

# MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*Ninety-Ninth Legislature*

OF THE

STATE OF MAINE

1959

DAILY KENNEBEC JOURNAL  
AUGUSTA, MAINE

**HOUSE**

Thursday, April 16, 1959

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

Prayer by the Rev. Mr. Peter D. MacLean of the Trinity Episcopal Church, Lewiston.

The journal of yesterday was read and approved.

**Papers from the Senate**

From the Senate: The following Communication: (S. P. 455)

**ANDERSON-NICHOLS &  
COMPANY**

A Co-ordinated Engineering Service  
150 Causeway Street  
Boston 14, Mass.

April 13, 1959

The Honorable Senate and  
House of Representatives  
99th Legislature

Gentlemen:

In accordance with the provisions of Joint Order passed in the Senate on February 11, 1959, Senate Paper 250 and in the House of Representatives, February 19, 1959, we hereby transmit to you our Preliminary Procedures Analysis for the Health and Welfare Department.

Sincerely yours,

**ANDERSON - NICHOLS  
& COMPANY**

(Signed)

**HERBERT J. BROWN**  
Herbert J. Brown  
Partner

Came from the Senate referred to the Committees on Public Health and Welfare jointly.

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

From the Senate: The following Communication: (S. P. 456)

**EBASCO SERVICES  
INCORPORATED**

Engineers — Constructors —  
Business Consultants  
Two Rector Street  
New York 6, N.Y.

April 13, 1959

Ninety-Ninth Legislature,  
State of Maine  
Augusta, Maine

Gentlemen:

We submit herewith our report on the Pilot Study of the Maine State Highway Commission.

We wish to express our deep appreciation for the assistance and courtesy rendered to us by the members of the Highway Committee and the Highway Commission whom we contacted in the course of this study. All officials were completely cooperative in working with us to achieve maximum results from the study.

If there should be any questions relating to the report we shall be pleased to discuss them at any time.

Very truly yours,  
**EBASCO SERVICES  
INCORPORATED**

(Signed)

**HARVEY E. WOLFE**  
Senior Industrial Relations Consultant

Came from the Senate referred to the Committee on Highways.

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

**Senate Reports of Committees  
Leave to Withdraw**

Report of the Committee on Retirements and Pensions on Bill "An Act relating to Survivor Benefits for all State Employees" (S. P. 407) (L. D. 1175) reporting Leave to Withdraw.

Came from the Senate read and accepted.

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

**Ought to Pass in New Draft**

Report of the Committee on Legal Affairs on Bill "An Act to Enlarge Powers and Purposes of Trustees of Diocesan Funds in

Episcopal Diocese of Maine" (S. P. 247) (L. D. 630) reporting same in a new draft (S. P. 447) (L. D. 1300) under same title and that it "Ought to pass".

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

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

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

Report of the Committee on Judiciary on Bill "An Act Pertaining to Freedom of Access to Public Records and Proceedings" (S. P. 26) (L. D. 6) 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. 26, L. D. 6, Bill, "An Act Pertaining to Freedom of Access to Public Records and Proceedings."

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

"R.S., c. 1, Secs. 36-41, additional. Chapter 1 of the Revised Statutes is amended by adding 6 new sections, 36 to 41, to read as follows:

**'Freedom of Access to Public Records and Proceedings.**

**Sec. 36. Declaration of public policy;** open meetings. The Legislature finds and declares that public proceedings exist to aid in the conduct of the people's business. It is the intent of the Legislature that their actions be taken openly and that their deliberations be conducted openly.

**Sec. 37. Definition of public proceedings.** The term "public proceedings" as used in sections 36 to 41 shall mean the transactions of any functions affecting any or all citizens of the State by any administrative or legislative body

of the State, or of any of its counties or municipalities, or of any other political subdivision of the State, which body is composed of 3 or more members, with which function it is charged under any statute or under any rule or regulation of such administrative or legislative body or agency.

**Sec. 38. Meetings to be open to the public.** All public proceedings shall be open to the public, and all persons shall be permitted to attend any meetings of these bodies or agencies, and any minutes of such meetings as are required by law shall be promptly recorded and open to public inspection, except as otherwise specifically provided by statute.

**Sec. 39. Executive sessions.** Nothing contained in sections 36 to 41 shall be construed to prevent these bodies or agencies from holding executive sessions, subject to the following conditions: that such sessions shall not be used to defeat the purposes of sections 36 to 41; that no ordinances, orders, rules, resolutions, regulations, contracts, appointments or other official action shall be finally approved at such executive sessions; that such executive sessions may be called only by a majority vote of the members of such bodies or agencies. The conditions of this section shall not apply to executive sessions of committees of the Maine Legislature.

**Sec. 40. Minutes and records** available for public inspection. Every citizen of this State shall, during the regular business or meeting hours of all such bodies or agencies, and on the regular business premises of all such bodies or agencies, have the right to inspect all public records, including any minutes of meetings of such bodies or agencies as are required by law, and to make memoranda abstracts or photographic or photostatic copies of the records or minutes so inspected, except as otherwise specifically provided by statute.

**Sec. 41. Violation.** A violation of any of the provisions of sections 36 to 41 or the wrongful exclusion of any person or persons from any meetings for which provision is made shall be punishable by a fine

of not more than \$500 or by imprisonment for less than one year. Nothing contained in sections 36 to 41 shall be construed as abridging the right of any citizen or citizens to appeal to a court of this State for the enforcement of the rights provided for in said sections.’”

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

#### Divided Report

Report “A” of the Committee on Legal Affairs reporting “Ought to pass” on Bill “An Act Changing the Date of Labor Day to the Second Monday in September” (S. P. 74) (L. D. 124)

Report was signed by the following members:

Messrs. CHARLES of Cumberland  
MARTIN of Kennebec  
— of the Senate.  
Messrs. GOOD of Sebago  
HUTCHINSON of Carthage  
LINNELL  
— of South Portland  
— of the House.

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

Report was signed by the following members:

Mr. MacDONALD of Oxford  
— of the Senate.  
Messrs. KELLAM of Portland  
COTE of Lewiston  
BROWN of Cape Elizabeth  
TRUMBULL of Fryeburg  
— of the House.

Came from the Senate with Report “A” accepted and the Bill passed to be engrossed as amended by Senate Amendment “A”.

Reports were read.

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

Mr. GOOD: Mr. Speaker and Members of the House: This bill sets Labor Day as the second Monday in September rather than the first Monday in September. Now, it came out of Committee in a divided report, A and B. At that particular time, however, there was no Senate Amendment “A” attached, which may make it more acceptable to some.

The reason for setting Labor Day ahead a week, making it the second Monday in September, was to try to extend the vacation season in the State of Maine, which means so much economically to so many of us.

You will notice that one important feature of this legislative document is that it was not to become effective until January 1, 1961. Therefore, it would give the Legislature ample time to repeal this law providing our neighboring states did not also adopt the same provision. As we all know in the summer business, that a great deal of our business comes from our neighboring states of Massachusetts, Connecticut and New York and the change would not be effective unless they would go along with it too.

Now, the Senate has attached an amendment onto this bill which states that this bill is not to become effective until January 1, 1961, and provided further that the States of Massachusetts — or a majority of the following states also adopt the same change; Massachusetts, New Hampshire, Vermont, Rhode Island, Connecticut, New York, New Jersey and Pennsylvania.

Now, if the House wishes to, they may vote to go along with the “Ought to pass” Report, knowing that there are two conditions before the law becomes effective and giving this Legislature ample time to repeal the law if the majority—well, in the first instance, of course, if the amendment hadn’t been there they would have had ample time to repeal it, now it is on the condition that the majority of these other states go along with it. Therefore, I will move that the House adopt Report “A”, that it “Ought to pass.”

The SPEAKER: The question before the House is the motion of the gentleman from Sebago, Mr. Good, that the House accept the “Ought to pass” Report “A” of the Committee. Is this the pleasure of the House?

(Cries of “No”)

Thereupon, a viva voce vote being taken, the motion prevailed and the Bill was given its first and second readings.

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

SENATE AMENDMENT "A" to S. P. 74, L. D. 124, Bill "An Act Changing the Date of Labor Day to the Second Monday in September."

Amend said Bill by striking out all of section 5 and inserting in place thereof the following:

'Sec. 5. Effective date. This act shall take effect on January 1, 1961, provided that on or before said date the majority of the following states, Massachusetts, New Hampshire, Vermont, Rhode Island, Connecticut, New York, New Jersey and Pennsylvania, shall have provided by legislation or otherwise for the observance of Labor Day on the same day as provided in this act.'

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

### Orders

On motion of Mr. Walsh of Verona, it was

ORDERED, that Mr. Walter of Waldoboro be excused from attendance during his illness.

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

### Tabled

Mr. Wade of Auburn presented the following Order:

ORDERED, that under Orders of the Day, on Tuesday, Wednesday and Thursday of each week, after Special Orders, Unfinished Business and Specially Assigned Matters for that day have been disposed of, Unassigned Matters on the Table that are not taken up on motion, shall be taken from the Table and laid before the House by the Speaker in the order in which they appear on the calendar so far as time permits.

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

Mr. WADE: Mr. Speaker and Members of the House: As each session of the legislature progresses, there comes a time when we

have to establish machinery to enable the Speaker to lay before the House tabled and unassigned matters. This order is that machinery. It will be reproduced and placed on your desks.

Inasmuch as this order constitutes a suspension of the rules, it requires one day's notice, so I move that this order now be tabled unassigned pending passage.

The SPEAKER: The question before the House is the motion of the gentleman from Auburn, Mr. Wade, that this Order now be tabled unassigned, pending passage. Is this the pleasure of the House?

The motion prevailed.

On motion of Mr. Brown of Ellsworth, it was

ORDERED, that Byron B. Young and Dennis J. Young of Gouldsboro be appointed to serve as Honorary Pages for today.

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

### (Off Record Remarks)

### Tabled and Assigned

Mr. Maxwell of Jay presented the following Order and moved its passage:

WHEREAS, a Bill entitled "An Act Providing for Severance Taxation of Certain Natural Resources," (House Paper 902, Legislative Document 1271) is pending before the 99th Legislature and it is important that the Legislature be informed as to the constitutionality of the proposed bill; and

WHEREAS, it appears to the members of the House of the 99th Legislature that certain provisions of the bill present important questions of law and the occasion is a solemn one;

NOW, THEREFORE, Be it Ordered, that in accordance with the provisions of the Constitution of the State, the Justices of the Supreme Judicial Court are hereby respectfully requested to give this Legislature their opinion on the following questions:

### 1.

Do any of the provisions of section 12 of Legislative Document

1271 assess a tax upon real or personal estates without regard to apportionment according to the just value of such real or personal estate in violation of Section 8 of Article IX of the Constitution of Maine?

2.

Do any of the provisions of section 5 of Legislative Document 1271 assess a tax upon real or personal estates without regard to apportionment according to the just value of such real or personal estate in violation of Section 8 of Article IX of the Constitution of Maine?

3.

Do any of the provisions of Sections 2, 4 and 5 of Legislative Document 1271 amount to a suspension of the sovereign power to tax in violation of Section 9 of Article IX of the Constitution of Maine?

4.

Do the provisions of Section 4 of Legislative Document 1271 delegate legislative power to the Commissioner of Inland Fisheries and Game in violation of Section 1 of Part First of Article IV of the Constitution of Maine?

5.

Would House Paper 902, Legislative Document 1271 "An Act Providing for Severance Taxation of Certain Natural Resources," if enacted by the Legislature, be constitutional?

The SPEAKER: The Chair recognizes the gentleman from Jay, Mr. Maxwell.

Mr. MAXWELL: Mr. Speaker, this Order requests an opinion from the Judges of the Supreme Judicial Court, and under House Rule 46 table and be assigned for tomorrow. I therefore move it lie on the table and be assigned for tomorrow.

The SPEAKER: The gentleman from Jay, Mr. Maxwell, moves that this Order be tabled and specially assigned for tomorrow pending passage. Is this the pleasure of the House?

The motion prevailed.

The SPEAKER: At this time the Chair would recognize the presence

in the gallery of the House of a group of fifteen students from Kings Mills School of Whitefield, accompanied by Neota Fowles Grady, their teacher, who was also a member of the House in the 89th and 90th Legislature, and by three parents.

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 your visit here today. (Applause)

### House Reports of Committees Leave to Withdraw

Mr. Harris from the Committee on Inland Fisheries and Game on Resolve Regulating Fishing in Metallic Brook, Oxford County (H. P. 717) (L. D. 1022) reported Leave to Withdraw.

