

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Ninety-Ninth Legislature

OF THE

STATE OF MAINE

1959

DAILY KENNEBEC JOURNAL
AUGUSTA, MAINE

HOUSE

Thursday, March 26, 1959

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

Prayer by Captain Ash of the Salvation Army, Augusta.

The journal of yesterday was read and approved.

Papers from the Senate

From the Senate:

Joint Resolution Memorializing Congress to Equalize Retirement Benefits for Retired Members of the Armed Forces who Retired Prior to June 1, 1958 (S. P. 434)

Came from the Senate referred to the Committee on Veterans and Military Affairs.

In the House, referred to the Committee on Veterans and Military Affairs in concurrence.

From the Senate: The following Communication: (S. P. 435)

STATE HIGHWAY COMMISSION
STATE OF MAINE
AUGUSTA

March 24, 1959

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

Transmitted herewith is the tenth Biennial Report of the Maine-New Hampshire Interstate Bridge Authority. This biennial report is presented in accordance with an Act of the State of Maine, Chapter 18, Article VI, Private and Special Laws of 1937.

Respectfully,

(Signed) DAVID H. STEVENS

David H. Stevens, Chairman

Maine-New Hampshire Interstate Bridge Authority

Came from the Senate read and with accompanying Report ordered placed on file.

In the House, the Communication was read and with accompanying Report ordered placed on file in concurrence.

**Senate Reports of Committees
Leave to Withdraw
Tabled**

Report of the Committee on Agriculture on Bill "An Act relating to

Price Controls on Milk" (S. P. 320) (L. D. 896) reporting Leave to Withdraw.

Came from the Senate read and accepted.

In the House, the Report was read.

The SPEAKER: The Chair recognizes the gentleman from Bangor, Mr. Stanley.

Mr. STANLEY: Mr. Speaker, Ladies and Gentlemen: I would move that this lie on the table unassigned until we accept the Committee Report. I would like to speak to that motion if I may.

The SPEAKER: The motion to table is not debatable.

Mr. STANLEY: Mr. Speaker, I will withdraw my motion. Then can I speak to it and make the motion later?

The SPEAKER: The gentleman from Bangor, Mr. Stanley, requests permission of the House to withdraw his motion. Is there objection? The Chair hears none. The gentleman may proceed.

Mr. STANLEY: Mr. Speaker and Members of the House: I am opposed to tabling matters, as perhaps you have noticed before, ordinarily, and I think it is customary to accept reports of leave to withdraw; it is customary, it is not something that we have to do.

My reason for speaking to this report this morning is the fact that we have had a great deal of discussion over the past few years on milk control. We have had people campaign throughout the State on the fact that something should be done about milk control. This is the only bill in the Legislature this time whereby the Legislature, who is the law making body of the State, can do anything about milk control. So if there is a sincere interest in the State to do something about milk control, this is the only body which can do that, and we have no vehicle by which we can do it unless we hang onto L. D. 896, which is before the Legislature now. I would move that this be tabled unassigned. I will not leave it for long, I assure you.

The SPEAKER: The question before the House is the motion of the gentleman from Bangor, Mr. Stanley, that Bill "An Act relating to Price Controls on Milk" and the Report be tabled unassigned pending.

ing acceptance of the Report. Is this the pleasure of the House?

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

Report of the Committee on Highways on Bill "An Act relating to Directional Signs at the Falmouth Spur, So Called" (S. P. 35) (L. D. 33) reporting "Leave to Withdraw"

Came from the Senate read and accepted.

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

**Ought Not to Pass
Covered By Other Legislation**

Report of the Committee on Highways reporting "Ought not to pass" on Bill "An Act relating to a Directional Sign for Lewiston-Auburn at the Falmouth Spur, so called" (S. P. 326) (L. D. 902) as it is covered by other legislation.

Came from the Senate read and accepted.

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

Ought Not to Pass

Report of the Committee on Sea and Shore Fisheries reporting "Ought not to pass" on Bill "An Act Permitting the Digging of Clams in Limits of Saco for Bait Only" (S. P. 44) (L. D. 42)

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 Appropriations and Financial Affairs reporting "Ought to pass" on Resolve Appropriating Money for Completion of Court Rules (S. P. 323) (L. D. 899)

Report of the Committee on Business Legislation reporting same on Bill "An Act to Authorize Independent or Internal Bank Auditors in Lieu of Directors' Examinations" (S. P. 373) (L. D. 1100)

Report of the Committee on Judiciary reporting same on Bill "An Act Clarifying Laws Relating to the Maine Industrial Building Authority" (S. P. 215) (L. D. 554)

Report of same Committee reporting same on Bill "An Act relating

to Municipal Court Dockets" (S. P. 331) (L. D. 907)

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

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

The SPEAKER: At this time the Chair would recognize the presence in the gallery of the House of a group of Boy Scouts of Troop 38 of Brunswick, with their Committeeman, Mr. Brawn. These boys are here as part of their citizenship requirements in Scouting, and they will attend the "Keep Maine Green" meeting this afternoon.

