

# MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*Ninety-Eighth Legislature*

OF THE

STATE OF MAINE

VOLUME I

1957

DAILY KENNEBEC JOURNAL  
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## HOUSE

Thursday, April 18, 1957

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

Prayer by the Rev. Mr. Victor Musk of Augusta.

The journal of the previous session was read and approved.

### Papers from the Senate

From the Senate: The following Orders:

ORDERED, the House concurring, that the Committee on Towns and Counties be and hereby is authorized with respect to bills related to the salaries of County Officers and Municipal Court Officers to report such bills as are in the possession of the Committee in consolidated form, with each bill so consolidated being limited to a single position classification (S. P. 526)

ORDERED, the House concurring, that when the Senate and House adjourn on Friday next, they adjourn to meet on April 23 in the forenoon (S. P. 528)

Came from the Senate read and passed.

In the House, the Orders were read and passed in concurrence.

### Senate Reports of Committees Ought to Pass

Report of the Committee on Labor reporting "Ought to pass" on Bill "An Act relating to Compensation under Workmen's Compensation Act for Loss of Distal Phalanx of Thumb, Finger or Toe" (S. P. 465) (L. D. 1346)

Report of same Committee reporting same on Bill "An Act relating to Leave of Absence from Work for Certain Employees While in Temporary Military Training" (S. P. 488) (L. D. 1396)

Report of the Committee on Liquor Control reporting same on Bill "An Act relating to the Importation of Liquors Used in Manufacture" (S. P. 180) (L. D. 459)

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

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

### Ought to Pass with Committee Amendment Tabled Until Later in Today's Session

Report of the Committee on Appropriations and Financial Affairs on Resolve Providing Additional Funds for the Maine State Office Building (S. P. 511) (L. D. 1452) 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.

(On motion of Mr. Bean of Winterport, tabled until later in today's session pending acceptance of the Report.)

Report of the Committee on Legal Affairs on Bill "An Act to Revise the Laws Relating to Registration of Accountants" (S. P. 243) (L. D. 644) 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, the 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. 243, L. D. 644, Bill, "An Act to Revise the Laws Relating to Registration of Accountants."

Amend said Bill in "Sec. 3" by adding after the underlined word "Maine" at the end thereof the following underlined punctuation and words ";provided the state in question extends similar privileges to this State"

Further amend said Bill in "Sec. 4" by inserting after the word "person" in the 6th line the following underlined words 'who has been a resident of this State for the preceding year and'

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

### Tabled Until Later in Today's Session

Report of the Committee on Liquor Control on Bill "An Act relating to Persons to Whom Liquor Licenses May Not Be Issued" (S. P. 262) (L. D. 701) which was recommit- ted, 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, the Report was read and accepted in concurrence.

The SPEAKER: With respect to item eight, the Clerk will state the rather involved status of this bill at the moment.

The CLERK: This bill was origi- nally reported by the Committee on Liquor Control with a Divided Re- port. The Majority Report "Ought to pass" with Committee Amendment "A" was accepted in the House on March 7. The bill was given two readings. The Committee Amend- ment was adopted by the House on March 7. Subsequently thereto House Amendment "A" was presented and the matter was placed on the table. Later, the bill as it had been amend- ed by Committee Amendment "A" and with House Amendment "A" still pending, was recommit- ted to the Committee on March 26. The Report just read of the Committee recommends that the bill be passed to be engrossed as amended by Committee Amendment "A" which has already been adopted by the House. House Amendment "A" is pending.

The SPEAKER: The Chair recog- nizes the gentlewoman from Presque Isle, Mrs. Christie.

Mrs. CHRISTIE: Mr. Speaker, if it is in order, I move that this bill be passed as amended by Commit- tee Amendment "A" and I also move that House Amendment "A" be indefinitely postponed.

The SPEAKER: The gentlewoman from Presque Isle, Mrs. Christie, moves that House Amendment "A" be indefinitely postponed. Is this the pleasure of the House?

### House at Ease

Called to order by the Speaker.

The SPEAKER: The Chair recog- nizes the gentleman from Bangor, Mr. Totman.

Mr. TOTMAN: Mr. Speaker, in view of the rather complicated adop- tions and changes in the various House and Committee Amendments and inasmuch as the last motion which I heard posed was the indef- inite postponement of House Amend- ment "A", and that was introduced by the gentleman from Portland, Mr. Tevanian, who is now absent, I move that it be tabled until later in the day.

The SPEAKER: With respect to item eight, the gentleman from Ban- gor, Mr. Totman, now moves that this be tabled and specially as- signed for later in this morning's session pending the motion of the gentlewoman from Presque Isle, Mrs. Christie, that House Amend- ment "A" be indefinitely postponed. Is this the pleasure of the House?

