

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Ninety-Third Legislature

OF THE

STATE OF MAINE

1947

DAILY KENNEBEC JOURNAL
AUGUSTA, MAINE

HOUSE

Friday, March 7, 1947.

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

Prayer by the Rev. Martin T. Storms of Gardiner.

Journal of yesterday read and approved.

Papers from the Senate

From the Senate: The following Resolutions:

BE IT RESOLVED, the House concurring, that

WHEREAS, the State of Maine through its Legislature assembled, deeply sympathize with its able Ex-Governor William Tudor Gardiner and his family in their sorrow at the untimely death of Sylvester Gardiner, and

BE IT FURTHER RESOLVED, that an expression of sympathy and regret be extended to the members of the Gardiner family from this Legislature, and

BE IT FURTHER RESOLVED, that an engrossed copy of these Joint Resolutions be sent to the family by the Secretary of State (S. P. 447)

Came from the Senate read and adopted.

In the House, read and adopted in concurrence.

From the Senate: The following Order:

ORDERED, the House concurring, that the committee on welfare be empowered to study the services of the department of health and welfare, especially those services pertaining to the welfare department, and to be given the power to subpoena witnesses, to hire counsel, clerical assistance and other help necessary to carry on the study. Such expense shall be taken from the legislative appropriation and shall be approved by the Committee on Appropriations and Financial Affairs (S. P. 443)

Came from the Senate read and passed as amended by Senate Amendment "A" as follows:

Amend said Order by adding at the end thereof the following:

"The committee shall report its findings to the Legislature not later than April 15, 1947."

In the House, Senate Amendment "A" read and adopted in concurrence, and the Order as amended received passage in concurrence.

From the Senate: Resolve in favor of the George Green Estate (S. P. 435) (L. D. 1228)

Came from the Senate referred to the Committee on Claims.

In the House referred to the Committee on Claims in concurrence.

From the Senate: Bill "An Act Creating the State Board of Education" (S. P. 436) (L. D. 1229)

Came from the Senate referred to the Committee on Education.

In the House referred to the Committee on Education in concurrence.

From the Senate: Bill "An Act Providing for the Payment of a Bonus not to Exceed \$300 to Maine Veterans of World War II" (S. P. 439) (L. D. 1232)

Bill "An Act to Clarify the Military Law" (S. P. 440) (L. D. 1233)

Resolve Proposing an Amendment to the Constitution to Provide for a Bond Issue to Pay a Bonus Not to Exceed Three Hundred Dollars to Maine Veterans of World War II (S. P. 438) (L. D. 1231)

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: Bill "An Act relating to Clerk Hire in the Office of Clerk of Courts in Hancock County" (S. P. 441) (L. D. 1234)

Came from the Senate referred to the Committee on Salaries and Fees.

In the House, referred to the Committee on Salaries and Fees in concurrence.

From the Senate: Resolve Authorizing the George Green Estate to Sue the State of Maine (S. P. 437) (L. D. 1230)

Came from the Senate referred to the Committee on Judiciary.

In the House, referred to the Committee on Judiciary in concurrence.

From the Senate: Resolve to Continue the Interim Commission to Study Methods to Assure Greater Productivity of the Forest Lands of the State (S. P. 442) (L. D. 1235)

Came from the Senate referred to the Committee on State Lands and Forest Preservation.

In the House, referred to the

Committee on State Lands and Forest Preservation in concurrence.

Senate Reports of Committees Ought to Pass

Report of the Committee on Motor Vehicles reporting "Ought to pass" on Bill "An Act relating to Reserved Numbers" (S. P. 263) (L. D. 725)

Report of same Committee reporting same on Bill "An Act relating to Lost Number Plates" (S. P. 323) (L. D. 869)

Report of same Committee reporting same on Bill "An Act relating to Inspection of Motor Vehicles" (S. P. 262) (L. D. 724)

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

In the House, the Reports were read and accepted in concurrence, the Bills read twice and assigned for third reading the next legislative day.

Ought to Pass in New Draft

Report of the Committee on Inland Fisheries and Game on Resolve Providing for a Fish Screen at Outlet of Molasses Pond in the town of Eastbrook (S. P. 58) (L. D. 35) reporting same in a new draft (S. P. 415) (L. D. 1201) under same title and that it "Ought to pass"

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

In the House, Report read and accepted in concurrence, the Resolve read once, and assigned for third reading the next legislative day.

Amended and Engrossed in Non-Concurrence

Bill "An Act relating to Determination of Valuation of Property With Relation to Inheritance Tax" (H. P. 1069) (L. D. 700) which was passed to be engrossed in the House on February 28th.

Came from the Senate passed to be engrossed as amended by Senate Amendment "A" in non-concurrence.

In the House:

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

Senate Amendment "A" to H. P. 1069, L. D. 700, Bill, "An Act Relating to Determination of Valuation of Property With Relation to Inheritance Tax."

Amend said Bill by striking out the underlined figures "30" in the 9th line thereof, and inserting in place thereof the underlined figures '60'.

Thereupon, the House voted to reconsider its action whereby it passed this Bill to be engrossed on February 28th.

Senate Amendment "A" was adopted, and the Bill was passed to be engrossed as amended in concurrence.

From the Senate: The following Order:

ORDERED, the House concurring, that when the Senate and House adjourn, they adjourn to meet on Tuesday, March 11th, 1947, at ten o'clock in the forenoon.

Came from the Senate, in that body read and passed.

In the House, read and passed in concurrence.

The following Bills and Resolve, 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 to Authorize the Maine Aeronautics Commission to Match Federal Airport Funds in Conjunction with Municipalities to Construct Airports Within the State" (H. P. 1598) (Presented by Mr. Stearns of Hiram)

(Ordered printed.)

Sent up for concurrence.

Claims

Resolve in favor of Fox & Ginn, Inc. (H. P. 1599) (Presented by Mr. Rollins of Greenville)

(Ordered printed.)

