

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Ninety-Ninth Legislature

OF THE

STATE OF MAINE

1959

DAILY KENNEBEC JOURNAL
AUGUSTA, MAINE

HOUSE

Friday, April 17, 1959

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

Prayer by Rev. Fr. Richard Rokos of St. Mary's Parish, Augusta.

The Journal of the previous session was read and approved.

Papers from the Senate

From the Senate:

The following Order:

ORDERED, the House concurring, that WHEREAS there are many bills related to salary increases for various department heads, the Committee on State Government may, if the Committee deems it desirable, report these several bills in consolidated form and on the consolidated bill, include, if they so desire, such additional department head salaries as may not have been covered by individual bills (S. P. 458)

Came from the Senate read and passed.

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

Senate Reports of Committees Leave to Withdraw

Report of the Committee on Education on Bill "An Act relating to Heating, Lighting, Ventilation and Sanitation of School Buildings" (S. P. 316) (L. D. 878) reporting Leave to Withdraw.

Report of the Committee on Legal Affairs reporting same on Bill "An Act relating to Inspection and Licensing of Ski Lifts" (S. P. 394) (L. D. 1138)

Report of the Committee on Public Utilities reporting same on Bill "An Act to Incorporate the Knox County Water District" (S. P. 310) (L. D. 856)

Came from the Senate read and accepted.

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

Ought Not to Pass

Report of the Committee on Inland Fisheries and Game reporting "Ought not to pass" on Bill "An Act relating to Free Fishing Licenses for Old Age Assistance Recipients" (S. P. 273) (L. D. 735)

Report of same Committee reporting same on Bill "An Act relating to Private Shooting Preserves" (S. P. 402) (L. D. 1170)

Came from the Senate read and accepted.

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

Ought to Pass in New Draft

Report of the Committee on Towns and Counties on Bill "An Act relating to Uniforms for Deputy Sheriffs" (S. P. 125) (L. D. 274), which was recommitted, reporting same in a new draft (S. P. 453) (L. D. 1303) under same title and that it "Ought to pass"

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

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

Ought to Pass

Report of the Committee on Towns and Counties reporting "Ought to pass" on Bill "An Act Increasing Number of Medical Examiners in Somerset County" (S. P. 106) (L. D. 224)

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

In the House, the Report was read and accepted in concurrence, the Bill read twice and assigned the next legislative day.

Divided Report

Majority Report of the Committee on State Government reporting "Ought to pass" on Bill "An Act relating to Automobile Travel by State Employees" (S. P. 408) (L. D. 1176)

Report was signed by the following members:

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

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

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

Report was signed by the following members:

Mr. ROSS of Sagadahoc
— of the Senate.

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

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

In the House the Reports were read, the Majority Report "Ought to pass" was accepted in concurrence, the Bill read twice and assigned the next legislative day.

Divided Report Tabled and Assigned

Majority Report of the Committee on State Government reporting "Ought to pass" on Bill "An Act relating to Duties of the Clerk of the House of Representatives" (S. P. 419) (L. D. 1203)

Report was signed by the following members:

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

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

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

Report was signed by the following members:

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

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

In the House: Reports were read.

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

Mr. PLANTE: Mr. Speaker, I move that both reports be indefinitely postponed.

The SPEAKER: The question now before the House is the motion of the gentleman from Old Orchard

Beach, Mr. Plante, that with respect to Bill "An Act relating to Duties of the Clerk of the House of Representatives," that both reports be indefinitely postponed.

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

Mr. STANLEY: Mr. Speaker and Ladies and Gentlemen: The bill which is before you, "An Act relating to Duties of the Clerk of the House of Representatives," comes out in a divided report and we have a motion to indefinitely postpone both reports. Without the House hearing something about the bill I would be very much opposed to indefinitely postponing both reports. I would hope that the gentleman who would like to have both reports indefinitely postponed would give us some reasoning for that.

