

# 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

Wednesday, March 19, 1947.

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

Prayer by the Rev. Porter Drumm of Augusta.

Journal of yesterday read and approved.

### Papers from the Senate Senate Reports of Committees Ought to Pass in New Draft

Report of the Committee on Ways and Bridges on Bill "An Act relating to Maintenance of Third Class Roads," (S. P. 89) (L. D. 115) reporting same in a new draft (S. P. 458) (L. D. 1288) under same title and that it "Ought to pass."

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

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

### Ought to Pass

Report of the Committee on Inland Fisheries and Game reporting "Ought to pass" on Resolve Closing the South Branch of Penobscot River to All Fishing After Certain Date (S. P. 346) (L. D. 979).

Report of same Committee reporting same on Resolve Closing Tributaries of South Branch of Penobscot River to All Fishing (S. P. 345) (L. D. 978).

Report of same Committee reporting same on Resolve Closing Tributaries to Moose River to All Fishing (S. P. 344) (L. D. 977).

Report of the Committee on Labor reporting same on Bill "An Act relating to Work Permits for Children" (S. P. 51) (L. D. 23)

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

In the House Reports were read and accepted in concurrence, the Bill read twice, the Resolves read once, and tomorrow assigned.

### Ought to Pass With Committee Amendment

Report of the Committee on Mercantile Affairs and Insurance on Bill "An Act Relating to Taxation of Insurance Companies" (S. P. 92)

(L. D. 143) 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 read twice.

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

Committee Amendment "A" to S. P. 92, L. D. 143, Bill "An Act Relating to Taxation of Insurance Companies."

Amend said Bill by drawing a line through the figures and words "31st day of each January" in the 5th and 6th lines of section 1 thereof and inserting after said figures and words the following underlined figures and words: **'1st day of each March'**

Further amend said Bill by striking out the underlined words at the end of that part designated "Sec. 136" thereof.

Further amend said Bill by drawing a line through the figures and words "31st day of each January" in the 14th and 15th lines of section 2 thereof and inserting after said figures and words the following underlined figures and words: **'1st day of each March'**

Further amend said Bill by drawing a line through the figures and words "31st day of each January" in the 13th and 14th lines of section 4 thereof and inserting after said figures and words the following underlined figures and words: **'1st day of each March'**

Further amend said Bill by drawing a line through the figure "1st" in the 8th line of section 5 thereof and inserting in place thereof the **underlined figure '15th'**.

Further amend said Bill by adding at the end of the last paragraph thereof the following underlined sentence:

**"The premium tax return shall be made at the same time and in the same manner as provided for insurance premium taxes specified in section 136".**

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

From the Senate: Report of the Committee on State Lands and

Preservation on Bill "An Act Relating to Trespasses on Public Reserved Lots" (S. P. 301) (L. D. 792) 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" read by the Clerk as follows:

Committee Amendment "A" to S. P. 301, L. D. 792 "An Act Relating to Trespasses on Public Reserved Lots."

Amend said bill by striking out the underlined word "trespasses" which appears in the 7th line of said bill and inserting the following underlined words:

**'cutting or removal of timber or other materials of value'**

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

#### Non-Concurrent Matter

From the Senate: Bill "An Act to Regulate Eligibility of Premises for Which Liquor License May be Granted" (H. P. 1101) (L. D. 676) which was passed to be engrossed in the House on February 27th.

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

In the House: The House voted to recede and concur with the Senate.

The SPEAKER: At this time the Chair recognizes the gentleman from Monmouth, Mr. Marsans, and appoints him Speaker pro tempore, and requests the Sergeant-at-Arms to conduct him to the rostrum.

Thereupon, Mr. Marsans was conducted to the rostrum, where he assumed the Chair, amid the applause of the House, and Speaker Ward retired.

The following three bills, transmitted by 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:

#### Judiciary

Bill "An Act relating to Provisions Required for Recording Deeds" (H. P. 1632) (Presented by Mr. Haskell of Portland by request)  
(Ordered printed)

Sent up for concurrence.

