

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

Wednesday, April 15, 1959

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

Prayer by the Rev. Mr. Walter Brown of the Methodist Church, Union.

The journal of yesterday was read and approved.

Papers from the Senate Senate Reports of Committees Leave to Withdraw

Report of the Committee on Business Legislation on Bill "An Act to Amend the Act Incorporating the Maine Indemnity Company" (S. P. 229) (L. D. 612) reporting Leave to Withdraw.

Report of same Committee reporting same on Bill "An Act Authorizing Mobile Banking in Maine" (S. P. 389) (L. D. 1133)

Report of same Committee reporting same on Bill "An Act relating to Licensing of Home Party Plan Demonstrators" (S. P. 422) (L. D. 1218)

Came from the Senate read and accepted.

In the House, Reports were read and accepted in concurrence.

Ought Not to Pass

Report of the Committee on Claims reporting "Ought not to pass" on Resolve in favor of Millicent N. Mann and Aetna Insurance Company (S. P. 390) (L. D. 1134)

Report of the Committee on Judiciary reporting same on Bill "An Act Changing Name of Norway Municipal Court to Norway-Paris Municipal Court and Its Location" (S. P. 332) (L. D. 908)

Report of same Committee reporting same on Bill "An Act relating to Penalties for Certain Crimes Against the Person" (S. P. 378) (L. D. 1104)

Report of the Committee on Retirements and Pensions reporting same on Bill "An Act relating to Retirement Benefits for Inland Fish and Game Wardens" (S. P. 418) (L. D. 1202)

Report of the Committee on Taxation reporting same on Bill "An Act relating to Liability of Pro-

ducers for Quahog Tax" (S. P. 297) (L. D. 821)

Came from the Senate read and accepted.

In the House, Reports were read and accepted in concurrence.

Ought to Pass

Report of the Committee on Appropriations and Financial Affairs reporting "Ought to pass" on Bill "An Act relating to Expenditures from Aeronautical Fund" (S. P. 149) (L. D. 370)

Report of the Committee on Business Legislation reporting same on Bill "An Act relative to Trading Stamp Companies" (S. P. 306) (L. D. 852)

Report of the Committee on Education reporting same on Bill "An Act relating to Conferring Degrees by Thomas Junior College" (S. P. 111) (L. D. 261)

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

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

The SPEAKER: At this time the Chair would recognize the presence in the gallery of the House of eighty eighth grade pupils from the Federal School of Old Orchard Beach accompanied by their teachers Mrs. Hyman Pluznick, Mr. Anthony Tsomides and Mr. John Nee. 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 with us here today. (Applause)

Ought to Pass with Committee Amendment

Report of the Committee on Appropriations and Financial Affairs on Bill "An Act relating to Construction of a Building for Maine Employment Security Commission" (S. P. 244) (L. D. 627) 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. 244, L. D. 627, Bill "An Act Relating to Construction of a Building for Maine Employment Security Commission."

Amend said Bill in the 6th line of section 2 by striking out the word "unexpended" and inserting in place thereof the following: "unexpended unobligated"

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

Report of the Committee on Education on Bill "An Act to Authorize the Addition of the Towns of Cushing, Rockport, St. George, Thomaston and Warren to School Administrative District No. 5" (S. P. 291) (L. D. 815) 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. 291, L. D. 815, Bill "An Act to Authorize the Addition of the Towns of Cushing, Rockport, St. George, Thomaston and Warren to School Administrative District No. 5."

Amend said Bill by inserting before "AGREEMENT FOR THE TOWNS OF CUSHING, ROCKPORT, ST. GEORGE, THOMASTON AND WARREN TO JOIN SCHOOL ADMINISTRATIVE DISTRICT NO. 5" the following paragraph:

"In the event that one or more of the administrative units named herein fails to approve any of the articles required to be voted upon by this act, the Maine School District Commission is authorized to accept new applications from the administrative units having voted

to accept this act. The commission is further authorized to order the administrative units having approved the act and School Administrative District No. 5 to vote on articles prepared by the commission in the same tenor as the articles heretofore set out in this act."

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

Report of the Committee on Judiciary on Bill "An Act relating to the Suspension and Revocation of Liquor Licenses" (S. P. 164) (L. D. 385) 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. 164, L. D. 385, Bill "An Act Relating to the Suspension and Revocation of Liquor Licenses."

Amend said Bill by inserting a period after the underlined word "licenses" in the 42nd line.

Further amend said Bill by capitalizing the underlined word "except" in the 42nd line.

Further amend said Bill by striking out the underlined word "and" after the underlined words "paragraph C," in the 43rd line.

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

Orders

On motion of Mr. Heald of Union, it was

ORDERED, that the following be appointed Honorary Pages for today, this being Knox County Day at the Legislature: Miss Constance Knight of Union, Miss Annette Austin of Union.

Thereupon, the Sergeant-at-Arms conducted the Honorary Pages to their places in the well of the Hall of the House. (Applause)

On motion of Mr. Graves of Mt. Desert, it was

ORDERED, that Mr. Parsons of Hartford be excused from attendance for the duration of his illness.

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. Plante of Old Orchard Beach, it was

ORDERED, that Mr. Lebel of Van Buren be excused from attendance for the remainder of the week because of business.

The SPEAKER: At this time the Chair would recognize the presence in the gallery of the House of a group of 9th grade pupils from Norridgewock Junior High School accompanied by their Principal Mr. Hatfield and Sub-master Mr. Cowett. The Chair would advise the House that the father of Principal Hatfield was a member of this House last session and the session prior to that, some of you undoubtedly remember him.

Also the Chair would recognize the presence of 26 eighth grade pupils from the Warren Grade School accompanied by their Principal, Vernon Jordan. On behalf of the House, the Chair extends to all of you a most cordial and hearty welcome and we hope you enjoy and profit by your visit here today. (Applause)

On motion of Mr. Graves of Mt. Desert, it was

ORDERED, that Mr. Dennison of East Machias be excused from attendance this week because of illness.

House Reports of Committees Ought Not to Pass

Mr. Hodgkins from the Committee on Towns and Counties reported "Ought not to pass" on Bill "An Act relating to Territorial Distribution of and Increasing Number of Medical Examiners of Somerset County" (H. P. 256) (L. D. 367)

Mr. Jones from same Committee reported same on Bill "An Act Increasing Number of Medical Ex-

aminers for Somerset County" (H. P. 570) (L. D. 803)

Mr. Lemelin from same Committee reported same on Bill "An Act to Incorporate the Town of Harpswell Neck" (H. P. 428) (L. D. 634)

Reports were read and accepted and sent up for concurrence.

Tabled and Assigned

Mr. Lemelin from the Committee on Towns reported "Ought not to pass" on Bill "An Act relating to Clerk Hire, Rental and Expenses of Waterville Municipal Court" (H. P. 525) (L. D. 760)

Report was read.

(On motion of Mr. Lane of Waterville, and a division of the House being had, the Report and Bill were tabled pending acceptance of the Committee Report and specially assigned for Tuesday, April 21.)

Mr. Perry from the Committee on Towns reported "Ought not to pass" on Bill "An Act relating to Use of Municipal Highway Equipment" (H. P. 223) (L. D. 314)

Report was read and accepted and sent up for concurrence.

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

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

Ought to Pass in New Draft New Drafts Printed

Mr. Jones from the Committee on Towns and Counties on Bill "An Act relating to Hours, Vacations and Sick Pay for County Personnel" (H. P. 677) (L. D. 969) reported same in a new draft (H. P. 922) (L. D. 1304) under same title and that it "Ought to pass"

Mr. Porell from same Committee on Bill "An Act relating to Municipal Records" (H. P. 101) (L. D. 148) reported same in a new draft (H. P. 923) (L. D. 1305) under same title and that it "Ought to pass"

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

Ought to Pass Printed Bills

Mr. Caswell from the Committee on Agriculture reported "Ought to pass" on Bill "An Act Revising Laws Relating to Slaughterhouses" (H. P. 636) (L. D. 979)

Mr. Brown from the Committee on Legal Affairs reported same on Bill "An Act to Clarify Appointments under Charter of City of Augusta" (H. P. 760) (L. D. 1099)

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

Tabled

Mr. Cote from the Committee on Legal Affairs reported "Ought to pass" on Bill "An Act relating to Residence Requirement for Voters in City of Lewiston" (H. P. 865) (L. D. 1233)

Report was read and accepted and the Bill read twice.

(On motion of Mr. Cote of Lewiston, tabled pending assignment for third reading and unassigned.)

Ought to Pass with Committee Amendment

Mr. Rollins from the Committee on Taxation on Bill "An Act Defining Cigarettes under the Cigarette Tax Law" (H. P. 222) (L. D. 313) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Bill read once.

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

Mr. COUTURE: Mr. Speaker, I certainly would like to have some explanations on this cigarette tax on this Legislative Document 313. I can't find any —. I wish to have some explanation of some members of the House on this.

The SPEAKER pro tem: The Chair didn't understand the gentleman from Lewiston.

Mr. COUTURE: I would like to have some explanations on this Legislative Document 313 on the taxation of cigarettes.

The SPEAKER pro tem: The gentleman from Lewiston, Mr. Couture, asks a question of any mem-

ber who may answer if he so chooses.

