

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

LEGISLATIVE RECORD

OF THE

Ninety-Ninth Legislature

OF THE

STATE OF MAINE

1959

DAILY KENNEBEC JOURNAL
AUGUSTA, MAINE

HOUSE

Tuesday, March 24, 1959

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

Prayer by the Rev. Mr. Robert L. Smith of the Nazarene Church, Augusta.

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: The following Communication: (S. P. 430) (L. D. 1277)

**STATE OF MAINE
BUREAU OF PUBLIC
IMPROVEMENTS
AUGUSTA**

March 18, 1959

To the Honorable Senate and House of Representatives of the Ninety-ninth Legislature
Gentlemen:

In accordance with the provisions of Senate Paper No. 147, dated February 3, 1959, the Bureau of Public Improvements presents the accompanying report based on a study of the present site of the State School for Boys considering its proximity to the Portland Municipal Airport.

Included with and made a part of this report is a copy of the "Study of Effect of State School for Boys on the Safety and Utility of the Portland Municipal Airport" prepared by the Maine Aeronautics Commission for the Bureau of Public Improvements.

Respectfully submitted,
(Signed)

NIRAN C. BATES
Niran C. Bates, Director

Came from the Senate read and with accompanying Report referred to the Committee on Public Health.

In the House, the Communication was read and with accompanying Report referred to the Committee on Public Health in concurrence.

**Senate Reports of Committees
Ought Not to Pass**

Report of the Committee on State Government reporting "Ought not

to pass" on Resolve Proposing an Amendment to the Constitution Changing the Tenure of Office of Sheriff to Four-Year Terms (S. P. 105) (L. D. 223)

Came from the Senate read and accepted.

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

Ought to Pass

Report of the Committee on Liquor Control reporting "Ought to pass" on Bill "An Act relating to Duties of State Liquor Inspectors" (S. P. 348) (L. D. 975)

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

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

**Ought to Pass with
Committee Amendment**

Report of the Committee on Legal Affairs on Bill "An Act relating to Superintending School Committee of Town of Freeport" (S. P. 217) (L. D. 556) 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. 217, L. D. 556, Bill, "An Act Relating to Superintending School Committee of Town of Freeport."

Amend said Bill by striking out in the 3rd and 4th lines of section 1 the following words: "and shall fill vacancies arising therein at each subsequent annual town meeting"

Further amend said Bill by adding at the end of section 1 the following new sentence: 'A vote of a majority of the full membership of the committee shall be required for the purpose of conducting business and exercising the powers of the committee and for all other purposes.'

Committee Amendment "A" was adopted in concurrence and the Bill

assigned for third reading tomorrow.

Report of the Committee on Transportation on Bill "An Act to Revise the Dealer Registration Law" (S. P. 342) (L. D. 918) 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. 342, L. D. 918, Bill, "An Act to Revise the Dealer Registration Law."

Amend said Bill by striking out in the 5th line of that part designated "Sec. 30-A" the underlined words "sets of".

Further amend said Bill in the 6th line of that part designated "Sec. 30-A" by striking out the underlined words and figure, "sets for \$5 per set" and inserting in place thereof the underlined words and figure, "plates for \$5 each".

Further amend said Bill in the last line of that part designated, "Sec. 30-A" by striking out the underlined amount "50c" and inserting in place thereof the underlined amount "75c".

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

The SPEAKER: At this time the Chair would like to recognize the presence in the gallery of the House of a group of seventh and eighth grade pupils from Moscow Grammar School accompanied by Mr. Clement Nickerson, their Principal. On behalf of the House the Chair extends to you ladies and gentlemen a most hearty welcome and we hope you will enjoy and profit by your visit with us here today. (Applause)

Non-Concurrent Matter

Bill "An Act relating to Qualifications of Directors of Corporations"

(H. P. 114) (L. D. 169) which was passed to be engrossed in the House on March 3.

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

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

Non-Concurrent Matter

An Act Permitting Town of Fort Kent to Raise Money for Boarding Home for Aged (H. P. 358) (L. D. 517) which was passed to be enacted in the House on March 17 and passed to be engrossed on March 10.

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

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

Non-Concurrent Matter

Bill "An Act relating to Terms of Office and Compensation of the Aeronautics Commission" (H. P. 368) (L. D. 527) which was passed to be engrossed as amended by Committee Amendment "A" in the House on March 18.

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

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

House Reports of Committees

Leave to Withdraw

Covered by Other Legislation

Mrs. Christie from the Committee on Liquor Control on Bill "An Act relating to Sale of Certain Beverages to Minors" (H. P. 503) (L. D. 716) reported Leave to Withdraw, as it is covered by other legislation.

Report was read and accepted and sent up for concurrence.

Leave to Withdraw

Mr. Couture from the Committee on Liquor Control on Bill "An Act Permitting Sale of Malt Liquor not to be Consumed on the Premises on Sunday Afternoons" (H. P. 793)

(L. D. 1125) reported Leave to Withdraw.

Mr. Lacharite from same Committee reported same on Bill "An Act relating to Peddling Malt Liquor" (H. P. 816) (L. D. 1154)

Mr. Hodgkins from the Committee on Towns and Counties reported same on Bill "An Act Increasing Number of Medical Examiners for Piscataquis County" (H. P. 79) (L. D. 117)

Reports were read and accepted and sent up for concurrence.

Ought Not to Pass

Mr. Hughes from the Committee on Business Legislation reported "Ought not to pass" on Bill "An Act relating to Form of Standard Fire Insurance Policy" (H. P. 531) (L. D. 766)

Mr. Berman from the Committee on Judiciary reported same on Bill "An Act relating to Residence Requirement for Recorder of Westbrook Municipal Court" (H. P. 692) (L. D. 992)

Mr. Cox from same Committee reported same on Bill "An Act relating to Duty of Medical Examiners in Deaths in Motor Vehicle Accidents" (H. P. 646) (L. D. 937)

Mr. Emmons from same Committee reported same on Bill "An Act relating to Property Damage for Report under Financial Responsibility Law" (H. P. 559) (L. D. 793)

Reports were read and accepted and sent up for concurrence.

Ought to Pass in New Draft New Draft Printed

Mr. Brown from the Committee on Liquor Control on Bill "An Act relating to Credit between Malt Beverage Manufacturers and Wholesalers" (H. P. 815) (L. D. 1153) reported same in a new draft (H. P. 910) (L. D. 1283) under same title and that it "Ought to pass"

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

Ought to Pass Printed Bills

Mr. Choate from the Committee on Business Legislation reported "Ought to pass" on Bill "An Act relating to Loan and Building Associations" (H. P. 803) (L. D. 1142)

Mr. Shepard from same Committee reported same on Bill "An Act relating to Cost of Furnishing Copies of Insurance Laws and Related Information" (H. P. 682) (L. D. 982)

Mr. Earles from the Committee on Judiciary reported same on Bill "An Act Permitting Certain Public Utility Corporations to Hold Stockholders Meetings Outside the State" (H. P. 440) (L. D. 646)

Same gentleman from same Committee reported same on Bill "An Act relating to Acceptance of Surety Company Bonds in Lieu of Bail Bonds or other Sureties" (H. P. 556) (L. D. 790)

Mr. Knight from same Committee reported same on Bill "An Act relating to Use of Prior Convictions in Motor Vehicle Registration and License Suspensions" (H. P. 558) (L. D. 792)

Same gentleman from same Committee reported same on Bill "An Act Increasing Payment to Washington County Law Library" (H. P. 617) (L. D. 885)

Mr. Doyle from the Committee on Towns and Counties reported same on Bill "An Act relating to Expending Aroostook County Funds for Ricker College" (H. P. 777) (L. D. 1095)

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

Ought to Pass with Committee Amendment

Mr. Edwards from the Committee on Appropriations and Financial Affairs on Bill "An Act relating to Planting Forest Nursery Tree Seedlings" (H. P. 127) (L. D. 185) 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. 127, L. D. 185, Bill, "An Act Relating to Planting Forest Nursery Tree Seedlings."

Amend said Bill in the 3rd line of section 1, by inserting after the word "available", the word "immediately".