#### Taxation

Bill "An Act to Provide Increased Revenue for Cities and Towns" (H. P. 1633) (Presented by Mr. Cole of Portland)

(1000 copies ordered printed)

Sent up for concurrence.

#### Ways and Bridges

Bill "An Act relating to the Construction, Repair and Maintenance of Bridges on Certain Roads" (H. P. 1634) (Presented by Mr. Woodworth of Fairfield)

(Ordered printed)

Sent up for concurrence.

#### Order

On motion by Mr. McGown of Carmel, it was

ORDERED, that Rev. John Miller of Newport be invited to officiate as Chaplain of the House on Thursday, March 27th.

#### House Reports of Committees Leave to Withdraw

Mr. Hayward from the Committee on Inland Fisheries and Game on Resolve Closing Torsey Pond in Mt. Vernon and Readfield in the county of Kennebec to Ice Fishing (H. P. 903) (L. D. 602) reported leave to withdraw.

Mr. Brown from the Committee on Labor reported same on Bill "An Act relating to the Employment of Minors" (H. P. 1396) (L. D. 1013)

Mr. Anderson from the Committee on Legal Affairs reported same on Bill "An Act to Enable a Municipal Corporation to Organize and Conduct a Water District and/or a Sewerage District" (H. P. 1586) (L. D. 1239)

Mr. Fitch from the Committee on Mercantile Affairs and Insurance reported same on Bill "An Act relating to Examinations of Insurance Agents and Brokers" (H. P. 1304) (L. D. 887)

Mr. Bell from the Committee on Towns reported same on Bill "An Act relating to Hurricane Island" (H. P. 1327) (L. D. 920)

Reports were read and accepted.

#### Ought Not to Pass

Mr. Byron from the Committee

on Inland Fisheries and Game reported "Ought not to pass" on Bill "An Act relating to Closed Time on Deer in Certain Counties" (H. P. 1384) (L. D. 1003)

Same gentleman from same Committee reported same on Resolve Regulating Smelt Dipping in Whetstone Pond in Piscataquis County (H. P. 1064) (L. D. 696)

Mr. Jordan from same Committee reported same on Resolve Regulating Fishing in Certain Monticello Brooks (H. P. 910) (L. D. 609)

Mr. Judkins from same Committee reported same on Resolve Closing Monson Pond Stream in Piscataquis County to All Fishing (H. P. 1067) (L. D. 699)

Mr. Hayward from same Committee reported same on Resolve Closing the Headwaters of Trout Brook and its Tributaries in Townships 6-R-9, 5-R-9 and 4-R-9, in Piscataquis County, to Fishing (H. P. 1389) (L. D. 1008)

Mr. Smart from the same Committee reported same on Resolve Regulating Smelt Dipping in Sebec Lake, Piscataquis County (H. P. 1065) (L. D. 697)

Mr. Rollins from the Committee on Maine Publicity reported same on Bill "An Act relating to the Design of Motor Vehicle Number Plates" (H. P. 92) (L. D. 72)

Reports were read and accepted.

#### Tabled

Mr. Sleeper from the Committee on Salaries and Fees reported "Ought not to pass" on Bill "An Act relating to the Compensation of Senators and Representatives" (H. P. 1211) (L. D. 855)

(On motion by Mr. Bell of Thomaston, tabled pending acceptance of Committee Report)

#### Ought to Pass in New Draft

Mr. Campbell from the Committee on Salaries and Fees on Bill "An Act relating to the Salaries of the Judge and Recorder of the Millinocket Municipal Court" (H. P. 1561) (L. D. 1190) reported same in a new draft (H. P. 1635) under same title and that it "Ought to pass".

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

#### Ought to Pass Printed Bills

Mr. Kent from the Committee on

Salaries and Fees reported "Ought to pass" on Bill "An Act relating to the Salary of the Judge of the Lincoln Municipal Court" (H. P. 125) (L. D. 100)

Same gentleman from same Committee reported same on Bill "An Act to Increase Salaries of Lincoln County Officers" (H. P. 126) (L. D. 101)

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.