The Chair would also recognize the presence in the gallery of the House of a group of eighth grade grammar school pupils from Winthrop Grammar School accompanied by Mrs. Leavitt and Mrs. Hibbs. On behalf of the House, the Chair extends to you ladies and gentlemen a most hearty and cordial welcome and we hope you will enjoy and profit from your visit with us here today. (Applause)

Tabled

Report of the Committee on Towns and Counties reporting "Ought to pass" on Bill "An Act to Authorize the County Commissioners of Cumberland County to Issue Bonds for Construction of a County Jail" (S. P. 264) (L. D. 677)

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

In the House, the Report was read.

(On motion of Mr. Briggs of Portland, tabled pending acceptance of the Report in concurrence and unassigned.)

**Ought to Pass with
Committee Amendment
Tabled and Assigned**

Report of the Committee on Inland Fisheries and Game on Bill "An Act to Revise the Inland Fish and Game Laws" (S. P. 205) (L. D. 544) 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. 205, L. D. 544, Bill, "An Act to Revise the Inland Fish and Game Laws."

Amend said Bill by inserting after section 5, a new section 5-A, to read as follows:

"Sec. 5-A. R, S., c. 37, s. 45, amended. The first 2 paragraphs of section 45 of chapter 37 of the Revised Statutes, as revised, are amended to read as follows:

'No person shall take, catch, kill or have in possession more than 10 fish of the salmon, trout, togue or black bass species in the Counties of Franklin and Somerset during any one day of any open season, from any or all of the rivers, streams, brooks, lakes and ponds in said counties, and which 10 fish shall not exceed a total weight of 7½ pounds in all, unless the last fish caught increases the combined weight thereof to more than 7½ pounds except as provided for by rules and regulations of the department under section 9.

No person shall take, catch, kill or have in possession more than 15 fish of the salmon, trout, togue or black bass species in the Counties of Aroostook, Androscoggin, Cumberland, Hancock, Kennebec, Knox, Lincoln, Oxford, Penobscot, Piscataquis, Sagadahoc, Waldo, Washington and York during any one day of any open season, from any or all of the rivers, streams, brooks, lakes and ponds in said counties, and which 15 fish shall not exceed a total weight of 7½ pounds in all, unless the last fish caught increases the combined weight thereof to more than 7½ pounds except as provided for by rules and regulations of the department under section 9.

No person shall take, catch or kill in any one day or have in possession at any time more than 7½ pounds in the aggregate of the trout, salmon, togue and black bass

species unless the last fish caught increases the combined weight to more than 7½ pounds."

Further amend said Bill in section 8 by striking out the single quotation mark at the end and adding the following underlined paragraph:

"Notwithstanding the provisions of this section paraplegics may hunt from motor vehicles which remain stationary."

Further amend said Bill in section 16 by inserting before the period at the end the underlined words 'or bow and arrow'

(On motion of Mr. Carville of Eustis, tabled pending adoption of Committee Amendment "A" in concurrence and specially assigned for Wednesday, April 8.)

Report of the Committee on Judiciary on Bill "An Act relating to Gifts of Securities and Money to Minors" (S. P. 169) (L. D. 413) 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. 169, L. D. 413, Bill, "An Act Relating to Gifts of Securities and Money to Minors."

Amend said Bill by striking out in the 6th line of the 6th paragraph of "Sec. 4." the comma appearing after the word "issuer" and inserting in place thereof the underlined word 'of'

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

Report of the Committee on Liquor Control on Bill "An Act Prohibiting the Sale of Near Beer to Minors" (S. P. 368) (L. D. 1051) 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. 368, L. D. 1051, "An Act Prohibiting the Sale of Near Beer to Minors."

Amend said Bill by striking out the underlined words "**non-alcoholic cereal**" in the fifth line thereof and inserting in place thereof the underlined word '**malt**' and by striking out at the end thereof the underlined words, figures and punctuation "**fine of \$200 or by imprisonment for 6 months, or by both.**" and inserting in place thereof the underlined words, figures and punctuation "**fine of not more than \$100 or by imprisonment for not more than 60 days.**"

Committee Amendment "A" was adopted in concurrence and the Bill 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 Definition of Retail Sale under Liquor Laws" (S. P. 382) (L. D. 1108)

Report was signed by the following members:

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

Messrs. MAYO of Bath
BROWN of Bangor
CHAPMAN of Norway
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.

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

In the House: Reports were read.

On motion of Mr. Dostie of Winslow, the Majority "Ought to pass" Report was accepted in concurrence, the Bill read twice and tomorrow assigned.

Non-Concurrent Matter

Bill "An Act relating to Free Hunting, Trapping and Fishing Licenses for Indians" (H. P. 639) (L. D. 930) which was passed to be engrossed in the House on March 24.