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

Mr. PLANTE: Mr. Speaker and Ladies and Gentlemen of the House: I wish to point out that I am speaking purely as an individual and not as a party leader. I assure you that if I felt that this bill were not a fair bill I would not be coming to the defense of the Clerk of the House. I sincerely feel that the purpose of this bill is simply to discipline the Clerk of the House and I shall have nothing to do with it. I think when we are doing so we are not protecting the integrity of the Clerk nor the integrity of this House. You people here, and particularly the majority party, selected this Clerk and I feel that it is a definite insult to his character if this bill were to pass. And this is the only reason, without any ulterior motive whatsoever, why I have requested that both reports be indefinitely postponed.

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

Mr. BARNETT: Mr. Speaker and Members of the House: The only reason I signed the "Ought to pass" Report, and I want to make this clear, there was nothing personal brought up at the hearing at any time in respect to our present Clerk, and I am sure that there is no one who doubts his integrity or anything of that nature. This was strictly looking into the future, assuming that

some day there may be another clerk, and no one knows who it will be or what have you, and we just felt that it was in the matter of good legislation that such a thing be on the books. But I definitely do not want anyone to think here that anything personal was brought into this at the hearing or there is anything personal involved in it today because it is not, it is strictly a legal matter.

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

Mr. WADE: Mr. Speaker and Members of the House: Like the gentleman from Old Orchard Beach, Mr. Plante, I want to assure the House that I am speaking as an individual and not as a party leader, and I also want to report to you that before I signed the "Ought to pass" Report I went to the gentleman who is our Clerk and he assured me that he had no feeling on the bill and for that reason and that reason only I signed the "Ought to pass" Report. If he had voiced any objection, I think you all know me well enough to know that I wouldn't have done anything to hurt the gentleman who has been our able Clerk so long.

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

Mr. JALBERT: Mr. Speaker and Members of the House: I think if you would read the last line of the document L. D. 1203, the last three lines, "The Clerk shall maintain a perpetual inventory of all Legislative property and make an accounting to the Legislature upon request," I think that starts to make our clerk have to, well, whatever clerk we would have, whomever he would be, certainly put in more hours pertaining to the duties we would give him under this Act. And I as one member of the Committee to table this bill because if it did pass it should be amended with a small appropriation, at least, put onto it. We can't expect anybody to be given these duties and have to come down here, which he would, off session, because if you are going to give him these responsibilities then he is going to have to guard them. I would-

n't blame him no matter who it would be as a clerk. So, I would like to at this time, for those reasons stated, to table the bill pending the acceptance or non-acceptance of the motion to indefinitely postpone both reports.

The SPEAKER: The question now before the House is the motion of the gentleman from Lewiston, Mr. Jalbert—

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

Mr. STANLEY: Mr. Speaker, I would respectfully request the gentleman at my right, Mr. Jalbert, from Lewiston, if he would assign a time.

The SPEAKER: Does the gentleman care to assign it?

Mr. JALBERT: Tuesday is loaded. Wednesday, April 22.

The SPEAKER: The gentleman from Lewiston, Mr. Jalbert, moves that both reports on Bill "An Act relating to Duties of the Clerk of the House of Representatives," Senate Paper 419, Legislative Document 1203, be tabled and specially assigned for April 22, pending the motion of the gentleman from Old Orchard Beach, Mr. Plante, that both reports be indefinitely postponed. Is this the pleasure of the House?

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

From the Senate:

The following Communication:

STATE OF MAINE
SENATE CHAMBER

April 16, 1959

Hon. Harvey R. Pease
Clerk of the House of
Representatives
99th Legislature

Sir:

The President of the Senate today appointed the following Conferees on the part of the Senate on the disagreeing actions of the two branches of the Legislature on:

Resolve in favor of Grand Falls Hospital, Grand Falls, New Brunswick (H. P. 483) (L. D. 701)

Senators:

PARKER of Piscataquis

WEEKS of Cumberland
COLE of Waldo

Respectfully,

(Signed) Chester T. Winslow
Secretary of the Senate

In the House the Communication
was read and ordered placed on file
in concurrence.

