

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

Tuesday, February 24, 1953

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

Prayer by the Rev. Mr. Carl H. Gores, Jr., of Leeds.

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

The journal of the previous session was read and approved.

Papers from the Senate

From the Senate:

Bill "An Act relating to Line Budget for Personal Services for State Departments" (S. P. 285) (L. D. 819)

Came from the Senate referred to the Committee on Appropriations and Financial Affairs.

In the House, referred to the Committee on Appropriations and Financial Affairs in concurrence.

Tabled

From the Senate:

Resolve providing for Certain Construction at Portland Municipal Airport (S. P. 284) (L. D. 818)

Came from the Senate referred to the Committee on Appropriations and Financial Affairs.

In the House:

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

Mr. STEWART: Mr. Speaker, at the request of the sponsor of this Resolve, I move that Item 2, Resolve providing for Certain Construction at Portland Municipal Airport lie on the table pending reference to any committee.

The SPEAKER: The gentleman from Portland, Mr. Stewart, moves that Item 2, Resolve providing for Certain Construction at Portland Municipal Airport, Senate Paper 284, Legislative Document 818, lie on the table pending reference to any committee. It this the pleasure of the House?

The motion prevailed.

From the Senate:

Resolve providing for Deficiency Appropriation for Hospital Aid (S. P. 286) (L. D. 820)

Came from the Senate referred to the Committee on Appropriations and Financial Affairs.

In the House, referred to the Committee on Appropriations and Financial Affairs in concurrence.

From the Senate:

Bill "An Act relating to Requirements of Group Accident and Sickness Insurance Policies" (S. P. 288) (L. D. 826)

Bill "An Act relating to Circuses and Travelling Amusement Shows" (S. P. 289) (L. D. 831)

Bill "An Act relating to Inspections by the Insurance Commissioner" (S. P. 290) (L. D. 825)

Bill "An Act relating to Cash Reserve in Banks" (S. P. 291) (L. D. 824)

Bill "An Act Permitting Savings Banks to Invest in Certain Preferred Stocks" (S. P. 292) (L. D. 823)

Bill "An Act relating to Limitation of Real Estate Holdings by Savings Banks" (S. P. 293) (L. D. 821)

Bill "An Act Permitting Savings Banks to Loan on Life Insurance Policies" (S. P. 294) (L. D. 822)

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:

Bill "An Act to Increase the Salaries of Members of the State Police" (S. P. 295) (L. D. 829)

Bill "An Act relating to Compensation for Members of Maine Turnpike Authority" (S. P. 297) (L. D. 827)

Resolve providing for Construction of Highway to Sugar Loaf Mountain, Franklin County (S. P. 296) (L. D. 828)

Came from the Senate referred to the Committee on Highways.

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

From the Senate:

Bill "An Act Creating Colby College Game Management Area" (S. P. 298) (L. D. 830)

Came from the Senate referred to the Committee on Inland Fisheries and Game.

In the House, referred to the Committee on Inland Fisheries and Game in concurrence.

From the Senate:

Bill "An Act relating to Inspection of Boilers" (S. P. 315) (L. D. 805)

Came from the Senate referred to the Committee on Labor.

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

From the Senate:

Bill "An Act relating to Complaints of Dogs Hunting Wild Animals" (S. P. 316) (L. D. 810)

Bill "An Act relating to Killing of Dogs Hunting Wild Animals" (S. P. 317) (L. D. 811)

Bill "An Act providing Penalty for Dog Hunting Wild Animals" (S. P. 318) (L. D. 809)

Bill "An Act Amending the Charter of the Maine School for the Deaf" (S. P. 319) (L. D. 807)

Bill "An Act to Dissolve the First Parish of Freeport" (S. P. 320) (L. D. 806)

Bill "An Act Regulating Locksmiths" (S. P. 321) (L. D. 808)

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:

Resolve Permitting Sugar Loaf Ski Club to Use Certain State Lands (S. P. 322) (L. D. 812)

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 Promotion of Medical Education" (S. P. 323) (L. D. 813)

Came from the Senate referred to the Committee on Public Health.

In the House, referred to the Committee on Public Health in concurrence.

From the Senate:

Bill "An Act Repealing Law relating to Street Railroads" (S. P. 324) (L. D. 814)

Bill "An Act relating to Regulation of Posts and Wires" (S. P. 325) (L. D. 815)

Bill "An Act Amending the Charter of the Sewer District in the Town of Sanford" (S. P. 327) (L. D. 817)

Bill "An Act to Amend the Charter of Aroostook Valley Railroad Company" (S. P. 328) (L. D. 816)

Came from the Senate referred to the Committee on Public Utilities.

In the House, referred to the Committee on Public Utilities in concurrence.

From the Senate:

Bill "An Act relating to the Taking of Lobsters in York River, County of York" (S. P. 329) (L. D. 832)

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 relating to Tax Exemptions of Unremarried Widows of Veterans" (S. P. 330) (L. D. 836)

Bill "An Act relating to Sales Under Twenty-five Cents Under Sales Tax Law" (S. P. 331) (L. D. 835)

Bill "An Act to Exempt from the Maine Sales and Use Tax Beer, Ale and Other Drinks" (S. P. 332) (L. D. 834)

Bill "An Act relating to Tax Stamp Discounts in Cigar and Tobacco Products Law" (S. P. 333) (L. D. 833)

Came from the Senate referred to the Committee on Taxation.

