

# 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

Friday, April 10, 1959

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

Prayer by the Rev. Fr. Louis J. Fortier of Holy Cross Parish, Lewiston.

The Journal of yesterday was read and approved.

### Papers from the Senate Senate Reports of Committees Ought Not to Pass Recommended

Report of the Committee on Towns and Counties reporting "Ought not to pass" on Bill "An Act relating to Uniforms for Deputy Sheriffs" (S. P. 125) (L. D. 274)

Came from the Senate with the Report and Bill recommended to the Committee on Towns and Counties. In the House, the Report was read.

On motion of Mr. Lemelin of Fairfield, the Report and Bill were recommended to the Committee on Towns and Counties in concurrence.

### Ought to Pass

Report of the Committee on Education reporting "Ought to pass" on Bill "An Act relating to Minimum Sick Leave for Teachers" (S. P. 399) (L. D. 1167)

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 assigned the next legislative day.

### Ought to Pass with Committee Amendment

Report of the Committee on Education on Bill "An Act relating to Powers of Ricker Classical Institute and Ricker College" (S. P. 325) (L. D. 901) 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. 325, L. D. 901, Bill "An Act Relating to Powers of Ricker Classical Institute and Ricker College".

Amend said Bill by striking out in the 8th line thereof the following underlined words "Bachelor of Science".

Further amend said Bill by striking out in the 9th line thereof the underlined word "academic".

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

### Divided Report

Majority Report of the Committee on Liquor Control on Bill "An Act relating to Sale of Spirituous Liquor in Class A Restaurants" (S. P. 218) (L. D. 557) reporting same in a new draft (S. P. 445) (L. D. 1295) under same title and that it "Ought to pass"

Report was signed by the following members:

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

Messrs. MAYO of Bath  
DOSTIE of Winslow  
BROWN of Bangor  
CHAPMAN of Norway  
COUTURE of Lewiston  
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 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, the 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 not to pass" Report and I would like to speak to that motion.

The SPEAKER: The gentlewoman may proceed.

Mrs. CHRISTIE: This bill will broaden the sale of alcoholic beverages. As a member of the Liquor Control Committee, I feel that it is my responsibility to do all I can to control the liquor traffic, and this bill, if enacted, would make it harder to control that traffic.

Alcoholic beverages cause more accidents, more crime, more juvenile delinquency, more broken homes than any other one thing. Do we wish to broaden the power to sell such a product?

Glenn D. Everett, Washington news correspondent, covering a political and diplomatic beat, tells of his experience in trying to continue as a total abstainer in a profession where social drinking is demanded. He succeeded and perhaps some of his experiences in his early days of reporting helped to strengthen him, for he writes of covering police courts and seeing not simply stumblebums and floozy women, but those who are too influential with the editor to get their names in the papers. He said that it was quite a sight as they paid fines for speeding, disorderly conduct or some other minor charge. He tells of the sights he saw at graduate school in one of the big ten universities where he saw co-eds behaving so disgracefully that he had no further respect for them or the men that they were with.

It is estimated that there are thirty thousand alcoholics in the State of Maine. Do we wish to make life harder for them by extending the sale of liquor to new areas?

Drinking in high schools is becoming more of a problem. Teenagers naturally think what is good for adults is good for them. Only a few days ago we read of a seventeen year old boy who died trying to drink a fifth of whiskey in five minutes. It was on a wager when he and some companions went out to celebrate his birthday. Another news item tells of two men, one of them from Maine, who threw rocks at a new building in Massachusetts, causing \$1,000 damage. They admitted they had been drinking. Do we wish to encourage such delinquency?

We could go on and on citing instances of fatal fires, murder, rape,

vandalism, accidents on our highways, with thirty-three per cent of total accidents involving liquor. Many of these tragedies do not come through alcoholism, but simply from drinking just enough to deaden the moral sensibilities or create a spirit of recklessness.

Shall we cater to tippling tourists or consider first the welfare of our citizens, especially our youth and those who are weak? And now, Mr. Speaker, I move the indefinite postponement of this bill and all accompanying papers.

The SPEAKER: The question before the House is the motion of the gentlewoman from Presque Isle, Mrs. Christie, that both reports be indefinitely postponed.

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

Mr. BROWN: Mr. Speaker and Members of the House: I would like to bring to the attention of the House the possible estimated revenues that this bill would bring if we pass it here today. Of the 600 or 700 restaurants that would come under this bill, it is estimated that there would be a very close to an \$800,000 revenue. The full time restaurants would pay a license fee of \$750, and part time restaurants, who operate only in the summer months, would pay a license fee of \$375. The full time restaurants would have to have a minimum of \$50,000 in food business, and the part time would have to have a \$30,000 minimum in food business.

I feel that this bill has many merits to it. It has the blessing of the Liquor Commission, and in a very small way it would increase, to some extent, employment in these classes of restaurants, and I certainly hope that the motion of the gentlewoman from Presque Isle, Mrs. Christie, does not prevail.

The SPEAKER: The Chair recognizes the gentleman from Bath, Mr. Mayo.

Mr. MAYO: Mr. Speaker and Ladies and Gentlemen of the House: As a member of the Liquor Control Committee, I listened to the arguments pro and con regarding this bill. I sat in on the executive session which we had when we discussed this bill in the original draft. We decided that it was not equitable, workable, that is why it is out on

the floor now in a new draft. This bill came out of Committee over a week ago and I have heard no great opposition to it from any specific places.

As far as the competition with the other states in New England, I think that we should go along, all of the other New England states have this. They do not seem to have too much trouble controlling it. I have been talking with the enforcement officers. They do not look for any more trouble in controlling this than they do at the present time. We will definitely get tremendous revenue from the licensees, we will get revenue from the sales tax angle, and I feel that it is much better to have this type of social drinking in the restaurants and to have it under control than to have it amongst the youngsters and so forth that the gentlewoman from Presque Isle, Mrs. Christie, referred to, in the automobiles. I think it is much better if they are in these so-called restaurants that are going to have licenses to sell, and as I say, it is definitely a 9 to 1 report, I hope this House will consider that, and I hope that the motion of the gentlewoman from Presque Isle, Mrs. Christie, does not prevail.

The SPEAKER: The Chair recognizes the gentleman from Augusta, Mr. Barnett.

Mr. BARNETT: Mr. Speaker and Ladies and Gentlemen of the House: I would like to just bring to your attention one of the points that was mentioned in an article in the Portland Press Herald yesterday. The title of the article was, "Will a Couple of Drinks Bother Your Driving?" This was a series of questions and answers of which I will read just one. "People who take two or three drinks, social drinkers, and then drive a car are a bigger problem than out and out drunk drivers. True or False?" The answer, and I am quoting, is, "True. As a group, social drinkers can be a greater problem than obvious drunks, the National Safety Council says. Why? There are more social drinkers and they are harder to detect. When a drunk gets behind the wheel of a car he usually attracts attention because his actions are so pronounced. Others notice his impairment. The social drinker, however, usually is able to escape de-

tection until an emergency gets him into trouble."

Whereas the majority of these restaurants are all along the highway, and based on this one point, I feel that I must concur in my opinion with the gentlewoman from Presque Isle, Mrs. Christie.

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

Mr. CURTIS: Mr. Speaker and Ladies and Gentlemen: I suspect as long as the human race is on the earth we will have the use of alcoholic beverages, and I am sure that about all we can do or hope to do is to regulate it, and I believe that this bill would interfere with the regulation, and as has been brought to your attention by the previous speakers, what it would do.

