

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

Thursday, March 13, 1947

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

Prayer by the Rev. Charles A. Clough of Augusta.

Journal of yesterday read and approved.

Papers from the Senate Non-Concurrent Matter

From the Senate: Bill "An Act relative to Transportation of Deer" (H. P. 828) (L. D. 478) which was passed to be engrossed in the House on March 4th.

Came from the Senate recommitted to the Committee on Inland Fisheries and Game in non-concurrence.

In the House, the House voted to recede from its former action and concur with the Senate in the recommitment of the Bill to the Committee on Inland Fisheries and Game.

Senate Reports of Committees Ought to Pass with Committee Amendment

Report of the Committee on Judiciary on Bill "An Act relating to Unclaimed Corporation Dividends" (S. P. 282) (L. D. 807) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Came from the Senate with the Report read and accepted and the Bill passed to be engrossed as amended by Committee Amendment "A".

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

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

Committee Amendment "A" to S. P. 282, L. D. 807, Bill "An Act Relating to Unclaimed Corporation Dividends."

Amend said bill by striking out all of the last paragraph thereof.

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

Report of the Committee on Judiciary on Bill "An Act relating to Courts Ordering Care of Child Pending Hearing" (S. P. 280) (L. D. 810) reporting "Ought to pass" as

amended by Committee Amendment "A" submitted therewith.

Came from the Senate with the Report read and accepted and the Bill passed to be engrossed as amended by Committee Amendment "A".

In the House, report was read and accepted in concurrence and the Bill read twice.

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

Committee Amendment "A" to S. P. 280, L. D. 810, Bill "An Act Relating to Courts Ordering Care of Child Pending Hearing."

Amend said bill by inserting in the 3rd line from the end thereof, after the word "care" and before the word "shall", the following underlined words:

...', in the first instance,'

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

The SPEAKER: The Chair at this time recognizes the gentleman from Farmington, Mr. Mills, and designates him as Speaker pro tem, and directs the Sergeant-at-Arms to escort him to the rostrum.

Thereupon, the gentleman from Farmington, Mr. Mills, was escorted to the rostrum where he assumed the Chair amid the applause of the House and Speaker Ward retired.

Labor

The following two Bills, 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:

Bill "An Act to Protect the Public Interest in and to Facilitate the Settlement of Controversies Between Employers and Employees" (H. P. 1625) (Presented by Mr. Meloon of Portland by request)

(1000 copies ordered printed)

Sent up for concurrence

Taxation

Bill "An Act relating to the Taxation of Railroads" (H. P. 1626) (Presented by Mr. Haskell of Portland)

(Ordered printed)

Sent up for concurrence

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

Mr. DeSANCTIS: Mr. Speaker, I present an Order amending the Rules, and ask that it be laid on the table for consideration tomorrow morning.

The SPEAKER: The gentleman from Madison, Mr. DeSanctis, presents an order. The Clerk will read the order.

ORDERED, That the rules of the House be amended by inserting at the beginning of Rule 47 the following sentence:

'All petitions, memorials and other papers addressed to the House, and all bills and resolves to be introduced in the House, shall bear the signature of the member presenting them and a brief descriptive title and shall be deposited by the member presenting them in a box placed for that purpose in front of the Clerk's desk.'

The SPEAKER: This order proposes an amendment to the House Rules.

The gentleman from Madison, Mr. DeSanctis, moves that it lie on the table pending consideration tomorrow morning, under the House Rules. Is this the pleasure of the House?

The order was so tabled.

House Reports of Committees Ought Not to Pass

Mr. Mills from the Committee on Judiciary reported "Ought not to pass" on Bill "An Act to Change Fees in the Small Claims Law" (H. P. 1298) (L. D. 905) as it is covered by other legislation.

Same gentleman from same Committee reported same on Bill "An Act relating to Records of Sale of Real Estate for Taxes" (H. P. 1175) (L. D. 773)

Mr. Perkins from same Committee reported same on Bill "An Act relating to Alternative Method for the Enforcement of Liens for Taxes on Real Estate Mortgages" (H. P. 1177) (L. D. 774)

Same gentleman from same Committee reported same on Bill "An Act relating to Use of Photostatic Copies of Wills in the Taking of Depositions" (H. P. 1296) (L. D. 903)

Mr. Thomas from the Committee on Motor Vehicles reported same on Bill "An Act relating to Three-Year Operators' Licenses" (H. P. 1196) (L. D. 822)

Mr. Williams from same Committee reported same on Bill "An Act

relating to Consent in Adoption of Children" (H. P. 1300) (L. D. 907)

Mr. Allen from the Committee on Motor Vehicles reported same on Bill "An Act relating to Safety Devices" (H. P. 1401) (L. D. 1018)

Mr. Hanson from the Committee on Sea and Shore Fisheries reported same on Bill "An Act relating to the Setting of Traps on Trawls" (H. P. 1409) (L. D. 1024)

Mr. Rollins from the Committee on State Lands and Forest Preservation reported same on Resolve Authorizing the Forest Commissioner to Convey Certain Interest of the State in Rights in Timber and Grass on Reserved Lands in Penobscot County to Stanley J. Hinch, of Danforth (H. P. 880) (L. D. 492)

Mr. Webber from same Committee reported same on Resolve Authorizing the Forest Commissioner to Convey Certain Interest of the State in Rights in Timber and Grass on Reserved Lands in Somerset County to C. Max Hilton of Greenville (H. P. 878) (L. D. 490)

Mr. Williams from same Committee reported same on Resolve Authorizing the Forest Commissioner to Convey Certain Interest of the State in Rights in Timber and Grass on Reserved Lands in Penobscot County to Hinch & Company, Inc., of Danforth (H. P. 879) (L. D. 491)

Mr. Burton from the Committee on Taxation reported same on Bill "An Act relating to Revision of Property Tax Laws" (H. P. 1097) (L. D. 672)

Mr. Jordan from same Committee reported same on 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)

Reports were read and accepted.

Leave to Withdraw

Mr. Ames from the Committee on Sea and Shore Fisheries on Bill "An Act relating to the Administration of Laws Regulating the Packing of Sardines" (H. P. 1213) (L. D. 861) reported leave to withdraw.

Report was read and accepted.