Further amend said Bill, in the 4th line of section 1, by striking out the words and figures "for the fiscal year ending June 30, 1961".

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

'Sec. 2. Repayment. Receipts from rental of the planting machines shall be credited to the General Fund.'

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

Mr. Desmarais from the Committee on Business Legislation on Bill "An Act relating to Pre-arranged Payments for Funerals or Burial Plans" (H. P. 631) (L. D. 923), which was recommitted, 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. 631, L. D. 923, Bill, "An Act Relating to Pre-arranged Payments for Funerals or Burial Plans."

Amend said Bill in the 7th line, by indicating the striking out of the number "10" by drawing a line through said number as follows "10" and inserting immediately after said stricken out number, the underlined number '30'.

Further amend said Bill in the 11th line, by adding the word 'if any' immediately preceding the word "thereon".

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

Mr. Edwards from the Committee on Business Legislation on Bill "An Act Pertaining to Fire, Marine and Inland Marine Insurance Rate Regulation" (H. P. 787) (L. D. 1119) 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. 787, L. D. 1119, Bill, "An Act Pertaining to Fire, Marine and Inland Marine Insurance Rate Regulation."

Amend said Bill in the Title by adding after the word "Regulation" the words 'and Casualty and Surety Insurance Rate Regulation'

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

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

"Sec. 2. R. S., c. 60, sec. 334, subsec. 1, para. A, amended. Paragraph A of subsection I of section 334 of chapter 60 of the Revised Statutes is amended to read as follows:

'A. the experience, or judgment if experience is not available, of the insurer or rating organization making the filing,'"

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

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

Tabled and Assigned

Mr. Gallant from the Committee on Claims on Resolve in favor of Edmund D. Schorr of Kittery (H. P. 236) (L. D. 347) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read.

(On motion of Mr. Hughes of St. Albans, the Report and Resolve were tabled pending acceptance of the Committee Report and specially assigned for Thursday, March 26.)

Mr. Crockett from the Committee on Highways on Bill "An Act relating to Transfer to State of Maine of Portland Bridge, Cumberland County" (H. P. 745) (L. D. 1064) 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. 745, L. D. 1064, Bill, "An Act Relating to Transfer to State of Maine of Portland Bridge, Cumberland County."

Amend said Bill in section 1 by striking out in the 5th line of the second paragraph the words "purposes stated herein" and inserting

in place thereof the words 'repairs to that portion of Portland Bridge presently maintained by it'

Further amend said Bill in section 3 by inserting before the period of the last sentence 'at the option of the State Highway Commission'.

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

Mr. Harris from the Committee on Inland Fisheries and Game on Bill "An Act relating to Open Season on Fisher in Certain Counties" (H. P. 606) (L. D. 866) 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. 606, L. D. 866, Bill, "An Act Relating to Open Season on Fisher in Certain Counties."

Amend said Bill by striking out the 6th and 7th lines and inserting in place thereof the following underlined words and figures: 'in addition there shall be an open season on fisher, during the years of 1959 and 1960 only, from November 30th to December 15th of each year in the Counties of'

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

Tabled and Assigned

Mr. Harris from the Committee on Inland Fisheries and Game on Bill "An Act relating to Hunting Deer with Bow and Arrow in Islesboro, Waldo County" (H. P. 620) (L. D. 888) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read.

(On motion of Mr. Monroe of Monroe, the Report and Bill were tabled pending acceptance of the Committee Report and specially assigned for Tuesday, March 31.)

Mr. Berman from the Committee on Judiciary on Bill "An Act relating to Dissolution of Corporations for Non-use of Corporate Powers" (H. P. 645) (L. D. 936) 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. 645, L. D. 936, Bill, "An Act Relating to Dissolution of Corporations for Non-use of Corporate Powers."

Amend said Bill by striking out in the third line of 'Sec. 12-A. Sub-section I. by striking out the comma appearing after the number "103" and inserting in place thereof the word 'to'

Further amend said Bill by inserting after the number "110" the word 'inclusive'

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

Divided Report

Majority Report of the Committee on Liquor Control reporting "Ought not to pass" on Bill "An Act relating to Hours of Selling Liquor" (H. P. 120) (L. D. 175)

Report was signed by the following members:

Messrs. BOUCHER of Androscoggin
CARPENTER of Somerset
— of the Senate.

Messrs. BROWN of Bangor
MAYO of Bath
LACHARITE of Brunswick
DOSTIE of Winslow
COUTURE of Lewiston
— of the House.

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

Report was signed by the following members:

Mr. WILLEY of Hancock
— of the Senate.
Mrs. CHRISTIE of Presque Isle
Mr. CHAPMAN of Norway
— of the House.

Reports were read.

The SPEAKER: The Chair recognizes the gentlewoman from Presque Isle, Mrs. Christie.

Mrs. CHRISTIE: Mr. Speaker and Members of the House: I move the acceptance of the Minority "Ought to pass" Report, and when the vote is taken I would like it taken by a division. I would like to speak to my motion.

The SPEAKER: The gentlewoman may proceed.

Mrs. CHRISTIE: Six years ago a bill was passed through this Legislature which permitted the liquor people to operate on standard time. At that time, daylight saving time was optional, and in some communities they did not observe it, and the liquor people complained that it was a hardship on them because there were some places where they operated on daylight time and some places where they operated on standard time. For that reason they asked that they be permitted to operate on standard time.

Four years ago this Legislature passed a bill which made daylight time the legal time in the State of Maine, but the liquor people are still operating on standard time. It is my feeling that since daylight time is the legal time in the State of Maine, there is no good reason why the liquor people should not observe that time as the other industries and other people do. And for that reason I feel that we should change this law by striking out this sentence: "The hours of selling or delivering above referred to shall be United States Eastern Standard Time". By striking out that sentence, we put the liquor people on the same time that everybody else is on, they will be on daylight saving time in the summer and on standard time in the winter just the same as other people.

It seems to me that this industry of all industries which has to be restricted and curbed in so many ways should not have any favoritism in the matter of time. Of course this extra hour at night seems to them to be an advantage, and that is why they like that extra hour at night, but it seems to me that in all fairness to the people of our State we should have them operating on the same time that other people operate on. So I ask that this "Ought to pass" Report be accepted.

The SPEAKER: The question before the House is the motion of the gentleman from Presque Isle, Mrs. Christie, that the House accept the Minority "Ought to pass" Report.

The Chair recognizes the gentleman from Yarmouth, Mrs. Knapp.

Mrs. KNAPP: Mr. Speaker, I think we all realize how much confusion these two times cause us, and I heartily agree with the gentleman from Presque Isle, Mrs. Christie.

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

Mr. BRIGGS: Mr. Speaker, we all know that business today is in the recession, and if you take one hour of business away each day from a hotel lounge, that is one week's business — one day's business per week.

Now these people are struggling under a handicap to keep their staff working. People are coming from out of state and they have the privilege I believe of going into a liquor establishment or a hotel and sitting there until one o'clock. The states they come from, usually these places are open until three o'clock. I move that this Report, the Majority Report, be accepted.

The SPEAKER: The Chair must advise the gentleman that there is a motion before the House, and the gentleman's motion would not be in order at this time.

Mr. BRIGGS: Mr. Speaker, I would just say that I hope the motion will pass, the motion before the House.

The SPEAKER: The Chair recognizes the gentleman from Portland, Mr. Miller. The House will be in order. The Chair understands what the gentleman intended.

Mr. MILLER: Mr. Speaker, Ladies and Gentlemen of the House: It is my understanding that the motion before the House now is that the Minority Report be accepted and that would be "Ought to pass".

The SPEAKER: That is correct.

Mr. MILLER: Mr. Speaker, I want to go on record as being opposed to the motion that is before the House at the present time, a motion of "Ought to pass" on this bill.

I would like to briefly explain to the House my position on this matter. It is my feeling, having been a member of the 98th session of the Legislature, and having gone into this particular phase of legislation very thoroughly with many of the hotel owners in the State of Maine, that this would be a serious

catastrophe to many of our hotels, especially our summer hotels in the State of Maine, if this motion of "Ought to pass" was accepted by this House. We are trying to encourage people from out of the state to come into Maine. We build ourselves up as a vacationland of America. Without going into any further explanation of this, and knowing that each and every member of this House is fully aware of the damage that this would do to our summer business, I hope that you will take a position and vote against the motion to accept the "Ought to pass" Report.

