

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

Tuesday, March 6, 1951

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

Prayer by the Rev. Mr. Laforrest Hodgkins of Bath.

The Members stood at attention during the playing of the National Anthem.

The journal of the previous session was read and approved.

Papers From the Senate

From the Senate:

Bill "An Act relating to Counter-signature Fees" (S. P. 426) (L. D. 990)

Bill "An Act Concerning the Qualifications of Fire and Casualty Insurance Agents and Brokers" (S. P. 427) (L. D. 991)

Bill "An Act Concerning Coercion in the Placing of Insurance on Real Estate or Personal Property" (S. P. 428) (L. D. 992)

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 Definition of Private Road in Right of Way at Entrances Thereof" (S. P. 431) (L. D. 994)

Resolve Naming the Guy H. Hall Memorial Bridge at Dexter (S. P. 430) (L. D. 993)

Came from the Senate referred to the Committee on Highways.

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

From the Senate:

Bill "An Act relating to Closed Time on Deer in Certain Counties" (S. P. 432) (L. D. 995)

Bill "An Act relating to Open Season on Deer" (S. P. 433) (L. D. 996)

Bill "An Act relating to Closed Time on Deer in Certain Counties" (S. P. 434) (L. D. 997)

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 Tax Lien Law" (S. P. 435) (L. D. 998)

Resolve Authorizing Completion and Printing of a Digest of the Opinions of the Law Court (S. P. 436) (L. D. 999)

Bill "An Act relating to Uniform Reciprocal Enforcement of Support Act" (S. P. 437) (L. D. 1000)

Bill "An Act relating to Fees of Registers of Probate" (S. P. 438) (L. D. 100)

Bill "An Act relating to Disclosure Commissioners" (S. P. 439) (L. D. 1002)

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 Creating the Eastport Public Landing Authority" (S. P. 440) (L. D. 1003)

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 Boats for Hire on Inland Waters" (S. P. 392) (L. D. 1010)

Came from the Senate referred to the Committee on Natural Resources.

In the House, referred to the Committee on Natural Resources in concurrence.

From the Senate:

Bill "An Act relating to Private Carriers in Operating Motor Trucks for Hire" (S. P. 441) (L. D. 1004)

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

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

From the Senate:

Bill "An Act Regulating Use of Trawls in Washington County" (S. P. 442) (L. D. 1005)

Bill "An Act relating to Qualifications for Lobster Licenses for Veterans" (S. P. 443) (L. D. 1006)

Came from the Senate referred to the Committee on Sea and Shore Fisheries.

In the House, referred to the Committee on Sea and Shore Fisheries in concurrence.

From the Senate:

Bill "An Act relating to Interest of Unorganized and Organized Townships Funds" (S. P. 444) (L. D. 1007)

Bill "An Act Increasing Salaries of Oxford County Officers and Clerk Hire" (S. P. 445) (L. D. 1008)

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.

From the Senate:

Bill "An Act relating to Registration Plates for Junk Dealers" (S. P. 446) (L. D. 1009)

Came from the Senate referred to the Committee on Transportation.

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

From the Senate:

Resolve Providing for State Pension for Leslie McGee, of Randolph (S. P. 462)

Resolve Providing for an Increase in State Pension for Mary Alice Grant, of Greenville (S. P. 463)

Resolve Providing for an Increase in State Pension for Oliver Lovejoy, of Rockland (S. P. 464)

Came from the Senate referred to the Committee on Welfare.

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

Senate Reports of Committees Leave to Withdraw

Report of the Committee on Legal Affairs on Bill "An Act Permitting Trustees of Robert W. Traip Academy to Issue Bonds" (S. P. 168) (L. D. 340) reporting Leave to Withdraw.

Came from the Senate read and accepted.

In the House, read and accepted in concurrence.

Ought Not to Pass

Report of the Committee on Education reporting "Ought not to

pass" on Bill "An Act Relating to School Tuition for Children Living in Charitable Institutions" (S. P. 145) (L. D. 265)

Report of the Committee on Judiciary reporting same on Bill "An Act Limiting Trustee of Wages" (S. P. 162) (L. D. 337)

Came from the Senate read and accepted.

In the House, read and accepted in concurrence.

Ought to Pass

Report of the Committee on Agriculture reporting "Ought to pass" on Bill "An Act relating to Certified Seed" (S. P. 23) (L. D. 13)

Report of the Committee on Business Legislation reporting same on Bill "An Act relating to the Development Credit Corporation of Maine" (S. P. 267) (L. D. 606)

Report of the Committee on Education reporting same on Bill "An Act relating to State Aid to Certain Educational Institutions" (S. P. 95) (L. D. 150)

Report of the Committee on Judiciary reporting same on Bill "An Act relating to Joint Tenancies in Corporate Securities" (S. P. 148) (L. D. 268)

Report of the Committee on Towns and Counties reporting same on Bill "An Act relating to Salary of Council in City of South Portland" (S. P. 71) (L. D. 77)

Report of the same Committee reporting same on Resolve Proposing an Amendment to the Constitution to Liberalize Limitation of Municipal Indebtedness (S. P. 69) (L. D. 75)

Report of the same Committee reporting same on Bill "An Act relating to Salaries of Members of Council of the City of Rockland" (S. P. 289) (L. D. 628)

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

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

Ought to Pass with Committee Amendment

Report of the Committee on Inland Fisheries and Game on Re-

solve Regulating Fishing in Upper Dam Pool, County of Oxford (S. P. 184) (L. D. 393) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

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

In the House, Report was read and accepted in concurrence and the Resolve read once.