The SPEAKER: The Chair would
announce the appointment of the fol-
lowing Conference Committee on the
disagreeing action of the two
branches on Resolve in favor of
Grand Falls Hospital, Grand Falls,
New Brunswick, House Paper 483,
Legislative Document 701: The gen-
tleman from St. Albans, Mr.
Hughes; the gentleman from Stock-
holm, Mr. Johnson; and the gentle-
man from Bowdoinham, Mr. Curtis.

Orders

Mr. Good of Sebago presented the
following Order and moved its pas-
sage:

WHEREAS, Patriot's Day is a
State Holiday;

AND WHEREAS the 99th Legisla-
ture will not be in session on Mon-
day, April 20, 1959 and the official
operation of the Legislature will not
require the services of State Of-
ficials and Employees on Said
Monday;

NOW THEREFORE BE IT OR-
DERED, the Senate concurring, that
the Director of Personnel be in-
formed of the foregoing facts that
he may take such action with re-
gard to closing or keeping open said
departments as he deems desirable.

The Order received passage.

On further motion of the same
gentleman, under suspension of the
rules, sent forthwith to the Senate.

(Off Record Remarks)

On motion of the gentleman from
Auburn, Mr. Turner, House Rule 25
was suspended for the remainder of
today's session in order to permit
smoking.

House Reports of Committees Leave to Withdraw

Mr. Bragdon from the Committee
on Appropriations and Financial Af-
fairs on Bill "An Act Providing for
a State Tuberculosis Annex to Mad-
igan Memorial Hospital in Houlton"

(H. P. 600) (L. D. 860) reported
Leave to Withdraw.

Mr. Brown from same Committee
reported same on Bill "An Act Pro-
viding for a State Tuberculosis and
Chronic Diseases Annex to Arthur
R. Gould Memorial Hospital in
Presque Isle" (H. P. 128) (L. D.
186)

Mrs. Smith from same Committee
reported same on Bill "An Act Pro-
viding for a State Tuberculosis An-
nex to Cary Memorial Hospital in
Caribou" (H. P. 461) (L. D. 679)

Mr. Prue from the Committee on
Highways reported same on Bill "An
Act to Authorize the Issuance of
Bonds in the Amount of Thirteen
Million Dollars on Behalf of the
State of Maine for the Purpose of
Building State Highways" (H. P.
189) (L. D. 281)

Reports were read and accepted
and sent up for concurrence.

Ought Not to Pass

Mr. Bragdon from the Committee
on Appropriations and Financial Af-
fairs reported "Ought not to pass"
on Bill "An Act Providing Revene-
ues for Treatment and Rehabilita-
tion of Alcoholics" (H. P. 269) (L. D.
401)

Report was read and accepted and
sent up for concurrence.

Tabled and Assigned

Mr. Edwards from the Committee
on Appropriations and Financial Af-
fairs reported "Ought not to pass"
on Bill "An Act Directing Review
of Provisions Relating to Towns"
(H. P. 270) (L. D. 402)

Report was read.

(On motion of Mr. Stanley of Ban-
gor, a viva voce vote being taken,
tabled unassigned pending accept-
ance of Committee Report.)

Mrs. Smith from the Committee
on Appropriations and Financial Af-
fairs reported "Ought not to pass"
on Resolve Appropriating Money for
Mosquito and Fly Control (H. P.
579) (L. D. 826)

Same member from same Com-
mittee reported same on Resolve
Providing for a Maine Historical
Quarterly (H. P. 680) (L. D. 980)

Reports were read and accepted
and sent up for concurrence.

Recommitted

Mr. Cox from the Committee on Judiciary reported "Ought not to pass" on Bill "An Act relating to the Fees of Attorneys" (H. P. 812) (L. D. 1150)

Report was read.

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

Mr. EARLES: Mr. Speaker, on behalf of the Committee as a whole, and inclusive of the gentlemen that signed this Report, and reflecting the Committee's will, I respectfully move that L. D. 1150 and all accompanying papers be recommitted to the Judiciary Committee.