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

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

Non-Concurrent Matter

Report of the Committee on Taxation reporting "Ought not to pass" on Bill "An Act relating to Taxation of Intangible Personal Property" (H. P. 450) (L. D. 656) which was accepted in the House on March 20.

Came from the Senate with the Report and Bill recommitted to the Committee on Taxation in non-concurrence.

In the House: On motion of Mr. Rollins of Belfast, the House voted to adhere to its former action.

Non-Concurrent Matter

Report of the Committee on Taxation reporting "Ought not to pass" on Bill "An Act relating to Excise Tax on Commercial Trailers" (H. P. 451) (L. D. 657) which was accepted in the House on March 20.

Came from the Senate with the Report and Bill recommitted to the Committee on Taxation in non-concurrence.

In the House: On motion of Mr. Cyr of Augusta, the House voted to adhere to its former action.

Non-Concurrent Matter

Report of the Committee on Taxation reporting "Ought not to pass" on Bill "An Act relating to Taxation of Manufacturers' Inventories" (H. P. 509) (L. D. 722) which was accepted in the House on March 20.

Came from the Senate with the Report and Bill recommitted to the Committee on Taxation in non-concurrence.

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

Orders

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

On motion of Mr. Hilton of Anson, it was

ORDERED, that Rev. Robert Sansoucie of the Congregational Church, North Anson be invited to officiate as Chaplain of the House on Friday, April 24, 1959.

On motion of Mr. Lowery of Brunswick, it was

ORDERED, that Eagle Scout William Thurlow IV and his brother, Life Scout Robert Thurlow, of Troop 38, Boy Scouts of America, of Brunswick, be appointed to serve as Honorary Pages for the day.

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

Mr. LOWERY: The Thurlow brothers, sons of Mrs. James Boak whose husband is Lt. Commander Boak, stationed at the Brunswick Naval Air Station, have maintained an enviable record in Scouting, in their church responsibilities and in their scholarship and extra curricular activities.

The State of Maine takes this opportunity to recognize the contribution which families of service personnel make to our communities during their stay with us.

The SPEAKER: The Chair will request the Sergeant-at-Arms to escort to their places in the front of the House the honorary Pages for the day.

Thereupon, the honorary Pages were escorted to their places at the front of the House by the Sergeant-at-Arms amid applause of the Members.

The SPEAKER: At this time the Chair would like to recognize the presence in the gallery of the House of a group of eighth grade pupils from Otisfield Central School accompanied by Mrs. Stella J. Edwards, their teacher, and Mrs. Alice Bean, the bus driver.

The Chair would also like to recognize the presence of a group of students from Deering High School of Portland in the Problems of De-

mocracy Class accompanied by their teachers, Miss Sara Cowan and Mrs. Linwood Elliott. The Chair would also recognize the presence in the gallery of the House of a group of eighth grade pupils of the Ingalls School of Farmington, accompanied by Mrs. Lincoln and two student teachers, I believe, from the Farmington State Teachers' College.

On behalf of the House, the Chair extends to all of you ladies and gentlemen a most hearty and cordial welcome and we hope that you will enjoy and profit by your visit here today. (Applause)

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

Thereupon, Mr. Plante 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. Good from the Committee on Legal Affairs on Bill "An Act Providing for Advisory Referendum for City of Bath" (H. P. 834) (L. D. 1185) reported Leave to Withdraw.

Report was read and accepted and sent up for concurrence.

**Ought Not to Pass
Covered By Other Legislation**

Mr. Curtis from the Committee on Claims reported "Ought not to pass" on Resolve in favor of Norman R. Farnham of Fort Fairfield (H. P. 185), as it is covered by other legislation.

Report was read and accepted and sent up for concurrence.

Ought Not to Pass

Mr. Good from the Committee on Legal Affairs reported "Ought Not to Pass" on Bill "An Act relating to Inspection of Buildings and Premises" (H. P. 658) (L. D. 950)

Mr. Hutchinson from same Committee reported same on Bill "An Act relating to Sale of Used Fire Equipment" (H. P. 654) (L. D. 946)

Reports were read and accepted and sent up for concurrence.

Tabled and Assigned

Mr. Linnell from the Committee on Legal Affairs reported "Ought not to pass" on Bill "An Act to Repeal the Charter of the Cousins and Littlejohns Islands Village Corporation" (H. P. 168) (L. D. 242)

Report was read.

(On motion of Mrs. Knapp of Yarmouth, tabled pending acceptance of Report and specially assigned for Tuesday, April 7.

Mr. Trumbull from the Committee on Legal Affairs reported "Ought not to pass" on Bill "An Act relating to Dance Hall Licenses" (H. P. 655) (L. D. 947)

Mr. Pike from the Committee on Public Utilities reported same on Bill "An Act relating to Removal from Waters of Debris which Threatens Damage" (H. P. 729) (L. D. 1034)

Mr. Lindsay from the Committee on Transportation reported same on Bill "An Act relating to Special Registration Plates for Uninsured Motor Vehicles" (H. P. 574) (L. D. 807)

Reports were read and accepted and sent up for concurrence.