Now, in reference to the gentleman from Bangor, Mr. Brown, how much money it would bring in. Sometimes when I get concerned about the high cost of education, the taxes that I pay and the high cost of highways, then I look over and find out how much the people are spending for booze in this State of Maine, and I find they are spending some 42 millions of dollars. Now, that is a lot of money to spend to get 6 or 7 million dollars of revenue. I don't think this is any argument at all that the gentleman from Bangor, Mr. Brown, has said, "because we are going to get some revenue." And I would say to each one of you, if you have not already done so, if you will just look over the record, you will find that if the liquor traffic brings in an extra million dollars, you just go down and look at the Health and Welfare and you will find that the Health and Welfare load has gone up probably a million and a half or two million for every million we got. In other words, and you know as well as I, that if you spend a dollar for alcoholic beverages you don't have it to buy food and clothing for your wife and your children. I hope that this bill does not go through.

The SPEAKER: The Chair recognizes the gentleman from Bath, Mr. Mayo.

Mr. MAYO: Mr. Speaker and Ladies and Gentlemen of the House: I think there is one thing that the general public does not realize that

can go on in restaurants, and I think the House should be aware of it. There is no law today that says that a person cannot go into a restaurant and set one of the so-called long neckers on the table or under the table and order the set-ups and drink the hard liquor. It is entirely up to the discretion of the restaurant owner. There is no law that says he cannot do it.

Now, under this law that is being drawn up now, the licensee, he will be regulated by the present statutes which are on the books regulating drinking in public places. It will do away with this so-called person who once he opens a bottle cannot put it down until it is finished. The licensee will be able to regulate it. He will only be open certain hours, he is going to keep his place open the general hours that he would with restaurant facilities anyway, and all of these arguments about how much it costs the State of Maine and other places to take care of the so-called drinking person, those are figures taken from national — and I sometimes wonder if the figures are absolutely true. I certainly hope again, that the motion of the gentleman from Presque Isle, Mrs. Christie, does not prevail.

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

Mr. BROWN: Mr. Speaker, I would like to bring to the attention of the House that the class of people who have these restaurants and doing a \$50,000 or more business are certainly well aware of the money that they have invested in their kitchens and that they intend to keep their kitchens in the order that they are in today, and they are not going to jeopardize their food for the opportunity of selling liquor, and I am sure that many of them will do their own policing. For example, in Bangor today many of our reputable restaurants serve beer which is not even on the menu, but you may have a glass of beer with your dinner. They don't even serve just plain beer, you have to have a dinner with it, and they only allow you two bottles, that is their own personal policing and I am sure that they would handle this the same in their restaurants and not jeopardize the reputation that they have built

up in their restaurant business. Again, I hope that the motion of the gentleman from Presque Isle, Mrs. Christie, does not prevail.

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

Mrs. HANSON: Mr. Speaker and Members of the House: I am highly in favor of any revenue that we can get from the luxury of liquor, but I am against any easement of the restrictions by which this liquor is sold, and I go along with the gentleman from Presque Isle, Mrs. Christie, on indefinite postponement.

The SPEAKER: The Chair recognizes the gentleman from Stonington, Mr. Shepard.

Mr. SHEPARD: Mr. Speaker and Ladies and Gentlemen of the House: It is true, I concur with my seatmate, the gentleman from Bangor, Mr. Brown, it will bring in additional revenue. The danger I see is the standards that we are setting for our young people. Today parents advise and warn their youngsters to stay out of cocktail lounges, they are bad, they are no good. Certainly they are not going to be able to advise them to stay out of restaurants. They are going to see social drinking and accept it as standard procedure of the adults. I do see danger in it. I go along with the motion of the gentleman from Presque Isle, Mrs. Christie, for indefinite postponement.

The SPEAKER: The Chair must remind the gentleman from Bangor, Mr. Brown, that he has already spoken twice to the motion, and must have the consent of the House to speak a third time. Does the gentleman wish that consent?

Mr. BROWN: I just wanted to move the previous question.

The SPEAKER: The gentleman from Bangor, Mr. Brown, has moved the previous question. In order for the Chair to entertain this motion the Chair must have the authority of one-third of the members of the House.

Will those who favor the Chair entertaining the motion for the previous question please rise and remain standing until the monitors have made and returned the count.

A sufficient number did not arise.

The SPEAKER: Obviously one-third not having arisen, the Chair

is not authorized to entertain the motion.

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

Mr. CALL: Mr. Speaker, when the vote is taken I request a division.

The SPEAKER: A division has been requested.

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

Mr. DODGE: Mr. Speaker and Members of the House: Sooner or later we have got to face the facts about liquor, we have got to accept the reports that we have. We aren't exactly ready to accept those things yet, but we will if this keeps on going, there isn't any doubt. And that is the thing you have to think of. I am against any release of any regulation that we may have in the State. I know we are in the minority at the present time but time is on our side. Thank you.

The SPEAKER: Is the House ready for the question? The question before the House is the motion of the gentlewoman from Presque Isle, Mrs. Christie, that both reports be indefinitely postponed on Bill "An Act relating to Sale of Spirituous Liquor in Class A Restaurants".

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

Mr. MILLER: Mr. Speaker and Members of the House: I notice today that there are a great many representatives absent, and I think that where this question is of great importance to the State of Maine, I therefore move that this be tabled until Tuesday next.

The SPEAKER: The question before the House is the motion of the gentleman from Portland, Mr. Miller, that both reports be tabled and specially assigned for Tuesday of next week pending the motion of the gentlewoman from Presque Isle, Mrs. Christie, that both reports be indefinitely postponed. Will those who favor the tabling motion please say aye; those opposed, no.

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

The SPEAKER: The question now before the House is the motion of the gentlewoman from Presque Isle, Mrs. Christie, that both reports be indefinitely postponed, and a division has been requested.

Will those who favor the motion to indefinitely postpone both reports

please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Thirty-eight having voted in the affirmative and seventy-three in the negative, the motion to indefinitely postpone did not prevail.

The SPEAKER: The Chair must remind the gentleman that there still remains a motion before the House on the subject under a rather unusual situation. The gentlewoman from Presque Isle first moved the acceptance of the Minority "Ought not to pass" Report and then superseded it with a motion to indefinitely postpone. Since the motion to indefinitely postpone has been defeated the Chair would inquire of the gentlewoman from Presque Isle whether or not she wishes to withdraw her motion for the acceptance of the Minority Report?

The gentlewoman withdraws that motion. The Chair now awaits a motion.

The Chair recognizes the gentleman from Bath, Mr. Mayo.

Mr. MAYO: Mr. Speaker and Members of the House: I now move that the House accept the Majority "Ought to pass" Report.

The SPEAKER: Is the House ready for that question?

The question is the motion of the gentleman from Bath, Mr. Mayo, that the House now accept the Majority "Ought to pass" Report on Bill "An Act relating to Sale of Spirituous Liquor in Class A Restaurants", Senate Paper 445, Legislative Document 1295. Is this the pleasure of the House?

The motion prevailed and the Majority "Ought to pass" Report was accepted.

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

The following paper from the Senate not on the Advance Journal:  
From the Senate: The following Order:

ORDERED, the House concurring, that when the Senate and House adjourn, they adjourn to meet on Tuesday, April 14, at ten o'clock in the forenoon. (S. P. 446)

Came from the Senate today read and passed.

In the House, the Order was read and passed in concurrence.

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

### Orders

On motion of Mr. Wade of Auburn, it was

ORDERED, that Rev. Peter D. MacLean of the Trinity Episcopal Church, Lewiston, be invited to officiate as Chaplain of the House on Thursday, April 16, 1959.

### House Reports of Committees Leave to Withdraw

Mr. Knight from the Committee on Judiciary on Bill "An Act relating to Appeals in Workmen Compensation Cases" (H. P. 351) (L. D. 510) reported Leave to Withdraw.

Report was read and accepted and sent up for concurrence.

Mr. Knight from the Committee on Judiciary reported "Leave to Withdraw" on Bill "An Act to Include Personal Property in Maine Industrial Building Authority Act" (H. P. 897) (L. D. 1266)

Report was read.

