grant a Council-Manager Charter to the Town of Lincoln" (H. P. 572) (Presented by same gentleman)

Bill "An Act Creating the Cushing Island Village Corporation" (H. P. 573) (Presented by Mr. Temple of Portland)

(Ordered Printed)
Sent up for concurrence.

Public Utilities

Bill "An Act Amending the Charter of the Hallowell Water District" (H. P. 574) (Presented by Mr. Rideout of Manchester)

Bill "An Act to Amend the Charter of Unity Utilities District" (H. P. 575) (Presented by Mr. Wood of Brooks)

(Ordered Printed)
Sent up for concurrence.

Retirements and Pensions

Bill "An Act relating to Credit for Military Service under State Retirement Law" (H. P. 576) (Presented by Mr. McKinnon of South Portland)

(Ordered Printed)
Sent up for concurrence.

State Government

Bill "An Act to Establish Revised Boundaries for the Master Plan of the Capitol Complex Area at Augusta" (H. P. 577) (Presented by Mr. Lund of Augusta)

Resolve Proposing the Acceptance of a Master Plan Prepared by the Capitol Planning Commission" (H. P. 578) (Presented by same gentleman)

Resolve Proposing an Amendment to the Constitution Changing the Tenure of Office of Sheriff to Four-year Terms (H. P. 579) (Presented by Mr. McKinnon of South Portland)

(Ordered Printed)
Sent up for concurrence.

Taxation

Bill "An Act to Amend the Real Estate Transfer Tax" (H. P. 580) (Presented by Mr. Brennan of Portland)

Bill "An Act Providing for Statement of Taxes and other Assessments on Real Property" (H. P. 581) (Presented by same gentleman)

Bill "An Act relating to Abatement of Real Estate Taxes on Housing for the Aged and Low Income Housing" (H. P. 582) (Presented by Mr. McTeague of Brunswick by request)

(Ordered Printed)
Sent up for concurrence.

Towns and Counties

Bill "An Act relating to Minimum Salaries for Full-time Municipal Police Officers" (H. P. 583) (Presented by Mr. McTeague of Brunswick)

Bill "An Act Increasing Salaries of Jury Commissioners of York County" (H. P. 584) (Presented by Mr. Sheltra of Biddeford)

Bill "An Act to Increase the Salary of Sheriff of York County" (H. P. 585) (Presented by same gentleman)

Bill "An Act Creating Waldo County Commissioner Districts" (H. P. 586) (Presented by Mr. Thompson of Belfast)

(Ordered Printed)
Sent up for concurrence.

Orders

On motion of Mr. Richardson of Cumberland, it was

ORDERED, that Rev. Valton V. Morse of Cumberland be invited to officiate as Chaplain of the House on Tuesday, March 11, 1969.

**House Reports of Committees
Leave to Withdraw**

Mr. Kelley from the Committee on Inland Fisheries and Game on Bill "An Act relating to Hunting or Molesting Deer from Watercraft" (H. P. 18) (L. D. 21) reported Leave to Withdraw.

Same gentleman from same Committee reported same on Bill "An Act relating to Possession of Firearms in the Southern Hunting Zone" (H. P. 190) (L. D. 230)

Mr. Tyndale from the Committee on Sea and Shore Fisheries reported same on Bill "An Act relating to Hauling Lobster Pots on Sundays" (H. P. 178) (L. D. 217)

Reports were read and accepted and sent up for concurrence.

Ought Not to Pass

Mr. Allen from the Committee on Education reported "Ought not to pass" on Bill "An Act to Permit the Election of an Alternate School Director for Each Town within a School Administrative District" (H. P. 164) (L. D. 203)

Mr. Millett from same Committee reported same on Bill "An Act relating to Tuition for Pupils At-

tending School Outside of State” (H. P. 219) (L. D. 269)

Reports were read and accepted and sent up for concurrence.

Covered by Other Legislation

Mr. Clark from the Committee on Public Utilities on Bill “An Act relating to Injunctive Relief Against a Gas Company or Natural Gas Pipeline Company” (H. P. 173) (L. D. 212) reported “Ought not to pass”, as covered by other legislation.