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

COMMITTEE AMENDMENT "A"
to S. P. 184, L. D. 393, Resolve Regulating Fishing in Upper Dam Pool, County of Oxford.

Amend said Resolve by striking out, in the 5th line thereof, the words and figures "and salmon 14 inches."

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

Tabled and Assigned

Report of the Committee on Towns and Counties on Bill "An Act relating to Vacations for Members of the Fire Department of the City of Lewiston" (S. P. 123) (L. D. 212) 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, on motion of Mr. Jalbert of Lewiston, the Report with accompanying papers was tabled pending acceptance in concurrence and specially assigned for Thursday, March 15th.

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

Non-Concurrent Matter Tabled

Bill "An Act relating to Greely Institute" (H. P. 1070) (L. D. 604) which was indefinitely postponed in the House on February 13th.

Came from the Senate passed to be engrossed in non-concurrence.

In the House:

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

Mr. DOW: Mr. Speaker and Members of the House: This comes as a committee redraft which is not acceptable to the voters of the Town of Cumberland, and it is not acceptable to even a majority of the trustees.

I move to insist and ask for a committee of conference.

The SPEAKER: The gentleman from Falmouth, Mr. Dow, moves that the House insist on its previous action and ask for a Committee of Conference.

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

Mr. BURKETT: This bill, Mr. Speaker and Members, has no interest for anyone outside of the Town of Cumberland, but I do think that we ought to know something about it before we kick it out entirely.

Some years ago, a man named Eliphalet Greeley, living in Cumberland, left what would then represent quite a sum of money to form an institute in the town which would be used as a high school for the town.

In 1913 they all came down to the Legislature and had a special act passed which created a board of trustees to handle this situation, and at that time the act, which is L. D. 604, provided that the board of trustees should consist of seven members, and of this number the selectmen of the town of Cumberland and each of them shall always be members. This, as I understand, would leave a chance for four trustees who are not selectmen. They operated under that until within a year or two when the town of Cumberland comes down and gets its board of selectmen increased from three to five, so that with only seven members authorized as trustees and all five of the selectmen are going to be on the board, it leaves a chance for only two members who are not selectmen. That did not seem to be the proper solution of it, so they brought this bill down to the Legislature, trying to straighten out

the situation to everybody's satisfaction.

The committee heard both sides of the argument and felt that it was proper to fix the situation so that it would be in line with the obvious intention of the trustees when the act was passed and the board was set up. In view of that, this new draft which you have before you provides that the board shall consist of seven members and of this number three members of the board of selectmen, chosen by the board from its own members, shall always be members of the board of trustees. That gives an opportunity for the five-member board of selectmen to pick out three and leave a chance for four trustees, as was set up under the original act, to continue to operate the school.

Apparently there is some feeling in the town between the selectmen and the trustees who are not members of the board; but it seemed to the committee, unanimously, that something should be done to straighten out the situation, in view of the fact there is a possibility the trustees may want to borrow some money, they may want to buy a new building, and if they have not got an act which definitely decides how the trustees are to be chosen and the number, they are going to be in serious trouble some day.

As I say, there is no interest in the thing outside of the town of Cumberland, but I do not think that this redraft should be kicked out without some further discussion. I hope the motion of the gentleman from Falmouth, Mr. Dow, does not prevail.

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

MR. DOW: Mr. Speaker and Members of the House: I had not thought that this was of sufficient importance to take up the time here with it, but I am perfectly willing to do so.

Two years ago, the town of Cumberland increased the number of selectmen from three to five. One year ago there was an article inserted in the warrant to get the wishes of the town: "To see if it is the wish of the Town of Cumberland that the selectmen of the Town of Cumberland and each of

them during their term of office, shall always be members of the board of trustees of Greely Institute." That was passed by vote of the town but simply showed their wishes. Then, in December, the board of trustees of Greely Institute—and by the way we have an anomalous situation anyway; there are two boards of trustees.

Eliphalet Greeley left forty thousand dollars to build and endow an institute, and after his death his widow donated four acres of land. \$20,000 of the original bequest was for the building, \$20,000 for an endowment, and the will provided that the selectmen of the Town of Cumberland should be trustees of the Eliphalet Greeley fund. They still are.

In 1913 certain individuals, by an act of the Legislature, had themselves incorporated as the trustees of Greely Institute, so we have two boards of trustees.