#### Ought to Pass with Committee Amendment

Mr. Campbell from the Committee on Salaries and Fees on Bill "An Act relating to the Salaries of the Judge and of the Recorder of the Old Town Municipal Court" (H. P. 689) (L. D. 445) 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. 689, L. D. 445, Bill, "An Act Relating to the Salaries of the Judge and of the Recorder of the Old Town Municipal Court."

Amend said Bill by striking out the underlined figures "\$2,500" in the 6th line of that part designated "Sec. 9" and inserting in place thereof the underlined figures '\$1,700'.

Further amend said Bill by striking out the underlined figures "\$1,800" in the 7th line of that part designated "Sec. 9" and inserting in place thereof the underlined figures '\$1,100'.

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

Mr. Bove from the Committee on Interior Waters on Bill "An Act relating to Deposit of Potatoes into Waters of the State" (H. P. 1537) (L. D. 1167) 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. 1537, L. D. 1167, Bill "An Act Relating to Deposit of Potatoes into Waters of the State."

Amend said bill by striking out the paragraph beginning "Sec. 9." and inserting in the place thereof the following underlined paragraph: "Sec. 9. Deposit of potatoes into streams, etc. No person, firm, corporation or federal agency shall deposit potatoes or any part or parts thereof, except the potato pulp resulting from the manufacture of potato starch in existing plants, into any stream, pond, lake or other body of water or water course, or on the ice thereof, or on the banks of the same where such potatoes, or any part or parts thereof, may pollute such waters. The provisions hereof shall not apply to industries licensed under Chapter 345, Public Laws of 1945."

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

#### First Reading of a Printed Bill

Bill "An Act relating to Reciprocal Contracts of Indemnity" (H. P. 1631) (L. D. 1306)

Bill was read twice and tomorrow assigned.

#### Passed to be Engrossed

Bill "An Act relating to Jurisdiction of Municipal Courts in Juvenile Cases" (S. P. 256) (L. D. 718)

Bill "An Act relating to Leases of Premises for State Stores, Warehouses and Other Merchandising Facilities" (S. P. 257) (L. D. 719)

Bill "An Act relating to Arrests of Intoxicated Persons" (S. P. 259) (L. D. 721)

Bill "An Act Amending the Absent Voting Law With Reference to Towns and Plantations" (S. P. 279) (L. D. 811)

Bill "An Act relating to Proceeds of Sale of Timber on the Indian Township" (S. P. 302) (L. D. 791)

Bill "An Act Providing for Reciprocal Agreements relating to Public Assistance Recipients" (S. P. 331) (L. D. 972)

Bill "An Act Authorizing the Governor with Advice and Consent of the Council, to Convey Lands

and Easements Owned by the State" (S. P. 334) (L. D. 969)

Bill "An Act relative to Beaver Dams" (H. P. 1630) (L. D. 1303)

Resolve Authorizing the State Tax Assessor to Convey Certain Interest of the State in Lands in Hancock County to Malcom P. Noyes of Franklin (S. P. 222) (L. D. 568)

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.

At this point, Speaker Ward assumed the Chair.

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

Thereupon, the gentleman from Monmouth, Mr. Marsans, was escorted to his seat, amid the applause of the House.

#### Passed to be Enacted Emergency Measure

An Act to Amend the Charter of the Van Buren Light and Power District (H. P. 508) (L. D. 329)

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. 136 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 Increasing the Salary of the County Attorney of Washington County (S. P. 63) (L. D. 38)

An Act relating to the Salary of the County Attorney of Hancock County (S. P. 88) (L. D. 114)

An Act Increasing the Salary of the Judge and Recorder of Western Washington Municipal Court (S. P. 115) (L. D. 231)

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

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

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)

An Act relating to Inspection of Motor Vehicles (S. P. 262) (L. D. 724)

An Act relating to Reserved Numbers (S. P. 263) (L. D. 725)

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

#### Tabled

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

(On motion by Mr. Brewer of Presque Isle, tabled pending passage to be enacted)

