

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Ninety-Sixth Legislature

OF THE

STATE OF MAINE

1953

**DAILY KENNEBEC JOURNAL
AUGUSTA, MAINE**

HOUSE

Thursday, February 19, 1953

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

Prayer by the Rev. Mr. Frederick D. Hayes of Auburn.

The journal of the previous session was read and approved.

Papers from the Senate

From the Senate:

Bill "An Act relating to Refusal by Insurance Commissioner to Grant or Renew Licenses and Revocation of Licenses" (S. P. 269) (L. D. 760)

Came from the Senate referred to the Committee on Business Legislation.

In the House, referred to the Committee on Business Legislation in concurrence.

From the Senate:

Resolve in favor of Nellie K. Freeman of Kittery (S. P. 271) (L. D. 761)

Came from the Senate referred to the Committee on Judiciary.

In the House, referred to the Committee on Judiciary in concurrence.

From the Senate:

Bill "An Act to Clarify Issuance of Harness Horse Racing Licenses" (S. P. 272) (L. D. 764)

Bill "An Act relating to Long Meets in Harness Racing" (S. P. 273) (L. D. 762)

Bill "An Act relating to Pari Mutuel Pool Contributions to Stipend Fund" (S. P. 274) (L. D. 763)

Bill "An Act Prohibiting Games of Beano on Sunday and Playing of Game by Minors" (S. P. 275) (L. D. 765)

Came from the Senate referred to the Committee on Legal Affairs.

In the House, referred to the Committee on Legal Affairs in concurrence.

From the Senate:

Bill "An Act Amending the Mining Law" (S. P. 276) (L. D. 766)

Came from the Senate referred to the Committee on Natural Resources.

In the House, referred to the Committee on Natural Resources in concurrence.

From the Senate:

Bill "An Act relating to the Legal Length of Lobsters" (S. P. 277) (L. D. 767)

Came from the Senate referred to the Committee on Sea and Shore Fisheries.

In the House, referred to the Committee on Sea and Shore Fisheries in concurrence.

From the Senate:

Bill "An Act Repealing Laws on Inspection of Leather" (S. P. 278) (L. D. 769)

Bill "An Act Increasing Salaries of Sheriff, County Commissioners and Judge of Probate, York County" (S. P. 279) (L. D. 768)

Came from the Senate referred to the Committee on Towns and Counties.

In the House, referred to the Committee on Towns and Counties in concurrence.

From the Senate:

Bill "An Act relating to a Revolving Fund to Satisfy Judgments from Motor Vehicle Accidents" (S. P. 280) (L. D. 771)

Bill "An Act relating to Operation of School Buses" (S. P. 281) (L. D. 770)

Came from the Senate referred to the Committee on Transportation.

In the House, referred to the Committee on Transportation in concurrence.

From the Senate:

Resolve providing for an Increase in State Pension for Earle Beaulieu of Orono (S. P. 339)

Resolve providing for State Pension for Marie Blanche Couillard of Lewiston (S. P. 340)

Resolve providing for State Pension for Zephirin Daigle of Lewiston (S. P. 341)

Came from the Senate referred to the Committee on Welfare.

In the House, referred to the Committee on Welfare in concurrence.

Senate Reports of Committees Ought to Pass

Report of the Committee on Natural Resources reporting "Ought to pass" on Resolve Naming the Myron H. Avery Peak of Mt. Bigelow (S. P. 28) (L. D. 16)

Report of the Committee on Public Utilities reporting same on Bill "An Act relating to Railroad Grade Crossings" (S. P. 65) (L. D. 132)

Report of the Committee on Towns and Counties reporting same on Bill "An Act relating to Payment to Kennebec County Law Library" (S. P. 91) (L. D. 196)

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, and the Bills and Resolve having already been printed, the Bills were read twice under suspension of the rules, the Resolve read once under suspension of the rules, and assigned the next legislative day.

Non-Concurrent Matter

Report of the Committee on Inland Fisheries and Game reported "Ought not to pass" on Bill "An Act relating to Hunting Licenses for Minors" (H. P. 12) (L. D. 6) as it is covered by other legislation which was read and accepted in the House on February 11.

Came from the Senate referred to the Committee on Inland Fisheries and Game in non-concurrence.

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

From the Senate: The following Order:

ORDERED, the House concurring, that when the Senate and House adjourn, they adjourn to meet on Tuesday, February 24, 1953, at eleven o'clock in the forenoon. (S. P. 366)

Came from the Senate read and passed.