Legislation Inexpedient

Mr. Hall from same Committee on Bill "An Act relating to Bounty on Seals" (H. P. 1473) (L. D. 1077)

reported that legislation is inexpedient at this time.

Report was read and accepted.

Ought to Pass Printed Bills

Mr. Silsby from the Committee on Judiciary reported "Ought to pass" on Bill "An Act Permitting Trustees of Berwick Academy to Issue Bonds" (H. P. 1293) (L. D. 900)

Mr. Williams from same Committee reported same on Bill "An Act relating to Alternative Method for the Enforcement of Liens for Taxes on Real Estate" (H. P. 1178) (L. D. 775)

Same gentleman from same Committee reported same on Bill "An Act relating to Fees in the Small Claims Law" (H. P. 1299) (L. D. 906)

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

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

Mr. Brown of Wayne from the Committee on State Lands and Forest Preservation reported same on Resolve Authorizing the State Tax Assessor to Convey Certain Interest of the State in Lands in Somerset County to Leo Tessier of Rockwood (H. P. 272) (L. D. 195)

Same gentleman from same Committee reported same on Resolve Authorizing the State Tax Assessor to Convey Certain Interest of the State in Lands in Piscataquis County to Bradbury Memorial Hospital of Belfast (H. P. 1218) (L. D. 857)

Mr. Brown of Milford from same Committee reported same on Resolve Authorizing the State Tax Assessor to Convey Certain Interest of the State in Lands in the Unorganized Territory (H. P. 1221) (L. D. 858)

Same gentleman from same Committee reported same on Resolve Authorizing the State Tax Assessor to Convey Certain Interest of the State in

Lands in Washington County to Ernest Stover of Lambert Lake (H. P. 127) (L. D. 83)

Mr. Sharpe from same Committee reported same on Resolve Authorizing the Treasurer of State to Convey the Interest of the State in Certain Land in Bangor to Fred M. Cousins (H. P. 886) (L. D. 498)

Same gentleman from same Committee reported same on Resolve Authorizing the State Tax Assessor to Convey Certain Interest of the State in Lands in Washington County to Roland Hayward of Lambert Lake (H. P. 128) (L. D. 84)

Mr. Webber from same Committee reported same on Resolve Authorizing the State Tax Assessor to Convey Certain Interest of the State in Lands in Washington County to Mrs. Lester Hayward of Lambert Lake (H. P. 189) (L. D. 153)

Mr. Dorsey from the Committee on Taxation reported same on Bill "An Act relating to Tax Exemption of Property" (H. P. 1325) (L. D. 894)

Mr. Lombard from same Committee reported same on Bill "An Act relating to Taxation of Domestic Fowl" (H. P. 1096) (L. D. 708)

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

Tabled

Mr. Morison from same Committee reported same on Bill "An Act relating to Taxation of Savings Banks" (H. P. 692) (L. D. 467)

On motion by Mr. Chase of Cape Elizabeth, tabled pending acceptance of Committee Report)

Ought to Pass With Committee Amendment

Mr. Haskell from the Committee on Judiciary on Bill "An Act Amending the Financial Responsibility Law" (H. P. 1301) (L. D. 908) 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. 1301, L. D. 908, Bill "An Act Amending the Financial Responsibility Law."

Amend said bill by striking out all after the underlined word "than" in the 3rd line from the end of section 1 thereof, and inserting in place thereof the following underlined figure '\$25.'

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

Mr. Haskell from the Committee on Judiciary on Bill "An Act relating to Qualifications for License to Sell Real Estate" (H. P. 1392) (L. D. 998) 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. 1392, L. D. 998, Bill "An Act Relating to Qualifications for License to Sell Real Estate."

Amend said bill by striking out in the 4th line thereof, the underlined (comma) "," which follows the underlined word "conviction", and inserting in place thereof the underlined word 'for.'

Committee Amendment "A" was adopted, and the bill was assigned for third reading tomorrow morning.

Mr. McGlauffin from the Committee on Judiciary on Bill "An Act relating to Power of Certain Corporations to Hold Property" (H. P. 1294) (L. D. 901) 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 then read by the Clerk as follows:

Committee Amendment "A" to H. P. 1294, L. D. 901, Bill "An Act Relating to Power of Certain Corporations to Hold Property."

Amend said bill by striking out in the 2nd line from the end thereof, the underlined word "the".

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

Mr. McGlauffin from the Committee on Judiciary on Bill "An Act

to Authorize the Creation of Public Bodies to be Known as Housing Authorities to Serve Urban Areas in the State" (H. P. 842) (L. D. 537) 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. 842, L. D. 537, Bill "An Act to Authorize the Creation of Public Bodies to be Known as Housing Authorities to Serve Urban Areas in the State."

Amend said bill by striking out in the 7th line of section 19 thereof, all after the word "thereto" and inserting in place thereof the following:

provided however that no authority shall without the written consent of the owner thereof take or acquire any property of any city, town or county, the state or any political subdivision thereof, or any of the property or facilities of any public service or quasi-municipal corporation used or acquired for future use by the owner thereof in the performance of a public duty, nor shall any authority without the consent of the owner thereof take or acquire any of the property of any person or corporation engaged in any manufacturing business or enterprise which property is used or useful in the conduct thereof.

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

Mr. Bowker from the Committee on Mercantile Affairs and Insurance on Bill "An Act Requiring the Licensing of Insurance Adjusters" (H. P. 252) (L. D. 178) 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:

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. 252, L. D. 178, Bill "An Act Requiring the Licensing of Insurance Adjusters."

Amend said Bill by adding after the word "agent" in the 8th line thereof the underlined words: 'or company representative'

Further amend said Bill by drawing a line through the word "own" in the 9th line thereof, and by inserting after the said word "own" the underlined word 'companies'.

Further amend said Bill by striking out the underlined words at the end of the 1st paragraph of that part designated "Sec. 256." thereof and inserting in place thereof the following underlined words:

'All persons licensed by the commissioner as fire adjusters shall immediately report to the commissioner all facts in their possession pertaining to any fire of a suspicious, incendiary or fraudulent character.'

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

Mr. Bowker from the Committee on Mercantile Affairs and Insurance on Bill "An Act relating to the Licensing of Life Insurance Agents" (H. P. 1026) (L. D. 666) 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 then read by the Clerk as follows:

Committee Amendment "A" to H. P. 1026, L. D. 666, Bill "An Act Relating to the Licensing of Life Insurance Agents."