The SPEAKER: With respect to Bill "An Act relating to the Fees of Attorneys," the gentleman from South Portland, Mr. Earles, moves that the Bill be recommitted to the Judiciary Committee. Is this the pleasure of the House?

The motion prevailed, the Bill was recommitted and sent up for concurrence.

Mr. Hutchinson from the Committee on Legal Affairs reported "Ought not to pass" on Bill "An Act Revising Laws Relating to Boilers and Unfired Steam Pressure Vessels" (H. P. 69) (L. D. 107)

Report was read and accepted and sent up for concurrence.

Tabled

Mr. Heald from the Committee on Natural Resources reported "Ought not to pass" on Resolve Authorizing the Release of State of Maine's Claim on T.1, R. 13, W.E.L.S., Piscataquis County (H. P. 663) (L. D. 955)

Report was read.

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

Mr. ROLLINS: Mr. Speaker and Members of the House: This is a long hard fought battle. I have been at it nearly twenty years now. I will read you the Council Order that started this whole commotion. This is a copy of the Council Order, copy number 94. "In Council, February 7, 1940. Ordered, that upon payment to the State at the Office of the State Treasurer, of the sum of \$2,000 by Harry F. Ross of Bangor, in full to

date for all taxes now due to the State on Township 1, Range 13, W.E.L.S., Piscataquis County, the Forest Commissioner is authorized and directed to cancel all deeds and other records in his Department relating to claims for taxes on such Township 1, Range 13 as against Harry F. Ross or the estate of Minnie Ross Holman. No claim is to be made by Harry F. Ross against the State for the value of the Gilbert Camps, so-called, in Township 3, Range 9, Piscataquis County. In Council, February 7, 1940, read and passed by the Council and by the Governor approved. Frederick Robie, Secretary of State. A true copy, Attest: Frederick Robie, Secretary of State."

This Council Order, the Honorable Frank Hawley was then State Tax Assessor and he refused to honor it. He said that the Council had no right to sell the State's land or deed it. Therefore, in 1943, the next session of the Legislature available, I presented Legislative Document 955, Resolve Authorizing Release of the State of Maine's Claim on T.1, Range 13, W.E.L.S., Piscataquis County. It was passed by the Legislature of 1943. Then later our Forest Commissioner, Mr. Rendall, presented a deed, but in that deed he enumerated the lots and he left out two public lots. That was on the assumption that no public land lots can be taken back. But this is a different proposition, it was an agreement that Mr. Ross would not sue the State of Maine, and therefore, I claim that it is no law worth passing here, unless once in a while we put a grandfather clause on it, but you pass laws all the time that are not retroactive to past actions. And the question is, the big paramount question is: Has the Forest Commissioner carried out the mandate of the 1943 Legislature? Therefore, Mr. Speaker, I would like to present that question to the Supreme Court when I have time to prepare an order, and see what their ruling is, and I will abide by it. Therefore, at this time, Mr. Speaker, I would like to lay this item on the table unassigned until I can do that.

The SPEAKER: With respect to Resolve Authorizing the Release of State of Maine's Claim on T.1, R. 13, W.E.L.S., Piscataquis County,

House Paper 663, Legislative Document 955, the gentleman from Belfast, Mr. Rollins, moves that the Committee Report be tabled unassigned pending acceptance. Is this the pleasure of the House?

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

A viva voce vote being taken, the motion prevailed and the Resolve was so tabled.

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

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

Ought to Pass in New Draft New Draft Printed Tabled

Mr. Desmarais from the Committee on Business Legislation on Bill "An Act Restating the Law Governing Insurance Agents, Brokers and Fees" (H. P. 854) (L. D. 1222) reported same in a new draft (H. P. 928) (L. D. 1312) under title of "An Act Restating and Revising the Law Governing Insurance Companies, Agents, Brokers, and Fees" and that it "Ought to pass"

Report was read.

(On motion of Mr. Brown of Ellsworth, tabled pending acceptance of Committee Report and unassigned.)