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

From the Senate:

Bill "An Act relating to Number of Medical Examiners for Cumberland County" (S. P. 334) (L. D. 842)

Bill "An Act relating to Line Budget for County Estimates" (S. P. 335) (L. D. 840)

Bill "An Act relating to Salary of Judge of the Lewiston Municipal Court" (S. P. 336) (L. D. 841)

Bill "An Act to Increase the Salary of the Judge of the Waterville

Municipal Court" (S. P. 337) (L. D. 837)

Bill "An Act Closing Offices in Somerset County Court House on Saturdays in Summer" (S. P. 338) (L. D. 839)

Bill "An Act relating to Salary of the Clerk and Clerk Hire of the Lewiston Municipal Court" (S. P. 342) (L. D. 838)

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:

Resolve providing for an Increase in State Pension for Mrs. Vivian Dill of Mount Vernon (S. P. 364)

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 Judiciary reporting "Ought to pass" on Bill "An Act relating to the Time of Maturity of Negotiable Instruments" (S. P. 57) (L. D. 129)

Report of same Committee reporting same on Bill "An Act to Require that a Modern Mortality Table be Used in Inheritance Tax Calculations" (S. P. 82) (L. D. 189)

Report of same Committee reporting same on Bill "An Act relating to Violations of Use Fuel and Motor Carrier Tax Laws" (S. P. 83) (L. D. 190)

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

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

Tabled

Report of the Committee on Sea and Shore Fisheries reporting "Ought to pass" on Bill "An Act relating to Digging of Clams and Marine Worms in Wiscasset, County of Lincoln" (S. P. 88) (L. D. 195)

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

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

(On motion of Mr. Hilton of Bremen, tabled pending second reading.)

Ought to Pass with Senate Amendment

Report of the Committee on Judiciary reporting "Ought to pass" on Bill "An Act relating to Mortgages and Other Disposition of Corporate Property" (S. P. 60) (L. D. 126)

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

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

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

SENATE AMENDMENT "A" to S. P. 60, L. D. 126, Bill "An Act Relating to Mortgages and Other Disposition of Corporate Property."

Amend said Bill by striking out the 4th line thereof and inserting in place thereof the following:

"Except as to franchises, this **This** and the 11 following sections shall not be held to apply to mortgages"

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

Ought to Pass with Committee Amendment

Report of the Committee on Taxation on Bill "An Act Revising and Amending Provisions of Tax Exemptions on Property" (S. P. 142) (L. D. 342) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

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

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

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

COMMITTEE AMENDMENT "A" to S. P. 142, L. D. 342, Bill "An Act Revising and Amending Provisions of Tax Exemptions on Property."

Amend said Bill by striking out the 28th, 29th, 30th and 31st lines thereof and inserting in place thereof the following underlined words and punctuation:

'the provisions of this subsection shall file with the tax assessors upon their request a report for its preceding fiscal year in such detail as the tax assessors may reasonably require. Any'

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

**Ought to Pass with Committee
Amendment and Senate
Amendment**

Report of the Committee on Taxation on Bill "An Act relating to Certain Tax Exemptions for Amputee Veterans" (S. P. 55) (L. D. 83) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

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

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

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

COMMITTEE AMENDMENT "A" to S. P. 55, L. D. 83, Bill "An Act Relating to Certain Tax Exemptions for Amputee Veterans."

Amend said Bill by striking out the 3rd and 2nd lines from the end of section 1 and inserting in place thereof the following:

'designed motor vehicle, and who is otherwise qualified to operate a motor vehicle in this state, shall be required to pay the annual excise tax or'

Further amend said Bill by striking out the 4th and 3rd lines from the end of section 2 and inserting in place thereof the following:

'shall have a specially designed motor vehicle, and who is otherwise qualified to operate a motor vehicle in this state, such veteran shall be en-'

Further amend said Bill by striking out the 4th and 3rd lines from the end of section 3 and inserting in place thereof the following:

'ted disability who shall have a specially designed motor vehicle, and who is otherwise qualified to operate a motor vehicle in this state, such veteran'

Committee Amendment "A" was adopted in concurrence.

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

SENATE AMENDMENT "A" to S. P. 55, L. D. 83, Bill "An Act Relating to Certain Tax Exemptions for Amputee Veterans."

Amend said Bill by inserting therein a new section, to be numbered 3-A, to read as follows:

"Sec. 3-A. R. S. c. 14-A, § 10, sub-§ XIV, additional. Section 10 of chapter 14-A of the revised statutes, as enacted by section 1 of chapter 250 of the public laws of 1951, is hereby amended by adding thereto a new subsection to be numbered XIV, to read as follows:

'XIV. Automobiles to amputee veterans. Sales of automobiles to veterans who are granted free registration of such vehicles by the secretary of state under the provisions of section 13 to chapter 19. Certificates of exemption of refunds of tax paid shall be granted under such rules or regulations as the assessor may prescribe.'