Mr. Williams from same Committee reported same on Bill “An Act relating to a Civil Penalty for Utilities” (H. P. 292) (L. D. 368)

Reports were read and accepted and sent up for concurrence.

Referred to Committee on Natural Resources

Mr. Lewin from the Committee on Inland Fisheries and Game on Bill “An Act Reclassifying Taylor Brook in Auburn” (H. P. 281) (L. D. 357) reported that it be referred to the Committee on Natural Resources.

Report was read and accepted, the Bill referred to the Committee on Natural Resources and sent up for concurrence.

Ought to Pass in New Draft New Draft Printed

Mr. Clark from the Committee on Public Utilities on Bill “An Act relating to a Civil Penalty for Gas Companies or Natural Gas Pipeline Companies” (H. P. 293) (L. D. 369) reported same in a new draft (H. P. 587) (L. D. 707) under title of “An Act relating to Remedies Against Gas Companies and Natural Gas Pipeline Companies for Violations of the Public Utilities Law” and that it “Ought to pass”

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

Ought to Pass Printed Bills

Mr. Chick from the Committee on Education reported “Ought to pass” on Bill “An Act Providing Preservice and In-Service Educational Activities for Teachers of General Adult Education” (H. P. 223) (L. D. 273)

Mr. Kelley from the Committee on Inland Fisheries and Game reported same on Bill “An Act relating to Open Season on Deer in the Town of Southport to Conform with Lincoln County” (H. P. 121) (L. D. 137)

Mr. Lewin from same Committee reported same on Bill “An Act to Repeal Certain Bag Limits on White Perch” (H. P. 233) (L. D. 289)

Mr. Lewis from the Committee on Sea and Shore Fisheries reported same on Bill “An Act relating to Taking of Alewives in Damariscotta River” (H. P. 295) (L. D. 371)

Mr. Crommett from the Committee on Towns and Counties reported same on Bill “An Act relating to Sale of Laws to Municipalities” (H. P. 154) (L. D. 180)

Mr. Laberge from same Committee reported same on Bill “An Act Increasing Compensation of City of Bath Councillors and School Board Members” (H. P. 152) (L. D. 178)

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

Ought to Pass with Committee Amendment

Mr. Evans from the Committee on Agriculture on Bill “An Act relating to Method of Sale of Commodities and Liquefied Petroleum Products” (H. P. 207) (L. D. 257) reported “Ought to pass” as amended by Committee Amendment “A” (H-22) submitted therewith.

Mr. Gilbert from same Committee on Bill “An Act Clarifying Certain Milk and Milk Products Laws” (H. P. 52) (L. D. 54) reported “Ought to pass” as amended by Committee Amendment “A” (H-23) submitted therewith.

Mr. Hall from same Committee on Bill “An Act relating to Tree and Shrub Seeds under the Maine Seed Law” (H. P. 53) (L. D. 55) reported “Ought to pass” as amended by Committee Amendment “A” (H-24) submitted therewith.

Mr. Scott of Presque Isle from the Committee on Business Legislation on Bill “An Act to Clarify Certain Banking Laws” (H. P. 159)

(L. D. 198) reported "Ought to pass" as amended by Committee Amendment "A" (H-25) submitted therewith.

Mr. Clark from the Committee on Public Utilities on Bill "An Act to Remove Debt Limit of Jay Village Water District" (H. P. 69) (L. D. 69) reported "Ought to pass" as amended by Committee Amendment "A" (H-26) submitted therewith.

Mr. Williams from same Committee on Bill "An Act Extending the Territory of Brunswick Sewer District" (H. P. 176) (L. D. 215) reported "Ought to pass" as amended by Committee Amendment "A" (H-27) submitted therewith.

Same gentleman from same Committee on Bill "An Act Increasing Borrowing Capacity of Mars Hill Utility District" (H. P. 241) (L. D. 296) reported "Ought to pass" as amended by Committee Amendment "A" (H-28) submitted therewith.

Reports were read and accepted and the Bills read twice. Committee Amendment "A" to each was read and adopted, and tomorrow assigned for third reading of the Bills.

