

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Ninety-Fifth Legislature

OF THE

STATE OF MAINE

1951

**DAILY KENNEBEC JOURNAL
AUGUSTA, MAINE**

HOUSE

Tuesday, March 27, 1951

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

Prayer by the Rev. Mr. Herbert F. Aldrich of Old Orchard Beach.

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 Creating the Office of State Fire Marshal" (S. P. 514) (L. D. 1233)

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

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

Senate Reports of Committees**Ought to Pass**

Report of the Committee on Business Legislation reporting "Ought to pass" on Bill "An Act relating to Countersignature Fees" (S. P. 426) (L. D. 990)

Report of the Committee on Inland Fisheries and Game reporting same on Resolve Closing Keewaydin Lake, Oxford County, to Ice Fishing for Salmon and Trout (S. P. 306) (L. D. 657)

Report of same Committee reporting same on Resolve Opening Virginia Lake, Oxford County, to Ice Fishing for White Perch (S. P. 305) (L. D. 656)

Report of same Committee reporting same on Resolve Closing Bartlett Brook, Oxford County, to Dipping of Smelts (S. P. 256) (L. D. 554)

Report of same Committee reporting same on Resolve Opening Certain Ponds in Oxford County to Ice Fishing (S. P. 255) (L. D. 553)

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

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

Non-Concurrent Matter

An Act to Incorporate the Porter's Landing Water District (H. P. 1504) (L. D. 1057) which was passed to be enacted in the House on March 15, and passed to be engrossed on March 2, and which was recalled to the Senate by Joint Order.

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

In the House, under suspension of the rules, the House reconsidered its action of March 15 whereby the Bill was passed to be enacted and its action of March 2 whereby it was passed to be engrossed.

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

SENATE AMENDMENT "A" to H. P. 1504, L. D. 1057, Bill "An Act to Incorporate the Porter's Landing Water District."

Amend said Bill by striking out the word "money" in the 4th line of section 11 thereof and inserting in place thereof the following words: 'an amount not exceeding \$30,000'

Further amend said Bill by striking out the next to the last sentence thereof and inserting in place thereof the following sentence:

'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 equals or exceeds 20% of the number of voters on said check list.'

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

Non-Concurrent Matter

An Act to Incorporate the Kingfield Water District (H. P. 757) (L. D. 446) which was passed to be enacted in the House on March 14, and passed to be engrossed on March 6, and which was recalled to the Senate by Joint Order.

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

In the House, under suspension of the rules, the House reconsidered its action of March 14 whereby the Bill was passed to be enacted and its action of March 6 whereby it was passed to be engrossed.

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

SENATE AMENDMENT "A" to H. P. 757, L. D. 446, Bill "An Act to Incorporate the Kingfield Water District."

Amend said Bill by inserting in the 3rd line of Sec. 12, after the word "money", the following words and punctuation: ', not exceeding \$80,000.'

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

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

Mr. BUBAR of Blaine: Mr. Speaker—

The SPEAKER: For what purpose does the gentleman rise?

Mr. BUBAR: To ask unanimous consent to address the House for about two minutes.

The SPEAKER: The gentleman from Blaine, Mr. Bubar, requests unanimous consent to address the House. Is there objection? The Chair hears none and the gentleman may proceed.

Mr. Bubar: Mr. Speaker and Members of the House: I notice an Associated Press report and all the Maine papers carry the headlines—"Ex-Woods River Driver, Uncle Johnny Gardiner, Grand Old Man of Allagash, succumbs at 100."

Now he was born one hundred years ago the third day of last August. I put an order in for the pension for this man more as a compliment than for any other reason, and this morning I have withdrawn that resolve.

Now he was rightfully called "The Grand Old Man of the Allagash." He and his wife built the first dwelling house on the Upper Saint John waters, and he was the first white child born in that north country.

I have sat beside him many a day and heard him tell the story of the wolf packs and how they corralled the cattle and the sheep at night. And I heard him tell about the screeching of the "Injun Devils" as they called them. He said that screech was like the screech of a little child, tremulous, sharp and piercing, and he said that whenever that screech was heard along the river they all took to their camps and their cabins and the children never left the doors.

I heard him tell about the moose and the caribou roaming the forests, more plentiful than the deer are today, and how the streams and the brooks were filled with fishes.