The motion prevailed.

Report of the Committee on State Government on Bill "An Act relat- ing to the Department of Finance and Administration" (S. P. 221) (L. D. 576) reporting "Ought to pass" as amended by Committee Amend- ment "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, the Report was read and accepted in concurrence, and the Bill read twice.

Committee Amendment "A" which had been printed as Legislative Document 1499, was read by the Clerk.

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

### Non-Concurrent Matter

Report of the Committee on Busi- ness Legislation reporting "Ought not to pass" on Bill "An Act relat- ing to Time Limit for Adjusting and Paying Fire Losses" (H. P. 45) (L. D. 78) which was accepted in the House on February 26.

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

by Senate Amendment "A" in non-concurrence.

In the House: The House voted to recede and voted to substitute the Bill for the "Ought not to pass" Report in concurrence.

The Bill was given its first and second readings.

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

SENATE AMENDMENT "A" to H. P. 45, L. D. 78, Bill, "An Act Relating to Time Limit for Adjusting and Paying Fire Losses."

Amend said Bill by striking out the last 2 lines and inserting in place thereof the following:

"no fire insurance company shall pay any loss or damage in excess of \$1,000 until after the expiration of 45 days from the date of loss; provided that nothing. **Nothing** contained in this section shall prevent the payment of a loss to any property owner when the aggregate loss under all policies covering the risk does not exceed \$100 \$1,000; provided also that upon. Upon application from an insurance company or its authorized representative, written permission to make earlier payment on any loss may be given said company or its authorized representative by the Commissioner, and immediately upon issuance of such permit, the Commissioner shall notify and grant permits to any other companies known to be interested in the risk."

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

#### Orders

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

On motion of Mr. Hatfield of Orrington, it was

ORDERED, that Mr. Hendsbee of Madison be excused from attendance for the remainder of the week because of business.

The SPEAKER: At this time the Chair would request the Sergeant-at-Arms to escort to the rostrum the gentleman from Bangor, Mr.

Browne, to serve as Speaker pro tem.

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

#### House Reports of Committees Leave to Withdraw

Mr. Elwell from the Committee on Highways on Bill "An Act to Authorize the Issuance of Bonds in the Amount of Sixty-six Million and Five Hundred Sixty-three Thousand Dollars on Behalf of the State of Maine for the Purpose of Building State Highways" (H. P. 967) (L. D. 1367) reported Leave to Withdraw.

Mr. Nadeau from same Committee reported same on Bill "An Act to Authorize the Issuance of Bonds in the Amount of Fifty-eight Million and Six Hundred Seventy-three Thousand Dollars on Behalf of the State of Maine for the Purpose of Building State Highways" (H. P. 996) (L. D. 1424)

Mr. Carville from the Committee on Inland Fisheries and Game reported same on Resolve Opening Big Indian Pond, Franklin County, to Ice Fishing (H. P. 505) (L. D. 715)

Mrs. Harriman from same Committee reported same on Bill "An Act Establishing the St. Joseph Game Preserve, Cumberland County" (H. P. 969) (L. D. 1369)

Mr. Bruce from the Committee on Legal Affairs reported same on Bill "An Act Amending Charter of City of Saco re Ordinances and Appropriation Resolve" (H. P. 783) (L. D. 1116)

Same gentleman from same Committee reported same on Bill "An Act Amending the Charter of the City of Saco re Elections and School Committee" (H. P. 784) (L. D. 1117)

Same gentleman from same Committee reported same on Bill "An Act Creating Portland Parking Authority" (H. P. 1025) (L. D. 1465)

Mr. Call from the Committee on Retirements and Pensions reported same on Bill "An Act relating to Deposit of Contributions by Former Member of State Retirement System" (H. P. 857) (L. D. 1220)

Same gentleman from same Committee reported same on Resolve

Providing for State Pension for Zilda E. Ricker of Buxton (H. P. 760) (L. D. 1074)

Mr. Flynn from same Committee reported same on Resolve Providing for State Pension for Marion Harvey of Lubec (H. P. 724) (L. D. 1028)

Mr. Jewell from same Committee reported same on Resolve Providing for an Increase in State Pension for Ina J. Alto of Jefferson (H. P. 390) (L. D. 521)

Mr. Lindsay from same Committee reported same on Resolve Providing for State Pension for Mary J. Libby of Presque Isle (H. P. 512) (L. D. 722)

Same gentleman from same Committee reported same on Resolve Providing for State Pension for Isaac Gamble of Prospect (H. P. 619) (L. D. 866)

Reports were read and accepted and sent up for concurrence.

