

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

LEGISLATIVE RECORD

OF THE

Ninety-Third Legislature

OF THE

STATE OF MAINE

1947

DAILY KENNEBEC JOURNAL
AUGUSTA, MAINE

HOUSE

Wednesday, February 26, 1947.

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

Prayer by the Rev. Roy A. Clark of Hallowell.

Journal of yesterday read and approved.

The **SPEAKER**: The Chair at this time notes in the balcony the presence of the Junior High School students of Skowhegan, in charge of Miss Vallier, and on behalf of the members of the House, we bid you welcome here this morning. (Applause)

Papers From the Senate

From the Senate: Resolve in favor of Freedom Academy (S. P. 375) (L. D. 1059)

Came from the Senate referred to the Committee on Appropriations and Financial Affairs.

In the House, referred to the Committee on Appropriations and Financial Affairs in concurrence.

From the Senate: Bill "An Act Creating the Westport-Wiscasset Bridge District" (S. P. 376) (L. D. 1061)

Came from the Senate referred to the Committee on Legal Affairs.

In the House, referred to the Committee on Legal Affairs in concurrence.

From the Senate: Resolve Proposing an Amendment to the Constitution to Provide for a Bond Issue for the Purpose of Paying a Cash Bonus of \$500 to Maine Veterans in World War II (S. P. 378) (L. D. 1060)

Resolve Proposing an Amendment to the Constitution to Provide for a Bond Issue for the Purpose of Paying a Sliding Scale Bonus to Maine Members of the Military and Naval Forces in World War II (S. P. 379) (L. D. 1062)

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

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

From the Senate: Resolve Providing for State Pension for Joseph Pauze, of Lewiston (S. P. 385)

Came from the Senate referred to the Committee on Pensions.

In the House, referred to the

Committee on Pensions in concurrence.

The following Bills and Resolves, transmitted by the Revisor of Statutes pursuant to Joint Order, were received, and upon recommendation of the Committee on Reference of Bills, were referred to the following Committees:

Aeronautics

Bill "An Act relating to Registration of Dealers of New and Used Aircraft" (H. P. 1495) (Presented by Mr. Stearns of Hiram)

(Ordered printed)

Bill "An Act relating to Aeronautical Fund" (H. P. 1496) (Presented by same gentleman)

(Ordered printed)

Sent up for concurrence.

Appropriations and Financial

Affairs

Resolve in favor of Procuring Testimonials for the Purpose of Marking the Unmarked Graves of the Soldiers of the Revolutionary War (H. P. 1497) (Presented by Mr. Adams of Kennebunkport)

(Ordered printed)

Resolve Appropriating Money to the "Permanent Trust Funds" to Offset Losses (H. P. 1493) (Presented by Mr. Peirce of Augusta)

(Ordered printed)

Sent up for concurrence.

Banks and Banking

Bill "An Act relating to Inactive Savings Deposits in Banks" (H. P. 1499) (Presented by Mr. Bowker of Portland)

(Ordered printed)

Sent up for concurrence.

Inland Fisheries and Game

Bill "An Act relating to Open Season for Hunting Deer with Bow and Arrow" (H. P. 1500) (Presented by Mr. Williams of Auburn)

(Ordered printed)

Resolve relative to Fishing in Certain Somerset County Waters (H. P. 1501) (Presented by Mr. Sterling of Caratunk Pt.)

(Ordered printed)

Sent up for concurrence.

Judiciary

Bill "An Act relating to Injurious Substances Thrown on Highways" (H. P. 1502) (Presented by Mr. Christensen of Calais)

(Ordered printed)

Bill "An Act relating to Obstructions of Public Ways" (H. P. 1503)

(Presented by Mr. Ellis of Castle Hill)

(Ordered printed)

Bill "An Act relating to Licenses for Lease of Real Estate by Probate Courts" (H. P. 1504) (Presented by Mr. Muskie of Waterville)

(Ordered printed)

Bill "An Act relating to Obstructions of Snow and Ice on Traveled Roads" (H. P. 1505) (Presented by Mr. Stetson of Dixfield)

(Ordered printed)

Bill "An Act Providing for Equitable Apportionment of Estate Taxes and Collection and Payment Thereof" (H. P. 1506) (Presented by Mr. Williams of Auburn)

(Ordered printed)

Bill "An Act relating to Convictions Affecting Credibility" (H. P. 1507) (Presented by same gentleman)

(Ordered printed)

Bill "An Act relating to Notice in Trust Estates to be Sold" (H. P. 1508) (Presented by same gentleman)

(Ordered printed)

Sent up for concurrence.

Legal Affairs

Bill "An Act relating to Time of Racing Meets" (H. P. 1509) (Presented by Mr. Brewer of Presque Isle)

(Ordered printed)

Bill "An Act to Provide for Financing the Costs of Building and Equipping Community Schools" (H. P. 1510) (Presented by Mr. Brewer of Presque Isle)

(1000 copies ordered printed)

Sent up for concurrence.