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

Mr. ROLLINS: Mr. Speaker and Members of the House: That is really a clarification of the cigarette tax law. There are a lot of these little cigarettes coming out that are wrapped in brown paper and they call them cigars, and this gives your Tax Assessor a right to know which is a cigarette and which is a cigar. The Federal law says that if they contain cigar tobacco and have a cigar wrapper they are called cigars, but there is a lot of conflict in the thing and in this way anything that weighs—I have got to look it up, I don't know, a certain weight per thousand, 3,000 per pound, why it would be classed as a cigarette, and the Committee has gone all over this, and they decided that was the only way that the thing could be clarified as far as the cigarette tax.

The SPEAKER pro tem: Does the gentleman from Lewiston consider his question answered?

Mr. COUTURE: Yes, Mr. Speaker, and I would like to lay this legislative document on the table.

The SPEAKER pro tem: The gentleman from Lewiston, moves that this item lay on the table pending second reading unassigned. Is that the pleasure of the House?

(Cries of "No")

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

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

Thereupon, the Bill was given its second reading.

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

COMMITTEE AMENDMENT "A" to H. P. 222, L. D. 313, Bill "An Act Defining Cigarette Under the Cigarette Tax Law."

Amend said Bill by inserting before the enacting clause the following Emergency Preamble:

Emergency preamble. Whereas, due to increased cost of labor and materials, the cost of State Government in administering the services required by law has increased; and

Whereas, further revenue is necessary in order to carry out the func-

tions of government as provided by law; and

Whereas, orderly procedure of administering the essential duties required by the people of the State of Maine necessitates further monies; 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 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 tomorrow.

Divided Report

Majority Report of the Committee on Agriculture reporting "Ought not to pass" on Bill "An Act Repealing the Bounty on Porcupine" (H. P. 809) (L. D. 1164)

Report was signed by the following members:

Mr. DOW of Lincoln
— of the Senate.
Messrs. HILTON of Anson
CASWELL of New Sharon
JEWELL of Monticello
BROCKWAY of Milo
EDMUNDS of Fort Fairfield
JEWETT of Pittston

— of the House.

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

Report was signed by the following members:

Messrs. HILLMAN of Penobscot
ST. PIERRE
— of Androscoggin
— of the Senate.

Mr. LANE of Waterville
— of the House.

Reports were read.

The SPEAKER pro tem: The Chair recognizes the gentleman from Milo, Mr. Brockway.

Mr. BROCKWAY: Mr. Speaker and Members of the House: I would

move that the "Ought not to pass" Report be accepted.

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

Mr. DUDLEY: Mr. Speaker and Members of the House: Only four years ago I stood up for this very bounty, thinking that it might help some of the farmers in my area dispose of porcupines. Today I find that this didn't work and these are some of the reasons why it didn't work:

First of all, the town treasurers in most of these towns, or a large part of them, are women. Several people bring in a bag, it can be garbage or anything, and say in this bag— I have killed 400 porcupines, or 100 porcupines which would be 400 feet, and she is reluctant to dump that on the kitchen table or kitchen floor and count them, so she says "All right, throw them in the stove and I will pay you." And so that is one of the reasons that it proved very unsatisfactory.

Another reason, I talked with a lot of the farmers in the area. They said they always killed porcupines before the bounty, they still do but they don't drive clear to town to collect fifty cents.

Now, the reason that I put it in, the chief reason was that there are a lot of trappers in my area and these porcupines are drawing in a lot of fisher into the area which are quite valuable. If we get rid of all the porcupines then we don't stand a chance of getting the fisher in, and that is what they would like to catch, the fisher.

I have figures on some of the towns. Just to illustrate I have one here, well, the worst one, of course, I picked was the town of Gouldsboro. In the year '55 and '56, 3,083 porcupines. In my opinion, there was never that many in that town. In the year 1957 and '58, 7,210. This amounts to \$3,605. That particular year the State's total paid on bounties was \$28,167. These are just a few of the reasons. I won't waste any more of your time, you have been very patient and thank you.

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

Mr. HILTON: Mr. Speaker and Members of the House: My good

friend from Enfield, Mr. Dudley, suggests that these porcupine feed the fisher. It is my opinion that that is really like trying to keep rats to feed the cat.

These porcupine bounties are paid in a good part to boys that have time on their hands and they can pick up a few dollars. I have killed three porcupine since yesterday morning and it has cost me more than fifty cents apiece. I have got an awful sore shoulder where the old shotgun kicked back at me. I had to get them out of the trees. And I don't know who the town treasurer is, I did find out in the town report but I am not going to bother with the bounty. I don't think that any farmer — if I kill three or four more I may bother with the bounty, but I think this bounty in lots of areas does get rid of some porcupine and I hope that we will still keep the bounty on.

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

Mr. MONROE: Mr. Speaker and Members of the House: In my territory they raise quite a lot of corn and they told me to be sure to keep that bounty on because otherwise they couldn't raise corn without it. Also, I was traveling in a small wood lot the other day and I noticed that the porcupine were working on the trees as well. So, I move that we accept the "Ought not to pass" Report.

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

Mr. WINCHENPAW: Mr. Speaker and Members of the House: I don't know just what I can say to this bill but I know we need the porcupine bounty. You all have a jar of blueberries on your desk today and in our area we need the porcupine bounty in order to have the blueberries to pack.

We fought here three or four years ago to get this on because they did so much damage to the blueberries. And the gentleman from Monroe, Mr. Monroe, says they do damage to the corn, and I think he didn't explain himself quite thoroughly because he talked as though he favored the bounty. And I favor the bounty. This bill caught me a little

unprepared this morning because I have been working pretty hard out in the corridor, and I would like to table this until next Tuesday, if I may.

The SPEAKER pro tem: The gentleman from Friendship, Mr. Winchenpaw, moves that this bill be tabled until next Tuesday. 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 to table did not prevail.

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

Mr. BERMAN: Mr. Speaker and Ladies and Gentlemen of the House: I am not a farmer and I don't know too much about porcupines but we don't have to be experts to recognize a racket when we see one. And I would most strongly urge the acceptance of the "Ought to pass" Report.

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

Mr. WINCHENPAW: Mr. Speaker and Members of the House: I would like to explain further, I am sorry that I came in here so cold on this thing because I could have had information enough to have lasted an hour.

This is not a racket. The year we passed this thing we raised the dog tax, I think it was a quarter. This money is paid out of the dog tax. The dog owners like it. The dog owners did not protest against the raising of that extra quarter on the dog license. The money from the dog tax is collected by the Agriculture Department through the town clerks. The bounty is paid back out of that same money to the town treasurers.

Now, it is not a racket. I know the gentleman from Enfield, Mr. Dudley, had some figures on Gouldsboro, but I doubt if he has ever been down to Gouldsboro, I doubt if he knows how many holes there are in the rocks and ledges down in Gouldsboro, I doubt if he knows how many holes in the rocks and ledges there are in Knox County for these rodents to hide in. Now, I know every blueberry farmer, every

corn man and every bean man in Knox County wants this bounty. We would be willing to handle the bounty on a local level if that could be done. This bounty should not be done away with, and I move indefinite postponement of the bill and all accompanying papers, and when the vote is taken I request a division.

The SPEAKER pro tem: The question now before the House is the motion of the gentleman from Friendship, Mr. Winchenpaw, that the Bill and all its accompanying papers be indefinitely postponed.

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

Mr. DODGE: Mr. Speaker and Members of the House: I wish I had brought the little piece that they have from the University of Maine, but I did carry it to the Committee, so tomorrow I can quote from it. We have upset the balance of nature by killing off the fisher. The fisher is the only enemy of the porcupine, except the wolverine, I believe it is, and we have none of those in Maine. So that without the fisher to keep the porcupine population down, there is nothing else in the woods that I know of that would kill a porcupine. He will just live and die of old age. So we have to have a bounty in order to keep this population down. They do destroy trees in the woods besides the damage they do to farmers, and I think that the only way we can keep this thing in control is by keeping the bounty on.

Now, as far as the dog tax is concerned, I think that if dogs could talk, they would be very pleased to think we were keeping this bounty on porcupines because if there is any animal that fights with a porcupine more than a dog I don't know what it is.

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

Mr. HENDSBEE: Mr. Speaker and Ladies and Gentlemen of the House: I am not a farmer but as a legislator here who represents a large group of farmers, I have been asked by them to come down here and speak on behalf of this measure.

They feel, as we have heard from the other gentlemen here, particularly my next door neighbor, the

gentleman from Anson, Mr. Hilton, he feels as we do that this Majority "Ought not to pass" Report should be accepted. I do not know that the porcupine from Madison have gone over to Anson to cause Mr. Hilton's distress and injury to his shoulder and so on, but I have been asked by my constituents to support this measure, and I do go along with the Majority "Ought not to pass" Report.

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

Mr. COUTURE: Mr. Speaker and Members of the House: It seems odd to me to keep the bounty on these porcupines. Some very important resolves have faced the members of this Legislature here and were practically all unanimously defeated. My feeling on the bounty on the porcupines is that it would be a lot more important if we take this \$28,000 and put it in welfare to help our people in need in this State. If we have this money to spare to give to people that the report that was given as stated, I don't think that these figures came out of the clear sky, he must have had it somewhere that it is a racket, based possibly on untrue and dishonest receipt on these porcupines. I certainly feel that that money, if we have it to spare and we don't know what to do with it, we should place it in the welfare to take care of our people in need in this State. Let the porcupine live and let's feed the people in our State.