An Act relating to Lost Number Plates (S. P. 323) (L. D. 869)

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

An Act relating to Municipal Planning and Zoning (H. P. 453) (L. D. 269)

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

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

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

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

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

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

An Act to Incorporate the Town of Van Buren School District (H. P. 612) (L. D. 377)

An Act to Increase the Salary of the County Attorney in Sagadahoc County (H. P. 625) (L. D. 385)

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

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

An Act relating to Commitment of Children to the Custody of Certain Officers (H. P. 659) (L. D. 457)

An Act to Incorporate the Free-

port Sewer District (H. P. 684) (L. D. 440)

An Act to Increase the Salary of the Sheriff of Penobscot County (H. P. 687) (L. D. 443)

An Act to Incorporate the Kenduskeag Development District (H. P. 924) (L. D. 560)

An Act to Incorporate the Town of North Berwick School District (H. P. 929) (L. D. 622)

An Act to Incorporate the Yarmouth Sewerage District (H. P. 946) (L. D. 562)

An Act Authorizing Loan and Building Associations and/or Savings and Loan Associations to Adopt Pensions and Retirements (H. P. 1143) (L. D. 743)

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

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

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)

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

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

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

An Act Creating a Council-Manager Form of Government for the city of Bath (H. P. 1272) (L. D. 952)

An Act relating to the Cumberland Mutual Fire Insurance Company (H. P. 1305) (L. D. 910)

An Act relating to State Aid to Certain Educational Institutions (H. P. 1374) (L. D. 995)

An Act relating to Regulation of Contract Carriers (H. P. 1515) (L. D. 1138)

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

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)

An Act relating to the Charter of Lucerne-In-Maine Village Corporation (H. P. 1582) (L. D. 1225)

#### Finally Passed

Resolve Opening Cushman Pond

in the town of Sumner to Ice Fishing (S. P. 139) (L. D. 334)

Resolve Providing for a Fish Screen at Outlet of Molasses Pond in the town of Eastbrook (S. P. 415) (L. D. 1201)

Resolve in favor of George E. Leatherbarrow, of Saco (H. P. 112) (L. D. 638)

Resolve in favor of Teacher-Pension Status of Martha O. Crosby of Benton (H. P. 1158) (L. D. 1226)

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.

Mr. McGlauffin of Portland was granted unanimous consent to address the House.

Mr. McGLAUFFIN: Mr. Speaker and Members of the House: The Judiciary Committee passed out a bill a few days ago and the bill has gone through, been signed by the Governor, and is completed as far as action of the Legislature is concerned; but we have discovered that we failed to provide a source of revenue with which to pay trial justices after we had provided that they should receive a salary. It is very important that we correct this. I therefore ask unanimous consent to introduce a new bill to correct that error.

The SPEAKER: The Clerk will read the title of the bill.

"An Act Relating to Trial Justices."

The SPEAKER: The gentleman from Portland, Mr. McGlauffin, requests unanimous consent to present this measure. Does the Chair hear objection? The Chair hears none, and the measure is received.

On further motion by Mr. McGlauffin, the bill was referred to the Committee on Judiciary, ordered printed, and sent up for concurrence.

The SPEAKER: The Chair at this time notes in the balcony the presence of the government class of Bates College, accompanied by Professor Corvell, and on behalf of the members of this House, bids you welcome here this morning.

#### 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

Legal Affairs on Bill "An Act Amending the Charter of the City of Lewiston Relating to the Election of Alderman." (H. P. 120) (L. D. 97), tabled on March 12th by the gentleman from Lewiston, Mr. Malenfant, pending acceptance of the report; and the Chair recognizes that gentleman.

Mr. MALENFANT: Mr. Speaker, I now move to substitute the Bill for the "Ought not to pass" report of the Committee. Members of the House: My reason for this motion is because the run-off election in the City of Lewiston costs too much and gives too much trouble to the voters. You will find on your desks a sheet of paper showing the cost of the run-off elections that we have had since the new city charter was adopted in 1939.