Amend said Bill by striking out paragraph B of subsection I of that part designated "Sec. 252-E" thereof, and inserting in place thereof the following underlined paragraph:

'B. An applicant who shall act under a restricted license only as an agent with respect to accident insurance tickets primarily covering risks of travel;'

Further amend said Bill by adding at the end of that part designated "Sec. 252-F" thereof, the following underlined sentence:

'In any case where a license is applied for to represent an insurer authorized in this state to transact

an accident and health as well as a life insurance business, the insurance commissioner may issue a license authorizing the applicant to represent the insurer with respect to both types of business, provided that the applicant, in addition to qualifying under the provisions of this chapter has satisfied the commissioner as required by the laws of this state and the regulations of the commissioner, if any, that he is competent to represent such insurer with respect to accident and health insurance.'

Further amend said Bill by striking out in the last line of subsection II of that part designated "Sec. 252-H" thereof the underlined word "property."

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

Mr. Benn from the Committee on State Lands and Forest Preservation on Resolve Authorizing the State Lands and Forest Preservation on Resolve Authorizing the State Tax Assessor to Convey Certain Interest of the State in Lands in Franklin County to Ivan U. Baker of Kingfield (H. P. 350) (L. D. 219) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

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

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

Committee Amendment "A" to H. P. 350, L. D. 219, "Resolve, Authorizing the State Tax Assessor to Convey Certain Interest of the State in Lands in Franklin County to Ivan Baker of Kingfield."

Amend said Resolve by striking out the figures "250" in the 5th line thereof and inserting in place thereof the figures '364'

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

Mr. Williams from the Committee on State Lands and Forest Preservation on Resolve, Authorizing the State Tax Assessor to Convey Certain Interest of the State in Lands in Oxford to Leon Millett of Bethel (H. P. 271) (L. D. 194) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

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

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

Committee Amendment "A" to H. P. 271, L. D. 194, "Resolve, Authorizing the State Tax Assessor to Convey Certain Interest of the State in Lands in Oxford County to Leon Millett of Bethel."

Amend said Resolve by striking out the figures "200" in the 5th line thereof and inserting in place thereof the figures "242.49"

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

First Reading of Printed Bills

Bill "An Act relative to Bounty on Bobcat, Loupcervier and Canada Lynx" (H. P. 1624) (L. D. 1284)

Resolve for the Laying of the County Taxes for the Years Nineteen Hundred Forty-Seven and Nineteen Hundred Forty-Eight (H. P. 1623) (L. D. 1283)

Bill was read twice, Resolve read once, and tomorrow assigned.

Passed to be Engrossed

Bill "An Act to Provide for Compliance with the National School Lunch Act and to Provide for the Establishment, Maintenance, Operation and Expansion of Nonprofit School Lunch Programs in Schools in the State" (S. P. 230) (L. D. 641)

Bill "An Act to Provide for Maintenance and Operation of State Technical and Vocational Schools" (S. P. 275) (L. D. 815)

Bill "An Act to Validate Bonds of Presque Isle Water District and Authorize Their Refunding" (S. P. 324) (L. D. 868)

Bill "An Act relating to Transportation of Deer Beyond Limits of the State" (H. P. 826) (L. D. 529)

Resolve Establishing the Opening Date for Fishing for White Perch in Wassookeag Lake in Dexter in the county of Penobscot (H. P. 829) (L. D. 530)

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

Amended Bills

Bill "An Act relating to the Li-

censing of Eating and Lodging Places" (H. P. 1310) (L. D. 889)

Bill "An Act relating to Persons Maintaining Children's Homes" (H. P. 1311) (L. D. 890)

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.

At this point Speaker Ward resumed the Chair.

The SPEAKER: As a remembrance of this occasion, the Chair takes pleasure in presenting to you this gavel.

The gentleman from Farmington, Mr. Mills, then retired to his seat, amid the applause of the House.

Passed to be Enacted Emergency Measure

An Act to Incorporate Old Town Great Works School District (H. P. 249) (L. D. 190)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a division was had, 124 voted in favor of same and none against, and accordingly the Bill was passed to be enacted signed by the Speaker and sent to the Senate.

Emergency Measure

An Act to Incorporate the Georgetown School District (H. P. 847) (L. D. 503)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a division was had, 127 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act to Incorporate the Town of Lincolnville School District (H. P. 927) (L. D. 561)

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. 129 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Passed to be Enacted

An Act relating to Gasoline and Use Fuel Tax on Maine Turnpikes (S. P. 93) (L. D. 144)

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

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

An Act to Repeal the Incorporation of the Madison Village Corporation (H. P. 247) (L. D. 174)

An Act relating to Returns to Commissioner of Education of Towns Having Seventy-five or More Teachers (H. P. 600) (L. D. 369)

An Act to Incorporate the Brownville Junction Water District (H. P. 623) (L. D. 383)

An Act to Incorporate the Brownville Water District (H. P. 685) (L. D. 441)

An Act Amending the Charter of the city of Rockland (H. P. 845) (L. D. 501)

An Act to Incorporate the Enfield Water District (H. P. 874) (L. D. 486)

An Act relating to Service in Divorce Cases (H. P. 921) (L. D. 617)

An Act relating to the County Law Library at Rumford in the county of Oxford (H. P. 968) (L. D. 619)

An Act to Amend the Charter of Rumford Falls Village Corporation (H. P. 969) (L. D. 623)

An Act relating to Education of Physically Handicapped Children (H. P. 972) (L. D. 629)

An Act relating to Determination of Valuation of Property With Relation to Inheritance Tax (H. P. 1069) (L. D. 700)

An Act relating to Lincoln County Law Library (H. P. 1072) (L. D. 702)

An Act Authorizing South Paris Village Corporation to Levy a Special Sewer Tax (H. P. 1280) (L. D. 939)

An Act Granting Additional Powers to the South Paris Village Corporation (H. P. 1281) (L. D. 881)

An Act relating to Non-Resident Deer Hunting Licenses (H. P. 1575) (L. D. 1215)

Finally Passed

Resolve Establishing the Opening Date for Open Water Fishing in

Somerset County (S. P. 106) (L. D. 239)