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

Mr. DODGE: Mr. Speaker and Members of the House: I wish to read a report here, a very short one, from Frederick T. McGraw, who is President of the American Automobile Association. Now what I am interested in is having accidents and what caused them, and here is this — "The social drinker returning from a party with two or three drinks under his belt is the biggest menace on the highways", and it would seem to me that an hour extra at night would cause more accidents. I am interested more in saving life and not having accidents than I am in many other things that have been mentioned, and I hope the Minority Report goes through.

The SPEAKER: The Chair recognizes the gentleman from Brunswick, Mr. Lacharite.

Mr. LACHARITE: Mr. Speaker and Members of the House: As a signer of the Majority Report, I would like to state my position on this bill. This law has been in force now for four years and prior to that time it was in effect as part of the rules and regulations of the Commission. In talking with the Chief of the Enforcement Division of the Liquor Commission, I find that there has been no problem with this law, it has caused no additional problems to the Enforcement Division.

Now we know that Maine is a vacation state and there are a large number of tourists in Maine, and our hotels are at a disadvantage with those of New Hampshire and

Vermont because over there they open on Sunday.

Now our hotels do not want any further liberalization of the law, but they certainly would be opposed to this. Last election the voters of Maine, fully aware of the existence of this law, voted on the liquor questions, 100,000 voted in favor on the liquor laws, and 170,000 voted in favor on the malt beverage laws.

Now I would like to point out also this is not giving the hotels an extra hour. It only puts off the hour to a later hour at night and they open a later hour in the morning, so that they serve the same number of hours as they would under standard time. And so for these reasons, Mr. Speaker, I now move indefinite postponement of this bill.

The SPEAKER: The question now before the House is the motion of the gentleman from Brunswick, Mr. Lacharite, that the bill and both Reports be indefinitely postponed.

The Chair recognizes the gentleman from Lebanon, Mrs. Hanson.

Mrs. HANSON: Mr. Speaker, I want to go along with the gentleman from Presque Isle, Mrs. Christie, and the "Ought to pass" Report. Everyone seems to be talking about the disadvantages to the liquor people and the hotels. Is anyone thinking of the disadvantages to the people who have this extra hour, specially the young people who go to dances and then are drinking sometimes an hour beyond the dances before they go home? I think that this "Ought to pass" Report would help to protect them a little more.

The SPEAKER: Is the House ready for the question? The question before the House is the motion of the gentleman from Brunswick, Mr. Lacharite, that the Bill and both Reports be indefinitely postponed. A division has been requested.

Will those who favor the motion to indefinitely postpone the Bill and the Reports please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Fifty-four having voted in the affirmative and seventy-four having voted in the negative, the motion did not prevail.

The SPEAKER: The question now before the House is the motion of the gentlewoman from Presque Isle, Mrs. Christie, that the House accept the Minority "Ought to pass" Report on Bill "An Act relating to Hours of Selling Liquor", House Paper 120, Legislative Document 175. Is the House ready for that question? A division has been requested.

Will those who favor the acceptance of the Minority "Ought to pass" Report please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Seventy-eight having voted in the affirmative and forty-nine having voted in the negative, the motion prevailed.

Thereupon, the Bill was given its two several readings and assigned for third reading tomorrow.

Divided Report

Majority Report of the Committee on Liquor Control reporting "Ought to pass" on Bill "An Act relating to Local Option for a Certain Liquor Question" (H. P. 213) (L. D. 304)

Report was signed by the following members:

Messrs. CARPENTER of Somerset
WILLEY of Hancock
BOUCHER of Androscoggin
— of the Senate.

Messrs. LACHARITE of Brunswick
MAYO of Bath
DOSTIE of Winslow
COUTURE of Lewiston
BROWN of Bangor
CHAPMAN of Norway
— of the House.

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

Report was signed by the following member:

Mrs. CHRISTIE of Presque Isle
— of the House.

Reports were read.

On motion of Mr. Emmons of Kennebunk, the House voted to accept the Majority Report "Ought to pass" on a viva voce vote, the Bill was read twice and tomorrow assigned.

Divided Report

Majority Report of the Committee on Liquor Control reporting "Ought not to pass" on Bill "An Act relating

to Sale of Malt Liquor in Glass Containers" (H. P. 310) (L. D. 457)

Report was signed by the following members:

Messrs. WILLEY of Hancock
BOUCHER of Androscoggin
CARPENTER of Somerset
— of the Senate.

Messrs. LACHARITE of Brunswick
DOSTIE of Winslow
COUTURE of Lewiston
BROWN of Bangor
MAYO of Bath
— of the House.

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

Report was signed by the following members:

Mrs. CHRISTIE of Presque Isle
Mr. CHAPMAN of Norway
— of the House.

Reports were read.

On motion of Mr. Couture of Lewiston, the Majority Report "Ought not to pass" was accepted on a viva voce vote and sent up for concurrence.

The SPEAKER: At this time the Chair would request the Sergeant-at-Arms to escort the gentleman from Lewiston, Mr. Cote, to the rostrum to serve as Speaker pro tem.

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

Divided Report

Majority Report of the Committee on Liquor Control reporting "Ought to pass" on Bill "An Act relating to Definition of Tavern under Liquor Laws" (H. P. 695) (L. D. 995)

Report was signed by the following members:

Mr. BOUCHER of Androscoggin
— of the Senate.

Messrs. DOSTIE of Winslow
COUTURE of Lewiston
BROWN of Bangor
MAYO of Bath
LACHARITE of Brunswick
— of the House.

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

Report was signed by the following members:

Messrs. WILLEY of Hancock

CARPENTER of Somerset
— of the Senate.

Mr. CHAPMAN of Norway

Mrs. CHRISTIE of Presque Isle
— of the House.

Reports were read.

The SPEAKER pro tem: The Chair recognizes the gentlewoman from Presque Isle, Mrs. Christie.

Mrs. CHRISTIE: Mr. Speaker, I move acceptance of the Minority Report "Ought not to pass" and ask that when the vote is taken it be taken by division.

The SPEAKER pro tem: The question before the House is the motion of the gentlewoman from Presque Isle, Mrs. Christie, that the House accept the Minority "Ought not to pass" Report.

The Chair recognizes the gentleman from Biddeford, Mr. Caron.

Mr. CARON: Mr. Speaker, the Majority Report is "Ought to pass" and I would like to say a few words in regard to it.

The SPEAKER pro tem: The gentleman may proceed.

Mr. CARON: This bill is a very short bill, and it simply changes the definition by allowing the taverns now in operation to provide stools instead of standing at the bar. This was discussed before the Committee at length and there was very little opposition to it at that time, and the reason for it being that there was a lot of talk about these restaurants which they refer to as beer parlors. This, ladies and gentlemen, is a tavern where only men can gather, and from a report at that Committee hearing the members of the Liquor Commission who were there at the time explained that very little trouble or no trouble at all had occurred in these taverns. Where these taverns are strictly for men and men alone, and the sponsors of this bill feel that by adding stools in the present taverns that probably would eliminate a lot of the married men, as I discussed with some of the people, from going into these restaurants or the so-called beer parlors, and I move that the Committee Report "Ought not to pass" be not accepted. Thank you.

The SPEAKER pro tem: The Chair recognizes the gentlewoman from Presque Isle, Mrs. Christie.

Mrs. CHRISTIE: Mr. Speaker, perhaps one reason why there hasn't been much trouble in the taverns is because people have been compelled to stand and thereby the police could see whether they were in condition to have another drink or not. I think perhaps if they were sitting they might imbibe so much that it would be difficult for them to stand, but if they are standing it would be easier for people to know whether they have drunk too much or not.