Tabled and Assigned

Bill "An Act to Provide for the Joining of Towns for the Purpose of Providing Better School Facilities" (H. P. 1511) (Presented by Mr. Rankin of Bridgton)

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

Mr. RANKIN: Mr. Speaker and Members of the House: I move that L. D. 1511 Bill "An Act to Provide for the Joining of Towns for the Purpose of Providing Better School Facilities" lie on the table and be specially assigned for tomorrow.

The SPEAKER: The gentleman from Bridgton, Mr. Rankin, moves that Bill "An Act to Provide for the Joining of Towns for the Purpose of Providing Better School Facilities"

(H. P. 1511) be laid on the table and specially assigned for tomorrow, pending reference to any committee, and that one thousand copies be ordered printed.

The Chair recognizes the gentleman from Boothbay Harbor, Mr. Perkins.

Mr. PERKINS: Mr. Speaker, I understand this is not debatable, but I ask unanimous consent to address the House.

The SPEAKER: The gentleman from Boothbay Harbor, Mr. Perkins, asks unanimous consent to address the House. Is there objection? The Chair hears none, and the gentleman may proceed.

Mr. PERKINS: Mr. Speaker and Members of the House: Not that I want to object to this matter lying on the table, but I do hope there is some way that this bill can be printed tonight. These bills, H. P. 1510 and H. P. 1511, relate to what I understand to be the Area School District, and several of our towns have articles in their respective town warrants for the annual town meeting next Monday, and it would seem to me that if both of these bills could be printed tonight, we could have an opportunity to take them home with us so we could explain the situation to our citizens. If these bills lie on the table and are printed tomorrow night, we are not going to get them in my judgment, so we can take them back for Town Meeting next Monday.

The SPEAKER: For the information of the gentleman, the Chair will state that the bill will be printed, and will be available tomorrow morning, if the motion of the gentleman prevails.

All those in favor of the motion of the gentleman from Bridgton, Mr. Rankin, that H. P. 1511, lie on the table and be specially assigned for tomorrow will say aye; those opposed no.

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

Motor Vehicles

Bill "An Act Providing for Payment of Personal Property Tax on Trailers Before Motor Vehicle Registration Permitted" (H. P. 1412) (Presented by Mr. Legard of Bath)

(Ordered printed)

Sent up for concurrence.

Public Health

Bill "An Act Repealing Law relating to Enrichment of Flour and Bread" (H. P. 1513) (Presented by Mr. Brown of Unity by request)
(Ordered printed)

Sent up for concurrence.

The SPEAKER: The Chair notes the presence in the balcony of the Richmond High School Students, J. J. Tower, Teacher, and on behalf of the members of the House, we bid you welcome here this morning. (Applause)

Public Utilities

Bill "An Act to Define Common Carrier by Motor Vehicle Over Irregular Routes" (H. P. 1514) (Presented by Mr. Cole of Portland)
(Ordered printed)

Bill "An Act relating to Regulation of Contract Carriers" (H. P. 1515) (Presented by Mr. Fowler of Augusta)

(Ordered printed)

Bill "An Act relating to Fees for Permits and Plates for Motor Vehicle Carriers" (H. P. 1516) (Presented by same gentleman)

(Ordered printed)

Bill "An Act relating to Definition of Interstate Carrier" (H. P. 1517) (Presented by Mr. St. Pierre of Lewiston)

(Ordered printed)

Bill "An Act relating to Definition of Contract Carrier" (H. P. 1518) (Presented by same gentleman)

(Ordered printed)

Sent up for concurrence.

Sea and Shore Fisheries

Bill "An Act relating to Regulation of Smelt Fishing in Casco Bay" (H. P. 1519) (Presented by Mr. Lombard of Yarmouth by request)

(Ordered printed)

Sent up for concurrence.

Taxation

Bill "An Act Increasing Gasoline Tax" (H. P. 1520) (Presented by Mr. Elliott of Corinth)

(1000 copies ordered printed)

Bill "An Act Providing for a Gross Receipt Tax on Motor Carriers" (H. P. 1521) (Presented by Mr. Sleeper of Rockland)

(1000 copies ordered printed)

Bill "An Act Providing Exemptions for Veterans of World War II" (H. P. 1522) (Presented by Mr. Cousins of Fort Kent)

(1000 copies ordered printed)

Sent up for concurrence.

Temperance

Bill "An Act relating to Liquor Licenses in Unorganized Territory Where No Elections are Held" (H. P. 1523) (Presented by Mr. Fowler of Augusta)

(Ordered printed)

Bill "An Act relating to Manufacture and Sale of Apple Cider" (H. P. 1524) (Presented by Mr. Marsans of Monmouth)

(Ordered printed)

Sent up for concurrence.

Towns

Bill "An Act relating to Expenses of Town and City Clerks" (H. P. 1525) (Presented by Mr. Morison of Wilton)

(Ordered printed)

Bill "An Act Authorizing Towns to Expend Money on Cottage Roads" (H. P. 1523) (Presented by Mr. Woodbury of New Gloucester by request)

(Ordered printed)

Sent up for concurrence.

Ways and Bridges

Bill "An Act Repealing the Town Road Improvement Fund" (H. P. 1527) (Presented by Mr. Sterling of Caratunk Pl.)