Resolve Opening Northeast Pond in the town of Hartford to Ice Fishing (S. P. 140) (L. D. 335)

Resolve Abolishing Commission for Promotion of International Good Will in Education (H. P. 601) (L. D. 370)

Resolve Appropriating Money to Improve the Approach to the Fish Way at Aroostook Falls (H. P. 1573) (L. D. 1216)

Resolve to Provide for Repair of Fish Screen at Porter Lake (H. P. 1574) (L. D. 1217)

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: Under Orders of the Day, the Chair lays before the House the first tabled and today assigned matter, House Report "Ought not to pass" of the Committee on Judiciary on "Resolve, Proposing an Amendment to the Constitution to Provide for an Increase of the Municipal Debt Limit to Ten Per Cent of the Last Regular Municipal Valuation" (H. P. 844) (L. D. 485), tabled on March 11th by the gentleman from Cumberland, Mr. Sweetser, pending motion to substitute Resolve for the Report; and the Chair recognizes that gentleman.

Mr. SWEETSER: Mr. Speaker and Members of the House: In asking you to support the bill instead of the "Ought not to pass" report of the Committee, I want to state at the outset that I respect the reports of committees and the study that committees make of our proposed legislation. However, in this particular instance there has been so much information come to this Legislature since the date of that hearing that I feel we are justified in giving this problem careful consideration.

It is further brought to my attention that this House is favorable to increasing indebtedness in municipalities. By the very action that we have taken this morning and the action we have taken on two previous occasions, when we have permitted legislation for school districts to increase their municipal indebtedness in excess

of the 5% limitation, is an argument in itself that the House certainly is in a position to risk debate on this particular problem.

I furthermore want to state that the purpose of this legislation is to relieve the impending deluge of requests from towns from all over the State to legislate ways and means to increase the borrowing capacity of municipalities. I do not propose to forestall any of the legislation pending in this Legislature, but rather to prevent a still greater demand from municipalities in future Legislatures. Had all of the evidence which is now on our desks asking for permission to form various districts, mostly school districts, been available at the time of the hearing on this bill, I feel confident that the committee would have made a more favorable report.

As it is, we have now thirty-one requests for school districts, and on your desks you will find a sheet tabulated for pending school district bills. This was made and we thought we had them all on there, but since that time there have been placed in our files requests for three additional school districts, Ashland, Farmingdale and Fort Kent. The Ashland one includes Masardis, Portage Lake, Garfield and some other plantations. Sixteen of the thirty-one plan a program involving less than 10% of the valuation of the town. You will recall that the Bill, L. D. 485, provides that we make it possible for towns to increase the municipal indebtedness from 5 to 10% of their valuation.

If you will refer to this sheet, you will see that sixteen—I have starred most of them, and Caribou should have been starred—it was my error, and we have one more, that of Ashland, which has a State valuation of \$1,484,709, combined with the four towns, and is asking for \$80,000. That you may be justified in giving these figures true value, the state valuation is taken from this pamphlet which you have all had on your desks, entitled Maine Schools, and I believe it carries the correct statement in regard to State valuation.

There are six others on this list that are very close to that 10% valuation. May I call your attention to the fact that on the school district bills the request concerning bonds says that the maximum

shall be a certain amount. It is quite likely that when these are brought before the towns for their consideration that the maximum figure may not be used.

It would have to be reduced only slightly to include in this list the towns of Bridgton, Easton, Gray, Lebanon, North Berwick and Van Buren. We would have under those circumstances twenty-two, out of this thirty-one group, that would not have been required to come to this Legislature and ask for school districts providing the 10% limit on their valuation had been available.

Just consider for a moment the efforts that are required to present this legislation on our school districts; all of the work that has been done in the office of the Revisor of Statutes and in the offices of various attorneys in drawing up these legislative documents; the work in the Legal Affairs Committee in listening to the hearings; the time that has been expended by all of these people who have come here for those hearings; and just think about the printing; some 200,000 printed pages already have been set up as an expense for this Legislature on this one item of school districts.

If the thirty-one towns and cities that have come to us this year could have had this blanket proposal provided for in L. D. 485, it is probably true that very few would have come to us for special consideration. Many, many towns are desirous of financing a plan to better the school building conditions, and this is not a mania, members; it is an honest desire to improve educational facilities for our youth. As soon as building costs become less, we will probably observe that few Towns in this State will fail to erect new school buildings to replace the neglected and half-century old structures and financing this plan will require a greater indebtedness than the 5% limit permits.

Now let us look for just a moment at a little of the history of what happened. How does it happen that we have a 5% indebtedness? Back in 1877, we find that it became quite definitely known to the members of the Legislature that many towns were expending more than the members of the Legislature felt that they should expend. This I understand was primarily for the purpose of financing railroads. Railroads at

that time were setting up a high pressure salesmanship program, going from town to town and stating to a town that if they would invest heavily in the financing of the railroad, that the railroad would be built through the town.

That situation reached such a stage that an investigation was made and a committee from the Legislature, headed by Mr. Pike of Calais, recommended that the Committee on Judiciary inquire into the expediency of limiting the amount of municipal indebtedness. That proposition was presented to the House and Senate and it was recommended finally that a 5% debt limit should be established when accepted by the people, and the vote that year was supported by about 80% of the voters who went to the polls. So that it was quite generally accepted that towns should be limited in their indebtedness.

I think I might make a little comparison of figures that relate to this problem. In 1877, at the time when this 5% limit was established, interest rates were as high as 10%. If any of you care to check back, if you will go to the Bank Commissioner's office he will show you year after year on their books showing that most of the bonds that were invested in by savings banks were paying seven and eight per cent and many of them 10%. That was particularly true of railroad bonds.

Consider, if you will, a town having a valuation of one million dollars. The 5% limit would allow them to borrow \$50,000. The interest rate back there in 1877 figured at 8%, which was a very fair figure to use under those conditions, would give a \$4,000 interest item which had to be paid the first year a bill of that sort was incurred by the town.

Now let us figure this out a little and see what the prevailing rates today would yield. On \$4,000 interest item a town could borrow today \$200,000, which would build them a pretty good school. Why, I ask you, should we choke these many towns with a low legal limit to their indebtedness which prohibits expansion desired by the citizens of the town and which under present conditions can be paid if a planned pay basis is set up.

