

MAINE STATE LEGISLATURE

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



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

LEGISLATIVE RECORD

OF THE

Ninety-Fifth Legislature

OF THE

STATE OF MAINE

1951

**DAILY KENNEBEC JOURNAL
AUGUSTA, MAINE**

HOUSE

Wednesday, February 28, 1951

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

Prayer by the Rev. Mr. Walter Kellison of Augusta.

The journal of the previous session was read and approved.

Papers From The Senate

From the Senate:

Bill "An Act relating to Insurance Agents and Brokers" (S. P. 370) (L. D. 898)

Came from the Senate referred to the Committee on Business Legislation.

In the House, referred to the Committee on Business Legislation in concurrence.

From the Senate:

Bill "An Act relating to Published Records of Vital Statistics" (S. P. 373) (L. D. 899)

Came from the Senate referred to the Committee on Education.

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

From the Senate:

Bill "An Act relating to Suspension of Hunting and Fishing Licenses" (S. P. 374) (L. D. 900)

Came from the Senate referred to the Committee on Inland Fisheries and Game.

In the House, referred to the Committee on Inland Fisheries and Game in concurrence.

From the Senate:

Bill "An Act relating to Right of Way at Rotary Intersections" (S. P. 361) (L. D. 897)

Bill "An Act relating to Sale of Real Estate for Taxes" (S. P. 375) (L. D. 901)

Bill "An Act relating to Redemption of Personal Property After Breach of Condition of Mortgage Thereof" (S. P. 376) (L. D. 902)

Bill "An Act relating to Falsely Reporting Crimes" (S. P. 377) (L. D. 903)

Bill "An Act relating to Trespass" (S. P. 378) (L. D. 904)

Came from the Senate referred to the Committee on Judiciary.

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

From the Senate:

Bill "An Act relating to the Rockland School District" (S. P. 379) (L. D. 905)

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

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

From the Senate:

Bill "An Act relating to Liquor Licenses in Unincorporated Places" (S. P. 380) (L. D. 906)

Bill "An Act relating to Penalties for Violations of Liquor Laws by Unlicensed Persons" (S. P. 381) (L. D. 907)

Came from the Senate referred to the Committee on Liquor Control.

In the House, referred to the Committee on Liquor Control in concurrence.

From the Senate:

Bill "An Act relating to Rentals of Certain State Offices" (S. P. 382) (L. D. 908)

Came from the Senate referred to the Committee on Public Buildings and Parks.

In the House, referred to the Committee on Public Buildings and Parks in concurrence.

From the Senate:

Bill "An Act relating to Free Vaccination for Children" (S. P. 383) (L. D. 909)

Bill "An Act relating to Compulsory Vaccination" (S. P. 384) (L. D. 910)

Came from the Senate referred to the Committee on Public Health.

In the House, referred to the Committee on Public Health in concurrence.

From the Senate:

Bill "An Act relating to Salary of Register of Deeds of Kennebec County" (S. P. 385) (L. D. 911)

Came from the Senate referred to the Committee on Towns and Counties.

In the House, referred to the Committee on Towns and Counties in concurrence.

**Senate Reports of Committees
Ought to Pass with Committee
Amendment**

Report of the Committee on Legal Affairs on Bill "An Act to Alter the Charter of Nasson College" (S. P. 187) (L. D. 398) 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. 187, L. D. 398, Bill, "An Act to Alter the Charter of Nasson College."

Amend said Bill by striking out Section 3, and inserting in place thereof the following:

'Sec. 3. Rules and regulations. Said trustees may adopt such rules, regulations and by-laws, the same not being repugnant to the laws of this state, as they may deem expedient for the management of their affairs, including the election from their number of a president chairman, a treasurer, secretary and any other needful officer or officers, and which said by-laws shall further provide for the proper discipline and for the general prosperity of said college; they shall have the power to establish in said college such departments and courses of study as they may elect to establish and shall maintain within the college an Institute which shall be carried on to promote the moral, intellectual and physical instruction and education of young women; except as hereinafter limited; they shall fill all vacancies occurring in their board; they shall choose all necessary officers of administration, professors, tutors and teachers upon such terms and conditions as they shall prescribe; they shall have the power to confer the degree of Bachelor of Science; that no further or other degree shall be conferred by said trustees without special authority from the legislature such academic degrees, literary titles, honors and certificates of proficiency as are usually con-

ferred by like institutions of higher learning.'

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

Report of the Committee on Legal Affairs on Bill "An Act to Incorporate the Town of York School District" (S. P. 50) (L. D. 60) 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. 50, L. D. 60, Bill, "An Act to Incorporate the Town of York School District."

Amend Sec. 1. of said bill by deleting therefrom the clause "for the purpose of completing, grading, furnishing, rebuilding, renovating and otherwise bettering the condition of any or all buildings within said town used for school purposes or which may hereafter be used for school purposes;"

Further amend said bill by striking out the figures "\$350,000" in the fifth line of Sec. 4. and by inserting therein the figures "\$250,000."

Further amend said bill by striking out the figure "6" in the fifth line of Sec. 9. and by inserting therein the figure '8'.

Mr. Burkett of Portland, then offered House Amendment "A" to Committee Amendment "A".

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

**HOUSE AMENDMENT "A" to
COMMITTEE AMENDMENT "A"**
to S. P. 50, L. D. 60, Bill, "An Act to Incorporate the Town of York School District."

Amend said Amendment by striking out all of the second paragraph thereof which reads as follows: "Further amend said bill by striking out the figures "\$350,000" in the fifth line of Sec. 4. and by inserting therein the figures '\$250,000.'"