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

Mr. CURTIS: Mr. Speaker and Ladies and Gentlemen: This bill is one that has much to do with the Sinclair Act and inasmuch as there is another bill in the Committee of Education that this would affect, or that one would affect, and I have talked it over with the Chairman who has no objection to me tabling this, I would ask that this be tabled unassigned until the other one comes before the House.

The SPEAKER: Does the Chair understand the gentleman to table this unassigned or give an assigned date?

Mr. CURTIS: Mr. Speaker, I am just waiting for this other bill which affects this one and I would assign it for a week and if it isn't in here by that time or when it does come in I will take this off the table, because the other one does affect this, and if this one was passed it would affect the other one. And I

think they should both be considered together.

The SPEAKER: The Chair understands the gentleman from Bowdoinham, Mr. Curtis, to move that with respect to Bill "An Act to Include Personal Property in Maine Industrial Building Authority Act", that the Committee Report be tabled and specially assigned for one week from today pending acceptance.

For what purpose does the gentleman from Greenville arise?

Mr. HARRIS: Mr. Speaker, I would like to ask a question through the Chair.

The SPEAKER: The gentleman may not debate — a question is not in order.

The Chair recognizes the gentleman from Lewiston, Mr. Jalbert, if he rises only to debate the time of assignment.

Mr. JALBERT: Mr. Speaker, I ask for a division on the motion.

The SPEAKER: The gentleman may ask for a division.

The question before the House is the motion of the gentleman from Bowdoinham, Mr. Curtis, that Bill "An Act to Include Personal Property in Maine Industrial Building Authority Act", that the Committee Report be tabled and specially assigned for one week from today pending acceptance.

For what purpose does the gentleman arise?

Mr. WINCHENPAW of Friendship: Mr. Speaker, is there no way to ask a parliamentary question under a tabling motion? We think the gentleman from Bowdoinham, Mr. Curtis, is in error.

The SPEAKER: The gentleman may make a parliamentary inquiry.

Mr. WINCHENPAW: I am not sure but Mr. Curtis thought he was talking on item three instead of item two.

The SPEAKER: The Chair would remind the gentleman from Friendship that the question is not a parliamentary inquiry and is therefore not in order.

The Chair recognizes the gentleman from Bowdoinham, Mr. Curtis. For what purpose does the gentleman arise?

Mr. CURTIS: I wish to withdraw my motion to table. I would ask the forgiveness of the House to



overlook it because I am so interested in this thing.

The SPEAKER: The Chair understands that the gentleman from Bowdoinham, Mr. Curtis, has now withdrawn his tabling motion with respect to item number two.

The question before the House on item number two is the acceptance of the "Leave to Withdraw" Committee Report. Is this the pleasure of the House?

The motion prevailed and the Report was accepted and sent up for concurrence.

#### Ought Not to Pass

Mr. Clark from the Committee on Education reported "Ought not to pass" on Bill "An Act relating to Retroactive Construction Aid for Municipalities Joining School Administrative Districts" (H. P. 789) (L. D. 1121)

Report was read.

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

Mr. CURTIS: Mr. Speaker and Ladies and Gentlemen: I presume at my age you will forgive me for going asleep perhaps and getting too interested and overlooking this other one where they are in together. I have said all there is to say at this time on item three and I wish it might be tabled.

The SPEAKER: With respect to item three, the gentleman from Bowdoinham, Mr. Curtis, moves that the Committee Report be tabled and specially assigned for Friday of next week pending acceptance.

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

Mr. JALBERT: I move for a division.

The SPEAKER: A division has been requested. Will those who favor the motion to table the "Ought not to pass" Report on this Bill please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Thirteen having voted in the affirmative and eighty-eight having voted in the negative, the motion to table did not prevail.

Thereupon, on a viva voce vote, the "Ought not to pass" Report was accepted and sent up for concurrence.

Mr. Ervin from the Committee on Education reported "Ought not to pass" on Bill "An Act relating to Budgets of School Administrative Districts" (H. P. 808) (L. D. 1147)

Report was read.

The SPEAKER: The Chair recognizes the gentleman from Friendship, Mr. Winchenpaw.

Mr. WINCHENPAW: Mr. Speaker, I would like permission to table this Bill until Friday next.

The SPEAKER: With respect to Bill "An Act relating to Budgets of School Administrative Districts", the gentleman from Friendship, Mr. Winchenpaw, moves that the Committee Report be tabled and specially assigned for Friday next pending acceptance.

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

Mr. JALBERT: I request a division.

The SPEAKER: Will those who favor the motion to table the Committee Report on item four please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Twenty-two having voted in the affirmative and sixty-nine having voted the negative, the motion to table did not prevail.

Thereupon, the "Ought not to pass" Report was accepted and sent up for concurrence.

Mr. Beane from the Committee on Judiciary reported "Ought not to pass" on Bill "An Act relating to Service of Processes on Non-resident Employers under Workmen's Compensation Act" (H. P. 751) (L. D. 1069)

Mr. Caron from same Committee reported same on Bill "An Act relating to Restoration of Motor Vehicle Operators' Licenses" (H. P. 691) (L. D. 991)

Mr. Dennett from the Committee on State Government reported same on Bill "An Act to Provide for Participation in Maine Employment Security by the State and Political Subdivisions" (H. P. 317) (L. D. 464)

Same gentleman from same Committee reported same on Resolve Proposing an Amendment to the Constitution Increasing Amount of Credit of State in Loans for Indus-

trial Purposes (H. P. 901) (L. D. 1270)

Mr. Smith from same Committee reported same on Bill "An Act Authorizing Aeronautics Commission to Acquire Airports Owned by Municipalities" (H. P. 820) (L. D. 1158)

Same gentleman from same Committee reported same on Resolve relating to Salary Range for Director of the Division of Tuberculosis (H. P. 409) (L. D. 593)

Reports were read and accepted and sent up for concurrence.

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

Mr. Bragdon from the Committee on Appropriations and Financial Affairs reported "Ought to pass" on Resolve Appropriating Moneys for LP Gas Prover for State Sealer of Weights and Measures (H. P. 271) (L. D. 403)

Mr. Brown from same Committee reported same on Resolve Charging Off Funds Advanced for the Purchase, Stocking and Equipping of the Blueberry Experimental Farm (H. P. 60) (L. D. 98)

The SPEAKER: At this time the Chair would recognize the presence in the gallery of the House of a group of forty 8th grade students from Hermon, accompanied by their Principal, Mr. Lundquist and their teacher, Mrs. Rodick. 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 by your visit here today. (Applause)

Mr. Jacques from same Committee reported same on Resolve Authorizing Use of Passamaquoddy Trust Funds for Housing (H. P. 233) (L. D. 344)

Mr. Gallant from the Committee on Claims reported same on Resolve in favor of Ernest S. Stone of Garland (H. P. 635) (L. D. 927)

Mr. Frazier from the Committee on Education reported same on Bill "An Act relating to Powers of Community School District Trustees" (H. P. 540) (L. D. 775)

Mr. Cox from the Committee on Judiciary reported same on Bill "An Act relating to Inheritance Taxation

of Jointly Owned Property" (H. P. 245) (L. D. 356)

Mr. Earles from same Committee reported same on Bill "An Act relating to Pauper Settlement of Patients and Employees of Central Maine Sanatorium" (H. P. 247) (L. D. 358)

Same gentleman from same Committee reported same on Bill "An Act relating to Vehicle Entering Stop Intersection" (H. P. 396) (L. D. 579)

Mr. Emmons from same Committee reported same on Bill "An Act relating to Negotiable Notes" (H. P. 641) (L. D. 932)

Mr. Knight from same Committee reported same on Bill "An Act relating to Mortgages for Future Advances" (H. P. 640) (L. D. 931)

Mr. Sanborn from the Committee on State Government reported same on Bill "An Act to Create the Bureau of Maine Archives" (H. P. 785) (L. D. 1117)

Reports were read and accepted, the Bills read twice, Resolves read once and assigned the next legislative day.