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

The SPEAKER: The Chair, at this time, notes the presence in the balcony of the Hall of the House of six members of the Pequawket 4-H Club from Steep Falls, as well as a group of students from Mattanawcook Academy, Lincoln, from the Problems in Democracy Class under the supervision of Mr. Randolph Adams.

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

Messages and Documents

The following Communication:

STATE OF MAINE
DEPARTMENT OF STATE

February 19, 1953

To the Speaker of the House of Representatives of the Ninety-sixth Legislature:

I have the honor to herewith transmit copies of the estimate of

expenses of the sixteen counties within the State for the years 1953 and 1954, the same having been filed in this office according to the provisions of Sections 13 and 14 of Chapter 79 of the Revised Statutes of 1944.

(Signed) Harold I. Goss
Secretary of State

Was read and, with the accompanying papers, referred to the House Committee on County Estimates.

On motion of Miss Lawry of Rockland, House Rule 25 was suspended for the remainder of today's session in order to permit smoking.

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:

Appropriations and Financial Affairs

Bill "An Act relating to Travel by State Employees" (H. P. 959) (Presented by Mr. Stewart of Paris) (Ordered Printed)

Resolve in favor of the Town of New Gloucester (H. P. 960) (Presented by Mr. Edwards of Raymond)

(Ordered Printed)
Sent up for concurrence.

Business Legislation

Bill "An Act relating to Fire Inspection of Hospitals and Boarding Homes" (H. P. 961) (Presented by Mr. Campbell of Guilford)

(Ordered Printed)
Sent up for concurrence.

Claims

Resolve in favor of Mary Heckman Leathers of Kennebunkport (H. P. 962) (Presented by Mr. Bibber of Kennebunkport)

(Ordered Printed)

Resolve in favor of Town of Van Buren (H. P. 963) (Presented by Mr. Madore of Van Buren)

Sent up for concurrence.

Highways

Bill "An Act relating to Discontinuance of State or State Aid Highways" (H. P. 964) (Presented by Mr. Curtis of Bowdoinham) (750 Copies Ordered Printed)

Bill "An Act relating to Form of Guarantee Filed with Highway Commission" (H. P. 965) (Presented by Mr. Smith of Farmingdale)

(Ordered Printed)
Sent up for concurrence.

Judiciary

Bill "An Act relating to Saturday Closing of Courthouse Offices" (H. P. 966) (Presented by Mr. Albert of Augusta)

(Ordered Printed)

Bill "An Act relating to Witnesses in Criminal Proceedings" (H. P. 967) (Presented by same gentleman)

(Ordered Printed)

Bill "An Act Redefining the Crime of Perjury" (H. P. 968) (Presented by same gentleman)

(Ordered Printed)

Bill "An Act Amending the Charter of the Waldo County Municipal Court" (H. P. 969) (Presented by Mr. Clements of Belfast)

(Ordered Printed)

Bill "An Act relating to Residence Requirement for Divorce" (H. P. 970) (Presented by Mr. Low of So. Portland)

(Ordered Printed)

Bill "An Act relating to Acknowledgment of Certain Deeds" (H. P. 971) (Presented by Mr. McGlauffin of Portland by request)

(Ordered Printed)

Bill "An Act relating to Appointment of Recorder of Eastport Municipal Court" (H. P. 972) (Presented by Mr. O'Dell of Eastport)

(Ordered Printed)

Bill "An Act Establishing Right of Way to Great Ponds of the State" (H. P. 973) (Presented by Mr. Smith of Farmingdale by request)

(Ordered Printed)

Sent up for concurrence.

Legal Affairs

Bill "An Act relating to Local Option for Horse Racing" (H. P. 974) (Presented by Mr. Stewart of Portland)

(1000 Copies Ordered Printed)

Bill "An Act relating to Opening a Disinterred Casket" (H. P. 975)

(Presented by Mr. Bibber of Kennebunkport)

(Ordered Printed)

Bill "An Act relating to Pari Mutuel Pool Contributions and Night Running Racing" (H. P. 976) (Presented by Mr. Gilman of Portland)

(Ordered Printed)

Bill "An Act relating to the Charter of the Old Town High School District" (H. P. 977) (Presented by Mr. Latno of Old Town)

(Ordered Printed)

Bill "An Act relating to Annual Meeting of Cousins and Littlejohns Islands Village Corporation" (H. P. 978) (Presented by Mr. McGlauffin of Portland)

(Ordered Printed)

Bill "An Act relating to Special Town Meetings in Town of Fairfield" (H. P. 979) (Presented by Mr. Osborne of Fairfield)

(Ordered Printed)

Bill "An Act relating to Pensions for Firemen of the City of Bangor" (H. P. 980) (Presented by Mr. Woodcock of Bangor)

(Ordered Printed)

Sent up for concurrence.

Liquor Control

Bill "An Act relating to Self-Service of Liquor" (H. P. 981) (Presented by Mr. Brown of Robbinston)

(Ordered Printed)

Bill "An Act relating to Malt Liquor License Fees in Unorganized Territory" (H. P. 982) (Presented by same gentleman by request)

(Ordered Printed)

Bill "An Act Prohibiting Sale of Liquor in Connection with Pari Mutuel Betting" (H. P. 983) (Presented by Mr. Stewart of Portland)

(Ordered Printed)

Bill "An Act relating to Definition of 'Premises' in Liquor Law" (H. P. 984) (Presented by same gentleman)

(Ordered Printed)

Bill "An Act relating to Location of Licensed Premises in Liquor Law" (H. P. 985) (Presented by same gentleman)

(Ordered Printed)

Bill "An Act relating to Age of Employees on Licensed Liquor Premises" (H. P. 986) (Presented by same gentleman)

(Ordered Printed)

Sent up for concurrence.