Sent up for concurrence.

Judiciary

Bill "An Act relating to Nursing Attendants" (H. P. 1600) (Presented by Mr. Mills of Farmington)

(Ordered printed.)

Bill "An Act relating to Taxation of Joint Bank Accounts and Joint Tenancies in Real and Personal Property" (H. P. 1601) (Presented by Mr. Perkins of Boothbay Harbor)

(Ordered printed.)

Bill "An Act relating to Penalties for Operating Motor Vehicles While Under the Influence of Intoxicating Liquor or Drugs" (H. P. 1602) (Pre-

sented by Mr. Rankin of Bridgton)
(Ordered printed.)
Sent up for concurrence.

Legal Affairs

Bill "An Act to Repeal the Charter of the Bay Point Village Corporation" (H. P. 1606) (Presented by Mr. Curtis of Bowdoin)
(Ordered printed.)
Sent up for concurrence.

Public Health

Bill "An Act Establishing a School for Practical Nurses" (H. P. 1603) (Presented by Mr. Mills of Farmington)
(Ordered printed.)
Sent up for concurrence.

Bill "An Act relating to the Gasoline Tax" (H. P. 1604) (Presented by Mr. Tabb of Gardiner)
(Ordered printed.)

Bill "An Act relating to the Use Fuel Tax" (H. P. 1605) (Presented by same gentleman)
(Ordered printed.)

On motion by Mr. Mills of Farmington the last two matters were ordered sent forthwith to the Senate.

Orders

On motion by Mr. Palmeter of Charlotte, it was Ordered, that Rev. Preston Pennell of Stratton be invited to officiate as Chaplain of the House on Tuesday, April 1st.

On motion by Mr. Burgess of Limestone, it was Ordered, that there be printed 500 additional copies of H. P. 1366, L. D. 988, An Act Increasing the Potato Tax.

House Reports of Committees Divided Report

Majority Report of the Committee on Public Utilities reporting "Ought to pass" on Bill "An Act relating to Incorporation of Kittery Water District" (H. P. 72) (L. D. 52)

Report was signed by the following members:

Messrs. Batchelder of York
Noyes of Hancock
—of the Senate.
Palmeter of Charlotte
Collins of Caribou
Desanctis of Madison
Marshall of York
Ross of Brownville
Daniels of Gilead
Wight of Bangor

—of the House.
Minority Report of same Commit-

tee reporting "Ought not to pass" on same Bill.

Report was signed by the following member:

Mr. Hopkins of Kennebec
—of the Senate.

On motion by Mr. Collins of Caribou, the Majority Report "Ought to pass" was accepted, and the Bill, having already been printed, was read twice under suspension of the rules, and assigned for third reading the next legislative day.

Ought to Pass in New Draft

Mr. McGlaflin from the Committee on Judiciary on Bill "An Act to Establish the Town of Lincoln Municipal Court" (H. P. 839) (L. D. 483) reported same in a new draft (H. P. 1592) under same title and that it "Ought to pass"

Mr. Boulier from the Committee on Ways and Bridges on Resolve in favor of the town of Patten (H. P. 137) reported same in a new draft (H. P. 1607) under same title and that it "Ought to pass"

Mr. Holt from same Committee on Resolve in favor of the town of Montville (H. P. 77) reported same in a new draft (H. P. 1608) under same title and that it "Ought to pass"

Reports were read and accepted and the new drafts ordered printed under the Joint Rules.

Ought to Pass

Mr. Boulier from the Committee on Ways and Bridges reported "Ought to pass" on Resolve to Provide for Reimbursing the town of Hermon for Emergency Road Work (H. P. 218)

Mr. Holt from same Committee reported same on Resolve Reallocating Road Resolve Money Previously Allocated to Road in Damariscotta (H. P. 213)

Reports were read and accepted and the Resolves ordered printed under the Joint Rules.

On motion by Miss Cormier of Rumford, House Rule 25 was suspended for the remainder of today's session, in order to permit smoking.

Ought to Pass Printed Bills

Mr. Lord from the Committee on Education reported "Ought to pass" on Bill "An Act relating to State Aid to Certain Educational Institutions" (H. P. 1374) (L. D. 995)

Mr. Haskell from the Commit-

tee on Judiciary reported same on Bill "An Act relating to the State School for Boys" (H. P. 1174) (L. D. 848)

Mr. McGlauffin from same Committee reported same on Bill "An Act Amending Subsection (e) of Section 5 of Chapter 69 of the Private and Special Laws of 1941, relative to Eminent Domain Proceedings" (H. P. 1181) (L. D. 897)

Mr. Peirce from same Committee reported same on Bill "An Act relating to Unfair Sales of Cigarettes" (H. P. 1355) (L. D. 956)

Mr. Williams from same Committee reported same on Bill "An Act to Enforce Unfair Sales Practices in Cigarettes" (H. P. 1354) (L. D. 955)

Mr. Atherton from the Committee on Legal Affairs reported same on Bill "An Act relating to Circuses and Traveling Amusement Shows" (H. P. 450) (L. D. 266)

Mr. Payson from same Committee reported same on Bill "An Act relating to Sidewalk Construction in the city of Portland" (H. P. 1277) (L. D. 937)

Mr. Weeks from same Committee reported same on Bill "An Act Amending the Charter of the city of Portland" (H. P. 1276) (L. D. 946)

Mr. Woodworth from same Committee reported same on Bill "An Act to Incorporate the Town of Palmyra School District" (H. P. 1287) (L. D. 948)

Mr. Chase from the Committee on Library reported same on Resolve Providing for the Purchase of Seventy-five Copies of "Maine Province and Court Records, Volume III" (H. P. 454) (L. D. 302)

Mr. Rankin from same Committee reported same on Bill "An Act to Amend the Library Law" (H. P. 1077) (L. D. 733)