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

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

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

Mr. Johnson from the Committee on Claims on Resolve in favor of A. R. Palmer of Litchfield (H. P. 634) (L. D. 926) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Resolve read once.

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

COMMITTEE AMENDMENT "A" to H. P. 634, L. D. 926, Resolve, in Favor of A. R. Palmer of Litchfield.

Amend said Resolve by striking out the figures "\$2,000" in the 2nd

line and inserting in place thereof the figure "\$500"

The SPEAKER pro tem: The Chair recognizes the gentleman from Norway, Mr. Chapman.

Mr. CHAPMAN: Mr. Speaker, Ladies and Gentlemen of the House: I wish to offer House Amendment "A". It is on your desks as filing 183, and I would like permission to make a few remarks relative to the same.

Thereupon, House Amendment "A" to Committee Amendment "A" was read by the Clerk as follows:

HOUSE AMENDMENT "A" to H. P. 634, L. D. 926, Resolve, in Favor of A. R. Palmer of Litchfield.

Amend said Amendment by striking out the figure "\$500" in the last line and inserting in place thereof the figure "\$1,000"

The SPEAKER pro tem: The Chair recognizes the gentleman from Norway, Mr. Chapman.

Mr. CHAPMAN: Mr. Speaker and Members of the House: I would appreciate your patience a minute while I speak about this amendment. I have the greatest respect for the Committee on Claims. They are about the toughest that I have ever been before. Every bill that I personally brought in to them, they just pitched out the window and I couldn't fight with them about that. But this is a claim which I did not bring in but of which I have some knowledge.

This gentleman here owns a farm, has stock anywhere from thirty to forty head and he has two wells, both contaminated with salt. The land around them is saturated. They do not get this salt from wash over the top, but to get good water he will be compelled to drill. Now if any of you gentlemen have had any contact with well drillers, you know that \$500 could not more than get a man to move into your yard leave alone starting to drill.

Now this water is contaminated so that it is absolutely unfit for use in the house and is hardly suitable for the stock, and therefore, I would appreciate the passage of this second amendment, and I thank you.

The SPEAKER pro tem: The Chair recognizes the gentleman from St. Albans, Mr. Hughes.

Mr. HUGHES: Mr. Speaker, I wish to thank the gentleman from

Norway, Mr. Chapman, for his compliment, or otherwise, whichever it might be considered, and I do wish to state that he was perfectly correct in the fact that there were two wells on the property in mention. One is still available and in use I understand for livestock. The one well in question is a well that is located near the residential property and there was no argument but what it was contaminated by salt over the years. It has been six or eight years I understand getting into the condition that it is in at the present time. The reason we amended this bill down, one of the reasons at least, is the fact that we have had two other well cases and we have more or less you might say set a price on a well. It was a dug well, the other two were dug wells, and the fact that the other gentlemen that had the wells didn't have any water, where this was a little bit different, this gentleman had plenty of water but it was too salty. That, as near as we could find was about the only difference between the three claims. Therefore, I hope the motion to accept the gentleman's amendment does not prevail.

The SPEAKER pro tem: The Chair recognizes the gentleman from Stonington, Mr. Shepard.

Mr. SHEPARD: Mr. Speaker, may I ask a question through the Chair of the gentleman from St. Albans or the gentleman from Norway. There is a doubt in my mind where the State's liability fits into the picture. What was the origin of this salt content? Did some action of the state, road construction or something of that nature bring about this salty condition?

The SPEAKER pro tem: The gentleman from Stonington, Mr. Shepard, addresses a question through the Chair of the gentleman from St. Albans, Mr. Hughes, who may answer if he so chooses.

Mr. HUGHES: Mr. Speaker, it was our understanding in the Committee that the situation could have been avoided. There was a ditch made that evidently changed the course of the water from the road, the salt on the road that was used in the wintertime, so that it did penetrate the ground in the vicinity of the well and through the well, not necessarily through the top of the

well, although we understood that the well was not covered properly. The top of the well was still considerably higher than the road was, and it was saturated through the ground by not being drained in a proper manner. We considered it was negligence on the Highway Department. I hope that answers the gentleman from Stonington.

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

Mr. HAUGHN: Mr. Speaker and Members of the House: I may be wrong; I would like to be informed. I thought we had a procedure set up under the Statutes where any highway damage if you appeal for compensation it is through your Highway Department, and then the fact-finding board through another appeal if you are not satisfied with that judgment, through your County Commissioners. May I ask why this claim is up here rather than through that procedure or is there something that I haven't been informed of on this particular issue. I would like to know.

The SPEAKER pro tem: The gentleman from Bridgton, Mr. Haughn, directs a question through the Chair to any member who may answer if they so desire.

The Chair recognizes the gentleman from Hallowell, Mr. Choate.

Mr. CHOATE: Mr. Speaker, this resolve was presented by myself. I did contact the State Highway Commission, Mr. Haughn, and they suggested that we take it through Legislature, through the Claims Committee. That was their own suggestion rather than put it through their own board.

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

Mr. HAUGHN: Mr. Speaker, not to delay this thing, but just as a point of information once again, has any appeal been made to the County Commissioners over and above the fact finding of the Highway Commission? Because we have Statutes set up on that procedure. That's all I am interested in.

The SPEAKER pro tem: Is the House ready for the question? The question before the House is the motion of the gentleman from Norway, Mr. Chapman, that the House

adopt House Amendment "A" to Committee Amendment "A". Is it the pleasure of the House to adopt House Amendment "A" to Committee Amendment "A"?

The motion prevailed.

The SPEAKER pro tem: Is it now the pleasure of the House that Committee Amendment "A" as amended by House Amendment "A" be adopted?

(Cries of "No")

Will those who favor the adoption of Committee Amendment "A" as amended please say aye; those opposed, no.

Thereupon, Committee Amendment "A" as amended by House Amendment "A" was adopted on a viva voce vote, and the Resolve assigned for second reading the next legislative day.

Mr. Brown from the Committee on Legal Affairs on Bill "An Act Establishing a Representative Town Government in Town of Scarborough" (H. P. 591) (L. D. 845) 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. 591, L. D. 845 Bill "An Act Establishing a Representative Town Government in Town of Scarborough."

Amend said Bill by striking out all of the emergency preamble.

Further amend said Bill by striking out the first 3 lines of the Referendum Clause and inserting in place thereof the following:

'Referendum; effective date, certificate to Secretary of State. This act shall take effect 90 days after adjournment of the Legislature, only for the purpose of permitting its submission to the'.

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

Mr. Trumbull from the Committee on Legal Affairs on Bill "An Act relating to Westbrook Parking Authority" (H. P. 249) (L. D. 360) reported "Ought to pass" as amend-

ed 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. 249, L. D. 360, Bill "An Act Relating to Westbrook Parking Authority."

Amend said Bill by inserting before the Enacting Clause the following Emergency Preamble:

'Whereas, acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, it is vitally necessary that the Westbrook Parking Authority be authorized to raise funds for the purpose of completing parking areas in the City of Westbrook, particularly the completion of top surfaces of said parking areas; and

Whereas, the completion of the surfaces of said parking areas is necessary in the spring of this year to permit the parking of vehicles to the betterment of the business community of Westbrook; and

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

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

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

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

Mr. Plante from the Committee on State Government on Bill "An Act relating to Awarding Contracts for State Construction" (H. P. 905) (L. D. 1274) 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. 905, L. D. 1274, Bill "An

Act Relating to Awarding Contracts for State Construction."

Amend said Bill by striking out the figures "28-A" in lines 1, 4 and 5 and inserting in place thereof the figures '28-B'.

Further amend said Bill by striking out the last sentence and inserting in place thereof the following underlined sentence 'Every such contract awarded shall contain a provision in accordance with this section.'