In 1939 we had a run-off election for mayor and five aldermen which cost \$306.00 for the city. In 1940 we had a run-off election in wards 3 and 6 for alderman at the cost to the city of \$133.00. In 1941 we had a run-off election in three wards for aldermen only and it cost the city \$175.00. In 1943 we had a run-off election for mayor only and it cost the city \$516. In 1945 we had another run-off election in two wards for aldermen at a cost to the city of \$215. In 1947, last month, we had a run-off election in ward 2 and ward 6 for aldermen, and it cost the city \$197.00.

Now before 1939 we did not have any run-off elections. As it is now, if there are three candidates for alderman, the one that received the highest vote has to receive enough votes to beat the other two candidates put together. If he does not receive enough votes to beat the two candidates together, the one who has the highest number has to run against the one receiving the second highest vote.

Except in 1945, everyone who received the highest vote in the first election also received the highest vote in the run-off election. In 1945, the one who received the highest vote was defeated in the run-off election, but was re-elected the next year.

When we had a hearing on this bill, a good many spoke in favor of my bill. Some of our ex-mayors and State Senators and Representatives and County Commissioners and one head of a labor organization spoke in favor of the bill. No one showed up to oppose



my bill. The Committee reported "Ought not to pass". Before I presented this bill, I talked with a good many city, county and state officers, and they all told me it was a good bill. They said it was no use to have a run-off election, because, as I explained to you, it is always the same one who received the highest vote in the first election.

The 17th of last month these two men whose pictures are in this paper were candidates for aldermen, and the very same ones that received the highest vote in the run-off election.

A good many people do not understand the run-off election. They do not understand why we have to go to the polls twice inside of two weeks to vote for the same man. In a run-off election it is very hard to bring the people to the polls. They say, "We voted for you two weeks ago and it is enough." (Laughter) And I do not blame them. We all know it is on Monday and it is washing day, and we miss a good many women's votes in the run-off election.

Everybody that I meet on the street says that it is a good bill, and they do not understand why it came out "Ought not to pass." Now I do not want to use up much of your time. To pass this bill, I need your support. I hope my motion will prevail.

Something else I want to add to that. My bill does not apply to any other city or town in the state. They can have a run-off election if they like it, but in Lewiston we do not like it. Sometimes they do not like certain aldermen and they put in three or four candidates, to make him spend money because they do not like him. In my case, I beat them all.

I did not present this bill for my own benefit, because so far I have beat them all. As I say, it is for the benefit of the city and the voters.

The SPEAKER: The Chair recognizes the gentleman from Fairfield, Mr. Woodworth.

Mr. WOODWORTH: Mr. Speaker, I am very sorry if I appear to oppose all the changes which the gentleman from Lewiston (Mr. Malenfant) wants in the city charter, but in this case I was entrusted with the presentation of the committee report.

The bill proposes a change in the rule for electing an alderman. At the present time aldermen are elec-

ted by majority vote. This bill would permit them to be elected by plurality vote.

At the hearing before the committee, the argument was advanced that it would save money to avoid run-off elections. Your committee concedes that, but it was brought out in that hearing that the mayor of the city is also elected by majority vote. Of course the mayor, if there is a run-off election, would bring to the polls all the vote of the city. In other words, a contest for mayor would open up every polling place and would save much more money than the contest for alderman. The fact is that the proponents of this bill would not agree to have the mayor elected by plurality vote, while insisting that the aldermen be elected by plurality vote. Your committee felt that the proponents were not acting whole-heartedly in the matter of saving money for the city. If they had, they would have insisted that the mayor be included. They were apparently not acting in the interests of a majority of the people. If they had, they would have insisted on majority vote. And in addition to these facts, which weakened the case for the bill, we had the fact that in most cities which have such a charter as this, majority vote is the rule. Because in the City of Lewiston there are no party designations, there is not the party responsibility that there is in some cities and towns. The rule that a majority vote is required, is well established in this state.

Your committee feels that it has given this bill fair and impartial consideration. Under the circumstances, your Committee will stand on its report "Ought not to pass."