When he was ninety-six years of age, on his anniversary, I happened to preach in Allagash. He was Deacon of his church, the Baptist Church, and that day that old man of ninety-six sang a solo, and he helped to pass the Communion. My son, Benjamin, will preach his funeral sermon today. He was known as the great "Woods Singer of the North" and during those long winter evenings he used to go from camp to camp and sing those old woods songs for the boys.

Now then, he is the last pioneer of the north woods and, Members, I would like to see this House just stand to its feet in honor of that grand old man who pioneered the north woods, if it be in order. Thank you.

The SPEAKER: The House has heard the request of the gentleman from Blaine, Mr. Bubar. If the House cares to stand for a moment in reverence, it may do so.

Thereupon, the entire House rose for a few moments.

House Reports of Committees Ought to Pass in New Draft

Mr. Bearce from the Committee on Inland Fisheries and Game on Resolve Closing Pleasant Lake and Its Tributaries to Netting of Smelts in the Spring (H. P. 527) (L. D. 289) reported same in a new draft (H. P. 1667) (L. D. 1237) under title of Resolve Closing Pleasant Lake and Its Tributaries to Dipping or Netting of Smelts and that it "Ought to pass"

Same gentleman from the same Committee on Resolve Closing Certain Ponds in Dedham, Penobscot County, to Fishing (H. P. 1388) (L. D. 956) reported same in a new draft (H. P. 1668) (L. D. 1238) under title of Resolve Closing Certain Ponds in Dedham and Bucksport, in Hancock County, to Fishing, and that it "Ought to pass".

Mr. Burkett from the Committee on Legal Affairs on Bill "An Act relating to Representations of the State House for Commercial Purposes." (H. P. 1429) (L. D. 1035) reported same in new draft (H. P. 1669) (L. D. 1239) under title of Bill "An Act relating to Representations of the State House in Liquor Advertising" and that it "Ought to pass."

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

Ought to Pass Printed Bills

Mr. Dickey from the Committee on Education reported "Ought to pass" on Bill "An Act relating to Subjects to be Taught in Public Schools" (H. P. 1339) (L. D. 914)

Mr. Fuller from the same Committee reported same on Bill "An Act relating to Schooling of Children of Parents Who Reside on State-owned Property (H. P. 1471) (L. D. 1083)

Mr. Carville from the Committee on Inland Fisheries and Game reported same on Resolve Limiting the Catch of Trout or Salmon in Adams Pond in the Town of Boothbay (H. P. 1541) (L. D. 1134)

Mr. Chase from the same Committee reported same on Resolve relating to Closed Season for White Perch in Echo Lake, Kennebec County (H. P. 1534) (L. D. 1127)

Mr. Dennison from the same Committee reported same on Resolve Closing Three Mile Pond to Ice Fishing (H. P. 1614) (L. D. 1174)

Mr. Frechette from the same Committee reported same on Resolve Regulating Fishing in Province Lake, York County (H. P. 1538) (L. D. 1131)

Mr. Watson from the same Committee reported same on Resolve

relating to Catching of White Perch in Pushaw Lakes, Penobscot County (H. P. 1616) (L. D. 1176)

Mr. Burkett from the Committee on Legal Affairs reported same on Bill "An Act relating to Salaries of Trustees of Community School Districts" (H. P. 1484) (L. D. 1091)

Mr. Hanson from the Committee on Sea and Shore Fisheries reported same on Bill "An Act relating to the Protection of Alewives in East Machias River in the Town of East Machias" (H. P. 1065) (L. D. 645)

Same gentleman from the same Committee reported same on Bill "An Act Closing Certain Clam Flats in Lubec, Washington County" (H. P. 1444) (L. D. 1040)

Mr. Clapp from the same Committee reported same on Bill "An Act relating to the Releasing or Dumping of Fish" (H. P. 544) (L. D. 369)

Report was 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. Roundy from the Committee on Education on Bill "An Act Granting Additional Powers to Portland University" (H. P. 1340) (L. D. 915) 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. 1340, L. D. 915, Bill "An Act Granting Additional Powers to Portland University."

Amend said Bill by striking out the last underlined sentence thereof and inserting in place thereof the following underlined words:
'Courses, curricula faculty and standards of instruction prescribed by said university leading to such educational degrees shall be approved by the state board of education.'

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

for third reading tomorrow morning.