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

Thereupon, the House voted to reconsider its action just taken whereby the bill was assigned for third reading tomorrow morning.

Committee Amendment "A" as amended by House Amendment "A" was then adopted, and the bill was assigned for third reading tomorrow morning.

Report of the Committee on Liquor Control on Bill "An Act relating to Employment of Certain Persons in Premises Licensed to Sell Liquor" (S. P. 107) (L. D. 160) 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. 107, L. D. 160, Bill "An Act Relating to Employment of Certain Persons in Premises Licensed to Sell Liquor."

Amend said bill by inserting after the underlined word "who" in the sixth line thereof, the underlined words "by reason of conviction of violation of any liquor laws or because of having had his license for sale of liquor revoked"

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

Bills and Resolves Requiring Reference

The following Bills and Resolves, transmitted by the Director of Legislative Research pursuant to Joint Orders, were received and, upon recommendation of the Committee on Reference of Bills, were referred to the following Committees:

Highways

Bill "An Act relating to Contracts for Highway Construction and

Maintenance" (H. P. 1390) (Presented by Mr. Hall of Calais) (Ordered Printed)

Resolve in favor of the Town of Exeter (H. P. 1393) (Presented by Mr. Emerson of Corinna) Sent up for concurrence.

Judiciary

Bill "An Act relating to Fees of Registers of Probate for Filing Wills and Administrations" (H. P. 1391) (Presented by Mr. Hall of Calais by request) (Ordered Printed)

Bill "An Act relating to Facsimile Signatures Upon Corporate Obligations" (H. P. 1392) (Presented by Mr. Martin of Augusta) (Ordered Printed) Sent up for concurrence.

Sea and Shore Fisheries

Bill "An Act relating to the Digging of Clams in the Town of Wells" (H. P. 1394) (Presented by Mrs. Hanson of Lebanon) (Ordered Printed)

Bill "An Act relating to the Digging of Shellfish and Marine Worms in the Town of Yarmouth" (H. P. 1395) (Presented by Mr. Knapp of Yarmouth) (Ordered Printed)

Sent up for concurrence.

Welfare

Resolve Providing for State Pension for Valeda Marie Kennedy, of Waldoboro (H. P. 1396) (Presented by Mr. Chase of Whitefield)

Resolve Providing for State Pension for Mrs. Josephine Sochia, of Madison (H. P. 1397) (Presented by Mr. Fogg of Madison)

Sent up for concurrence.

The SPEAKER: The Chair, at this time, notes in the balcony of the Hall of the House the presence of the Garland Grammar School, Seventh and Eighth Grades, in charge of Mrs. Cookson, the Kennebunk High School Freshman Civics Class, in charge of Principal Mr. Maynard Robinson and Mrs. Edith Nunon, and the Boothbay Harbor High School Senior Class, in charge of Mr. Dana Drew.

In behalf of the House, the Chair bids you welcome. (Applause)

Orders

On motion of Mr. Gerrish of Old Orchard Beach, it was

ORDERED, that Captain E. Walter Lamie of the Salvation Army, of Saco, be invited to officiate as Chaplain of the House Tuesday, March 27, 1951.

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

House Reports of Committees Ought Not to Pass

Mr. Watson from the Committee on Inland Fisheries and Game reported "Ought not to pass" on Bill "An Act relating to Free Hunting, Trapping and Fishing Licenses to Indians" (H. P. 526) (L. D. 288)

Mr. Brown from the Committee on Liquor Control reported same on Bill "An Act relating to Hours of Business of Retail Stores Selling Malt Beverages" (H. P. 934) (L. D. 533)

Mr. Chase from the same Committee reported same on Bill "An Act Repealing the Laws on Taverns Concerning Liquor" (H. P. 849) (L. D. 488)

Mr. Dostie from the same Committee reported same on Bill "An Act Prohibiting Employment of Females by Certain Liquor Licenses" (H. P. 933) (L. D. 532)

Mr. Wood from the same Committee reported same on Bill "An Act relating to Definition of Tavern in Liquor Law" (H. P. 847) (L. D. 486)

Mr. Grover from the Committee on Public Utilities reported same on Bill "An Act Creating the Richmond Utilities District" (H. P. 391) (L. D. 227)

Reports were read and accepted and sent up for concurrence.

Passed to be Engrossed

Bill "An Act relating to Membership of Maine Development Commission" (S. P. 242) (L. D. 512)

Bill "An Act relative to Game Preserve, Limington, Hollis and Waterboro" (H. P. 629) (L. D. 380)

Bill "An Act relating to Exemption of Parsonages from Taxation" (H. P. 1389) (L. D. 934)

Resolve Regulating Fishing in the

Tributaries to Bemis Stream in the County of Franklin (H. P. 736) (L. D. 435)

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 Bill

Bill "An Act relating to Slash and Brush Disposal" (S. P. 257) (L. D. 555)

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

Passed to be Enacted Emergency Measure

An Act to Incorporate the Town of Phillips School District (H. P. 5) (L. D. 1)

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. 134 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 Surry School District (H. P. 29) (L. D. 6)

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

Emergency Measure

An Act to Incorporate the Town of Woodland School District (H. P. 162) (L. D. 93)

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

ected to the House being necessary, a division was had. 135 voted in favor of the 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 Carroll School District (H. P. 201) (L. D. 123)

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. 133 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 Waldo School District (H. P. 202) (L. D. 124)

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. 130 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 Amending the Charter of the Town of Dexter School District (H. P. 203) (L. D. 125)