Mr. Fitch from the Committee on Mercantile Affairs and Insurance reported same on Bill "An Act relating to the Cumberland Mutual Fire Insurance Company" (H. P. 1305) (L. D. 910)

Mr. Collins from the Committee on Public Utilities reported same on Bill "An Act to Amend the Charter of the Van Buren Light and Power District" (H. P. 508) (L. D. 329)

Same gentleman from same Committee reported same on Bill "An Act relating to Regulation of Contract Carriers" (H. P. 1515) (L. D. 1138)

Same gentleman from same Committee reported same on Bill "An

Act relating to Fees for Permits and Plates for Motor Vehicle Carriers" (H. P. 1516) (L. D. 1139)

Mr. Ross from same Committee reported same on Bill "An Act to Create the Searsport Water District" (H. P. 1470) (L. D. 1074)

Mr. Moulton from the Committee on Towns reported same on Bill "An Act relating to Location of Children of Paupers for School Purposes" (H. P. 1330) (L. D. 923)

Reports were read and accepted, and the Bills, having already been printed, were read twice under suspension of the rules and assigned for third reading the next legislative day.

Mr. Fuller from the Committee on Education on Bill "An Act Instructing the Commissioner of Education to Establish and Grant State High School Equivalency Certificates" (H. P. 1264) (L. D. 935) 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. 1264, L. D. 935, Bill, "And Act Instructing the Commissioner of Education to Establish and Grant State High School Equivalency Certificates."

Amend said Bill by inserting in line 2 of the second paragraph thereof after the word "veterans" a ',' (comma) and in the same line after the words "veterans, or" the underlined word 'to'

Further amend said bill by striking out the period in the sixth line of paragraph 2 thereof and inserting in place thereof the underlined words:

'by the commissioner except that'

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

Mr. Perkins from the Committee on Judiciary on Bill "An Act relating to Limitation of Actions for Tort" (H. P. 916) (L. D. 613) 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. 916, L. D. 613, Bill "An Act Relating to Limitation of Actions for Tort."

Amend said bill by striking out all after the enacting clause thereof, and by inserting in place thereof the following:

R. S., c. 44, § 12, amended. Section 12 of chapter 44 of the revised statutes is hereby amended to read as follows:

'Sec. 12. Limitation of action. Actions of tort for injuries to the person or for death and for injuries to or destruction of property, caused hereafter by the ownership, operation, maintenance, or use on the ways of the state of motor vehicles or trailers subject to the supervision and control of the public utilities commission, shall be commenced only within 1 year 2 years next after the cause of action occurs.'

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

Tabled

Mr. Atherton from the Committee on Legal Affairs on Bill "An Act to Incorporate the Town of Strong School District" (H. P. 1279) (L. D. 947) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

(Report of the Committee was accepted, and on motion by Mr. Jennings of Strong, tabled pending first reading)

Mr. Rankin from the Committee on Legal Affairs on Bill "An Act to Incorporate the Brunswick Sewer District and to Transfer to it the Sewers of the Brunswick Village Corporation" (H. P. 342) (L. D. 215) 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. 342, L. D. 215, Bill "An Act to Incorporate the Brunswick Sewer District and to Transfer to It the Sewers of the Brunswick Village Corporation."

Amend said Bill by inserting after section 4 thereof a new section to read as follows:

'Sec. 5. Procedure in crossing public utility. In case of any crossing of any public utility, unless consent is given by the company owning or operating such public utility as to place, manner and conditions of the crossing within 30 days after such consent is requested by said district, the public utilities commission shall determine the place, manner and conditions of such crossing; and all work on the property of such public utility shall be done under the supervision and to the satisfaction of such public utility, but at the expense of the district.

Provided, however, nothing herein contained shall be construed as authorizing said district to take by right of eminent domain any of the property or facilities of any other public service corporation or district used or acquired for future use by the owner thereof in the performance of a public duty, unless expressly authorized herein or by subsequent act of the legislature.'

Further amend said Bill by striking out in the 2nd line of section 10 thereof the figure "7" and inserting in place thereof the figure "8".

Further amend said Bill by renumbering sections 5, 6, 7, 8, 9, 10, 11 and 12 to be sections 6, 7, 8, 9, 10, 11, 12 and 13, respectively.

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

Mr. Weeks from the Committee on Legal Affairs on Bill "An Act Amending the Charter of the Farmington Village Corporation" (H. P. 1285) (L. D. 940) 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. 1285, L. D. 940, Bill, "An Act Amending the Charter of the Farmington Village Corporation."

Amend said bill by striking out in line 5 (line 4 as printed) the underlined word "provide", and inserting in place thereof the underlined word "purchase."

Committee Amendment "A" was adopted, and the Bill was assigned

for third reading the next legislative day.

Mr. Payson from the Committee on Legal Affairs on Bill "An Act to Incorporate the Town of Gray School District" (H. P. 1290) (L. D. 949) 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" was read by the Clerk as follows:

Committee Amendment "A" to H. P. 1290, L. D. 949, Bill, "An Act to Incorporate the Town of Gray School District."

Amend said bill by striking out the entire "Emergency preamble"

Further amend said bill by striking out in line 6 of Section 5 thereof, before the "%" sign, the figures "2½" and inserting in place thereof the new figure '4'

Further amend said bill by striking out all of "Sec. 9" thereof.

Further amend said bill by renumbering "Sec. 10" to read "Sec. 9"

Further amend said bill by striking out the entire "Emergency clause".

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

Mr. Snow from the Committee on Legal Affairs "An Act relating to the Town of Fort Fairfield School District" (H. P. 1278) (L. D. 938) 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. 1278, L. D. 938, Bill, "An Act Relating to the Town of Fort Fairfield School District."

Amend said bill by striking out in line 7 (line 6, as printed) of Section 3 before the "%" sign, the figure "2" and inserting in place thereof the underlined figure '4'.