Members, I hope that you will vote to substitute the Resolve for the report of the committee, and before I take my seat I would like to pledge to you that if this motion

passes, an amendment will be presented. It has been placed on your desks under Filing Number 117, the last filing number this morning. Mr. Speaker, if it is in order, I would debate the amendment now or read it.

The SPEAKER: The gentleman may read the proposed amendment.

Mr. SWEETSER: Mr. Speaker, the proposed amendment, which I will submit if you vote in favor of my motion, is: "with the exception of cities having a population of over 40,000 whatever amount exceeds 5% of the municipal valuation shall be devoted solely to the construction of school buildings and to no other purpose, and furthermore this additional indebtedness shall be retired by annual action of the municipality to dispose of the entire amount within the period of 25 years."

Members, I ask you to support the motion.

The SPEAKER: The Chair notes in the Hall of the House the presence of Honorable F. Ardine Richardson of Strong, who was the distinguished Speaker of this House in the 91st Legislature, and under whose able leadership many of us were privileged to serve. The Chair invites the gentleman to the rostrum and requests the Sergeant-at-Arms to escort him to a seat at the right of the Chair.

Thereupon the Honorable F. Ardine Richardson was escorted by the Sergeant-at-Arms to a seat at the right of the Speaker, amid the applause of the House, the members rising.

The SPEAKER: The Chair recognizes the gentleman from Dixfield, Mr. Stetson.

Mr. STETSON: Mr. Speaker and Members of the House: I rise to speak on this question with some diffidence, for I well realize its importance, and that it is a matter not to be treated lightly, and no change should be made without the most careful consideration of the subject in all its ramifications.

However, my own town is one which has been directly affected by this 5% debt limitation, and I have given the subject some study and much thought.

It is interesting to note that this figure was established about 1878, as has been stated, nearly seventy years ago, and we are told was caused by certain towns and cities borrowing far beyond their capacity

to pay, and at high rates of interest, to invest in enterprises which had no connections with the necessary municipal functions of their towns.

It would be very interesting to know what yard-stick our predecessors of that day, in this Legislature, used in their arbitrary determination of this debt limit of 5% of valuation.

If we could go back to that time, we would of course find ourselves in an entirely different state, with none of our present facilities for making our communities more comfortable to live in, and at the same time much more expensive to maintain. Outside of the cities they had no water system, no street lights, no sewerage system, and lacked many other things which our modern communities demand.

For one concrete example, take schoolhouses; outside of the larger cities the buildings were all of frame construction, with out-buildings for toilet use, no lights except lamps, no water supply; for the most part built of local materials and with local labor, and the actual cash outlay was very small when compared with the cost of our modern school buildings, erected under plans which must be approved by the Department of Education, and which are properly very rigid. All other municipal services of that day were, of course, of a much simpler and cheaper type in every way.

It goes without saying that our present set-up in our municipal services is much more elaborate, and much more expensive. This fact is of course beyond debate.

We have grown into this condition gradually, but with ever increasing costs for services which are demanded by our people.

Now then, have we any measure, which has been constant over these years, by which we can determine whether or not this 5% debt limit is in line with present conditions?

I say to members of this House that debt as such is not a thing to always be shunned; it should depend on the purpose for which the debt is created, and the ability of the debtor to pay the debt created in a reasonable length of time.

It would seem that a measure which has been in existence all these years, and could fairly be used to try and determine this question would be the average tax rate for the various municipalities in Maine.

The earliest average tax rate for the State which the State Library or the Tax Assessors' office can supply is 1900, and the rate is \$21.90 per \$1,000.

For purposes of comparison it is fair to assume that in 1873, twenty-two years before that, it could not have been more than \$15.00 per \$1,000.

Assuming this, and using a valuation, in a theoretical town, of \$1,000,000, this would produce an annual tax assessment of \$15,000.

The amount of permanent debt which this town could have at that time would be \$50,000, the same as today. Now let us note that this produces a borrowing capacity of $3 \frac{1}{3}$ times the average annual tax assessment for our subject town.

Having no figures for the interim, let us jump to 1900, with our tax rate of \$20.80, as shown by the books of the State Tax Assessor. This still leaves a borrowing capacity of 2.40, or a little over $2 \frac{1}{2}$ times our annual tax assessment.

By decades from 1900 on the following results are obtained from figures obtained from the State Tax Assessor's Department:

In 1910 the rate per \$1,000. was \$21.70, producing a figure of 2.30 times an annual assessment;

In 1920 the rate was \$34.63, producing 1.44 times the annual assessment;

In 1930 the rate was \$44.28, producing 1.12 times the annual assessment;

In 1940 the rate was \$49.56, producing almost exactly 1%.

In 1945 the average tax rate had gone to \$53.18, producing .94 times our average town assessment.

In the case of my own town of Dixfield, our actual borrowing power for 1947, on our present valuation, would be almost exactly \$49,000, whereas we shall actually raise by taxes for our municipal service in 1947 almost \$70,000.00. This, as you will see, makes our borrowing capacity about $5 \frac{1}{7}$ of our annual tax assessment.

Now you will note that in 1945 we have arrived at a point where the borrowing capacity of our theoretical town is less than its current annual tax assessment, or its total borrowing limit is less than the amount it raises for the payment of its municipal services in one year.

Now it would seem that we have

reached a place where this question should be examined without rancor, and with the best thought that we can give the subject.

It would seem that it can not be logically claimed that the debt-paying power of the average municipality should be limited to such a degree.

It simply means that when unusual demands face our towns, for necessary additional municipal facilities of any size, that they can not be financed without coming to the Legislature for permission to form some sort of a district, and borrow the amount needed.

Witness the demands presented to this Legislature, and it is self-evident that they will continue unless some increase can be made in the present constitutional limit.

It would seem that the 10% limit is not too much, and probably 15% would be safe, if the additional amount over 5% were limited to certain specific purposes necessary to the life of our communities; and with the condition that such additional debt should be amortized over a period not to exceed twenty years and that no bonds or notes issued should be legal without this stipulation.

Also, I believe that there should be considered placing in any suggested amendment whether or not the two-thirds vote of all the registered voters should be required in case of any municipality taking on such extra debt.