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. 132 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 Provide for the Surrender by Dead River Plantation of Its Organization (H. P. 395) (L. D. 231)

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. 132 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 Provide for the Surrender by Flagstaff Plantation of Its Organization (H. P. 396) (L. D. 232)

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. 134 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 Permitting the Children's Aid Society of Maine to Sell Buildings and Land (H. P. 1250) (L. D. 774)

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. 137 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 the Sale of Intoxicating Liquors to Minors (S. P. 66) (L. D. 66)

An Act relating to State Care of Persons in Certain Institutions (S. P. 78) (L. D. 81)

An Act relating to Road Equipment on Private Ways (S. P. 109) (L. D. 163)

An Act Regulating the Taking of Clams and Quahogs (S. P. 121) (L. D. 211)

An Act Requiring Information from Banks to Institutional Service (S. P. 128) (L. D. 236)

An Act to Amend the Charter of the York Village Corporation (S. P. 135) (L. D. 241)

An Act Permitting Certificate of Records of Department of Health and Welfare as Evidence (S. P. 167) (L. D. 342)

An Act relating to the Propagation and Cultivation of Clams, Quahogs and Mussels (S. P. 173) (L. D. 348)

An Act relating to County Commissioners of Androscoggin County (S. P. 190) (L. D. 407)

An Act relating to the Government Employees Credit Union of Maine (S. P. 330) (L. D. 715)

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

Tabled Temporarily

An Act relating to Motor Vehicles Parking in Dangerous Places (H. P. 95) (L. D. 40)

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

(On motion of Mr. Nowell of Hermon, tabled until later in today's session, pending passage to be enacted)

An Act relating to the Provident Loan Company (H. P. 101) (L. D. 49)

An Act to Regulate Trust Investments (H. P. 102) (L. D. 50)

An Act relating to Amount of Insurance for Certain Motor Vehicles (H. P. 160) (L. D. 91)

An Act relating to Copies of Report of State Registrar of Vital Statistics (H. P. 163) (L. D. 94)

An Act relating to Pauper Relief (H. P. 174) (L. D. 105)

An Act relating to the Trustees of the Ministerial Funds of the Town of Bridgton (H. P. 241) (L. D. 138)

An Act Regulating Shooting Seals in Certain Waters of York County (H. P. 244) (L. D. 140)

An Act relating to Supplementary Tax Assessments (H. P. 335) (L. D. 193)

An Act to Incorporate the Town of Swanville School District (H. P. 388) (L. D. 224)

An Act relating to Closed Season on Deer in Long Island Plantation (H. P. 432) (L. D. 253)

An Act relating to Propagation and Cultivation of Clams, Quahogs

and Mussels in Deorganized Towns (H. P. 437) (L. D. 261)

An Act relating to the Taking of Clams in Cobscook River in the Township of Edmunds (H. P. 438) (L. D. 257)

An Act to Ratify and Confirm the Incorporation of Hope Cemetery Corporation, of Kennebunk, in the County of York (H. P. 539) (L. D. 307)

An Act Permitting the Digging of Clams, Quahogs and Mussels in Mousam River and Its Tributaries for Bait Only (H. P. 550) (L. D. 311)

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

Tabled

An Act relating to Powers of Fryeburg Village Fire Corporation (H. P. 558) (L. D. 316)

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

(On motion of Mr. Moulton of Sweden, tabled pending passage to be enacted.)

An Act relating to License Fee for Raising Wild Birds and Animals (H. P. 631) (L. D. 353)

An Act to Ratify and Confirm the Incorporation of First Parish of Freeport (H. P. 645) (L. D. 363)

An Act relating to Revocation and Suspension of Sea and Shore Fisheries Licenses (H. P. 653) (L. D. 372)

An Act to Incorporate the Town of Jackson School District (H. P. 749) (L. D. 432)

An Act relating to Review and Alteration of Ward Lines in the City of Lewiston (H. P. 760) (L. D. 447)

An Act relating to the Charter of the City of Bangor (H. P. 761) (L. D. 448)

An Act Prohibiting the Procuring of Liquor for Certain Persons (H. P. 784) (L. D. 465)

An Act relating to Powers of Gorham Village Corporation (H. P. 1191) (L. D. 665)

Finally Passed

Resolve Regulating Fishing in DeMeyers Brook, in the County of Hancock (S. P. 158) (L. D. 334)

Resolve Regulating Fishing in Sheepscot Bay (S. P. 172) (L. D. 347)

Resolve in favor of Sylvia B. Holden, of Moose River (H. P. 60) (L. D. 26)

Resolve in favor of Herbert L. Bryant, of Houlton (H. P. 199) (L. D. 121)

Resolve in favor of the Plantation of Moose River (H. P. 307) (L. D. 747)

Resolve relating to Digging of Clams in the Town of Harrington (H. P. 331) (L. D. 177)

Resolve in favor of the Town of St. Agatha (H. P. 341) (L. D. 198)

Resolve relating to Fishing in the Towns of Bucksport and Verona (H. P. 551) (L. D. 299)

Resolve relating to the Taking of Alewives from Walker's Brook (H. P. 552) (L. D. 300)

Resolve to Remove the Bag Limit and Size Limit on White Perch in Sebago Lake, Songo River, Bay of Naples and Long Lake (H. P. 634) (L. D. 356)

Resolve Regulating the Taking of Clams in the Town of East Machias (H. P. 654) (L. D. 365)

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

Orders of the Day

The SPEAKER: The Chair, at this time, lays before the House the Special Order passed on January 17th last in the matter of a member of the Appropriations Committee reporting on the progress made.