At that time they were supposed to carry on the affairs of the institute, hire teachers and so forth, and they hoped to accumulate an endowment fund of some size. The Greely Institute at present is Greely Institute in name only; it is operated as a town high school.

The trustees of Greely Institute, who were opposed to this change, are trustees of funds amounting at the present time to \$13,286. The total income reported last year from that fund in the Cumberland town report was \$328.04. Of that amount, they pay their treasurer \$200, so you can see how much is left for the institute.

The taxpayers of the town of Cumberland wanted it changed. The majority of the board of trustees wanted it changed. The minority of the board of trustees do not want the change. In December, even the board of trustees, by a majority vote, instructed the president of the board of trustees to prepare this bill which they asked me to present to the Legislature. The president of the board appointed three men who were members of the board of selectmen, Glendon B. Doane, Stanwood H. Cook and Earle A. Woodbury. They signed this petition to me as trustees of Greely Institute; they signed also as selectmen of Cumber-

land. I had a right to assume that it was the unanimous wish of the people. I still think it is the unanimous wish of the taxpayers. They appropriate the bulk of the approximately \$40,000 for the support of the Institute each year, and the funds which these opponents represent, according to the town report, is a hundred and some odd dollars that they contribute toward the \$40,000. The taxpayers feel that they should control the institute without interference from an anomalous board of trustees. Thank you.

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

Mr. MARTIN: Mr. Speaker and Members of the House; I hate to take issue with the gentleman from Falmouth, Mr. Dow, but I do think the situation needs further clarification.

Under the old will of Mr. Greeley, which was made during the time the town had three selectmen, I believe, it was very evident that it was his desire that the three selectmen serve on the board of trustees. Then they came to the Legislature in 1913, and since that time Greeley Institute has been operating with four trustees and three of the selectmen. The committee's feeling was that if the town, two years ago, raised the number of selectmen from three to five that there would be nothing to stop the town two years later from raising the number from five to seven, and, if they did that, it is evident to see that by doing that there would be nobody except selectmen upon the board of trustees. We felt, in view of the precedent started in 1913, and in view of the donor's request in his will, that the thing should be settled once and for all, and it was for this reason that the committee report established that there should be three selectmen chosen from the five and the board of four trustees chosen by other means.

I hope the motion of the gentleman from Falmouth (Mr. Dow) does not prevail.

The SPEAKER: The question before the House is on the motion of the gentleman from Falmouth, Mr. Dow, that on Bill "An Act re-

lating to Greeley Institute" (H. P. 1070) (L. D. 604) which was indefinitely postponed in the House on February the 15th and passed to be engrossed in the Senate in non-concurrence, the House insist and ask for a committee of conference. Is the House ready for the question?

All those in favor of the motion of the gentleman from Falmouth, Mr. Dow, that the House insist and ask for a committee of conference will say aye; those opposed will say no.

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

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

Thereupon, on motion of Mr. Dow of Falmouth, the Bill was tabled pending further consideration.

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:

Agriculture

Bill "An Act relating to Showing of Cattle at Fairs" (H. P. 1507) (Presented by Mr. Center of Standish)

(Ordered Printed)

Bill "An Act relating to Licensing Cats" (H. P. 1508) (Presented by Mr. Dickey of Brooks by request)

(Ordered Printed)

Sent up for concurrence.

Appropriations and Financial Affairs

Bill "An Act relating to the Publishing of State Notices" (H. P. 1509) (Presented by Mr. Stevens of Boothbay)

(Ordered Printed)

Resolve Appropriating Moneys for Compilation of Certain Decisions of Supreme Judicial Court (H. P. 1510) (Presented by Mr. Burkett of Portland by request)

(Ordered Printed)

Resolve in favor of Hampden Academy (H. P. 1511) (Presented by Mr. Nowell of Hermon)

(Ordered Printed)

Sent up for concurrence.

Business Legislation

Bill "An Act Providing for Merger of Domestic Mutual Insurance Companies" (H. P. 1512) (Presented by Mr. Davis of Harrison)
(Ordered Printed)

Bill "An Act relating to Change of Purposes of Domestic Mutual Insurance Companies" (H. P. 1513) (Presented by same gentleman)
(Ordered Printed)

Bill "An Act relating to Loan and Building Associations" (H. P. 1514) (Presented by Mr. Finnegan of Bangor)

(Ordered Printed)

Sent up for concurrence.