Mr. Haughn from the Committee on Public Utilities reported same on Bill "An Act Authorizing Railway Express Agency, Inc. to Transport by Truck" (H. P. 796) (L. D. 1128)

Reports were read and accepted and sent up for concurrence.

### Ought Not to Pass

Mr. Crockett from the Committee on Highways reported "Ought not to pass" on Resolve Appropriating Moneys for Road from Alagash Plantation to the Canadian Border (H. P. 637) (L. D. 928)

Report was read and accepted and sent up for concurrence.

### Indefinitely Postponed

Mr. Carville from the Committee on Inland Fisheries and Game reported "Ought not to pass" on Bill "An Act Providing for Bounty on Foxes in Aroostook County" (H. P. 826) (L. D. 1177)

Report was read.

The SPEAKER: The Chair recognizes the gentleman from Monticello, Mr. Jewell.

Mr. JEWELL: Mr. Speaker and Members of the House: I move we substitute the bill for the report.

I put this bill in, it isn't my bill, I put it in by request of a great number of people from Aroostook County. It seems that we have the greater increase in the fox population up there. And this calls for a bounty on foxes only in Aroostook

County, it has nothing to do with the rest of the State. I checked with the Department of Agriculture and they had no objections and indicated that they would like to see it pass. And the Maine Farm Bureau stated that they were concerned with the increase in population of foxes in certain parts of the State, and I take by that that they mean Aroostook County.

I have some figures here furnished me by the Department of Agriculture, and they pay more damage in Aroostook County because of the foxes to poultry than all the rest of the State combined. In the whole State in 1957 and '58 they paid out \$7,943. In Aroostook County they paid out \$4,021, which is more than half of what was paid out in the whole State.

Some people think that foxes will just go in and get one bird, that is all they are looking for, but they will kill more. They will tell you that coons kill a lot more poultry than foxes will but that isn't true. In Aroostook County they paid damages on 2,272 birds killed by foxes. On coons they paid damages on 410. Besides that there is one bill of \$1,000 to one turkey raiser in Aroostook County and that isn't on this report because I don't think they paid it until after January 1st.

Now, foxes will kill not only poultry, but they will kill young lambs, and some of us who like to have our lambs come out in the pasture can't do it because when lambs are two or three days old you have a lot of foxes right around the edge of the flock taking them out just as fast as they can. Four or five years ago there was one outfit up there that the State paid over \$1,000 on, something like over a hundred lambs that they took out of their flock, they had quite a flock of sheep, I think they had six hundred, and they are concerned about this. They say that we should protect their poultry and lambs ourselves, but a fox works all day long, he works 48 hours and you just can't stay up all night and try to kill foxes.

At the hearing the Department of Inland Fisheries and Game, they had one man from over there and he was the only opponent to the

bill, and his reason was that it was their policy to oppose any bounty on animals that were not protected.

Now, the foxes will kill pheasants too. The Department of Inland Fisheries and Game put out about 28,000 young pheasants each year, and a lot of people figure that the foxes get about half of them. Still they are against this. I don't know whether they want to feed the foxes or not.

The Town of Easton last year paid a bounty of their own. They voted to pay a bounty on all the foxes killed in Easton last year because they knew they were killing the pheasants. And they did, they paid a bounty on twenty-five foxes in the Town of Easton. They killed the young partridges and the old ones. They will kill young deer.

Another thing, if you doubt that we have foxes, I know of people from down along the coast who bring their fox hounds up here every year and chase foxes for fun, I guess, for two or three weeks. If we didn't have a lot of foxes here they surely wouldn't go up there two or three hundred miles to hunt foxes.

I think this bill has quite a lot of merit and I hope you will go along with me and accept the Minority Report.

The SPEAKER: The question before the House is the motion of the gentleman from Monticello, Mr. Jewell, that with respect to "An Act Providing for Bounty on Foxes in Aroostook County," the bill be substituted for the "Ought not to pass" Report.

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

Mr. CURTIS: Mr. Speaker and Members of the House: I think the bill of the gentleman from Monticello, Mr. Jewell, has a lot of merit. Until ten or fifteen years ago foxes were kept pretty well down because they were hunted for their fur. But in the later years fur does not bring so much. In fact, practically in the last ten years the fur is worth practically nothing because there seems to be a disease, a sort of a mange, that attacks the foxes, and I have seen many of them down in my area. It does kill them after a while but



I guess it doesn't do it for two or three years. Anyway, they do a lot of damage before they finally lose enough hair, or whatever happens to them, kills them, and so the fur is practically useless. Now, the foxes down in my area, I don't know as anyone ever trapped one because of this mange. Their fur comes out all over and it is kind of a scabby condition. And I can see very well where in Aroostook County they could multiply to such an extent that they would do a lot of damage.

The SPEAKER: The Chair recognizes the gentleman from Jay, Mr. Maxwell.

Mr. MAXWELL: Mr. Speaker, Ladies and Gentlemen of the House: Bounty has never been the way to control any animal. It always leads to corruption sooner or later, so I move that this bill and all accompanying papers be indefinitely postponed.

The SPEAKER: The question now before the House is the motion of the gentleman from Jay, Mr. Maxwell, that Bill "An Act Providing for Bounty on Foxes in Aroostook County," and the Committee Report be indefinitely postponed.

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

Mr. DUDLEY: Mr. Speaker and Members of the House: This bill was very carefully considered before Fish and Game, I am a bit late getting here and I hope someone hasn't already mentioned this fact. But we were unanimous in our decision which is one of the very few bills that we could be unanimous on and I hope this House will indefinitely postpone the bill.

The SPEAKER: Is the House ready for the question? The question before the House is the motion of the gentleman from Jay, Mr. Maxwell, that the Committee Report be indefinitely postponed on Bill, "An Act Providing for Bounty on Foxes in Aroostook County," House Paper 826, Legislative Document 1177.

The Chair recognizes the gentleman from Monticello, Mr. Jewell.

Mr. JEWELL: Mr. Speaker, I would ask for a division.

The SPEAKER: A division has been requested.

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

A division of the House was had.

Sixty-three having voted in the affirmative and fifty-three having voted in the negative, the motion prevailed and the Bill with all accompanying papers was indefinitely postponed and sent up for concurrence.

Mr. Dodge from the Committee on Inland Fisheries and Game reported "Ought not to pass" on Bill "An Act relating to Opening Obstructions in Waters to Maintain Fish Life" (H. P. 830) (L. D. 1181)

Mr. Monroe from same Committee reported same on Bill "An Act relating to Fishing and Hunting Licenses for Nonresident Students in Maine Colleges" (H. P. 895) (L. D. 1264)

Mr. Wheaton from same Committee reported same on Bill "An Act relating to Taking Eels for Trapping Purposes" (H. P. 747) (L. D. 1066)

Mr. Cox from the Committee on Judiciary reported same on Bill "An Act relating to Relocation Payments in Eminent Domain" (H. P. 876) (L. D. 1250)

Mr. Brown from the Committee on Legal Affairs reported same on Bill "An Act relating to Exemptions under Boiler and Unfired Steam Pressure Vessels Law" (H. P. 304) (L. D. 451)

Reports were read and accepted and sent up for concurrence.

#### Tabled and Assigned

Mr. Good from the Committee on Legal Affairs reported "Ought not to pass" on Bill "An Act Revising Charter of the City of Lewiston" (H. P. 879) (L. D. 1253)

Report was read.

(On motion of Mr. Dumais of Lewiston, tabled pending acceptance of the Committee Report and specially assigned for Thursday, April 23.)

Mr. Trumbull from the Committee on Legal Affairs reported "Ought not to pass" on Bill "An Act relating to Steam Engineers

and Firemen" (H. P. 835) (L. D. 1186)

Mr. Sanborn from the Committee on State Government reported same on Resolve Proposing an Amendment to the Constitution for Appointment of Treasurer of State by the Governor with Consent of the Council (H. P. 848) (L. D. 1211)

Reports were read and accepted and sent up for concurrence.

**Ought to Pass in New Draft  
New Drafts Printed  
Tabled and Assigned**

Mrs. Knapp from the Committee on Public Health on Bill "An Act relating to Qualified Assistant Pharmacists" (H. P. 216) (L. D. 307) reported same in a new draft (H. P. 926) (L. D. 1308) under same title and that it "Ought to pass"

Report was read.

The SPEAKER: The Chair recognizes the gentlewoman from Yarmouth, Mrs. Knapp.

Mrs. KNAPP: Mr. Speaker and Members of the House: This bill was taken up very carefully in our Committee, and with the redraft on it we feel that it should pass and I hope it passes.

Thereupon the House voted to accept the "Ought to pass" in New Draft Report and the New Draft was given its first and second readings.

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

Mr. DANES: Mr. Speaker, I present an amendment to House Paper 926, Legislative Document 1308, Bill, "An Act relating to Qualified Assistant Pharmacists." It has been reproduced and lays on the desks of the members and I desire to speak on my amendment.

The SPEAKER: The gentleman may proceed.

Mr. DANES: Mr. Speaker and Ladies and Gentlemen of the House: The intent and purpose of this amendment is to serve a dual purpose. First, to act as a requirement before the individual passing this examination becomes fully registered.

Second, as a protective measure for the older pharmacists who have so ably served these profes-

sional pharmacies for many years. And because of them the qualified assistants, in many cases, have been able to follow the business of pharmacy only in their own stores, and without them it would have been impossible for them to do so.

The bill offers the qualified assistants an opportunity to take the examination to become fully registered. There is no objection to this at all on the part of the majority of registered men. By registered men who have fulfilled the requirements of the law, I should like to explain to the House very briefly. Under the existing statutes, in order to become a registered pharmacist it was necessary to go through a period of apprenticeship, number one. Number two, to attend an accredited college for a period of four years, pass the examination as prescribed by the State Board of Pharmacy with a minimum grade of seventy-five per cent. All these qualifications have been necessary in the past. However, this bill affords the qualified assistant to take it, the fact that their apprenticeship was indefinite, to pass the qualified assistant examination with a minimum grade of fifty per cent, and then they were allowed to fill prescriptions under the jurisdiction of the registered pharmacist and during the temporary absence of that individual.

In the County of Cumberland there are approximately ten per cent of the qualified assistants in the State. I have contacted each of these individuals and they are in agreement with the amendment as proposed.

I think the bill in its entirety and the amendment are very fair to everybody concerned as we are endeavoring by both these measures to elevate the profession of pharmacy in our State to compare with other states in the Union. I now move that the amendment as well as the bill be accepted.

The SPEAKER: The gentleman from South Portland, Mr. Danes, offers House Amendment "A" and moves its adoption. The Clerk will read the amendment.

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

HOUSE AMENDMENT "A" to H. P. 926, L. D. 1308, Bill, "An Act Relating to Qualified Assistant Pharmacists."

Amend said Bill by striking out the single quotation mark at the end of section 1 and inserting the following underlined sentence: 'Any qualified assistant pharmacist shall be required to practice pharmacy under the supervision of a licensed registered pharmacist for a period of 3 years after passing examination before the certificate becomes effective.'

The SPEAKER: Is it now the pleasure of the House that House Amendment "A" shall be adopted?

(Cries of "No")

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

Mrs. HENDRICKS: Mr. Speaker, I move that this amendment and the bill be tabled until Tuesday next.

Thereupon, on a viva voce vote, the motion prevailed and the New Draft with accompanying papers was tabled pending adoption of House Amendment "A" and specially assigned for Tuesday, April 21.

The SPEAKER: At this time the Chair would recognize the presence in the gallery of the House of a group of sixth and eighth grade pupils from Sabattus High School accompanied by Mr. Roe Toothaker. On behalf of the House, the Chair extends to you ladies and gentlemen a most hearty and cordial welcome and we hope that you will enjoy and profit by your visit here this morning. (Applause)

Mr. Rowe from the Committee on Public Health on Bill "An Act relating to Permit Before Examination for Applicant to Practice Barbering" (H. P. 314) (L. D. 461) reported same in a new draft (H. P. 927) (L. D. 1309) under same title and that it "Ought to pass"

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

#### Recommitted

Mr. Call from the Committee on Retirements and Pensions on Bill "An Act Providing Group Insurance Coverage for State and Govern-

mental Employees" (H. P. 819) (L. D. 1157) reported same in a new draft (H. P. 924) (L. D. 1306) under title of "An Act Providing a Group Hospital, Medical and Surgical Plan for State Employees, Public School Teachers and Local Governmental Employees" and that it "Ought to pass"

Report was read.