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

Mr. Lebel from the Committee on Transportation on Bill "An Act relating to Lights on Rear of Certain Trucks" (H. P. 228) (L. D. 318) 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. 228, L. D. 318, Bill "An Act Relating to Lights on Rear of Certain Trucks."

Amend said Bill, in the 9th line, before the underlined word "dump" by striking out the underlined comma.

Further amend said Bill in the 10th line, after the underlined word "lights" by striking out the underlined punctuation and word ", reflectors".

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

### Divided Report

Majority Report of the Committee on Education reporting "Ought not to pass" on Bill "An Act relating to Minimum Salaries of Elementary School Principals" (H. P. 346) (L. D. 505)

Report was signed by the following members:

Messrs. COFFIN of Cumberland  
DOW of Lincoln  
BATES of Penobscot  
— of the Senate.

Messrs. MATHIESON of Montville  
ERVIN of Houlton  
FRAZIER of Lee

CLARK of Scarborough  
Miss CORMIER of Rumford  
Mrs. HANSON of Lebanon  
— of the House.

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

Report was signed by the following member:

Mr. ROWE of Madawaska  
— of the House.

Reports were read.

On motion of Miss Cormier of Rumford, the Majority "Ought not to pass" Report was accepted and sent up for concurrence.

### Divided Report

Majority Report of the Committee on State Government reporting "Ought not to pass" on Bill "An Act Establishing Minimum Wages of Employees in Public Works by State of Maine" (H. P. 770) (L. D. 1088)

Report was signed by the following members:

Messrs. HILLMAN of Penobscot  
ROSS of Sagadahoc  
— of the Senate.

Messrs. SMITH of Exeter  
DENNETT of Kittery  
BARNETT of Augusta  
SANBORN of Gorham  
WADE of Auburn  
— of the House.

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

Report was signed by the following members:

Mr. LESSARD of Androscoggin  
— of the Senate.

Messrs. PLANTE  
of Old Orchard Beach  
COYNE of Waterville  
— of the House.

Reports were read.

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

Mr. WADE: Mr. Speaker, I move the acceptance of the Majority "Ought not to pass" Report.

The SPEAKER pro tem: The gentleman from Auburn, Mr. Wade, moves that the House accept the Majority "Ought not to pass" Report.

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

Mr. HAUGHN: Mr. Speaker and Members of the House: Although this was signed by a majority of the members of the State Government Committee, I think this is a bill that should be given some consideration by the members of the House, and for that purpose, I would ask permission to table this bill and specially assign it for Tuesday next.

The SPEAKER pro tem: The gentleman from Bridgton, Mr. Haughn, moves that both reports be tabled and specially assigned for Tuesday, April 14, pending acceptance of either report. For what purpose does the gentleman arise?

Mr. CALL: I request a division.

The SPEAKER pro tem: The gentleman from Cumberland, Mr. Call, requests a division. Will those who favor the tabling motion of the gentleman from Bridgton, Mr. Haughn, please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Thirty-one having voted in the affirmative and seventy-two having voted in the negative, the motion did not prevail.

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

Mr. HAUGHN: Mr. Speaker and Members of the House: I know it is like leading a lamb to slaughter to even speak any further on the bill, but I cannot help but comment on it. All this bill calls for is to set up a minimum wage for the employees in construction within the State of Maine to comply with Federal regulations that is paid in the State of Maine on Federal projects.

Now it appears to me that we have certain contractors in the State of Maine at this present time paying such low wages for the performance of duty, it is very pitiful. We have some contractors who were able to come in who were never contractors prior to jobs being let out that put them in business, and by doing so they pay what you would call "scab wages". You take a man driving a truck, they can revert him over onto a bulldozer or any other major piece of operation and pay him the same wages if they so desire. I think the thing

should be given consideration. If a man is skilled in the business he should be paid accordingly, and if he is an unskilled man, naturally you would set a minimum small wage for him. This is eventually going to tie into your minimum wage scale bill before you get through, and I think it is time we gave this bill serious thought, although the discussion we had on it, and not just very lightly pass over this particular issue, and when the vote is taken I request another division.

The SPEAKER pro tem: The Chair recognizes the gentleman from Woolwich, Mr. Reed.

Mr. REED: Mr. Speaker and Members of the House: I would like to clarify this a little bit. The State already has a minimum wage of \$1.20 on all contracts that they let out, and from there it is graduated up, \$1.20 is unskilled labor, and you also on all your interstate projects have a wage scale ranging from \$2.60 to \$1.20, so actually there is already a wage scale that is set by the State Highway Commission at least.

The SPEAKER pro tem: Is the House ready for the question? The Chair recognizes the gentleman from Auburn, Mr. Wade.

Mr. WADE: Mr. Speaker, I would like to ask if you would again state the question.

The SPEAKER pro tem: The question before the House now is on the motion of the gentleman from Auburn, Mr. Wade, that the House accept the Majority "Ought not to pass" Report. The gentleman from Bridgton, Mr. Haughn, has requested a division.

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.

Seventy-three having voted in the affirmative and twenty-nine having voted in the negative, the motion prevailed, the Majority "Ought not to pass" Report was accepted and sent up for concurrence.

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

Majority Report of the Committee on State Government on Resolve

Proposing an Amendment to the Constitution as to the Number of Voters Necessary to Approve a Constitutional Amendment (H. P. 772) (L. D. 1090) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was signed by the following members:

Messrs. HILLMAN of Penobscot  
ROSS of Sagadahoc  
— of the Senate.

Messrs. SMITH of Exeter  
SANBORN of Gorham  
DENNETT of Kittery  
WADE of Auburn  
— of the House.

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

Report was signed by the following members:

Mr. LESSARD of Androscoggin  
— of the Senate.

Messrs. PLANTE  
of Old Orchard Beach  
COYNE of Waterville  
BARNETT of Augusta  
— of the House.

Reports were read.

(On motion of Mrs. Hanson of Lebanon, both Reports were tabled pending acceptance of either report and specially assigned for Tuesday, April 14.)

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

Majority Report of the Committee on State Government reporting "Ought not to pass" on Resolve Proposing an Amendment to the Constitution to Reduce the Voting Age to Nineteen Years (H. P. 882) (L. D. 1256)

Report was signed by the following members:

Messrs. HILLMAN of Penobscot  
LESSARD of Androscoggin  
ROSS of Sagadahoc  
— of the Senate.

Messrs. SMITH of Exeter  
DENNETT of Kittery  
SANBORN of Gorham  
BARNETT of Augusta  
WADE of Auburn  
COYNE of Waterville  
— of the House.

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

Report was signed by the following member:

Mr. PLANTE  
of Old Orchard Beach  
— of the House.

Reports were read.

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

Mr. MILLER: Mr. Speaker, out of courtesy to the gentleman from Portland, Mr. Briggs, who is the sponsor of this bill and who could not be here today because he had to take his wife to Boston for a check-up, I move this be tabled and specially assigned for Wednesday, April 22.

The SPEAKER pro tem: The gentleman from Portland, Mr. Miller, moves that both reports be tabled and specially assigned for April 22, pending acceptance of either report. Is this the pleasure of the House?

The motion prevailed.

#### Passed to Be Engrossed

Bill "An Act Increasing Fees for Plumbing Permits" (S. P. 347) (L. D. 974)

Bill "An Act relating to Fiduciary's Transactions by Check" (S. P. 375) (L. D. 1102)

Bill "An Act relating to Qualifications of Applicants for Registration as Licensed Physicians or Surgeons" (S. P. 395) (L. D. 1139)

Bill "An Act relating to Relocating Facilities in Federal Aid Interstate Highway Projects" (S. P. 410) (L. D. 1194)

Bill "An Act Providing for County Bond Issue for Capital Improvements in Androscoggin County" (S. P. 424) (L. D. 1220)

Bill "An Act relating to Pensions for Widows and Children of Deceased Policemen of the City of Lewiston" (S. P. 444) (L. D. 1292)

Bill "An Act relating to Restricting Certain Trustee Process until after Judgment" (H. P. 116) (L. D. 171)

Bill "An Act relating to Notification by Secretary of State in Motor Vehicle Cases" (H. P. 350) (L. D. 509)

Bill "An Act to Create a Law Revision Commission" (H. P. 644) (L. D. 935)

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

#### Amended Bill

Bill "An Act to Prohibit Excessive Noise from Mufflers on Motor Vehicles" (H. P. 417) (L. D. 601)

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

At this point, Speaker Edgar returned to the rostrum.