Claims

Resolve in favor of Charles Boynton of Calais (H. P. 1515) (Presented by Mr. Brown of Baileyville)

Resolve in favor of Claude Boyington, of Prentiss Plantation (H. P. 1516) (Presented by Mr. Cobb of Lee by request)

Resolve Reimbursing Ira B. Hagen, of Ellsworth Falls, for Storage of State Highway Equipment (H. P. 1517) (Presented by Mr. Dunham of Ellsworth)

Resolve Reimbursing the Town of Solon for Certain Hospital Expenses (H. P. 1518) (Presented by Mr. Fogg of Madison)

Resolve to Reimburse the Town of Solon for Pauper Expenses (H. P. 1519) (Presented by same gentleman)

Resolve Reimbursing the Town of Clinton for Support of the Family of Frank S. Smith (H. P. 1520) (Presented by Mr. Keene of Clinton)

Resolve to Compensate Edwin Blanche of Augusta for Personal Injuries (H. P. 1521) (Presented by Mr. Martin of Augusta)

Resolve Reimbursing the Town of Litchfield for Burial Expenses of Herbert Thurston (H. P. 1522) (Presented by Mr. Maxwell of Winthrop)

Resolve to Reimburse Freeport Grain Company for Damage Done by Escapee (H. P. 1523) (Presented by Mr. Patterson of Freeport)

Sent up for concurrence.

Education

Bill "An Act relating to Superintending School Committee" (H. P.

1524) (Presented by Mr. Chase of Whitefield)

(Ordered Printed)

Bill "An Act relating to Academies" (H. P. 1525) (Presented by Mr. Dickey of Brooks)

(Ordered Printed)

Resolve in favor of Foxcroft Academy (H. P. 1526) (Presented by Mr. Hayes of Dover-Foxcroft)

Resolve in favor of Limington Academy (H. P. 1527) (Presented by Mr. Leavitt of Parsonfield)

Sent up for concurrence.

Highways

Bill "An Act relating to Installations in Public Highways" (H. P. 1528) (Presented by Mr. Bailey of Woolwich)

(Ordered Printed)

Bill "An Act relating to Entrances to Highways" (H. P. 1529) (Presented by Mr. Burgess of Limestone)
(Ordered Printed)

Bill "An Act relating to Penalty for Dumping Waste Material in Public Ways" (H. P. 1530) (Presented by Mr. Edwards of Raymond)
(Ordered Printed)

Bill "An Act relating to Clearance Markings on Railroad and State Highway Overpasses" (H. P. 1531) (Presented by Mr. Senter of Brunswick)

(Ordered Printed)

Sent down for concurrence.

Inland Fisheries and Game

Bill "An Act relating to Crop and Orchard Damage by Protected Wild Animals" (H. P. 1532) (Presented by Mr. Chase of Whitefield)

(Ordered Printed)

Bill "An Act relating to Junior Guides" (H. P. 1533) (Presented by Mr. Senter of Brunswick)

(Ordered Printed)

Resolve relating to Closed Season for White Perch in Echo Lake, Kennebec County (H. P. 1534) (Presented by Mr. Brown of Wayne)

(Ordered Printed)

Resolve Regulating Fishing in Certain Waters in Franklin County (H. P. 1535) (Presented by Mr. Carville of Eustis)

(Ordered Printed)

Resolve Providing for a Fish Screen on Scott's Brook, Washington County (H. P. 1536) (Presented by Mr. Dennison of East Machias)

(Ordered Printed)

Resolve Providing for a Fish Screen at the Outlet of Gardner's Lake at Chase's Mills, in East Machias, Washington County (H. P. 1537) (Presented by same gentleman)

(Ordered Printed)

Resolve Regulating Fishing in Province Lake, York County (H. P. 1538) (Presented by Mr. Frechette of Sanford)

(Ordered Printed)

Resolve Providing for a Fish Screen at Outlet of Little Rattlesnake Pond in Town of Raymond, Cumberland County (H. P. 1539) (Presented by Mr. Knapp of Yarmouth)

(Ordered Printed)

Resolve Regulating Fishing in Red River and Birch River (H. P. 1540) (Presented by Mr. Martin of Eagle Lake)

(Ordered Printed)

Resolve Limiting the Catch of Trout or Salmon in Adams Pond in the Town of Boothbay (H. P. 1541) (Presented by Mr. Stevens of Boothbay)

(Ordered Printed)

Sent up for concurrence.

Judiciary

Bill "An Act relating to Evidence of Offenses Before Grand Jury" (H. P. 1542) (Presented by Mr. Burkett of Portland by request)

(Ordered Printed)

Bill "An Act relative to Revision and Publication of Municipal Ordinances" (H. P. 1543) (Presented by same gentleman)

(Ordered Printed)

Bill "An Act to Remove Employees' Trusts from the Operation of the Rule Against Perpetuities and Against Accumulations" (H. P. 1544) (Presented by Mr. Chase of Cape Elizabeth)

(Ordered Printed)

Bill "An Act relative to the Dismissal of Conservators" (H. P. 1545) (Presented by Mr. Fuller of Bangor)

(Ordered Printed)

Bill "An Act relating to Notifying County Attorneys and Sheriffs After Shooting a Human Being" (H. P. 1546) (Presented by Mr. Harding of Rockland)

(Ordered Printed)

Bill "An Act relating to Certificates of Devises of Real Estate Filed by a Register of Probate with the

Register of Deeds" (H. P. 1547) (Presented by Mr. Low of Rockland)

(Ordered Printed)

Resolve in favor of Laura B. Sanborn, of Kent's Hill (H. P. 1548) (Presented by Mr. Brown of Wayne)

(Ordered Printed)

Sent up for concurrence.