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

Mr. HARRIS: Mr. Speaker, I move the previous question.

The SPEAKER pro tem: The gentleman from Greenville, Mr. Harris, moves the previous question. In order for the Chair to entertain the motion for the previous question it is necessary to have consent of one-third of the members present.

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

A sufficient number arose.

The SPEAKER pro tem: Obviously more than one-third of the members having arisen, the motion is en-

tertained. The question now is shall the main question be put now. Is the House ready for the question? All those in favor of putting the main question will say aye; those opposed, no.

A viva voce vote being taken, the main question was ordered.

The SPEAKER pro tem: The question before the House is the motion of the gentleman from Friendship, Mr. Winchenpaw, that both Reports and all accompanying papers on Bill "An Act Repealing the Bounty on Porcupine," House Paper 809, Legislative Document 1164, be indefinitely postponed.

Will all those in favor of the indefinite postponement of this measure please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Eighty having voted in the affirmative and thirty-six having voted in the negative, the motion prevailed and the Bill with accompanying papers was indefinitely postponed and sent up for concurrence.

Passed to Be Engrossed

Bill "An Act relating to Waiver of Indictment" (S. P. 413) (L. D. 1197)

Bill "An Act Defining Agricultural Labor under Employment Security Law" (H. P. 443) (L. D. 649)

Bill "An Act relating to Taxation of Manufacturers' Inventories" (H. P. 509) (L. D. 722)

Bill "An Act relating to Isolated Motor Vehicle Transactions under Sales Tax Law" (H. P. 674) (L. D. 966)

Bill "An Act relating to Taxation on Sparkling Wines" (H. P. 821) (L. D. 1159)

Bill "An Act relating to Powers of York Beach Village Corporation" (H. P. 863) (L. D. 1231)

Bill "An Act relating to Records of the State Police and Certain other Agencies" (H. P. 920) (L. D. 1298)

Bill "An Act Repealing the York Beach Village Corporation" (H. P. 921) (L. D. 1299)

Resolve Authorizing Flora Burrill Tibbetts to Bring Suit at Law Against the State of Maine (H. P. 919) (L. D. 1297)

Were reported by the Committee on Bills in the Third Reading, Bills read the third time, Resolve read the

second time, all passed to be engrossed and sent to the Senate.

Amended Bills

Bill "An Act to Clarify the Inheritance Tax Law" (H. P. 244) (L. D. 355)

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

Bill "An Act relating to Salary of Representatives of Indian Tribes to the Legislature" (H. P. 596) (L. D. 842)

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

Mr. Wade of Auburn offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to H. P. 596, L. D. 842, Bill, "An Act Relating to Salary of Representatives of Indian Tribes to the Legislature."

Amend the title of said Bill by striking out the words, "to the Legislature" and inserting in place thereof the words 'at the Legislature'.

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

Bill "An Act relating to Payments by Town of York to York Beach Village Corporation" (H. P. 868) (L. D. 1236)

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.

Third Reader

Tabled and Assigned

Bill "An Act Providing Subsidy to Driver Education" (H. P. 872) (L. D. 1246)

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 Bridgton, Mr. Haughn.

Mr. HAUGHN: Mr. Speaker, I was not in the House when item thirteen was read, but I have purpose in mind to draft an amendment for this particular item. I would like to have that tabled and specially assigned for tomorrow to give me time to prepare an amendment if that is the pleasure of the House.

The SPEAKER pro tem: The gentleman from Bridgton, Mr. Haughn, moves that this matter be tabled and specially assigned for tomorrow pending passage to be engrossed. Is this the pleasure of the House?

The motion prevailed.

Resolve in favor of Lloyd Moore of Gouldsboro (H. P. 538) (L. D. 773)

Was reported by the Committee on Bills in the Third Reading, read the second 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 St. Albans, Mr. Hughes, for his very excellent services.

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

The SPEAKER: At this time the Chair would like to extend a cordial welcome to a group of nineteen ladies who are seated in the rear of the Hall representing the Women's Republican Club of Windham and Westbrook, accompanied by their President, Mrs. Sylvester and Mrs. Collins.

On behalf of the House, the Chair would like to tell you ladies that we are very happy to have you with us today. (Applause)

The SPEAKER: The Chair would recognize the presence in the gallery of the House of a group of fifteen junior high students from Owls Head in Knox County accompanied by their teacher Ronald Cantara and chaperones Mr. Kent Glover and Mrs. Nadine Holsipple. And also a group of United States History Students from Brewer

High School accompanied by Mrs. Frank Todd.

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

The following paper from the Senate was taken up out of order and under suspension of the rules:

Report of the Committee on Judiciary on Bill "An Act Affecting Certain Statutes Relating to Court Process and Procedure and to Kindred Matters" (S. P. 414) (L. D. 1198) reporting same in a new draft (S. P. 452) under same title and that same be printed (1,500 copies) and recommitted to the Committee on Judiciary for further consideration.

Came from the Senate with the Report read and accepted and the Report and Bill recommitted to the Committee on Judiciary.

In the House, the Report was read and accepted, the Bill ordered printed, and the Report and Bill recommitted to the Committee on Judiciary in concurrence.

The SPEAKER: At this time the Chair would recognize in the Hall of the House a group of twenty University of Maine Social Studies Class students accompanied by Dr. Frank Foster of Friendship in Knox County. On behalf of the House, the Chair extends to you ladies and gentlemen a most cordial welcome, and we are very happy to have you with us today. (Applause)

Passed to Be Enacted Emergency Measure

An Act relating to the South Portland Park and Recreation Commission (H. P. 422) (L. D. 606)

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. 120 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.

Finally Passed Emergency Measure

Resolve Prohibiting Use and Possession of Live Fish as Bait in Auburn Lake, Androscoggin County (H. P. 495) (L. D. 708)

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, 120 voted in favor of same and none against, and accordingly the Resolve was finally passed, signed by the Speaker and sent to the Senate.

Passed to Be Enacted

An Act relating to Warrants on Sales and Use Tax Assessments (S. P. 231) (L. D. 614)

An Act relating to the Pineland Hospital and Training Center and the Commitment of the Insane (S. 330) (L. D. 906)

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

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

An Act relating to Examination by Judge into Causes of Criminal Character of Prisoners (S. P. 379) (L. D. 1105)

An Act Authorizing Informations at Terms of Court in Cumberland County (S. P. 380) (L. D. 1106)

An Act Increasing Payments to Penobscot County Law Library (S. P. 392) (L. D. 1136)

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

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

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

An Act relating to Area Directional Signs (S. P. 436) (L. D. 1284)

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

An Act relating to Maintenance of Guide-posts by Municipalities (S. P. 442) (L. D. 1289)

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

The SPEAKER: The Chair recognizes the gentleman from Sanford, Mr. Desmarais.

Mr. DESMARAIS: Mr. Speaker, I would like to ask a question through the Chair of any member of the Highway Committee if they choose to answer, who is paying now for the maintenance of these guide posts?

The SPEAKER: The gentleman from Sanford, Mr. Desmarais, has addressed a question through the Chair to any member of the Highway Committee who may answer if he chooses.

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

Mr. GRAVES: The town pays now for the maintenance.

The SPEAKER: Does the gentleman from Sanford consider his question answered?

Mr. DESMARAIS: Yes, thank you.

Thereupon, the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

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

An Act relating to Interstate Compact on Welfare Services (H. P. 205) (L. D. 296)

An Act relating to Valuation of Inter Vivos Transfers of Property for Inheritance Tax Purposes (H. P. 243) (L. D. 354)

An Act relating to Excise Tax on House Trailers (H. P. 255) (L. D. 366)

An Act relating to Tax Collector's Warrant (H. P. 293) (L. D. 440)

An Act Increasing Number of Members of School Board in North Berwick (H. P. 523) (L. D. 758)

An Act relating to Penalty for Furnishing Liquor to Certain Persons (H. P. 592) (L. D. 838)

An Act relating to Jurisdiction over Offshore Waters and Submerged Lands (H. P. 642) (L. D. 933)

Were reported by the Committee on Engrossed Bills as truly and strictly engrossed, passed to be en-

acted, signed by the Speaker and sent to the Senate.

**Enactor
Amended**

An Act relating to Legislative Jurisdiction over Federal Lands within the State (H. P. 643) (L. D. 934)

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

On motion of Mr. Emmons of Kennebunk, the rules were suspended and the House voted to reconsider its action on a viva voce vote whereby this Bill was passed to be engrossed.

Thereupon, Mr. Emmons of Kennebunk offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to H. P. 643, L. D. 934, Bill "An Act Relating to Legislative Jurisdiction over Federal Lands Within the State."

Amend said Bill by inserting at the beginning of the first line the following underlined abbreviation and figure:

'Sec. 1.'

Further amend said Bill in that part designated "**Sec. 4-B**" by inserting before subsection I the following underlined subsection:

'I. The United States of America has acquired title to such land by purchase, condemnation or otherwise.'

Further amend said Bill in that part designated "**Sec. 4-B**" by renumbering subsections I, II, and III, to be II, III and IV.