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

Tabled

Mr. Weeks from the Committee on

Legal Affairs on Bill "An Act Authorizing Cities and Towns to Provide for the Collection and Disposal of Garbage, Rubbish and Refuse, and to Assess a Charge Thereof" (H. P. 1076) (L. D. 732) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

(Report of the Committee was accepted, and on motion by Mr. Jordan of South Portland, tabled pending first reading)

Mr. DeSanctis from the Committee on Public Utilities on Bill "An Act to Incorporate the Naples Water Company" (H. P. 177) (L. D. 151) 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. 177, L. D. 151, Bill "An Act to Incorporate the Naples Water Company."

Amend said bill by striking out the words "and vicinity in said county" which appears in the 4th line of that part designated as "Sec. 3" thereof.

Further amend said bill by striking out the word, "railroads" which appears at the end of the third line and the beginning of the fourth line of that part designated as "Sec. 4" thereof.

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

Mr. Wight from the Committee on Public Utilities "An Act to Incorporate the Corinna Water District" (H. P. 686) (L. D. 442) 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. 686, L. D. 442, Bill, "An Act to Incorporate the Corinna Water District."

Amend said bill by striking out the word "appointed" which appears

in the 3rd line of Sec. 6 thereto and inserting in place thereof the word 'chosen'

Further amend said bill by striking out all of the 3rd sentence of Section 6 thereof and inserting in place thereof the following: 'Whenever the office of a trustee becomes vacant for any cause other than the expiration of its term, the municipal officers of the town of Corinna shall appoint a successor to serve for the unexpired term.'

Further amend said bill by striking out all of the 2nd sentence in Sec. 7 thereof and inserting in place thereof the following: 'Hereafter one member shall be elected at each annual meeting of the district to serve for a term of 3 years.'

And further amend said bill by inserting in the 3rd line of Sec. 11 after the words "time to time," the following: 'not to exceed \$150,000.'

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

Passed to be Engrossed

Bill "An Act Increasing the Salary of the Register of Deeds in Sagadahoc County" (H. P. 184) (L. D. 132)

Bill "An Act relating to Clerk Hire in County Offices in Sagadahoc County" (H. P. 185) (L. D. 133)

Bill "An Act relating to the Salary of the Recorder of the Brunswick Municipal Court" (H. P. 187) (L. D. 135)

Bill "An Act relative to the Salary of the Judge of the Brunswick Municipal Court" (H. P. 469) (L. D. 303)

Bill "An Act Increasing the Salary of the Recorder of Eastport Municipal Court" (H. P. 509) (L. D. 330)

Bill "An Act Increasing the Salary of the County Attorney in Sagadahoc County" (H. P. 625) (L. D. 385)

Bill "An Act Increasing the Salary of the Sheriff of Penobscot County" (H. P. 687) (L. D. 443)

Bill "An Act relating to Profits and Losses of Loan and Building Associations and/or Savings and Loan Associations" (H. P. 1144) (L. D. 744)

Bill "An Act relating to Capital Stock of Loan and Building Associations and/or Savings and Loan Associations" (H. P. 1145) (L. D. 745)

Bill "An Act relating to Inspection of Motor Vehicles" (H. P. 1193) (L. D. 781)

Bill "An Act relating to the Excise Tax on Motor Vehicles" (H. P. 1195) (L. D. 821)

Bill "An Act Increasing the Salary of the County Attorney and Assistant County Attorney in Penobscot County" (H. P. 1203) (L. D. 823)

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

Bill "An Act relating to the Appointment, Term of Office and Removal of the City Clerk of the city of Lewiston" (H. P. 1531) (L. D. 1114)

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

Mr. MALENFANT: Mr. Speaker, I offer House Amendment "A" and move its adoption.

The SPEAKER: The gentleman from Lewiston, Mr. Malenfant, presents House Amendment "A" and moves its adoption.

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

House Amendment "A" to H. P. 1531, L. D. 1114, Bill "An Act Relating to the Appointment, Term of Office and Removal of the City Clerk of the City of Lewiston."

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

Referendum. This act shall take effect 90 days after the adjournment of this legislature only for the purpose of permitting its submission to the legal voters of the city of Lewiston at the next municipal election to be held in 1948. Such meeting shall be called for that purpose by an appropriate article inserted in the call for such meeting. The city clerk shall prepare the required ballots for the meeting upon which he shall reduce the subject matter of this act to the following question: "Shall 'An Act Relating to the Appointment, Term of Office and Removal of the City Clerk of the City of Lewiston', passed by the 93rd legislature, be accepted?" and the voters shall indicate by a cross placed over the words "Yes" or "No" their opinion of the same. This act shall take effect for all the purposes of this act immediately upon the acceptance of this act by a majority of

the legal voters voting at such meeting.

The result of the vote in such city shall be declared by the municipal officers thereof and a certificate thereof filed by the city clerk with the secretary of state.'

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

Mr. MALENFANT: Mr. Speaker and Members of the House: My reason for offering this amendment is that I want to give a chance for the people of Lewiston to vote on a referendum and decide whether they would like to change the appointment of the city clerk or not.

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

Mr. JALBERT: Mr. Speaker and Members of the House: I rise this morning apologetically. I feel there has been a great deal of time devoted to this rather minor issue.

This bill had a hearing; there was one person opposing it. As I stated yesterday, everybody from all walks of life at home appeared for it. Three of my colleagues, Representatives Doucette, St. Pierre and Dostie, of Lewiston were for it. Three of our committee "Ought to pass." It was then tabled and discussed at length by some of you members individually and a vote was taken on it yesterday. The result was "Ought to pass." The referendum clause is a needless waste of money. Therefore, Mr. Speaker, again saying I rise apologetically, because if all bills were given as much time and as courteous attention as this one has been given we really would be here until Christmas, I move that the amendment not be adopted.