Tabled and Assigned

Mr. Hanson from the Committee on Towns and Counties on Bill "An Act relating to Annual Reports of Counties" (H. P. 109) (L. D. 117) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read.

(On motion of Mr. Dyar of Strong, tabled pending acceptance of Report and specially assigned for Thursday, February 13.)

Passed to Be Engrossed

Bill "An Act relating to the Executive Secretary and Procedure of Actuarial Computations under State Retirement System" (S. P. 59) (L. D. 167)

Bill "An Act to Allocate Money from the General Highway Fund for State Aid Construction" (H. P. 232) (L. D. 288)

Bill "An Act relating to the Transportation of Refuse" (H. P. 248) (L. D. 303)

Bill "An Act Repealing Law Relating to Prohibiting Transportation of Certain Poultry" (H. P. 254) (L. D. 330)

Bill "An Act relating to Election of Members of Board of Trustees of Ashland Water and Sewer District" (H. P. 294) (L. D. 370)

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

Amended Bills

Bill "An Act Amending the Election Laws" (H. P. 29) (L. D. 30)

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

On motion of Mr. Henley of Norway, the House reconsidered its action of February 6 whereby Committee Amendment "A" was adopted, and on further motion of the same gentleman the Amendment was indefinitely postponed.

The same gentleman then offered House Amendment "A" and moved its adoption. House Amendment "A" (H-17) was read by the Clerk and adopted.

The same gentleman then offered House Amendment "B" and moved its adoption. House Amendment "B" (H-18) was read by the Clerk and adopted.

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

Bill "An Act relating to Purchase of Parcels of Land by Forest Commissioner" (H. P. 45) (L. D. 46)

Bill "An Act relating to Voting Residence of Spouse of Member of Armed Forces" (H. P. 279) (L. D. 355)

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

Bill "An Act relating to Injury or Incapacity of State Police Officer" (S. P. 58) (L. D. 166)

Was reported by the Committee on Bills in the Third Reading, read the third time, passed to be engrossed as amended by Senate

Amendment "A" and sent to the Senate.

**Passed to Be Enacted
Emergency Measure**

An Act to Amend the Charter of the Fryeburg Water Company by Granting Certain Additional Powers and Ratifying and Confirming Certain Acts of said Corporation (H. P. 94) (L. D. 103)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a total was taken. 121 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

**Finally Passed
Emergency Measure**

Resolve Authorizing Attorney General to Convey Interest of the State in Certain Lands in Cumberland County (S. P. 25) (L. D. 53)

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 total was taken. 121 voted in favor of same and none against, and accordingly the Resolve was finally passed, signed by the Speaker and sent to the Senate.

Passed to Be Enacted

An Act Increasing Borrowing Capacity of Ashland Water and Sewer District (S. P. 31) (L. D. 89)

An Act relating to Motor Vehicle Excise Tax Credits (S. P. 46) (L. D. 149)

An Act relating to Sales and Use Tax on Property Registered for Use in Maine (S. P. 47) (L. D. 150)

An Act relating to Application for Registration of Motor Vehicle by Minor under 15 Years of Age (S. P. 49) (L. D. 152)

An Act Ratifying Lease Given by the State to Portland Pipe Line Corporation (H. P. 41) (L. D. 42)

An Act Providing Public Dump for Albany Township and Milton

Township, Oxford County (H. P. 50) (L. D. 51)

An Act Providing for Legal Assistance by the State to Municipalities in Property Valuation Cases (H. P. 101) (L. D. 109)

An Act relating to Penalties under the Use Fuel Tax Act (H. P. 127) (L. D. 143)

An Act relating to Duty of Receiver of Unsolicited Merchandise (H. P. 144) (L. D. 170)

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

**Enactor
Amended**

An Act Designating Landlocked Salmon as the State of Maine Fish (H. P. 150) (L. D. 176)

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

Thereupon, on motion of Mr. Ross of Bath, under suspension of the rules, the House reconsidered its action of January 30 whereby the Bill was passed to be engrossed.

The SPEAKER: The gentleman may proceed.