#### **Ought Not to Pass Tabled and Assigned**

Mr. Wheaton from the Committee on Inland Fisheries and Game reported "Ought not to pass" on Bill "An Act relating to Use of Decoys and Blinds in Merrymeeting Bay" (H. P. 874) (L. D. 1242)

Report was read.

(On motion of Mr. Curtis of Bowdoinham, tabled pending acceptance of Committee Report and specially assigned for Thursday, April 25.)

Mr. Wheaton from the Committee on Inland Fisheries and Game reported "Ought not to pass" on Bill "An Act relating to Open Season on Bull Moose in Hancock and Washington Counties" (H. P. 998) (L. D. 1426)

Mr. Hancock from the Committee on Judiciary reported same on Bill "An Act Revoking License of Operator of Motor Vehicle Used in Commission of a Felony" (H. P. 900) (L. D. 1286)

Reports were read and accepted and sent up for concurrence.

#### **Tabled and Assigned**

Mr. Needham from the Committee on Judiciary reported "Ought not to pass" on Bill "An Act relating to Equity Suit after Period

of Redemption in the Collection of Taxes" (H. P. 939) (L. D. 1332)

Report was read.

(On motion of Mr. Earles of South Portland, tabled pending acceptance of Committee Report and specially assigned for Wednesday, April 24.)

Mrs. Burnham from the Committee on Natural Resources reported "Ought not to pass" on Resolve Authorizing Forest Commissioner to Convey Certain Land in Augusta to City of Augusta (H. P. 754) (L. D. 1068) which was recommitted.

Mr. Call from the Committee on Retirements and Pensions reported same on Resolve Providing for an Increase in State Pension for Leroy Earle Clewley of Etna (H. P. 329) (L. D. 414)

Mr. Flynn from same Committee reported same on Resolve Providing for State Pension for Mrs. Arthur Preston of Rockland (H. P. 441) (L. D. 617)

Mr. Lindsay from same Committee reported same on Resolve Providing for State Pension for Arthur M. Clewley, of Etna (H. P. 620) (L. D. 867)

Mr. Shaw from same Committee reported same on Resolve Providing for a State Pension for Mrs. Elizabeth Fortier, of Middleboro, Massachusetts (H. P. 237) (L. D. 330) which was recommitted.

Reports were read and accepted and sent up for concurrence.

#### **Ought to Pass in New Draft New Draft Printed**

Mr. Browne from the Committee on Judiciary on Bill "An Act Authorizing Construction of a Breakwater Across Mill Cove, Hancock County" (H. P. 565) (L. D. 875) reported same in a new draft (H. P. 1054) (L. D. 1500) under same title and that it "Ought to pass"

Mr. Walker from same Committee on Bill "An Act Repealing Law on Inspection of Records of Clerks of Courts" (H. P. 610) (L. D. 857) reported same in a new draft (H. P. 1055) (L. D. 1501) under title of "An Act Amending Law on Inspection of Records of Clerks of Courts" and that it "Ought to pass"

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

#### **Ought to Pass Printed Bills**

Mr. Carville from the Committee on Inland Fisheries and Game reported "Ought to pass" on Bill "An Act relating to Hunting with Bow and Arrow" (H. P. 742) (L. D. 1056)

Mrs. Harriman from same Committee reported same on Resolve Regulating Taking of Smelts in Valley Brook, Cumberland County (H. P. 90) (L. D. 124) which was re-committed.

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

#### **Tabled and Assigned**

Mr. Harris from the Committee on Inland Fisheries and Game reported "Ought to pass" on Resolve Opening Swan Lake, Waldo County, to Ice Fishing (H. P. 982) (L. D. 1406)

Report was read.

(On motion of Mr. Bean of Winterport, tabled pending acceptance of Committee Report and specially assigned for Wednesday, May 1.)

Mr. Ross from the Committee on Inland Fisheries and Game reported "Ought to pass" on Bill "An Act Creating Bartlett's Island, Hancock County, as a Game Management Area" (H. P. 897) (L. D. 1283)

Mr. Hancock from the Committee on Judiciary reported same on Bill "An Act Authorizing Copying of Volume Six, Oxford County, Western District, Registry of Deeds" (H. P. 828) (L. D. 1170)

Mr. Needham from same Committee reported same on Bill "An Act relating to Appointment of Guardians for Adults Residing Out of the State" (H. P. 941) (L. D. 1334)

Mr. Shaw from the Committee on Retirements and Pensions reported same on Resolve in favor of John F. Choate of Winslow (H. P. 549) (L. D. 776)

Mr. Allen from the Committee on Transportation reported same on Bill "An Act relating to Examinations and Instruction Permits for Motor Vehicle Licenses" (H. P. 171) (L. D. 218)

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

#### **Tabled**

Mr. Allen from the Committee on Transportation reported "Ought to pass" on Bill "An Act relating to Maintaining Financial Responsibility in Motor Vehicle Accidents" (H. P. 252) (L. D. 313)

Report was read.