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

Mr. CALL: Mr. Speaker and Ladies and Gentlemen of the House: We have already talked with the Chairman of the Appropriations Committee and to expedite matters now, I move that we recommit this to Appropriations.

The SPEAKER: The gentleman from Cumberland, Mr. Call, moves that the New Draft—

Would the gentleman from Cumberland approach the rostrum?

(Conference at rostrum)

The SPEAKER: The Chair understands the gentleman from Cumberland, Mr. Call, withdraws his motion to recommit. The Chair again recognizes that gentleman.

Mr. CALL: Mr. Speaker, I now move that we now commit the New Draft —

The SPEAKER: The Chair understands the gentleman from Cumberland, Mr. Call, moves that the House accept the "Ought to pass" in New Draft Report. Is this the pleasure of the House?

The motion prevailed.

The SPEAKER: The Chair now understands that the gentleman from Cumberland, Mr. Call, moves that the New Draft be committed to the Committee on Appropriations. Is this the pleasure of the House?

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

Mr. STANLEY: Mr. Speaker and Ladies and Gentlemen: I would just ask a question. If this is committed to the Appropriations Committee, does that mean that we have to publish it in the paper and have a public hearing? If that is the case, I would be opposed to recommitting the bill.

The SPEAKER: In answer to the gentleman from Bangor, Mr. Stanley, the Chair would advise the

gentleman that the Chair is advised that the Committee itself may determine that question, determine the answer to the question. Is it now the pleasure of the House that this New Draft be committed to the Committee on Appropriations?

The motion prevailed and the New Draft was committed to the Committee on Appropriations and Financial Affairs and sent up for concurrence.

Mrs. Baker from the Committee on Towns and Counties on Bill "An Act Permitting Municipalities to Appropriate Moneys to Aid Conventions" (H. P. 702) (L. D. 1002) reported same in a new draft (H. P. 925) (L. D. 1307) under same title and that it "Ought to pass"

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

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

Mr. Lane from the Committee on Agriculture reported "Ought to pass" on Bill "An Act relating to Standards of Quality in Egg Grading Law" (H. P. 527) (L. D. 762)

Report was read and accepted, the Bill read twice and tomorrow assigned.

#### **Tabled and Assigned**

Mr. Gallant from the Committee on Claims reported "Ought to pass" on Resolve in favor of Wild Acres Turkey Farm of Standish (H. P. 184) (L. D. 277)

Report was read.

(On motion of Mr. Sanborn of Gorham, tabled pending acceptance of the Committee Report and specially assigned for Tuesday, April 21.)

Mr. Turner from the Committee on Highways reported "Ought to pass" on Bill "An Act to Authorize the Construction of a Bridge Across the Passagassawaukeag River" (H. P. 146) (L. D. 202)

Mr. Dodge from the Committee on Inland Fisheries and Game reported same on Bill "An Act relating to Use of Power Boats in Hunting Waterfowl" (H. P. 715) (L. D. 1020)

Same gentleman from same Committee reported same on Resolve Regulating Fishing in Part of West Branch of Penobscot River, Piscataquis County (H. P. 585) (L. D. 832).

Mr. Harris from same Committee reported same on Resolve Regulating Fishing in Wadleigh Pond, Piscataquis County (H. P. 199) (L. D. 291)

Mr. Monroe from same Committee reported same on Resolve Closing Second Great Brook Lake, Washington County, to Ice Fishing (H. P. 831) (L. D. 1182)

Mr. Moore from same Committee reported same on Resolve Regulating Fishing in Horne Pond, Limington, York County (H. P. 584) (L. D. 831)

Mr. Cyr from the Committee on Public Utilities reported same on Bill "An Act Increasing Borrowing Capacity of Ashland Water and Sewer District" (H. P. 836) (L. D. 1187)

Mr. Philbrick from same Committee reported same on Bill "An Act Amending the Charter of the Topsham Sewer District" (H. P. 846) (L. D. 1209)

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

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

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

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

Mr. Nadeau from the Committee on Highways on Bill "An Act relating to Permits for Outdoor Advertising" (H. P. 84) (L. D. 131) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read.

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

Mr. COUSINS: Mr. Speaker and Ladies and Gentlemen of the House: I have been requested to table this item for a day or two to allow examination and determination of just exactly what this amendment does. For that reason I request that the item be tabled until Tuesday next.

The SPEAKER pro tem: The gentleman from Bangor, Mr. Cousins, moves that the Report and Bill be tabled and specially assigned for Tuesday, April 21, pending acceptance of the Committee Report.

Is this the pleasure of the House?  
The motion prevailed.

Mr. Monroe from the Committee on Inland Fisheries and Game on Resolve Opening Long Lake, Aroostook County, to Smelt Fishing (H. P. 720) (L. D. 1025) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Resolve read once.

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

COMMITTEE AMENDMENT "A" to H. P. 720, L. D. 1025, Resolve, Opening Long Lake, Aroostook County, to Smelt Fishing.

Amend said Resolve by striking out the last 2 lines and inserting in place thereof the following: 'regulation opening tributaries of Long Lake in T 17, R 3; T 17, R 4, St. Agatha and Madawaska, Aroostook County, to fishing for smelts by dip net only.'

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

Mr. Wheaton from the Committee on Inland Fisheries and Game on Resolve Permitting Ice Fishing in Certain Ponds in Androscoggin and Kennebec Counties (H. P. 550) (L. D. 785) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Resolve read once.

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

COMMITTEE AMENDMENT "A" to H. P. 550, L. D. 785, Resolve, Permitting Ice Fishing in Certain

Ponds in Androscoggin and Kennebec Counties.

Amend said Resolve by inserting before the 3rd line from the end the following:

'Carlton Pond, in the Towns of Readfield and Winthrop, Kennebec County.'

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

Mr. Kellam from the Committee on Legal Affairs on Bill "An Act to Create a Parking Commission for City of Lewiston" (H. P. 843) (L. D. 1206) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Bill read twice.

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

COMMITTEE AMENDMENT "A" to H. P. 843, L. D. 1206, Bill "An Act to Create a Parking Commission for City of Lewiston."

Amend said Bill in the 3rd sentence from the end of that part designated "Sec. 2" of section 1 by inserting after the underlined words and punctuation "revenue bonds," the underlined words and punctuation 'promissory notes and other general obligation securities,'

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

**'Referendum; effective date; certificate to Secretary of State.** This act shall take effect 90 days after adjournment of the Legislature, only for the purpose of permitting its submission to the legal voters of the City of Lewiston at a special election called and held for the purpose or at a regular municipal election of the city. Such special or regular election shall be held not later than the regular municipal election for the year 1960. In the event a special election is called for the purpose, it shall be called, advertised and conducted according to the law relating to municipal elections; provided that the board of registration in said city shall not be required to prepare for posting, nor the city clerk to post, a new list of voters, and for the purpose of registration of voters, said board

shall be in session the 3 secular days next preceding such special election, the first and 2nd days thereof to be devoted to the registration of voters and the 3rd day to enable the board to verify the corrections of said list and to complete and close up their records of said sessions.

The city clerk shall prepare the required ballots on which he shall reduce the subject matter of this act to the following question: "Shall the Act to Create a Parking Commission for City of Lewiston, passed by the 99th Legislature, be accepted?" The voters shall indicate by a cross or check mark placed against the words "Yes" or "No" their opinion of the same.

This act shall take effect for all purposes hereof immediately upon its acceptance by a majority vote of the legal voters voting at said election; provided that the total number of votes cast for and against the acceptance of this act at said election equals or exceeds 20 per cent of the total vote for all candidates for Governor in said city at the next preceding gubernatorial election.

The result of such election shall be declared by the municipal officers of the City of Lewiston and due certificate filed by the city clerk with the Secretary of State.

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

Mr. Jones from the Committee on Towns and Counties on Bill "An Act relating to Rental of Northern Cumberland Municipal Court" (H. P. 17) (L. D. 26) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Bill read twice.

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

**COMMITTEE AMENDMENT "A"**  
to H. P. 17, L. D. 26, Bill "An Act Relating to Rental of Northern Cumberland Municipal Court."

Amend said Bill by striking out in the last line thereof the underlined figure "\$1,000" and inserting in place thereof the underlined figure '\$900'.

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

### Passed to Be Engrossed with

#### Committee Amendment

Mr. Cyr from the Committee on Public Utilities on Bill "An Act to Incorporate the Eastport Water District" (H. P. 315) (L. D. 462) which was recommitted, reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted, and this Bill having already had its three several readings, was passed to be engrossed as amended by Committee Amendment "A" and sent to the Senate.

### Divided Report Indefinitely Postponed

Majority Report of the Committee on Claims on Resolve in favor of Ray Thompson of Prentiss (H. P. 683) (L. D. 983) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was signed by the following members:

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

Messrs. DUFOUR of Old Town  
KENNEDY of Milbridge  
JOHNSON of Stockholm  
GALLANT of Eagle Lake  
— of the House.

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

Report was signed by the following members:

Messrs. HUGHES of St. Albans  
CURTIS of Bowdoinham  
MATHEWS of Berwick  
— of the House.

Reports were read.

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

Mr. FRAZIER: Mr. Speaker and Ladies and Gentlemen of the House: I move the acceptance of the Majority "Ought to pass" Report and would like to speak very briefly to the motion.

The SPEAKER pro tem: The gentleman may proceed.

Mr. FRAZIER: This resolve was introduced by me in favor of Ray Thompson of Prentiss, Maine, a farmer and a good farmer of some seventy-five years of age who has been suffering from ill health for the past few years. He not only is a raiser of Holstein cattle but produces a great quantity of oats which are used to feed these cattle and also, some for sale.

He has been in ill health for the last few years but is a very independent gentleman and continues to operate his farm as best he can. Last fall he called me during the time that he was about to harvest his oats and asked me to survey the damage that had been done by bears to the oats. I did and I told him in ignorance that I thought the bear damage, now that the bounty on bear had been eliminated, would be paid by the State Department of Agriculture. We called the Department of Agriculture and to his dismay and mine we both found that they do pay damages to livestock if killed by bear, they do pay damage to poultry if killed by bear, but the oat crop which he raised and had damaged by bear could not be paid under existing laws.

We had, however, the damage surveyed by the Department of Agriculture. We had a warden from the Inland Fisheries and Game survey the damage. They both looked it over and made their estimates as to the amount of damage that had been done. The damage was extensive and the resolve calls for \$510 which would be reimbursement for an estimated six hundred bushel of oats at a sale price of approximately eighty-five cents per bushel. I think it only equitable and fair if the State is not going to continue the operation of the bear bounty and is going to pay damage to livestock and is going to pay damage to poultry then this gentleman should be reimbursed for damage to his crop. Thank you.

The SPEAKER pro tem: The question before the House is the motion of the gentleman from Lee, Mr. Frazier, that the House adopt the Majority Report.

The Chair recognizes the gentleman from St. Albans, Mr. Hughes.

Mr. HUGHES: Mr. Speaker, Ladies and Gentlemen: There does seem to be a great difference in the rules and laws relating to this subject, and I would like to point out some of those differences. They have in the past been pointed out by the gentleman from Lee, Mr. Frazier.

The State does pay for damages done by wild animals to farm animals or fowl. But if the same animals do damage to a farmer's crop there is no recovery. We have encountered this inconsistency of the law several times at our Committee hearings, and I did not realize it until this year and something should be done about it, although it is too late this season.

Damage or destruction to domestic animals or fowl that is paid for includes damage done by coons, foxes, bear and so forth. But if the same coon does damage to the farmer's crop he gets nothing. Which is the most important, the crops to the crop farmer or the animal or fowl to the stock or poultry farmer?

The law states in Subsection V of Section 94, Chapter 37, and I quote: "No claims for crop or orchard damage by deer or other protected animal shall be paid by the State from any source or fund." You will probably say that this should not be so in respect to bear damage to crops because the bear is not a protected animal. True, but what makes the difference between damage caused by bear, woodchucks or porcupine? Neither of the latter are protected animals. It seems to me that the bear should be in this class. The State pays for no damage to crops by these animals and rightly so. The farmer has a right to kill any animal, protected or not, if it is doing damage to his property. Some time ago a farmer ran his tractor over a pile of earth that came from a woodchuck hole, it was in a hay field and could not be seen by the driver, the tractor tipped over killing the farmer. If Mr. Thompson has a claim, how much more of a claim the widow of this other farmer should have!