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

'Sec. 2. R. S., c. 1, § 10, repealed. Section 10 of chapter 1 of the Revised Statutes is repealed.'

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

An Act Exempting Lambs under One Year Old from Taxation (H. P. 672) (L. D. 964)

An Act relating to Penalty for Violation of Laws Regulating Operation of Motor Vehicles at Grade

Crossings (H. P. 721) (L. D. 1026)

An Act to Provide Pensions for Widows and Children of Deceased Public Works Employees of City of Lewiston (H. P. 764) (L. D. 1082)

An Act Increasing Members of Planning Board of City of Belfast (H. P. 845) (L. D. 1208)

An Act to Revise the Fraternal Beneficiary Association Law (H. P. 856) (L. D. 1224)

An Act relating to Petition for Support of Wife or Minor Children (H. P. 877) (L. D. 1251)

An Act relating to Maintenance and Rehabilitation of Wire Bridge in Town of New Portland, Somerset County (H. P. 915) (L. D. 1291)

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

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, Majority "Ought not to pass" and Minority "Ought to pass" of the Committee on Taxation on Bill "An Act relating to Exemption from Taxation of Certain Property Owned by Municipalities." House Paper 508, Legislative Document 721, tabled on April 1 by the gentleman from Sanford, Mr. Letourneau, pending acceptance of either report; and the Chair recognizes that gentleman.

Mr. LETOURNEAU: Mr. Speaker and Members of the House: I would move that we accept the Minority "Ought to pass" Report and I would like to comment on it.

The SPEAKER: The gentleman may proceed.

Mr. LETOURNEAU: Mr. Speaker and Members of the House: About a year ago, the Town of Sanford accepted a gift from the Grossmans Corporation of their water rights as acquired from the Goodall-Sanford Mills in the Upper Mousam River Valley. As you know, this River has its source in Mousam Lake, and over the years, the Mills have maintained the outlets of both Mousam and Square Ponds with the dams, gates and so forth, and flowage rights in order to control the flow of the water from these ponds down the Valley. Very little is involved in

so far as the Town of Acton is concerned, but the real estate interests in Shapleigh are sufficiently substantial so that the Town has been assessing and collecting a tax of some \$3,000 a year on them. Over the years, by the control of the pond level, the shoreline of these lakes has been kept relatively stable, substantially increasing the acreage of the Lakes as compared with their natural state. It seems fair to say now that nearly the entire shoreline of both lakes have been developed into cottage lots with cottages constructed on most of them. As a result of this development, Shapleigh now collects 75 per cent of its real estate taxes from non-resident cottage owners.

Shapleigh is now assessing the compensation from these water rights to the Town of Sanford as the present owner, yet the Town of Sanford receives no rental or direct compensation from these water rights. Sanford, however, expects to maintain these works as a matter of public welfare. From the standpoint of Sanford residents, a continuous and regulated flow of water from these Lakes to our substantial Mill Ponds in Springvale and here in the heart of Sanford is a matter of supreme importance. Substantial new industries have been located here and are receiving the benefit of the waters stored in the Mill Ponds and flowing down the River.

From the standpoint of Shapleigh residents, and Acton residents also, maintenance of the Lakes at their long-established and artificial level is also a matter of supreme importance, as reversion of the lakes to their natural level by failure to maintain the dam would seriously impair the assessment base for all of the shoreline property, and also a healthy industrial climate in Sanford is of considerable importance to all outlying towns.

Sanford accepted this gift because it felt that public welfare was directly affected by the management of these waters and such management should not be allowed to fall by default into the hands of some individual or corporation owner which might not have the interests of the public at heart or might allow the dams and other works to deteriorate.

As already indicated, when it comes down to dollars and cents, should this legislation be adopted, the resident taxpayers of Shapleigh will only have to assume about one-fourth of the \$3,000 tax loss to their Town, and the non-residents, who would get the most direct benefit, will have to assume the balance.

There is no greater degree of irony that could be found in any situation such as Sanford has the distinction of finding itself in, that of assuming obligations of maintenance and upkeep of all the water rights along the Mousam River, not only for its own survival but for the economic well-being and survival of Shapleigh, Acton and other surrounding municipalities as well, and while doing this it is being made to pay for maintaining property the direct result of which Shapleigh derives the vast preponderance of its tax income. I move the acceptance of the Minority "Ought to pass" Report.

The SPEAKER: The Chair recognizes the gentleman from Pittsfield, Mr. Baxter.

Mr. BAXTER: Mr. Speaker and Ladies and Gentlemen of the House: At the Taxation Committee hearing on this L. D. the only proponents were the citizens of Sanford and the only opponents were the citizens of Shapleigh. It seemed to us that it was a purely local problem which was being brought to us for adjudication through the means of a bill which had statewide implication.

This bill, as you will note, says that ponds, lakes, water, reservoirs, dams, conduits and pipe used in connection therewith and flowage rights and land used in connection therewith owned and maintained by municipalities in this State for the benefit of inhabitants of this State without compensation therefore, if so held and maintained for the use and protection of the public welfare. In other words, all property of this kind, which is now owned by municipalities over the State at large would be covered by this bill.

Now, we did not feel—Well, in the first place, it seemed that this dam which was under discussion has been attacked since time immemorial by the Town of Shapleigh. We did not see why a mere change of ownership from the Goodall-Sanford people to the Town of Sanford should

remove the dam from the taxable property of the Town of Shapleigh. It seemed that the dam was very important, as the gentleman from Sanford, Mr. Letourneau, has pointed out. This water is of supreme importance to the Town of Sanford, the water in Sanford is important for its industry. Therefore, we do not feel that Shapleigh should be made to bear the burden by removing this property from its tax pay-rolls of the desires of the Town of Sanford.

We further felt that because of a purely local problem, for which there should be remedies in the courts, if the Town of Sanford feels that they are being overtaxed, they have normal remedies. We did not feel that for the sake of a purely local problem, property which is now being taxed all over the State should be suddenly removed from the taxable properties of various towns simply because of the municipal ownership. For this reason I would move the indefinite postponement of this Bill, House Paper 508, Legislative Document 721.

The SPEAKER: The Chair recognizes the gentleman from Acton, Mr. Hobbs.

Mr. HOBBS: Mr. Speaker and Members of the House: Shapleigh is one of the towns that I represent and the removing of this taxation would be quite a burden on this small town. The Town of Sanford has a population of 12,000 people, there is a considerable amount of industry. The Town of Shapleigh only has about 500 people, there is no industry whatever. This dam is the only taxable property they have connected with any industrial development whatever. If this tax was removed it would raise the tax rate in the Town of Shapleigh six dollars per thousand, and the Town of Shapleigh was one of the towns that was very seriously hurt in the fires of 1947, they having lost practically all of their timberlands and several farm buildings and a lot of other property which has never been replaced, and it is putting the Town of Shapleigh in a very hard position.

I feel that it is wrong to legislate generally to attempt to shift the burden in local situations such as this. Worse than that, every small town in the State will be in danger and

threatened with the loss of much needed tax money.

The Town of Sanford already, I think, admits that they much need this stored water to use for their industries, and they at least need this dam for that purpose. As the setup is now, there probably may be some inequity in the tax problem which the Town of Shapleigh is now taking under consideration, and before the tax bill comes out for this coming year there will be an adjustment, probably it will be satisfactory to both towns, which we are hoping for. Thank you.

The SPEAKER: The Chair recognizes the gentleman from Sanford, Mr. Desmarais.

Mr. DESMARAIS: Mr. Speaker and Members of the House: For many years the Goodall-Sanford Mill was the main source of employment, not only for the people of Sanford, but also for the people of the surrounding municipalities of Shapleigh, Acton, Alfred, Waterboro, Lebanon and North Berwick. Just as today, are many of the people of those municipalities employed in the industries which Sanford has been able to attract since the closing of the Goodall Mill?

Sanford in 1954 received from industrial property taxes approximately sixty per cent of its taxes. Owing to the purchase of Goodall Mill by Burlington Mills and immediate liquidation, Sanford's present industrial tax is fourteen per cent. The balance of eighty-six per cent is absorbed by the commercial and residential property.

By these dams the Lake property has become very valuable, taxable land. In fact, seventy-five per cent of Shapleigh's taxes comes from these shore properties. Inasmuch as Sanford has assumed the obligation of maintaining the upkeeping of all the water rights along the Mousam River, it seems only fair that there should be no tax burden on these dams, which are mutually beneficial to all towns on the border of the Mousam and especially of far greater value to Shapleigh and Acton.

The SPEAKER: Is the House ready for the question?

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

Mr. LINNELL: Mr. Speaker and Members of the House: I do not believe that the mere fact that land or property in one municipality is owned by another municipality is sufficient reason to exempt it from taxation in the municipality where it is located. This measure would work only one way, it would allow large communities in this State to swallow up smaller communities. The smaller communities, by reason of their size alone, would not be able to afford to own property in the larger communities. I, therefore, would favor the motion of the gentleman from Pittsfield, Mr. Baxter, to indefinitely postpone.

The SPEAKER: The Chair recognizes the gentleman from Sanford, Mr. Letourneau.