(Ordered printed)

Bill "An Act relating to the Town Road Improvement Fund" (H. P. 1528) (Presented by same gentleman)

(Ordered printed)

Sent up for concurrence.

Resolve Appropriating Money for the State Aid Highway from Millinocket Lake, Penobscot County (H. P. 1529) (Presented by Mr. Boulier of Stacyville Pl.)

Sent up for concurrence.

ORDERS

On motion by Mr. Collins of Caribou, it was

ORDERED, that there be printed 300 additional copies of H. P. 75, L. D. 62, Joint Resolution relating to Policy for the University of Maine.

On motion by Mr. Meloon of Portland, it was

ORDERED, that tomorrow, Thursday, February 27th, under Orders of the Day, after all specially assigned matters have been disposed of, Mr. McGlauffin of Portland be recognized for the purpose of addressing the House on the One Hundredth and Fortieth Anniversary of the birth of the Maine

Poet, Henry Wadsworth Longfellow.

On motion by Mr. Burton of Milo, it was

ORDERED, that Mr. Ellis of Castle Hill be excused from attendance the remainder of this week because of business; also that Mr. MacPherson of Easton be excused from attendance because of business.

On motion by Mrs. Hatch of Minot, House Rule 25 was suspended for the remainder of today's session, in order to permit smoking.

House Reports of Committees Ought Not to Pass

Mr. Haskell from the Committee on Judiciary reported "Ought not to pass" on Bill "An Act relating to Counsel Fees in Divorce Proceedings" (H. P. 338) (L. D. 211)

Report was read and accepted.

Tabled and Assigned

Mr. Haskell from the Committee on Judiciary reported "Ought not to pass" on Resolve Proposing an Amendment to the Constitution Changing the Date of the General Election (H. P. 56) (L. D. 59)

(On motion by Mr. Jalbert of Lewiston, tabled pending acceptance of Committee Report and specially assigned for Wednesday, March 5th)

Tabled and Assigned

Mr. Peirce from the Committee on Judiciary reported "Ought not to pass" on Bill "An Act relating to Date of General Elections" (H. P. 55) (L. D. 58)

(On motion by Mr. Jalbert of Lewiston, tabled pending acceptance of Committee Report and specially assigned for Wednesday, March 5th)

Mr. Anderson from the Committee on Legal Affairs reported "Ought not to pass" on Bill "An Act relating to Notice as to Sufficiency of Safeguards" (H. P. 855) (L. D. 510)

Mr. Snow from same Committee reported same on Bill "An Act relating to Certificate of Buildings" (H. P. 857) (L. D. 512)

Mr. Woodworth from same Committee reported same on Bill "An Act relating to Investigation by Insurance Commissioner in Fire

Prevention" (H. P. 858) (L. D. 513)
Reports were read and accepted.

Mr. DeSanctis from the Committee on Temperance reported "Ought not to pass" on Bill "An Act to Prohibit Music, Dancing or Entertainment on Certain Premises Licensed for the Sale of Liquor" (H. P. 1099) (L. D. 674)

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

Mr. **WILLIAMS**: Mr. Speaker and Members of the House: in order to state the reasons for the introduction of this bill, I now move the substitution of the bill for the "Ought not to pass" report of the committee.

If you will refer to the bill, or perhaps you do not need to refer to it, you will find that it is designed to prohibit music, dancing or entertainment on restaurant premises licensed for the sale of malt beverages by the glass.

Now if you have lived anywhere near one of these restaurants licensed for sale by the glass or if you have been associated with the government of any municipality where these premises are located, or if you have come in contact with them in other ways, you will find that it makes the control of the sale of alcoholic beverages much more difficult for enforcement agencies.

It happens that I was City Solicitor in Auburn for four years during the war period, and that was the only difficulty that we had at that time in connection with the handling of the liquor problem in our city, and that was through the restaurant outlets where dancing or entertainment was permitted on the premises. In regard to these particular places we received complaint after complaint from the Armed Forces. We received complaints from local agencies, and I think you will agree with me that our experience was not unique.

If you watch the vote in our referendums in connection with the sale of malt beverages through restaurant outlets, you will find that that question always has the largest "no" vote with the exception of a few places where they do not have State stores or do not want State stores, and you will also find that the "no" vote increases from year to year. Now there is some reason for

this. There is community after community in this State that has now voted not to allow sales in restaurants that permitted it a few years ago. As a very striking illustration, I point out one city and one town in this state that voted "no" on these two questions last election. Those two places are the town of Sanford and the City of Biddeford. There is one other large city, one of the largest cities in this State, where one of the most influential organizations in this city is working on this problem, and it will not be surprising if in that city they should vote "no" on this same question two years hence.

I submit to you this proposition: That if the restaurant proprietors and the dispensers of malt beverages want the sale of malt beverages through restaurants prohibited entirely, one of the surest ways to bring about that result is to allow dancing and entertainment to continue on such premises.

Now it may be that that is a desirable result. Perhaps you will be in favor of it, but in the meantime conditions get worse and worse about some of these premises until you will get the net result they have in Sanford and the result they have in Biddeford. Many of the places are making an honest attempt to control the situation and are doing the best they can, but no matter how carefully it is done it is much more difficult with amusements on the premises.