Labor

Bill "An Act relating to Duty of Department of Labor and Industry Concerning Certain Places" (H. P. 1549) (Presented by Mr. Senter of Brunswick)

(Ordered Printed)

Sent up for concurrence.

Legal Affairs

Resolve Authorizing Board of Veterinary Surgeons to Issue License to Charles Bessey of Freedom (H. P. 1550) (Presented by Mr. Cole of Liberty by request)

(Ordered Printed)

Sent up for concurrence.

Natural Resources

Bill "An Act relating to Supervision and Control of Certain State Lands" (H. P. 1551) (Presented by Mr. Brown of Wayne)

(Ordered Printed)

Sent up for concurrence.

Public Health

Bill "An Act relating to Analysis of Water" (H. P. 1552) (Presented by Mr. Martin of Augusta)

(Ordered Printed)

Sent up for concurrence.

Public Utilities

Bill "An Act relating to Smoking in Buses" (H. P. 1553) (Presented by Mr. Maxwell of Winthrop)

(Ordered Printed)

Sent up for concurrence.

Towns and Counties

Bill "An Act relating to Time of Registration of Voters in Towns" (H. P. 1554) (Presented by Mr. Center of Standish)

(Ordered Printed)

Bill "An Act relating to Publishing Vital Statistics in Town Reports" (H. P. 1555) (Presented by Mr. Chase of Whitefield by request)

(Ordered Printed)

Sent up for concurrence.

Welfare

Resolve Providing for an Increase in State Pension for Howard Hatch, of Kennebunk (H. P. 1556) (Presented by Mrs. Hanson of Lebanon)

Resolve Providing for an Increase in State Pension for Ethelyne M. Stewart, of Clinton (H. P. 1557) (Presented by Mr. Keene of Clinton)

Resolve Providing for an Increase in State Pension for Arthur Wesley Hunt, of Clinton (H. P. 1558) (Presented by same gentleman)

Sent up for concurrence.

Orders

On motion of Mr. Kelly of Rumford, it was

ORDERED, that Rev. Kenneth S. Hatch of Mexico, be invited to officiate as Chaplain of the House on Friday, March 23, 1951.

On motion of Mr. March of Bridgton, it was

ORDERED, that Rev. Irving Munroe of Bridgton, be invited to officiate as Chaplain of the House on Wednesday, April 4, 1951.

On motion of Mr. Jalbert of Lewiston, it was

ORDERED, that this House extend to Hon. Ernest Malenfant, member of the House of the 93rd and 94th Legislatures, its hearty congratulations and best wishes on his election to the office of Mayor of Lewiston.

House Reports of Committees Ought to Pass Printed Bills

Mr. Carville from the Committee on Inland Fisheries and Game reported "Ought to pass" on Resolve relating to Flagstaff Pond in the County of Somerset (H. P. 635) (L. D. 382)

Mr. Plummer from same Committee reported same on Bill "An Act relating to Reciprocal Fishing Licenses with New Hampshire" (H. P. 1162) (L. D. 685)

Mr. Watson from same Committee reported same on Resolve Regulating Fishing in Grace Pond in Enchanted Township (H. P. 194) (L. D. 116)

Mr. Stewart from the Committee on Legal Affairs reported same on

Bill "An Act to Amend the Charter of the City of Presque Isle" (H. P. 1057) (L. D. 637)

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

Ought to Pass with Committee Amendment

Mr. Carville from the Committee on Inland Fisheries and Game on Resolve Regulating Fishing in Flagstaff Lake, Somerset County (H. P. 636) (L. D. 357) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

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

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

COMMITTEE AMENDMENT "A" to H. P. 636, L. D. 357, Resolve Regulating Fishing in Flagstaff Lake, Somerset County.

Amend said Resolve by striking out, in the title thereof, the comma after the word "Lake" and inserting in place thereof the word 'in' and by striking out the word "County" and inserting in place thereof the words 'and Franklin Counties'.

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

Tabled and Assigned

Mr. Dennison from the Committee on Inland Fisheries and Game on Bill "An Act Assenting to Act of Congress relating to Fish Restoration and Management Projects" (H. P. 525) (L. D. 287) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read.

(On motion of Mr. Chase of Cape Elizabeth, the Report with accompanying papers was tabled pending acceptance and specially assigned for tomorrow morning.)

Mr. Martin from the Committee on Legal Affairs on Bill "An Act to Incorporate the Town of Bar Harbor School District" (H. P. 647) (L.

D. 387) 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. 647, L. D. 387, Bill, "An Act to Incorporate the Town of Bar Harbor School District."