Mr. Speaker and Members of the House:

I hope before this present bill is finally disposed of that it may be used as an instrument to carefully examine this question, and see if some formula cannot be set up safely to relieve the present unsatisfactory and illogical situation.

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

Mr. McGLAUFFIN: Mr. Speaker and Members of the House: The gentleman from Cumberland (Mr. Sweetser) has expressed a wish to have this matter adopted, and I have been much interested to hear the arguments by both the gentleman from Cumberland (Mr. Sweetser) and the gentleman from Dixfield (Mr. Stetson).

Every last one of us want to do what is going to be best for these towns. I looked up this morning

carefully to see what debate, if any, took place when this matter came up before the Legislature in 1877, and I do not know whether they had the same methods then that they do now, but I was unable to find any discussion upon the subject whatsoever. I have understood, as was stated by the gentleman from Cumberland (Mr. Sweetser) that it was due to the fact that towns in helping the railroads were liable to put themselves in such a position that they could not get out of debt, apparently, ever.

I recall in Aroostook, before the Bangor and Aroostook Railroad was built, the people were exceedingly anxious to have a railroad that would enable them to export their product, and the towns, every town, so far as I know, gave generously towards bringing in that railroad.

Now it is apparent from what has occurred in this Legislature this term that conditions arise where apparently it is necessary to have more than 5 per cent, and that has resulted, as stated, in some thirty-one different applications made for districts. These districts, many of them, will exceed the 5 per cent, and in some cases they go to 10 per cent, and I understand that in one or two cases they even exceed 20 per cent.

Now I was one of the men that reported unfavorably on this bill. At that time there was no suggestion, such as has been made this morning, that it should be limited to school provinces. Speaking for myself, I will say that the reason that I opposed it was that I saw that in many of these bills such as we have passed, two of them this morning, go through with a debt limit in themselves of ten per cent or more. Then with the five per cent we now have and with five per cent added onto that you will have a total debt limit in some of the towns — calling districts the same as the towns — up to twenty per cent.

Now I have been fearful that the towns might take advantage of that ten per cent and in a few years be in the same position that they are now in, still needing more money.

We all recognize the fact that it is a pretty good policy to pay as you go. The five per cent limit has made it almost compulsory to pay as you go. That five per cent limit, as has been pointed out, has stood for seventy years. The only excep-

tion was that in 1911 the Constitution was amended to affect cities of more than 40,000 inhabitants. As there was only one city that had 40,000 inhabitants, of course that applied to Portland alone. Under that provision of the Constitution, it allowed the city to increase its rate one-quarter of one per cent for a period of ten years until it reached seven and a half per cent, which became the debt limit even for the City of Portland.

Now I have not any desire to try to defeat this five per cent measure if it is a good measure. The measure with the limit, to be applied to schools only, if I understand the gentleman from Cumberland (Mr. Sweetser) correctly, makes, in my mind, a great difference in the bill. I feel much more favorably toward it with that provision. I am not trying to kill the bill; I have merely tried to explain why I voted against it.

The SPEAKER: The Chair recognizes the gentleman from Gorham, Mr. Russell.

Mr. RUSSELL: Mr. Speaker and Members of the House: I do hope that the motion of the gentleman from Cumberland (Mr. Sweetser) will prevail and that we shall substitute the resolve for the report of the committee. I do not believe that we are thereby hazarding the financial welfare of our towns.

In support of that, I would like to make two statements: First, if we raise the indebtedness of a town to ten per cent of its assessed value, in most of our towns we are not then equaling five per cent of the sales value of those towns. That is not a very hazardous financial situation. Secondly, this bill as amended, insists upon the last five per cent of that money being expended to improve the educational facilities of the given town. Now I believe that money wisely spent to improve educational facilities in towns will not result in the permanent increasing of indebtedness but will result in very shortly increasing the income of those towns.

For these reasons, I hope that the motion of the gentleman from Cumberland (Mr. Sweetser) will prevail.

The SPEAKER: The Chair recognizes the gentleman from Chelsea, Mr. Harris.

Mr. HARRIS: Mr. Speaker and Fellow Members of this House: I

would like to say just a word on this question.

The gentleman from Cumberland, Mr. Sweetser, brought up the fact that it might not be necessary to have school districts if his motion prevailed. Now in my opinion the school districts which are being set up here, and of which I have sponsored two, are very valuable to the small towns.

We have in our town—and I presume you have them in a good many towns—able citizens with good judgment who will not accept a job or a position as selectmen. Now as this bill is set up I believe we can get some of them to act as school trustees and spread our financial load among many more responsible citizens, and if in our town we put our whole ten per cent into a school, we would not be able to carry on the business of the town, because we have to hire money to build our roads and so forth.

Another thing that I think perhaps has not been touched on sufficiently is the "Ought not to pass" report of the Judiciary Committee. Now, in my opinion, that committee has some of our best members on it, some of the members in both the House and the Senate who have the best judgment, and I think if any of us wanted personal advice we would go to some of them before we would go to most anybody else. Therefore, I think their opinion should carry a lot of weight here. They have had a chance to study the question.

I would like to say just a word in closing. I think some of our towns are what we might call irresponsible towns, the same as irresponsible persons, and if the debt limit is five per cent they will be up to the debt limit; if it is ten per cent, they will be up to the debt limit and still have the school district.

In my opinion, the motion of the gentleman from Cumberland, (Mr. Sweetser) should not prevail, and we should vote "No."

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

Mr. MELOON: Mr. Speaker and Members of the House: I think you will all agree that the school housing problem in most of our towns has reached a rather acute stage, especially in the last four, five or six years, when we could do very

little but renovate the present buildings and had nothing at all for new buildings. I think the proposal made by the gentleman from Cumberland (Mr. Sweetser) is essential in helping to solve the towns' school problems, and I want to go on record as favoring his proposal. I believe it is really essential that we help these towns out, and I really feel that the manpower in these towns is of sufficient mentality and have sufficient interest in their districts to use this matter wisely and well.

The SPEAKER: Is the House ready for the question?

The Chair recognizes the gentleman from Cumberland, Mr. Sweetser.

Mr. SWEETSER: Mr. Speaker, when the vote is taken I would like to ask for a division.