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

Mr. SNOW: Mr. Speaker and Members of the House: I hesitate to take part in the affairs of Lewiston, but being just across the river and being a member of the Legal Affairs Committee, I wish to say that I feel this bill was given a good hearing. There were members there from Lewiston who were members of the original charter committee. One member in particular has always been against any changes in the Lewiston charter, but he thought this particular bill was a good bill. Both Republicans and Democrats agreed.

Our Committee on Legal Affairs has spent a lot of time and effort on the bills that the City of Lewiston or their representatives have presented. They put a lot of thought into them, because they wanted the City of Lewiston to go along and have good government the way they have been doing for several years. I believe this amendment is only put in to kill this bill, and I believe it will cause the citizens of Lewiston additional expense; I think it is not necessary and I hope it does not pass.

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

Mr. MALENFANT: Mr. Speaker and Members of the House: When they had the hearing at the Legal Affairs Committee it was impossible for citizens of Lewiston to come up here and oppose the bill because, as I said yesterday, 95 per cent of the people did not know about it. How can they come up here and oppose a bill when they do not know about it? I want to give them a chance to vote on that referendum. Why try to pass that over the heads of the taxpayers of Lewiston? The taxpayers have to pay the city clerk and they ought to have something to say. The only time that the taxpayers have got a chance to express their opinion is at the polls when they go in the booth and mark their ballot. I want to give them a chance to vote on this. In the other city I believe their city clerk is not appointed for life. I believe he is appointed for so many years. Why should some of the representatives of that city come to this hall and try to pass a bill to appoint the city clerk for life in Lewiston? They ought to start in their own city.

The SPEAKER: The Chair recognizes the gentleman from Hiram, Mr. Stearns.

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

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

Mr. DOUCETTE: Mr. Speaker, in regard to this bill, as the gentleman from Auburn (Mr. Snow) has mentioned, it was presented in a friendly way to the Legal Affairs Committee and was favorably reported to the House here. I, as representative from Lewiston, have been stopped on the street by peo-

ple and I have seen many people who are in favor of this bill. But I cannot help getting up to tell you gentlemen that on Wednesday night I received at least one hundred telephone calls from people saving that this bill should go through. Therefore, Mr. Speaker and Members of the House, I say that the committee's favorable report should prevail.

The SPEAKER: The question before the House is on the motion of the gentleman from Lewiston, Mr. Malenfant, that the House adopt House Amendment "A." The gentleman from Hiram, Mr. Stearns, has requested a division. All those in favor of the motion of the gentleman from Lewiston, Mr. Malenfant, will please rise and remain standing until the monitors have made and returned their count.

A division of the House was had.

Twenty-nine having voted in the affirmative and forty-seven in the negative, House Amendment "A" failed of adoption.

Thereupon the bill was given its third reading, passed to be engrossed and sent up for concurrence.

Passed to be Engrossed (Cont'd) Amended Bills

Bill "An Act to Incorporate the Parkman School District" (S. P. 147) (L. D. 342)

Bill "An Act relating to the Van Buren Municipal Court" (S. P. 208) (L. D. 590)

Bill "An Act to Repeal the Incorporation of the Norway Village Corporation" (S. P. 413) (L. D. 1162)

Bill "An Act relating to Salaries of Judge and Recorder of the Bath Municipal Court" (H. P. 182) (L. D. 130)

Bill "An Act Increasing the Salary of the County Treasurer of Sagadahoc County" (H. P. 183) (L. D. 131)

Bill "An Act to Increase the Salary of Sheriff in Sagadahoc County" (H. P. 625) (L. D. 386)

Bill "An Act Increasing the Salary of the Register of Probate in Sagadahoc County" (H. P. 627) (L. D. 387)

Bill "An Act Increasing the Salary of the Judge of Probate in Sagadahoc County" (H. P. 628) (L. D. 388)

Bill "An Act Authorizing Loan and Building Associations and/or Savings and Loan Associations to

Adopt Pensions and Retirements" (H. P. 1143) (L. D. 743)

Were 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.

Orders of the Day

The SPEAKER: Under Orders of the Day, the Chair lays before the House the first item of unfinished business, House Majority Report "Ought not to pass" and House Minority Report "Ought to pass" as amended by Committee Amendment "A" of the Committee on Judiciary on Bill "An Act Relating to the Sanitary Water Board." (H. P. 1068) (L. D. 681), tabled on March 4th by the gentleman from Boothbay Harbor, Mr. Perkins, pending acceptance of either report. The clerk will read the Committee Report.

(Committee Report read by the Clerk)

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

Mr. PERKINS: Mr. Speaker and Members of the House: I regret the necessity of addressing you this morning on an issue which seems to me to be very vital. While this bill is entitled "An Act Relating to the Sanitary Water Board," it is intended to redeem a pledge which we solemnly made to those who went into the service of their country during the recent World War. At that time we made a solemn covenant that any employee in the State of Maine who entered the services of his country when he returned he would return and receive his job back in the same situation as it was when he went into the services of his country.

The Sanitary Water Board was created in 1941, and in the Act itself it was provided that the Chief Sanitary Engineer of the Department of Health and Welfare shall serve as Technical Secretary of the Board, and Dr. Elmer Campbell served in that capacity until he went into the service of his country.

Two years ago there was introduced into this Legislature Legislative Document 934, on the 20th of February, 1945, an Act Relating to the Sanitary Water Board. Now that bill related wholly to the pollution question. It was a very important bill. We had a hearing be-

fore the Judiciary Committee, and finally it was reported out in New Draft on April 5, 1945. In the New Draft, the words "chief sanitary engineer" were stricken out, and it said "The board shall appoint a technical secretary who shall be a sanitary engineer employed by the bureau of health, department of health and welfare."

That legislated Dr. Campbell out of a job, because while he was gone one of his subordinates was appointed as technical secretary of the board, and this bill which is now before this House was introduced by the gentleman from Hallowell on February 12th of this year to remedy the error.