Referred to Next Legislature

Mr. Dumais from the Committee on Transportation on Bill "An Act Permitting Certain Trailers and Truck Tractors on Four-lane Highways" (H. P. 839) (L. D. 1190) reported that it be referred to the next legislature.

Report was read and accepted and the Bill referred to the next legislature.

Ought to Pass Printed Bills

Mr. Cote from the Committee on Legal Affairs reported "Ought to pass" on Bill "An Act Permitting City of Lewiston to Raise Moneys for Aid of Conventions" (H. P. 693) (L. D. 993)

Same gentleman from same Committee reported same on Bill "An Act relating to Sick Leave for Members of Fire Department of City of Lewiston" (H. P. 761) (L. D. 1079)

Mr. Kellam from same Committee reported same on Bill "An Act Concerning Exit Facilities in Build-

ings and other Structures" (H. P. 656) (L. D. 948)

Mr. Trumbull from same Committee reported same on Bill "An Act Clarifying Authority of Lewiston City Council to Require Financial Reports from Municipal Departments" (H. P. 303) (L. D. 450)

Mr. Cyr from the Committee on Public Utilities reported same on Bill "An Act Amending the Charter of the Bowdoinham Water District" (H. P. 795) (L. D. 1127)

Mr. Haughn from same Committee reported same on Bill "An Act relating to Crossing of Public Ways by Railroads" (H. P. 766) (L. D. 1084)

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

Ought to Pass with Committee Amendment

Mr. Gallant from the Committee on Claims on Resolve Refunding Motor Vehicles Fees to Certain Canadian Residents (H. P. 741) (L. D. 1060) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read.

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

Mr. BRAGDON: Mr. Speaker, before we accept this Committee Report, I would like to direct a question to some member of the Claims Committee in regard to this claim. My question is, I notice that more than half of this claim is made up of excise taxes which I presume were paid in some municipality. My thought in the matter is that the restoration if made, should be made from the place where the funds were paid; obviously the excise taxes never were paid into the Secretary of State's office, the registration fees were. Would any member of the Claims Committee care to comment on that?

The SPEAKER pro tem: The Chair recognizes the gentleman from Milbridge, Mr. Kennedy.

Mr. KENNEDY: Mr. Speaker pro tem, in answer to the gentleman from Perham, Mr. Bragdon, I would like to say that the Deputy Secretary of State, Paul MacDonald, appeared before this committee with the recommendation that this money

be refunded as it was assessed in error, and it will be cleared through his office and these municipalities will be refunded for the amount of monies expended on this excise tax and the registration of course for the Motor Vehicle Division, it will come from that. Is that satisfactory, Mr. Bragdon?

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

Mr. BRAGDON: I don't understand the municipalities would be refunded. It seems to me the municipalities should refund the money to the Canadian citizens, or to the Secretary of State if they paid it, that's the thing.

The SPEAKER pro tem: The Chair recognizes the gentleman from Milbridge, Mr. Kennedy.

Mr. KENNEDY: Mr. Speaker, I can only answer the gentleman from Perham, to this point, that the Deputy Secretary of State said that this situation would be cleared through his office, and I really feel that this ought to pass and the report should be accepted. If a tabling motion is in order why it certainly would be all right with the Committee if he wishes to clear it through the Deputy Secretary of State.

The SPEAKER pro tem: Is it the pleasure of the House to accept the Report?

The motion prevailed, the Report was accepted and the Resolve read once.

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

COMMITTEE AMENDMENT "A" to H. P. 741, L. D. 1060, Resolve Refunding Motor Vehicles Fees to Certain Canadian Residents.

Amend said Resolve by striking out the figures "\$3,098" in the 2nd line and inserting in place thereof the figures '\$3,109'

Further amend said Resolve by inserting after the lines beginning "Lawrence DeMerchant Perth, N. B." the following lines: 'Norman R. Farnham Fort Fairfield, Me. — — — 11.00'

Further amend said Resolve by striking out the figures "\$3,098.00" in the last line and inserting in place thereof the figures '\$3,109.00'

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

Mr. Brown from the Committee on Legal Affairs on Bill "An Act relating to Employment of City Personnel in City of Lewiston" (H. P. 521) (L. D. 756) 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. 521, L. D. 756, Bill, "An Act Relating to Employment of City Personnel in City of Lewiston."

Amend said Bill by striking out in the 3rd line from the end the following underlined punctuation and words:

"qualified to vote therein".

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

Mr. Linnell from the Committee on Legal Affairs on Bill "An Act Enlarging Territorial Limits of West Paris Village Corporation" (H. P. 619) (L. D. 887) 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. 619, L. D. 887, Bill, "An Act Enlarging Territorial Limits of West Paris Village Corporation."