In the House, read and passed in concurrence.

Bills and Resolves Requiring Reference

The following Bills and Resolves (transmitted by the Director of Legislative Research pursuant to Joint Order, S. P. 29) were received and, upon recommendation of the Committee on Reference of Bills, were referred to the following Committees:

Agriculture

Bill "An Act relating to Exhibits of Agricultural Fair Associations" (H. P. 898) (Presented by Mr. Center of Standish)
(Ordered Printed)
Sent up for concurrence.

Appropriations and Financial Affairs

Bill "An Act Repealing the Merit Award Board" (H. P. 899) (Presented by Mr. Dickey of Brooks)
(Ordered Printed)

Resolve in favor of Corinna Union Academy (H. P. 900) (Presented by Mr. Emerson of Corinna)
(Ordered Printed)

Resolve Authorizing a Preliminary Survey for the Prevention of Shore Erosion in Saco (H. P. 901) (Presented by Mr. Fitanides of Saco by request)

(Ordered Printed)
Resolve in favor of Erskine Academy (H. P. 902) (Presented by Mr. Hussey of Windsor)
(Ordered Printed)
Sent up for concurrence.

Claims

Resolve to Reimburse the Town of Pittston for Support and Medical Aid Extended to Certain Families (H. P. 903) (Presented by Mr. Hussey of Windsor)

(Ordered Printed)
Resolve in favor of Elizabeth Deering Moffatt of Bath (H. P. 904) (Presented by Mr. Legard of Bath by request)
(Ordered Printed)

Resolve in favor of Eric Olsson of New Sharon (H. P. 905) (Presented by Mr. Caswell of New Sharon by request)

Resolve in favor of Clifford Rand of Farmington (H. P. 906) (Presented by same gentleman by request)

Resolve in favor of the Town of Strong (H. P. 907) (Presented by Mr. Dodge of Strong)

Resolve in favor of Ray Spearen of South China (H. P. 908) (Presented by Mr. Hussey of Windsor)

Resolve in favor of Albert Redmond of Winterport (H. P. 909) (Presented by Mr. West of Stockton Springs)

Sent up for concurrence.

Highways

Bill "An Act relating to State Highways in Compact or Built Up Sections" (H. P. 910) (Presented by Mr. Seaward of Kittery)

(Ordered Printed)

Resolve to Repair State Aid Road in Greenwood (H. P. 911) (Presented by Mr. Ferguson of Hanover)

(Ordered Printed)

Resolve in favor of the Town of Steuben (H. P. 912) (Presented by Mr. Stanwood of Steuben)

(Ordered Printed)

Resolve in favor of the Town of Stockton Springs (H. P. 913) (Presented by Mr. West of Stockton Springs)

(Ordered Printed)

Sent up for concurrence.

Inland Fisheries and Game

Bill "An Act to Change Hunting Licenses for Minors" (H. P. 914) (Presented by Mr. Dodge of Strong)

(Ordered Printed)

Bill "An Act to Change the Deer Hunting Season" (H. P. 915) (Presented by same gentleman)

(Ordered Printed)

Bill "An Act relating to Night Hunting for Wild Birds in York County" (H. P. 916) (Presented by Mr. Frechette of Sanford)

(Ordered Printed)

Bill "An Act relating to Open Season on Deer in York County" (H. P. 917) (Presented by same gentleman)

(Ordered Printed)

Bill "An Act relating to Open Season and Daily Bag Limit on Woodcock" (H. P. 918) (Presented by same gentleman)

(Ordered Printed)

Bill "An Act relating to Hunting Licenses for Minors" (H. P. 919) (Presented by same gentleman)

(Ordered Printed)

Bill "An Act relating to Night Hunting for Wild Animals in York

County" (H. P. 920) (Presented by same gentleman)

(Ordered Printed)

Resolve to Change Daily Bag Limit of Trout in Franklin County (H. P. 921) (Presented by Mr. Dodge of Strong)

(Ordered Printed)

Resolve Closing West Brook and East Brook, Franklin County, to All Fishing (H. P. 922) (Presented by same gentleman)

(Ordered Printed)

Sent up for concurrence.