Natural Resources

Bill "An Act relating to Outdoor Religious Signs" (H. P. 987) (Presented by Mr. Stewart of Portland by request)

(Ordered Printed)

Bill "An Act Regulating Boats for Hire on Inland Waters" (H. P. 988) (Presented by Mr. Travis of Westbrook)

(Ordered Printed)

Sent up for concurrence.

Public Health

Bill "An Act relating to Removal of Bodies to Crematories" (H. P. 989) (Presented by Mr. Bibber of Kennebunkport)

(Ordered Printed)

Bill "An Act relating to the State Board of Examiners of Funeral Directors and Embalmers" (H. P. 990) (Presented by same gentleman)

(Ordered Printed)

Sent up for concurrence.

Public Utilities

Bill "An Act to Incorporate the Addison Point Water District" (H. P. 991) (Presented by Mr. Stanwood of Steuben)

(Ordered Printed)

Sent up for concurrence.

Sea and Shore Fisheries

Bill "An Act relating to the Taking of Clams and Marine Worms in the Town of Searsport" (H. P. 992) (Presented by Mr. West of Stockton Springs)

(Ordered Printed)

Sent up for concurrence.

Taxation

Bill "An Act relating to the Exemption from Taxation of Agricultural Fair Associations" (H. P. 993) (Presented by Mr. Edwards of Raymond)

(Ordered Printed)

Bill "An Act relating to Exemptions from Taxation of Veterans" (H. P. 994) (Presented by Mr. Hussey of Windsor)

(Ordered Printed)

Bill "An Act Exempting Gas for Domestic Purposes from Sales Tax" (H. P. 995) (Presented by Mr. Travis of Westbrook)

(Ordered Printed)

Sent up for concurrence.

Towns and Counties

Bill "An Act relating to Number of Members of Superintending School Committee of Stonington" (H. P. 995) (Presented by Mr. Billings of Stonington.)

(Ordered Printed)

Bill "An Act Authorizing Aroostook County to Contribute Funds to the Unorganized Territory Capital Working Fund" (H. P. 997) (Presented by Mr. Burgess of Limestone)

(Ordered Printed)

Bill "An Act relating to the Taking of Alewives in the Town of Gouldsboro" (H. P. 998) (Presented by Mr. Butler of Franklin)

(Ordered Printed)

Bill "An Act relating to the Salaries of Various Officers in Waldo County" (H. P. 999) (Presented by Mr. Clements of Belfast)

(Ordered Printed)

Bill "An Act relating to Clothing Allowance for Detectives and Police Matron of Police Department of City of Lewiston" (H. P. 1000) (Presented by Mr. Cote of Lewiston)

(Ordered Printed)

Bill "An Act relating to Salaries of Certain County Officers of Sagadahoc County" (H. P. 1001) (Presented by Mr. Legard of Bath)

(Ordered Printed)

Bill "An Act to Increase the Salary of the Judge of the Eastport Municipal Court" (H. P. 1002) (Presented by Mr. O'Dell of Eastport)

(Ordered Printed)

Bill "An Act relating to Payment of Blood Tests in Certain Motor Vehicle Cases" (H. P. 1003) (Presented by Mr. Tondreau of Brunswick)

(Ordered Printed)

Bill "An Act relating to the Powers of the City of Calais" (H. P. 1004) (Presented by Mr. Walker of Calais)

(Ordered Printed)

Sent up for concurrence.

Transportation

Bill "An Act relating to Signs Yielding Right of Way at Intersection" (H. P. 1005) (Presented by Mr. Albert of Augusta)

(Ordered Printed)

Bill "An Act relating to Following Motor Vehicles" (H. P. 1006)

(Presented by Mr. Totman of Bangor)

(Ordered Printed)

Sent up for concurrence.

Welfare

Resolve providing for State Pension for Henry Durgin of Waterford (H. P. 1008) (Presented by Mr. Ford of Waterford)

Resolve providing for State Pension for Omer Ouellette of Van Buren (H. P. 1009) (Presented by Mr. Madore of Van Buren)

Resolve providing for State Pension for Harold Blake of Houlton (H. P. 1010) (Presented by Mr. Rogerson of Houlton)

Resolve providing for State Pension for Harriett Sheaff of Norridgewock (H. P. 1011) (Presented by Mr. Taylor of Norridgewock)

Resolve providing for State Pension for Russell Williams of Calais (H. P. 1012) (Presented by Mr. Walker of Calais)

Sent up for concurrence.

ORDERS

Tabled and Assigned

The SPEAKER: The Chair recognizes the gentleman from Limestone, Mr. Burgess.

Mr. BURGESS: Mr. Speaker, I present an order and, before the action is taken, I would like to make a few brief remarks.