Mr. ROSS: Mr. Speaker and Ladies and Gentlemen: Before I get into the substantive matter of Salmon, I would like to speak briefly in my very official capacity as Monitor. For the benefit of the fifty-odd new members, my first motion I made this morning was to set this item aside. This should be done at any time there is a long list of either Third Readers or Enactors, when you want to question one item or debate it. We had an example this morning on item 6, page 10. Now my next motion was to suspend the rules. I had to do this because there is a gentleman who has an amendment that he wants to offer, and this item is in the Enactor stage. So, if at any time you wish to amend a bill, the proper time to do it is not later than Third Readers.

Now, specifically, as to L. D. 176, some may have noticed this morning that on my tie I have the head of a very strange animal

and, for some reason, he is laughing, but this leads me this morning into fishing and particularly Salmon fishing. You will note from the bill concerned that the biological name is *Salmo salar*. The sponsor wants to add a word to this, and I wholeheartedly agree. I have been a Salmon fisherman for about forty years, and to prove this I just happen to have a picture with me showing four Salmon that I caught two years ago in Quebec ranging from fourteen to twenty-four pounds. The largest hangs in my office in Bath, Maine. These are Atlantic or sea-run Salmon, and their proper biological name is *Salmo salar*, so the sponsor has prepared an amendment and I yield to him.

Mr. Corson of Madison then offered House Amendment "A" (H-30) and moved its adoption.

House Amendment "A" was read by the Clerk.

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

Mr. CORSON: Mr. Speaker, Ladies and Gentlemen of the House: It has been brought to my attention that in many learned publications the landlocked Salmon is known as *Salmo salar* Sebago. Due to an oversight on my part, the name Sebago was omitted in the original draft of this bill. By this amendment we correct this oversight. I move its adoption.

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

Mr. JALBERT: Mr. Speaker and Members of the House: The gentleman from Bath has a picture that would indicate the Salmon he says he caught were around the twenty pound area. I will take up my comments concerning that with him personally because I'm not going to give you another shot at gavelling me down.

The SPEAKER: The Chair recognizes the gentleman from Southport, Mr. Kelley.

Mr. KELLEY: Mr. Speaker and Members of the House: For over a hundred years the landlocked Salmon carried the proud name of *Salmo salar* Sebago. The landlocked or Sebago Salmon brought

sportsmen from all over the world to fish in the State of Maine. Since 1875 this wonderful sport fish has been introduced into many waters as *Salmo salar* Sebago. It is the same fish as the Atlantic Salmon according to the experts today, but for many years it was known under the title of Sebago. If we are to award the title of State Fish to the well deserved landlocked Salmon, let's keep with it its rightful name, Sebago.

The SPEAKER: Is the House ready for the question? The pending question is the adoption of House Amendment "A". Is it the pleasure of the House to adopt House Amendment "A"?

The motion prevailed, the Bill was passed to be engrossed as amended by House Amendment "A" in non-concurrence and sent up for concurrence.

An Act relating to the Exemption of School Bus Operations from Regulation by the Public Utilities Commission (H. P. 172) (L. D. 211)

An Act Increasing Compensation of Trustees of Sanford Sewerage District (H. P. 174) (L. D. 213)

Finally Passed

Resolve to Reimburse Charles A. Holden of Portland as Agent of Conservator of Casco Mercantile Trust Company (S. P. 38) (L. D. 121)

Resolve Authorizing Forest Commissioner to Exchange Land in West Forks, Somerset County (H. P. 99) (L. D. 107)

Resolve to Reimburse the Town of Strong for Support of Evangeline C. Bean (H. P. 136) (L. D. 158)

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

The SPEAKER: Is there objection to taking up a paper from the Senate out of order? The Chair hears none. The Clerk will read the paper.

From the Senate: The following Order:

ORDERED, the House concurring, that notwithstanding the pro-

vision of Joint Rule 8, bills and resolves now in the office of the Director of Legislative Research shall be introduced in complete final form in the appropriate house not later than 1 p.m on Tuesday, March 4, 1969. (S P. 242)

Came from the Senate read and passed.