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

Mr. COUTURE: Mr. Speaker and Members of the House: As a member of the Committee on Liquor, we gave deep consideration to this bill. Certainly at the time that I have signed my report, I felt no harm could be done in a tavern if a person after a day's work wants to go into a tavern where there are no ladies in there and wants to be with men that he can sit on a stool and have a beer before he goes to supper. I have heard a lot of opposition to these restaurants. In time that a man after his day's work strictly to the thought that he is restless, he meets a woman and talks and he goes home late for supper and that leads to disharmony at home. There is one place that a man can walk in and sit down and have a beer with a man and nothing to delay him for supper that he could be blamed, and I certainly feel that a man after a day's work should be entitled at least to sit down and have a beer if he so wishes, and that was my reason for signing that Committee Report.

The SPEAKER pro tem: The question before the House is the motion of the gentlewoman from Presque Isle, Mrs. Christie, that the House accept the Minority Report "Ought not to pass" on Bill "An Act relating to Definition of Tavern under Liquor Laws". A division has been requested.

Will those who favor the acceptance of the Minority "Ought not to pass" Report please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Thirty-two having voted in the affirmative and eighty-two having vot-

ed in the negative, the motion did not prevail.

Thereupon, the Majority Report "Ought to pass" was accepted, the Bill read twice and assigned for third reading tomorrow.

Divided Report

Majority Report of the Committee on Liquor Control reporting "Ought to pass" on Bill "An Act relating to Local Option for Sale of Malt Liquor in Clubs and Part - time Hotels" (H. P. 722) (L. D. 1027)

Report was signed by the following members:

Messrs. WILLEY of Hancock
CARPENTER of Somerset
BOUCHER of Androscoggin
— of the Senate.

Messrs. CHAPMAN of Norway
BROWN of Bangor
MAYO of Bath
LACHARITE of Brunswick
DOSTIE of Winslow
COUTURE of Lewiston
— of the House.

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

Report was signed by the following member:

Mrs. CHRISTIE of Presque Isle
— of the House.

Reports were read.

On motion of Mr. Miller of Portland, the House voted to accept the Majority Report "Ought to pass", the Bill was read twice and tomorrow assigned.

Divided Report

Majority Report of the Committee on Liquor Control on Bill "An Act relating to Local Option for Sale of Malt Liquor by Hotels and Clubs" (H. P. 723) (L. D. 1028) reporting same in a new draft (H. P. 909) (L. D. 1283) under same title and that it "Ought to pass"

Report was signed by the following members:

Messrs. WILLEY of Hancock
CARPENTER of Somerset
BOUCHER of Androscoggin
— of the Senate.

Messrs. LACHARITE of Brunswick
DOSTIE of Winslow
MAYO of Bath
BROWN of Bangor

CHAPMAN of Norway
COUTURE of Lewiston
— of the House.

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

Report was signed by the following member:

Mrs. CHRISTIE of Presque Isle
— of the House.

Reports were read.

On motion of Mr. Miller of Portland, the House voted to accept the Majority Report "Ought to pass" in New Draft, the New Draft was read twice and assigned for third reading tomorrow.

Divided Report Tabled and Assigned

Majority Report of the Committee on Liquor Control reporting "Ought to pass" on Bill "An Act Permitting Sale of Liquor on Election Days after Polls Close" (H. P. 765) (L. D. 1083)

Report was signed by the following members:

Messrs. WILLEY of Hancock
BOUCHER of Androscoggin
— of the Senate.

Messrs. MAYO of Bath
BROWN of Bangor
LACHARITE of Brunswick
DOSTIE of Winslow
COUTURE of Lewiston
— of the House.

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

Report was signed by the following members:

Mr. CARPENTER of Somerset
— of the Senate.

Mrs. CHRISTIE of Presque Isle
Mr. CHAPMAN of Norway
— of the House.

Reports were read.

The SPEAKER pro tem: The Chair recognizes the gentleman from Sebago, Mr. Good.

Mr. GOOD: Mr. Speaker, this bill was introduced by the gentleman from Freeport, Mr. Crockett. Mr. Crockett isn't here today, but I saw him last night and he asked me in the event that he wasn't here when this bill came up, he would like to have me table it. Therefore, I move that this Bill be tabled until tomorrow.

The SPEAKER pro tem: The gentleman from Sebago, Mr. Good, moves that the Bill and both Reports be tabled and specially assigned for tomorrow pending acceptance of either Report. Is this the pleasure of the House?

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

At this point Speaker Edgar returned to the rostrum.

Thereupon, the Sergeant-at-Arms conducted the gentleman from Lewiston, Mr. Cote, 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 Filling Vacancies in Board of School Directors of a School Administrative District" (H. P. 389) (L. D. 572)

Bill "An Act Closing Great Chebeague Island to Hunting for Snowshoe Hares" (H. P. 638) (L. D. 929)

The SPEAKER: The Chair would like to sincerely apologize to the gentleman from Lewiston, Mr. Cote, for neglecting to thank him for his excellent services as Speaker pro tem. (Applause)

Bill "An Act relating to Free Hunting, Trapping and Fishing Licenses for Indians" (H. P. 639) (L. D. 930)

Bill "An Act to Authorize the Municipalities of Carmel, Hermon, Glenburn and Levant to Form a School Administrative District" (H. P. 686) (L. D. 986)

Bill "An Act to Authorize the Municipalities of Bradford, Charleston, Corinth, Hudson and Kenduskeag to Form a School Administrative District" (H. P. 687) (L. D. 987)

Resolve Regulating Fishing in Ruffingham Meadow Game Management Area Flowage, Waldo County (H. P. 497) (L. D. 710)

Resolve Designating the Interstate Highway System in Maine as Brian M. Jewett Memorial Highway (H. P. 907) (L. D. 1278)

Resolve Regulating Fishing in Washington Pond, Crystal Pond and Alford Lake, Knox County (H. P. 908) (L. D. 1279)

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 Bills

Bill "An Act relating to Town Dumps" (S. P. 191) (L. D. 487)

Bill "An Act relating to Procedure in State Construction Contracts" (S. P. 239) (L. D. 622)

Bill "An Act Amending Laws Relating to Employment Offices" (S. P. 307) (L. D. 853)

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.

Tabled and Assigned

Bill "An Act relating to Withdrawal of Town from School Supervisory Union" (H. P. 541) (L. D. 776)

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

(On motion of Mr. Bragdon of Perham, tabled pending passage to be engrossed and specially assigned for tomorrow.)

Tabled and Assigned

Resolve Authorizing the State Tax Assessor to Convey by Sale the Interest of the State in Certain Lands in the Unorganized Territory (S. P. 137) (L. D. 332)

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

(On motion of Mr. Williams of Hodgdon, tabled pending passage to be engrossed and specially assigned for Thursday, March 26.)

Bill "An Act to Incorporate the R. and T. Cement Railroad Company" (S. P. 309) (L. D. 855)

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 Senate Amendment "A" and sent to the Senate.

Passed to Be Enacted Emergency Measure

An Act relating to the Procedure of the City Council of South Portland (H. P. 421) (L. D. 605)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a division was had, 132 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act Providing for the Construction of an Addition to Connor Elementary School in the Unorganized Territory (H. P. 460) (L. D. 678)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a division was had, 133 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Passed to Be Enacted

An Act Providing Ferry Service Between Mainland and Islands in Casco Bay, Cumberland County (S. P. 246) (L. D. 629)

An Act Changing the Date of Municipal Election in City of Saco (S. P. 317) (L. D. 879)

An Act relating to Vacancies in City Council of City of Rockland (S. P. 337) (L. D. 913)

An Act relating to Town Meetings of Sanford (H. P. 12) (L. D. 21)

An Act Regulating Live Bait for Fishing (H. P. 109) (L. D. 164)

An Act relating to Applications for Voter Registration (H. P. 543) (L. D. 778)

An Act Conveying Songo Lock Property to State of Maine (H. P. 612) (L. D. 872)

An Act relating to Time of Filing Nomination Papers and Date of State Convention (H. P. 885) (L. D. 1238)

An Act Providing for Evening Sessions of Boards of Registration (H. P. 886) (L. D. 1239)

An Act relating to Optional Methods of Nominating Town Officials (H. P. 887) (L. D. 1240)

An Act relating to Taking Land for Public Access Sites to Merry-meeting Bay (H. P. 888) (L. D. 1241)

An Act relating to Report by Licensed Small Loan Agencies (H. P. 889) (L. D. 1242)

Finally Passed

Resolve, Appropriation for the Purchase of Informational Materials for Use in the Education of Retarded Children (H. P. 132) (L. D. 190)

Resolve Regulating Fishing in Narrows Pond, Kennebec County (H. P. 195) (L. D. 287)

Resolve Regulating Fishing in Little Concord Pond, in the Town of Woodstock, Oxford County (H. P. 554) (L. D. 789)

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: The Chair now lays before the House the first tabled and today assigned matter, House Divided Report, Majority "Ought not to pass" and Minority "Ought to pass" of the Committee on State Government on Bill "An Act relating to Term of Office of Department Heads Appointed by Governor", House Paper 613, Legislative Document 873, tabled on March 18 by the gentleman from Old Orchard Beach, Mr. Plante, pending the motion of the gentleman from Auburn, Mr. Wade, to accept the Majority Report.