Mr. LETOURNEAU: Mr. Speaker and Members of the House: I want you members to understand this fully, we are not trying to swallow up Shapleigh. We have been trying to get together with Shapleigh for an abatement of these taxes, but so far we haven't been able to get anywhere. That was the reason why I tabled this two weeks ago.

As the gentleman from Sanford, Mr. Desmarais, has stated, we in Sanford have taken a tremendous loss in industry and tax revenue. We didn't have to accept the deeds to these dams, we could have refused them. But this would have caused a hardship to the non-resident taxpayers of Shapleigh who have cottages on these lakes. Perhaps that would have been the wise thing for Sanford to do, but we felt at Sanford that it wasn't the honorable thing to do, not to let these dams deteriorate and let those lakes become bog holes. Now, as far as tax exemption, we are not establishing a precedent because in the laws there are already two exemptions in the form of Paragraphs F and G of Section 10 of Chapter 91-A of the 1957 Supplement to the Revised Statutes for 1954. Paragraph F became law during 1911 through amendatory legislation in the form of a bill that was caused to be presented to the legislature on behalf of the Town of Houlton, which was faced with a unique situation familiar in a good many respects for all practical purposes with the situation which confronts the Town of

Sanford today. Houlton has an electric power plant which is owned by one of its municipal corporations. This corporation, in order to have water power for purposes of manufacturing electric energy, impounds water through a series of dams, some of which are located above the Town of Houlton in the Town of Linneus, who was taxing the public municipal corporation for a dam or dams located in their town. Paragraph F of Section 10 was enacted for the purpose of exempting public municipal corporations from taxation where it owns property of this type, the location of which is in another municipality.

Paragraph G under the currently existing law was caused to be presented to the legislature on behalf of the Town of Rockland which has a municipal airport located in another municipality. Rockland's municipal airport is located in Owl's Head. Owl's Head is in another county than the county in which Rockland is located. Paragraph G became a law through mandatory legislation on this Chapter 131 of the 1955 laws. So in this particular case we are not establishing a precedent, we have exemption under the law. All we are trying to do is to apply another paragraph.

The SPEAKER: Is the House ready for the question? The question before the House is the motion of the gentleman from Pittsfield, Mr. Baxter, that both reports be indefinitely postponed.

Will those who favor the motion to indefinitely postpone both reports on Bill "An Act relating to Exemption from Taxation of Certain Property Owned by Municipalities," House Paper 508, Legislative Document 721, please say aye; those opposed, no.

A viva voce vote being taken, the motion prevailed and the Bill with accompanying papers was indefinitely postponed and sent up for concurrence.

The SPEAKER: The Chair now lays before the House item number two, House Report "Ought to pass" of the Committee on Judiciary on Bill "An Act relating to Discrimination at Places of Public Resort or Amusement," House Paper 560, Legislative Document 846, tabled on

April 7 by the gentleman from South Portland, Mr. Earles, pending acceptance of the "Ought to pass" report; and the Chair recognizes that gentleman.

Mr. EARLES: Mr. Speaker, I move the adoption of the Judiciary Committee's unanimous "Ought to pass" Report on L. D. 846, "An Act relating to Discrimination at Places of Public Resort or Amusement," and would like to speak to the motion.

The SPEAKER: The gentleman may proceed.

Mr. EARLES: Mr. Speaker and Ladies and Gentlemen of the House: At the outset of my remarks, I think I should admit that I am not altogether insensitive to the movements of my fellow man, or I might be more specific and state that I am not altogether insensitive to the movement of a fellow man who quite properly has diligently and I would assume somewhat effectively and energetically coursed the legislative highway and byway corridors in advocating his client's opposition to this measure.

Perhaps I should feel somewhat contrite because I have given this gentleman added concern. Perhaps I should feel somewhat contrite because I have expanded his work horizon beyond the deliberations of the Labor Committee's efforts, but I don't feel that I need be contrite because perhaps in some small measure I have increased or at least contributed to an increase if not the full employment of this gentleman and, which I am certain has constituted no raid upon his particular employer's fund.

I surmise that if this bill had been entitled otherwise, for example, a bill to strengthen and re-nunciate the principles of brotherhood, that the bill would perhaps not have created the concern that it has. Dealing with the subject matter that it does, I can understand why there is a certain amount of concern. But I feel actually the eminent social concept here is one of brotherhood. So the skeptic and perhaps the uninformed may think otherwise, L. D. 846 is related to the subject of man's relationship or brotherhood with his fellow man. To give two rather contemporary and homely examples of recently, I was invited to speak

before the Augusta Kiwanis Club on this subject matter and it was during the course of Brotherhood Week.

Secondly, it has come to my knowledge that several communities by their municipal officers have passed resolutions endorsing the subject matter of this bill.

I realize that because of the individual legislator's obligations to other committees, that very few of the ladies and gentlemen assembled here were able to attend the hearing of several weeks ago. So perhaps if I go into somewhat detail I may be forgiven for doing so. The subject matter of this bill is not something to be idly dismissed, either for or against, I would say.

Eight years ago a bill of somewhat similar content was introduced into the legislature. At that time there was a — I won't say a divided report, I think perhaps it was a six to four "Ought to pass" Report. At that time the primary negative observation, shall I say, which apparently prevailed, was that there was at that time no need. In the intervening eight years there has grown an evidence, a definite need for this legislation which can be documented.

It has been alleged by the two persons who appeared in opposition to this bill before the Judiciary Committee that this bill had its emanation wholly from without the State. That is not the case. A great many people who have and do live within the State have been concerned with the problem in various degrees, some quite consciously, some somewhat subconsciously. But in recent years it has been brought to their attention by other people coming in from out of the State, by residents of the State that because of their ethnic origin have been subjected to social humility and indignity because of efforts to obtain accommodations in the manner in which the refusal was presented.

Some people feel that one ethnic group is exclusively interested in this legislation, that it doesn't have the support of others in the community. And when I speak of the community I speak of those in the community at large, the State community.

A committee cognizant, or a group of people cognizant of this almost

cancerous social problem formed themselves into a committee called the Maine Equal Opportunities Committee. I will read the names of what I think are representative members. Mr. Berry, who was Chairman of the Bangor City Council; the Reverend Beal of Saco, Pastor of the Unitarian and Universalist Church; the Honorable Mr. Bernier, Mayor of Waterville; Dennis Ley, State Treasurer of the A.F. of L.-C.I.O.; the Reverend Cutler of Biddeford, the Second Congregational Church; Richard J. Dubord, National Committeeman for the Democratic Party in the State of Maine; Professor Frank Foster of Orono, School of Education at the University of Maine; the Honorable Peter Garland, Mayor of Saco; the Honorable Mr. Gilbert, Mayor of Augusta; the Honorable Dr. C. Worth Howard of Houlton, President of Ricker College; the Reverend David B. Howe, of the United Baptist Church of Saco; Frank Foy of Lewiston, a member of the State Board of Education, the Reverend Johnson of Saco, of the First Parish Congregational Church; the Reverend Knox of Saco, the Trinity Episcopal Church; the Honorable Mr. Lessard, Councilman of the City of Portland; Right Reverend Oliver Loring, Episcopal Bishop of the State of Maine; For the Bishopric of Maine, the Catholic Bishopric, Daniel J. Feeney; County Attorney for Kennebec County, Robert Marden, and I could go on and name a number of others, including Dean Mark Shibles of the School of Education of the University of Maine; Donald Humphrey, the President of Aroostook Potato Growers, Presque Isle; Halsey Smith, a banker in Portland; the Honorable Abraham Rudman, Justice of the Superior Court in Bangor; the Reverend Donald Henderson of Portland, President of the Portland Ministerial Association. I think this will disclose to you that have had some doubt as to whether or not there was public consciousness of this problem, public endorsement of this bill, that such does exist.

Now, as to the bill, the format of the bill would indicate that the entire subject matter is new. That is not the case. There has been a statute upon the books relating to this subject matter, but it didn't do the

job and so it was implemented. And the principal implementation is the fact that it seeks to approach a very evident situation in recent years, that of discrimination by the use of advertisement by the use of letters. That is the general objective of this particular legislation in addition to other elements.

There are twenty odd states that have legislation of this particular nature. Some are large states, some are small. The majority of them have large resort recreational areas. Several of them are in New England. One, of my own personal knowledge, is the State of Vermont. And I think, from my own personal knowledge, that if there is any state in New England that is very much akin to the State of Maine and the thinking of its people, largely agricultural with an element and tincture of industrialization in some areas, this State of Vermont two years ago enacted comparable legislation, and from the information as given to me, it created no problem. It can be documented that there is nothing unconstitutional about this approach. People say that you cannot legislate the hate and social behavior, but you can condition it by presenting a legal and statutory standard. Otherwise, why would we have laws prohibiting murder, arson and other subject matters that actually relate specifically to social behavior.

I feel that we cannot fail to be cognizant of what people outside the limits of the State may regard the attitude toward ethnic groups in this State. I had a personal experience a couple of years ago attending a municipal attorneys' convention in Richmond, and a friend of mine, it developed into a friendship, an attorney from Mobile, Alabama, at that time the civil rights program, the separation of the negro children from white schools was rampant and the atmosphere was charged, and quite naturally, any observations I made were, to say the least, gentle. But I did make an inquiry as to the problem and why it persisted and so forth, and he looked at me with a smile and said, "You may not know it from my accent, but I lived—" and he identified the town, a recreational town on the coast of Maine. And he

said, "How can you speak to us when you discriminate against ethnic groups, perhaps in not the flagrant way that you claim it occurs in the south, but the problem does exist." I feel that the law must protect a man from the things that rob him of his freedom, whether the affecting force be physical or of a more subtle nature. If it is subtle then it is all the more dangerous, the more pernicious. When I speak of a subtler nature I speak of the evident discrimination in places of public accommodation because of a burden of ethnic origin.