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

Mr. JALBERT: Mr. Speaker and Members of the House: I was one of those who appeared before the committee as a proponent of this measure. The measure remained in committee for fully three weeks before a decision was arrived at. In view of the fact that this is a private law, I might say at this time that the committee has devoted a great deal of time and careful consideration to all bills that came before them from our City of Lewiston, and the report of the Committee is unanimously "Ought not to pass." I am saying again: in view of the fact that it is a private law,

I am going along with the Legal Affairs Committee, and I also move the previous question.

The SPEAKER: The gentleman from Lewiston, Mr. Jalbert, has moved the previous question. In order for the Chair to be authorized to entertain the motion, it requires the consent of one-third of the members present. All those in favor of the Chair entertaining the motion for the previous question will please rise and remain standing and the monitors will please make a count.

A division of the House was had.

The SPEAKER: Sixty-six having indicated their consent, and sixty-six being more than one-third of the members present, the pending question is: Shall the main question be put now?

The Chair would like to state at this time that upon this question which is pending — Shall the main question be put now? — any member may debate that particular question for a period not exceeding five minutes. The members cannot at this time debate the main question but may debate whether or not the main question should be put now if they care to do so.

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

Mr. McCLURE: Mr. Speaker, unless we want to remain here the rest of the summer, I would say that we should put the question now.

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

Mr. MALENFANT: Mr. Speaker, I would like to say a few more words on this bill.

The SPEAKER: The Chair will state that the gentleman can argue on whether the main question shall be put now, not on the bill. The gentleman may state his reasons. The Chair will state again to the gentleman from Lewiston, Mr. Malenfant, that he may give his reasons why the main question should not be put now, if he cares to do so.

Mr. MALENFANT: Mr. Speaker, I want to say something more on it.

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

Mr. ROLLINS: Mr. Speaker and Members of the House: I am not entering in this debate, but I do feel, in all seriousness, this House should well consider matters, not

only at this time but at any time when this motion is laid before the House. This motion is to choke off debate. When there is any member of this House who wishes to speak, I believe he has that privilege, and I believe we should listen to him. I hope this motion does not prevail.

The SPEAKER: The question before the House is: Shall the main question be put now?

All those in favor of the motion will say aye; those opposed no.

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

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

Mr. MALENFANT: Mr. Speaker and Members of the House: The reason why I did not include the Mayor on this bill is because the Mayor has a bigger job. He appoints a commissioner, and a corporation counsel, and he used to appoint the City Clerk before this House passed a bill to appoint him for life.

A member of this House who wins the nomination for State representative or Senator does not need to go in a run-off election, and the man who wins the nomination for Governor does not need to go in a run-off election, while a candidate for the small office of alderman for one city has to go through a run-off election. It makes the taxpayers pay a lot of money and causes a lot of trouble to the voters. It seems to me that the situation is very easy to understand.

Now everyone I met on the streets of Lewiston, lawyers, all kinds of professional people, business people, they all say they cannot understand why this bill was reported "Ought not to pass." Only yesterday, the Clerk of Courts, Frank Maliar, and the corporation counsel, told me that they happened to be on the committee that drafted our city charter, and they told me they included the run-off in the city charter, but said they thought it should be abolished. I hope my motion prevails.

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

Mr. SNOW: Mr. Speaker and Members of the House: Being a member of the Legal Affairs Committee, I would like to say there are some citizens of Lewiston that are opposed to this bill. They believe that under the present system

a better class of candidate is elected, and they would like to leave it as it is.

The SPEAKER: Is the House ready for the question?

The question is on the motion of the gentleman from Lewiston, Mr. Malenfant, that Bill "An Act Amending the Charter of the City of Lewiston Relating to the Election of Alderman." (H. P. 120) (L. D. 97) be substituted for the "Ought not to pass" report of the committee.

All those in favor of the substitution of the bill for the report will say aye; those opposed no.

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

Twenty-three having voted in the affirmative, and fifty-six in the negative, the motion did not prevail.

Thereupon the "Ought not to pass" report of the committee was accepted.