Amend said Bill by striking out the last 6 lines and inserting in place thereof the following:

"amended by adding at the end 2 new paragraphs, to read as follows:

'The territorial boundaries of the corporation shall also include the following described area: Beginning at a point on the easterly limit of the West Paris Village Corporation northwesterly 500 feet from the northwesterly limit of Route 219, so called; thence northeasterly, maintaining a distance of 500 feet from the northwesterly limit of said Route 219, to Route 26, so called; thence southeasterly by said Route 26 to a point 500 feet southeasterly from the southeasterly limit of said Route 219; thence southwesterly, maintaining a distance of 500 feet from the southeasterly limit of said Route

219, to the easterly limit of said West Paris Village Corporation; thence northwesterly by the easterly limit of said West Paris Village Corporation to the point of beginning.

All references to the easterly limit of the West Paris Village Corporation relate to its existence as of January 1, 1959."

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

Mr. Dumaine from the Committee on Transportation on Bill "An Act Authorizing Red Blinker Light for Volunteer Fire Department Vehicles" (H. P. 841) (L. D. 1192) 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. 841, L. D. 1192, Bill, "An Act Authorizing Red Blinker Light for Volunteer Fire Department Vehicles."

Amend said Bill, in the eighth line, before the word "volunteer" by inserting the underlined words 'member of a'.

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

Divided Report Tabled

Majority Report of the Committee on Claims reporting "Ought not to pass" on Resolve in favor of Cleveland Sleeper, Jr. of Rockland (H. P. 805) (L. D. 1144)

Report was signed by the following members:

Messrs. WEEKS of Cumberland
PARKER of Piscataquis
— of the Senate.

Messrs. CURTIS of Bowdoinham
HUGHES of St. Albans
GALLANT of Eagle Lake
MATHEWS of Berwick
KENNEDY of Milbridge
JOHNSON of Stockholm
— of the House.

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

Report was signed by the following members:

Mr. FOURNIER of York
— of the Senate.

Mr. DUFOUR of Old Town
— of the House.

Reports were read.

(On motion of Mr. Knight of Rockland, tabled pending acceptance of either Report and unassigned.)

Passed to Be Engrossed Third Reader Amended

Bill "An Act Regulating Open Season on Deer by Zones" (S. P. 92) (L. D. 210)

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

The SPEAKER pro tem: The Chair recognizes the gentleman from Lee, Mr. Frazier.

Mr. FRAZIER: Mr. Speaker and Ladies and Gentlemen of the House: I now offer House Amendment "A" and move its adoption and would like to speak briefly to the motion.

I would like to start off by saying, Mr. Speaker and Ladies and Gentlemen of the House: That it is not my purpose at all to injure the possible passage of this bill, I supported it yesterday by voting for the three zone bill and I still am in favor of the three zone bill. The amendment simply clarifies the situation in zone two, which you may have noticed on the map which you looked at yesterday. The northern zone will have an open hunting season from October 15 to November 30. The southwestern section of the State will have a zone with hunting dates of November 1 to November 30. The zone in which I reside, zone two, has an open season, according to the bill which was passed yesterday, of November 1 to December 5, ours being the only zone in the State which will have legal hunting for the first five days in December. I have checked with the biologists, they do not in any way oppose this; in fact, off the cuff, I think they would recommend it. The Chief Warden, Mr. Ingraham, said that certainly a unified closing date of November 30 throughout the State of Maine would make a better proposition as far as the enforcement division is concerned.

This bill, I want to emphasize this, will in no way change any of

the boundaries, this bill will in no way change any of the number of days which may be hunted in any one zone. The exact number of days will remain the same in each individual zone. It will only prevent the December hunting in the zone in which I live, and move those five days into the last five of October, or October 27 to November 30, closing the entire State at the same time. We are afraid in my area that there is a possibility of an influx of hunters during those five days in December, which is the smallest zone and is the only zone under the bill which was passed yesterday that would be open during part of the month of December. I am not trying to kill the bill, I only want to clarify that one position, and I do not suggest changes in boundaries or changes in the number of days in any zone which may be hunted. I would appreciate your support. Thank you.

The SPEAKER pro tem: The Chair will read House Amendment "A".

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

HOUSE AMENDMENT "A" to S. P. 92, L. D. 210, Bill, "An Act Regulating Open Season on Deer by Zones."

Amend said Bill in that part designated "Sec. 1." by striking out in the 2nd line from the end the underlined words "November 1st to December 5th" and inserting in place thereof the following underlined words "October 27th to November 30th"

The SPEAKER pro tem: Is it the pleasure of the House to adopt House Amendment A?

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

Mr. DUDLEY: Mr. Speaker, I merely arise to ask for a division on this motion and I think the House understands from yesterday my position.

The SPEAKER pro tem: The gentleman from Enfield, Mr. Dudley, requests a division. Is the House ready for the question?

Will all those in favor of the adoption of House Amendment "A" please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Sixty having voted in the affirmative and forty-three having voted in the negative, the motion prevailed and House Amendment "A" was adopted.