As far as the applicability of the law, I feel that if there is one person discriminated against, that that one person should have the justice of the law. It is my hope that you will look into your hearts and with clear reason vote for the unanimous "Ought to pass" Report of this bill and retain the State's motto of "I lead" and not have any tincture of possible discrimination attached to and besmirch that motto. I thank you.

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

Mr. MILLER: Mr. Speaker and Ladies and Gentlemen of the House: It is evident that the passage of this type of legislation is necessary and long overdue in the State of Maine. By the facts presented to the Judiciary Committee it was obvious that there is discrimination in Maine.

I want to at this time quote a writer of the Portland newspaper, a gentleman by the name of Steve Riley, who made a study of this type of discrimination. The heading is "Maine—A Glass House. The State of Maine is like a big glass house when it come to discrimination. Its citizens might be well advised not to cast stones at the South until their own house is in order for there is plenty of evidence that racial prejudice still exists on a wide scale at Maine's summer resorts."

The members of the Judiciary Committee were quick to analyze the facts and come to a definite conclusion. Their report was unanimous "Ought to pass" and I hope that the members of this great assembly will be quick to accept the recommendation of this Committee and

put this bill out "Ought to pass." When the vote is taken I request a roll call.

The SPEAKER: The Chair recognizes the gentleman from Rumford, Mr. Aliberti.

Mr. ALIBERTI: Mr. Speaker and Ladies and Gentlemen of the House: I feel very, very strongly for this bill and, therefore, I would like to make my thoughts known to you people here in the House.

I would like to repeat to you some of the statements I made when I appeared before the Judiciary Committee in defense of the bill. First of all, let me state that for twenty-five years I was a member of the Portland Boys Club in Portland. And coming from an area in which large families, of course, was the rule rather than the exception, there were many of us who had only one outlet under proper supervision and guidance, and that was the Boys Club. I would also like to tell you Ladies and Gentlemen of the House that there at that Boys Club you had twenty-six nationalities representing some 800 members who lived together as brothers, exemplifying the real motto of Christianity, working together, playing together and living together, and there would be no one from the outside who would dare call me by a derogatory title as to my nationality or color or my creed because he would be knocked down so fast it would make his head spin. And I would like to remember those days and the people that I grew up with. Some of those same people are fine businessmen, industrialists, lawyers, doctors and people of all the professions that are represented right here in this House today.

Now, what has happened? We forget very, very easily the lessons that we learned as youngsters where we stand side by side in matters that are of such importance as this one and, therefore, I would favor the motion of the gentleman from South Portland, Mr. Earles, that the unanimous report "Ought to pass" be accepted.

The SPEAKER: Is the House ready for the question?

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

Mr. STANLEY: Mr. Speaker and Ladies and Gentlemen: I would

like to compliment the gentleman from South Portland, Mr. Earles, on his fine presentation. I would like to ask him one question through the Chair. In the bill it says: "The production of any such advertisement, circular, folder, letter, book, pamphlet, written or painted or printed notice or sign purporting to relate to any such place and to be made by any person being the owner or operator or an agent or employee of such owner or operator shall be presumptive evidence in any action that the same was authorized by such a person." I am at a loss to understand what that means. I wonder if some booklet was printed, something was painted, something was pictured on a sign and by somebody who worked for somebody else and was distributed, would that be presumptive evidence that the owner of the place of business was discriminating?

The SPEAKER: The gentleman from Bangor, Mr. Stanley, has addressed a question through the Chair to the gentleman from South Portland, Mr. Earles, who may answer if he chooses.

Mr. EARLES: Mr. Speaker and Ladies and Gentlemen: I thank you with regards to the inquiry of the gentleman from Bangor, Mr. Stanley. He refers to a four line insert of the bill. First, it relates to the concept of employer or employee, the concept of principal or agent, the basic idea being that a person in the usual course of employment or the agent in the course of the usual process of employment of the principal is doing so under the control of and under the responsibility of the principal of the employee. That is a nominal and a basic rudiment of law. Now, when he speaks to presumptive evidence, namely, that the action of this agent or employee shall be presumptive evidence, it is also a basically normal procedure for a statute of this kind, that carries a penalty for it, to establish what they call a prima facie rule, namely, that at the first blush the act or the activity of the employee or the agent, was done under the control of the principal or agent. And of course, then it is a matter of disproving that such was the case.

I hope that I have answered the gentleman.

The SPEAKER: Does the gentleman from Bangor consider his question answered?

Mr. STANLEY: Yes, I would say that he has answered the question quite well. I wonder if we wouldn't be letting ourselves in for a great deal more discrimination, if I understand the answer correctly, I wonder if we wouldn't be letting ourselves in for more discrimination rather than less discrimination?

The SPEAKER: Is the gentleman merely asking a rhetorical question or is he addressing a question? Is the House ready for the question? The Chair recognizes the gentleman from Guilford, Mr. Dodge.

Mr. DODGE: Mr. Speaker, Ladies and Gentlemen of the House: I think the brotherhood of man is something we should all work for, but I am wondering if brotherhood by legislation is the way to do it. We are creating a new crime where no crime has been before. I think that this bill would create more problems than we already have.

The SPEAKER: Is the House ready for the question? The Chair recognizes the gentleman from Madison, Mr. Hendsbee.

Mr. HENDSBEE: Mr. Speaker and Ladies and Gentlemen of the House: I hadn't intended to take any part in the talk on this bill, but discrimination in places of public resort and amusement, I just want to say that there was no discrimination on the beach heads of Saipan, Iwo Jima and Okinawa, race, creed, color, size or anything else entered into it. The blood of one man on the ground looked no different from another. I know, I was there. And I would hate to see anything come up in this State of which I happen to represent a portion, that some time that some one of my buddies who are now living might come to our State, and because they were of a different color or a different creed or a different religion, they might be told that they were not wanted, I lived, and I fought, and I worked for some of the finest men that God ever created; I don't care where the next one comes from. And I do go along

with that sense of feeling that I offer my support to this bill.

The SPEAKER: Is the House ready for the question? The question before the House is the motion of the gentleman from South Portland, Mr. Earles, that the House accept the unanimous "Ought to pass" Report. The gentleman from Portland, Mr. Miller, has requested a roll call. For the Chair to order a roll call, the Chair must have an expression of a desire on the part of one-fifth of the members present. Will those who desire a roll call please rise and remain standing until the monitors have made and returned the count.

A division of the House was had. Thirty-four members arose.

The SPEAKER: More than one-fifth having arisen, a roll call is ordered. The Chair will state the question. The question before the House is the motion of the gentleman from South Portland, Mr. Earles, that the House accept the "Ought to pass" Report on Bill "An Act relating to Discrimination at Places of Public Resort or Amusement," House Paper 560, Legislative Document 846. When the Clerk calls the roll, if you favor the acceptance of the "Ought to pass" Report, you will say "yes", if you oppose the acceptance of the "Ought to pass" Report, you will say "no".

The Clerk will call the roll.

ROLL CALL

YEA—Aliberti, Bacon, Baker, Barnett, Baxter, Berman, Bragdon, Briggs, Brockway, Brown, Cape Elizabeth, Cahill, Call, Caron, Carter, Chapman, Gardiner, Chapman, Norway; Christie, Clark, Cormier, Cote, Cousins, Couture, Cox, Coyne, Crockett, Curtis, Cyr, Augusta; Cyr, Fort Kent; Danes, Davis, Calais; Davis, Westbrook; Dean, Dennett, Desmarais, Dodge, Dostie, Dudley, Dufour, Dumaine, Dumais, Earles, Edgerly, Edmunds, Edwards, Raymond; Emmons, Ervin, Frazier, Gallant, Hancock, Hanson, Bradford; Hanson, Lebanon; Harrington, Harris, Haughn, Heald, Healy, Hendricks, Hendsbee, Hilton, Hobbs, Hodgkins, Hughes, Jacques, Jalbert, Jewell, Johnson, Jones, Kellam, Kilroy, Kinch, Knight, Lacharite, Lancas-

ter, Lane, Lantagne, Lemelin, Letourneau, Lindsay, Linnell, Lowery, Mathieson, Maxwell, Mayo, Miller, Monroe, Morse, Nadeau, Perry, Easton; Pert, Philbrick, Pike, Plante, Porell, Prue, Rankin, Reed, Rollins, Rowe, Limerick; Rowe, Madawaska; Sanborn, Smith, Exeter; Storm, Tardiff, Turner, Wade, Walls, Walsh, Walter, Warren, Weston, Whitman, Young.

NAY—Brown, Ellsworth; Carville, Dunn, Knapp, Moore, Pitts, Saunders, Shepard, Stanley, Trumbull, Wheaton, Winchenpaw.