Judiciary

Bill "An Act relating to Employees of the Department of Health and Welfare" (H. P. 923) (Presented by Mr. Pitanides of Saco)

(Ordered Printed)

Bill "An Act Continuing Pensions of Retired Members of the State Police" (H. P. 924) (Presented by Mr. Jacobs of Auburn)

(Ordered Printed)

Bill "An Act relating to the Sale of Firearms" (H. P. 925) (Presented by Mr. Stewart of Portland by request)

(Ordered Printed)

Resolve providing Retirement Pension Increase for Nina Staples of Whitefield (H. P. 926) (Presented by Mr. Chase of Whitefield)

(Ordered Printed)

Resolve in favor of Sadie M. D. Jewell of Orono (H. P. 927) (Presented by Mr. Fuller of Bangor)

(Ordered Printed)

Resolve Granting a Pension to Hubert E. Redding of Oakland (H. P. 928) (Presented by Mr. Pullen of Oakland)

(Ordered Printed)

Sent up for concurrence.

Labor

Bill "An Act relative to Partial Compensation in Vacation Periods Under Employment Security Law" (H. P. 929) (Presented by Mr. Frechette of Sanford)

(Ordered Printed)

Bill "An Act relating to Care of Steam Heating Plants" (H. P. 930) (Presented by Mr. Roundy of Portland)

(Ordered Printed)

Sent up for concurrence.

Legal Affairs

Bill "An Act relating to Issuance of Harness Horse Racing Licenses"

(H. P. 931) (Presented by Mr. Center of Standish)

(Ordered Printed)

Bill "An Act Amending the Town of Strong School District" (H. P. 932) (Presented by Mr. Dodge of Strong)

(Ordered Printed)

Bill "An Act to Provide a Town Council and Manager Form of Government for the Town of Old Orchard Beach" (H. P. 933) (Presented by Mrs. Downing of North Kennebunkport by request)

(Ordered Printed)

Bill "An Act to Incorporate the Sabattus Shore Municipal Association" (H. P. 934) (Presented by Mr. Dumais of Lewiston)

(Ordered Printed)

Bill "An Act Amending the Charter of the City of Portland re Election of Members to City Council" (H. P. 935) (Presented by Mrs. Lord of Portland)

(Ordered Printed)

Bill "An Act Amending the Community School District Law" (H. P. 936) (Presented by Mr. Low of Rockland)

(Ordered Printed)

Sent up for concurrence.

Liquor Control

Bill "An Act relating to Duties of the Liquor Commission" (H. P. 937) (Presented by Mr. Chase of Whitefield)

(Ordered Printed)

Bill "An Act Defining 'Retail Store' in Liquor Law" (H. P. 938) (Presented by Mr. Cote of Lewiston by request)

(Ordered Printed)

Bill "An Act relating to Liquor License Credit" (H. P. 939) (Presented by same gentleman by request)

(Ordered Printed)

Bill "An Act relating to Stock in Trade of Liquor Licensees" (H. P. 940) (Presented by Mr. Tuttle of Pownal)

(Ordered Printed)

Sent up for concurrence.

Public Utilities

Bill "An Act relating to Transmission of Electric Power Beyond Limits of State" (H. P. 941) (Presented by Mr. Dumais of Lewiston)

(Ordered Printed)

Sent up for concurrence.

Sea and Shore Fisheries

Bill "An Act relating to the Taking of Clams, Quahogs, Mussels and Worms in the Town of Islesboro" (H. P. 942) (Presented by Mr. West of Stockton Springs)

(Ordered Printed)

Sent up for concurrence.

Taxation

Bill "An Act relating to Sales Under Nineteen Cents Under Sales Tax Law" (H. P. 943) (Presented by Mr. Archer of Brewer)

(Ordered Printed)

Bill "An Act relating to Exemption of Water Used for Domestic Purposes from the Sales and Use Tax" (H. P. 944) (Presented by Mr. Fuller of Bangor)

(Ordered Printed)

Bill "An Act relating to Taxation of Domestic Fowl" (H. P. 945) (Presented by Mr. Rich of Charleston)

(Ordered Printed)

Bill "An Act relating to Abatement of Poll-tax of Deceased Persons" (H. P. 946) (Presented by Mr. Stewart of Portland)

(Ordered Printed)

Sent up for concurrence.