Under the order, we may discuss the matters which are reported by the committee member or questions may be asked of him through the Chair. And, under the order, it is my duty to assign a period for this discussion and the Chair, at this time, will assign the time limit as 11:15.

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

Mr. CAMPBELL: Mr. Speaker and Members of the House: I will report for the Appropriations Committee that we have been conducting hearings each afternoon since the first week of the session, and we are, we believe, really mak-

ing progress. We hope by next week that the Budget Report will be ready for the committee's approval and its recommendations.

I note that there has been prepared and distributed by the gentleman from Limestone, Mr. Burgess, a list of appropriations—bills calling for appropriations—and this will give the members an idea of the difficult problems that do confront us.

The SPEAKER: The House is proceeding under the order.

The Chair recognizes the gentleman from Robbinston, Mr. Brown.

Mr. BROWN: Mr. Speaker, I move you that we remove from the table the unassigned matter, sixteen.

The SPEAKER: The Chair is sorry but the House is proceeding under the order.

Mr. BROWN: Excuse me, Mr. Speaker.

The SPEAKER: The Chair will state that the gentleman is out of order at this time.

The Chair will inquire if there is any discussion or any questions that any member would like to ask in the matter of the report of the Appropriations Committee?

If not, the House will proceed under Orders of the Day.

Mr. PIERCE of Bucksport: Mr. Speaker —

The SPEAKER: For what purpose does the gentleman rise?

Mr. PIERCE: Mr. Speaker, to discuss the first specially assigned matter.

The SPEAKER: The Chair will request that the gentleman from Bucksport, Mr. Pierce, defer until the matter is laid before the House.

The Chair will inquire if there are any questions on the part of any member of the House in the matter of the Special Order which they would like to take up at this time?

Hearing none, the Chair will assume that we have taken the time that everyone desires to be consumed in the matter of this order.

The SPEAKER: The Chair will now lay before the House the tabled and today assigned matter House Amendment "A" to Bill "An Act relating to Interlocking Interests in Liquor Licenses" (S. P. 85)

(L. D. 109) tabled on February 27 by the gentleman from Bucksport, Mr. Pierce, pending adoption of the amendment; and the Chair recognizes that gentleman.

Mr. PIERCE: Mr. Speaker, there have already been between the two bodies three amendments to this relatively minor bill and I understand that further amendments will be added. At the suggestion of several members of the committee, I move that we recommit this bill and accompanying papers to the Committee on Liquor Control for further study.

The SPEAKER: The gentleman from Bucksport, Mr. Pierce, moves that we recommit the tabled and today assigned matter, Bill "An Act relating to Interlocking Interests in Liquor Licenses" to the Committee on Liquor Control in non-concurrence. Is this the pleasure of the House?

The motion prevailed and the bill and accompanying papers were recommitted to the Committee on Liquor Control in non-concurrence and sent up for concurrence.

The SPEAKER: The Chair now lays before the House the matter which was tabled by the gentleman from Hermon, Mr. Nowell, earlier in today's session, pending passage to be enacted; An Act relating to Motor Vehicles Parking in Dangerous Places (H. P. 95) (L. D. 40); and the Chair recognizes that gentleman.

Mr. NOWELL: Mr. Speaker, I move that the House reconsider its previous action taken on this item.

The SPEAKER: The gentleman from Hermon, Mr. Nowell, moves that the House reconsider, under suspension of the rules, its action of February 15th whereby Bill "An Act relating to Motor Vehicles Parking in Dangerous Places" was passed to be engrossed as amended by House Amendment "A". Is this the pleasure of the House?

The motion prevailed.

The same gentleman then offered House Amendment "B" and moved its adoption.

The SPEAKER: Does the Chair now understand that the gentleman from Hermon, Mr. Nowell, withdraws his motion for the adoption of House Amendment "B" and that

he moves that the Bill lie upon the table pending passage to be engrossed?

Mr. NOWELL: That is right, Mr. Speaker.

Thereupon, the motion prevailed and the bill was tabled pending passage to be engrossed.

On motion of the gentleman from Robbinston, Mr. Brown, the House voted to take from the table the sixteenth tabled and unassigned matter, Majority Report "Ought to pass," and Minority Report "Ought not to pass," of the Committee on Liquor Control on Bill "An Act relating to Sales of Liquor to Minors" (H. P. 848) (L. D. 487) tabled on February 23rd by that gentleman pending acceptance of either report.

The SPEAKER: The Chair recognizes the gentlewoman from Bath, Mrs. Moffatt.

Mrs. MOFFATT: Mr. Speaker and Members of the House: I introduced this measure as the result of four years spent in training for being a director of physical education and, as I try to put over my point today in speaking for this bill, please keep in mind that is why I am doing it. I am a director of physical education by profession. The matter involves youth under twenty-one years of age. The sum and substance of the bill is that it asks that the age limit on the sale of beer be lifted from eighteen to twenty-one years.

I shall try to be as brief as possible. I do not want to take too much time but, at the same time, I sincerely want you to consider this from all angles. I am very aware of the fact that there are three words which do succeed in getting people to possibly deviate slightly from their thinking and their actions. Those three words are: "Be a sport." That is all I ask, today, as you consider this bill: Be a sport; think of the whole picture.

I called up the State Police and asked if they could give me the figures of accidents involving folks under twenty-one years of age. I was amazed to find that the gentleman replied: "Yes, have you a pencil? I have it right here. Accidents under twenty-one years of age, 1072; Fatalities, 29; personal injury, 328; property damage, 715.