The SPEAKER: The question before the House is on the motion of the gentleman from Cumberland, Mr. Sweetser, that the House substitute "Resolve, Proposing an Amendment to the Constitution to Provide for an Increase of the Municipal Debt Limit to Ten Per Cent of the last Regular Municipal Valuation" (H. P. 844) (L. D. 485) for the "Ought not to pass" 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.

The SPEAKER: Seventy-one having voted in the affirmative and fifty-two in the negative, the motion prevails.

This being a printed resolve, is it now the pleasure of the House that the rules be suspended and the Resolve be given its first reading at this time?

The Resolve was then given its first reading.

Mr. Sweetser then offered House Amendment "A" and moved its adoption.

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

House Amendment "A" to H. P. 844, L. D. 485, "Resolve Proposing an Amendment to the Constitution to Provide for an Increase of the Municipal Debt Limit to Ten Per Cent of the last Regular Municipal Valuation."

Amend said Resolve by inserting after the word "town" in the 11th

line thereof the following underlined words:

'with the exception of cities having a population of over 40,000 whatever amount exceeds 5% of the municipal valuation shall be devoted solely to the construction of school buildings and to no other purpose, and furthermore this additional indebtedness shall be retired by annual action of the municipality to dispose of the entire amount within the period of 25 years.'

The SPEAKER: Is it the pleasure of the House to adopt House Amendment "A"?

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

Mr. WILLIAMS: Mr. Speaker and Members of the House: Before you adopt this amendment I would like to point out one thing to the members of this House. Many towns now have indebtedness that approaches this five per cent debt limit which we now have. The moment you reach that five per cent debt limit any money that you borrowed thereafter would have to be used exclusively for schools as I understand this amendment.

Now let us assume that a part of your indebtedness is already for schools, which perhaps would not make much difference. The thing I want you to consider carefully is this: Once you reach five per cent, no matter how seriously you might need fire equipment or any other type of equipment that you wanted to bond, or no matter how much you might want money for some other purposes, you could not borrow it, and some cities and towns would be in the position of never again being able to issue bonds for any other purpose except schools without coming to the Legislature for a special district of some type. Now you are attempting to cure one evil and perhaps create many more.

The gentleman from Cumberland, Mr. Sweetser, was granted permission to speak the third time.

Mr. SWEETSER: Mr. Speaker, and Members of the House: I think we are all familiar with the fact that at the present time if a city or town has reached its five per cent indebtedness that we cannot go any further in purchasing anything else. There is no other provision. We might just as well make this extra five per cent available for school purposes as to go on as we are now when it is not available for anything anyway.

The SPEAKER: Is the House ready for the question?

All those in favor of the adoption of House Amendment "A" will say aye; those opposed no.

A viva voce vote being taken, the motion prevailed, House Amendment "A" was adopted, and the resolve was assigned for second reading tomorrow morning.

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

Mr. PERKINS: Mr. Speaker, if I am in order, I would like to speak briefly.

The SPEAKER: Is it the pleasure of the House to reconsider its action just taken whereby this resolve was assigned for second reading tomorrow morning?

The motion prevailed.

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

Mr. PERKINS: Mr. Speaker, I am not prepared to speak this morning on the question as I would like to, but it is a matter which strikes to the very foundation of our local self-government, and if there is any chance of passage of this constitutional resolve, I think some of us should give it some attention in order that we may prevent some of our towns from committing financial suicide.

I would move that this matter lie on the table pending assignment for second reading and be specially assigned for next Wednesday.

The SPEAKER: The gentleman from Boothbay Harbor, Mr. Perkins, moves that the resolve with accompanying papers lie on the table pending assignment for second reading and be specially assigned for next Wednesday. All those in favor will say aye; those opposed no.

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

The SPEAKER: The Chair lays before the House the second tabled and today assigned matter, House Report "Ought to pass" of the Committee on Motor Vehicles on Bill "An Act Relating to Operation of Farm Tractors." (H. P. 253) (L. D. 179) tabled on March 11th by the gentleman from Garland, Mr. Campbell, pending acceptance of report; and the Chair recognizes that gentleman.

On motion by Mr. Campbell, the "Ought to pass" report of the committee was accepted. This being a printed bill, under suspension of the rules the bill was given its two several readings.

Mr. Campbell then offered House Amendment "C" and moved its adoption.

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

House Amendment "C" to H. P. 253, L. D. 179, Bill "An Act Relating to Operation of Farm Tractors."

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

'No operator's license shall be required to operate farm tractors solely for farming purposes on any highway for the distance of 1 mile from the premises where the same are usually kept, provided the operator is not a person whose operator's license is then under suspension or revocation by the secretary of state.'

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

Mr. FITCH: Mr. Speaker and Members of the House: This law was passed a few years ago making a concession to the farmers and allowing them to operate trucks and tractors nearby their farms without a registration fee. Inasmuch as a number of people will speak of it as licensing your car or tractor, the word "license" was put in. As it has worked out, it was interpreted so eight, nine and ten-year-old youngsters were driving these tractors on highways. It appears to me that this is not a safe condition. This amendment will allow them to continue to do so if they do so within one mile of the premises. I say it is just as dangerous if they travel one hundred feet on the highway or one mile or a hundred miles. If a man has two farms that are two miles apart, he is going to be penalized if this amendment is adopted. I believe this amendment should be defeated. If the people wish these youngsters to be on the road with a tractor or a truck, it will defeat the bill itself.

I hope that this amendment of the gentleman from Garland, Mr. Campbell, will be defeated, and when the vote is taken I would like to have it taken by a division.

The SPEAKER: The question before the House is upon the adoption of House Amendment "C."

The Chair recognizes the gentleman from Garland, Mr. Campbell.

Mr. CAMPBELL: Mr. Speaker, in preparing this amendment I made a limit of one mile from the premises where a truck was kept, at the suggestion of some of the members of the committee. I contacted nearly all of the members of the committee, in fact all the members in the House, and I feel sure in saying that they had no objection to this amendment. I offered it at the committee hearing and I felt sure it would come out with a committee amendment of this sort.

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

Mr. FITCH: Mr. Speaker and Members of the House: I believe that this amendment is taking the teeth right out of the bill. As everyone knows, probably 95 per cent of these tractors are probably all operated within one mile of the premises. With that in mind, I still say that rather than consider the amendment and penalize those five per cent that have farms more than two miles apart, we should consider the bill. I still say the amendment should be defeated.