Now the reason that I am speaking to you this morning, and I think it is very fitting that I should do so, is because I was a member of the Judiciary Committee, and I think I did Dr. Campbell a great wrong when we reported this bill out of committee which legislated him out of office as technical secretary of the Sanitary Water Board.

At that time when the bill was reported out on April 5th in New Draft, the Judiciary Committee, and I have examined the records, had considered one hundred ninety bills. This was a very important bill, and I say this in explanation and not as an excuse, that I do not believe that the significance of the change made in the new draft appealed to any of us. I am here now pleading with you to remedy what I call a mistake by the Judiciary Committee and this Legislature, because I could not look the veterans in the eye who are here this morning, and my own boy when he returns, if I did not do what I could to remedy what I thought had been a mistake. It was unintentional; nevertheless it has been made.

As I have said before, we made a solemn covenant with those boys and with those men when they went into the service that they should receive their old positions back. This amendment, which will be offered if you vote with me on this matter, will replace Dr. Campbell to the same position he was in when he went into the service. If I have not already done so, I move the acceptance of the "Ought to Pass as Amended by Committee Amendment 'A'" Report.

Now what is the situation. Dr. Campbell entered the employ of the State of Maine on February 26, 1923,

as Director of the Division of Sanitary Engineering and was in fact the Chief Sanitary Engineer of the Department of Health and Welfare, and ex-officio was Technical Secretary of the Sanitary Water Board from July 1941, when the law went into effect, until June 1943, at which time he went into the Army at the age of forty-seven years. I want to call to your attention at this time that Dr. Campbell did not have to go. Those in the department with him down there had the same opportunity to serve their country that he had.

He accepted a commission as captain to the Sanitary Board, and is now fifty years of age; at that time he was forty-seven. Not only that, he was a disabled veteran of the First World War. By carefully controlled exercise and good living and taking care of himself, he had improved his condition so that he was accepted by the Army in this war and given a commission as a captain.

Now what did he do. He served one year at various camps in the United States and on July 6, 1944, was sent overseas to the South Pacific. He served five months on the Island of New Caledonia, one month on the Island of Guadalcanal, four months on the Island of Oahu (Hawaiian Islands), one week in Eniwetok, one week at Ulithi, and landed on Okinawa on April 10, 1945.

I have here a copy of the Saturday Evening Post, and I hope some of you read it, the article on page 37, entitled "The Alley Fighters of the 93th."

It may be that some within the hearing of my voice were at Okinawa. It has been two years since that time and the tumult and the shouting has died. We are very forgetful, but I feel rather ashamed of myself, my friends, when I stand up here and look at the calendar, which I have taken the care to look at, and find that we were sitting in the Judiciary Room, pretty warm and pretty comfortable, and inadvertently and without taking the care that we should have on the 5th day of April, 1945, we reported out this bill in a New Draft, and finally it had its readings, and so forth, and was finally enacted by this Legislature on April 21, 1945, eleven days after Dr. Campbell had landed on Okinawa.

Now I want to remedy the mistake, and I had a part in it. We told these men and boys that if they

went they should come back to the same jobs that they had when they went away.

Now Dr. Campbell arrived at Okinawa on the 10th day of April, 1945, and was assigned to the Island Command Headquarters, a branch of the Headquarters of the 10th Army. During combat he was Assistant to the Chief Sanitary Officer of the 10th Army with duties of supervising the treatment of water for combat troops and all service troops supporting the combat troops, including water supplies for the 96th Infantry Division, the 7th Infantry Division, 27th Infantry Division, the 1st Marine Division and the 6th Marine Division; also all Seabee units with a special appointment from the Commanding Officer of the Seabee units as inspector for all water supplies utilized by such battalions.

You should read the article in the Saturday Evening Post "The Alley Fighters of the 96th." Dr. Campbell had his headquarters and furnished a water supply, and he was within four miles of the headquarters of the Alley Fighters of the 96th. There may be some members here who remember this outfit and who were on Okinawa, and if so, I do not need to tell you what occurred there. You remember the flag the boys raised out there. It was one of those things that makes everybody thrilled. Dr. Campbell was there under fire. Those kamikaze or suicide planes were coming down, and he served during all that battle, and I was sitting here in the Judiciary room wondering what was going on, and helped to legislate him out of office.

I think it is very important, Mr. Speaker. He was subjected to artillery fire for many days and under artillery bombardment for over three months. His duties required inspecting the front line water supplies of all units in combat as well as other supplies throughout the Island of Okinawa, Ie-Shima, and adjoining islands.

Now there was nothing said before our committee that I have any recollection about the duties that had been performed. I am not going into that. I am going to say to you right here that my only object is to right a wrong in which I perhaps had a part, innocent though it may be, but as a result of that new draft and that rather innocent looking amendment they

put on there Dr. Campbell was legislated out of his job.

Now while we were doing that, Dr. Campbell received the approbation of his Government. I want to just read to you, if I may, a citation: "Headquarters United States Army Forces Western Pacific. Certificate of Commendation. By Direction of the Secretary of War. Captain Elmer W. Campbell, 0522151, Sanitation Corps, Army of the United States, is hereby awarded The Army Commendation Ribbon. Citation: For meritorious service at Okinawa, Ryukyu Islands, as Sanitary Engineer of the Okinawa Base Command during the period 3 September 1945 to 10 March 1946. (signed) W. D. Styer, Lieutenant General, U. S. Army Commanding. 13 June 1946."

When he returns to take up his job in his old department, he, Dr. Campbell, is no longer technical secretary of the Sanitary Water Board because one of his subordinates had been appointed in his place.

This bill and amendment will restore Dr. Campbell to his position as technical secretary of the Sanitary Water Board. I think the contrast to me is tremendous when you think that his Government said he had done a good job, a meritorious service at Okinawa. I do not have to tell you in two years what happened at Okinawa. We lost thousands of men and perhaps one hundred thousand Japanese were killed.