Liquor-involved accidents, 678; fatalities, 25; personal injury, 284; property damage, 376. Arrests, 1497 with the license revoked; 342 suspended pending appeal; 218 returned pending appeal; two suspended pending grand jury." And, at the same time, I have been informed by the State Police and by your sheriffs and their deputies that in nine out of ten cases of the youth arrested, or not arrested but quizzed in connection with an accident, they do not arrest them; they do not press the charge; they are hoping that it will be a lesson to them and, out of respect and consideration for the parents, they do not take them into court. Nine out of ten allowed to go, 1497 of the licenses revoked, all under twenty-one years of age.

I called Mr. Greenlaw and asked him if he could tell me how many people we had in our penal institutions under the age of twenty-one. In the State Prison, 42; Reformatory for Men, 82; Reformatory for Women, 23 — total, 147. This does not include the people in your three sanatoria for tuberculosis or in your mental institutions. It does not take in the South Portland School for Boys or the Hallowell School for Girls.

Remember, I am again trying to bring out the point: These are people under twenty-one years of age. I know one charge that is being made is that I am forgetting that we are considering drafting boys of eighteen years of age to fight for our country. At the present time, that is not passed, but I also call to your attention that it is a regulation of the forces and especially the Air Force that they are not to take off in a plane if they have had liquor within, I believe it is, twenty-four hours of the time they are to take off. That is not my regulation; that is the regulation of the Air Force.

Also, I remember during World War II one of the smartest young men that Bath ever had was sent from Bath Iron Works to the South Portland Yard to take over defense work. I believe it was about the first night we had a blackout that young man, in his early thirties, went from his home—started to go to the South Portland Yard—to see

if everything was progressing as it should during a blackout. He was the key man in that yard. On the way to the South Portland Yard, he was involved in an accident. Some young men, Army boys, had gone out on a party and had stolen a jeep. They ran into that young man. He lived about four days before he went. Had he lived, he never would have been out of a mental place. That for the boy in the service.

Also remember that during the war we had a naval installation down near us in Georgetown. One night, some young boys, who had been off on one of these so-called parties, came down and took one of these amphibians out on the ocean. A great many of the boys in the Navy came from inland and did not know the water. It was all right as long as the boys were progressing out into the ocean but when they turned and tried to come back to shore, it was a different story. They were all lost. That was the boy in the uniform.

I also remember that during the war, I tried to do my part in recreational work at the USO in Bath, the Community Center, and the boys in uniform used to come in there and say that they were very happy to be able to go into a recreational place where they could have it peaceful and quiet and they were not too anxious to have the beer all of the time. But if they didn't have a recreational center they either had to go into places where they would have to buy liquor or go out on the street.

I also call to your attention the fact that about half of the eighteen year old population are women. If you have talked with any of the people involved in state work, you will find that during the war there was a terrific problem in the boys and girls who could not become adjusted to the fact that there was a war on. And to tell the truth, we are in much the same position now when we adults are not settled in our minds where we are going or what we are going to do. At the same time, anyone eighteen years old is allowed to go in and buy the beer.

Now, I have no quarrel with the beer; I have no quarrel with the

sale of it but I do feel that if we are to be consistent with what we are trying to do, we must remember that the youth of eighteen are not of a mature mind; they are not fully developed. We are asked to appropriate more money for our schools; more money for our education. One of the biggest reasons that I am convinced that we must have more revenue in the State of Maine is the fact that on the Committee on Public Health, I have had to visit many of these institutions and I find we must put many of those buildings into better condition. They are becoming crowded and a great many of the inmates are under twenty-one years of age.

At the same time that I asked Mr. Greenlaw for these figures, he sent me a folder an inch and a half or two inches thick bearing on much this same problem.

The charge is being made that this bill is prohibition; it is not prohibition. There is nothing that says that they cannot take this beer into their homes. There are three fundamental institutions or groups who are directly responsible for the moulding of our youth. First: The home. Any parent is free to let his child have beer, liquor, anything he wants and their home is the place. The father and the mother will be there for the control and the moulding. Second, is the Church. The third is the community and when you come down to the community, I think you are coming back somewhat to you and to me.

We must take these facts and these figures and go by them. Are we being consistent when we put something on the market which is known to be definitely detrimental to the health and the development of our youth? At the same time, are we consistent when we say to the people "You must give us more money", when we know that a lot of that money will have to be turned into the institutions to try to solve these problems.

I was interested in a remark which the gentleman from Lewiston, Mr. Jalbert, made before the Liquor Control Committee in asking that candy be sold in taverns. He made the remark that if a man ate a candy bar or chocolate bar and took a drink of beer, he was soon out

of the picture. That brought to my attention the fact that if I should take one of my basketball teams on a trip, my girls would find it very easy to be able to get a chocolate bar and a bottle of beer. When it comes time to play the game of basketball, according to what the gentleman from Lewiston, Mr. Jalbert, said—I do not know—I have lost a player.

At the present time we are going through quite a scandal in our papers on sports. We are trying to promote sports and yet something like that can take place.

Also, I remember this: I was told if I wanted my youngsters to have good sound teeth, I should give them whole milk, raw milk. It is very difficult for me to buy raw milk for my children. Most of the milk is being pasteurized. It is known that pasteurization will take out calcium and doctors will tell you to give them the raw milk. But I can buy all of the beer I want to give to my children and yet it is a known fact that there is a chemical put in beer to age it and that chemical is definitely injurious to the human body. It seems slightly inconsistent.