The SPEAKER pro tem: The Chair recognizes the gentleman from East Machias, Mr. Dennison.

Mr. DENNISON: Mr. Speaker, I present an amendment and move its passage, and I would like to speak very briefly on this amendment.

The SPEAKER pro tem: The Clerk will read the amendment.

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

HOUSE AMENDMENT "B" to S. P. 92, L. D. 210, Bill, "An Act Regulating Open Season on Deer by Zones."

Amend said Bill in section 1 in the 2nd line from the end by inserting before the period the following underlined words 'except in Washington County the open season shall be November 1st to November 30th'

The SPEAKER pro tem: The Chair recognizes the gentleman from East Machias, Mr. Dennison.

Mr. DENNISON: Mr. Speaker and Members of the House: Now, this amendment "B" that I am presenting has nothing to do with any part of the State, only Washington County. Now, in studying that out for a great many years, I think I am only asking what the most of the people in Washington County want. I am not going to speak about any part of the bill, only this one amendment.

Now, the law as it has been for twenty years has been just the one month of November, and that is what my honest belief is that the people in Washington County want. Now, this takes five days off of the end as this combination bill was accepted. So I ask that this amendment be accepted.

The SPEAKER pro tem: The Chair recognizes the gentlewoman from Portland, Mrs. Hendricks.

Mrs. HENDRICKS: Mr. Speaker, it seems to me that if we keep accepting amendments that in the end the bill will probably be lost. We have fifteen biologists working in the Fish and Game Department on the improvement of the deer herds in our State. These biologists have been working since 1953 and they have spent 6,000 man hours working

on improving the deer herds. Now, if we are going to pay all this money and have these people working for many hours and we are not going to accept their recommendations I can't see any sense in spending all this money. So, it seems to me that we have too many committees studying things and then we don't accept their recommendations, so I hope that this amendment is not accepted.

The SPEAKER pro tem: The Chair recognizes the gentleman from Enfield, Mr. Dudley.

Mr. DUDLEY: Mr. Speaker and Members of this House: I hate to stand before you so many times, but these amendments — there is more than one way to kill a piece of legislation. And you were so generous in standing up and passing this piece of legislation only yesterday, and today if we amend it to death, as that is what we may do, I trust that these amendments are not accepted.

The SPEAKER pro tem: The Chair recognizes the gentleman from East Machias, Mr. Dennison.

Mr. DENNISON: Mr. Speaker and Members of the House: I have no desire to try to kill any other part of this bill. Now, we have some of those biologists in Washington County, and I have been there a long time, a great many years longer than they have, and with the bulldozed roads going into the different parts of the county, and all counties, I know and the people know that we have very many less deer than we have had. And it would only be a further sacrifice of this game if we have those five days to add on to the end of it in December, and that is cold weather. I hope this amendment will be accepted. I have no idea to interfere with any other part of the bill, but I do like to have it that way in Washington County.

The SPEAKER pro tem: Is the House ready for the question?

The question, is it the pleasure of the House to adopt House Amendment "B" under the filing number 131? All those in favor of the adoption please say aye; those opposed, no.

A viva voce vote being doubted, a division of the House was had.

Forty-four having voted in the affirmative and sixty-four having voted in the negative, the motion did not prevail.

The SPEAKER pro tem: The Chair recognizes the gentleman from Eustis, Mr. Carville.

Mr. CARVILLE: Mr. Speaker and Ladies and Gentlemen of the House: I had an amendment drafted and intended to introduce it here this morning, but I note that the gentleman from Carthage, Mr. Hutchinson, who is also in the county that this amendment would affect, is not here, so I therefore would like to table this until Wednesday next so that he would be here.

The SPEAKER pro tem: The Chair recognizes the gentleman from Greenville, Mr. Harris.

Mr. HARRIS: Mr. Speaker, I was asked by the gentleman from Milo, Mr. Brockway, —

The SPEAKER pro tem: The gentleman may not debate the tabling motion. There is a motion already on the floor to table this, and it is not debatable.

Is it the pleasure of the House to table item one until next Wednesday? Will all those in favor say aye; those opposed, no.

A viva voce vote being taken, the motion did not prevail.

Thereupon, Bill "An Act Regulating Open Season on Deer by Zones", Senate Paper 92, Legislative Document 210, was passed to be engrossed as amended by House Amendment "A" in non-concurrence and sent up for concurrence.

Bill "An Act relating to Operation of Farm Trucks" (H. P. 459) (L. D. 665)

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

Bill "An Act Permitting Sale of Liquor on Election Days after Polls Close" (H. P. 765) (L. D. 1083)

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

Mr. Nadeau of Biddeford offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to H. P. 765, L. D. 1083, Bill, "An Act Permitting Sale of Liquor on Election Days After Polls Close."