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

Emergency preamble. Whereas, the present buildings which house the schools of the Town of Bar Harbor are overcrowded, inadequate and unsafe; and

Whereas, it is imperative that action be taken at the earliest possible moment to relieve these conditions; and

Whereas the overcrowded and antiquated conditions of the schools are detrimental to the public health and safety; and

Whereas new building construction is vitally necessary; and

Whereas the borrowing capacity of said Town will not allow it to borrow sufficient funds for necessary construction and equipment; and

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

Further amend said bill by deleting from Sec. 1, 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 in Sec. 4, in the fifth line the figures "\$662,000" and inserting therein the figures "\$400,000"

Further amend said bill by striking out Section 9, and inserting in place thereof the following:

'Sec. 9. **Emergency clause; effective date; referendum.** In view of

the emergency cited in the preamble, this act shall take effect when approved, only for the purpose of permitting its submission to the legal voters of the town of Bar Harbor at any regular or special town meeting called and held for the purpose not later than 8 months after the approval of this act. Such special election shall be called, advertised and conducted according to law relating to municipal elections; provided, however, that the board of registration in said town of Bar Harbor shall not be required to prepare for posting, nor the town clerk to post, a new list of voters, and for the purpose of registration of voters, said board shall be in session the 3 secular days next preceding such special meeting, the 1st and 2nd days thereof to be devoted to the registration of voters and the 3rd day to enable the board to verify the corrections of said list and to complete and close up their records of said sessions. The town clerk shall prepare the required ballots on which he shall reduce the subject matter of this act to the following question: "Shall the act to Incorporate the Town of Bar Harbor School District be accepted?" and the voters shall indicate by a cross or check mark placed over the words "Yes" and "No" their opinion of the same. This act shall take effect for all the purposes hereof immediately upon its acceptance by a majority of the legal voters voting at said meeting; provided that the total number of votes cast for and against the acceptance of this act at said meeting equals or exceeds 20% of the total vote for all candidates for governor in said district at the previous gubernatorial election. The result in said district shall be declared by the municipal officers of the town of Bar Harbor, and due certificate filed by the town clerk with the secretary of state.

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

Mr. **MARTIN**: Mr. Speaker, is it proper at this time to explain this amendment in connection with others?

The **SPEAKER**: The Chair will state that the report is under discussion, and the gentleman may

proceed to discuss anything in the amendment.

Mr. MARTIN: Mr. Speaker and Members of the House: The Legal Affairs Committee this year has had a number of school bills and a number of emergencies. As you have probably noticed, your desks have been flooded with amendments. Now when the bills originally came into the Legal Affairs Committee, those with emergencies on them had the clause in the last section that it had to be voted on within four months. Now we have found in the past that bonding companies sometimes differ with the Legislature as to whether there is an emergency, and, because of this fact and the delay in determining it, it has often meant that the town has to come back to the Legal Affairs Committee or to the Legislature another year to get another act. We have, therefore, in all emergency bills, increased the time limit whereby the act may be accepted from four months to eight months. Thus, if the bonding companies find that there is not an emergency, the town can then proceed under the last section of the act to vote it as an ordinary measure.

I would like to call your attention to one other phrase. It seems that in all the bills there is a phrase that says that for the purpose of completing, grading, furnishing and so forth, the school district may use the funds for the benefit of any other schools in the town. On good authority, we have had it pointed out, and we believe it to be so, that when you create a school district the funds which you obtain from the bonds must be used for that district and not for other schools outside the district. Therefore we have deleted this clause from all the bills.

The other feature is that this committee has tried as near as possible to keep the amount to be borrowed at a figure of around ten per cent.

I think that is all that I have to say.

The SPEAKER: The question before the House is on the adoption of Committee Amendment "A". Is it the pleasure of the House to adopt Committee Amendment "A"?

The motion prevailed, and Committee Amendment "A" was adopted and the Bill as amended was tomorrow assigned for third reading.

**Passed to be Engrossed
Tabled**

Bill "An Act relating to Retail Store Liquor License in Unincorporated Places" (S. P. 84) (L. D. 111)

Was reported by the Committee on Bills in the Third Reading.

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

Mr. MARCH: Mr. Speaker, I am informed that the Senate has re-committed this bill and I, therefore, would like to move that it be tabled pending clarification.

The SPEAKER: The gentleman from Bridgton, Mr. March, moves that Item 1, Bill "An Act relating to Retail Store Liquor License in Unincorporated Places" lie on the table pending third reading. Is this the pleasure of the House?

The motion prevailed and the Bill was tabled pending third reading.

Tabled

Bill "An Act to Apportion Representatives to Congress" (S. P. 386) (L. D. 912)

Was reported by the Committee on Bills in the third reading.

(On motion of Mr. Harding of Rockland, tabled pending third reading.)