The Chair recognizes the gentleman from Woolwich, Mr. Reed.

Mr. REED: Mr. Speaker, I would like to speak briefly on this bill. Being in the wrong place at the wrong time has been more of a common experience rather than an uncommon one for me during this legislative session. I shall make no excuses, but I would like to say that I was not present when this bill went before committee. Since being the sponsor of the bill, if only by chance, I cannot let it go by without speaking for it.

I shall not go into the history and background of this subject as I would like to have done before committee, but I would like to have one

thing clearly understood and that is my thinking on this matter did not begin here this winter, but goes back to my last year in school while taking a government course, and at which time being a Democrat or a Republican meant very little to me.

I believe the biggest opponent to this bill is ignorance and misunderstanding. The bill itself, I feel, is a compromise. It states that all department heads now appointed, and does not attempt to take the governor's appointive powers to other department heads as many believe it should.

It seems only right to me that the Governor, who is held by the people, at least, responsible for the businesslike manner in which our departments are run, should be allowed to choose a lieutenant of whose ability he is satisfied and upon whose loyalty and cooperation he can depend upon. On this point I differ with many of my colleagues in this House, but I cannot conceive of a governor appointing officials who are not capable and then keeping them in office. I believe we can look at the extensive appointive powers given to our President to show that such power is not abused.

The Governor would still be responsible to the Legislature in his administrative responsibilities. As Legislators, we are the governing body of this State, its Board of Directors so to speak, but while we are not in session, who should be responsible for the businesslike manner in which our policies are carried out? What we need in a business sense is a general manager. What better qualifications can a man have than to be elected by the people of this State?

If our Constitution were to be written today, would it contain such legislation? I feel certain it would. The most recent state to become an official member of our Union is Alaska. How have they dealt with this problem? They state that all department heads shall be appointed by the governor with confirmation and serve at the pleasure of the governor. The two most recent states that have gone into extensive constitutional changes are Connecticut and New Jersey. How have they changed in this respect? Connecticut's revision which becomes effective during March of this year says

the department heads shall be appointed by the governor for four years, the same four as the governor. New Jersey's revision is somewhat unique, in that they have created twenty departments with but one department head appointed by the governor with confirmation. From these recent changes many have drawn the conclusion that this is some new scheme or idea. As I have said, I knew I started thinking along these lines in 1953 and in going back to that college text, I found that probably the most profound thinking on this subject was an excerpt by George Dorns, entitled "Governors and Legislators" published in 1931. Knowing that government changes seem to run some twenty years behind the political philosophers, we are just now seeing these ideas put to work.

There is also I believe considerable opposition to this bill because many feel that we should not change the workings of our government. My only answer to this is that we must remember that this Country and our Constitution was brought about by men who fought and who died for a change, and I believe that if they were alive today they would recognize the need for a change in government so it might better fit our times. To me this bill is a way in which we can pinpoint the responsibility in our democracy which is so lacking today.

If this bill does not pass, our State shall go on, but the cry for so many years has been to make government more efficient and yet when a way is presented, I feel it has been treated lightly, branded political and sent out of Committee. I do not feel that such action is conducive for the best interests of our State. I would like to thank the House this morning for its indulgence, and I sincerely hope that the motion made by the gentleman from Auburn, Mr. Wade, shall not prevail. I request a division. (Applause)

The SPEAKER: The Chair recognizes the gentleman from Auburn, Mr. Wade.

Mr. WADE: Mr. Speaker and Members of the House: Speaking as the House Chairman of the Committee on State Government, I would say that we regret that we were unable to hear Mr. Reed, the gentle-

man from Woolwich, at the hearing. I wish to further go on to say that the hearing did not indicate any widespread demand for a change from the provisions of Sections five and six of Chapter eleven which have to do with appointments, and in view of that fact, we did not feel it was necessary at this time to proceed with such a change, and for those reasons I hope my motion for the acceptance of the "Ought not to pass" Report will prevail.

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

Mr. CURTIS: Mr. Speaker, Ladies and Gentlemen:

Someone has said, "The price of liberty is eternal vigilance."

John Stuart Mills has put it in little stronger tempo when he said, "The story of the human race since it crossed the threshold of obscurity has been a panorama of follies, crimes and human tragedies." The noble emotions of peace, love, truth, wisdom and justice arises in the heart of man only to be stifled by those basic impulses of avarice, greed and stupidity wherever the lust for power reigns supreme.

As one reviews the thinking as expressed by the Press the past four years and by the editors and others, alleged leaders in both our major political parties, more especially the Democratic Party, to cultivate and promote a more centralized control of government in our State, one becomes amazed and fearful for the representative government as provided and set forth by our forebears in our Maine Constitution.

Why all this clamor for more power in our State Government for the Governor than has been authorized by our Constitution?

Consider a moment with me and ask yourself, what extra superman qualities comes over a citizen of Maine in a few hours after he is elected Governor? In 1949, several good men on both party tickets had their hat in the Primary ring but Frederick Payne became Governor. The same is true six or seven good reliable citizens of both parties tried for governorship but Mr. Cross won. The same was true later on when Mr. Muskie won.

Now I ask you what any of these men that were elected had over the

men that were defeated? In fact, what did any man that has been elected for governor in my time or yours have over hundreds of other good Maine citizens? Why he should become a superman is more than I know.

Man has, for some reason, always wanted a leader, probably because he was too lazy to think for himself and because of this indolence may have been a slave to those who chose to enslave him. Rome became great as she practiced representative government, but her greatness soon ceased when she allowed her great Caesar to look upon himself as a God.

Maine has a Legislature of 183 citizens elected by the ordinary lay citizen, for two years and until this year the Governor was chosen for only two years. In fact for the first fifty-eight years of Maine government, the Governor was elected for only one year.

These legislators are chosen to represent the sovereign people — remember the Maine Constitution says no one person is a sovereign, but it does provide for the sovereignty of the people; as the preamble to all our proposed laws say, "Be it enacted by the people of the State of Maine" — not a word about the Governor, his prerogatives come after the bill becomes enacted by the peoples' chosen representatives.

Undoubtedly, more poor governmental laws have been passed and practiced in our State, yes, and in the nation when we have had a temporary majority than all the other years put together and it was to protect the people from these schemes for greater power that our forebears provided that the legislators, representatives of the people, should appoint a committee to act as a check on the Governor who many times represented only a temporary majority. Sometimes he only represented a minority of our citizens, if one considers the Primary.

The endurance and progress of the American form of Government, national and state, was predicated on and has been dependent on a government of checks and balances. When these cease to function or one usurps the prerogatives of the other, we as a government of the people,

for the people, and by the people cease to exist.

I am sure that the check that we do have now on government is just and proper and provided by men who knew so much more than I do, or I think perhaps of anyone of these times, that we're better educated in regard to government because they have come down through it the hard way, and I hope the motion of the gentleman from Auburn, Mr. Wade, does prevail.

The SPEAKER: The Chair recognizes the gentleman from Old Orchard Beach, Mr. Plante.