ABSENT—Beane, Boone, Brown, Bangor; Caswell, Choate, Dennison, Dow, Doyle, Edwards, Stockton Springs; Good, Graves, Hardy, Hutchinson, Jewett, Karkos, Kennedy, Lebel, Maddox, Mathews, Parsons, Perry, Hampden; Russell, Smith, Falmouth; Treworgy, Whiting, Williams.

Yea 112, Nay 12, Absent 26.

One hundred twelve having voted in the affirmative, twelve having voted in the negative, with twenty-six absentees, the motion prevailed and the "Ought to pass" Report was accepted.

Thereupon, the Bill was read twice and tomorrow assigned.

The SPEAKER: The Chair now lays before the House the third tabled and today assigned matter, Senate Report "Ought to pass" of the Committee on Transportation on Bill "An Act relating to Driver Education," Senate Paper 185, Legislative Document 428, tabled on April 8 by the gentleman from Bowdoinham, Mr. Curtis, pending acceptance in concurrence, and the Chair recognizes that gentleman.

Mr. CURTIS: Mr. Speaker, while what this L. D. proposes to accomplish is somewhat commendable, the manner in which it tries to implement it is such rank, class legislation and so discriminatory to so large a number of our young citizens, especially those of the rural areas, I trust we all will give it our consideration before we vote.

The SPEAKER: The Chair understands the gentleman made no motion. The Chair recognizes the gentleman from Bridgton, Mr. Haughn.

Mr. HAUGHN: Mr. Speaker, I move acceptance of the "Ought to pass" Report in concurrence, and when the second reading comes up, I do have an amendment to offer.

The SPEAKER: The question before the House is the motion of the gentleman from Bridgton, Mr. Haughn, that the House accept the "Ought to pass" Report in concurrence. Is this the pleasure of the House?

The motion prevailed.

Thereupon, the Bill was read twice.

The SPEAKER: The Chair understands that the gentleman from Bridgton, Mr. Haughn, now offers House Amendment "A"?

Mr. HAUGHN: Mr. Speaker, no, we might as well let it have its second reading and then tomorrow I will present an amendment.

The SPEAKER: The Chair will inform the gentleman that it just had its second reading.

Mr. HAUGHN: Mr. Speaker, if I may have the privilege of tabling this for tomorrow for the preparation of an amendment.

The SPEAKER: If the gentleman would let it take its natural course it will be a third reader tomorrow and an amendment would be in order at that time.

Mr. HAUGHN: I will withdraw my motion, Mr. Speaker.

Thereupon, the Bill was assigned for third reading tomorrow.

The SPEAKER: The Chair now lays before the House the fourth tabled and today assigned matter, Senate Report "Ought to pass" with Committee Amendment of the Committee on Judiciary on Bill "An Act Providing Mandatory Jail Sentence for Second Offense of Driving Under the Influence," Senate Paper 329, Legislative Document 905, tabled on April 8 by the gentleman from Bridgton, Mr. Haughn, pending acceptance in concurrence; and the Chair recognizes that gentleman.

Thereupon, on motion of that gentleman, the "Ought to pass" Report was accepted in concurrence, and the Bill read twice.

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

COMMITTEE AMENDMENT "A" to S. P. 329, L. D. 905, Bill "An

Act Providing Mandatory Jail Sentence for Second Offense of Driving Under the Influence."

Amend said Bill in the 5th line by indicating the striking out of the figure "3" by drawing a line through said figure and by inserting immediately after said stricken out figure the underlined figure and word '10 days'

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

The SPEAKER: The Chair now lays before the House the fifth tabled and today assigned matter, Resolve in favor of Grand Falls Hospital, Grand Falls, New Brunswick, House Paper 483, Legislative Document 701, tabled on April 8 by the gentleman from Stockholm, Mr. Johnson, pending further consideration. In the House Majority "Ought to pass" Report was accepted and the Resolve passed to be engrossed. In the Senate the Minority "Ought not to pass" Report was accepted in non-concurrence.

The Chair recognizes the gentleman from Stockholm, Mr. Johnson.

Thereupon, on motion of that gentleman, the House voted to insist on its former action and request a Committee of Conference.

The SPEAKER: The Chair now lays before the House the sixth tabled and today assigned matter, Report of the House Committee on County Estimates, tabled on April 8 by the gentleman from East Machias, Mr. Dennison, pending acceptance of the Report.

On motion of Mr. Turner of Auburn, retabled pending acceptance of the Report and specially assigned for Wednesday, April 22.

The SPEAKER: The Chair now lays before the House the seventh tabled and today assigned matter, Senate Report "Ought not to pass" of the Committee on Education on Bill "An Act relating to Salaries of Superintendents of Schools," Senate Paper 271, Legislative Document 733, tabled on April 14 by the gentleman from Bath, Mr. Pert, pending acceptance in concurrence.

The Chair recognizes the gentleman from Madawaska, Mr. Rowe.

Thereupon, on motion of that gentleman, the Report was retabled pending acceptance in concurrence and specially assigned for tomorrow.

The SPEAKER: The Chair now lays before the House the eighth tabled and today assigned matter, Bill "An Act relating to Pauper Settlement of Patients and Employees of Central Maine Sanatorium," House Paper 247, Legislative Document 358, tabled on April 14 by the gentleman from Perham, Mr. Bragdon, pending third reading, and the Chair recognizes that gentleman.

Mr. BRAGDON: Mr. Speaker and Members of the House: I tabled this bill yesterday largely I think because I don't somehow like this type of legislation which is obviously designed to affect possibly one municipality, one institution or perhaps in this case one individual. I think perhaps in this instance my objections have been satisfied. However, since I tabled this yesterday, several members of the House have expressed a desire to look into this bill somewhat further and for that reason, I move that it be retabled unassigned. I have cleared this with the House Chairman of the Judiciary Committee and he is in accord with this motion.

The SPEAKER: The gentleman from Perham, Mr. Bragdon, moves that this Bill be retabled unassigned pending third reading. Is this the pleasure of the House?

(Cries of "No")

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

A viva voce vote being taken, the motion did prevail.

On motion of Mr. Call of Cumberland, the House voted to take from the table the thirteenth tabled and unassigned matter, House Report "Ought to pass" with Committee Amendment of the Committee on Judiciary on Bill "An Act relating to Suspension of Motor Vehicle Licenses for Speeding," House Paper 292, Legislative Document

439, tabled on April 8 by that gentleman pending acceptance of the Report.

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

Mr. CALL: Mr. Speaker, I move we accept the "Ought to pass" Report.

The SPEAKER: The gentleman from Cumberland, Mr. Call, moves that the House accept the "Ought to pass" Committee Report.

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

Mr. HAUGHN: Mr. Speaker and Members of the House: I do not like to oppose my good friend from Cumberland, Mr. Call, but if you recall there was an amendment put on here, it was an "Ought not to pass" Report from Committee, and I think you gentlemen should very cautiously look at this amendment, because the original bill was to my way of thinking one of the most vicious unworkable bills that could have been presented. It makes the mandatory loss of license for excessive speed of ten miles of anything that might be posted or any mileage if a police officer should arrest you for that cause. There are other items in there. There are parts of it I would say are good. We need some correction within our laws, but I don't believe this piece of legislation does it for us, and when the vote is taken I request a division.

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

Mr. EARLES: Mr. Speaker and Ladies and Gentlemen of the House: I don't have the bill before me, but I recall it — no pun intended. It was in two sections. Section 1 was deleted by Committee Amendment. Section 1 set up a category of mandatory suspensions based on speed. If you went over ten miles an hour to use the vernacular your license was snapped. We felt that was a little like grading papers in school, the difference between a few points of speed was so close together that we felt it was harsh. The sponsor of this bill is and has been cognizant of what we did by amending section 1. Now we retained section 2 which related to the transmittal by the mu-

nicipal court magistrate to the Secretary of State's office, his abstract after determining guilt in a speeding violation, that the abstract should specify the speed for which the person was arrested, the speed for which the person was found guilty. That was merely an implementation for the statistical section of Mr. MacDonald's office. I hope that satisfies the two gentlemen.

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

Mr. CALL: Mr. Speaker and Ladies and Gentlemen of the House: Whereas this is my bill, and I took it up with Mr. Earles, and where I am well aware of the amendment. The amendment as I told you the other day took the stomach right out of the bill, I now move again that we ought to pass the Report because all it does is give the Secretary of State in the very last part of it some correction in the Statute which we are all in favor of, so if you go along with me and pass it ought to pass, why it was a harmless bill, and I think it will please Mr. Haughn.

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

Mr. HAUGHN: I would like to concur with the remarks if I could, Mr. Speaker, but I just can't concur with my good friend and colleague from Cumberland, Mr. Call, but I am afraid before the session is over none of us would have a car to drive here to Augusta to have a legislative session. We realize new people coming in from out of state won't know our new regulations. Our new highway posting which is becoming effective in ninety days after we adjourn, my goodness we would have nobody on the roads of Maine if you allowed this bill to go through, and I will agree that something should be done restricting speed, but, with the change of posting which will be coming up, this ten miles to me automatically snaps your license for thirty days on the first offense, and I think that is pretty rough.

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

Mr. CALL: Mr. Speaker, I think Mr. Haughn—

The SPEAKER: The gentleman from Bridgton, Mr. Haughn?