The SPEAKER: The gentleman from Limestone, Mr. Burgess, presents an order. The Clerk will read the order.

The CLERK:

WHEREAS estimated revenues of the department of Inland Fisheries and Game amount to \$1,476,577 in the 1953-1954 year and \$1,465,327 in the 1954-1955 year; and,

WHEREAS the department of Inland Fisheries and Game has submitted to both the Budget Committee and the Committee on Appropriations and Financial Affairs that this biennial income of \$2,941,904, increased to \$3,096,433 by the estimated carrying balance of \$154,529, is not sufficient to finance desirable capital needs and is barely sufficient to meet their expanded expenditure needs; and,

WHEREAS Chapter 355 of the Public Laws of 1947 does dedicate the afore-mentioned sums to the department for their expenditure

without legislative consideration of what may be the reasonable needs of the department;

NOW, THEREFORE BE IT ORDERED, the Senate concurring, that,

1. The Joint Standing Committee on Inland Fisheries and Game proceed forthwith to

- a. Study the problem presented by the apparent inadequacy of existing revenues to carry out the legislative intent expressed by the passage of Chapter 355 of the Laws of 1951 whereby dedicated revenues was to be sufficient to meet all department needs.
- b. Determine whether or not a sounder financial control could be accomplished by requiring specific legislative appropriation of department revenues in a manner generally followed in the highway appropriation measure.
- c. Make such further study as the Committee may determine to be desirable in accomplishing maximum efficiency and economy in the department of Inland Fisheries and Game.

In carrying out the purposes of this Order the Committee on Inland Fisheries and Game may consider that it should take unto itself without reference to the Committee on Appropriations and Financial Affairs the task of reporting to the Legislature, bills, resolves or otherwise, such recommendations as it may wish to make.

The SPEAKER: The Chair recognizes the gentleman from Limestone, Mr. BURGESS.

Mr. BURGESS: Mr. Speaker and Members of the House: In order to briefly explain the intention of the order, I would like to use a comparison, namely, that of the Highway Department. As we are all aware, revenue to the Highway Department is dedicated for highway use by constitutional amendment. The highway funds come to us, as Legislators, from the Committee on Highways in the form of a regular appropriations bill, which sets forth in the usual manner the amounts to be appropriated for the various expenditure items of the Highway Department.

At the present time, your Inland Fisheries and Game Department find themselves in a deplorable condition. Namely, that the income to that department is dedicated for the use of that department. Your Committee on Appropriations and Financial Affairs believes that at this time a transfer of those activities as far as committee work is concerned should take place from Appropriations to the Committee on Inland Fisheries and Game, in order that they may give it a more thorough study than has ever previously been given in hopes that it will present an appropriations bill, which will set up in effect as accurately as they can determine the amounts needed for personal services, the amounts needed for this, that and the other and that it should be handled as any other department of the State is handled.

Now, Mr. Speaker, with that brief explanation, I move you, sir, that the order lie on the table and be specially assigned for February 25.

The SPEAKER: The gentleman from Limestone, Mr. Burgess, moves that this order lie on the table pending consideration and be specially assigned for Wednesday, February 25 and that it be reproduced. Is this the pleasure of the House?

The motion prevailed and the order was so tabled and assigned.

House Reports of Committees Ought to Pass in New Draft Printed Resolve

Mr. Frechette from the Committee on Inland Fisheries and Game on Resolve Regulating Fishing in the Kennebec River (H. P. 167) (L. D. 211) reported same in a new draft (H. P. 1013) (L. D. 976) under same title and that it "Ought to pass"

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

Ought to Pass Printed Bills

Mr. Brown from the Committee on Claims reported "Ought to pass" on Resolve in favor of Henry J. Deabay of Ashland (H. P. 140) (L. D. 977)

Mr. Fogg from same Committee reported same on Resolve in favor

of Leon C. Roberts and Sons of Winthrop (H. P. 495) (L. D. 978)

Miss Cormier from the Committee on Education reported same on Bill "An Act Repealing the School Building Assistance Commission" (H. P. 255) (L. D. 285)

Mr. Dennis from same Committee reported same on Bill "An Act relating to Clarification of Secondary School Tuition" (H. P. 252) (L. D. 282)

Mr. Fuller from same Committee reported same on Bill "An Act relating to Length of School Year" (H. P. 253) (L. D. 283)

Mr. Roundy from same Committee reported same on Bill "An Act relating to Inspection of Schools" (H. P. 254) (L. D. 284)

Mr. Pullen from the Committee on Highways reported same on Resolve in favor of the town of Waterford (H. P. 92) (L. D. 979)

Mr. Turner from same Committee reported same on Resolve in favor of the town of Waldoboro (H. P. 406) (L. D. 980)

Mr. Ludwig from same Committee reported same on Resolve in favor of the town of Kennebunkport (H. P. 162) (L. D. 161)

Mr. Frechette from the Committee on Inland Fisheries and Game reported same on Resolve Regulating the Taking of Smelts in Oxford County (H. P. 331) (L. D. 353)

Mr. Vaughan from same Committee reported same on Bill "An Act Repealing Simpson's Pond Bird Sanctuary" (H. P. 327) (L. D. 395)