Ought to Pass Printed Bills

Mr. Brown from the Committee on Appropriations and Financial Affairs reported "Ought to pass" on Resolve Reimbursing Certain Municipalities on Account of Property Tax Exemptions of Veterans (H. P. 135) (L. D. 193)

Same gentleman from same Committee reported same on Resolve to Reimburse Old Town School Department for Tuition for Children Living on Indian Island (H. P. 435) (L. D. 641)

Mr. Caron from the Committee on Judiciary reported same on Bill "An Act relating to Appeal from County Commissioners in Eminent Domain for Location of Schools" (H. P. 810) (L. D. 1148)

Mr. Emmons from same Committee reported same on Bill "An Act Providing for Uniform Act for Simplification of Fiduciary Security Transfers" (H. P. 750) (L. D. 1068)

Mr. Heald from the Committee on Natural Resources reported same on Resolve Authorizing the Maine Defense Commission to Convey Certain Land in Fort Kent (H. P. 817) (L. D. 1155)

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

Ought to Pass with Committee Amendment

Mr. Bragdon from the Committee on Appropriations and Financial Affairs on Bill "An Act Providing for a State Tuberculosis Annex to Community General Hospital in Fort Fairfield" (H. P. 890) (L. D. 1259) 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. 890, L. D. 1259, Bill "An Act Providing for a State Tuberculosis Annex to Community General Hospital in Fort Fairfield."

Amend said Bill by striking out all of that part designated as Section 5 and inserting in place thereof the following:

'Sec. 5. Appropriation. There is appropriated from the Unappropriated Surplus of the General Fund the sum of \$533,400 to carry out the purposes of this act. All unexpended balances shall not lapse, but shall remain a continuing carrying account until June 30, 1961.'

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

Mr. Brown from the Committee on Appropriations and Financial Affairs on Bill "An Act Authorizing Construction of Dock in Town of Lincolnville" (H. P. 743) (L. D. 1062) 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. 743, L. D. 1062, Bill "An Act Authorizing Construction of Dock in Town of Lincolnville."

Amend said Bill by inserting after the Title and before the enacting clause, the following emergency preamble:

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

Whereas, the following legislation is vitally necessary for the protection and safety of residents and non-residents of Maine who own small boats; and

Whereas, in order to provide the necessary service in the summer of 1959, the floating dock and slip as a public landing for small boats should be constructed immediately; and

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

Further amend said Bill by adding at the end, the following emergency clause:

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

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

Mr. Edwards from the Committee on Appropriations and Financial Affairs on Resolve to Aid Settlement of Refugees in Maine (H. P. 105) (L. D. 161) 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. 105, L. D. 161, Resolve, to

Aid Settlement of Refugees in Maine.

Amend said Resolve by striking out the figure "\$5,000" in the 2nd line and inserting in place thereof the figure '\$3,000'.

Committee Amendment "A" was adopted and the Resolve assigned for second reading the next legislative day.

Mr. Prue from the Committee on Highways on Bill "An Act to Authorize the Issuance of Bonds in the Amount of Fifteen Million Dollars on Behalf of the State of Maine for the Purpose of Building State Highways" (H. P. 418) (L. D. 602) 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. 418, L. D. 602, Bill "An Act to Authorize the Issuance of Bonds in the Amount of Fifteen Million Dollars on Behalf of the State of Maine for the Purpose of Building State Highways."

Amend said Bill in the title by striking out the word "Fifteen" and inserting in place thereof the word "Thirteen"

Further amend said Bill in section 1 by striking out the underlined figures "\$15,000,000" in the headnote and inserting in place thereof the underlined figures '\$13,000,000'

Further amend said Bill in section 1 by striking out the figures "\$15,000,000" in the 6th line and inserting in place thereof the figures '\$13,000,000'

Further amend said Bill by inserting after section 2 a new section to read as follows:

'Sec. 3. Declaration of intent. It is the intent of the 99th Legislature that if the issuance of bonds in the amount of \$13,000,000 is authorized by the Legislature and ratified by the people of the State of Maine in the referendum as provided for in this act, the allocation for Special State Aid Construction for the biennium July 1, 1961—June 30, 1963 shall be in the amount of \$1,000,000 annually.'