The SPEAKER: The Chair lays before the House the second tabled and today assigned matter, "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 Valuation." (H. P. 844) (L. D. 485) In House, Bill Substituted for the "Ought not to pass" Committee Report read once and House Amendment "A" adopted; tabled on March 13th by the gentleman from Boothbay Harbor, Mr. Perkins, pending assignment for second reading; and the Chair recognizes that gentleman.

Mr. PERKINS: Mr. Speaker and Members of the House: There is another resolve that should be in the House tomorrow morning covering the same subject matter. I now move that this pending matter lie on the table.

The SPEAKER: The gentleman from Boothbay Harbor, Mr. Perkins, moves that the resolve, and accompanying papers, lie on the table pending assignment for second reading. Is this the pleasure of the House?

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

The SPEAKER: The Chair lays before the House the third tabled and today assigned matter, 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), tabled on March 14th by the gentleman from Caribou, Mr. Collins, pending third reading.

Mr. Collins 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. 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 sub-section "(b)" of Sec. 23 thereof and inserting in place thereof the following:

(b) "Municipality" shall mean only those cities and towns in which housing authorities were established under the provisions of chapter 260 of the public laws of 1943.

The SPEAKER: The Chair recognizes the gentleman for South Portland, Mr. Weeks.

Mr. WEEKS: Mr. Speaker, in order that we may give this amendment proper consideration, I move the H. P. 842, L. D. 537, lie on the table pending adoption of House Amendment "A", and be specially assigned for Tuesday, March 25th.

Thereupon, the bill, and accompanying papers, were tabled, pending adoption of House Amendment "A", and specially assigned for Tuesday, March 25th.

The SPEAKER: The Chair lays before the House the fourth tabled and today assigned matter, House Order Relative to Amending House Rule No. 47, tabled on March 14th by the gentleman from Portland, Mr. Haskell, pending consideration.

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

Mr. McGLAUF-LIN: Mr. Speaker, this matter was tabled at my request as I wanted an opportunity to give the matter consideration. I find that I have no objection, so it may go along.

The SPEAKER: Is it the pleasure of the House that the Order receive passage?

A viva voce vote being taken, the motion prevailed, and the Order received passage.

The SPEAKER: The Chair lays before the House the fifth tabled and today assigned matter, Bill "An Act Limiting the Weight, Length,

Width and Height of Motor Vehicles" (H. P. 1194) (L. D. 782) tabled on March 18th by the gentleman from Gardiner, Mr. Tabb, pending passage to be engrossed; and the Chair recognizes the gentleman.

On motion by Mr. Tabb, the bill was passed to be engrossed and sent up for concurrence.

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

On motion by Mr. Bowker of Portland, the House voted to take from the table the sixteenth tabled and unassigned matter, Bill "An Act Requiring the Licensing of Insurance Adjusters." (H. P. 252) (L. D. 178) which in the House was read the third time and tabled on March 14th by that gentleman pending passage to be engrossed.

On motion by the same gentleman, under suspension of the rules, the House voted to reconsider its action whereby it adopted Committee Amendment "A". The same gentleman 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. 252, L. D. 178, Bill "An Act Requiring the Licensing of Insurance Adjusters."

Amend said amendment by strik-

ing out all of the 3rd paragraph thereof and inserting in place thereof, the following:

Further amend said Bill by striking out the two underlined sentences at the end of the 1st paragraph of that part designated "Sec. 256."

House Amendment "A" to Committee Amendment "A" was adopted. Committee Amendment "A" as amended by House Amendment "A" was then adopted, and the bill was passed to be engrossed as amended and sent up for concurrence.

On motion by Mr. Patterson of Freeport, the House voted to take from the table the thirteenth tabled and unassigned matter, Bill "An Act Appropriating Moneys for Anticipated Overdrafts in the Department of Institutional Service Due to Insufficient Appropriations." (H. P. 1139) (L. D. 839) tabled on March 12th by that gentleman pending third reading.

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

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

On motion by Mr. Elliott of Corinth,

Adjourned until ten o'clock tomorrow morning.