It seems to me that allowing dancing and special entertainment on the premises where malt beverages are sold is definitely calculated to increase consumption of alcoholic beverages, which we were told at the time of the repeal of the prohibitory law would not be done.

If we want to continue the situation as it now is, there are several possibilities. You and I are hearing about them every day. We hear about them more frequently and one is this: Prohibiting the sale of all intoxicating beverages by the glass, allowing only sales in retail stores. The last few months I have been hearing repeatedly from people who believe that the State should handle the sale of all alcoholic beverages. That would mean doing away with all retail outlets. If we want to continue the way we are doing, I believe these people who are dispensing malt

beverages will have to be willing to have more drastic regulations.

I move the substitution of the bill for the report.

The SPEAKER: The gentleman from Auburn, Mr. Williams, moves to substitute the bill for the "Ought not to pass" report of the committee.

The Chair recognizes the gentleman from Madison, Mr. DeSanctis.

Mr. DeSANCTIS: Mr. Speaker and Members of the House: This bill here did not seem feasible at this time because since 1933 the State has been in the business, and so have a few others, of selling malt beverages and liquor. Now we have a Liquor Commission that has an enforcement division, and if the enforcement division of the Liquor Commission cannot control these premises by revoking the licenses, it is time to get out of the liquor business altogether. I hope the motion of the gentleman from Auburn, Mr. Williams, will not prevail.

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

Mr. MALENFANT: Mr. Speaker and Members of the House: I am one hundred per cent in favor of Mr. Williams' bill. As it is at the present time, the restaurants, the so-called beer parlors, are nothing but a nuisance. That is the way the young people start to drink. They meet bad company and fall into a life of crime. I hope we all support Mr. Williams' bill.

The SPEAKER: Is the House ready for the question?

The question before the House is on the motion of the gentleman from Auburn, Mr. Williams, that Bill "An Act to Prohibit Music, Dancing or Entertainment on Certain Premises Licensed for the Sale of Liquor" (H. P. 1099) (L. D. 674) be substituted for the "Ought not to pass" report of the committee.

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

Mr. WILLIAMS: Mr. Speaker, I ask for a division.

The SPEAKER: The gentleman from Auburn, Mr. Williams, requests a division. All those in favor of the motion of the gentleman from Auburn, Mr. Williams, will please rise and remain standing until the monitors have made and returned their count.

A division was had.

Fifty-eight having voted in the affirmative and fifty-six in the negative, the motion prevailed, and the bill was substituted for the "Ought not to pass" report of the committee.

This being a printed bill, under suspension of the rules it was given its two several readings and tomorrow assigned.

Mr. FOLEY from the Committee on Temperance reported "Ought not to pass" on Bill "An Act to Regulate Eligibility of Premises for which Liquor Licenses May Be Granted." (H. P. 1101) (L. D. 676)

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

Mr. WILLIAMS: Mr. Speaker and Members of the House: I now move substitution of the bill for the "Ought not to pass" report of the committee.

I dislike having to disagree with the committee so often, but this bill can do no harm, as I see it, and it seems to me that its purpose is worthy and it is highly desirable.

We have had on our books for years the restriction that restaurants could not procure licenses if they were located within three hundred feet of the designated places here in this bill, that is, schools, school dormitories, churches, chapels, or parish houses.

There was some confusion in the wording of the statute, and some parts of it made it appear that it was probably the intention to make that apply equally to hotels. However, it did not do so, and this bill merely provides that the same three hundred foot restriction shall apply equally to hotels and restaurants, that is, that the front entrance of your school must be at least three hundred feet by the ordinary course of travel from the entrance of the hotel.

Now if this bill applied to hotels that now had licenses, I could well understand the objection to the bill; but if a hotel now has a license it may continue to have that license renewed regardless of the fact that a church or a school may be located next door. It can also continue to have that license renewed even though a church or a school may move into that neighborhood and establish within that three hundred feet, so that it does not affect in any way these hotels of ours that are now licensed to sell alcoholic

beverages on their premises; it merely prevents new hotels being erected across the street from a school or within three hundred feet and then acquiring a license that would permit the sale of alcoholic beverages. It also prohibits, of course, premises that are remodelled into a hotel doing the same thing. Therefore, I sincerely believe that we should apply this three hundred foot restriction. I do not think that you or I or any other resident of the State of Maine having children attending school want any place operating next door or across the street in the sale of alcoholic beverages.

The SPEAKER: The gentleman from Auburn, Mr. Williams, moves that the bill be substituted for the "Ought not to pass" report of the committee.

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

Mr. WILLIAMS: Mr. Speaker, when the vote is taken, I ask for a division.

The SPEAKER: Is the House ready for the question?

All those in favor of the motion of the gentleman from Auburn, Mr. Williams, will please rise and remain standing until the monitors have made and returned the count.

A division was had.

Seventy having voted in the affirmative and twenty-nine in the negative, the motion prevailed, and the bill was substituted for the "Ought not to pass" report of the committee.