Amend said Bill by striking out all of the last 3 lines and inserting in place thereof the following:

'shall be sold in this State on May 30th prior to 12 noon. The hours of selling or delivering above referred to shall be United States Eastern Standard Time'

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

Mrs. CHRISTIE: Mr. Speaker, I would like a little more time to study this amendment, and I move this bill and accompanying papers be tabled until Thursday next.

The SPEAKER pro tem: The gentlewoman from Presque Isle moves that the Bill and accompanying papers be tabled pending adoption of House Amendment "A" and specially assigned for Thursday next. Is this the pleasure of the House?

(Cries of "no")

The SPEAKER pro tem: Will all those who favor the tabling motion please say aye; those opposed, no.

A viva voce vote being taken, the motion did not prevail.

The SPEAKER pro tem: The question now before the House is the adoption of House Amendment "A".

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

Mrs. CHRISTIE: Mr. Speaker, I move the indefinite postponement of the amendment, and request a division.

The SPEAKER pro tem: The gentlewoman from Presque Isle, Mrs. Christie, moves the indefinite postponement of House Amendment "A".

Will those who favor the indefinite postponement of House Amendment "A" please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Fifty-six having voted in the affirmative and thirty-eight having voted in the negative, House Amendment "A" was indefinitely postponed.

Thereupon, the Bill was passed to be engrossed and sent to the Senate.

Bill "An Act relating to Licenses for Pari Mutuel Harness Horse Racing" (H. P. 911) (L. D. 1283)

Resolve Appropriating Moneys to Preserve Covered Bridges (S. P. 272) (L. D. 734)

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

Amended Bills

Bill "An Act Pertaining to Discontinuance of Portions of County Roads when Reconstructed" (S. P. 132) (L. D. 327)

Bill "An Act to Clarify the Maine Mining Law" (S. P. 277) (L. D. 739)

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.

At this point, Speaker Edgar returned to the rostrum.

SPEAKER EDGAR: The Chair would like to take this opportunity to thank the gentleman from Old Orchard Beach, Mr. Plante, for his excellent services as Speaker pro tem.

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

Passed to Be Enacted Emergency Measure

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

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. 119 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.

Enactor Tabled and Assigned

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

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 specially assigned for Tuesday, March 31.)

Passed to Be Enacted

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

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

An Act to Incorporate the Town of Topsfield (H. P. 45) (L. D. 65)

An Act relating to Qualifications of Directors of Corporations (H. P. 114) (L. D. 169)

An Act relating to Survivor Benefits and Budget Estimates under Maine State Retirement System (H. P. 217) (L. D. 308)

An Act Permitting Town of Fort Kent to Raise Money for Boarding Home for Aged (H. P. 358) (L. D. 517)

An Act relating to Terms of Office of the Aeronautics Commission (H. P. 368) (L. D. 527)

An Act relating to Taking of Tom Cods in Gouldsboro and Steuben (H. P. 429) (L. D. 635)

An Act relating to Digging Clams in Kennebunkport, York County (H. P. 564) (L. D. 797)

Finally Passed

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

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

Orders of the Day

The SPEAKER: Under Orders of the Day the Chair lays before the House the first tabled and today assigned matter, House Report "Ought not to pass" of the Committee on Claims on Resolve Providing for Pension of Louise Gagnon of Fairfield, House Paper 363, Legislative Document 522, tabled on March 19 by the gentleman from Fairfield, Mr. Lemelin, pending acceptance of

the Report; and the Chair recognizes that gentleman.

Thereupon, on motion of that gentleman the "Ought not to pass" Report was accepted and sent up for concurrence.

The SPEAKER: The Chair now lays before the House item number two, House Report "Ought not to pass" of the Committee on Retirements and Pensions on Bill "An Act relating to Veterans Under Maine State Retirement Law," House Paper 730, Legislative Document 1035, tabled on March 19 by the gentleman from Fairfield, Mr. Lemelin, pending acceptance of the Report; and the Chair recognizes that gentleman.

Thereupon, on motion of that gentleman, the Bill with accompanying papers was retabled pending acceptance of the "Ought not to pass" Report and specially assigned for Wednesday, April 1.

The SPEAKER: The Chair now lays before the House item number three, House Report "Ought not to pass" of the Committee on Retirements and Pensions on Resolve Providing for Pensions for Loomis and Emma Deane of Fort Fairfield, House Paper 625, Legislative Document 893, tabled on March 19 by the gentleman from Fort Fairfield, Mr. Edmunds, pending acceptance of the Report; and the Chair recognizes that gentleman.

Thereupon, on motion of that gentleman, the Resolve was recommitted to the Committee on Retirements and Pensions and sent up for concurrence.

The SPEAKER: The Chair now lays before the House item number four, An Act to Incorporate the Eastport Water District, House Paper 315, Legislative Document 462, tabled on March 19 by the gentleman from Lubec, Mr. Pike, pending passage to be enacted; and the Chair recognizes that gentleman.

Mr. PIKE: Mr. Speaker, the folks in Eastport have sent us up a whole new draft on which they apparently agree. I am afraid I will have to move that it be recommitted to the Committee on Public Utilities under suspension of the rules.