Further amend said Bill in section 3 by striking out the word

"Fifteen" in the 11th line and inserting the word "Thirteen"

Further amend said Bill in section 3 by striking out the underlined abbreviation and figure "Sec. 3." at the beginning of the first line and inserting in place thereof the underlined abbreviation and figure "Sec. 4."

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

Mr. Kellam from the Committee on Legal Affairs on Bill "An Act relating to Time of Elections for City of Portland" (H. P. 398) (L. D. 581) 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. 398, L. D. 581, Bill, "An Act Relating to Time of Elections for City of Portland."

Amend said Bill by striking out in the 4th line of the Referendum Clause the word "city" and inserting in place thereof the words 'biennial state'.

Further amend said Bill by striking out in the first and 2nd lines of the 3rd paragraph of the referendum Clause the following: "on the 2nd Monday in December, 1959," and inserting in place thereof the word 'immediately'.

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

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

From the Senate: The following Order:

ORDERED, the House concurring, that when the Senate and House adjourn, they adjourn to meet on Tuesday, April 21, in the forenoon. (S. P. 460)

Came from the Senate today read and passed.

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

Passed to Be Engrossed

Bill "An Act relating to Powers of Maine Fidelity Life Insurance Company" (S. P. 324) (L. D. 900)

Bill "An Act relating to Capital Shares of Insurance Corporations" (S. P. 363) (L. D. 1046)

Bill "An Act to Enlarge Powers and Purposes of Trustees of Diocesan Funds in Episcopal Diocese of Maine" (S. P. 447) (L. D. 1300)

Bill "An Act to Authorize the Construction of a Bridge Across the Passagassawaukeag River" (H. P. 146) (L. D. 202)

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

Tabled and Assigned

Bill "An Act relating to Duties and Powers of Department of Labor and Industry" (H. P. 209) (L. D. 300)

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

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

Mr. TURNER: Mr. Speaker, in regard to item five, that is a bill that has been before this House, I think this is the fourth session, and I have had a part in helping to kill that before, and this just looks like a simple little bill, but it is for the department heads that are interested in getting a little more power and making it a little harder for the little man to do business, and I would like to move indefinite postponement.

The SPEAKER pro tem: The question before the House now is the motion of the gentleman from Auburn, Mr. Turner, that the bill be indefinitely postponed.

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

Mr. WILLIAMS: Mr. Speaker and Members: Mr. Turner, my good friend, Representative Turner from Auburn, was my seatmate for several sessions back along when this thing first came in the House, and we gave this thing considerable study at that time and we couldn't seem to figure out that it had very

much merit. I don't believe it has gained a bit of stature since that time, in fact, I think it is weaker, so I would like to go along with my good friend the gentleman from Auburn, Mr. Turner.

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

Mr. WINCHENPAW: Mr. Speaker, I am sorry that they moved indefinite postponement at this time. I would have preferred that it be next week because I am still in such a condition that I can't debate this bill very well today, and maybe due to my condition I would request that this be laid on the table until next Wednesday.

The SPEAKER pro tem: The question now before the House is the motion of the gentleman from Friendship, Mr. Winchenpaw, that this bill be tabled and specially assigned for Wednesday, April 22, pending the motion of the gentleman from Auburn, Mr. Turner, that the bill be indefinitely postponed. Is this the pleasure of the House?

Thereupon, the motion prevailed on a viva voce vote.

Bill "An Act relating to Taxation of Household Furniture" (H. P. 449) (L. D. 655)

Bill "An Act relating to Standards of Quality in Egg Grading Law" (H. P. 527) (L. D. 762)

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 Use of Power Boats in Hunting Waterfowl" (H. P. 715) (L. D. 1020)

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

Mr. Call of Cumberland offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to H. P. 715, L. D. 1020, Bill "An Act Relating to Use of Power Boats in Hunting Waterfowl."

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

Sec. 3. R. S., c. 37, § 89, amended. The 4th paragraph of section 89 of chapter 37 of the Revised Statutes, as revised, is amended to read as follows:

'No duck decoys shall be allowed to remain in waters of Merrymeeting Bay from one hour after legal shooting time until one hour before legal shooting time.'