Mr. PLANTE: Mr. Speaker, Ladies and Gentlemen of the House: This is but one of several progressive legislative documents calling for governmental reform. It took decades before we recognized the advantages of a four-year term for governor and a change of our general election dates to conform with the rest of the nation which were both overwhelmingly accepted by the citizens of Maine.

This House may defeat this Act today, but I predict that before too long we shall see it come to pass along with other progressive bills of a similar nature.

The SPEAKER: Is the House ready for the question? The question before the House is the motion of the gentleman from Auburn, Mr. Wade, that the Majority "Ought not to pass" Report be accepted on Bill "An Act relating to Term of Office of Department Heads Appointed by Governor", House Paper 613, Legislative Document 873. A division has been requested by the gentleman from Woolwich, Mr. Reed.

Will those who favor the motion to accept the Majority "Ought not to pass" Report please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Eighty having voted in the affirmative and fifty-four having voted in the negative, the motion prevailed, the "Ought not to pass" Report was accepted and sent up for concurrence.

The SPEAKER: The Chair now lays before the House the second tabled and today assigned matter House Report "Ought to pass" of the Committee on Transportation on

Bill "An Act relating to the Inspection of Motor Vehicles", House Paper 780, Legislative Document 1098, tabled on March 19 by the gentleman from Bowdoinham, Mr. Curtis, pending acceptance of the Report; and the Chair recognizes that gentleman.

Mr. CURTIS: Mr. Speaker, I would like to retable this until Thursday because there are some others interested and they want to make a further study of it.

The SPEAKER: The gentleman from Bowdoinham, Mr. Curtis, moves that this matter be retabled pending acceptance of the Report and be specially assigned for Thursday, March 26. Is this the pleasure of the House?

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

The SPEAKER: The Chair now lays before the House the third tabled and today assigned matter Bill "An Act relating to Fees of Registers of Deeds for Mechanical Methods of Recording, House Paper 50, Legislative Document 70, tabled on March 19 by the gentleman from Auburn, Mr. Wade, pending passage to be engrossed.

The Chair recognizes the gentleman from Lewiston, Mr. Jalbert.

Thereupon, Mr. Jalbert of Lewiston offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to H. P. 50, L. D. 70, Bill, "An Act Relating to Fees of Registers of Deeds for Mechanical Methods of Recording."

Amend said Bill by adding at the end, before the single quotation mark, the following underlined sentence: The fees provided by this paragraph shall not apply to the recording of instruments the fees for which are otherwise provided by law.

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

The SPEAKER: The Chair now lays before the House the fourth tabled and today assigned matter House Report "Ought to pass" with Committee Amendment of the Committee on Highways on Bill "An Act

Permitting Ferry Service for Long Island Plantation, House Paper 55, Legislative Document 77, tabled on March 20 by the gentleman from Ellsworth, Mr. Brown, pending acceptance of the Report.

The Chair recognizes the gentleman from Mt. Desert, Mr. Graves.

Mr. GRAVES: Mr. Speaker, inasmuch as a question of constitutionality has arisen regarding this matter which is now in the hands of the Attorney General, I would like to retable this without assignment.

The SPEAKER: With respect to Bill "An Act Permitting Ferry Service for Long Island Plantation", the gentleman from Mt. Desert, Mr. Graves, moves that the Bill and Report be tabled unassigned pending acceptance of the Report. Is this the pleasure of the House?

The motion prevailed.

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 Transportation on Bill "An Act relating to Speed of Motor Vehicles" House Paper 375, Legislative Document 533, tabled on March 20 by the gentlewoman from Presque Isle, Mrs. Christie, pending the motion of the gentleman from Bowdoinham, Mr. Curtis, to accept the Minority Report; and the Chair recognizes the gentlewoman from Presque Isle, Mrs. Christie.

Mrs. CHRISTIE: Mr. Speaker and Members of the House: I offer House Amendment "A" to L. D. 533 and move its adoption.

The SPEAKER: The Chair would advise the gentlewoman that either Report must be accepted before an amendment is in order. The motion before the House is the motion of the gentleman from Bowdoinham, Mr. Curtis, that the House accept the Minority "Ought not to pass" Report.

Mrs. CHRISTIE: Mr. Speaker, I move the acceptance of the Minority — I mean I — please tell me what to say.

The SPEAKER: The gentlewoman hopes that the motion does not prevail, am I right? I wish the gentlewoman would state her own thinking rather than have me do it.

Mrs. CHRISTIE: I move that the Majority Report be accepted with House Amendment "A".

The SPEAKER: The motion of the gentleman from Bowdoinham, Mr. Curtis, is the one before the House.

The Chair recognizes the gentleman from Bowdoinham, Mr. Curtis.

Mr. CURTIS: I now wish to withdraw my motion for the acceptance of the Minority "Ought not to pass" Report and move that the Majority "Ought to pass" Report be accepted.

The SPEAKER: The gentleman from Bowdoinham, Mr. Curtis, now withdraws his motion to accept the Minority "Ought not to pass" Report.

The Chair now recognizes the gentlewoman from Presque Isle, Mrs. Christie.

Mrs. CHRISTIE: Mr. Speaker, I thank Mr. Curtis for taking me off the hook. I now move the adoption of Amendment "A".

The SPEAKER: The gentleman from Bowdoinham, Mr. Curtis, has moved the adoption of the Majority "Ought to pass" Report which we must act on first. Is it the pleasure of the House to accept the Majority "Ought to pass" Report?

The motion prevailed on a viva voce vote.

Thereupon, the Bill was given its first and second readings.

Mrs. Christie of Presque Isle offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to H. P. 375, L. D. 533, Bill, "An Act Relating to Speed of Motor Vehicles."

Amend said Bill in paragraph D of section 1 by inserting at the end before the semicolon the underlined words **'unless otherwise posted'**

Further amend said Bill in paragraph F of section 2 by inserting at the end before the semicolon the underlined words **'unless otherwise posted'**

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

Mr. CURTIS: Mr. Speaker and Members of the House: With all due respect to my good friend, Mrs. Christie, this amendment, while I do not object to it too seriously, it does

not change the law any. The law already provides that unless posted why it shall be — that is, if this bill went through as it is why this wouldn't make any difference because the law already provides that for any change in the speed it must be posted unless this law took effect. This would not do any particular harm, and it wouldn't do any good. In other words it would be just another thing that is not necessary because it is already covered by the law.

The SPEAKER: The question before the House is the motion of the gentlewoman from Presque Isle, Mrs. Christie, that the House adopt House Amendment "A".

The Chair recognizes the gentleman from South Portland, Mr. Earles.

Mr. EARLES: Mr. Speaker, because of the remarks just made by the gentleman from Bowdoinham, Mr. Curtis, I feel that it might be well to resolve a doubt. The gentleman from Bowdoinham is correct in this respect that technically the amendment proposed and presented by the gentlewoman from Presque Isle, Mrs. Christie, is not necessary, but the addition of the amendment as proposed by said lady will resolve her doubt and doubtlessly that of other laymen, so under the circumstances I will support the amendment of the gentlewoman from Presque Isle, Mrs. Christie.

The SPEAKER: Is the House ready for the question? Will all those who favor the adoption of House Amendment "A" please say aye; those opposed, no.

House Amendment "A" was adopted on a viva voce vote.

Mr. Curtis of Bowdoinham offered House Amendment "B" and moved its adoption.

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

HOUSE AMENDMENT "B" to H. P. 375, L. D. 533, Bill, "An Act Relating to Speed of Motor Vehicles."

Amend said Bill in the 6th line by inserting after the figure and words "45 miles an hour" the underlined words and figure 'on unimproved roads and 50 miles an hour on improved roads'

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

Mr. EARLES: Mr. Speaker, with respect to this particular amendment, House Amendment "B", with due respect to the diligence and interest in the subject matter expressed by the gentleman from Bowdoinham, Mr. Curtis, I feel obligated to move that this specific Amendment, House Amendment "B" to L. D. 533, be indefinitely postponed, and if I may I wish to speak to my motion.

The SPEAKER: The gentleman may proceed.

Mr. EARLES: Mr. Speaker, Ladies and Gentlemen of the House: I have no intention of plowing the same furrow on this bill because we have heard the basic subject matter discussed on a previous day, but I feel perhaps it might be necessary to, shall we say, hand hoe the subject a little mite.