He comes home and we have taken this job away from him. It is a matter of pride. Of course he felt hurt, and I hope Mr. Speaker and Members of the House, that we will try to remedy it as well as we can, the act of injustice which I at least had a part in perpetrating. I hope, Mr. Speaker, when the vote is taken it will be taken by a division.

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

Mr. FOWLER: Mr. Speaker, I speak simply as a veteran of World War I in the interests of fair play and the rights of the veterans of World War II. I must agree with my colleague, the gentleman from Boothbay, Mr. Perkins, that there has been an unjust deal in this matter. It is my belief that there were several draft dodgers connected with this State in some de-

partments. Dr. Campbell did not seek refuge as one of these draft dodgers. As a matter of fact, he was some fifty-one years of age and he would not have been drafted. He went on his own, to defend your rights and mine.

Now I do not know about the inter-departmental workings of this particular department. I simply speak for fair play. I believe this gentleman held a certain position when he went into the service which was given to another while he was gone, and I believe it should be given back to him now that he has returned. I trust that we will all support this bill.

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

Mr. COUSINS: Mr. Speaker and Members of the House: I believe I should not speak on this measure because I am a veteran of this war, but after hearing what has gone on I feel I should get up and say something. I am not going into it to any degree, but it comes down to one or two points. The first point is that the federal government and the State of Maine said that when the men went into the service of the Army, Navy, Marine Corps and Coast Guard they could come back and have the jobs they had when they went. The other point is that he was working for the State of Maine and went into the service, and when he came back his job was not open to him. It leads me to one conclusion: the Legislature of the State of Maine in 1947 has to give him back his job. Thank you.

The SPEAKER: The Chair recognizes the gentleman from Farmington, Mr. Mills.

Mr. MILLS: Mr. Speaker, I only wish to make a brief remark in this regard. I wish to say that no one appeared before the committee against this bill. We did receive four letters. The only opposition to this bill was through the United States mail, and none of the gentlemen who cared to express their opposition to it saw fit to walk on their own two feet to the committee room and give their testimony to us nor did they see fit to confront Dr. Campbell. I trust this morning we will give them an answer to these four letters and that it will be an emphatic one.

The SPEAKER: Is the House ready for the question?

The question is on the motion of the gentleman from Boothbay Harbor, Mr. Perkins, that the House accept the minority "Ought to pass" as amended by Committee Amendment "A" report of the committee. The same gentleman requests a division.

All those in favor of the motion will please rise and remain standing until counted and the monitors have made and returned their count.

A division of the House was had. One hundred and one having voted in the affirmative and two in the negative, the motion prevailed and the minority "Ought to pass" as amended by Committee Amendment "A" report was accepted. This being a printed bill, the rules were suspended and the bill was given its two several readings.

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

Committee Amendment "A" to H. P. 1068, L. D. 681, Bill "An Act Relating to the Sanitary Water Board."

Amend said bill by striking out in the 8th line from the end thereof, the underlined words "chief sanitary engineer," and inserting in place thereof the underlined words "director of the division of sanitary engineering"

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

The SPEAKER: The Chair lays before the House the second item of unfinished business, Bill "An Act to Incorporate the Kenduskeag Development District." (H. P. 924) (L. D. 560); in the House the bill was read twice and tabled on March 5th by the gentleman from Bangor, Mr. Webber, pending third reading; and the Chair recognizes that gentleman.

Mr. Webber offered House Amendment "A" and moved its adoption.

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

House Amendment "A" to H. P. 924, L. D. 560, Bill "An Act to Incorporate the Kenduskeag Development District."

Amend said Bill by adding at the end of Section 5 the following two paragraphs:

"In case of any crossing of any public utility, unless consent is given by the company owning or operating such public utility as to place, manner and conditions of the cross-

ing within 30 days after such consent is requested by said district, the public utilities commission shall determine the place, manner and conditions of such crossing; and all work on the property of such public utility shall be done under the supervision and to the satisfaction of such public utility, but at the expense of the district.

Provided, however, nothing herein contained shall be construed as authorizing said district to take by right of eminent domain any of the property or facilities of any other public service corporation or district used or acquired for future use by the owner thereof in the performance of a public duty unless expressly authorized herein or by subsequent act of the legislature.

House Amendment "A" was adopted and the bill was given its third reading, passed to be engrossed, and sent up for concurrence.

The SPEAKER: The Chair lays before the House the third matter of unfinished business, "An Act Guaranteeing Loans for Veterans." (S. P. 77) (L. D. 104) tabled on March 5th by the gentleman from Portland, Mr. Meloon, pending passage to be enacted.

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

Mr. BOWKER: Mr. Speaker, at the request of Mr. Meloon, who was called out-of-state yesterday afternoon on business, and who asked me to have this bill retabled, I move that this bill be retabled and specially assigned for next Wednesday.

The SPEAKER: The gentleman from Portland, Mr. Bowker, moves that this bill be tabled pending passage to be enacted and specially assigned for next Wednesday, March 12th. Is this the pleasure of the House?

The motion prevailed and the bill was so tabled, and so assigned.

The SPEAKER: The Chair lays before the House the first today assigned matter, House Report "Ought to pass" as Amended by Committee Amendment "A" of the Committee on Public Utilities on Bill "An Act Creating the Ashland Water and Sewer District." (H. P. 683) (L. D. 439) tabled on March 4th by the gentleman from Castle Hill, Mr. Ellis, pending acceptance of report and the Chair recognizes that gentleman.

On motion by Mr. Ellis, the

"Ought to pass" as amended by Committee Amendment "A" report of the committee was accepted. This being a printed bill, under suspension of the rules, it was given its two several readings.

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

Committee Amendment "A" to H. P. 683, L. D. 439, Bill "An Act Creating the Ashland Water and Sewer District."

Amend said bill by striking out all of Sec. 7 thereof and inserting the following:

Sec. 7. Procedure if public utility must be crossed. In case of any crossing of any public utility, unless consent is given by the company owning or operating such public utility as to place, manner, and conditions of the crossing within 30 days after such consent is requested by such district, the public utilities commission shall determine the place, manner and conditions of such crossing; and all work on the property of such public utility shall be done under the supervision and to the satisfaction of such public utility, but at the expense of the district.