SPEAKER EDGAR: The Chair would thank the gentleman from Lewiston, Mr. Jalbert, very much for leaving the gavel at the rostrum.

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

#### Passed to Be Enacted

An Act relating to Appointment of Special Deputy Sheriffs (S. P. 145) (L. D. 340)

An Act relating to the Bank Commissioner, Advisory Committee and Department Regulations (S. P. 228) (L. D. 611)

An Act relating to Duty of Full-Time Municipal Health Officers Concerning Tuberculosis (S. P. 340) (L. D. 916)

An Act Increasing Salaries of Jury Commissioners (S. P. 441) (L. D. 1288)

An Act relating to Retirement Benefits for Teachers with Fifteen Years of Service (H. P. 171) (L. D. 245)

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

#### Enactor

##### Tabled and Assigned

An Act Classifying Certain Surface Waters in Maine (H. P. 504) (L. D. 717)

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



The SPEAKER: The Chair recognizes the gentleman from Berwick, Mr. Mathews.

Mr. MATHEWS: Mr. Speaker, in respect to item number six, as a courtesy to the gentlemen from Elliot, Mr. Dow, who is ill and who has an interest in this bill, I would like to table it until Thursday next.

The SPEAKER: With respect to Bill "An Act Classifying Certain Surface Waters in Maine", the gentleman from Berwick, Mr. Mathews, moves that the Bill be tabled and specially assigned for Thursday next pending passage for enactment. The gentleman from Kennebunk, Mr. Emmons, requests a division.

Will those who favor the motion to table please rise and remain standing until the monitors have made and returned the count.

A division of the House was had. Forty-five having voted in the affirmative and twenty-eight having voted in the negative, the motion to table prevailed.

An Act relating to Funds Appropriated for School Physicians (H. P. 703) (L. D. 1003)

An Act relating to Penalties Under Employment Security Law (H. P. 757) (L. D. 1075)

An Act relating to Voting Machines for Elections (H. P. 873) (L. D. 1247)

### Finally Passed

Resolve in favor of a Survivor Benefit Allowance for Otelia M. Race of Guilford (S. P. 293) (L. D. 817)

Resolve Providing a Pension for Miss Avis Robertson of Belfast (H. P. 669) (L. D. 961)

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.

The SPEAKER: The House may be at ease and will the gentleman from Union, Mr. Heald, please approach the rostrum.

### House at Ease

Called to order by the Speaker.

The SPEAKER: The Chair recog-

nizes the gentleman from Portland, Mr. Healy.

Mr. HEALY: Mr. Speaker, does the Chair know if House Paper 416, Legislative Document 600, Bill "An Act relating to Lights on Motor Vehicles Used as School Buses" is in the possession of the House?

The SPEAKER: The Chair would advise the gentleman that that document is in possession of the House.

Mr. HEALY: I now move that we reconsider our acceptance of the "Ought not to pass" Report of the Committee on Transportation on this bill, and may I offer my reasons.

The SPEAKER: The gentleman may proceed.

Mr. HEALY: This bill originally came out unanimously "Ought to pass" and not particularly through an oversight of mine yesterday but I was a little bit excited over being on TV and missed the bill going through.

I have checked with the State Police and also with the School Department on having a proper identifying light on these vehicles that transport under ten pupils, and I understand that the light proposition would not be too expensive. You can get a smaller light than is required for the larger buses. The State Police also advised me that recently there was a bad accident involving one of these small vehicles and that is my reason for asking that the matter be tabled and specially assigned, or reconsidered rather.

The SPEAKER: The Chair understands that the gentleman from Portland, Mr. Healy, moves that the House now reconsider its action whereby it accepted on April 9 the "Ought not to pass" Report on Bill "An Act relating to Lights on Motor Vehicles used as School Buses". Will those who favor the motion to reconsider please say aye; those opposed, no.

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

Forty having voted in the affirmative and forty-two having voted in the negative, the motion did not prevail.

The SPEAKER: The Chair recognizes the gentleman from Friendship, Mr. Winchenpaw.

Mr. WINCHENPAW: Mr. Speaker, I would like to ask a parliamentary question.

The SPEAKER: The gentleman may state his question.

Mr. WINCHENPAW: Should I wait until Orders of the Day are over with?

The SPEAKER: Wait for what?

Mr. WINCHENPAW: The question I wanted to ask was, as I understand it unless action is taken on a certain bill or resolve, it is reconsidered within twenty-four hours, no further reconsideration is possible.

The SPEAKER: The gentleman is correct, and the action being reconsidered—. The Chair will restate the answer. The information is this, that a bill may be reconsidered without suspension of the rules if it is done on the same or on the next legislative day, if the paper is still in the possession of the House. In this case it was.

Mr. WINCHENPAW: Well, I had another matter I wanted to reconsider, that was all.

The SPEAKER: Was it acted on yesterday?

Mr. WINCHENPAW: No, it was acted on this afternoon.

The SPEAKER: That would be in order, you can move reconsideration.

Mr. WINCHENPAW: Shall I go ahead or would I wait until you are finished with that?

The SPEAKER: Would the gentleman advise the Chair what item the item referred to is?

Mr. WINCHENPAW: It is item four on page two. Bill "An Act relating to Budgets of School Administrative Districts," House Paper 808, Legislative Document 1147.

The SPEAKER: The gentleman may proceed.

Mr. WINCHENPAW: As I understand it, there would be no further consideration unless we do it at this moment, because the House will not again be in session until twenty-four hours have passed.

The SPEAKER: That is not correct, sir. The rule is on the same or on the next legislative day, and next Tuesday would be the next legislative day. If the gentleman wanted to move reconsideration on Tuesday next, he can do so if the paper is still in the possession of the Clerk of the House, and the Clerk

will keep it in his possession if the gentleman desires.

Mr. WINCHENPAW: Well, I request that the Clerk hold that paper in his possession until next Tuesday.

The SPEAKER: The Clerk will be instructed to do so.

Mr. WINCHENPAW: Thank you very much.

The SPEAKER: You are very welcome.

### Orders of the Day

The SPEAKER: The Chair lays before the House the first tabled and today assigned matter, Resolve in favor of George Freyer, Jr. of Covington, Kentucky, Senate Paper 365, Legislative Document 1048, tabled on April 3 by the gentleman from Ellsworth, Mr. Brown, pending final passage.

Thereupon, the Resolve was finally passed, signed by the Speaker and sent to the Senate.

The SPEAKER: The Chair now lays before the House the second tabled and today assigned matter, Resolve in favor of Lena Freyer of Covington, Kentucky, Senate Paper 366, Legislative Document 1049, tabled on April 3 by the gentleman from Ellsworth, Mr. Brown, pending final passage.

Thereupon, the Resolve was finally passed, signed by the Speaker and sent to the Senate.

The SPEAKER: The Chair now lays before the House the third tabled and today assigned matter, House Divided Report, Majority "Ought not to pass" and Minority "Ought to pass" of the Committee on Election Laws on Bill "An Act Authorizing Registration of Voters by Affidavit Registration", House Paper 615, Legislative Document 883, tabled on April 8 by the gentleman from Bath, Mr. Pert, pending acceptance of either report, and the Chair recognizes that gentleman.