I think perhaps there is some misunderstanding or lack of understanding as to how these roads are posted. Under the pending legislation your absolute speed limit will be forty-five miles an hour unless otherwise posted. The Joint Board, namely that composed of the Secretary of State, the State Police and the Highway Commission, they are the ones in the final analysis that determine the upgrading or the downgrading in the matter of speed above or below the forty-five miles an hour absolute speed limit.

I can understand the concern of the gentleman from Bowdoinham, Mr. Curtis, about unimproved roads. I think he feels that they may never be considered and for the reason that he feels that some roads actually could bear more than a forty-five miles an hour traffic, but would be ignored, he has proposed this amendment. May I show you vividly that since this Joint Board has gone into effect, I have a document here of approximately two hundred pages which reflects the basic posting that has been done by the speed regulation board, and since that time I have a document here composing thirty some-odd pages in which roads have been posted above or below the particular speed limit that was in existence at the time, and that has arisen in this manner, that people living in a particular local-

ity or a person living in a particular locality, feeling that a road should be upgraded or downgraded has petitioned this Joint Board and they have had a hearing. They meet in executive session once every month, make a determination on the basis that is submitted to them by the state police. They run a radar check, they also check the flow of traffic over a particular piece of road, and they make their recommendations upon what they consider to be the average miles per hour travelled by the flow, 85 per cent of the flow of traffic. So in view of this fact, I feel that the amendment that has been presented, House Amendment "B" to L. D. 533 is unnecessary, and therefore I hope that my motion to indefinitely postpone will persevere.

The SPEAKER: The question now before the House is the motion of the gentleman from South Portland, Mr. Earles, that House Amendment "B" shall be indefinitely postponed.

The Chair recognizes the gentleman from Belfast, Mr. Rollins.

Mr. ROLLINS: Mr. Speaker, owing that I haven't looked over that 230 pages there, I move that this item lay on the table until Thursday next.

The SPEAKER: The question now before the House is the motion of the gentleman from Belfast, Mr. Rollins, that Bill "An Act relating to Speed of Motor Vehicles" and accompanying papers be tabled and specially assigned for Thursday next, pending the motion of the gentleman from South Portland, Mr. Earles, that House Amendment "B" shall be indefinitely postponed.

Will those who favor the tabling motion please say aye; those opposed, no.

The motion to table did not prevail on a viva voce vote.

The SPEAKER: The question now before the House is the motion of the gentleman from South Portland, Mr. Earles, that House Amendment "B" shall be indefinitely postponed.

The Chair recognizes the gentleman from Bowdoinham, Mr. Curtis.

Mr. CURTIS: Mr. Speaker and Ladies and Gentlemen: I appreciate very much the able talk given on this by my good friend, Mr. Earles, but in reference to — I think he rather confused the thing for some of the people that haven't gone into this

too much by presenting this book of 230 pages which has nothing whatsoever to do with this amendment or this proposed bill. In other words, that just simply says that — the number of roads that were so posted. The little black one simply says how many of the postings have been changed.

Now what this bill says is that it would help the people to live up to the law. I have been a member of the Governor's Safety Council ever since it was first started, and I am much interested in people living up to the law. All the time we find people driving too fast, and now the towns have gone out and furnished a third of the money to build these improved roads in a great many cases, in a great many cases. In fact practically 95 per cent of the cases are just as good as any roads, they have good wide roads and they have taken care of the curves and they are black topped, and I am sure that there isn't any member of this House but what if they could see a couple of miles ahead driving over that black road would probably drive fifty miles an hour and never think anything of it. I am sure that the state police would; I am sure everybody would.

Now I just came up a road this morning, three miles I could see straight ahead, it was not posted, a good black road, and I didn't drive 45 miles an hour, I drove 50 and 55, perfectly safe. Now it is a matter of safety and a matter of people living up to the law. Now I am sure that if we try to restrict these improved roads to 45 miles an hour that there won't be anybody live up to it at all, and once you start breaking the law it doesn't come too hard to break the next one.

Now it is just purely for safety that I am offering this amendment. Here the towns have spent tens of thousands and hundreds of thousands of dollars and the State has matched it two to one to make these roads good roads and still they want to bind us down to 45 miles an hour the same as they would a dirt road and it doesn't look reasonable to me. When the vote is taken I move that it be taken by division.

The SPEAKER: The question before the House is the motion of the gentleman from South Portland, Mr. Earles, that House Amendment "B"

to Bill "An Act relating to Speed of Motor Vehicles", House Paper 375, Legislative Document 533, shall be indefinitely postponed. A division has been requested.

Will those who favor the motion to indefinitely postpone House Amendment "B" please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

One hundred having voted in the affirmative and sixteen having voted in the negative, the motion prevailed and House Amendment "B" was indefinitely postponed.

Thereupon, the Bill was assigned for third reading tomorrow.

On motion of Mr. Jalbert of Lewiston, the House voted to take from the table the first tabled and unassigned matter, House Report "Ought not to pass" of the Committee on State Government on Bill "An Act Increasing Salary of Members of the Legislature", House Paper 15, Legislative Document 24, tabled on March 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 Members of the House: You know this bill has been not purposely avoided, but tabled several times for one reason, that was to give an opportunity to all pay increase bills, which evidently had been referred to the Committee on State Government, to have a fair and ample hearing. Several of these bills have been heard, but of course have not all come out of Committee as yet with a report, but I feel it is time now that we consider this bill and the merits of the bill and if you will notice, I originally put this bill in with a sum of \$2,000 as a figure for legislative salaries. I have since prepared an amendment which the ladies and gentlemen of this House received on their desks a week or two ago reducing that amount to the sum of \$1600 for members and for Speaker and President of the unmentionable body the sum of \$1850. Now we know in the past four years we have received increase, no question, I will not deny that, and we have heard the same pros and cons the last two sessions which we will undoubtedly have again today. It is

getting near lunch hour, and I am not going to prolong it, but I will come to the facts as I see them myself which several other members of the Legislature will have the same view.

We know the opponents of this measure will say that we come up here to do a public service; I concede that to them. We know what we were getting when we ran for office; I concede that to them, but this bill does not apply to us, it applies to future legislators. We know in the past four years that times have changed and conditions have changed and I made a slight survey over the past two weeks and specially last night before a Lions Club in my own home town with approximately forty people present. This is one of the issues I brought before that body for discussion. They wholeheartedly endorsed this bill with the amendment, so naturally my motion will be to substitute the bill for the report which I know is probably unethical to do at this session from what I have seen in the past performance, but this one with the merits that are in it seems to me to be the worthwhile thing to do. I might state that at the public hearing there was only one fellow colleague, namely, the gentleman from Anson, Mr. Hilton, who opposed me at the public hearing which I believe in some of his views but disagree in the final analysis of what he intended to accomplish by defeating this bill. I might state there were several on that Committee, not to name them, but there was one in particular who publicly at that hearing took upon himself as a legislator, not as a member of the Committee, to express his views and state in his opinion he felt this bill was justified to be presented to you people for your consideration. Now we do know several will say that you can make money on this bill. I say you cannot. If you want to perform your duties as legislators and consider the fact this is two years pay and not one, the fact that we do not want just retired men and men who are financially able to be up here, we need the people from all walks of life to create this body which makes good sound government, and in order to do that you must have a salary so substantial to at least pay the way for these peo-

ple and to retain good government and to create feeling amongst people that they will consider running for office. Now in certain areas of this state you have had an awful hard time in either party to have candidates of the caliber which you people and I would like to see up here, just through the fact of insufficient funds to pay the expenses. This bill was never intended to make money or I wouldn't be a sponsor of a bill of this nature, but I am very happy to be the sponsor of this bill for the purpose of making it possible for good legislators to be present in our bodies for the good of the people, and I know there are several others who are proponents of this; I know there are several who are opponents, and, Mr. Speaker and Members of the House, I now move this bill be substituted for the report, and I would save my further remarks for rebuttal.

The SPEAKER: The question now before the House is the motion of the gentleman from Bridgton, Mr. Haughn, that the Bill be substituted for the "Ought not to pass" Report.