The SPEAKER pro tem: The Chair recognizes the gentleman from Portland, Mr. Childs.

Mr. CHILDS: Mr. Speaker and Members of the House: At the present time probably one of the most important pieces of legislation which is in regard to a financial responsibility law is going to be heard before the Judiciary, I believe it is next week. If this particular matter becomes law, item thirty-three would be obsolete. So therefore, I move that this matter lie upon the table, unassigned.

The SPEAKER: The gentleman from Portland, Mr. Childs, moves that with reference to item thirty-three, Bill "An Act relating to Maintaining Financial Responsibility in Motor Vehicle Accidents", be placed upon the table pending acceptance of the Committee Report unassigned. Is this the pleasure of the House?

The motion prevailed and the Bill and Report were so tabled.

#### **Tabled**

Mr. Hersey from the Committee on Transportation reported "Ought to pass" on Bill "An Act relating to Registration of Farm Trucks" (H. P. 404) (L. D. 534)

Report was read.

(On motion of Mr. Storm of Sherman, tabled pending acceptance of Committee Report and unassigned.)

#### **Tabled and Assigned**

Mr. Stilphen from the Committee on Transportation reported "Ought to pass" on Bill "An Act relating to Signs on School Buses" (H. P. 734) (L. D. 1038)

Report was read and accepted and the Bill read twice.

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

Mr. TOTMAN: Mr. Speaker, on this bill I had intended to have an amendment adopted and I move that it be tabled and specially assigned for Thursday, April 25.

The SPEAKER pro tem: The gentleman from Bangor, Mr. Totman, moves that item thirty-five, Bill "An Act relating to Signs on School Buses," be tabled to Thursday, April 25, pending assignment for third reading. Is this the pleasure of the House?

The motion prevailed and the Bill was so tabled.

#### **Ought to Pass with Committee Amendment**

Mr. Hancock from the Committee on Judiciary on Bill "An Act Providing for Short Form Record of Civil Cases" (H. P. 544) (L. D. 771) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Bill read twice.

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

COMMITTEE AMENDMENT "A" to H. P. 544, L. D. 771, Bill, "An Act Providing for Short Form Record of Civil Cases."

Amend said Bill by inserting after the underlined word "by" in the 7th line thereof the underlined words 'general rule or'

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

Mr. Hancock from the Committee on Judiciary on Bill "An Act relating to Jurisdiction of Trial Justices in Towns of Kittery and York" (H. P. 684) (L. D. 973) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Bill read twice.

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

COMMITTEE AMENDMENT "A" to H. P. 684, L. D. 973, Bill, "An Act Relating to Jurisdiction of Trial Justices in Towns of Kittery and York."

Amend said Bill by inserting after the underlined word "in" in the last line thereof the underlined words 'both of'

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

Mr. Shaw from the Committee on Retirements and Pensions on Resolve in favor of George E. Baguall of Houlton (H. P. 550) (L. D. 777) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Resolve read once.

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

COMMITTEE AMENDMENT "A" to H. P. 550, L. D. 777, Resolve in Favor of George E. Baguall of Houlton.

Amend said Resolve by striking out the name "Baguall" wherever it appears in said Resolve and inserting in place thereof the name 'Bagnall'

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

#### **Divided Report Tabled and Assigned**

Report "A" of the Committee on Transportation reporting "Ought to pass" on Bill "An Act Prohibiting Motor Vehicles with Excessive Horsepower on Maine Highways" (H. P. 455) (L. D. 630)

Report was signed by the following members:

Mr. ROGERSON of Aroostook  
— of the Senate.

Messrs. TOTMAN of Bangor  
STILPHEN of Rockland  
ALLEN of Chelsea  
KELLY of Rumford  
— of the House.

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

Report was signed by the following members:

Messrs. HALL of York  
COLE of Waldo  
— of the Senate.

Messrs. BEYER of Cape Elizabeth  
JACQUES of Lewiston  
HERSEY of Fort Fairfield  
— of the House.

Reports were read.

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



Mr. TOTMAN: Mr. Speaker and Members of the House: The Committee on Transportation was very kind to the sponsor of this bill, and they requested that he provide the House with the same arguments and dissertation on this particular subject that was heard in the Committee. That is the reason, frankly, that the bill was reported out a deliberate five to five Report.