I believe the State should pay all damages caused by these wild animals or not any. I also believe if this claim is paid we can expect many more such claims to be presented before legislature in the next two years.

Two years ago we had a deer claim before us and a lot of time was spent on it. There were quite a few very good speakers in favor of it and much was said about the merits of the claim. It finally ended up by being indefinitely postponed by both branches. I will not argue about the size of this claim, but I will say that \$500 represents a lot of oats at 85 cents a bushel. I do not know Mr. Thompson, I do not know whether he is a large prosperous farmer or a small one having a hard time to make ends meet. I do not believe it should make a difference in this case. I rest my decision on the fact that the bear is not a protege of the State any more than a rat, red squirrel, woodchuck or porcupine and others. This claim should not be paid. I therefore, move that this resolve, both reports and all accompanying papers be indefinitely postponed.

The SPEAKER pro tem: The question now before the House is the motion of the gentleman from St. Albans, Mr. Hughes, that the Resolve and all accompanying papers be indefinitely postponed. A division has been requested.

Will all those in favor of the indefinite postponement of Resolve in favor of Ray Thompson of Prentiss, House Paper 683, Legislative Document 983, and all accompanying papers rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Sixty having voted in the affirmative and fifty-three having voted in the negative, the motion prevailed and the Resolve with accompanying papers was indefinitely postponed and sent up for concurrence.

#### Divided Report

Majority Report of the Committee on Inland Fisheries and Game reporting "Ought not to pass" on Resolve Opening Portage Lake,

Arroostook County, to Ice Fishing for Smelts (H. P. 875) (L. D. 1249)

Report was signed by the following members:

Messrs. BRIGGS of Arroostook  
HILLMAN of Penobscot  
CARPENTER of Somerset  
— of the Senate.

Messrs. MOORE of Casco  
DODGE of Guilford  
WHEATON of Princeton  
— of the House.

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

Report was signed by the following members:

Messrs. DUDLEY of Enfield  
CARVILLE of Eustis  
MONROE of Monroe  
HARRIS of Greenville  
— of the House.

Reports were read.

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

Mr. PRUE: Mr. Speaker pro tem, I would like to move that we accept the Minority Report and I would like to speak briefly to the motion.

The SPEAKER pro tem: The gentleman may proceed.

Mr. PRUE: Mr. Speaker and Members of the House: This bill which I entered in the Legislature was backed by the Fish and Game Committee of Portage, Masardis and Ashland in our area. There are about 150 members belonging to this club, and the people in Portage have always wanted to have this place open.

Now, Eagle Lake and St. Froid Lake are in the same chain, and they have always been open to smelt fishing, and we can't see any harm in this lake being open to smelt fishing. In fact, Tim Warner, the Biologist, lives in Ashland and he sees no harm in it, so he tells the Fish and Game Club, so therefore, I hope the House goes along and accepts the Minority Report.

The SPEAKER pro tem: The question now before the House is the motion of the gentleman from Ashland, Mr. Prue, that the House accept the Minority "Ought to pass" Report. Is this the pleasure of the House?



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

Mrs. CHRISTIE: Mr. Speaker and Members of the House: I regret very much to have to speak against this bill, but with all those who are living around that lake the feeling is very definitely that it would be detrimental to the cottage owners in that area if this lake were open to ice fishing, so for that reason I would like to register my opposition and when the vote is taken I ask for a division.

The SPEAKER pro tem: A division has been requested.

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

Mr. DUDLEY: Mr. Speaker and Members of the House: As a signer of the Minority Report I felt this way about this particular report: I felt as though the people living in the area, the residents of the town should have some thought and I thought it shouldn't be controlled by out-of-town cottage owners and so forth. I thought that these people should be considered, they live there, and I don't believe it would hurt the lake one bit, and therefore, I hope the House will go along with the Minority Report.

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

Mr. HARRIS: Mr. Speaker and Members of the House: As one of the signers of the Minority Report, I go along with the motion that the Minority Report be accepted.

The main objection seems to be to fishing there that the lake does have so-called game fish, trout and salmon, but anyone that fishes smelts and uses a smelt hook knows that they will not get too many trout and salmon. I don't think every fisherman is dishonest. There are some probably that might put one in their pocket but we have law enforcement officers to stop that, and I think that they should be entitled to fish for those smelts.

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

Mr. MONROE: Mr. Speaker and Members of the House: I was also a signer of that Minority Report and I think our duty is more to the well-being of the fish than to

the out-of-state cottage owners, so I hope that this Minority Report prevails.

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 say just a word in support of my good friend from Ashland, Mr. Prue. You might wonder why I am interested in this bill, but in 1925 I taught school up to Portage Lake. In 1949 I came to the Legislature. This bill was in there then and I supported it then and I would like to go on record as supporting it now.

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

Mr. PRUE: Mr. Speaker and Members of the House: I would like to speak in rebuttal to the gentleman from Presque Isle, Mrs. Christie, about the camp owners. We didn't have any opposition at the hearing from camp owners. In fact, we had one camp owner speak for it, and the Fish and Game Club that I have mentioned up in that area, many of those people own camps out at the lake.

That has been discussed quite thoroughly about camps. We all realize the camp owners' attitude to some ice fishing, but there is a game warden that lives right in the small town of Portage, he is permanently stationed there, and they all seem to feel that there wouldn't be any difficulty about the proposition from very many of the camp owners. I just thought I would explain that to the House.

The SPEAKER pro tem: The question before the House is the motion of the gentleman from Ashland, Mr. Prue, that the House adopt the Minority Report on Resolve Opening Portage Lake, Aroostook County, to Ice Fishing for Smelts, House Paper 875, Legislative Document 1249. A division has been ordered.

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

A division of the House was had.

One hundred five having voted in the affirmative and nine having

voted in the negative, the motion prevailed.

Thereupon the Resolve was given its first reading and tomorrow assigned.

#### **Divided Report**

Majority Report of the Committee on Judiciary reporting "Ought not to pass" on Bill "An Act relating to Certificate of Department of Health and Welfare as Evidence in Liquor Law Prosecutions" (H. P. 586) (L. D. 833)

Report was signed by the following members:

Messrs. WEEKS of Cumberland  
LESSARD of Androscoggin  
WOODCOCK of Penobscot  
— of the Senate.

Messrs. EARLES of South Portland  
EMMONS of Kennebunk  
KNIGHT of Rockland  
BERMAN of Auburn  
—of the House.

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

Report was signed by the following members:

Messrs. BEANE of Augusta  
CARON of Biddeford  
COX of Dexter  
—of the House.

Reports were read.

On motion of Mr. Earles of South Portland, the Majority Report "Ought not to pass" was accepted and sent up for concurrence.

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

Majority Report of the Committee on Judiciary reporting "Ought not to pass" on Bill "An Act relating to Description of Real Estate in Tax Deeds and Tax Liens" (H. P. 832) (L. D. 1183)

Report was signed by the following members:

Messrs. WEEKS of Cumberland  
WOODCOCK of Penobscot  
LESSARD of Androscoggin  
—of the Senate.

Messrs. EARLES of South Portland  
BERMAN of Auburn  
COX of Dexter  
CARON of Biddeford  
EMMONS of Kennebunk  
KNIGHT of Rockland  
—of the House.

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

Report was signed by the following member:

Mr. BEANE of Augusta  
—of the House.

Reports were read.

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

Mr. EARLES: Mr. Speaker, I observe the absence of the minority signer, the gentleman from Augusta, Mr. Beane, and out of consideration for him, I move that this L. D. and both Reports be tabled and specially assigned for tomorrow pending acceptance of either report.

The SPEAKER pro tem: The gentleman from South Portland, Mr. Earles, moves that both Reports be tabled and specially assigned for tomorrow. Is this the pleasure of the House?

The motion prevailed.

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

Majority Report of the Committee on Legal Affairs reporting "Ought not to pass" on Bill "An Act relating to the Van Buren Hospital District" (H. P. 400) (L. D. 583)

Report was signed by the following members:

Messrs. MARTIN of Kennebec  
CHARLES of Cumberland  
—of the Senate.

Messrs. LINNELL of South Portland  
BROWN of Cape Elizabeth  
GOOD of Sebago  
TRUMBULL of Fryeburg  
HUTCHINSON of Carthage  
KELLAM of Portland  
—of the House.

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

Report was signed by the following members:

Mr. MacDONALD of Oxford  
—of the Senate.

Mr. COTE of Lewiston  
—of the House.

Reports were read.

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

Mr. ROWE: Mr. Speaker, Mr. Lebel, the gentleman from Van

Buren, who is the sponsor of this Bill, has been excused and granted leave of absence, so I would like to table this and assign it for Tuesday next.

The SPEAKER pro tem: The gentleman from Madawaska, Mr. Rowe, moves that both Reports be tabled pending acceptance of either Report and specially assigned for Tuesday, April 21. Is this the pleasure of the House?

The motion prevailed.

At this point, Speaker Edgar returned to the rostrum.

SPEAKER EDGAR: The Chair thanks the gentleman from Sherman, Mr. Storm, for his excellent services as Speaker pro tem.

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

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

Majority Report of the Committee on State Government reporting "Ought not to pass" on Resolve Proposing an Amendment to the Constitution Providing for Annual Legislative Sessions (H. P. 849) (L. D. 1212)

Report was signed by the following members:

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

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

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

Report was signed by the following members:

Mr. LESSARD of Androscoggin  
—of the Senate.

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

Reports were read.

(On motion of Miss Cormier of Rumford, tabled pending acceptance

of either Report and specially assigned for Wednesday, April 22.)

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

Majority Report of the Committee on State Government reporting "Ought not to pass" on Resolve Proposing an Amendment to the Constitution to Eliminate the Office of Treasurer of State (H. P. 883) (L. D. 1257)

Report was signed by the following members:

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

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

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

Report was signed by the following members:

Mr. LESSARD of Androscoggin  
—of the Senate.

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

Reports were read.

(On motion of Mr. Sanborn of Gorham, tabled pending acceptance of either Report and specially assigned for Tuesday, April 21.)

#### **Divided Report**

Report "A" of the Committee on State Government reporting "Ought to pass" on Bill "An Act Providing for Appointment of Commissioner of Education by the Governor and Council" (H. P. 847) (L. D. 1210)

Report was signed by the following members:

Mr. LESSARD of Androscoggin  
—of the Senate.

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

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

Report was signed by the following members:

Messrs. ROSS of Sagadahoc

HILLMAN of Penobscot

—of the Senate.

Messrs. SMITH of Exeter

SANBORN of Gorham

WADE of Auburn

—of the House.

Reports were read.

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

Mr. WADE: Mr. Speaker and Members of the House: I move the acceptance of the "Ought not to pass" Report, Report "B", and as House Chairman of the Committee on State Government, I wish to state that at the hearing on this bill the only proponents who spoke for it were the gentleman from Pittsfield, Mr. Baxter, the sponsor of the bill, and Mr. Frank Hussey, of Presque Isle, Chairman of the Citizens Committee on the Survey of State Government.

Opponents included an array of people prominent in the field of Maine education, including Lawrence Bagley of the MTA, the City Manager of Bangor, William O. Bailey, of the University of Maine, and former interim Commissioner of Education; Roland Carpenter, of the University of Maine Education Department; the Chairman of the Augusta School Board, and other school board executives, and Mr. Shibles of the MTA. There was a telegram from distinguished former Commissioner of Education, Mr. Payson Smith, and I would like to read that one.

"Strongly urge no change in present organization of State Department of Education including method of appointment of Commissioner of Education. I believe that prudent and capable leadership has been provided under this plan only recently adopted, and that it would be a serious mistake to make the proposed change at this time when so many important educational issues are before the people." Signed, Payson Smith.

These opponents contended that the appointment of the Commissioner of Education should remain with the State Board of Education because one, our school administration should be divorced as far as pos-

sible from politics; and two, the position would not attract as capable men if appointment were dependent upon political consideration. As I said, I move the adoption of Report "B", "Ought not to pass".

The SPEAKER: The question before the House is the motion of the gentleman from Auburn, Mr. Wade, that the House accept the "Ought not to pass" Report "B" of the Committee.

Is this the pleasure of the House?

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

### Passed to Be Engrossed

Bill "An Act relating to Conferring Degrees by Thomas Junior College" (S. P. 111) (L. D. 261)

Bill "An Act relating to Expenditures from Aeronautical Fund" (S. P. 149) (L. D. 370)

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

### Third Reader Amended

Bill "An Act relating to Driver Education" (S. P. 185) (L. D. 428)

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

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

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

HOUSE AMENDMENT "A" to S. P. 185, L. D. 428, Bill "An Act Relating to Driver Education."