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

Orders of the Day

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

HOUSE JOINT ORDER — re Issuing in a Corporate Name Specially Designed Number Plates.

Tabled — February 6, by Mr. Scott of Wilton.

Pending — Passage.

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

Mr. SCOTT: Mr. Speaker, this order was sponsored by the gentleman from Kittery, Mr. Dennett, and since he isn't here today I would hope someone would retable it until the next legislative day.

Thereupon, on motion of Mr. Ross of Bath, retabled pending passage and tomorrow assigned.

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

An Act relating to Settlement with Joint Tortfeasors (S. P. 41) (L. D. 124)

Tabled — February 6, by Mr. Benson of Southwest Harbor.

Pending — Passage to be enacted.

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

Mr. HEWES: Mr. Speaker, I move we substitute the bill for the Committee Report for the purpose of offering an amendment.

The SPEAKER: The Chair would advise the gentleman that this bill is in the position of pending passage to be enacted. If the gentleman moves to suspend the rules for the purpose of reconsideration, that would be the proper motion.

Mr. HEWES: I do.

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

now moves that the rules be suspended for the purpose of reconsideration.

The Chair recognizes the gentleman from Houlton, Mr. Berman, and the Chair would advise the gentleman that suspension of the rules is not debatable.

Mr. BERMAN: I don't mean to debate, I meant to pose a parliamentary inquiry through the Chair.

The SPEAKER: The gentleman may proceed.

Mr. BERMAN: As a matter of parliamentary inquiry, I would inquire through the Chair if this is the particular bill that the gentleman from Cape Elizabeth actually has in mind.

The SPEAKER: The Chair would point out that this is L. D. 124, "An Act relating to Settlement with Joint Tortfeasors."

Mr. HEWES: If I may answer the question, it is the bill.

The SPEAKER: The gentleman may answer the question and he is correct in assuming that this is the bill that he is considering. The pending question, which is not debatable, is the motion to suspend the rules for the purpose of reconsideration. Is the House ready for the question? All those in favor of suspension of the rules will say aye; those opposed, no.

A viva voce vote being taken, the motion prevailed.

The SPEAKER: The rules are suspended for the purpose of reconsideration.

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

Mr. HEWES: I now move that we reconsider our action whereby we voted to approve L. D. 125 with Committee Amendment "A."

The SPEAKER: The gentleman from Cape Elizabeth, Mr. Hewes, now moves that the House reconsider its action whereby this Bill was passed to be engrossed as amended by Committee Amendment "A" on February the 4th. Is this the pleasure of the House?

The motion prevailed.

Mr. Hewes of Cape Elizabeth then offered House Amendment "A" and moved its adoption.

The SPEAKER: Does the gentleman consider doing anything to

Committee Amendment "A" or does that stand?

Mr. HEWES: I move we indefinitely postpone Committee Amendment "A."

The SPEAKER: The Chair would inform the gentleman that in order to indefinitely postpone Committee Amendment "A" that we must suspend the rules for the purpose of reconsideration whereby Committee Amendment "A" was adopted on January 30. Does the gentleman so move?

Mr. HEWES: I do.

The SPEAKER: The Chair understands the gentleman moves that the rules be suspended for the purpose of reconsideration. Is this the pleasure of the House?

The motion prevailed.

The SPEAKER: The rules are suspended, and the Chair further understands that the gentleman moves now the indefinite postponement of Committee Amendment "A." Is this the pleasure of the House?

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

Mr. ROSS: Mr. Speaker, I would pose a question to the gentleman from Cape Elizabeth, Mr. Hewes. Is the filing H-16? The bill that is tabled before us now is L. D. 124. This amendment refers to L. D. 125.

The SPEAKER: The Chair would inform the gentleman and the House that there is no House Amendment for L. D. 124 on file.

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

Mr. HEWES: Mr. Speaker, it is my understanding that the item in question is L. D. 125, An Act relating to Workmen's Compensation Third-Party Actions.

The SPEAKER: The Chair would advise the gentleman that he is not correct. We are laboring under item 2, tabled and today assigned matters, L. D. 124, Bill "An Act relating to Settlement with Joint Tortfeasors."