Inasmuch as this testimony is fairly lengthy, I feel it would be an imposition upon the House at this time in view of some of the items on our assigned calendar, to take the time of the House this morning on a very specific subject, which I feel could be better presented if assigned to Tuesday next, April 23, at which time some printed material will be made available on the desks of the Members of the House, and I move that it be so tabled and assigned for Tuesday next.

The SPEAKER pro tem: The gentleman from Bangor, Mr. Totman, with respect to item thirty-nine, "An Act Prohibiting Motor Vehicles with Excessive Horsepower on Maine Highways", moves it be placed upon the table pending acceptance of either Report and specially assigned for Tuesday, April 23. Is this the pleasure of the House?

The motion prevailed and the Bill with accompanying papers was so tabled.

At this point, Speaker Edgar returned to the rostrum.

SPEAKER EDGAR: The Chair would like to thank the gentleman from Bangor, Mr. Browne, for his excellent services as Speaker pro tem.

Thereupon, the Sergeant-at-Arms conducted the gentleman from Bangor, Mr. Browne, to his seat on the Floor, amid the applause of the House, and Speaker Edgar resumed the Chair.

#### Passed to Be Engrossed

Bill "An Act relating to Certification of Commitment to the State Hospitals" (S. P. 183) (L. D. 462)

Bill "An Act Revising Laws Relating to Registered Nurses and Practical Nurses" (S. P. 374) (L. D. 997)

Bill "An Act relating to the Primary Law in City of Biddeford" (S. P. 489) (L. D. 1397)

Bill "An Act relating to Municipal Accounting and Audit" (S. P. 517) (L. D. 1475)

Bill "An Act relating to Age of Admission to State Hospitals" (H. P. 1048) (L. D. 1490)

Bill "An Act relating to Beano" (H. P. 1051) (L. D. 1494)

Bill "An Act relating to Computation of Tax on Telegraph Companies" (H. P. 1052) (L. D. 1495)

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 relating to Qualifications for Disability Pension for Members of the Lewiston Police Department" (S. P. 209) (L. D. 554)

Bill "An Act relating to Sick Leave Benefits for Members of the Lewiston Police Department" (S. P. 211) (L. D. 556)

Bill "An Act Imposing a Tax on Dry Beans" (H. P. 486) (L. D. 730)

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.

#### Third Reader Tabled

Bill "An Act relating to Exemptions from Excise Tax of Motor Buses Used for Transportation of Passengers for Hire" (H. P. 884) (L. D. 1252)

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

(On motion of Mr. Hanson of Gardiner, tabled pending third reading and unassigned.)

Bill "An Act to Establish the Wiscasset Sewerage District" (H. P. 923) (L. D. 1312)

Bill "An Act relating to Uniform Law for Organization and Supervision of Fraternal Benefit Societies" (H. P. 992) (L. D. 1438)

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

Amendment "A" and sent to the Senate.

### Passed to Be Enacted

An Act relating to Time of Payment of Fees by Clerks of the Judicial Courts (S. P. 58) (L. D. 88)

An Act relating to Exemption of Volunteer Fire Departments from Sales Tax (S. P. 79) (L. D. 136)

An Act relating to Appointment of Deputy County Treasurers (S. P. 225) (L. D. 568)

An Act relating to the Taxation of General Powers of Appointment (S. P. 304) (L. D. 801)

An Act relating to Stenographic Services in Cases Before Referees (S. P. 377) (L. D. 1000)

An Act relating to Raising Compensation of Mayor and Councilmen of City of Biddeford (S. P. 522) (L. D. 1484)

An Act Repealing the Incorporation of the Master, Wardens and Members of Freeport Lodge (H. P. 367) (L. D. 497)

An Act relating to Disposition of Trust Income Earned During Period of Administration (H. P. 543) (L. D. 770)

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

### Enactor Tabled

An Act relating to Time for Requesting Tax Exemptions by Veterans' Widows (H. P. 885) (L. D. 1253)

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

(On motion of Mr. Edwards of Raymond, tabled pending passage to be enacted and unassigned.)

An Act relating to Requests for Secret Balloting at Town Meetings (H. P. 1042) (L. D. 1481)

An Act Regulating Motor Vehicles at Traffic Circles or Rotary Intersections (H. P. 1043) (L. D. 1482)

An Act Amending the Charter of the Town of Lincoln (H. P. 1044) (L. D. 1483)

### Finally Passed

Resolve to Reimburse Estate of Harriet B. W. Chalfant for Certain

Inheritance Taxes Paid State (H. P. 682) (L. D. 971)

Resolve in favor of Donald Lapierre of Westbrook (H. P. 694) (L. D. 1480)

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

### Orders of the Day

The SPEAKER: At this time the Chair would like to announce the appointment of two Committees of Conference which were requested during yesterday's session.