Amend said Bill by striking out the single quotation mark at the end of section 1 and inserting the following underlined paragraph:

'Any person between the ages of 15 and 17, who satisfies the Secretary of State that no readily available means of transportation exists to and from a secondary school or academy which they are attending, may be issued, upon passing the regular driver's examination as provided in section 60, a special permit authorizing such person to drive to and from such school or academy.'

House Amendment "A" was adopted, the Bill passed to be en-

grossed as amended in non-concurrence and sent up for concurrence.

Bill "An Act relative to Trading Stamp Companies" (S. P. 306) (L. D. 852)

Bill "An Act relating to Discrimination at Places of Public Resort or Amusement" (H. P. 560) (L. D. 846)

Bill "An Act Revising Laws Relating to Slaughterhouses" (H. P. 636) (L. D. 979)

Bill "An Act to Clarify Appointments under Charter of City of Augusta" (H. P. 760) (L. D. 1099)

Bill "An Act relating to Hours, Vacations and Sick Pay for County Personnel" (H. P. 922) (L. D. 1304)

Bill "An Act relating to Municipal Records" (H. P. 923) (L. D. 1305)

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

#### Amended Bills

Bill "An Act relating to the Suspension and Revocation of Liquor Licenses" (S. P. 164) (L. D. 385)

Bill "An Act relating to Construction of a Building for Maine Employment Security Commission" (S. P. 244) (L. D. 627)

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)

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

#### Tabled and Assigned

Bill "An Act Providing Mandatory Jail Sentence for Second Offense of Driving under the Influence" (S. P. 329) (L. D. 905)

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

(On motion of Mr. Cousins of Bangor, tabled pending passage to be engrossed and specially assigned for Tuesday, April 21.)

Bill "An Act Defining Cigarettes under the Cigarette Tax Law" (H. P. 222) (L. D. 313)

Bill "An Act relating to Suspension of Motor Vehicle Licenses for Speeding" (H. P. 292) (L. D. 439)

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

#### Passed to Be Enacted

An Act relating to Sale of Spirituous Liquor in Class A Restaurants (S. P. 445) (L. D. 1295)

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

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

Mrs. CHRISTIE: Mr. Speaker and Members of the House: When this bill passed the House on Friday it was my thought that I wouldn't go any farther, that I would let it drop at that. But on Sunday morning about three-thirty I awoke and became very conscious of the potentialities of this bill, and I felt that I must make one more try to defeat it. Accordingly, as soon as I could I called some friends of mine in different parts of the State telling them that if they would like to have me make another try I would do so if they would support me. Almost immediately the response began to come. And I have had nearly fifty telegrams, a hundred and fifty letters from places beginning with Limestone and Loring Air Force Base in the north, through the four major towns and at least nine of the smaller towns of Aroostook County, and down to Bangor and through small towns north of Bangor besides the Aroostook County towns. And so I feel that I am justified in taking this time to go into detail a little more in regard to this bill.

This bill opens a big wide door for the sale of hard liquor, and it has startled me to think that the Legislature of the State of Maine would even consider such a drastic step, which is the most serious step down since repeal.

I want to tell you of some of those who contacted me regarding this bill. The first I am going to mention is Principal William Dunn,

Head of the Readfield School, and he wired me: "Please vote against sales of liquor in restaurants. Bad bill for our boys and girls."

Superintendent of Schools, Robert Andrews of Presque Isle and his wife sent me a communication asking me to vote against this bill.

Reverend Alfred Hempstead of Augusta wired: "Result of such sale will cause serious moral deterioration, eventually cost will exceed revenue. As Superintendent of 82 Methodist Churches I know the sentiment of our people is opposed to this bill."

Then a telegram from the Greater Portland Association of Evangelical Churches said in part: "The Greater Portland Association of Evangelical Churches desires to go on record as opposed to the bill which would allow first class restaurants to sell liquor."

Ivan McGlauffin, Jr., the Executive Secretary of the Y.M.C.A. in the Northeast District, and I would like to quote from his letter: "We have an appalling situation across the State of Maine in regard to the number of youths of high school age who are drinking malt beverages and hard liquor. This bill is one step further along the way to opening up our liquor to our young people the same as it is in New York. Do you wish to be a part of such a step?"

Then Rosamond McGuiggan, who is a leader of youth in Bath wires: "I sincerely hope you will reverse last Friday's vote. I feel it is a bad influence for children and young people to see alcoholic beverages served in restaurants."

Dr. Donald Blackstone, a dentist in Presque Isle said: "I believe we as a State should consider these bills more seriously instead of just in the light of State revenue."

Dr. Elmer Bentley, Executive Secretary of the United Baptist Convention of Maine said: "I am deeply disturbed by the action of the Maine House of Representatives on April 10 with regard to the bill permitting sale of hard liquor in restaurants. I want to register strong disapproval. As a christian leader, I feel that I must raise my voice against such a bill and urge its defeat. If allowed to go through to final enactment it will open the

sluice gates to a flood of liquor within Maine as never before in our history. Surely an intelligent appraisal of the consequences will dictate defeat of this legislation. I am urging my representative to oppose its passage. I trust the pastors and people of our churches will register similar opposition."

And then the wife of an alcoholic wrote me and she said: "Just want you to remember that a great many of us are with you. Thank you for your continued effort to curb these sales. We are praying that many more in the Legislature may be guided to see the thing the same way."

There was a wire from the First Baptist Sunday School in Rockland; from the Advent Christian Church in Friendship; from Marion N. Lindsey, President of the Woman's Educational Club, Rockland, and Regent of the D.A.R.; from the Knox County W.C.T.U. and the Monticello W.C.T.U.; former Senator Lee C. Good of Monticello.

Mrs. G. E. Farquar of Millinocket writes: "I would like to express my admiration for one who holds a public office and still can take her stand for Christ when necessary. Those who don't have it in their homes shouldn't have to be exposed to it in public."

And then there were telegrams from Reverend Donald Thompson, Pastor of the Baptist Church in Millinocket; Reverend Bergers, Pastor of the East Millinocket Nazarene Church and Millinocket Nazarene Church; the Men's Baraca Class of the Millinocket Baptist Church; Mrs. Frank Morse, President, Oxford County Parish representing five churches; Waterford Congregational Church; individuals in Millinocket wired and wrote; the President of the Columbia Street Church in Bangor with a resident membership of over seven hundred. Staff Sgt. and Mrs. Wesserling of Bangor; and individuals in Bangor sent telegrams and letters; the Methodist Church in Houlton; the Houlton Ministerial Association; the Court Street Baptist Church in Houlton; the Full Gospel Assembly in Houlton, the Full Gospel Assembly in Littleton; the Reformed Baptist Church in Houlton; individuals in Mattawamkeag and Brewer; and the Reverend Robert

Cumler of Randolph representing his Church; and then from the Freeport Baptist Church I had a telegram: "122 people in Church this morning voted to ask you to do all in your power to defeat L. D. 1295, the Restaurant Liquor Bill. And another one from Freeport: "Church of the Nazarene in Freeport unanimously deplores action of House in ignoring social and moral welfare of State in passing L. D. 1295, Restaurant Liquor Bill, and urges reconsideration and repeal of said bill, Reverend Dohanian, Pastor."

A number of Presque Isle citizens, among whom Lewis Libby, an official of the Maine Potato Growers, said: "It is gratifying to see at least one responsible person with enough strength of character to vote against such proposals. It should be obvious that if this bill goes through drunken driving and all other evils from drinking will increase."

Beatrice Chase, also from Presque Isle, said: "I just served on the Grand Jury in Houlton and the cases we heard pertained to liquor."

Then there was a wire from the Advent Christian Church in Friendship.

And Mrs. Esther Hews of Presque Isle said: "I am especially interested in young people. Let us work to remove temptation from them instead of putting it before them."

Now, someone said to me that there is being an argument made that young people can't afford to go into these Class A restaurants. I think that is something that very few of us would buy because young people will go in and get a light lunch, even in the Class A restaurants, they also will go in with their parents sometimes if they are a little younger. Someone has said they can't drink until they are twenty - one, but they can see what is being done and see people drinking socially and, to some, acceptably, and the impression on young people is going to be bad.

Another letter from Presque Isle was written to the Governor and a copy sent to me. He was a postal clerk in Presque Isle and he wrote the Governor asking him to do something about this.

One Bangor woman wrote: "Our State needs more men and women

like yourself who have the courage to stand for what they know is right."

Other church groups writing include the Reverend Donald Stead, speaking for Easton and Mars Hill Methodist Churches; the United Baptist Church of Caribou with over a thousand members; the First Congregational Church of Millinocket; the First Congregational Church of East Millinocket; the United Baptist Church of Perham. These are a few of the communications which I received. They have been coming in this morning and may continue to come in, I don't know. Anyway, it is my feeling that there is no more important bill before this House than this bill. We shall have bills dealing with millions of dollars in bond issues. We shall have bills that are of deep concern to us. These bills, most of them, deal with money or with animals or fish or something like that, but this bill deals with human beings and their welfare. This bill deals with the dangers which are inherent in the sale of alcoholic beverages. To me, the possibility of opening perhaps 500 additional outlets for hard liquor in the State of Maine is one of the most terrible things that I have yet to think about and I hope that this bill does not pass.

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

Mr. BROWN: Mr. Speaker and Members of the House: I too can display a great number of telegrams and many of them from prominent business people in our State. It would be rather difficult to continue on in this debate in regards to this Class A Restaurant Bill without repetition. However, I would like again, as I did last Friday, to bring to your attention that the restaurants that will come under this bill, certainly a Class A restaurant, a restaurant that is doing a very large volume of business, and I understand that there is only, again as I repeat myself, 600 of them, probably only 275 or possibly 300 that would apply for this license. These people who have invested large amounts of money in their restaurants, who have built up a tremendous reputation in the food business, such as Valle's

Steak House, the Pilot's Grill in Bangor and Boone's in Portland and so forth, those classes of people are not going to jeopardize their food business, their reputation, just for the matter of serving liquor in their restaurants. It is nothing more than a convenience to their customers.

Now, if we are going to continue to call ourselves a vacationland, we must not jeopardize the tourists who come into our State and who are accustomed to these privileges. And I am assured that every state in the New England States except the State of Maine, even Vermont, has such a law in their states.

I was interested to note the other evening in one of our better hotels here in Augusta a couple who were sitting down and having dinner, and that particular couple were people who were opposed to this legislation. Right next to their table was another couple having their dinner who had ordered a cocktail before dinner. I did not see any evidence of unhappiness over the fact that there were cocktails being served to the party next to them, and I am sure that they enjoyed their dinner as well as the people who had the cocktail.

We have also been told of the restaurants that probably would apply for this license, that there would be a revenue between six or possibly seven hundred thousand dollars. I think further on than just the revenue. I too am married and have a teenage daughter and I would be somewhat scared to think that she or her friends could go into a restaurant and just sit down and have a drink and the consequences later would occur.

These people who own these splendid restaurants certainly are going to police it to the greatest of their ability and still maintain the fine, splendid reputation that they have had over the many years. And I hope that the motion—there is a motion from the gentlewoman—there is no motion?

The SPEAKER: The Chair would advise the gentleman that there is no motion on the floor at the moment. The question before the House is on the enactment of this bill.

Mr. BROWN: I move the passage.

The SPEAKER: The Chair recognizes the gentleman from Hodgdon, Mr. Williams.

Mr. WILLIAMS: Mr. Speaker and Members of the House: I have never taken any part in these liquor debates but this one disturbs me. We have many bills before us pointing up the highway safety. We have our cars inspected and we regulate the signs and the lights along the road, and some would like to raise the age of obtaining a driver's license. Now, all this is in the interest of public safety. Now, it is not the cars that kill us, nor the lights, nor the signs, it is the drivers.

Each one of us deep down in our own heart know that a man or a woman with a couple of drinks under their belt are not safe drivers. Another thing, it is a well known fact which any of you can prove for yourself by a trip to Massachusetts, that when liquor moves into a restaurant good food moves out.

Now, in the interest of our young people and in the interest of public safety, I now move the indefinite postponement of this bill and all its accompanying papers.

The SPEAKER: The question now before the House is the motion of the gentleman from Hodgdon, Mr. Williams, that this bill and all accompanying papers be indefinitely postponed.

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

Mr. BRIGGS: Mr. Speaker, which motion takes preference?