Bill "An Act relating to Tuition High School Pupils in Mechanic Falls" (H. P. 453) (L. D. 280)

Bill "An Act relating to Qualifications for Admission to Practice Law" (H. P. 638) (L. D. 359)

Bill "An Act relating to the Reporter of Decisions" (H. P. 639) (L. D. 360)

Bill "An Act relating to Northern Maine General Hospital of Eagle Lake" (H. P. 741) (L. D. 427)

Bill "An Act relating to Eastern Maine Orphans' Home" (H. P. 746) (L. D. 438)

Bill "An Act Repealing the Incorporation of the City of Old Town Municipal Building District" (H. P. 752) (L. D. 441)

Bill "An Act Repealing the Incorporation of the City of Old

Town High School District" (H. P. 753) (L. D. 442)

Bill "An Act to Incorporate the Kingfield Water District" (H. P. 757) (L. D. 446)

Bill "An Act relating to Membership in State Board of Education" (H. P. 816) (L. D. 479)

Bill "An Act relating to Licenses of Buildings for Dancing Purposes" (H. P. 1020) (L. D. 599)

Bill "An Act Amending the Charter of the Town of Bar Harbor" (H. P. 1059) (L. D. 639)

Bill "An Act Amending the Charter of the Waterville Sewerage District" (H. P. 1060) (L. D. 640)

Bill "An Act to Incorporate the Kennebunk Light and Power District" (H. P. 1128) (L. D. 713)

Bill "An Act Amending the Auburn Sewerage District" (H. P. 1505) (L. D. 1058)

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

Tabled and Assigned

Bill "An Act relating to Equal Pay for Women Teachers" (H. P. 1506) (L. D. 1059)

Was reported by the Committee on Bills in the Third Reading.

The SPEAKER: The Chair recognizes the gentleman from Limestone, Mr. Burgess.

Mr. BURGESS: Mr. Speaker and Members of the House: This is one of the most far-reaching and, perhaps, least understood bills that we have had before the Legislature up to this date.

Now, personally, I believe that it is basically wrong for the Legislature to attempt to tell the cities and towns throughout the State of Maine what they must pay for teachers.

Secondly, I believe that it is very politically unsound at this stage of the game for us to enact a major measure which would cost the cities and towns throughout the State of Maine eventually a million dollars annually before we have accomplished the major issue of this session and that is to relieve the towns of their property tax.

Our faces, it would seem to me, would be kind of red if, before this session is over, at the closing days of this session, we found that we

had not accomplished anything in the way of widening or broadening our tax base and have to fall back on increasing our mill tax. Now if we enact a measure of this kind it would cost the cities and towns, as I said, a million dollars annually.

Now, not wishing to see this measure indefinitely postponed at this time, I am going to make a motion and I want to state very clearly that the motion I am about to make is debatable and I am making that type of motion for that purpose because the bill is of major importance.

Therefore, Mr. Speaker, I move you that this bill be postponed to a date certain and that that date be March, the 28th.

The SPEAKER: The question before the House is on the motion of the gentleman from Limestone, Mr. Burgess, that Bill "An Act relating to Equal Pay for Women Teachers" be postponed to a date certain, March 28th.

The Chair recognizes the gentleman from Orono, Mr. Bates.

Mr. BATES: Mr. Speaker, I rise to support the motion of the gentleman from Limestone, Mr. Burgess, for the reasons which he has outlined and on the date assigned, March 28th, we will plan to discuss the bill from every angle.

The SPEAKER: The question before the House is on the motion of the gentleman from Limestone, Mr. Burgess, that Item 17, Bill "An Act relating to Equal Pay for Women Teachers" lie on the table pending third reading and be specially assigned for Wednesday, March 28th. Is this the pleasure of the House?

The motion prevailed and the bill was tabled pending third reading and specially assigned for Wednesday, March 28th.

Resolve Authorizing the State Tax Assessor to Convey by Sale Certain Interest of the State in Land with Buildings Thereon in Newcastle, in the County of Lincoln (H. P. 242) (L. D. 136)

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

Tabled

Resolve Authorizing the State Tax Assessor to Convey by Sale

Certain Interest of the State in Lands in the Unorganized Territory (H. P. 1503) (L. D. 106)

Was reported by the Committee on Bills in the Third Reading, and read the second time.

(On motion of Mr. Patterson of Freeport, tabled pending passage to be engrossed.)

Amended Bills

Bill "An Act relative to Game Preserve on Monroe Island" (H. P. 315) (L. D. 173)

Bill "An Act to Incorporate the Chelsea Water District" (H. P. 329) (L. D. 189)

Bill "An Act relating to Sales of Property in Lien Cases" (H. P. 533) (L. D. 302)

Bill "An Act relating to the Salary of the Register of Deeds in Cumberland County" (H. P. 763) (L. D. 450)

Bill "An Act Creating the Town of Albion School District" (H. P. 1058) (L. D. 638)

Were 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.

Orders of the Day

The SPEAKER: Is it the pleasure of the House to take up, out of order and under suspension of the rules, a paper just received from the Senate? The Chair hears no objection and the Clerk will read the order.