On the disagreeing action of the two branches on L. D. 1144, Senate Paper 411, Bill "An Act Establishing Columbus Day as a Legal Holiday", the Chair will appoint to the Committee of Conference the gentleman from Cape Elizabeth, Mr. Beyer; the gentleman from Perham, Mr. Bragdon, and the gentleman from Bangor, Mr. Stanley.

On the disagreeing action of the two branches on L. D. 491, House Paper 361, Bill "An Act relating to the Visible Indication of Elapsed Time on Parking Meters", the Chair will appoint to the Committee of Conference the gentleman from Ellsworth, Mr. Brown; the gentleman from Auburn, Mr. Turner, and the gentleman from Bridgton, Mr. Haughn.

The SPEAKER: Under Orders of the Day the Chair now lays before the House the first tabled and today assigned matter, House Report "Ought not to pass" of the Committee on Towns and Counties on Bill "An Act relating to the Appointment of Deputies by County Sheriff", House Paper 731, Legislative Document 1035, tabled on April 12 by the gentlewoman from Paris, Mrs. Mann, pending acceptance of the "Ought not to pass" Report.

The Chair recognizes the gentleman from Enfield, Mr. Dudley.

Thereupon, on motion of Mr. Dudley of Enfield, the Bill with accompanying papers was retabled pending acceptance of the Committee Report and unassigned.

The SPEAKER: The Chair now lays before the House the second

tabled and today assigned matter, Bill "An Act to Incorporate the Town of West Paris", House Paper 826, Legislative Document 1172, tabled on April 16 by the gentleman from Sumner, Mr. Cole, pending third reading.

Thereupon, the Bill was given its third reading, passed to be engrossed and sent to the Senate.

The SPEAKER: The Chair now lays before the House the third tabled and today assigned matter, Bill "An Act relating to Age of Applicants to Pownal State School", House Paper 94, Legislative Document 125, tabled on April 16 by the gentleman from Bangor, Mr. Quinn, pending third reading.

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

Mr. QUINN: Mr. Speaker and Ladies and Gentlemen of the House: This was tabled in order to correct the name, we having changed the name from Pownal State School to the Pineland Hospital and Training Center, which bill has been passed by both branches and signed by the Governor and will become law when the interim period lapses.

Therefore, I now offer House Amendment "A" to amend L. D. 125 to substitute the name Pineland Hospital and Training Center wherever the name Pownal State School appears both in the title and the body of the Act.

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

HOUSE AMENDMENT "A" to H. P. 94, L. D. 125, Bill, "An Act Relating to Age of Applicants to Pownal State School."

Amend the Title and Bill by striking out the phrase "Pownal State School" wherever it appears, and inserting in place thereof the phrase "Pineland Hospital and Training Center"

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

The SPEAKER: The Chair now lays before the House item number four under tabled and today assigned matters, House Report

"Ought not to pass" of the Committee on Towns and Counties on Bill "An Act Authorizing Bond Issue for Cumberland County for Capital Expenditures for Civil Defense", House Paper 333, Legislative Document 418, tabled on April 16 by the gentleman from Bridgton, Mr. Haughn, pending the motion of the gentleman from South Portland, Mr. Earles, to substitute the Bill for the Report.

The Chair recognizes the gentleman from Bridgton, Mr. Haughn.

Mr. HAUGHN: Mr. Speaker and Ladies and Gentlemen of the House: I tabled this purposely for an opportunity for the Cumberland County delegation to get together, and we have arranged that meeting for today with the County Commissioners who are going to attend. So that at this time, needing further time until that meeting is held, I request that this lie on the table unassigned.

The SPEAKER: With respect to item four, Bill "An Act Authorizing Bond Issue for Cumberland County for Capital Expenditures for Civil Defense", the gentleman from Bridgton, Mr. Haughn, moves that this item be retabled unassigned pending the motion of the gentleman from South Portland, Mr. Earles, to substitute the bill for the report. Is this the pleasure of the House?

The motion prevailed and the Bill with accompanying papers was so tabled.

The SPEAKER: The Chair now lays before the House item number five, House Divided Report, Majority "Ought to pass" and Minority "Ought not to pass" of the Committee on Legal Affairs on Resolve Granting Master Plumber's License to Vernon M. Hooper of Castine, House Paper 686, Legislative Document 975, tabled on April 17 by the gentleman from North Haven, Mr. Baird, pending acceptance of either Report.