This being a printed bill, under suspension of the rules it was given its two several readings and tomorrow assigned.

Ought to Pass in New Draft

Mr. Burton from the Committee on Counties on Bill "An Act Compensating Gardiner G. Deering of Bath, for Duties as Recorder" (H. P. 165) (L. D. 120) reported same in a new draft (H. P. 1530) under same title and that it "Ought to pass"

Report was read and accepted and the new draft ordered printed under the Joint Rules.

Table and Assigned

Mr. Snow from the Committee on Legal Affairs on Bill "An Act relating to the Appointment, Term of Office and Removal of the City Clerk of the city of Lewiston" (H.

P. 670) (L. D. 465) reported same in a new draft (H. P. 1531) under same title and that it "Ought to pass"

(On motion by Mr. Malenfant of Lewiston, tabled pending acceptance of Committee Report, the new draft ordered printed, and specially assigned for Thursday, March 6th)

Mr. Woodworth from the Committee on Legal Affairs on Bill "An Act relating to Civil Service Rules for Police and Fire Departments" (H. P. 248) (L. D. 175) reported same in a new draft (H. P. 1532) under same title and that it "Ought to pass."

Report was read and accepted and the new draft ordered printed under the Joint Rules.

**Ought to Pass
Printed Bills**

Mr. Atherton from the Committee on Legal Affairs reported "Ought to pass" on Bill "An Act relating to the City of Brewer High School District" (H. P. 931) (L. D. 548)

Mr. Rankin from same Committee reported same on Bill "An Act to Incorporate the Hartland School District" (H. P. 851) (L. D. 507)

Mr. Snow from same Committee reported same on Bill "An Act Providing for the Perambulation of the Maine and New Hampshire Boundary Line" (H. P. 850) (L. D. 505)

Mr. Weeks from same Committee reported same on Bill "An Act relating to Penalty for Town Officers' Neglect in Fire Prevention" (H. P. 856) (L. D. 511)

Same gentleman from same Committee reported same on Bill "An Act to Amend the Act Providing for the Retirement of Firemen in the City of Augusta upon Half Pay" (H. P. 848) (L. D. 504)

Mr. Woodworth from same Committee reported same on Bill "An Act relating to the Filling of Vacancies in the Superintendent's School Committee in the town of Fairfield" (H. P. 859) (L. D. 514)

Reports were read and accepted and the Bills, having already been printed, were read twice under suspension of the rules and tomorrow assigned.

**Ought to Pass with Committee
Amendment**

Mr. Bickford from the Committee on Counties on Bill "An Act relating to Rental for the Western

Somerset Municipal Court" (H. P. 651) (L. D. 450) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Bill, having already been printed, was read twice under suspension of the rules.

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

Committee Amendment "A" to H. P. 651, L. D. 450, Bill "An Act Relating to Rental for the Western Somerset Municipal Court."

Amend said Bill by striking out the underlined words at the end of said Bill and inserting in place thereof the following underlined words:

'Rental for such rooms or facilities shall be paid from the county of Somerset in the sum of \$350, annually, in quarterly payments.'

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

Mr. Hammond from the Committee on Counties on Bill "An Act relating to Rental for the Old Town Municipal Court" (H. P. 235) (L. D. 164) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Bill, having already been printed, was read twice under suspension of the rules.

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

Committee Amendment "A" to H. P. 235, L. D. 164, Bill "An Act Relating to Rental for the Old Town Municipal Court."

Amend said Bill by striking out in the 6th and 7th lines of that part designated "Sec. 9." thereof, the underlined words "in quarterly payments, the sum of \$750 annually" and inserting in place thereof the following underlined words: **'the sum of \$750, annually, in quarterly payments'**

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

Mr. Chase from the Committee on Counties on Bill "An Act relating to Rental for the Millinocket Municipal Court" (H. P. 823) (L. D. 476) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and

the Bill, having already been printed, was read twice under suspension of the rules.

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

Committee Amendment "A" to H. P. 823, L. D. 476, Bill "An Act Relating to Rental for the Millinocket Municipal Airport."

Amend said Bill by striking out the underlined words in the 9th line of that part designated "Sec. 14." thereof, and inserting in place thereof the following underlined words: 'the sum of \$750 annually, in quarterly payments.'

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

First Reading of Printed Bills

Bill "An Act Repealing the Law relating to Prior Convictions in Offenses Against the Liquor Law" (H. P. 1477) (L. D. 1091)

Bill "An Act relating to Income Accruing to the State" (H. P. 1478) (L. D. 1092)

Bills were read twice and tomorrow assigned.