The SPEAKER: The motion before the House that has taken preference now, as of the moment, is the motion to indefinitely postpone.

Mr. BRIGGS: Mr. Speaker, I ask for a division and I wish to speak briefly against this motion.

The SPEAKER: The gentleman may proceed.

Mr. BRIGGS: Mr. Speaker and Members of the House: The State of Maine is in the midst of a recession. Unemployment is greater now than at any time since the war. Our State depends to a large extent on our tourist trade. Our tourists, who are our customers, cannot understand why our State



should be different than the other New England States. Every year we are losing more and more tourists to wide awake, forward looking New England States.

Not all restaurants will have liquor. A person will still be able to enter a restaurant if he wishes and eat a meal in a restaurant that does not serve liquor.

This bill is a blow to the bootleggers, which there are still a great number of in the State of Maine. Check the statistics I have. They are even operating stills. I urge that L. D. 1295 be enacted and the motion now before the House does not prevail.

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

Mr. LACHARITE: Mr. Speaker and Members of the House: I have not received any letters or telegrams, but as a member of the Committee on Liquor Control and one of those who signed the 9 to 1 Majority "Ought to pass" Report, I would like to state my position on this bill.

When the original bill was presented I had my doubts as to how I was going to vote on this bill. But with this new redraft I am wholeheartedly in favor of it.

This privilege is now granted to Class A restaurants in all New England States. This is not establishing bars or honky-tonks. The only people who will qualify for this license are the truly Class A restaurants, and these places have to be doing at least \$50,000 of business a year, and no more than forty per cent of their total business can be from liquor. These establishments will then become subject to the enforcement division of the State Liquor Commission. This, Ladies and Gentlemen, is actually broadening the control of the liquor traffic in the State, and that, I believe, is what we are after.

The revenue from these licenses of these Class A restaurants will probably bring in close to half a million dollars and that is also something that we are after. It has been mentioned on the floor of this House some time before that we are spending \$42 million in liquor to bring in \$6 or \$7 million in profit. I would like to remind you

that the money that is spent on liquor would be spent regardless of whether we had control or not, and the fact that we do have control and that we have a licensing system, we are at least bringing back some of that money to our State, and we are also keeping control of the liquor traffic. We know who sells it, where it is sold and who buys it and we know what type of liquor is sold. So, Mr. Speaker, I hope that the motion to indefinitely postpone does not prevail.

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

Mr. ALIBERTI: Mr. Speaker and Ladies and Gentlemen of the House: I believe that the State of Maine, if they were to depend on me and my family for a tax on liquor, would probably be bankrupt, so therefore, I can speak pretty freely this morning.

I believe that this bill, not only from a revenue point of view, but from a point of view of being progressive to people who come to Maine as vacationland would be greatly encouraged to be able to sit down and under moderation to be able to have something to drink before they eat of a hearty dinner or supper, as the case may be.

Much has been said about what the liquor does to the young people who would be exposed to this sort of thing. But would you not realize that a group of people sitting down in a restaurant, a Class A restaurant, who would have one or two drinks before a meal and then a meal to go with it, would certainly be in a much more stabilized position than if they were going to someplace to drink continuously without any food. I think that there is a great deal to this being able to get your liquor in a nice place under ideal conditions, and so I would go along with the enactment of this measure.

The SPEAKER: The Chair recognizes the gentleman from Kittery, Mr. Dennett.

Mr. DENNETT: Mr. Speaker, I arise in opposition to the motion of the gentleman from Hodgdon, Mr. Williams. I do not want to be repetitious on this subject and I will not attempt to repeat what has

already been said, but I would call the attention to the members of this House that this bill has attached to it referendums that will take place in the several towns and cities in September when these various things are voted on pertaining to whether or not liquor shall be sold in the various towns. The people who reside in these several cities and towns have the right to say whether Class A restaurants shall be permitted to sell spirituous liquors in their towns or not.

Now, I think this is a fair bill. Again, I think we should be in a competitive position with other states, we need the business, we need all that come in. I do not think that in any manner this is going to enhance drinking or alcoholism or anything else. I think it is a fair bill for the people of the State of Maine. And after all, I would remind you again, it is the people in the several cities and towns that still retain the right to say whether it shall be sold or not in Class A restaurants in their towns. I hope that the motion of the gentleman from Hodgdon, Mr. Williams, does not prevail.

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

Mr. HENDSBEE: Mr. Speaker, Ladies and Gentlemen of the House: Relative to this bill I find myself in a peculiar position. I do not want to speak under the guise of a hypocrite or one that professes to know all about it. But as a Legislator, here for my second term, I have pursued a course straight down the middle of the road to support my constituents who sent me here, and I intend to do that regardless of whose feet I walk on or who I hurt.

My feeling in this matter, Ladies and Gentlemen, is this: That I have been thinking seriously for a couple of days of the position of certain people here in this House who work on these bills. It reminds me of an old hymn that was written many, many years ago, and it says:

"Dare to be a Daniel,  
Dare to stand alone,  
Dare to have a purpose firm  
And dare to make it known."

That is the way I feel towards the gentlewoman from Presque

Isle, Mrs. Christie, and I take great pride in trying to help her along with this bill because my constituents have asked me to do it.

Now, they tell us that we need liquor for the tourists. If that is the only thing we have to offer for the tourists in the State of Maine, why we had better close up shop. We sell them beer in the stores and then we pinch them if they stop on the side of the road and drink it. That's an absolute fact, we know. And I would ask you to turn the ledger over and look on the other side. We hear of the profits from liquor in the State of Maine. Now, let's look on the other side of the page and see what it costs us here in the State of Maine. Think of what it costs us for investment, think of what it costs you and I as taxpayers to support these broken homes and mothers and children which we have to support. Show me a mental institution anywhere in the United States that does not have an alcoholic ward that you and I are paying for.

Now, Ladies and Gentlemen, if we open this door a lot of things can happen. I am one, who if I feel like it, I will take a drink of liquor. I am not a man who uses it very greatly, therefore, I say that I will not be a hypocrite. But I think that this thing here should be given very, very careful attention and we should think it over before we go ahead and try to sell the people the idea that there is a lot of revenue coming from a bill like this, which I will admit there is, but Ladies and Gentlemen, there is going to be a lot of expense involved too.

Now, the people in my towns that I represent have asked me to come down here and speak against this measure and, for that reason, I will speak and hope and support for the indefinite postponement of this bill and all accompanying papers.

The SPEAKER: The Chair would inform the House that everyone who wishes to speak will receive an opportunity to do so.

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

Mr. MILLER: Mr. Speaker and Ladies and Gentlemen of the House: Much has been said here

today in regard to the badness or the evil in this bill. But I can assure you that much work has been done in the last few days to try to motivate a pressure group to pressure the members of this Legislature into voting against the passage of this bill.

As a representative from Portland, a city of 81,000 people, I will show you the results of this well planned organization's work, two letters which are in opposition to this piece of legislation.

Now, I am a married man and the father of three children, and I certainly don't feel that if I vote for the passage of this bill that I am doing an injustice to the State of Maine or the citizens of the State of Maine.

Now, without any further remarks, I would like to put myself on record as being against the indefinite postponement of this measure.

The SPEAKER: The Chair recognizes the gentlewoman from Orrington, Mrs. Baker.

Mrs. BAKER: Mr. Speaker and Members of the House: I wish to speak against this bill. I think that the thousands of people in Maine who have registered their opposition to it should be given consideration, and in my estimation, the argument concerning the revenue is a weak one. We should look at the other side and balancing the cost of law enforcement, of our State institutions, our correctional institutions, our State hospitals against this, I think that the matter of revenue deserves little consideration.

I wish to quote from the Portland Evening Express of Monday, April 13. "Joseph F. Jones, South Portland, a former president of the Maine Good Roads Association, declared today that 'the Legislature, in voting last week the sale of cocktails in restaurants was signing the death warrant for some unknown motorist. If the bill is enacted into law it will aggravate the problem of highway accidents and death, he predicted. 'The State Highway Safety Committee, should have taken up the problem as contributing to accidents on the highway' he said since 'State Police records show that a large percentage of accidents

are due to drinking.' " And when the vote is taken, I request a roll call.

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

Mr. BARNETT: Mr. Speaker and Ladies and Gentlemen of the House: Apparently someone did a little better work in Augusta than Portland because we have a population of around 20 odd thousand, and I have received on this bill thirteen phone calls, two telegrams, four letters, and I was at a meeting Monday night at which I was approached by seventeen people requesting that I oppose this bill.

I spoke against the measure last Friday, and my thoughts haven't changed since then. I think that some of the arguments in favor of this bill, I personally believe, are weak ones. For example, I think there is more to weigh as to what constitutes a Class A restaurant than whether it does \$50,000 worth of gross business. I question whether there are 600 restaurants in the State of Maine of the calibre of Valle's which was mentioned.

Further, someone asked me what constitutes a meal when you go into a restaurant that you can be served with liquor. I can see plenty of hamburgers constituting a meal and plenty of drinks thereafter.

It also moves me to say this: It has been mentioned by numerous ones, why should Maine be different than the other New England States in this particular issue? On the other side of the fence, when we debated such issues as abolishing the Governor's Council, I have heard them say that it is a good thing for Maine to be different than the other states in the United States and let's keep the Council. So, I say on this one that it will be a good thing for the State of Maine if we do not adopt this bill because I still feel that it is very difficult to weigh money matters against morals and future hardships that this bill may incur upon the younger people. Therefore, I am in favor of the indefinite postponement of this measure.

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

Mr. HILTON: Mr. Speaker and Members of the House: A few minutes ago we had an item before us making it a mandatory jail sentence for the second offense of driving under the influence. Now, we have plenty of outlets, I believe, for liquor at the present time. I don't feel that we should add any more. There is a movement in every legislature to make it easier for a man to procure liquor. Some of us are going to try and stop it and others are going to try and push it to make it more available.

Now, if this Class A restaurant at \$50,000 gross business now, I think in a couple of years that some of the smaller restaurants will say that it is unfair to them and that will want to be lowered to \$25,000 possibly. I hope that the motion before the House to indefinitely postpone does prevail.

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

Mr. PLANTE: Mr. Speaker, I move for the previous question.

The SPEAKER: The gentleman from Old Orchard Beach, Mr. Plante, moves the previous question. For the Chair to entertain the motion for the previous question the Chair must be authorized by at least one-third of the members of the House.

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

A sufficient number arose.

The SPEAKER: Obviously more than one-third having arisen, the question now before the House is: Shall the main question be put now? This motion is debatable with a time limit of five minutes for each member who wishes to speak.

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

Mr. CURTIS: Mr. Speaker, I think it is very unfair after everybody has got up and blowed their top to try to keep somebody else that wants something to say. Now, I never have voted for the previous question and I don't intend to now, and I don't have anything to say otherwise. But I think it is unfair for the people who got up and said

what they want to say for and against it, and then say to the rest of the members of this House you just can't say any more. So, I hope that we do not go along with this because I think it should have a full hearing, although I don't intend to take any part in it.

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

Mr. SHEPARD: Mr. Speaker, I also would debate the motion to move the previous question in that I feel that it is possibly a political maneuver to curtail debate inasmuch as the Speaker himself assured everybody that they would be given an opportunity. I hope the motion doesn't prevail.

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

Mr. COUSINS: Mr. Speaker, I don't intend to debate the main question but I feel quite strongly about this matter of the previous question. If there is one representative here who wishes to speak I think he should be allowed to speak and I certainly shall vote against the previous question.

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

Mr. PLANTE: Mr. Speaker, in view of this, I rescind my motion.

The SPEAKER: The Chair will advise the gentleman that he cannot withdraw the motion since more than one-third of the House has authorized the Chair to entertain it. Is the House ready for the question on whether or not the main question shall be put now?

Will all those that favor the Chair putting the main question now please say aye; those opposed, no.

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

The SPEAKER: The question before the House is still the motion of the gentleman from Hodgdon, Mr. Williams, that the Bill and all accompanying papers be indefinitely postponed.

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

Mr. SHEPARD: Mr. Speaker and Ladies and Gentlemen of the House: Most of you will recall that last Friday I got up and harped in

a mild manner against this bill. Perhaps some of you noticed yesterday in the K.J. a definition that was interesting. It said a person, an individual that is continually up in the air harping isn't necessarily an angel. I meant no reflection on any of the previous speakers, I think it applies to me.