And further amend said bill by striking out the words "two hundred thousand dollars" in the 14th and 15th lines of Sec. 8 thereof and inserting the following: "\$100,000."

And further amend said bill by adding after the figures "1947" in the 8th line of Sec. 14 the following:

, but if and only if the total number of votes cast for and against the acceptance of this act in said election equals or exceeds 20% of the total vote for all candidates for governor cast in said district at the next previous gubernatorial election'

Mr. Ellis then offered House Amendment "A" to Committee Amendment "A" and moved its adoption.

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

House Amendment "A" to Committee Amendment "A" to H. P. 683, L. D. 439, Bill "An Act Creating the Ashland Water and Sewer District."

Amend Committee Amendment "A" by striking out the figures "\$100,000" in the 3rd line of paragraph 2 thereof and inserting in place thereof the figures '\$150,000'

House Amendment "A" to Com-

mittee Amendment "A" was adopted, and Committee Amendment "A" as amended by House Amendment "A" was adopted, and the bill was assigned for third reading on the next legislative day.

On motion by Mr. Boulier of Stacyville, the House voted to take from the table the 9th tabled and unassigned matter, House Majority Report "Ought to pass" with Committee Amendment "A" and House Minority Report "Ought not to pass" of the Committee on Public Utilities on Bill "An Act to Incorporate the Lubec Sewerage District." (H. P. 465) (L. D. 271) tabled on February 21st by that gentleman pending acceptance of either report.

Mr. BOULIER: Mr. Speaker, I move acceptance of the Majority Report "Ought to pass with Committee Amendment "A."

The SPEAKER: The gentleman from Stacyville, Mr. Boulier, moves acceptance of the Majority Report "Ought to pass with Committee Amendment "A."

The Chair recognizes the gentleman from Caribou, Mr. Collins.

Mr. COLLINS: Mr. Speaker, in consideration of the fact that this was a divided report, I think perhaps there should be a brief explanation. I will try to be brief.

We have the town of Lubec with a population of approximately three thousand people, without adequate sewerage. The district that will be created comprises all of the built-up section of the town and a population of approximately two thousand people. It includes an area which has approximately 73 per cent of the real estate of the town. In addition to this the corporations and industrial outfits of the town within the proposed district are valued at over \$200,000, and the report of the Bureau of Taxation shows that the entire valuation of the town is \$1,171,315, and there is no debt. The town is in excellent condition. The value of the property in the proposed district is over \$777,000 and the proposed initial construction cost of the sewerage plant is \$164,000.

Now this cost is fourteen per cent of the total valuation of the town and twenty-one per cent of the valuation of the proposed district. It was upon this point that the committee disagreed. While a majority of the committee favored the bill, they did recognize the fact

that in some instances creating these special water and sewer districts might endanger the future solvency of a town. So the committee tried to arrive at some percentage basis that could be figured on the town's valuation. However, I do not believe that a fixed percentage can be arrived at that will apply right down the line, and I think that each case must be decided on its merits.

In Lubec, I think the situation is such that a district can be created and the debt can be serviced according to the provisions of the bill. Included in this district are such concerns as the American Can Company, Booth Fisheries, Sergeant Packing Co., Seaboard Packing Co., R. J. Peacock Canning Co. Included also in this district is the high school, grammar school, three churches, town hall, Masonic Hall, rooming houses, apartment houses, a theater, twenty-five stores and approximately four hundred separate dwellings.

It seems to me that is an impressive list of buildings that would be serviced, and it seems not only proper but necessary for Lubec to have a sewerage system. From a point of health and sanitation, there is no question but what a district is badly needed, and for the point of view of taking care of the matter financially I see no reason why people will have any difficulty in meeting their obligations. Accordingly, I feel the majority "Ought to pass" report should be adopted.

The SPEAKER: Is the House ready for the question? The question is on the motion by the gentleman from Stacyville, Mr. Boulier that the House adopt the majority report "Ought to pass" as amended by Committee Amendment "A". Is this the pleasure of the House?

The motion prevailed, and the majority report of the committee was accepted, and the bill, having already been printed, was given its two several readings under suspension of the rules.

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

Committee Amendment "A" to H. P. 465, L. D. 271, Bill "An Act to Incorporate the Lubec Sewerage Company."

Amend Section 7 of said bill so that the head note shall read as follows:

'Sec. 7. Procedure in exercise of

right of eminent domain and crossing public utilities'.

And further amend said Section 7 by adding the following paragraph thereto;

'In case of any crossing of any public utility, unless consent is given by the company owning or operating such public utility as to place, manner, and conditions of the crossing within 30 days after such consent is requested by such district, the public utilities commission shall determine the place, manner and conditions of such crossing; and all work on the property of such public utility shall be done under the supervision and to the satisfaction of such public utility, but at the expense of the district.'

Further amend said bill by adding after the word "act" in the sixth line of Sec. 16 thereof the following words: ', provided that the total number of votes cast for or against the acceptance of this act at said meeting equals or exceeds 20% of the total vote for all candidates for governor in said district at the next previous gubernatorial election'

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

On motion by Mr. Sweetser of Cumberland, the House voted to take from the table the 6th tabled and unassigned matter, "Resolve in Favor of the Town of Cumberland." (H. P. 1263) Reference to Committee on Appropriations and Financial Affairs suggested. Tabled on February 14th by that gentleman pending reference; and further motion by the same gentleman, the Resolve was referred to the Committee on Appropriations and Financial Affairs, ordered printed and sent up for concurrence.

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

If there is no further business to come before the House, the Clerk will read the notices.

On motion by Mr. Day of Monticello, Adjourned until Tuesday, March 11th at 10:00 o'clock in the forenoon.