The Chair recognizes the gentleman from North Haven, Mr. Baird.

Mr. BAIRD: Mr. Speaker, I tabled this yesterday to find my folder on this bill, and I did, and some of the other people who are interested in it have requested more time, so I would like to retable this until April 23.

The SPEAKER: With respect to item five, Resolve Granting Master Plumber's License to Vernon M. Hooper of Castine, the gentleman from North Haven, Mr. Baird, now moves that this be retabled and specially assigned for Tuesday, April 23, pending acceptance of either Report. Is this the pleasure of the House?

The motion prevailed and the Resolve with accompanying papers was so tabled.

The SPEAKER: The Chair now lays before the House the sixth tabled and today assigned matter, Bill "An Act relating to Bail Provisions in Prosecutions Under Liquor Law", House Paper 940, Legislative Document 1333, tabled on April 17 by the gentlewoman from Presque Isle, Mrs. Christie, pending passage to be engrossed.

Thereupon, the Bill, having been reported by the Committee on Bills in the Third Reading, was passed to be engrossed and sent to the Senate.

The SPEAKER: The Chair now lays before the House item number seven, Memorial to the President of the United States and to Congress in relation to the Textile Industry, Senate Paper 527, tabled on April 17 by the gentleman from Bangor, Mr. Totman, pending reference. In the Senate received by unanimous consent and adopted without reference to a Committee.

Is it the pleasure of the House that this Memorial shall be adopted without reference to any Committee in concurrence?

The motion prevailed.

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

The SPEAKER: The Chair lays before the House item number six, under Papers from the Senate, Report of the Committee on Appropriations and Financial Affairs on Resolve Providing Additional Funds for the Maine State Office Building, Senate Paper 511, Legislative Document 1452, reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

This item was tabled earlier this morning by the gentleman from Win-

terport, Mr. Bean, and specially assigned for later in today's session.

The Report was accepted and the Resolve read once.

The SPEAKER: The Chair recognizes the gentleman from Winterport, Mr. Bean.

Mr. BEAN: Mr Speaker and Ladies and Gentlemen of the House: This resolve came out with a Committee Amendment, as you will note by the title the amendment does change the title, and there is an emergency. The money does not provide by the amendment for any money to be used on the new office building. It does, however, provide money for the completion of the renovations here in the State House and the anticipated ones in the old highway building. It carries an emergency clause for this reason, that many of the renovations that have already been requisitioned and made have not been paid for, and the bills are nearly three months overdue, and unless we do take action under the emergency clause, we may be confronted with interest payments.

The contract on the new highway building needs to be let, if it is going to be let, very shortly, because the time limit is fast running out on the letting of that contract. There are other anticipated renovations that need to be made, and so that is the reason for this bill, and in view of the emergency, I move the adoption of Committee Amendment "A".

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

COMMITTEE AMENDMENT "A" to S. P. 511, L. D. 1452, Resolve, Providing Additional Funds for the Maine State Office Building.

Amend said Resolve by striking out all of the Title and inserting in place thereof the following Title: 'Resolve, Providing Additional Funds for the Remodeling and Equipping of the State House Offices and Highway-Health Building.'

Further amend said Resolve by striking out all of the 2nd and 3rd paragraphs of the Emergency Preamble, and inserting in place thereof the following:

'WHEREAS, it now appears that funds heretofore appropriated are not sufficient for the remodeling and equipping of the State House

offices and the Highway - Health Building; and

WHEREAS, for the proper functioning of State Government, the remodeling and equipping of the State House offices and the Highway-Health Building is vitally necessary; and

Further amend said Resolve by striking out all of the 5th paragraph and inserting in place thereof the following:

**'Additional appropriation for State House offices and Highway-Health Building.**

**Resolved:** That the sum of \$295,000 be, and hereby is, appropriated from the unappropriated surplus of the general fund to supplement previous appropriations for the remodeling and equipping of the State House offices and the Highway-Health Building.'

Committee Amendment "A" was adopted.

The SPEAKER: The Chair recognizes the gentleman from Winterport, Mr. Bean.

Mr. BEAN: Mr. Speaker, in view of the emergency, I now move that this Resolve be given its second reading and be passed to be engrossed.

Thereupon, on motion of Mr. Bean of Winterport, under suspension of the rules the Resolve was given its second reading, passed to be engrossed as amended by Committee Amendment "A" and sent to the Senate.