The only place that I have heard any opposition to this proposed measure is up through here and a few people who, by virtue of their job, are asked to get up and oppose legislation like this. But I was interested to attend the Augusta House reception last Thursday afternoon and have a gentleman of the Ballantine Ale group greet me with a bottle of beer and a glass in his hand. When he was introduced to me, he said: "Mrs. Moffatt, you have a bill in Legislature that pertains to this." Naturally, I was expecting that gentleman to chastise me a little but he said to me: "We are with you on this bill. We are alarmed at the problem that the youth under twenty-one years of age is creating for us. We realize that unless something is done we are going to be hurt as well as others." That from the gentleman who is trying to promote it. He carried on his statement with this remark: "This," holding the bottle of beer, "was made for mature people. We did not intend for this to be sold to anyone eighteen years of age."

A business man who has businesses in at least seven large cities and towns in the State contacted me over the weekend and he said: "Mrs. Moffatt, do you mean to say that anyone under twenty-one years of age is able to go in and buy beer?" And I said: "That is a fact." Now that gentleman enjoys beer; that man enjoys a highball, a cocktail, but he said: "I think it is terrible and I do hope that the people will consider that bill and pass it."

I have no quarrel with the gentlemen who were trying to defeat it. That is their job. But your job and my job as legislators of the State of Maine is to try to honestly figure out what is the best for all concerned; what is the best for the future of the State and the individual.

Thank you very much.

The SPEAKER: The Chair recognizes the gentleman from Damariscotta, Mr. Gay.

Mr. GAY: Mr. Speaker and Members of the House: I wish to pay respect to the gentlewoman from Bath, Mrs. Moffatt. I agree with nearly everything that Mrs. Moffatt has said. I agree with her bill in part. I do not agree with the method. At this time I am not going to elaborate any further. I simply arise to inform the members of the House that there are certain individuals who are not prepared with facts and figures here today to discuss this matter at this time. I further inform the House that there will be discussion later when the bill comes back from the committee.

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

Mr. MARCH: Mr. Speaker, on this bill, An Act Relating to Sale of Liquor to Minors, I move that the majority report of the committee on Liquor Control reporting "Ought to pass" be accepted.

The SPEAKER: The gentleman from Bridgton, Mr. March, moves that the majority "Ought to pass" report be accepted. Is the House ready for the question?

The Chair recognizes the gentleman from Biddeford, Mr. Farley.

Mr. FARLEY: Mr. Speaker, is the question in order for discussion?

The SPEAKER: Yes. The gentleman may proceed.

Mr. FARLEY: Mr. Speaker and Members of the House: Two years ago I came here with the solemn oath that I would vote to change no liquor laws in the State of Maine. I came here this time with the same argument, that I would not change them. I was asked to present a few bills, and I absolutely refused to present them. I have no quarrel with the lady from Bath (Mrs. Moffatt) in reference to the sale of beer, but as a father of ten children, who has listened to discussions on this matter pro and con at the Temperance Committee, I believe now that my wife and I have made a mistake. Not one of our children touch liquor, nor do I.

I heard a lady make a statement here yesterday in reference to a college in the State of Maine, that liquor was uncontrollable, according to the letter that she read. Some college in the State of Maine was indicted; which one I do not recollect.

It has been my belief since raising a family of nine boys and one girl that the maturity of a child comes between sixteen and seventeen, and when you do not control them there you are not going to control them afterwards.

The buying of liquor does not bother me, nor does the buying of beer, but it is the effect of that "eighteen years old." Having lost a boy in the Second World War, with two others in there, one now in Korea in the Seventh Division, who is in that northeast corner, who is only twenty years of age and who is a Sergeant First Class and who never had more than an eighth grade education, I think he must have had something, and I am proud to say it, morally, what he got at home.

Liquor does not bother me, nor do I want to take it away from anyone who likes it. I have my opportunity to vote and I vote upon that question. Just because you like apple pie and I don't, why should I take it away from you? But the point is: You want to take it away from us now, the mothers and fathers who are raising children. Coming from where I come from, temperance is our leading word, and we teach our children

that. Are we going home now and tell our children, "We have nothing to do with you until you are twenty-one"? A young lady can marry at eighteen, but a gentleman can't; he must have his mother's and his father's consent.

There is something also that stinks to the high roof to me in this deal, to allow the laws of the State of Maine to be broken on New Year's Eve to put this across, and next they will want Christmas Eve. And the picture that was presented yesterday may be the symbol of the gentleman of our Lord standing beside a quart of liquor.

I say to you, members: I have been here and I have listened to these hearings, and I have seen women stand up here who have not a chick or a child and say what is for the welfare of the State of Maine. They don't know what it is.

My humble wife at home today has reared her children not even to pick up a bottle to sell it for two cents. We claim that jurisdiction is ours until they are eighteen.

Under our code of government today, our boys are taken away in the service at possibly eighteen or nineteen or down within two or three months because we do not have a compulsory military training program in this country of ours.

I say, members: Forget the liquor interests, forget the organizations who have their paid lobbyists here drawing more money than you and I are drawing, for a purpose and no other purpose. Because some children go astray, don't blame the rest of us. Give us credit for what we have done. As I say to you, it is an honor to me to think of my boy, twenty years of age, who is a Sergeant First Class in a mortar division, U.S. Infantry, Seventh Division, twenty years old, who never touched a drop of liquor. You take that away from the eighteen-year-olds: I say to you it is wrong. Liquor does not bother me, as I said to you. As far as I am concerned, have all you want. I am just a free American, going through America here today and away tomorrow. Do not take the right away from the mothers and fathers who are leading their children the right way. If the schools and our educational system are wrong, let's go back there, let's not

go back to their homes. Let the mother be happy that she does not have to tell her boy: "I am through with you when you are eighteen." I thank you.