Mr. HEWES: I'm sorry. Thank you. I had in mind item 3 on today's calendar.

The SPEAKER: The Chair recognizes the gentleman from Cumberland, Mr. Richardson.

Mr. RICHARDSON: Mr. Speaker, I would inquire whether or not we are now reconsidering our action whereby this L. D. 124 was passed to be engrossed. Is that the question before the House?

The SPEAKER: The Chair would advise the gentleman that the only matter now before the House is the motion of the gentleman from Cape Elizabeth, Mr. Hewes, that Committee Amendment "A" be indefinitely postponed. The Chair would then reconsider the adoption of "A." The Chair would advise the gentleman from Cumberland that the gentleman from Cape Elizabeth, Mr. Hewes may withdraw his motion for indefinite postponement and we can proceed to engross this bill as was done originally.

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

Mr. HEWES: Mr. Speaker, may I withdraw my motion?

The SPEAKER: The gentleman withdraws his motion for the indefinite postponement of Committee Amendment "A." Is it now the pleasure of the House that Committee Amendment "A" be adopted?

The motion prevailed.

The SPEAKER: Now is it the pleasure of the House that this Bill be passed to be engrossed as amended by Committee Amendment "A"?

The motion prevailed.

The SPEAKER: Is it now the pleasure of the House that this Bill be passed to be enacted?

The Chair recognizes the gentleman from Cumberland, Mr. Richardson.

Mr. RICHARDSON: Mr. Speaker, since I am sure that I am not alone in being confused as to the present status of L. D. 124, item 2 on today's tabled and assigned items, I am going to request some member of the House to table L. D. 124 until the next legislative day.

Whereupon, on motion of Mr. Benson of Southwest Harbor, tabled pending passage to be enacted and tomorrow assigned.

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

SENATE REPORT—Ought to pass as amended by Committee Amendment "A" (S-3) — Committee on Judiciary on Bill "An Act relating to Workmen's Compensation Third-Party Actions" (S. P. 42) (L. D. 125) (In Senate, Bill passed to be engrossed as amended by Committee Amendment "A") Tabled — February 6, by Mr. Berman of Houlton.

Pending — Acceptance in concurrence.

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

Mr. HEWES: Mr. Speaker, now I would move to substitute the original bill for the Committee Report.

The SPEAKER: The Chair would advise the gentleman that the Report is "Ought to pass" and the gentleman moves that we substitute the Bill for the Report?

Mr. HEWES: Yes.

The SPEAKER: The gentleman from Cape Elizabeth, Mr. Hewes, now moves that the House substitute the bill for the report in non-concurrence. Is this the pleasure of the House?

The motion prevailed.

The SPEAKER: The Chair recognizes the same gentleman.

Mr. HEWES: I now offer House Amendment "A" —

The SPEAKER: The gentleman will defer. Amendments are not in order until the third reading. First reading of the bill.

Thereupon, the Bill was read twice and assigned for third reading tomorrow.

Mr. Hardy of Hope presented the following Resolution and moved its adoption:

WHEREAS, shock and sadness accompany word of the tragic death of our dear friend and colleague, the Honorable Grevis F. Payson of Union; and

WHEREAS, a senseless act on February 8, 1969, has brought to an untimely end the useful life of this devoted and highly respected public servant; and

WHEREAS, his active life of civic deeds had earned for him the admiration, respect and love of all who knew him and whose lives he enriched; and

WHEREAS, the loss of his outstanding services and warm personal friendship will not only be sorely felt by his many friends and associates in the Legislature but by the citizens of the State as well; now, therefore, be it

RESOLVED: That when we the Members of the Senate and House of Representatives of the 104th Maine Legislature adjourn this day, we do so out of respect to the memory of Representative Grevis F. Payson; and be it further

RESOLVED: That a copy of this resolution, suitably engrossed be transmitted to the family of the deceased. (H. P. 588)

The Resolution was received out of order by unanimous consent, adopted, and sent up for concurrence.

In accordance with the above Resolution,

Adjourned until ten o'clock tomorrow morning.