Mr. PERT: Mr. Speaker, I move the Minority "Ought to pass" Report be accepted and request permission to speak briefly.

The SPEAKER: The gentleman may proceed.

Mr. PERT: Mr. Speaker, Ladies and Gentlemen of the House: I rise to speak on behalf of Legislative

Document 883, An Act Authorizing Registration of Voters by Affidavit Registration. What this bill will do is make it possible for any elector to request from the Board of Registration or from the Selectmen in his town in a case where the Selectmen act as a Board of Registration, forms for the registration of voters. These forms would be used for registering individuals who would take the oath before a notary public or a justice of the peace. It would have to be determined that the individual fulfills all the requirements which are necessary in order to be able to vote.

To some people this bill seems like a radical departure from our present election laws. However, at the present time, if you as an individual wanted to change the enrollment of a voter or to enroll a voter if he is not at the present time enrolled in either one of the two major political parties, you could do that by taking an enrollment form out to the voter, have him fill it out, and all you would have to do is turn it in to the Board of Registration or the Board of Selectmen.

I introduced this bill for the purpose of enabling more people to be able to vote. I think this bill is a step in the right direction. The bill I think will benefit the State by having a larger number of people participating in the election processes. I think it will benefit both political parties equally. This bill is patterned after a bill which was passed in Colorado in the year 1956. I have been most interested in the reactions of people from the State of Colorado to this type of legislation. I talked on the telephone a couple of weeks ago with an editor of a Colorado newspaper who told me that he thought that this was one of the greatest instruments that they had out there for getting people registered to vote. David Bunn, who is administrative assistant to Governor Steven McNichol, told me personally that he felt this was most effective in the 1958 campaign in Colorado for getting an even larger number of people registered.

In Colorado they found there were no abuses to this law. In this legislative document which I am discussing now, there is a provision which

I think will prevent any abuses of this law if it is passed here. A fine up to and not exceeding \$1,000 or a prison term of up to eleven months or both, is provided for a person who wrongfully uses the forms which he requests from the Board of Registration or the Board of Selectmen. In other words, under this law which you have before you now, an individual requests these forms from the Board of Registration or the Selectmen. He goes out, if he takes ten forms and he registers five people, he is responsible for returning the five completed registrations and the five unused forms five days before the election. He has to return both of them. There is a tight control here.

As I said before, I believe this bill will aid both parties. The principles of the bill have been endorsed by the American Heritage Foundation which as we know is a non-partisan organization. The principles, as I said, have been endorsed by the American Heritage Foundation and also endorsed by a number of leading American citizens. As I think we all know in these fast moving times, many people are not registered because they don't have the time to get up to the Board of Registration when it is open. I think also many people are ineligible to vote because they move from one community to another and they fail to reregister.

Statistics show us that in the country as a whole in 1956 there were 26,000,000 people who moved from one community to another community within their own respective states.

As I said before it is my sincere conviction that this bill, this legislative document, would be a step in the right direction to getting more people participating in the election process. Mr. Speaker, when the vote is taken, I request a division.

The SPEAKER: The question before the House is the motion of the gentleman from Bath, Mr. Pert, that the House accept the Minority "Ought to pass" Report and the gentleman has requested a division.

The Chair recognizes the gentleman from Farmingdale, Mr. Weston.

Mr. WESTON: Mr. Speaker and Members of the House: As a member of the Election Laws Committee who signed the Majority "Ought not

to pass" Report, perhaps I should give you one or two reasons why. I feel that there is plenty of provisions on our Statutes at the present time for anyone who wants to register. In addition to that I think we have already acted on two, one the mobile registration law, this session, and also one allowing evening sessions for Boards of Registrations.

This bill may have merit, but I think it should have more study, and as this Legislature has already provided that the election laws be studied and be reported to the next Legislature, and this bill being a radical change, I think it might be wise if we studied this further before we took action on it, that's why I signed the Report.

The SPEAKER: Is the House ready for the question? The question before the House is the motion of the gentleman from Bath, Mr. Pert, that the House accept the Minority "Ought to pass" Report on Bill "An Act Authorizing Registration of Voters by Affidavit Registration". 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.

Thirty-five having voted in the affirmative and sixty-one having voted in the negative, the motion did not prevail.

Thereupon, the Majority "Ought not to pass" Report was accepted and sent up for concurrence.

The SPEAKER: The Chair now lays before the House the fourth tabled and today assigned matter, Bill "An Act Prohibiting Certain Lights Along Highways", House Paper 914, Legislative Document 1290, tabled on April 8 by the gentleman from Union, Mr. Heald, pending passage to be engrossed; and the Chair recognizes that gentleman.

Thereupon, that gentleman offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to H. P. 914, L. D. 1290, Bill "An Act Prohibiting Certain Lights Along Highways."

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

"R.S., c. 141, Sec. 17-A, additional. Chapter 141 of the Revised Statutes is amended by adding a new section 17-A, to read as follows:

Sec. 17-A. Certain lights prohibited along highways. No person shall place or maintain upon or in view of any highway any light so that its beams or rays are directed at any portion of a public street or highway when the light is of such brilliance and so positioned as to blind, dazzle or otherwise impair the vision of the driver of any motor vehicle upon said street or highway; or any rotating or flashing light or signal which imitates or simulates the flashing or rotating lights used on school buses, police, fire or highway vehicles, except safety signaling devices required by law. Whoever violates this section shall be punished by a fine of not more than \$100."

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

The SPEAKER: The Chair now lays before the House the fifth tabled and today assigned matter, Bill "An Act Revising Election Provisions in Charter of City of Lewiston", House Paper 844, Legislative Document 1207, tabled on April 9 by the gentleman from Lewiston, Mr. Jalbert, pending passage to be engrossed, and the Chair recognizes that gentleman.

Thereupon, that gentleman offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to H. P. 844, L. D. 1207, Bill "An Act Revising Election Provisions in Charter of City of Lewiston."

Amend said Bill in section 5 by indicating the striking out of the figure "\$2,500" in the next to last line by drawing a line through said figure and inserting immediately after said stricken out figure the underlined figure '\$3,500'.

Further amend said Bill in section 5 by adding at the end, before the single quotation mark, the following

underlined sentence: **'The mayor who shall be in office on the effective date of this act shall be eligible to succeed himself for only one 2-year term.'**

Further amend said Bill in section 9 by striking out all of that part designated "Sec. 9." and inserting in place thereof the following:

**" 'Sec. 9. Term and compensation. The term of office of each alderman shall be 2 years or until his successor shall have been elected and qualified. The members of the board of aldermen shall receive as full compensation for the performance of their official duties as aldermen the sum of \$15 \$20 for each meeting of the city council which they shall attend provided that no alderman shall be paid an amount in excess of \$500 \$700 for such attendance during any one fiscal year. Members of the board of aldermen when they shall convene for the purpose of constituting a board of examiners in insanity cases shall receive as full compensation for such duties the sum of \$5 \$10 for each meeting attended.' "**

House Amendment "A" was adopted.

The SPEAKER: The Chair recognizes the gentleman from Lewiston, Mr. Jacques.

Mr. JACQUES: Mr. Speaker and Members of the House: I move that this bill lie upon the table with the accompanying papers. We have other bills in Committee that were heard during the week, and I wish these other bills would come out of Committee first.

The SPEAKER: The gentleman is not assigning?

Mr. JACQUES: No.

The SPEAKER: For what purpose does the gentleman from Lewiston arise?

Mr. JALBERT: I ask for a division.

The SPEAKER: The gentleman requests a division. The question now before the House is the motion of the gentleman from Lewiston, Mr. Jacques, that Bill "An Act Revising Election Provisions in Charter of City of Lewiston" be tabled unsigned pending passage to be engrossed.

Will those who favor the tabling motion please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Sixty-three having voted in the affirmative and twenty-six having voted in the negative, the motion prevailed and the Bill was tabled unsigned.