ORDERED, the House concurring, that Senate Paper 173, Legislative Document 348, Bill "An Act Relating to the Propagation and Cultivation of Clams, Quahogs and Mussels" be recalled from the Governor to the Senate. (S. P. 469)

Came from the Senate, today read and passed.

In the House, the Order received passage in concurrence.

The SPEAKER: The Chair lays before the House the 1st tabled and today assigned matter, House Report "Ought to pass" of the Committee on Public Utilities on Bill "An Act to Limit, Define and Confirm the Powers and Purposes of the Lewiston-Auburn Transit Company" (H. P. 1126) (L. D. 711) tabled on March 2nd by the gentleman

from Lewiston, Mr. Delahanty, pending acceptance of the Report, and the Chair recognizes that gentleman.

On motion of Mr. Delahanty, the Committee Report was accepted, and the Bill, having already been printed, was read twice under suspension of the rules and tomorrow assigned.

The SPEAKER: The Chair lays before the House the second tabled and today assigned matter, House Report "Ought to pass" as amended by Committee Amendment "A" of the Committee on Public Utilities on Bill "An Act to Incorporate the North Jay Water District" (H. P. 549) (L. D. 322) tabled on March 2 by the gentleman from Jay, Mr. Macomber, pending acceptance of the Report; and the Chair recognizes that gentleman.

Mr. MACOMBER: Mr. Speaker, I move, at this time, that this bill be recommitted to the Public Utilities Committee. This is by agreement with the Clerk of the House and the Senate Chairman of that committee.

The SPEAKER: The gentleman from Jay, Mr. Macomber, moves that the second tabled and today assigned matter, Bill "An Act to Incorporate the North Jay Water District" be recommitted to the Committee on Public Utilities. Is this the pleasure of the House?

The motion prevailed and the Report with accompanying papers was recommitted to the Committee on Public Utilities and was sent up for concurrence.

On motion of Mr. Nowell of Hermon, the House voted to take from the table the eleventh tabled and unassigned matter, Bill "An Act relating to Motor Vehicles Parking in Dangerous Places" (H. P. 95) (L. D. 40) tabled on February 28 by that gentleman pending passage to be engrossed.

Thereupon, the same gentleman presented House Amendment "C" and moved its adoption.

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

HOUSE AMENDMENT "C" to H. P. 95, L.D. 40, Bill "An Act Relating to Motor Vehicles Parking in Dangerous Places."

Amend said Bill by inserting in the 6th line thereof, after the underlined word "nearer", the underlined word 'outside'.

Thereupon, House Amendment "C" was adopted and the Bill was passed to be engrossed as amended and sent to the Senate.

On motion of the gentleman from Casco, Mr. Hancock, the House voted to take from the table the ninth tabled and unassigned matter, Senate Report "Ought to pass" of the Committee on Inland Fisheries and Game on Resolve Regulating Ice Fishing in Coffee Pond, Cumberland County (S. P. 161) (L. D. 333) tabled by that gentleman on February 22 pending acceptance in concurrence; and, on further motion of the same gentleman the Report was accepted in concurrence.

The SPEAKER: The Chair recognizes the gentleman from Eustis, Mr. Carville.

Mr. CARVILLE: Mr. Speaker, I arise for information. I believe there was an amendment to be put on.

The SPEAKER: The Chair recognizes the gentleman from Casco, Mr. Hancock.

Mr. HANCOCK: I am going to offer the amendment, Mr. Speaker.

The SPEAKER: The Chair will inform the gentleman from Casco, Mr. Hancock, that the motion will be in order after the first reading.

Thereupon, the Resolve was given its first reading.

The gentleman from Casco, Mr. Hancock, then offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to S. P. 161, L. D. 333, Resolve Regulating Ice Fishing in Coffee Pond, Cumberland County.

Amend said Resolve by striking out of the Title the word "Ice"

Further amend said Resolve by striking out the underlined words

"Ice fishing" at the beginning of the 1st line after the title and inserting in place thereof the underlined word 'Fishing'

Further amend said Resolve by striking out the word "ice" in the last line and inserting in its place the word 'all' and by inserting before the period at the end the words 'until April 15, 1953'

House Amendment "A" was adopted and the Resolve as amended was tomorrow assigned for second reading.

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

The Chair would like to call to the attention of the Members of the House, at this time, that tomorrow we are having our legislative picture taken. The photographers are expected to be here around 10:30 and the Chair hopes that each and every one of the members will try to be present and further hopes that they can refrain from smoking until after the pictures are taken because it impairs the picture. The Chair will request, therefore, that all of the members be here by 10:30 in any event.

The SPEAKER: The Chair will announce that there is a vacancy on the Reapportionment Committee caused by the resignation of the gentleman from Brewer, Mr. Grover.

The Chair, at this time, will appoint the gentleman from Old Town, Mr. Latno, to fill the vacancy on the Reapportionment Committee caused by the resignation of the gentleman from Brewer, Mr. Grover.

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

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

On motion of Mr. Chase of Cape Elizabeth,

Adjourned until 10:00 o'clock tomorrow morning.