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

Mr. WADE: Mr. Speaker and Members of the House: I am speaking to this bill as House Chairman of the Committee on State Government. We reported this bill out unanimously "Ought not to pass" early in the session because we knew that in this session we were going to have to turn down a great many worth-while projects because we just can't burden the State with the taxes to pay for them. The Committee felt that it would be highly inconsistent for us to vote to increase Legislative salary expense by more than \$100,000 which was the price tag of the bill as submitted to us when we were making such efforts to keep State Government spending down to essentials. The amendment has not, of course, been referred to the Committee, but it is my opinion that the Committee would feel that it would still be inconsistent to change the Committee Report even though the amendment cuts the price tag to between \$35,000 and \$40,000. I am sure that there are many more important things that we could use that money for, and I hope the motion of the gentle-

man from Bridgton, Mr. Haughn, to substitute the bill for the report does not prevail.

The SPEAKER: The Chair recognizes the gentlewoman from Presque Isle, Mrs. Christie.

Mrs. CHRISTIE: Mr. Speaker, I simply rise to concur with the remarks of our floor leader, the gentleman from Auburn, Mr. Wade. He has said what I wanted to say.

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

Mr. HAUGHN: Mr. Speaker and Members of the House: I respect the wisdom and thinking of my two colleagues who have spoken briefly, and the wisdom of the Committee that brought out the Report, but let me bring to the attention of the House that it has been the custom in the past two sessions to almost automatically have to bring out a report of "Ought not to pass." In the Ninety-Seventh and Ninety-Eighth Legislature before the Appropriations Committee a similar report was brought out, which I will say, in my own opinion, is almost mandatory by that Committee for consideration of the House to what they want to do with it more so than what the Committee might.

Those last two sessions have accomplished this: They came out with a figure something similar to what I have at present, one body passed it and the other one rejected it. It ended up in committees of conference both times, it was then laid on the table pending until such time as they found how much money was available without putting the burden on State Government to grant an increase. They found available money sufficient enough both times to be able to do it to the extent of what they had available. But, in my opinion, it was not sufficient enough both times to bring it up to where it should be for the performance you gentlemen serve. I might say, recalling once again, that you have two years to receive this pay in. You get it for serving here, but as most of you gentlemen know, your telephone bill, especially new members, who have not had the opportunity to find out exactly what they will have to do, they will find that they will have several trips to this State House for

their constituents for town, State and county affairs. There are several other committee hearings which will be held during the next year which they should attend, there will be telephone calls, which on my own bill average six or eight dollars a month, and at least one or two trips a month here to the State House for my constituents. When you consider the expenditure of that part, plus the sacrifice you make from your business or whatever work you may be at, I think that should be given consideration. Then as far as my colleague from Auburn, Mr. Wade, has expressed the increase in state government, I am very happy he made that statement. If we look within our own body right in this House or in the Legislature, and see some of the paper work which to me is very expensive which could be eliminated. I am not going to criticize any committee for what they have done in the committee, but my committee didn't spend \$30.00 for little pads of paper with our special names on it, some committees have. Now there is an expense I would say is putting the burden on state government. That is only minor. There are several things throughout the State House here which could be a saving if they really want to knuckle down and save savings on state expenses, we really can do it, but this to me is just one of those ways of saying that this is the major expense, and remember the figures as stated were for the full bill of \$2,000. So you must recall that this amendment if you adopt the bill, reduces that by two-thirds. We are only asking one-third of the figure stated here.

We might say in other states; I think that Maine should have justly done the same, maybe I am wrong in my thinking, but they pay a per diem per day, \$15.00 to \$25.00 a day. There are several states in our New England states now that have similar bills before their Legislature to increase their pay. The public reaction to that both times has been nil. There has been no expression. In fact many people say because your pay is low it is your own fault.

Now I think once again all these facts should be given consideration, as I say with all due respect to the Committee, it seems that all salary bills are coming out of that Committee "Ought not to pass." Now if they can justify it in bringing them out, I don't know, I haven't heard the other hearings, but I think you gentlemen would weigh the situation and if you on your own firm conviction believe that you want to get your expenses paid and not make money and to attract future caliber men to come up here and represent us, or we some of us may return, then I say it is time we give consideration to a pay adjustment and when the motion is taken I request a division, Mr. Speaker.

The SPEAKER: The Chair recognizes the gentleman from Anson, Mr. Hilton,

Mr. HILTON: Mr. Speaker, Members of the House: As the gentleman from Bridgton, Mr. Haughn, has already told you, I was the only one that opposed this bill at the hearing. I am still opposed to it. The first thing that my constituents have asked me back home is have you raised your own salaries yet? I have told them that I hoped that we wouldn't.

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

Mr. HENDSBEE: Mr. Speaker and Ladies and Gentlemen of the House: I have been sitting back here listening to the whys and wherefores of this bill, and although I do not wish or attempt to try to make it a mercenary motive, I would like to present it from my own angle.

I am a working man who works for hourly pay. My salary, what I get where I work is \$20.00 a week different than what I get here, \$20.00 a week more. Mr. Haughn, the gentleman from Bridgton, has pointed out that there is a lot of time to be used if you want to be a good legislator and visit around amongst your constituents. I have done a lot of that. I did not come down here to make money because I knew before I came here how much I was going to get, and there is no use in anybody saying that they misunderstood that.

Now the fact of the matter is that my constituents have asked me if I have raised my own pay. I said no, not yet, but I am sure going to try. (Applause)

The SPEAKER: Is the House ready for the question? The question before the House is the motion of the gentleman from Bridgton, Mr. Haughn, that with respect to Bill "An Act Increasing Salary of Members of the Legislature", the Bill be substituted for the "Ought not to pass" Report. A division has been requested.

Will those who favor substituting the Bill for the Report please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Sixty-six having voted in the affirmative and fifty-five having voted in the negative, the Bill was substituted for the Report and given its first and second readings.

Mr. Haughn of Bridgton offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to H. P. 15, L. D. 24, Bill, "An Act Increasing Salary of Members of the Legislature."

Amend said Bill in the 7th line by striking out the underlined figure "\$2,000" and inserting in place thereof of the underlined figure "\$1,600"

Further amend said Bill in the 17th line by striking out the underlined figure "\$2,250" and inserting in place thereof of the underlined figure "\$1,850"

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

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

Mr. BRAGDON: Mr. Speaker, I move we reconsider our action whereby we tabled item twelve under Bills in the Third Reading.

The SPEAKER: The Chair would advise the gentleman that a bill that has been tabled and specially assigned is not subject to reconsideration.

Mr. BRAGDON: I merely wish to facilitate the —

The SPEAKER: The Chair appreciates the gentleman's intentions but the motion is not in order.

Mr. BRAGDON: I have had my question answered and I thought perhaps we could eliminate a little printing.

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

(Off record remarks)

The SPEAKER: On the record, the Speaker would add one more notice not on the blue sheet. There has been arranged for Thursday night of this week a joint bi-partisan, I won't use the word caucus, we will call it a meeting, here in the Hall of the House, the House, the Senate, of both parties here in the House. The purpose for this lies in the fact that during the past few weeks the Speaker particularly has felt that there are a great many questions and no little confusion in the minds of the legislators regarding the subject of the University of Maine and the proposed program of legislation that is before the Legislature this year. So with the approval of the leadership in the other branch, and with the approval of the gentleman from Rumford, Miss Cormier, who at least told me she thought it was a good idea, the Chair took it upon itself to invite Dr. Elliott of the University of Maine to come here Thursday evening for the sole purpose of answering questions. I want to assure the membership that this will not be a sales pitch of any kind, he will be here at this meeting to answer questions only.

Now after talking to more than a few members of the House who have told me that they thought it was an excellent idea because they had questions that were bothering them, I would like to urge that all of you if you possibly can be here Thursday night and come primed with questions on the subject of the needs and legislative program of the University of Maine. That will be at 7:30 on Thursday evening.

(Off record remarks)

On motion of Mr. Hobbs of Acton,

Adjourned until tomorrow morning at ten o'clock.