Mr. Hancock of Nobleboro was granted unanimous consent to address the House.

Mr. HANCOCK: Mr. Speaker and Ladies and Gentlemen of the House: Last week there was brought to my attention a serious problem involving education in one of the towns which I represent. It was brought to my attention by a former Member of the House, Roy Farmer, who is now a member of a school building committee in that town.

On each of your desks, there has been placed a short statement issued jointly by the groups in Wiscasset who are directly concerned with this problem. The groups are the Selectmen, School Board, Budget Committee, Planning Board, and School Building Committee. I am sure that most all of you realize what Wiscasset's problem is and why I am now addressing you.

Basically Wiscasset is committed to the task of furnishing secondary educational facilities for its own children and those from neighboring communities. To do this job, adequate facilities are required. At the present time, because of the increasing crowded conditions, Wiscasset does not have these facilities, nor can Wiscasset secure these facilities without legislation.

Wiscasset is asking this legislature for no money, either through direct grant or through the special formation for a Sinclair Law Administrative district. The people of Wiscasset are anxious to build, equip and maintain a high school plant large enough to take care of its needs and the needs of its neighbors.

Present high school facilities are overcrowded. The Industrial Arts and Home Economics programs have had to be shifted to nearby buildings, one of which is such that state subsidy for the program is to be refused after this school year. The elementary eighth grade has had to be moved in to the basement of the high school building, thus complicating matters further.

The stumbling block to new school building in Wiscasset is the town's debt limit. Many towns throughout the state have formed school districts over the past years to get around this debt limit problem. It was not until the annual March town meeting, however, that the town authorized the go ahead on any type program. At that meeting a school building committee was appointed to go ahead with what steps were necessary to secure new buildings. Thus it was not until after this March meeting that the school building committee could go to work to plan how to finance such a program.

This certainly is not run of the mill legislation. Wiscasset is in a position of having to go ahead now with a building program. An emergency situation exists and legislation is needed to take care of it. The necessity of providing new educational facilities is not disputed. The fact that the people seeking this legislation could not have done so before is clear. The resulting effect to education in Wiscasset and the surrounding area could be disastrous should district enabling legislation not be passed at this session.

Briefly, Mr. Speaker and Ladies and Gentlemen of the House, that is the story of Wiscasset's need. I am sure that each of you has been contacted in an attempt to further explain that need and the proposal to provide for it. To answer the need, there has been drafted a bill enabling Wiscasset to form a school district. This type of district has nothing to do with the formation of a Sinclair Law administration district. It will not stand in the way of forming a Sinclair district later if the need arises.

In short, the educational need is there, an educational emergency exists, and in your hands rests the power to enable Wiscasset to meet the need and provide for the emergency.

I assure you that this legislation is of such nature that it will not hold up the legislative processes. I have spoken to both the House and Senate Chairmen of the Legal Affairs Committee, whose committee would handle this legislation. I am assured by each that the introduction of this legislation will not slow up their work in this session.

Mr. Speaker, I now ask unanimous consent to introduce Bill "An Act to Incorporate the Town of Wiscasset School District".

The SPEAKER: The gentleman from Nobleboro, Mr. Hancock, requests unanimous consent to introduce a bill notwithstanding the cloture order. The Clerk will read the title of the bill.

The CLERK: Bill "An Act to Incorporate the Town of Wiscasset School District".

The SPEAKER: Does the Chair hear objection to the reception of the bill notwithstanding the cloture order?

The Chair hears none and the Bill is received.

Thereupon, on motion of Mr. Hancock of Nobleboro, the Bill, H. P. 918, was referred to the Committee on Legal Affairs, ordered printed and sent up for concurrence.

Mr. Jalbert of Lewiston was granted unanimous consent to address the House.

Mr. JALBERT: Mr. Speaker and Members of the House: I was asked yesterday if I would explain a motion that I had made. I was asked again today to explain a couple of motions that I did make.

Yesterday I made a motion that we reconsider an action whereby we had indefinitely postponed a measure. Then I asked the membership to vote against me. The reason for having done so is because the bill had been debated. We spent an hour and twenty-three minutes of State's time debating the bill. It came back into the House. It was again defeated. I could foresee either a representation or a committee of conference, taking up more time, as time will go on during this session, will prove to be valuable to many of us. My thinking is not to exceed any leadership, certainly not to toss any weight around, but to explain my action.

My action today, and certainly not in disrespect to the gentleman from Bowdoinham, Mr. Curtis, nor to the gentleman from Friendship, Mr. Winchenpaw, but these two bills both had "Ought not to pass" Reports on them. The date is April 10. These people have studied the bills in committee, the bills have come out of committee unanimous "Ought not to

pass" and I fail to see how any amount of debate could change the thinking of the membership of the House, and I may there be proven to be wrong. However, that is my own individual personal thinking.

I have had two bills at the beginning of the session that came out of committee with both unanimous "Ought not to pass" reports, and the Speaker very generously sent out for me, I was out in the corridor, and I informed him after the session that any of my legislation that would come out with an "Ought not to pass" report, he could just throw it under the gavel because I felt that I had had it.

Today I voted with the motion of the gentleman from Portland, Mr. Healy, because the bill originally had come out with a 10-0 "Ought to pass" report, and I felt that he might be given a little roll. Today, also, I voted against the tabling of a bill that is my own. If I am going to go along and go under the gavel on a measure of mine, "Ought not to pass" 10-0, I certainly hope that anything that comes out of committee with an amendment with the approval of the entire membership of the Legal Affairs Committee, 10-0 "Ought to pass", I think I am going to extend myself the privilege of a shot right there. My thinking purely and solely is as we are now going in very deeply into the high affairs of the session, and if we treat all our pet measures individually and attempt to revive them, I didn't make a mistake when I said "August" when I was speaker pro tem, I sure meant it. Thank you for your attention.

The SPEAKER: The Chair would state that the Chair is very pleased to have an explanation of the action of the gentleman from Lewiston.

The House is proceeding under Orders of the Day.

Mr. Winchenpaw of Friendship was granted unanimous consent to address the House.

Mr. WINCHENPAW: Mr. Speaker and Members of the House: I would just like to say in self defense that I was unable to debate my bill to-

day, and I felt that I should have a chance to explain why I introduced that bill to the House. That was the reason for my requesting it being tabled.

Mr. Curtis of Bowdoinham was granted unanimous consent to address the House.

Mr. CURTIS: Mr. Speaker and Ladies and Gentlemen: While I do agree a great many times with my good friend, the gentleman from Lewiston, Mr. Jalbert, I do not agree with his thinking today. Now, I am on two committees, and because I am on those two committees I do not think that I know all the answers, and I think a great many times some of these things come up in these committees that the House should be promptly informed on. And the bill that I had wished to table the House was not properly informed on and they could not be properly informed on until the other bill came in. Now, I think that anybody that is on a committee shouldn't consider they know all the answers until the House should finally decide, and that is why I think that we should table things, and that is why I never vote against tabling because I think it is a right of every member of this House to know what is in a bill. Here are some 1500 or 1600 bills and resolves come in, and I am sure, with all the bills we have to attend to ourselves, and being on one or two committees, we do not have time to give the bills sufficient thought, and that is why we wish to table them sometimes.

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

Mr. MILLER: Mr. Speaker, I would like to make a parliamentary inquiry.

The SPEAKER: The gentleman may state his question.

Mr. MILLER: Reference is made to Page 5, Item 30, whereas I tabled a bill to April 22. I made a mistake on the date of tabling, it should have been April 14, and I was wondering if this could be corrected.

The SPEAKER: The Chair would advise the gentleman from Portland,

Mr. Miller, that once a bill has been tabled and assigned, reconsideration is not in order until the date of assignment has been reached.

On motion of Mr. Miller of Portland,

Adjourned until Tuesday, April 14, at ten o'clock in the morning.