Towns and Counties

Bill "An Act relating to Expenses of Maintaining Burying Grounds in Unorganized Territory" (H. P. 947) (Presented by Mr. Brockway of Milo)

(Ordered Printed)

Bill "An Act relating to Expenses of Aids Employed by Sheriff in Criminal Cases" (H. P. 948) (Presented by Mr. Legard of Bath)

(Ordered Printed)

Sent up for concurrence.

Transportation

Bill "An Act relating to Signals by Lights or Mechanical Signal Devices on Motor Vehicles" (H. P. 949) (Presented by Mr. Archer of Brewer)

(Ordered Printed)

Bill "An Act relating to Buses Chartered for Children" (H. P. 950) (Presented by Mr. Bearce of Hebron)

(Ordered Printed)

Bill "An Act relating to Operating Headlights on Motor Vehicles Following Another" (H. P. 951) (Presented by Mr. Totman of Bangor)

(Ordered Printed)

Sent up for concurrence.

On motion of Mrs. Christie of Presque Isle, House Rule 25 was suspended for the remainder of today's session, in order to permit smoking.

Veterans and Military Affairs

Bill "An Act relating to Leave of Absence Under the Military Law" (H. P. 952) (Presented by Mr. Higgins of Scarborough by request) (Ordered Printed)
Sent up for concurrence.

Welfare

Resolve providing for an Increase in State Pension for Guy Pulsifer of Turner (H. P. 953) (Presented by Mr. Abbott of Mechanic Falls)

Resolve providing for State Pension for Lester Townsend of Etna (H. P. 954) (Presented by Mr. Carter of Etna)

Resolve providing for State Pension for Hira Howes of Carmel (H. P. 955) (Presented by same gentleman)

Resolve providing for State Pension for Nancy Simmons of Windsor (H. P. 956) (Presented by Mr. Hussey of Windsor)

Resolve providing for an Increase in State Pension for Marlene Smart of Prospect (H. P. 957) (Presented by Mr. West of Stockton Springs)

Resolve providing for State Pension for George N. Harriman of Searsport (H. P. 958) (Presented by same gentleman)

Sent up for concurrence.

The SPEAKER: The Chair notes the presence in the balcony of the Hall of the House of a Sunday School Class from the Waldo Larger Parish in Washington, accompanied by the Reverend Harold Nutter, and approximately thirty students of the Skowhegan Junior High School under the direction of Mr. Wallace Cunningham.

In behalf of the House, the Chair extends to you a cordial and hearty welcome. (Applause)

Orders

Miss Lawry of Rockland presented the following Order and moved its passage:

WHEREAS, the House is informed of the birth of a grandchild on February 14, 1953, to Re-

presentative Reginald R. Frechette of Sanford;

AND WHEREAS, the Members of the House are much pleased and wish to extend their heartiest congratulations to Mr. and Mrs. Frechette;

BE IT ORDERED, that the baby girl be named Lucille Rose Paquin, and that the Clerk of the House be directed to send to Mr. Frechette an attested copy of this Order.

The Order received passage. (Applause)

House Reports of Committees Divided Report Tabled

Majority Report of the Committee on Liquor Control reporting "Ought not to pass" on Bill "An Act Regulating Liquor Advertising" (H. P. 191) (L. D. 202)

Report was signed by the following members:

Messrs. TABB of Kennebec
DENNETT of York
BOUCHER of Androscoggin
—of the Senate.

Messrs. ALBERT of Augusta
LARRABEE of Westbrook
BROWN of Robbinston
CHASE of Whitefield
DOSTIE of Winslow
ANDERSON of Greenville
—of the House.

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

Report was signed by the following member:

Mrs. CHRISTIE of Presque Isle
—of the House.

Reports were read.

(On motion of Mr. Stewart of Portland, the two reports with accompanying papers were tabled pending acceptance of either report.)

Divided Report Tabled

Majority Report of the Committee on Liquor Control reporting "Ought not to pass" on Bill "An Act relating to Limitation of Liquor Licenses" (H. P. 192) (L. D. 203)

Report was signed by the following members:

Messrs. TABB of Kennebec
DENNETT of York

BOUCHER of Androscoggin
—of the Senate.

Messrs. ALBERT of Augusta
LARRABEE of Westbrook
CHASE of Whitefield
DOSTIE of Winslow
ANDERSON of Greenville
—of the House.

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

Report was signed by the following members:

Mrs. CHRISTIE of Presque Isle
Mr. BROWN of Robbinston
—of the House.

Reports were read.