Passed to Be Engrossed

Bill "An Act relating to Registration or Transfer of Securities to or by Fiduciaries or Their Nominees" (S. P. 82) (L. D. 108)

Bill "An Act relating to the Amortization of Premiums and the Accumulation of Discounts on Bonds or Other Obligations Held in Trust" (S. P. 85) (L. D. 111)

Bill "An Act relating to Expenses of Town Collectors and Treasurers in Attending Meetings" (S. P. 103) (L. D. 202)

Bill "An Act relating to Regulation of Employment Agencies" (S. P. 128) (L. D. 285)

Bill "An Act relating to the Issuance of Dealer's Registration" (S. P. 218) (L. D. 571)

Bill "An Act relating to Inspection of Motor Vehicles" (S. P. 219) (L. D. 570)

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

Tabled

Bill "An Act relating to the Canning and Shipping of Clams" (S. P. 235) (L. D. 645)

(Was reported by the Committee on Bills in the Third Reading, and

on motion by Mr. Emerson of North Haven, tabled pending third reading)

Bill "An Act Defining and Authorizing the Use of a System of Plane Coordinates for Designating and Stating Positions of Points on the Surface of the Earth Within the State of Maine" (H. P. 170) (L. D. 150)

Bill "An Act to Change the Name of the Maine Universalist Convention" (H. P. 495) (L. D. 317)

Bill "An Act relating to System of Records and Accounting by Maine Teachers' Retirement Board" (H. P. 497) (L. D. 319)

Bill "An Act relating to Duties of the Deputy Treasurer of State" (H. P. 498) (L. D. 320)

Bill "An Act to Authorize the town of York to Construct Tide Water Gates" (H. P. 609) (L. D. 374)

Bill "An Act Validating Certain Divorces" (H. P. 920) (L. D. 544)

Resolve in favor of the town of Sullivan (S. P. 64) (L. D. 39)

Resolve Designating an Expiration Date for the Civilian Defense Act (H. P. 843) (L. D. 538)

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 Bill

Bill "An Act relating to Disposition of Uncollectible Accounts Due the State" (H. P. 229) (L. D. 158)

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

Finally Passed Emergency Measure

Resolve in favor of Maine Maritime Academy (H. P. 838) (L. D. 595)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of the entire elected membership of the House being necessary, a division was had, 113 voted in favor of same and none against, and accordingly, the Resolve was finally passed, signed by the Speaker and sent to the Senate.

Passed to be Enacted

An Act relative to the Limington, Hollis and Waterboro Game Preserve (H. P. 433) (L. D. 257)

An Act relative to Open Season on Raccoons (H. P. 435) (L. D. 297)

An Act to Extend the Charter of the Patten Water and Power Company (H. P. 506) (L. D. 327)

An Act to Extend the Charter of the Vanceboro Water Company (H. P. 507) (L. D. 328)

An Act Repealing Rangeley Game Preserve in Franklin and Oxford Counties (H. P. 603) (L. D. 408)

An Act relative to Closing Runnell's Brook to Hunting and Trapping of Fur-Bearing Animals (H. P. 606) (L. D. 409)

An Act relating to Licenses for Dealers in Deer Skins and Heads (H. P. 607) (L. D. 373)

An Act Amending the Charter of the Brunswick and Topsham Water District (H. P. 622) (L. D. 411)

An Act Releasing to the City of Bangor the State's Interest in the Bed of Kenduskeag Stream in said Bangor (H. P. 1137) (L. D. 683)

Resolve Authorizing the State Tax Assessor to Convey Certain Interest of the State in Lands in Washington County to Alvah B. Alexander, et als. of South Gardiner (H. P. 191) (L. D. 136)

Resolve, Establishing the Opening Date for Open Water Fishing in Sabbathday Lake in Cumberland County (H. P. 438) (L. D. 300)

Resolve Authorizing the State Tax Assessor to Convey Certain Interest of the State in Lands in Washington County to Stanley J. Hinch, of Danforth (H. P. 632) (L. D. 412)

Resolve Authorizing the State Tax Assessor to Convey Certain Interest of the State in Lands in Washington County to Hinch and Company, Inc., of Danforth (H. P. 633) (L. D. 413)

Resolve Regulating Fishing in East Pond Stream, town of Smithfield Somerset County (H. P. 653) (L. D. 454)

Resolve Regulating Fishing in Hatchery Brook in the town of Belgrade, Kennebec County (H. P. 657) (L. D. 455)

Resolve Authorizing the State Tax Assessor to Convey Certain Interest of the State in Lands in Aroostook County to Ralph M. Robinson of Sherman Mills (H. P. 831) (L. D. 493)

Resolve Authorizing the State Tax Assessor to Convey Certain Interest of the State in Lands in Piscataquis County to Ernest G. Hathorn of Bradford, Maine, and Mabel I. Lafland, as heirs-at-law of Iva M. Hathorn, deceased, late of said Medford Township (H. P. 884) (L. D. 496)

Resolve Authorizing the State Tax Assessor to Convey Certain Interest of the State in Lands in Piscataquis County to Mabel I. Lafland of Medford Township (H. P. 885) (L. D. 497)

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

Orders of the Day

The SPEAKER: The Chair lays before the House the first tabled and today assigned matter, House Majority Report "Ought to pass," and Minority Report "Ought not to pass" of the Committee on Judiciary on Bill "An Act Declaring Greater Portland Public Development Commission as a State Agency." (H. P. 58) (L. D. 45), tabled on February 20th by the gentleman from Portland, Mr. Haskell, pending acceptance of either report; and the Chair recognizes that gentleman.