The SPEAKER: The Chair now lays before the House item number eight under Senate Reports on page two of today's calendar, which was specially assigned for later in this morning's session, Report of the Committee on Liquor Control on Bill "An Act relating to Persons to Whom Liquor Licenses May Not Be Issued", Senate Paper 262, Legislative Document 701, which was tabled pending the motion of the gentleman from Presque Isle, Mrs. Christie, that House Amendment "A" be indefinitely postponed. Is it the pleasure of the House that House Amendment "A" shall be indefinitely postponed?

The motion prevailed, and the Bill assigned for third reading tomorrow.

On motion of the gentleman from Perham, Mr. Bragdon, the House voted to take from the table the fifty-sixth tabled and unassigned matter, Bill "An Act relating to Sales and Use Tax on Certain Boats Sold to Nonresidents", House Paper 1050, Legislative Document 1493, tabled on April 17 by that gentleman pending third reading.

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

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

HOUSE AMENDMENT "A" to H. P. 1050, L. D. 1493, Bill, "An Act Relating to Sales and Use Tax on Certain Boats Sold to Nonresidents."

Amend said Bill by striking out of the 3rd and 4th lines of that part thereof designated as "XXI" the underlined words "to be registered or documented with home ports outside the State and either delivered outside the State or" and inserting in place thereof the underlined words 'either delivered outside the State or actually registered for numbering, enrolled or documented under federal or foreign law in the appropriate custom houses or registry offices for location thereof or home ports therefor outside the State and'.

House Amendment "A" was adopted.

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

Mr. BRAGDON: Mr. Speaker, I intended to make some observations on this amendment, but perhaps they are not necessary now. However, I will go ahead and do it.

I want to say that I have no quarrel with the intention of this bill. Obviously it was intended that anyone manufacturing boats in the State of Maine could sell them outside the State and they would not be subject to the provisions of the sales tax law. However, if you read the original bill, it seems to me in that bill it only says intention, and intentions can change, and I thought I saw there an opportunity where a man could buy a boat of any size from a canoe up intending to take it out of the State, and his intention might change and he might take it up to Portage Lake

and use it there for the summer and maybe he could be talking to the fellow next to him and say "I am a nonresident and I can buy a boat and I don't have to pay the sales tax" and perhaps his friend might say: "Well why don't you buy me one?"

The object of this amendment that I have offered I think covers that possibility so that it protects against that very thing, and I might say further that I have cleared with the Committee on Taxation and the sponsor of the bill in offering this amendment.

Thereupon, on motion of the gentleman from Perham, Mr. Bragdon, the Bill was given its third reading, passed to be engrossed as amended by House Amendment "A" and sent to the Senate.

On motion of the gentleman from Bridgton, Mr. Haughn, the House voted to take from the table the fifty-ninth tabled and unassigned matter, House Report "Ought to pass" of the Committee on Agriculture on Bill "An Act relating to killing of Dogs Chasing Livestock or Poultry", House Paper 990, Legislative Document 1419, tabled on April 17 by that gentleman pending acceptance of the Report.

The SPEAKER: The Chair recognizes the gentleman from Bridgton, Mr. Haughn.

Mr. HAUGHN: Mr. Speaker and Ladies and Gentlemen of the House: I tabled this item for one purpose, to check on some of the changing of the words, and I find it is merely just changing the word fowl to poultry. In other words, it does not change the aspect of the bill so I now move the acceptance of the Committee Report.

The SPEAKER: Is it the pleasure of the House to accept the "Ought to pass" Committee Report?

The motion prevailed, and the Bill was read twice and tomorrow assigned.

The SPEAKER: The House is proceeding under Orders of the Day and since we have quite a bit of time left, the Chair would urge any Member to remove items from the table if he possibly can.

The Chair recognizes the gentleman from Portland, Mr. Childs.

Mr. CHILDS: Mr. Speaker, I request permission to approach the rostrum.

The SPEAKER: The gentleman may approach the rostrum.

(Conference at rostrum)

The SPEAKER: The House is proceeding under Orders of the Day. We have a lot of matters on the table. The Clerk will read any notices in his possession.

(Off Record remarks)

The SPEAKER: The Clerk has no notices, but at this time the Chair would like to mention to the House that there has never been in the past history of the Legislature, as I understand it, any occasion when a legal holiday interfered with or prevented the holding of a regular session. The Chair has been questioned by more than a few members regarding holding a session tomorrow, and in the light of precedent, the Speaker has informed all those inquirers and is now stating that there will be a session tomorrow afternoon, but it has been suggested that where there is only one committee hearing in the morning, and possibly a few executive sessions, it would be practical and desirable to start the session at 12:00 o'clock noon instead of waiting until 1:00 o'clock and thereby letting us get out earlier tomorrow afternoon.

On motion of Mr. Hathaway of Columbia Falls,

Adjourned until twelve o'clock noon tomorrow.