The SPEAKER: The Chair recognizes the gentleman from Robbinston, Mr. Brown.

Mr. BROWN: Mr. Speaker, when the vote is taken I move you that it be by a division of the House.

The SPEAKER: The gentleman from Robbinston, Mr. Brown moves that when the vote is taken, it be by a division of the House.

The Chair recognizes the gentleman from Whitefield, Mr. Chase.

Mr. CHASE: Mr. Speaker and Members of the House: When I came up here I felt I had a duty to perform, and one of my greatest duties I feel is for the youth.

Now the gentleman who spoke before me, Mr. Farley, I believe, has just mentioned that you are taking away the rights of the fathers and mothers having the say over these children. Well, as I understand the law today, a child is a minor, at least a boy is, until he is twenty-one years of age.

Now there are a great many people in the State of Maine who had rather their children would not drink beer, but we have a law here in the State of Maine allowing a child at the age of eighteen to buy beer. I do not think that is very consistent. If I am the father of a boy and I do not want him to drink beer and I do not want him to buy it, the law says he can go into a store and buy beer. Some other father might want his boy to go in and get beer before he is twenty-one years of age. That is all right. But that same boy might go in and get beer and get in a car and be a menace to the rest of the boys.

It seems to me that we have a responsibility for these boys and girls under twenty-one years of age, and, if we have got to create a situation involving our children's welfare for the purpose of making a few dollars, I think it is a bad situation.

We have a financial responsibility insurance law now. The insurance companies have made a nationwide survey in regard to deaths and accidents in the United States,

and now any boy under twenty-five years of age has to pay an extra fee for liability insurance. That is pretty good proof to me that the boys are irresponsible until they become twenty-five years of age, and they are more irresponsible the nearer they get to the age of fifteen. If you set the borderline at twenty-one, the boys at twenty-one probably would mingle with the boys two or three years under their age, which would still be involving the boys down to about eighteen years of age, but if you put the borderline, as you do in this case, at eighteen years of age, you and I know that in the cities and in a good many places children play in gangs, so-called, and the leaders of these gangs are the boys of about the eighteen years, the older age group, and they might have children in that gang that might be eight or nine years of age or younger, and of course it is only natural that these boys of eighteen, or the older group, are proud to think they can go in and buy beer at eighteen years of age, so they go in and get the beer. This is when the parents are not around. And there is nothing to stop those boys from treating the younger children. I say: Let us bring this age up three years and keep it that much further away from children.

I run a grocery store and I sell beer, and I am not proud of the fact. The reason I got my license was because there was competition. But if I think I have got to make a dollar on the youth, I am ashamed of this Legislature if they go along with a proposition like this involving the youth of our State and uphold a law that permits the selling of beer to children under twenty-one years of age down to eighteen. Now they cannot go into our liquor stores and buy hard liquor at eighteen, so I do not see myself why we should lower the age to eighteen on beer. I thank you.

The SPEAKER: The Chair recognizes the gentleman from Elliot, Mr. Dow.

Mr. DOW: Mr. Speaker and Members of the House: I can go along pretty much with the gentleman from Biddeford, Mr. Farley.

I think his own standards are something to be commended and I think it is something we could all aspire to have if we haven't those standards in our home. Also, I can go along with him in regard to his coming down here with the thought of not changing any laws. To a certain extent I can go along with him on that, and he is to be commended on that point. But I always came here with the thought I had an open mind, and if the law that we had was not good I felt I would have a right to do anything I could to change it. We speak about the youngsters of eighteen, that we are taking their right away when we draft them or they enlist in the Service, and that we should give them the right to drink beer because of that. I do not think much of that. Frankly, we here are voting today, if we are parents, whether our children shall have beer at eighteen or twenty-one.

At the hearing, I noticed this in particular, that those who were opposed to this bill were people that were selling liquor or were interested directly or indirectly. Now if we take out the gain from selling liquor, I wonder how many would have been there at the hearing on behalf of the eighteen-year-old youngster?

One other thought, too, that I would like to present is this: Ordinarily mothers and dads are quite concerned about the rights of their children, and I noticed this in particular: There were hardly any mothers and dads there to speak for their children, that they still should have the right to buy beer at eighteen. What we are doing here now is taking the place of mothers and dads; if we are not mothers and dads we are taking their place in voting whether youngsters can have it at eighteen. Frankly, twenty-one is too young, but twenty-one is the age. I hope the majority report "Ought to pass" is accepted.

The SPEAKER: The Chair recognizes the gentleman from Bangor, Mr. Totman.

Mr. TOTMAN: Mr. Speaker and Ladies and Gentlemen of the House: I think it might be worthwhile to at least hear a few words from one of the younger members

of the House who approaches this eighteen or twenty-one years of age. We have heard from the older members, and now I wonder how the younger members look upon it.

When I was running for the Legislature in Bangor and shortly after I got my seat, I was sent a questionnaire by the Christian Civic League regarding my stand on the sale of liquor to young people eighteen years old. I did not answer that questionnaire, because I had the thought, and I had the thought until very recently, that a man who was old enough to fight for his country was old enough to drink. He is old enough to vote, as a matter of fact. But I think we ought to be realistic; I think you ought to stop and realize that if you are going to turn this bill down because you are afraid of taking the right away from the veteran—and the Lord knows in my experience in World War II there was too much drinking in the Army—I wouldn't worry about it. But for those, and they are also my constituents, who do feel quite strongly about taking the right away from veterans to drink, let's analyze it a minute. How many veterans are going to be in the State of Maine when they get to be eighteen? They are going to go down to either Fort Dix or Fort Sills or Fort Benning and a lot of them are going to Korea, and anything you do in this House is not going to affect to any great extent any veterans. It is going to affect by and large the girls in this State, and it is going to affect those folks who have a physical handicap and are not able to be in the Army at eighteen. So you are not discriminating against the veterans, at least in my opinion.