Mr. HASKELL: Mr. Speaker and Members of the House: In view of certain facts which have this morning been called to the attention of those interested in this measure, and to enable the parties possibly to resolve their currently existing differences of opinion, without the need of taking the time of the House in debate, and to the end that these parties may further confer, I would now move that this bill lie on the table pending acceptance of either report.

The SPEAKER: The gentleman from Portland, Mr. Haskell, moves that the two reports be laid on the table pending acceptance of either report. Is this the pleasure of the House?

The motion prevailed, and the reports were so tabled.

On motion by Mr. Woodworth of Fairfield, the House voted to take from the table the ninth tabled and unassigned matter, "Resolve Proposing an Amendment to the

Constitution Providing for a Limitation on the Power to Assess Taxes upon Real and Personal Estate." (H. P. 1395) (L. D. 986), transmitted by Revisor of Statutes pursuant to Joint Order. In House, Committee of Reference of Bills suggested reference to Committee on Judiciary; tabled on February 19th by Mr. Woodworth pending reference, and on further motion by the same gentleman, the Bill was referred to the Committee on Taxation and sent up for concurrence.

On motion by Mr. Chase of Cape Elizabeth, the House voted to take from the table the tenth tabled and unassigned matter, Senate Report "Ought to pass" as Amended by Committee Amendment "A", from the Committee on Banks and Banking on Bill "An Act Guaranteeing Loans for Veterans." (S. P. 77) (L. D. 104) In Senate Amendment "A" adopted and the Bill was passed to be engrossed as amended. In the House, tabled on February 20th by Mr. Chase pending acceptance of report in concurrence.

The SPEAKER: The Chair recognizes the gentleman from Cape Elizabeth, Mr. Chase.

Mr. CHASE: Mr. Speaker, I tabled this bill awaiting the decision on another matter, the consideration of which has just been longer deferred. I do not want to hold it up any longer but there is subject matter in the bill to which I think the attention of the House should be called. It is L. D. 104. This is a law which was enacted as part of Veterans' legislation in 1945, and the bill before you proposes a minor amendment, and another amendment is also presented as a Committee Amendment. I have no objection to the amendment. The law itself may or may not have been objectionable, but I should like to read the first sentence in the law as it is now. Under the heading of "Guaranteed Loans for Veterans and Minors" which would appear to give the intent of the law there appears this language: "Without regard to any other provision of law, trust companies of this state are authorized to make or buy and sell any loan, secured or unsecured, which is insured or guaranteed in any manner in part or in whole by the United States or any instrumentality thereof, or by this State of instrumentality thereof, or for

which there is a commitment to so insure or guarantee, or for which a conditional guarantee has been issued."

There is no word in that sentence which limits its application to veterans loans in any manner, and, under the provisions of that sentence, while it is the law, any instrumentality of this State which guarantees any loan, even to the extent of one per cent of that loan, will, by that action, make that loan a legal investment for any bank in Maine, if the amendment is adopted; and if the further amendment is adopted, any insurance company in the State of Maine and any dealer, person or broker, would be authorized to represent in any part of this land that any obligation or note, in whole or in part, guaranteed by any instrumentality of Maine is a legal investment for any bank or insurance company in the State of Maine.

I should like to call the attention of the House to the fact that while that remains the law, the word "instrumentality" should be used with great caution. I move the regular order.

The SPEAKER: The question is on the acceptance of the report of the committee. Is it now the pleasure of the House to accept the report of the committee?

The motion prevailed, and the Report was accepted, bill was then given its two several readings.

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

Committee Amendment "A" to S. P. 77, L. D. 104, Bill "An Act Guaranteeing Loans for Veterans."

Amend that part of said Bill designated as "Sec. 86-A" by inserting in the third line thereof after the word "state" the following underlined words "or any insurance company authorized to do business in this state."

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

On motion by Mr. Mills of Farmington, the House voted to take from the table the seventh tabled and unassigned matter, Bill "An Act Relating to State Owned Cars." (H. P. 1331) (L. D. 896) transmitted by the Revisor of Statutes pursuant to joint orders. In House, Committee of Reference of Bills suggested reference to Committee on Ways

and Bridges; tabled February 14th by Mr. Mills pending reference; and on further motion by the same gentleman, the Bill was referred to the Committee on Ways and Bridges, and sent up for concurrence.

On motion by Mr. Perkins of Boothbay Harbor, the House voted to take from the table the eighth tabled and unassigned matter, Majority Report "Ought to pass" as amended by Committee Amendment "A", and Minority Report "Ought not to pass" of the Committee on Judiciary on "Resolve, Proposing an Amendment to the Constitution Providing for Additional Signers in Petitions for Referendums." (S. P. 107) (L. D. 233), tabled by that gentleman on February 13th pending acceptance of either report.

The SPEAKER: The Chair recognizes the gentleman from Boothbay Harbor, Mr. Perkins.

Mr. PERKINS: Mr. Speaker, I now move the acceptance of the "Ought not to pass" report.

The SPEAKER: The gentleman from Boothbay Harbor, Mr. Perkins, moves the acceptance of the minority report, "Ought not to pass."