(On motion of Mrs. Christie of Presque Isle, the two reports with accompanying papers were tabled pending acceptance of either report.)

The SPEAKER: At this time, the Chair notes the presence in the balcony of the Hall of the House of a group of Seniors in the Problems of Democracy Class of Deering High School, under the supervision of their teacher, Mr. Linwood Elliott.

On behalf of the House, the Chair extends to you a cordial and hearty welcome. (Applause)

Divided Report

Majority Report of the Committee on Liquor Control reporting "Ought not to pass" on Bill "An Act Repealing the Laws on Taverns Concerning Liquor" (H. P. 230) (L. D. 256)

Report was signed by the following members:

Messrs. TABB of Kennebec
DENNETT of York
BOUCHER of Androscoggin
—of the Senate.

Messrs. ALBERT of Augusta
LARRABEE of Westbrook
DOSTIE of Winslow
CHASE of Whitefield
ANDERSON of Greenville
—of the House.

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

Report was signed by the following members:

Mrs. CHRISTIE of Presque Isle
Mr. BROWN of Robbinston
—of the House.

Reports were read and, on motion of Mr. Chase of Whitefield, the Majority Report "Ought not to Pass" was accepted and sent up for concurrence.

**Divided Report
Tabled**

Majority Report of the Committee on Liquor Control reporting "Ought not to pass" on Bill "An Act relating to Liquor Billboards and Signs" (H. P. 275) (L. D. 262)

Report was signed by the following members:

Messrs. TABB of Kennebec
DENNETT of York
BOUCHER of Androscoggin
—of the Senate.

Messrs. DOSTIE of Winslow
ALBERT of Augusta
LARRABEE of Westbrook
BROWN of Robbinston
CHASE of Whitefield
ANDERSON of Greenville
—of the House.

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

Report was signed by the following member:

Mrs. CHRISTIE of Presque Isle
—of the House.

Reports were read.

(On motion of Mrs. Christie of Presque Isle, the two reports with accompanying papers were tabled pending the acceptance of either report.)

Divided Report

Majority Report of the Committee on Liquor Control reporting "Ought not to pass" on Bill "An Act relating to Hours of Retail Stores Selling Malt Beverages" (H. P. 231) (L. D. 257)

Report was signed by the following members:

Messrs. TABB of Kennebec
DENNETT of York
BOUCHER of Androscoggin
—of the Senate.

Messrs. DOSTIE of Winslow
ALBERT of Augusta
LARRABEE of Westbrook
BROWN of Robbinston
CHASE of Whitefield
ANDERSON of Greenville
—of the House.

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

Report was signed by the following member:

Mrs. CHRISTIE of Presque Isle
—of the House.

Reports were read and, upon motion of Mr. Brown of Robbinston, the Majority Report "Ought not to pass" was accepted and sent up for concurrence.

Divided Report

Report "A" of the Committee on Liquor Control on Bill "An Act relating to Sale of Malt Liquor in Non-Returnable Bottles" (H. P. 145) (L. D. 143) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was signed by the following members:

Messrs. CHASE of Whitefield
ANDERSON of Greenville
Mrs. CHRISTIE of Presque Isle
Messrs. LARRABEE of Westbrook
BROWN of Robbinston
— of the House.

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

Report was signed by the following members:

Messrs. TABB of Kennebec
BOUCHER of Androscoggin
DENNETT of York
— of the Senate.
Messrs. ALBERT of Augusta
DOSTIE of Winslow
— of the House.

Reports were read.

The SPEAKER: The Chair recognizes the gentleman from Fairfield, Mr. Osborne.

Mr. OSBORNE: Mr. Speaker, I would like permission to speak briefly on this bill and then place a motion before the House.

The SPEAKER: The matter is debatable.

Mr. OSBORNE: Mr. Speaker and Members of the House: I was not disturbed by the pythonic comment concerning this bill in one of last Sunday's newspapers. I believe that possibly that comment was planted with reason but published with sincerity in the belief that it was correct.

Now it is my understanding that where a committee report is evenly divided as it is in this matter that

it is our privilege to accept either Report "A" or Report "B" for passage.

I believe you are all familiar with the purpose of this act which is to keep malt beverage bottles off the highways and adjacent areas.