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

Bill "An Act Increasing Borrowing Capacity of Ashland Water and Sewer District" (H. P. 836) (L. D. 1187)

Bill "An Act Amending the Charter of the Topsham Sewer District" (H. P. 846) (L. D. 1209)

Bill "An Act Permitting Municipalities to Appropriate Moneys to Aid Conventions" (H. P. 925) (L. D. 1307)

Bill "An Act relating to Permit Before Examination for Applicant to Practice Barbering" (H. P. 927) (L. D. 1309)

Resolve Regulating Fishing in Wadleigh Pond, Piscataquis County (H. P. 199) (L. D. 291)

Resolve Regulating Fishing in Horne Pond, Limington, York County (H. P. 584) (L. D. 831)

Resolve Regulating Fishing in Part of West Branch of Penobscot River, Piscataquis County (H. P. 585) (L. D. 832)

Resolve Closing Second Great Brook Lake, Washington County, to Ice Fishing (H. P. 831) (L. D. 1182)

Resolve Opening Portage Lake, Aroostook County, to Ice Fishing for Smelts (H. P. 875) (L. D. 1249)

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

Amended Bills

Bill "An Act Pertaining to Freedom of Access to Public Records and Proceedings" (S. P. 26) (L. D. 6)

Bill "An Act relating to Rental of Northern Cumberland Municipal Court" (H. P. 17) (L. D. 26)

Bill "An Act to Create a Parking Commission for City of Lewiston" (H. P. 843) (L. D. 1206)

Resolve Permitting Ice Fishing in Certain Ponds in Androscoggin and Kennebec Counties (H. P. 550) (L. D. 785)

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

Tabled and Assigned

Resolve Opening Long Lake, Aroostook County, to Smelt Fishing (H. P. 720) (L. D. 1025)

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

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

Mr. ROWE: Mr. Speaker and Members of the House: In regard to item 22, I don't want to move indefinite postponement, but I have been called by my Fish and Game Club of Madawaska, and they oppose this bill very much on the basis that salmon and trout fishing has been excellent the last several years and they attribute this to the fact that Long Lake has been closed to ice fishing, so I would like to check further into the matter, and possibly consult the Fish and Game Department. I am no expert, gee I don't know whether this will have any effect on salmon or trout fishing or not, so I would like to table this bill and specifically assign it for Tuesday of next week.

The SPEAKER pro tem: The gentleman from Madawaska, Mr. Rowe, moves that this Resolve be tabled pending passage to be engrossed 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.

The SPEAKER: The Chair thanks the gentleman from Sebago, Mr. Good, very much, for his excellent job.

Thereupon, the Sergeant-at-Arms conducted the gentleman from Se-

bago, Mr. Good, to his seat on the Floor, amid the applause of the House and Speaker Edgar resumed the Chair.

Third Reader Amended

Bill "An Act Changing the Date of Labor Day to the Second Monday in September" (S. P. 74) (L. D. 124)

Was reported by the Committee on Bills in the Third Reading.

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

Mr. LINNELL: Mr. Speaker, with respect to item 23, for the purpose of offering an amendment, I now move that the House reconsider its action whereby it adopted Senate Amendment "A".

The SPEAKER: The gentleman from South Portland, Mr. Linnell, moves that the House reconsider its action whereby yesterday it adopted Senate Amendment "A". Is this the pleasure of the House?

The motion prevailed.

Thereupon, Mr. Linnell offered House Amendment "A" to Senate Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to 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 Amendment by adding at the end, before the period, the following:

'and provided further that on or before January 1, 1961 the Governor, after determining that a majority of the above-named states has provided for the observance of Labor Day on the same day as provided in this act, shall by proclamation proclaim that this act is effective'

House Amendment "A" to Senate Amendment "A" was adopted.