The SPEAKER: The Chair, at this time, notes the presence in the rear of the Hall of the House of Ex-Governor William Tudor Gardiner, also Ex-Speaker of the House, and the Chair would request the Sergeant-at-Arms to escort the gentleman to the rostrum.

Thereupon, the Sergeant-at-Arms escorted Ex-Governor Gardiner to the rostrum, where he assumed a chair at the Speaker's right, amid the applause of the House, the members rising.

Passed to be Engrossed

Bill "An Act relating to Weight of Catch of Certain Fish" (S. P. 232) (L. D. 503)

Bill "An Act relating to Powers of the Housing Authority of Presque Isle" (S. P. 271) (L. D. 610)

Bill "An Act to Incorporate the North Jay Water District" (H. P. 549) (L. D. 322)

Bill "An Act relating to Digging of Clams in Northport Village Corporation" (H. P. 1064) (L. D. 644)

Bill "An Act relating to Marana-cook Game Preserve" (H. P. 1307) (L. D. 860)

Bill "An Act relating to Interstate Carriers" (H. P. 1370) (L. D. 961)

Bill "An Act relating to the Digging of Clams in the Town of Wells" (H. P. 1394) (L. D. 988)

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

Bill "An Act relating to Inspectors of Public Utilities Commission" (H. P. 1433) (L. D. 1039)

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

(On motion of Mr. Woodworth of Fairfield, tabled pending third reading)

Bill "An Act relating to Sale of Liquor Near Togus Hospital" (H. P. 1485) (L. D. 1092)

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

Tabled

Bill "An Act relating to Smoking in Buses" (H. P. 1553) (L. D. 1114)

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

(On motion of Mr. Nowell of Hermon, tabled pending passage to be engrossed)

Tabled

Bill "An Act relating to the Sale of Lobster Meat" (H. P. 1665) (L. D. 1235)

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

(On motion of Mr. Winchenpaw of Friendship, tabled pending third reading)

Resolve relating to Daily Bag Limit of certain Fish in Portion of Kennebec River, Somerset (S. P. 334) (L. D. 750)

Resolve relating to Daily Bag Limit of Certain Fish in Spencer Lake, Somerset County (S. P. 335) (L. D. 751)

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

Amended Bill

Bill "An Act relating to Tuition in Normal Schools and Teachers' Colleges" (H. P. 882) (L. D. 524)

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.

The following three papers from the Senate were taken up out of order and under suspension of the rules:

From the Senate: The following Orders:

ORDERED, the House concurring, that House Paper 1208, Legislative Document 766, "An Act to Create the Veazie Sewer District," be recalled from the Engrossing Department to the Senate. (S. P. 518)

Came from the Senate read and passed.

In the House, the Order was read and passed in concurrence.

Tabled

ORDERED, the House concurring, notwithstanding Joint Orders now in effect, that no Act or Resolve shall be received by this Legislature from the Director of Legislative Research after Wednesday, March 28, 1951, at one o'clock P. M." (S. P. 519)

Came from the Senate read and passed.

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

Mr. **TOTMAN**: Mr. Speaker, I rise for a point of information. Some of my colleagues and I are in doubt as to what this means, that even with unanimous consent no bill may be introduced after Wednesday, March 28. Does that prohibit the rule of unanimous consent?

The **SPEAKER**: The gentleman from Bangor, Mr. Totman, moves that the order lie on the table pending passage.

Is this the pleasure of the House?

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

Mr. **CHASE**: Mr. Speaker, in view of the dates in the order, would the gentleman be willing to assign a time today or tomorrow for consideration?

The **SPEAKER**: The gentleman from Bangor, Mr. Totman, moves that the order just read by the Clerk lie on the table pending passage and be specially assigned for Wednesday, March 28th. Is this the pleasure of the House?

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

ORDERED, the House concurring, that Senate Paper 309, Legislative Document 660, "An Act Relating to the Superintending School Committee of the Town of Houlton," be recalled from the Engraving Department to the Senate. (S. P. 520)

Came from the Senate read and passed.

In the House, read and passed in concurrence.

**Passed to be Engrossed
Tabled and Assigned**

Bill "An Act to Appropriate Monies for the Expenditures of

State Government and for Other Purposes for the Fiscal Years Ending June 30, 1952, and June 30, 1953" (S. P. 495) (L. D. 1196)

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

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

Mr. **CHASE**: Mr. Speaker, as I understand it, under the unanimous consent agreement of last Friday, the third reading is to be item by item.