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

Mr. McGLAUFFIN: Mr. Speaker and Members of the House: I want to discuss this matter with you briefly, not that I am trying to change your votes, but I want you to understand why I favor the bill:

Let me go back briefly in history to tell you something that the older members remember but some of the young ones know little about.

We formerly had what we call the convention system for nominating men to office. Under that convention system we had what were known as bosses and the ring. In those days sometimes one man or a small group of men determined who were to hold the public offices in the State of Maine. When I first moved to Portland in 1913 I was informed that the Governors of Maine had been selected for the next eight years. That political attitude was carried on down through the counties and the districts and even in the wards, and when I first served as a Councilman from Ward 9 in the City of Portland we even had our bosses in that ward.

It was said in those days that the Portland Water Company controlled the politics of Portland and that nobody could be elected to the

Board of Aldermen without their consent; so, so far as I know, I was the first exception on record. As it was at that time, from our section of Portland a man could not be elected to this Legislature unless he pledged himself ahead to support Eugene Hale for United States Senator. I know what I am talking about because I was one of the men who refused to pledge himself even to get to this Legislature, and I was defeated.

It was under those circumstances that the question of direct primary and the referendum came up. I supported both measures. The people of this State accepted them; and so from that time on we have elected our Representatives through the people and not through the bosses, and we have continued to have the referendum, which at that time provided and still does provide that a reference to the people may be had upon the petition of ten thousand names.

But since those days many things have happened. The women's vote has come into the picture and we have practically doubled the number of voters that we had when the referendum was adopted. In addition to that, our automobiles have so improved that now it is an easy thing to travel from one end of the State to the other, perhaps in a single day. Our highways have been improved so that we can cover vastly greater distances in a shorter time than we did before. We now have the use of the radio, which enables us to get in touch with a great many people in a very short time.

Now what I am leading up to is this: that it is a simple matter to get ten thousand names today compared with what it was when that law was adopted.

We were elected by our constituents to come up here to represent them; every last man here is chosen because the people of his community think he is a man of sound judgment and common sense. We come up here, we take these matters up in committee, we hear the public discussion upon them, we bring them onto the floor of the House, as we are doing this morning, and we discuss those measures pro and con, and when we get through, we ourselves are in a vastly better position to pass on the merits of any measure than our people back home possibly can be.

But, by the aid of this referendum, some prejudiced bunch of men, it may be a corporation, it may be some organization, or some few men who do not like the matter, they get around, get ten thousand names to have the matter referred to the people, and then they conduct a one-sided campaign to carry out their purpose, whatever it is, and that purpose is oftentimes to defeat the very thing that we have worked so hard to gain.

To give you an illustration of what I mean, I am going to say to this body here and now, that any tax measure that is presented to this Legislature in my opinion is doomed to defeat unless we here can pull together enough to pass the measure with a two-thirds emergency vote; because just as sure as a tax measure gets back to the people they will kill it. They do not give it consideration. It hits their pocketbook, and they forget they elected us to enact these laws.

Now my point is: We still want the referendum, but we do not want that referendum to continue when a small group of people can upset everything that we do at this Legislature in a whole winter. I have helped to kill more constitutional amendments, I believe, than any other man in this Legislature; I do not believe in changing the Constitution of Maine every time somebody has a bright idea; but this measure, Mr. Bishop's measure, to amend the Constitution to get a larger number of names on these petitions before they can upset everything we do, I do favor, and I present it as a fact to you: it is up to you to vote as you please, but I for one am against the motion of the gentleman from Boothbay Harbor, Mr. Perkins, and I shall vote "No."

The SPEAKER: The Chair recognizes the gentleman from Boothbay Harbor, Mr. Perkins.

Mr. PERKINS: Mr. Speaker, when the vote is taken, I ask for a division.

The SPEAKER: The gentleman from Boothbay Harbor, Mr. Perkins, requests a division.

The question before the House is on the motion of the gentleman from Boothbay Harbor, Mr. Perkins, that the House accept the minority "Ought not to pass" report of the committee. All those in favor of the motion will please rise and remain standing until the monitors have made and returned the count.

A division was had.

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

On motion by Mr. McGlaflin, the House voted to accept the majority report "Ought to pass" as amended by Committee Amendment "A".

The resolve was then given its first reading.

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

Committee Amendment "A" to S. P. 107, L. D. 238, "Resolve Proposing an Amendment to the Constitution Providing for Additional Signers in Petitions for Referendum."

Amend said resolve in the 1st line of that part designated as "Sec. 17" thereof, by drawing a line through "not less than 10,000".

Further amend said resolve in the 2nd line of that part designated as "Sec. 17" thereof, by striking out the underlined words "in each congressional district"

Further amend said resolve in the 2nd line of that part designated as "Sec. 17" thereof, by adding after the comma the following underlined words: "the number of which shall not be less than 10% of the total vote for governor cast in the last gubernatorial election preceding the filing of such petition, and"

Committee Amendment "A" was adopted, and the resolve was assigned for second reading tomorrow morning.

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

If there is no further business, the Clerk will read the notices.

On motion by Mr. Cole of Portland,

Adjourned until ten o'clock tomorrow morning.