Thereupon, on motion of Mr. Pike of Lubec, the House voted to suspend the rules and to reconsider its action whereby the Bill was passed to be engrossed on March 6.

On further motion of the same gentleman, the Bill and accompanying papers were recommitted to the Committee on Public Utilities and sent up for concurrence.

The SPEAKER: The Chair now lays before the House item number five, House Report "Ought to pass" with Committee Amendment of the Committee on Claims on Resolve in favor of Edmund D. Schorr of Kittery, House Paper 236, Legislative Document 347, tabled on March 24 by the gentleman from St. Albans, Mr. Hughes, pending acceptance.

Is it the pleasure of the House to accept the "Ought to pass" Report?

The Chair recognizes the gentleman from Milbridge, Mr. Kennedy.

Mr. KENNEDY: Mr. Speaker, in the absence of the gentleman from St. Albans, Mr. Hughes, he conferred with me this morning and asked me to move that the majority Committee Report be accepted.

Thereupon, the "Ought to pass" Report was accepted and the Resolve read once.

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

COMMITTEE AMENDMENT "A" to H. P. 236, L. D. 347, Resolve, In Favor of Edmund D. Schorr of Kittery.

Amend said Resolve by striking out the figures "\$1,000." in the 3rd line and inserting in place thereof the figures "\$500."

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

The SPEAKER: The Chair now lays before the House item number six, Resolve Authorizing the State Tax Assessor to Convey by Sale the Interest of the State in Certain Lands in the Unorganized Territory, Senate Paper 137, Legislative Document 332, tabled on March 24 by the gentleman from Hodgdon, Mr. Williams, pending passage to be engrossed; and the Chair recognizes that gentleman.

On motion of Mr. Williams of Hodgdon, the House voted to sus-

pend the rules and to reconsider its action whereby on March 20 it adopted Committee Amendment "A".

On further motion of the same gentleman, the House voted to indefinitely postpone Committee Amendment "A".

Thereupon, Mr. Williams of Hodgdon offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to S. P. 137, L. D. 332, Resolve, Authorizing the State Tax Assessor to Convey by Sale the Interest of the State in Certain Lands in the Unorganized Territory.

Amend said Resolve by striking out the 2nd paragraph under the caption "T. 1, R. 1, N.B.K.P., R.S., Somerset County" and inserting in place thereof the following paragraph:

"Transfer to State Forestry Department."

House Amendment "A" was adopted, the Resolve passed to be engrossed as amended by House Amendment "A" in non-concurrence and sent up for concurrence.

The SPEAKER: The Chair now lays before the House item number seven, 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 24 by the gentleman from Bowdoinham, Mr. Curtis, pending acceptance.

The Chair notes the absence of the gentleman from Bowdoinham and would ask either of the two gentlemen who are standing whether or not they have conferred with the gentleman.

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

Mr. CALL: Mr. Speaker, the gentleman from Bowdoinham, Mr. Curtis, spoke to me this morning, his Committee is in Bangor and he asked me to assign this until Wednesday next.

The SPEAKER: With respect to Bill "An Act relating to the Inspection of Motor Vehicles," the gentleman from Cumberland, Mr. Call, moves that this bill be retabled and specially assigned for Wed-

nesday next pending acceptance of the Committee Report. Is this the pleasure of the House?

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

The SPEAKER: The Chair now lays before the House item number eight, Bill "An Act Requiring Certain Trucks to Carry Flares," House Paper 705, Legislative Document 1005, tabled on March 25 by the gentleman from Hope, Mr. Hardy pending second reading; and the Chair recognizes that gentleman.

Thereupon, on motion of that gentleman, the Bill with accompanying papers was indefinitely postponed and sent up for concurrence.

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

The Chair recognizes the gentleman from Readfield, Mr. Dumaine.

Mr. DUMAINE: Mr. Speaker and Members of the House: I would like very much to take item nine on page four, which refers to L. D. 1190, H. P. 839, "An Act Permitting Certain Trailers and Truck Tractors on Four-lane Highways," I would like to recommit it to Committee.

The SPEAKER: The Chair would advise the gentleman that the proper motion at this time to accomplish what he seeks to accomplish would be to move reconsideration whereby the House referred this matter to the next legislature and accepted the Report.

Mr. DUMAINE: I so move, Mr. Speaker.

The SPEAKER: The gentleman from Readfield, Mr. Dumaine, moves that the House reconsider its action whereby it accepted the Report and referred to the next legislature Bill "An Act Permitting Certain Trailers and Truck Tractors on Four-lane Highways." Is it the pleasure of the House to reconsider?

(Cries of "No")

The SPEAKER: Will those who favor the motion to reconsider please say aye; those opposed, no.

A viva voce vote being taken, the motion did not prevail.

On motion of Mr. Monroe of Monroe,

Adjourned until one o'clock tomorrow afternoon.