Mr. Whitney from same Committee reported same on Resolve Regulating Fishing in Certain Ponds in Hancock County (H. P. 168) (L. D. 212)

Mr. Trafton from the Committee on Judiciary reported same on Bill "An Act relating to Acknowledgments and Nominations of Guardians in Probate Court" (H. P. 72) (L. D. 68)

Mr. Letourneau from the Committee on Labor reported same on Bill "An Act relating to Definition of Elevator under Board of Elevator Rules" (H. P. 185) (L. D. 180)

Mr. Ferguson from the Committee on Natural Resources reported same on Resolve Changing Name of Lily Pond, Waldo County (H. P. 353) (L. D. 369)

Mr. Moulton from same Committee reported same on Resolve Authorizing the Forest Commissioner to Convey the Interest of the State (Maine Forestry District) in a Lot of Land in the town of Brownville (H. P. 352) (L. D. 368)

Mr. Winchenpaw from same Committee reported same on Resolve Authorizing the Forest Commissioner to Convey the Interest of the State in Lot 102. in St. Agatha (H. P. 354) (L. D. 370)

Mr. Osborne from the Committee on Public Utilities reported same on Bill "An Act Enlarging the Purposes of New England and Eustis Telephone and Telegraph Company and Changing its Name to Somerset Telephone Company" (H. P. 437) (L. D. 497)

Mr. Peterson from the Committee on Towns and Counties reported same on Bill "An Act relating to School Bands and Other Organized Activities" (H. P. 287) (L. D. 272)

Mr. Peterson from same Committee reported same on Bill "An Act relating to Clerks for Voting District in town of Cranberry Isles" (H. P. 240) (L. D. 221)

Same gentleman from same Committee reported same on Bill "An Act relating to Salaries of Judge and Recorder of Bath Municipal Court" (H. P. 286) (L. D. 271)

Mr. Scott from same Committee reported same on Bill "An Act relating to Rental for the Winthrop Municipal Court" (H. P. 284) (L. D. 269)

Mr. Stanley from same Committee reported same on Bill "An Act to Incorporate the town of Stacyville" (H. P. 239) (L. D. 220)

Mr. Bibber from the Committee on Welfare reported same on Bill "An Act relating to Funeral Expenses of Deceased Recipients of Old Age Assistance and Aid to the Blind" (H. P. 198) (L. D. 208)

Mrs. Lord from same Committee reported same on Bill "An Act relating to Old Age Assistance and Aid to the Blind" (H. P. 49) (L. D. 50)

Reports were read and accepted, and the Bills and Resolves, having already been printed, the Bills were read twice under suspension of the rules, the Resolves read once under suspension of the rules, and tomorrow assigned.

Ought to Pass with Committee Amendment

Mr. Butler from the Committee on Inland Fisheries and Game on Bill "An Act relating to Propagating Wild Rabbits" (H. P. 409) (L. D. 458) 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. 409, L. D. 458, Bill, "An Act relating to Propagating of Wild Rabbits."

Amend said Bill by inserting the word 'salt' after the underlined word "open" in the seventh line of Sec. 1.

Further amend said Bill by inserting the underlined word 'salt' after the underlined word "open" in the fifth line of Sec. 2.

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

Mr. Butler from the Committee on Inland Fisheries and Game on Resolve Regulating Fishing in Mosquito Brook, Metallic Brook and Mill Brook, County of Oxford (H. P. 263) (L. D. 293) 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. 263, L. D. 293, Resolve Regulating Fishing in Mosquito Brook, Metallic Brook and Mill Brook, County of Oxford.

Amend said Resolve by inserting the numeral '1' in the third line of said Resolve and striking out the numeral "½" in said line;

Further amend said Resolve by inserting the numeral '1' in the fourth line of same and striking out the numeral "½" in said line.

Committee Amendment "A" was adopted and the Resolve was assigned for second reading tomorrow morning.

Tabled

Mr. Whitney from the Committee on Inland Fisheries and Game on Resolve Regulating Fishing in Stearns Pond and Tributaries in the County of Oxford (H. P. 100) (L. D. 88) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted.

(On motion of Mr. Moulton of Sweden, the Resolve with accompanying papers was tabled pending first reading.)

Mr. O'Dell from the Committee on Public Utilities on Bill "An Act to Incorporate the Madawaska Water District" (H. P. 438) (L. D. 482) 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. 438, L. D. 482, Bill "An Act to Incorporate the Madawaska Water District."

Amend said bill by striking out in the 30th line of that part designated "Sec. 15" the figure "10" and inserting in place thereof the figure '20'

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

Mr. Clements from the Committee on Welfare on Bill "An Act relating to Hospital Aid" (H. P. 364) (L. D. 380) 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. 364, L. D. 380, Bill "An Act Relating to Hospital Aid."

Amend said Bill by inserting after the Title and before the Enacting Clause the following:

Emergency preamble. Whereas, allocations from the hospital aid appropriation are made on a quarterly basis; and

Whereas, the application of the "responsible relative" principal to hospital aid payments may result in a smaller list of eligible applicants; and

Whereas, the end result of the application of the principal herein stated may serve to assist the financial problems of the hospitals; and

Whereas, in the judgment of the legislature, these facts create an emergency within the meaning of the constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,'

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

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

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

Miss Lawry from the Committee on Welfare on Bill "An Act relating to Divesting Property in Qualifications for Old Age Assistance and Aid to the Blind" (H. P. 199) (L. D. 209) 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. 199, L. D. 209, Bill, "An Act Relating to Divesting Property in Qualifications for Old Age Assistance and Aid to the Blind."