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

The SPEAKER: At this time the Chair would recognize the presence in the gallery of the House of a group of seventh and eighth grade pupils from the St. Albans Consolidated School, accompanied by their teachers, Mrs. Worcester and Mrs. Lawrence. On behalf of the House the Chair extends to you ladies and gentlemen a most cordial and hearty welcome, and we hope you will enjoy and profit by your visit here today. (Applause)

Bill "An Act Permitting Ferry Service for Long Island Plantation" (H. P. 55) (L. D. 77)

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

Passed to Be Enacted

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

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

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.

Enactor

Tabled and Assigned

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

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

(On motion of Mr. Mayo of Bath, tabled pending passage to be enacted and specially assigned for Thursday, April 23)

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

An Act Prohibiting Certain Lights Along Highways (H. P. 914) (L. D. 1290)

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

Orders of the Day

The SPEAKER: The Chair now lays before the House the first tabled and today assigned matter, House Report "Ought to pass" of the Committee on Taxation on Bill "An Act to Tax Highway Equipment Brought into the State After April First," House Paper 675, Legislative Document 967, tabled on April 14 by the gentleman from Pittsfield, Mr. Baxter, pending acceptance of the "Ought to pass" Report; and the Chair recognizes that gentleman.

Mr. BAXTER: Mr. Speaker, several people concerned with this bill have voiced considerable doubt as to its constitutionality, and it is therefore in the Attorney General's Office at the moment pending their decision on this question. For that reason, I would like to retable this to Thursday, April 23.

The SPEAKER: The gentleman from Pittsfield, Mr. Baxter, moves that the Committee Report be tabled and specially assigned for Thursday, April 23, pending acceptance. Is this the pleasure of the House?

The motion prevailed.

The SPEAKER: The Chair now lays before the House the second tabled and today assigned matter, House Divided Report, Majority "Ought not to pass" and Minority "Ought to pass" of the Committee on Judiciary on Bill "An Act relating to Description of Real Estate in Tax Deeds and Tax Liens," House Paper 832, Legislative Document 1183, tabled on April 16 by the gentleman from South Portland, Mr. Earles, pending acceptance of either report.

The Chair recognizes the gentleman from Augusta, Mr. Beane.

Mr. BEANE: Mr. Speaker, I would like — this bill was tabled yesterday by the gentleman from South Portland, Mr. Earles, on my behalf as a courtesy to me when I was not able to be here, which I thank him.

I would like now — this bill involves a rather complicated legal matter affecting many Maine municipalities, and in order that I may have a conference with the Executive Secretary of the Maine Munic-

ipal Association in order to gain a little more information on this and see if something can't be done. There has been a suggestion by the Municipal Association spokesman that this bill would tie in with some other studies, perhaps some other bills before other committees. I would like to request and I so move, that this bill lie on the table until one week from today in order to accomplish a meeting with the Municipal Association.

The SPEAKER: With respect to this matter, the gentleman from Augusta, Mr. Beane, moves that both Reports be tabled and specially assigned for Friday, April 24 pending acceptance of either report. Is this the pleasure of the House?

The motion prevailed.

The SPEAKER: The Chair now lays before the House the third tabled and today assigned matter, House Order, Requesting Opinion of Supreme Judicial Court on Constitutionality of Bill "An Act Providing for Severance Taxation of Certain Natural Resources," House Paper 902, Legislative Document 1271, tabled on April 16 by the gentleman

from Jay, Mr. Maxwell, pending passage; and the Chair recognizes that gentleman.

Thereupon, on motion of that gentleman, the Order received passage.

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

(Off Record Remarks)

On motion of the gentleman from Bangor, Mr. Stanley, the House voted to take from the table the second tabled and unassigned matter, Senate Report, Leave to Withdraw of the Committee on Agriculture on Bill, "An Act relating to Price Controls on Milk," Senate Paper 320, Legislative Document 896, tabled on March 26 by that gentleman pending acceptance of the Leave to Withdraw Report in concurrence.

Thereupon, on motion of that gentleman, the Report was accepted in concurrence.

On motion of Mr. Edwards of Stockton Springs,

Adjourned until Tuesday, April 21, at 9:30 in the morning.