This act is not a wet or dry issue and it in no way prohibits the sale of malt beverages. This is not a price-fixing law; only the matter of refund is involved. It will not cost any Maine manufacturer a single penny, and it need not cost any retail purchaser a single penny. We are all familiar with the ever increasing bottle problem on and along the highways and byways. Surveys have shown that by far the most of the bottles are beer and ale bottles. The highways are becoming a dumping ground.

Now some may wonder if this bill is discriminatory. How about cans? Now cans rust and disintegrate with time, but I have said before and I repeat: bottles, broken or whole, remain indefinitely like a vicious viper, waiting for the proximity of some person or some vehicle to come close enough so that they can sink their fangs into them.

Now the problem is beer and ale bottles. If your shoe pinches do you blame your gloves for it? Let us try to eliminate the problem that is involved.

I have heard comment that unreturnable bottles were plastic. I have information from one of the largest manufacturers of beer and ale bottles in the United States to the effect that the only difference between the unreturnable bottle and the returnable bottle is in the weight of the bottle and the amount of glass in it and the fact that the unreturnable bottle breaks more easily.

I wonder how the public over the entire state feels about this matter. Are they satisfied to have this unseemly litter and danger spread along the highways and the adjacent areas? I wonder how many are possibly killed by broken bottles, not directly but indirectly through going onto them, cutting a tire, not knowing a piece of glass is partially embedded in the tire, and maybe they went later or maybe instantly and the car is found upturned beside the highway.

I would like to know how many forest and grass fires have been caused by the sun's rays shining through these bottles, broken or whole, acting as a magnifying glass, yet many of these fires naturally would be of undetermined origin.

I have received many letters from throughout the State, and of those letters I received only one adverse letter: the rest were in favor of the passage of the bill.

The differential in cost to wholesalers and distributors between returnable and non-returnable bottles is small. It would seem to me that possibly the improved public relations should repay that small cost. Previously the Brewers Association have promised some action. Two years ago they promised that the situation would be cleared up. As far as I can see, the only difference between now and two years ago is the fact that there is approximately two more years' accumulation of bottles along the highway except for those that have been picked up by some thoughtful individuals.

In any case, I cannot understand why thousands should suffer from this condition to accommodate a few who, because of mercenary reasons, would like to have that small additional profit. I hope that we shall try to protect the life, property and welfare of the citizens of this State. I believe one good way to do it is to vote an approval of this bill. I move that Report "A" "Ought to pass as amended by Committee Amendment 'A'" in favor of this bill be accepted.

The SPEAKER: The gentleman from Fairfield, Mr. Osborne, moves that Report "A" of the committee, "Ought to pass as amended by Committee Amendment 'A'" be accepted.

The Chair recognizes the gentleman from Brunswick, Mr. Tondreau.

Mr. TONDREAU: Mr. Speaker and Members of the House: I wish to differ with the gentleman from Fairfield, Mr. Osborne, on two counts. If I am wrong in my interpretation of the first count I will waive the second count. However, I feel this way on this matter: I do not agree with Mr. Osborne that there is a widespread distribution of these bottles along the highways of the State. I have looked very carefully for quite some time to see

if I could find any of these bottles and I have not seen any. Perhaps I have not looked in the right places. To that extent I feel that perhaps there is a slight measure of insincerity in this bill. I have seen, on the contrary, a great amount of paper, but I do not see that this law would accomplish the removal of this paper from the highways.

Now the second point, and it is one I would waive claim to, is in regard to the manner in which this bill would affect a certain group of business men in this State. Mr. Osborne has stated that this bill would not in any way injure the business man. I beg to differ with him on that count. I happen to be the manager of a supermarket, and prior to the advent on the scene of the non-returnable bottle we had to employ the services of one of our employees in constantly taking care of these bottles. To that extent we in the grocery business feel that it is a very costly procedure, so we would therefore very much endorse any type of business procedure that will eliminate bottles from the scene.

Another point is that, of course, if there is to be a deposit on all of these bottles it does tie up a great amount of capital, especially in the larger enterprises of the State. Now if this measure is at all sincere — and if I am wrong in the first point I have made, that there is no serious condition as regards bottles along the highways of the State, if I am wrong in that point I will gladly waive the second. However, I am not aware that that is the case, and so I move that Report "B" of the Committee on Liquor Control be accepted.

The SPEAKER: The question before the House is on the motion of the gentleman from Fairfield, Mr. Osborne, that the House accept Report "A" "Ought to pass as amended by Committee Amendment 'A'". Is the House ready for the question?