The SPEAKER: The Chair recognizes the gentleman from Rockland, Mr. Sleeper.

Mr. SLEEPER: Mr. Speaker and Members of the House: I feel the amendment is very pertinent to the bill. As perhaps all of us know, the average Maine farm was built before the days of modern fire apparatus, and in mosts cases the barn and the house are separated by a highway. It so happens, in the case of my close relatives, that every farm owned by them has a barn on the other side of the highway, and they have to cross the highway with their tractor in order to enter the bulk of the fields. For that reason, I hope the amendment offered by the gentleman from Garland, Mr. Campbell, prevails. It is very pertinent to the bill, because in nine cases out of ten every Maine farm is separated by a highway, and to get from one field to another you have to cross the highway.

The SPEAKER: The Chair recognizes the gentleman from Corinth, Mr. Elliott.

Mr. ELLIOTT: Mr. Speaker and Members of the House: I certainly hope that this amendment prevails. It so happens that I have children, and I expect to have grandchildren

before long. As yet, I have never known or read in the paper of an accident by one of these youngsters driving a tractor back and forth from one farm to another. I have a neighbor who has some little fellows, and I know they get out on one side of the road very carefully, and do not attempt to cross the road without looking to see if anyone is coming.

I certainly hope this amendment prevails.

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

Mr. FOWLER: Mr. Speaker and Members of the House: I think when we have a chance here to help the farmer we should do it, and here is a chance to help him. I know of numerous farms within ten miles of this State House; I know of one in particular nine miles from here where a man is operating seven or eight farms. It was impossible for him last year and the year previous to get help to till the soil on these farms. He did have youngsters—I say “youngsters”—they were not eight years old; they were not fifteen, but they ran twelve, thirteen and fourteen years old, and these youngsters helped him. As far as I know, they did not drive upon the highway. I might say I believe the majority of these particular farms are off the beaten path on side roads where traffic is not too heavy.

In my experience I have had very, very little trouble with youngsters, and I think it is a lot better if the farmers can allow them to drive and help them rather than have them loafing around neighborhood beer parlors somewhere. I certainly think this bill is a great help to the farmer, and I think every man here who is interested in farms or farmers should be for it. I trust that this amendment will pass with the bill.

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

Mr. CORSON: Mr. Speaker and Members of the House: I live in a farming town and most of the people have tractors and many of them have farms on both sides of the road, and consequently it is necessary for tractors to pass from one side of the road to the other. I am therefore in favor of this amendment, and I think it is a good amendment.

The SPEAKER: The Chair recognizes the gentleman from Bath, Mr. McClure.

Mr. McCLURE: Mr. Speaker and Members of the House: I believe this is a good bill. I believe if we allowed more young men to operate tractors or do work of this sort perhaps we would not have to try to pass bills in this House costing us another \$130,000 a year for probation officers for juvenile delinquents.

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

Mr. KENT: Mr. Speaker and Members of the House: I think this bill was designed especially to be a benefit to the farmers, and if we do not pass this amendment it is going to be a great detriment to the operation of farms by our farmers. So I am very much in favor of this amendment.

The SPEAKER: The Chair recognizes the gentlewoman from Crystal, Miss Longstaff.

Miss LONGSTAFF: Mr. Speaker and Members of the House: Coming from a section where a great many tractors are used, I have yet to learn of an accident on the highway by a minor driving a tractor. It is necessary for these boys to operate these vehicles, driving them from one farm to the other. I think they have always used the utmost care. Therefore, I think it is a splendid bill, and I think it would be working a great injustice on the farmers if they did not have the privilege of this bill being allowed to pass so these boys can operate these vehicles from one farm to another. I therefore hope that this bill passes.

The SPEAKER: The question before the House is on the adoption of House Amendment "C". The gentleman from Sebago, Mr. Fitch, has requested a division. All those in favor of the adoption of the amendment will please rise and remain standing until counted and the monitors have made and returned the count.

A division of the House was had.

One hundred and twelve having voted in the affirmative and four in the negative, House Amendment "C" was adopted and the bill was tomorrow assigned for third reading.

The SPEAKER: The Chair now lays before the House the third

tabled and today assigned matter, House Order Requesting an Opinion of the Justices of the Supreme Judicial Court on the Constitutionality of Bill "An Act to Protect the Right to Work and to Prohibit Secondary Boycotts, Sympathetic Strikes and Jurisdictional Strikes." (H. P. 1184) (L. D. 754) tabled on March 8th by the gentleman from Portland, Mr. Bowker, pending consideration.

The question is upon the passage of the order. Is it the pleasure of the House that the order receive passage?

The motion prevailed and the order received passage.

The SPEAKER: The House is proceeding under Orders of the Day. The Chair recognizes the gentleman from North Haven, Mr. Emerson.

On motion by Mr. Emerson, the House voted to take from the table the fifth tabled and unassigned matter, Bill "An Act Relating to the Canning and Shipping of Clams." (S. P. 235) (L. D. 645) In Senate, February 21st, passed to be engrossed; in the House, tabled on February 26th by that gentleman pending third reading.

Mr. EMERSON: Mr. Speaker, in view of the emergency in this matter, I have prepared an emergency preamble to be tacked onto the bill. At this time I offer House Amendment "A" and move its adoption.

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

House Amendment "A" to S. P. 235, L. D. 645, Bill "An Act Relating to the Canning and Shipping of Clams."

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

Emergency preamble. Whereas, the present law provides for a closed season on digging clams, quahogs and mussels for the purpose of canning between May 15th and October 1st each year; and

Whereas, the purpose of this act is to shorten the closed season by limiting it to the period between June 1 and October; and

Whereas, this act if passed could not go into effect until after June 1st of this year unless passed as an emergency measure; and

Whereas, the fishermen of the state will lose the advantage intended to be given them by this bill for

the entire year unless the same becomes effective before June 1st, and

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

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

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

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

The SPEAKER: The Chair would like to point out to the members that as we near the close of each day's session the Clerk has a number of important notices to be read, and perhaps many of these notices will not be posted on the bulletin board. It is rather important that each member give his attention to them until final adjournment.

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

On motion by Mr. Moulton of Liverrmore Falls,

Adjourned until ten o'clock tomorrow morning.