I am concerned about this bill though, and in thinking it over, I find that its merits seem to fit into two categories. One, the revenue to the State and, two, would be the convenience to the public. Under category number one, I think it is a well known fact that there isn't an accounting firm in the State or an individual that can show us the net profit derived from our monopoly on State liquor stores and the sale of liquor. Under two, there is a question in my mind as to how far we will go in letting the bars down, lowering the standards in the convenience to the public.

It is true, this bill, when introduced, I understand, the Class A restaurants were to be \$100,000 volume of sales. It has been amended to \$50,000. The gentleman from Anson, Mr. Hilton, suggests and I agree, that in future sessions of the Legislature they will be back, and they are within their rights, to request to be included for lower volume restaurants, \$20,000 and under probably. Following that we will find possibly the druggist will say there is considerable traffic in and out of my drug store, I should be entitled to handle a commodity that is a convenience to the public. We will see eventually possibly, liquor being handed over the soda counters to quiet the nerves of somebody when they picked up their morning paper and read the headlines. Beyond that it is possible that we will sometime see vending machines, coin machines for the convenience of the public as we now find for cigarettes. It is possible that someday we will see one right in the rotunda to quiet our nerves while we are waiting for committee reports.

I am not naive enough to believe that we can legislate modes, but I am sincere in my belief that it is our duty as Legislators to set a standard and to maintain that

standard through the years. Thank you.

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

Mrs. HANSON: Mr. Speaker and Members of the House: A statement was made that pressure is being brought to bear on the Legislators. I don't think that any one of us in the Legislature should feel that if our constituents ask us to vote a certain way, and even if they bombard us with such requests that we should say we have been pressured. I think it is the privilege of our constituents to make their wishes known to us, and the majority of the constituents of mine are against this bill.

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

Mr. KENNEDY: Mr. Speaker, I wonder if the House would excuse me because of special interests?

The SPEAKER: The Chair assumes that the gentleman is being facetious.

The Chair recognizes the gentleman from Milbridge.

Mr. KENNEDY: Mr. Speaker, actually I have a committee waiting upon me and if I could be excused I would be very pleased.

The SPEAKER: The gentleman is free to leave the hall until the chains have been put across the door.

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

Mr. CURTIS: Mr. Speaker and Members of the House: I said I was not going to take any part in this and I am not, only I want to ask a question. The gentleman from Kittery, Mr. Dennett, said that only those people who have a chance to vote whether that be in their town or not. Now, the question I want to ask is this: I understand that there is being prepared an amendment to this if it passes the House and the other body whereby they can start selling it in places that have already voted. In other words, that would be somewhat in contradiction to what he said, that they still have to vote on this. I understand from somebody who is in very much authority on the subject, that there is to be an amendment presented that the

minute this becomes a law that they can start selling in the municipalities that have voted wet already.

The SPEAKER: Is the gentleman addressing a question through the Chair to anyone in particular?

Mr. CURTIS: No, no one in particular, to anyone that can answer it.

The SPEAKER: The gentleman from Bowdoinham, Mr. Curtis, has addressed a question through the Chair to anyone who may answer if he chooses.

The Chair recognizes the gentleman from Kittery, Mr. Dennett.

Mr. DENNETT: Mr. Speaker and Members of the House: I decline the honor of being an authority on this subject, but I did mention the fact as the gentleman from Bowdoinham, Mr. Curtis, mentioned, that the towns had to vote on this. Definitely under the bill the towns do have to vote on it, and furthermore, it does not become effective until the year 1961 if passed by this Legislature. I know of no amendment whatsoever.

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

Mr. CURTIS: Mr. Speaker, no I don't, because if this bill passes, even though it says '61, it can be amended and make it 1959, can it not? I would like to ask that question.

The SPEAKER: The Chair recognizes the gentleman from Bangor, Mr. Brown, provided the gentleman is answering the question, he may proceed.

Mr. BROWN: Mr. Speaker and Members of the House: As a member of the Liquor Control Committee, we are not aware of any amendment at all, and it is my understanding that it would be in '61.

The SPEAKER: Is the House ready for the question? The question before the House is the motion of the gentleman from Hodgdon, Mr. Williams, that this Bill, An Act relating to Sale of Spirituous Liquor in Class A Restaurants, Senate Paper 445, Legislative Document 1295, and all accompanying papers be indefinitely postponed, and the gentlewoman from Orring-

ton, Mrs. Baker, has requested a roll call.

Before the Chair may order a roll call the Chair must have an expression of a desire for a roll call by at least one-fifth of all the members of the House.

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. An insufficient number arising, a roll call was not ordered.

Thereupon, on request of Mr. Briggs of Portland, a division was had.

Forty-three having voted in the affirmative and ninety in the negative, the motion did not prevail.

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

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An Act relating to Minimum Sick Leave for Teachers (S. P. 399) at present, and the laws relating (L. D. 1167)

An Act relating to Teachers and Other School Personnel for Mentally Retarded Children (H. P. 142) (L. D. 198)

An Act Revising Certain Election Laws (H. P. 857) (L. D. 1225)

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.

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### Orders of the Day

The SPEAKER: The Chair now lays before the House the first tabled and today assigned matter, Senate Report "Ought to pass" of the Committee on Business Legislation on Bill "An Act relating to Powers of Maine Fidelity Life Insurance Company," Senate Paper 324, Legislative Document 900, tabled on April 2 by the gentleman from Kittery, Mr. Dennett, pending acceptance of the Committee Report in concurrence; and the Chair recognizes that gentleman.

Thereupon, on motion of that gentleman, the Report was accepted in concurrence, the Bill read twice and tomorrow assigned.

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The SPEAKER: The Chair lays before the House the second tabled and today assigned matter, Senate

Report "Ought to pass" of the Committee on Business Legislation on Bill "An Act relating to Capital Shares of Insurance Corporations," Senate Paper 363, Legislative Document 1046, tabled on April 9 by the gentleman from Kittery, Mr. Dennett, pending acceptance of the Committee Report in concurrence; and the Chair recognizes that gentleman.

Thereupon, on motion of that gentleman, the Report was accepted in concurrence, the Bill read twice and tomorrow assigned.

The SPEAKER: The Chair now lays before the House the third tabled and today assigned matter, House Report "Ought to pass" of the Committee on Labor on Bill "An Act Repealing Certain Disqualifications of Benefits Under Employment Security Law," House Paper 397, Legislative Document 580, tabled on April 9 by the gentleman from Houlton, Mr. Ervin, pending acceptance of the Report.

The Chair recognizes the gentleman from Lisbon, Mr. Karkos.

Mr. KARKOS: Mr. Speaker, Ladies and Gentlemen: As a signer of the unanimous "Ought to pass" Report, I move the passage of this legislation.

The SPEAKER: The gentleman from Lisbon, Mr. Karkos, moves that the House accept the "Ought to pass" Report.

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

Mr. WADE: Mr. Speaker and Members of the House: I move that this item be retabled unassigned.

The SPEAKER: The question now before the House is the motion of the gentleman from Auburn, Mr. Wade, that this matter be retabled unassigned pending acceptance of the Report. Is this the pleasure of the House?

(Cries of "No")

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

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

Sixty-six having voted in the affirmative and thirty-two having voted in the negative, the motion prevailed and the Report was so tabled.

The SPEAKER: The Chair now lays before the House the fourth tabled and today assigned matter, House Report "Ought to pass" of the Committee on Labor on Bill "An Act relating to Duties and Powers of Department of Labor and Industry," House Paper 209, Legislative Document 300, tabled on April 9 by the gentleman from Milo, Mr. Brockway, pending acceptance of the Report, and the Chair recognizes that gentleman.

Mr. BROCKWAY: Mr. Speaker and Members of the House: I ask that this item be retabled until a week from today, we need more time to study it.

The SPEAKER: The gentleman from Milo, Mr. Brockway, moves that the "Ought to pass" Report be retabled and specially assigned for one week from today pending acceptance of the Report.

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

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

Forty-six having voted in the affirmative and fifty-eight having voted in the negative, the motion to table did not prevail.

Thereupon, on motion of Mr. Winchenpaw of Friendship, the "Ought to pass" Report was accepted, the Bill read twice and tomorrow assigned.

The SPEAKER: The Chair now lays before the House the fifth tabled and today assigned matter, "An Act relating to Type of Lights on School Buses, House Paper 330, Legislative Document 477, tabled on April 9 by the gentleman from Brunswick, Mr. Lacharite, pending passage to be enacted, and the Chair recognizes that gentleman.

Mr. LACHARITE: Mr. Speaker and Members of the House: I do not wish to prolong this session much longer, but I feel that I have to say a few words on this bill once more. First of all I would like to read a few lines from an editorial that appeared in one of our weekly papers last week. It is entitled: "Unnecessary Legislation", and I quote: "To oppose any sort of legislation regarding highway safety, especially where young-

sters are concerned, is to be asking for trouble. This is precisely the position in which the Brunswick Representative found himself last week when he spoke in opposition to a bill which would require all new school buses purchased after September 1, 1960 to install revolving red lights similar to those now found on police cars." Further down in the same editorial: "A good many educators and highway safety officials throughout the State, including Brunswick superintendent of schools, are convinced that the bill is impractical. The State Department of Education has indicated they would be just as happy without the bill." And still further down: "But the fundamental reasoning behind the opposition to Legislative Document 477 is not so much that it is impractical as it is totally unnecessary. The current regulations regarding school buses are well defined and enforced. A school bus is easily distinguishable at present, and the laws relating to passing school buses are posted frequently on roads throughout the State. There is simply no need for additional legislation at this time."

Since our last discussions on this bill, I have been approached by several members of this House and also by school superintendents and bus contractors. Now these people as well as all of us here are very much concerned with the welfare of our children, but they also realize that this is a type of legislation that requires a great deal more study. They are all agreed that our uniform vehicle code law needs to be revised, at least with regard to school buses, and they are also agreed that the enforcement of this law should be intensified. It would be much wiser for a committee to study this problem during the next biennium and at the 100th Legislature a bill could be introduced which would provide the correct answers to the solution of this problem.

Now a great deal has been said about costs, but the estimates presented here have certainly been kept down to a minimum. In talking with a man who owns several buses and who has been in that type of business most of his life, I find that the cost of these lights,

that is the original cost of the lights, and the replacement costs, plus the cost of stronger batteries and generators, because these buses are already operating at the limit of their power as it is now, would be \$300 to \$400 per year per bus, and when you figure the number of school buses in the State, that represents a lot of money. Besides that, he feels that they could get into a great deal of trouble during the winter in below-zero weather. It would not be good to have a bus loaded with children run down on a country road somewhere in below-zero weather. Now all of this would not be too bad if these lights contributed to the saving of the life of a child, but I am afraid that it would be just the opposite. Under this bill, these lights would be installed on new buses bought after September 1, 1960. We have in the state over 1300 school buses and they are usually good for ten to twelve years. Furthermore some of the communities never buy a new school bus, they cannot afford new ones, and they constantly buy second-hand buses. So the first year after this bill became effective, you would have maybe just over one hundred buses with revolving lights and all the rest of them without.

Now the concern of the proponents seems to be centered around those drivers who do not recognize a school bus when they see one on the road. Well those drivers should not be driving in the first place, and in the second place, after they have seen one of these revolving lights, it will be still easier for them to not recognize those buses without the lights, and so I say that it will result in more confusion than ever before, and I wouldn't be surprised a bit if it resulted in more accidents.

Someone said during the previous discussion that if this bill was going to help to save the life of one child, they were all for it. Well I am a member of the Governor's Highway Safety Committee, and I say that if there is any possibility that this bill would create the sort of confusion that would eventually result in the death or the crippling of one child, then I do not want any part of it. Mr. Speaker, I now



move the indefinite postponement of this bill.

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

Mr. ALIBERTI: Mr. Speaker and Ladies and Gentlemen of the House: Miss Cormier, the gentlewoman from Rumford, the House Minority Leader, and I, usually commute from Rumford to Augusta daily, and I have before me a test that I have taken right here in the Hall of the House — not the Hall of the House, but the corridor on driver analysis, and it says here according to this report and visual acuteness that I was rated good, and I kind of think that my eyesight is as good as most people's, and there are many occasions when we are driving either from Augusta to Rumford or vice versa that we are usually trailing a bus, and on very, very many occasions when the light was coming at the right time, when the sun was down just about right, it was impossible for us to determine whether there was a flickering light on the bus or not. My good friend from Enfield, Mr. Dudley, claims that anybody that can't see a bus should have his license revoked, and if that were true, I think two licenses would have been revoked this morning, because regardless of how much you try from a distance you cannot tell whether a school bus is stopped or in motion, and many times if you are moving along you will find that you will come upon the bus and then notice that light, and it could be very, very disastrous if you do not have good brakes.