The Chair recognizes the gentleman from Pittsfield, Mr. Cianchette.

Mr. CIANCHETTE: Mr. Speaker, I move that this motion be laid on the table.

The SPEAKER: A motion to table is in order. The gentleman from Pittsfield, Mr. Cianchette, moves that the reports and accompanying papers lie on the table pending the

motion of the gentleman from Fairfield, Mr. Osborne, for the acceptance of Report "A" "Ought to pass as amended by Committee Amendment 'A.'" Is this the pleasure of the House?

(Cries of "No" "No")

The SPEAKER: As many as are in favor of the motion of the gentleman from Pittsfield, Mr. Cianchette, that the reports and accompanying papers lie on the table pending the motion of the gentleman from Fairfield, Mr. Osborne, will please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

The SPEAKER: Eight having voted in the affirmative and ninety-eight in the negative, the motion does not prevail.

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

Mr. TOTMAN: Mr. Speaker, I move that when the vote is taken it be taken by a division.

The SPEAKER: The gentleman from Bangor, Mr. Totman, moves that when the vote on the pending motion is taken it be taken by a division.

The Chair recognizes the gentleman from Dover-Foxcroft, Mr. Sanford.

Mr. SANFORD: Mr. Speaker and Members of the House: This is a subject that I know very little about and I have said very little about it but I am heartily in favor of it. But I would be in hopes that (Laughter) As I was going to say before I was interrupted: I do hope the House will go along on this bill.

The SPEAKER: The House will be in order.

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

Mr. TURNER: Mr. Speaker, I want to go along with my friend the gentleman from Dover-Foxcroft, Mr. Sanford, here, but I don't know which way he is going. (Laughter)

Mr. SANFORD: Mr. Speaker, may I answer that question?

The SPEAKER: The Chair recognizes the gentleman from Dover-Foxcroft, Mr. Sanford.

Mr. SANFORD: I don't know myself, Mr. Speaker. I will go either way. (Laughter)

The SPEAKER: The question before the House is on the motion of the gentleman from Fairfield, Mr. Osborne, that the House accept Report "A" of the Committee on Liquor Control, "Ought to pass" as amended by Committee Amendment "A" on Bill "An Act relating to Sale of Malt Liquor in Non-Returnable Bottles," House Paper 145, Legislative Document 143.

The gentleman from Bangor, Mr. Totman, requests a division.

As many as are in favor of accepting Report "A" of the Committee "Ought to pass" as amended by Committee Amendment "A", will please rise and remain standing in their places until the monitors have made and returned the count.

A division of the House was had.

Ninety-eight having voted in the affirmative and eighteen in the negative, the motion prevailed and Report "A", "Ought to pass" as amended by Committee Amendment "A" on Bill "An Act relating to Sale of Malt Liquor in Non-Returnable Bottles" (H. P. 145) (L. D. 143) was accepted.

The Bill, having already been printed, was read twice under suspension of the rules.

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

COMMITTEE AMENDMENT "A" to H. P. 145, L. D. 143, Bill "An Act Relating to Sale of Malt Liquor in Non-Returnable Bottles."

Amend said bill by striking out in the 3rd line of that part designated "Sec 23-A." the underlined figure "10" and inserting in place thereof the underlined figure "2".

The SPEAKER: The Chair recognizes the gentleman from Guilford, Mr. Campbell.

Mr. CAMPBELL: Mr. Speaker, I move that this Bill and accompanying papers lie on the table until next Tuesday, February 24.

The SPEAKER: The gentleman from Guilford, Mr. Campbell, moves that Bill "An Act Relating to Sale of Malt Liquor in Non-Returnable Bottles", House Paper 145, Legislative Document 143, together with accompanying papers, lie on the table pending adoption of Committee Amendment "A".

(Cries of "no")

The SPEAKER: As many as are in favor of the motion of the gen-

tleman from Guilford, Mr. Campbell, that Bill "An Act Relating to Sale of Malt Liquor in Non-Returnable Bottles", House Paper 145, Legislative Document 143, together with accompanying papers, lie on the table pending adoption of Committee Amendment "A" will please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Twelve having voted in the affirmative and eighty-seven having voted in the negative, the motion did not prevail.

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

Refer to Committee on Claims

Mr. Brown from the Committee on Liquor Control on Resolve in favor of Angelo Cote de Augusta (H. P. 117) (L. D. 89) reported that same be referred to the Committee on Claims.