Amend said Bill by inserting after the Title and before the Enacting Clause the following:

'Emergency preamble. Whereas, the provisions of the law relating to transfers of property became effective when the old age assistance law was first enacted; and

Whereas, the department of health and welfare did for a number of years require that transfers of property be checked only for a period of 5 years prior to the date of investigation; and

Whereas, because of this conflict persons were granted old age assistance and have subsequently had

to be discontinued from such assistance; and

Whereas, this has caused such persons to either call upon the towns or be in eminent danger of having to call upon the towns for relief; 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 public peace, health and safety; now, therefore,'

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

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

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

Passed to Be Engrossed

Bill "An Act relating to Railroad Grade Crossings" (S. P. 65) (L. D. 132)

Bill "An Act relating to Payment to Kennebec County Law Library" (S. P. 91) (L. D. 196)

Resolve Naming the Myron H. Avery Peak of Mt. Bigelow (S. P. 28) (L. D. 16)

Resolve Regulating Fishing in East Branch Tributaries of the Penobscot River (H. P. 101) (L. D. 102)

Resolve Opening Center Pond in the Town of Lincoln to Ice Fishing (H. P. 102) (L. D. 103)

Resolve Regulating Fishing in Abbott Brook, Oxford County (H. P. 173) (L. D. 168)

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

Amended

Bill "An Act relating to Town Dumps" (H. P. 73) (L. D. 69)

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

Bill "An Act relating to Sale of Malt Liquor in Non-Returnable Bottles" (H. P. 145) (L. D. 143)

Was reported by the Committee on Bills in the Third Reading.

On motion of Mr. Anderson of Greenville, the House voted to reconsider its action of February 19 whereby Committee Amendment "A" was adopted.

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

Mr. ANDERSON: Mr. Speaker, I now offer House Amendment "A" to Committee Amendment "A" to House Paper 145, Legislative Document 143, Bill "An Act relating to Sale of Malt Liquor in Non-Returnable Bottles" and move its adoption.

The SPEAKER: The gentleman from Greenville, Mr. Anderson, presents House Amendment "A" to Committee Amendment "A" to Bill "An Act relating to Sale of Malt Liquor in Non-Returnable Bottles, House Paper 145, Legislative Document 143, and moves its adoption. The Clerk will read the amendment.

The CLERK:

HOUSE AMENDMENT "A" to 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 Amendment by striking off from the end the phrase "figure '2'" and inserting in place thereof the following: 'not less than 2'

The SPEAKER: Is it the pleasure of the House to adopt House Amendment "A" to Committee Amendment "A"?

(Cries of "No")

The SPEAKER: As many as are in favor of the motion of the gentleman from Greenville, Mr. Anderson, that the House adopt House Amendment "A" to Committee Amendment "A" will please manifest their desire by saying aye; those opposed, will please manifest their desire by saying no.

A viva voce vote being taken, the motion prevailed and Committee Amendment "A" as amended by House Amendment "A" was adopted and the Bill was given its third reading, passed to be engrossed as amended by Committee Amendment "A" as amended by House Amend-

ment "A" thereto and sent to the Senate.

Bill "An Act relating to the Taking of Soft Shell Clams, Quahogs and Mussels in Jonesport" (H. P. 234) (L. D. 259)

Bill "An Act to Amend the Charter of the Freeport Sewer District" (H. P. 280) (L. D. 267)

Resolve Opening Crane Pond to Ice Fishing (H. P. 103) (L. D. 104)

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

Orders of the Day

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

Mr. STEWART: Mr. Speaker, I wish to make my contribution to the clearing of the table by moving to take from the table the fifth unassigned item, and I wish to make a motion with respect thereto.

Thereupon the House voted to take from the table the fifth tabled and unassigned matter, House Divided Report—Majority "Ought not to pass" and Minority "Ought to pass" of the Committee on Liquor Control on Bill "An Act Regulating Liquor Advertising" (H. P. 191) (L. D. 202) tabled on February 19 by the gentleman from Portland Mr. Stewart, pending acceptance of either report.

The SPEAKER: The Chair recognizes the same gentleman.

Mr. STEWART: Mr. Speaker, I move the acceptance of the minority "Ought to pass" report and wish to address myself to that motion.

The SPEAKER: The gentleman from Portland, Mr. Stewart, moves to accept the minority "Ought to pass" report.

The gentleman may continue.

Mr. STEWART: Mr. Speaker, at the hearing on the bill it was given a full and fair hearing. That is H. P. 191, L. D. 202, Bill "An Act Regulating Liquor Advertising." It was brought out in that hearing that there were certain aspects of the bill that were vicious. My purpose in presenting my motion at this time is solely for the purpose of

bringing to your attention an amendment and asking you to adopt it.