Mr. CALL: Yes, my apologies, the gentleman from Bridgton, Mr. Haughn. The amendment, Mr. Haughn kills all that speed law of ten miles in excess, the Committee Amendment does, so there is no speed law violations at all left in the bill whatsoever, that is why we want it to pass as the Committee Amendment has been accepted already, and this would just give us the very last part of the correction of the Statute which is now in the bill. Do I make myself clear?

The SPEAKER: The Chair would advise the gentleman from Cumberland that the Committee Amendment has not yet been accepted.

The Chair recognizes the gentleman from Kennebunk, Mr. Emons.

Mr. EMMONS: Mr. Speaker, I was simply going to suggest what the gentleman from Cumberland, Mr. Call, has said, when the Committee Amendment is adopted it takes out everything as to those speed regulations. It just leaves in a few statistics to report to the Secretary of State. It takes all of those speed regulations that the gentleman from Bridgton, Mr. Haughn, objects to, out.

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

Mr. DODGE: Mr. Speaker and Members of the House: I would like to read you a little piece here from the U. S. News and World Report. This is reporting findings about driving and automobile accidents and comes from a new report to Congress by the Bureau of Public Roads. This report is based on an analysis of statistics from eleven states, and from these findings the accident rate is highest at speeds below 40 miles an hour, declines to a low at speeds of 65, then climbs again. Horsepower of cars today doesn't necessarily increase the accident risk and so on. I won't bother reading the rest of it, but that is it, that speed alone, we are all trying to do something about these accidents, and I think by emphasizing so much on speed

we are losing sight of the fact that many times it is driving at slow speeds where we have the accidents, and we give the slow speed driver an idea that he is a good driver, and he isn't necessarily so.

Mr. HAUGHN: Mr. Speaker?

The SPEAKER: The Chair would remind the gentleman that he has already spoken twice to the motion.

Mr. HAUGHN: Mr. Speaker, I rise to a point of information, to clarify, as I understand, the amendment has not been adopted as yet?

The SPEAKER: That is correct.

Mr. HAUGHN: If and when it is, I will have no objection.

The SPEAKER: The question before the House is the motion of the gentleman from Cumberland, Mr. Call, that the House accept the "Ought to pass" Report on Bill "An Act relating to Suspension of Motor Vehicle Licenses for Speeding". The gentleman withdraws his request for a division. Is it the pleasure of the House to accept the "Ought to pass" Report?

The motion prevailed, and the Bill was read twice.

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

COMMITTEE AMENDMENT "A" to H. P. 292, L. D. 439, Bill "An Act Relating to Suspension of Motor Vehicle Licenses for Speeding."

Amend said Bill by striking out all of Section 1.

Further amend said Bill by striking out the underlined word and number "Sec. 2."

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

The SPEAKER: The Chair recognizes the gentleman from Houlton, Mr. Ervin.

Mr. ERVIN: Mr. Speaker, I would inquire if the House is in possession of Senate Paper 325, Legislative Document 901. Bill "An Act relating to Powers of Ricker Classical Institute and Ricker College."

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

Thereupon, on motion of Mr. Ervin of Houlton, the House voted to suspend the rules and to reconsider its action whereby the Bill was passed to be engrossed.

Mr. ERVIN: Mr. Speaker, to explain to the members what this bill is, it is the bill that allows the College, Ricker College, to confer honorary degrees, a privilege they have never had before, but to make this operative this year at the commencement exercises in June, I am offering this amendment to put on an emergency preamble so it will become effective as soon as it is signed by the Governor and they can use it in June of this year. That is the only correction.

Thereupon, Mr. Ervin of Houlton offered House Amendment "A" and moved its adoption.

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

HOUSE 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 inserting after the Title and before the enacting clause, the following emergency preamble:

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

Whereas, the following legislation is necessary to permit Ricker College to confer academic degrees; and

Whereas, such authority should be granted to the college to become effective at the commencement exercises in June; 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, the following emergency clause:

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

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

Mr. Heald of Union was granted unanimous consent to address the House.

Mr. HEALD: Mr. Speaker and Members of the House: This being Knox County Day, we have a few lines we would like to say in regards to Knox County and I had quite a lot prepared to say but I didn't know time was going to go on as long as it did, so I will dispense with most of my remarks. We have, as you have seen, some canned goods on your desks and there was a later arrival of some novelties, they are very clever little novelties put out by Hope and Samuel Tibbetts of Camden in a novelty shop and I would like to ask at this time, with the permission of the House, that the honorary pages be allowed to pass them out, and while they are doing it, I was asked by the postmaster, for those who are absent, if they would just leave them on the desks of those who are absent that he would pick them up and put them in their boxes the next day.

The SPEAKER: The Chair will instruct the pages to distribute the items.

Mr. Knight of Rockland was granted unanimous consent to address the House.

Mr. KNIGHT: Mr. Speaker and Members of the House: There are 167 words here.

As the representative from Rockland, the County Seat of Knox County, I welcome you to Knox County Day at the 99th Legislature.

We in Knox County pride ourselves with the thought that Knox County is Maine in Miniature.

Within Knox County are the growing seeds of all Maine skills, traditional and modern. Hardly an industry or research group can be imagined that could not be started successfully and continued productively in our County with beneficial results for all of Maine.

I know that you, my fellow members of the Legislature, will join me in working to assure from Knox County a contribution to the state's economy equal to our common goal for all of Maine. This can be done by wise use of our natural resources and by cooperation in nurturing the seeds of industry already

available. From them we can afford the progress which the future will demand.

Once again I say welcome to Knox County Day and welcome to Knox County. (Applause)

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

Mr. WINCHENPAW: Mr. Speaker and Members of the House: It has been my privilege to work with the Legislature for several years. I know a few of the many problems each of us bring for this assembly to act on. Sometimes I felt a little lost as I fought for some particular bill which would mean the welfare of those who depend on the sea and its products for existence. In my heart I felt the importance of Knox County welfare to the State, yet there were the other 15 counties all with problems as urgent as ours.

It is good to have you from the other counties see for yourselves the accomplishments of those who are my neighbors. It will help all of us to bring things into their right perspective.

We have developed one of the largest fishing ports on the Atlantic coast. We have maintained and enlarged the market for lobster through an annual Maine Seafoods Festival which it is reported, attracts over \$2,000,000 of new money into Maine each year.

We are daring to dream of a deep water port in Rockland.

We are improving our small boat landings.

Knox County initiated the Mid-Coast Route 1 Association to develop both industrial and vacationland promotions.

While I do not feel that this assembly ever discounted the importance of Knox County, I repeat, it is good to have you all see the spotlight on Knox County.

Whether it changes any previous ideas you may have had, I know this "Knox County Day" will add to your pride in our Maine people.

And Representative William Hardy of Hope regrets that he could not be here today, but if he were here he would say:

Nothing pleases me more than to see blueberries on all the desks

today. In the past when lumber and lime production became unprofitable in Knox County many deserted farms and wood lots dotted Knox County landscape. The deserted farms and woodlots became blueberry fields. A blueberry growers cooperative was organized, and today a major source of the cash that supports Knox County comes from this natural resource.

(Off Record Remarks)

The gentleman from Freeport, Mr. Crockett, was granted unanimous consent to address the House briefly.

Mr. CROCKETT: Mr. Speaker, I am very proud to stand here today, particularly on Knox County Day, because in the year of 1890 on the first day of June, my mother gave birth to a child called Benjamin S. Crockett. Therefore, I have a great feeling for Knox County. I go there very often, I have relatives living in Rockland, and Rockland is the place of my birth. I thank you.

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

Mr. COUTURE: Mr. Speaker, would I be in order to resume action taken previously in the day?

The SPEAKER: The gentleman may move to reconsider any action taken earlier in the day, yes.

Mr. COUTURE: Could I explain the reason?

The SPEAKER: Would the gentleman tell the House what item he is referring to?

Mr. COUTURE: To Legislative Document 313.

The SPEAKER: On what page on the calendar?

Mr. COUTURE: An Act Defining Cigarettes under the Cigarette Tax Law.

The SPEAKER: Would the gentleman name the page and item number on the calendar?

Mr. COUTURE: That is on page 3, item 11.

The SPEAKER: The gentleman from Lewiston, Mr. Couture, refers to Bill "An Act Defining Cigarettes under the Cigarette Tax Law" on which the House earlier today accepted the "Ought to pass" Report and assigned the bill for third reading for tomorrow. In the interest of time, the Chair would remind the gentleman that this bill will be before the House tomorrow as a third reader, and he may do as he pleases tomorrow.

Mr. COUTURE: It is strictly on a point of constitutionality of this bill, that was my reason, I can quickly explain the reason. On previous rulings that were made on this type of cigars, and it was ruled previously by courts here in this State and also by the Federal Government, that type of cigars—

The SPEAKER: Does the gentleman wish to move reconsideration?

Mr. COUTURE: I move reconsideration of our action earlier today.

The SPEAKER: The gentleman from Lewiston, Mr. Couture, moves that the House reconsider its action whereby earlier today it assigned for third reading Bill "An Act Defining Cigarettes under the Cigarette Tax Law". 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.

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

(Off Record Remarks)

On motion of Mr. Wade of Auburn,

Adjourned until 9:30 o'clock tomorrow morning.