Now I think it is a safety feature, and they can bring about costs and everything else in the book. Let's face it Ladies and Gentlemen of the House, more school boards and more school districts are in the transportation business, and most transportation businesses on a commercial or an industrial basis will always sacrifice cost for safety. I happen to be a member of the school board in Rumford, and we are very much concerned with the safety of our children, as should be every other school board member in the State of Maine, and as regards to cost as to the effect of

saving one life, it is well worth it many, many times, so therefore I hope that the motion of the gentleman from Brunswick, Mr. Lacharite, does not prevail.

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

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

The SPEAKER: The gentleman may state his question.

Mr. DUDLEY: My question is this, under the existing laws isn't it right that any town can put any type — they can put one of these lights now if they desire? And if this is so, I see no reason why we need this legislation. If the Town of Rumford wants one of these lights let's let them do it, but I think if I am right, that at the present time they can put one of these lights without legislation.

The SPEAKER: Is the gentleman addressing his question to any member in particular?

Mr. DUDLEY: Any members that would care to answer.

The SPEAKER: The gentleman from Enfield, Mr. Dudley, has addressed a question through the Chair to any member of the House who may answer if he chooses.

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

Mr. ALIBERTI: Mr. Speaker, Rumford is considering just that sort of action. We are not waiting for the Legislature to pass this law to do it. We have recommended to our finance board in Rumford that they adopt this idea and put it into the budget for the coming year that all of our school buses have this type of light.

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

Mr. DUDLEY: Just partly.

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

Mr. CHOATE: Mr. Speaker and Fellow Members of the House: This has been rather a lengthy session this morning, and we have a lot more left to do today and the remaining days of our session. For that reason I will be very brief and take about two minutes of your

time to review this piece of legislation which you have before you at this moment.

This bill had a very fair public hearing before the Transportation Committee. At that time all the pros and cons were aired; everyone who had a feeling toward the bill had a chance to be heard. The Committee after thorough consideration sent back to the House a unanimous "Ought to pass" Report as amended. The report came into the House and it was tabled for one week by one of my colleagues; it was tabled for another week by myself out of courtesy to this same gentleman, and then we felt that the only fair way to bring this matter to a head was to have a floor debate so that all the members could hear all the different points of the question and decide for themselves in the best interests of the State.

We did that, and everyone else that was concerned had a chance to speak on the question. A division was requested and the members gave the bill, the Committee and myself a vote of their support by 90 to 32. The bill then went to the other branch where it was accepted unanimously —

The SPEAKER: The gentleman may not use the action of the other branch to influence legislation in this branch.

Mr. CHOATE: Excuse me, Mr. Speaker. We now have the measure before us for enactment. I feel the bill has had a very fair consideration by all the members, and I hope that you will again oppose my colleague's motion to postpone indefinitely this bill which is designed as a safety measure to prevent accidents and to save the lives of our Maine children, and when the vote is taken I request a division.

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

Mr. EDWARDS: Mr. Speaker and Members of the House: I am for highway safety and I am for saving the lives of the children who go to school, but I feel that this bill as it is now written would lead to much confusion, and confusion is not a safety measure. Therefore,

I must vote for indefinite postponement.

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

Mr. DODGE: Mr. Speaker and Members of the House: When I was home this weekend I talked with the bus drivers and they told me that they have been stopped various times on the road by the state police telling them that it was impossible at certain times of the day to see the flashing lights on the buses.

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

Mr. BRAGDON: Mr. Speaker, I have listened to these discussions on this bill and many others having to do with lights, and the more I listen the more I am becoming convinced that we are rapidly approaching the time when a thorough study of this whole field of lighting of vehicles on the highways should be gone over in its entirety by some committee. I am not suggesting that, but I believe we are rapidly approaching that point. We are going to have so much confusion the way we are proceeding that we are not going to come up with the right answer. I think someone might suggest that this whole picture be given some review.

The SPEAKER: Is the House ready for the question? The question before the House is the motion of the gentleman from Brunswick, Mr. Lacharite, that this Bill "An Act relating to Type of Lights on School Buses" House Paper 330, Legislative Document 477, be indefinitely postponed. A division has been requested.

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

A division of the House was had.

Sixty-seven having voted in the affirmative and fifty-three having voted in the negative, the motion prevailed, the Bill was indefinitely postponed and sent up for concurrence.

The SPEAKER: The Chair now lays before the House the sixth tabled and today assigned matter, "An Act Classifying Certain Surface Waters in Maine, House Paper 504, Legislative Document 717, tabled on April 10 by the gentleman from Berwick, Mr. Mathews, and the Chair recognizes that gentleman.

Thereupon, on motion of that gentleman, the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

The SPEAKER: The Chair now lays before the House the seventh tabled and today assigned matter, Bill "An Act Providing Subsidy to Driver Education," House Paper 872, Legislative Document 1246, tabled on April 15 by the gentleman from Bridgton, Mr. Haughn, pending passage to be engrossed, and the Chair recognizes that gentleman.

Thereupon, on motion of that gentleman, the Bill was passed to be engrossed and sent to the Senate.

The SPEAKER: The Chair now lays before the House the eighth 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 15 by the gentleman from Madawaska, Mr. Rowe, pending acceptance in concurrence, and the Chair recognizes that gentleman.

Mr. ROWE: Mr. Speaker and Members of the House: Regretfully, and I would like to underline the word "regretfully", I am going to move the acceptance of the "Ought not to pass" Report, and for these reasons. I am fully in favor of the objective of increasing the salaries of our superintendents; I think it is something that has been neglected for some time, but I fully also realize that there is quite a sum of money attached to supporting this type of bill. Obviously, I don't carry that type of money in my pocket, and other members of the Committee too felt the same way that this bill was not protected with a revenue bill. Therefore, I move

acceptance of the "Ought not to pass" Report.

The SPEAKER: The gentleman from Madawaska Mr. Rowe, moves that the House accept the "Ought not to pass" Report in concurrence. Is this the pleasure of the House?

The motion prevailed.

The SPEAKER: The Chair now lays before the House the ninth 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 15 by the gentleman from Perham, Mr. Bragdon, pending third reading; and the Chair recognizes that gentleman.

Mr. BRAGDON: Mr. Speaker, I just this minute noticed this bill. I requested yesterday that it be tabled unassigned, and I assumed that that had been done. Apparently my motion was misunderstood. I would now make that motion.

The SPEAKER: With respect to this bill, the gentleman from Perham, Mr. Bragdon, moves that it be tabled unassigned pending third reading. Is this the pleasure of the House?

The motion prevailed.

On motion of Mr. Graves of Mt. Desert, the House voted to take from the table the third tabled and unassigned matter, House Report "Ought to pass" with Committee Amendment of the Committee on Highways on Bill "An Act Permitting Ferry Service for Long Island Plantation," House Paper 55, Legislative Document 77, tabled on March 24 by that gentleman pending acceptance of the Committee Report.

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

Mr. GRAVES: Mr. Speaker, this bill as it is now in our possession is the original bill which was a permissive bill with a Committee Amendment making it mandatory for the port authority to call at Long Island. I have found that the bill as it is now is unconstitutional. The people made the decision upon this ferry in September when they voted on this, and so I shall have

to put a referendum clause on this and send it back to the people, so I would like to move at this time to accept the Committee Report and give the bill its first two readings at this time.

The SPEAKER: With respect to this bill, the gentleman from Mount Desert, Mr. Graves, moves that the House accept the "Ought to pass" Committee Report. Is this the pleasure of the House?

The motion prevailed, the Report was accepted and the Bill read twice.

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

COMMITTEE AMENDMENT "A" to H. P. 55, L. D. 77, Bill "An Act Permitting Ferry Service for Long Island Plantation."

Amend said Bill in 11th line by striking out the underlined word "may" and inserting in place thereof the underlined word 'shall'

Further amend said Bill in the next to last line by striking out the underlined word "may" and inserting in place thereof the underlined word 'shall'

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

Mr. GRAVES: Mr. Speaker, if this is my amendment, I move that we indefinitely postpone this amendment.

The SPEAKER: The gentleman from Mt. Desert, Mr. Graves, moves that the House indefinitely postpone Committee Amendment "A". Is this the pleasure of the House?

The motion prevailed.

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

Thereupon, Mr. Graves of Mt. Desert, offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to H. P. 55, L. D. 77, Bill "An Act Permitting Ferry Service for Long Island Plantation."

Amend said Bill by adding at the end the following referendum:

**'Referendum for ratification.** The aldermen of cities, the selectmen of towns and the assessors of the several plantations of this State are empowered and directed to notify

the inhabitants of their respective cities, towns and plantations to meet in the manner prescribed by law for calling and holding biennial meetings of said inhabitants for the election of Senators and Representatives at the next general or special state-wide election, to give in their votes upon the acceptance or rejection of the foregoing act, and the question shall be:

"Shall 'An Act Permitting Ferry Service for Long Island Plantation,' passed by the 99th Legislature, be accepted?"

The inhabitants of said cities, towns and plantations shall vote by ballot on said question and shall indicate by a cross or check mark placed against the words "Yes" and "No" their opinion of the same. The ballots shall be received, sorted, counted and declared in open ward, town and plantation meetings, and return made to the office of the Secretary of State in the same manner as votes for Governor and Members of the Legislature, and the Governor and Council shall count the same, and if it shall appear that a majority of the inhabitants voting on the question are in favor of the act, the Governor shall forthwith make known the fact by his proclamation, and the act shall become effective in 30 days after the date of said proclamation.

**Secretary of State shall prepare ballots.** The Secretary of State shall prepare and furnish to the several cities, towns and plantations ballots and blank returns in conformity with the foregoing act, accompanied by a copy thereof.

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

On motion of Mr. Edwards of Raymond, the House voted to take from the table the second tabled and unassigned matter, House Report "Ought to pass" of the Committee on Taxation on Bill "An Act relating to Taxation of Household Furniture," House Paper 449, Legislative Document 655, tabled on March 20 by that gentleman pending acceptance of the Committee Report.

The SPEAKER: The Chair recognizes the gentleman from Raymond, Mr. Edwards.

Mr. EDWARDS: Mr. Speaker and Members of the House: At this time I do not care to make any motion, but I would say that we have in the last several years in the Town of Raymond assessed household furniture, and this will mean if it is passed a reduction in the amount of our personal property.

I do know and understand that many of the towns around us do not bother with the assessing of household furniture, and with those words I would sit down.

The SPEAKER: The Chair would remind the gentleman that the question before the House is the acceptance of the "Ought to pass" Report.

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

Mr. ROLLINS: Mr. Speaker and Members of the House: I move we accept the "Ought to pass" Report.

The SPEAKER: The gentleman from Belfast, Mr. Rollins, moves that the House accept the "Ought to pass" Report.

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

Mr. COUSINS: Mr. Speaker, to explain the Committee's thinking on the bill, and we took this up quite a while ago, and my remembrance is this, that there is much confusion and much different treatment in the different towns of the State now and the cities as to exactly what they do in the way of assessing household furniture. Some towns do, some towns don't. Some of them assess the household furniture on the basis of do they have a radio; some use the measure of a television set. There is no uniformity anywhere.

This again was a Maine Municipal Association and Assessing Association bill. It would take from the tax roll, household furniture. It leaves on television sets. The feeling of the assessors was that any loss of revenue would be promptly made up on new assessments by a readjustment of your real property tax and there would be, in effect no real loss of revenue to the towns. They all thought it would be a big help to them in their assessing problems.

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

Mr. GRAVES: Mr. Speaker, I went in the Assessors' office in the Town of Mt. Desert two weeks ago, and I found that they have \$198,000 worth of household furniture, resident and non-resident, and we would lose by this bill around \$16,000 which would have to be made up by other taxation. That is rather a large sum. We have some quite nice houses down there, summer houses, and we have always taken the household furniture. This would be a blow to us I am quite sure.

The SPEAKER: The question before the House is the motion of the gentleman from Belfast, Mr. Rollins, that the House accept the "Ought to pass" Report. Will those who favor accepting the "Ought to pass" Report please say aye; those opposed, no.

A viva voce vote being taken, the motion prevailed, the Report accepted, the Bill read twice and tomorrow assigned.

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(Off Record Remarks)

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On motion of Mr. Hobbs of Acton,  
Adjourned until 9:30 o'clock tomorrow morning.