I also would like to call your attention to a statement that was made by a gentleman here not too long ago: "Isn't it true how many young people of sixteen or seventeen pass for eighteen?" And even if you raise it to twenty-one you are still going to have young folks who are eighteen still getting liquor, because it is pretty hard to tell sometimes, when a young man is eighteen or nineteen, how old he is. The proof of the matter is: How many times have they had to

send out of the Army a man after two or three years before they found out that a sergeant was only sixteen or seventeen years old? So it seems to me that with the limit of twenty-one there are still going to be a lot of young people who are going to buy it they are eighteen or nineteen years old, who, because of their size or appearance, look to be twenty-one, and I think, if you leave it at eighteen you are going to have too many sixteen or seventeen-year-olds buying beer. I repeat, in summary, I certainly do not think this bill is going to hit the veterans.

The SPEAKER: The Chair recognizes the gentleman from Blaine, Mr. Bubar.

Mr. BUBAR: Mr. Speaker, I think the question simmers down to this, and this is all I want to say: We are the only law-making body in the State of Maine, and we are here to pass laws that will make the State of Maine the most desirable State in the Union in which to live. Now the question is: Shall we make it easy for our boys to go right or shall we make it difficult for them to go right?

Every court has its child, we might put it, delinquency problem which they are fighting. Now I contend the only question that we men who are here and who were sent here to make laws, to govern the State of Maine—and the young men cannot come here to defend themselves—shall we make it easy for them to do right or shall we make it hard? That is the question.

As far as I am concerned, I am going to make it difficult for any boy to go wrong. We brought up six children, and that was our plan from the beginning. Now when we made a decision we always talked it over together, and we said: Is this going to make it easy or hard for Benjamin or Joe to go right? And that is the question here this morning. Thank you.

The SPEAKER: The Chair recognizes the gentleman from Falmouth, Mr. Dow.

Mr. DOW: I rise to a point of order, Mr. Speaker.

The SPEAKER: The gentleman may state his point.

Mr. DOW: Mr. Speaker, I hope all the members, particularly the

new members, will read carefully Rule No. 15 on Page 42.

The SPEAKER: Will the gentleman please state his point of order?

Mr. DOW: The point of order is, Mr. Speaker, that under our rules all members are required to speak from their seats unless they have permission from the Speaker.

The SPEAKER: The Chair will inform the gentleman from Falmouth, Mr. Dow, that the point is not well taken at this time. Had the gentleman raised the point when the gentleman from Bangor, Mr. Totman, was out of order, the Chair would have ruled at that time.

Now, for the benefit of the other members and the new members, the Chair would like to read the rule. Rule 15 of the House, found on page 42 of the Register: "No member shall speak out of his place without leave from the Chair, nor without first rising and addressing the Speaker; and he shall sit down as soon as he has done speaking."

The Chair would hesitate to grant permission at any time to any gentleman to leave his seat.

The Chair recognizes the gentleman from Bridgton, Mr. March.

Mr. MARCH: In my opinion, Mr. Speaker, there are valid arguments on both sides. We of the Liquor Committee weighed them very carefully. One of the strongest points I found in making my decision that this bill ought to pass is the remark that the gentleman from Bangor, Mr. Totman, has made. If the limit is twenty-one, it will shift back to a little extent to eighteen, nineteen and twenty. If it is eighteen, it will shift back to sixteen and seventeen. If we can keep those young men a few years longer until they have a little more responsibility in their personality, we will have accomplished something. I think the balance weighs in favor of ought to pass on this bill.

The SPEAKER: The question before the House is on the motion of the gentleman from Bridgton, Mr. March, that the House accept the majority "Ought to pass" report of the committee on Bill "An Act relating to Sales of Liquor to Minors." The gentleman from Robbinston,

Mr. Brown, moves that when the vote is taken it be taken by division. Is the House ready for the question?

A division of the House was had.

The SPEAKER: Ninety-four having voted in the affirmative and thirty-three having voted in the negative, ninety-four being more than two-thirds of the members present, the motion prevails.

Thereupon, the majority "Ought to pass" report was accepted and the bill, having already been printed, was given its two several readings under suspension of the rules and was assigned for third reading tomorrow morning.

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

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

Mr. CHASE: Mr. Speaker, I ask unanimous consent to address the House on a matter of procedure.

The SPEAKER: The gentleman from Cape Elizabeth, Mr. Chase, requests unanimous consent to address the House on a matter of procedure. Is there any objection?

The Chair hears none and the gentleman may proceed.

Mr. CHASE: Mr. Speaker, there are eighteen matters on the House Calendar now unassigned.

I should like to give notice of my intention, when the number of unassigned matters shall have reached twenty, to introduce an order calling for the disposition of unassigned matters on some one day each week. This will not apply to matters for which a date for consideration is assigned. If these matters can be assigned or otherwise disposed of, it seems to me that the twenty will allow sufficient latitude.

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

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

On motion of Mr. Chase of Cape Elizabeth,

Adjourned until 10:00 o'clock tomorrow morning.