This amendment would eliminate from the bill all the elements of the bill that were brought out in the hearing and considered by the opponents of the bill to be vicious. A reading of the amendment which we are to offer in connection with this motion brings out the fact that the law as it now reads claims authority to regulate liquor advertising. The Revised Statutes read: "No advertising of liquor within the State shall be permitted except in such form as may be specifically authorized by the Commission, provided that radio, billboards, signs, newspapers, magazines and periodicals may carry advertising subject to the regulations of the Commission."

It is the purpose of this amendment to clarify the present law in regard to a new invention, television, and to spell out the powers in regard to advertising that are now claimed for the Commission by the Revised Statutes. It would clarify and perhaps prevent any litigation in the future if this bill in amended form received favorable consideration.

We are all impressed with the courage and conviction and sincerity of the sponsor of this bill, the lady from Presque Isle (Mrs. Christie). It is my hope that you will go along with the minority report and accept the minority report so that this amendment may be adopted which just adds a further clarification to the existing law and which eliminates all controversial items which were in the original bill. I so move, Mr. Speaker.

The SPEAKER: The question before the House is on the motion of the gentleman from Portland, Mr. Stewart, that the House accept the minority "Ought to pass" report of the Committee on Liquor Control.

The Chair recognizes the gentleman from Presque Isle, Mrs. Christie.

Mrs. CHRISTIE: Mr. Speaker and Members of the House: I am sure we all recognize the possibilities of television and we realize that television is coming into Maine or has come into Maine and by

that means we may have a great deal of education. Education may be for good or it may be for evil. The possibilities of evil from liquor advertising over television are greater perhaps than through any other medium. I want to go along with the motion of the gentleman from Portland (Mr. Stewart) in favor of this bill as amended.

The SPEAKER: Is the House ready for the question?

As many as are in favor of the motion of the gentleman from Portland, Mr. Stewart, to accept the minority report "Ought to pass" of the Committee on Liquor Control on Bill "An Act regulating Liquor Advertising" (H. P. 191) (L. D. 202) will please rise and remain standing until the monitors have made and returned the count.

A division of the House was had. Mr. TOTMAN of Bangor: Mr. Speaker—

The SPEAKER: For what purpose does the gentleman rise?

Mr. TOTMAN: Mr. Speaker, am I out of order in asking a question at this time before the count is accepted?

The SPEAKER: The gentleman may direct his question.

Mr. TOTMAN: May I direct a question to Mr. Stewart before the report is given by the monitors?

The SPEAKER: If you desire to address a parliamentary question to the Chair the Chair will entertain the question.

Mr. TOTMAN: My question, Mr. Speaker, is not parliamentary. It is simply a question for information. I do not understand the amendment and I would like to ask a question of information.

The SPEAKER: The Chair will state that the amendment is not now before the House. The question before the House which is being voted upon at this time is on the acceptance of the minority "Ought to pass" report of the Liquor Control Committee.

Mr. TOTMAN: Perhaps I did not make myself clear, Mr. Speaker. I wanted to ask of Mr. Stewart what we are voting on.

The SPEAKER: The House is voting on the motion of the gentleman from Portland, Mr. Stewart, that the minority report "Ought to

pass" from the Committee on Liquor Control on Bill "An Act Regulating Liquor Advertising" be accepted.

Fifty-six having voted in the affirmative and thirty-six in the negative, the minority "Ought to pass" report is accepted.

This being a printed bill, under suspension of the rules, it was given its two several readings.

Mr. Stewart then presented House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to H. P. 191, L. D. 202, Bill, "An Act Regulating Liquor Advertising."

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

R. S., c. 57, Sec. 59, amended. The first sentence of section 59 of chapter 57 of the revised statutes is hereby amended to read as follows:

'No advertising of liquor within the state shall be permitted except in such form as may be specifically authorized by the commission, provided that radio, billboards, signs, newspapers, magazines, and periodicals may carry advertising subject to the regulations of the commission; and

further provided that no television programs advertising liquor originating in the state and no advertising of liquor in television films to be used in programs originating in the state shall be permitted except in such form as may be specifically authorized by the commission and subject to the regulation of the commission.'

House Amendment "A" was adopted and the bill as amended was tomorrow assigned for third reading.

The gentleman from Pittsfield, Mr. Cianchette, was granted unanimous consent to address the House.

Mr. CIANCHETTE: Mr. Speaker and Members of the House: After reading this morning's paper, I feel compelled to speak briefly to express my regrets at the remarks made by the Governor in his speech last night in Portland in which he referred to the liquor scandal and to the request by the Attorney General for an additional \$35,000 to continue his probe.

I regret that our Governor has seen fit to express his lack of confidence in the members of this Legislature.

I regret that he has seen fit to do this even before the matter to which he refers has been reported out of committee.

I regret his implication that the members of this Legislature lack the intelligence to act competently upon the matters brought before them.

I regret the impression that this Legislature has been influenced by a political slush fund.

I regret that he has seen fit to place the blame for this liquor situation upon the shoulders of his predecessor in the office of Governor while complaining that the man who attempted to bribe this Governor was being ill-treated.

Finally, I regret that those who are charged with the prosecution and correction of this filthy mess cannot quietly proceed with both eyes directed toward their work rather than one eye constantly upon the headlines.

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. Center of Standish,

Adjourned until ten o'clock tomorrow morning.