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

Ought to Pass Printed Bills

Mr. Currier from the Committee on Inland Fisheries and Game reported "Ought to pass" on Resolve Regulating Fishing in Abbott Brook, Oxford County (H. P. 173) (L. D. 168)

Mr. Vaughan from same Committee reported same on Resolve Regulating Fishing in East Branch Tributaries of the Penobscot River (H. P. 101) (L. D. 102)

Mr. Whitney from same Committee reported same on Resolve Opening Center Pond in the Town of Lincoln to Ice Fishing (H. P. 102) (L. D. 103)

Reports were read and accepted, and the Resolves, having already been printed, were read once under suspension of the rules, and assigned for second reading the next legislative day.

Ought to Pass with Committee Amendment

Mr. Frechette from the Committee on Inland Fisheries and Game

on Resolve Opening Crane Pond to Ice Fishing (H. P. 103) (L. D. 104) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Resolve, having already been printed, was read once under suspension of the rules.

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

COMMITTEE AMENDMENT "A" to H. P. 103, L. D. 104, Resolve Opening Crane Pond to Ice Fishing.

Amend said bill by inserting after the word "fishing" in the last line the words 'for Perch and Pickereel only.'

Committee Amendment "A" was adopted and the Resolve was assigned for second reading the next legislative day.

Tabled and Assigned

Mr. Vaughan from the Committee on Inland Fisheries and Game on Bill "An Act relating to Transportation of Fish from Moosehead Lake" (H. P. 27) (L. D. 21) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read.

(On motion of Mr. Watson of Moose River Plantation, the Report with accompanying papers was tabled pending acceptance of the report and specially assigned for next Wednesday, February 25.)

Mr. Tuttle from the Committee on Public Utilities on Bill "An Act to Amend the Charter of the Freeport Sewer District" (H. P. 280) (L. D. 267) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Bill, having already been printed, was read twice under suspension of the rules.

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

COMMITTEE AMENDMENT "A" to H. P. 280, L. D. 267, Bill "An Act to Amend the Charter of the Freeport Sewer District."

Amend said bill by striking out in the headnote of that part designated "Sec. 19-B" the underlined word "taxes" and inserting in place thereof the underlined words

'rates, rents, tolls and other lawful charges'

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

Passed to be Engrossed

Bill "An Act Regulating the Digging of Clams in the Town of Tremont, Hancock County" (H. P. 236) (L. D. 218)

Bill "An Act relating to the Taking of Clams in the Town of Castine" (H. P. 281) (L. D. 302)

Resolve in favor of Ralph D. Olfene and Winiferd O. Wallingford of Auburn (H. P. 160) (L. D. 804)

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

Orders of the Day

The SPEAKER: Under Orders of the Day, the Chair lays before the House the first tabled and today assigned matter, Committee Amendment "A" (Filing No. 16) to Bill "An Act relating to the Taking of Soft Shell Clams, Quahogs and Mussels in Jonesport" (H. P. 234) (L. D. 259) tabled on February 18 by the gentleman from Auburn, Mr. Trafton, pending adoption of the amendment.

On motion of Mr. Tupper of Boothbay Harbor, Committee Amendment "A" was adopted and the Bill was assigned for third reading the next legislative day.

On motion of Mr. Moulton of Sweden, the House voted to take

from the table the first tabled and unassigned matter, Bill "An Act relating to Town Dumps" (H. P. 73) (L. D. 69) tabled by that gentleman on February 17 pending first reading. (Committee Amendment Filing No. 15).

On further motion of the same gentleman the Bill was read twice under suspension of the rules.

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

COMMITTEE AMENDMENT "A" to H. P. 73, L. D. 69, Bill "An Act Relating to Town Dumps."

Amend said Bill by inserting after the semicolon at the end of the second from the last line of the second paragraph thereof the underlined words **'for the acquisition and maintenance of public town dumps and for the providing of public dump facilities, whether said dump facilities be located within or outside of the geographic limits of said town;'**

And further amend said Bill by striking out all of Section 2 thereof.

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

The SPEAKER: The House is proceeding under Orders of the Day.

If there is no further business to come before the House at this time, the Clerk will read the notices.

On motion of Mr. Gardner of Hartland,

Adjourned until Tuesday, February 24, at eleven o'clock in the forenoon.