We want to make this bill just as sound as the test of majority vote can make it and it would help a great deal in the financial situation if some of these items could be reduced. This ought to be the personal responsibility of every member and not just a job for a few.

It would save a good deal of time, I think, if any needed explanation could be requested and given before the arguments start.

Now, in the consideration of this bill, everyone has to make his own assumption and I can only make my own but, personally, I am working on the assumption that the property tax on municipalities is going to be abolished. Now, obviously this appropriation bill can't be enacted until funds are secured I repeat that I hope that in the discussion of these items we will make every effort to produce here by a majority vote a sound bill which represents the real sentiment of this House.

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

Mr. **DELAHANTY**: Mr. Speaker and Members of the House: In consenting to this order as I did the other day, it was my understanding that the bill would be read paragraph by paragraph and then we would go back and take up that particular paragraph item by item. I hope that is the procedure that the gentleman from Cape Elizabeth, Mr. Chase, intended to outline.

As we go into this appropriation measure, I feel it advisable for me to state at this time—and I would speak now for my party, Mr. Speaker—that we do not anticipate that the State will go out of the property tax field. We expect that sometime during this Legislature we, along

with other members in this House, will voice our approval of a tax measure. We do not anticipate that this approval will be of a measure that will burden the people of this State with a sales tax. We feel that this appropriation as it has come down to us from the Senate is by and large in excess of what this State can stand at this time and over and above that which is absolutely necessary for the services which we must render to our people.

I have been interested in reading the timetable for this measure and how we must meet a schedule. I have a fear that if we follow that timetable it is nothing more than a schedule in bankruptcy for the State of Maine, for we must look at it realistically and say that in our opinion there cannot be an emergency measure passed here that will give to this State a sales tax. To say that we will send it back to the people is pure folly and fallacious thinking. We will then be left with an appropriation of money which we are not able to take care of.

It is my sincere hope that in going over this appropriation bill we can cut it down to a figure somewhat below the recommendations made by the Governor in his inaugural address. I believe that he was rather courageous in setting up the figure that he did. I think that we should look at each of these items for the absolute necessity that is required under each item. If we do that without rancor, if we do it with candor, I think that we here can pass an appropriation bill that will satisfy our requirements in this State. I hope that we can discuss and debate each of these items with the thought in mind that we can keep them where we in this House feel they will do the most good for the people, and that will mean that we keep them down, as I have said, below the figures set by the Governor, because when we start raising these figures the people will benefit but they will also have to pay.

The SPEAKER: The bill is open for debate.

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

Mr. BURGESS: Mr. Speaker and Members of the House: I had

hoped that we might consider item by item the amendments which have been offered in the other body of the Legislature. I am not sure that all of us understand thoroughly what the amendments propose to do. For instance, the amendment—I do not know the number at this moment—which deals with Education—has made a drastic change in the entire educational picture and has increased the suggested appropriation on Education, if my figures are correct, and I believe they are, some \$94,366 for the first year of the biennium and \$287,451 for the second year of the biennium. There has been no amendment adopted which would recognize the hospitals throughout the State of Maine, recognize the losses that they are taking. It seems to me that we are very willing to spend the last dollar for education, for which I have the highest regard, but have failed to recognize the loss which the hospitals throughout the State are taking.

Now I ask of you, Mr. Speaker, a point of procedure. I would like to offer an amendment. If the bill receives its third reading at this time would further amendments be barred without reconsideration?

The SPEAKER: The Chair would inform the gentleman that under the order that was unanimously passed here on Friday last, it states that the bill shall be open for general debate, and when the bill is read the third time it will be read paragraph by paragraph, and each paragraph as read will be open to debate item by item, and amendments of that part of the bill and any Senate amendment to such paragraph shall be considered and disposed of first.

In other words, the Chair would inform the gentleman that the bill will be read, the first paragraph, item by item. If any member wishes to amend that bill and if there is already a Senate amendment, the Senate amendment must be disposed of first for that particular paragraph or item, and then it is in order to offer House amendments. Has the Chair made itself clear to the gentleman?

Mr. BURGESS: Thank you, Mr. Speaker. It is very clear. With that information, I can see no reason

why the bill will not receive proper consideration at the proper time. I thank you.

The SPEAKER: Is there any further debate on the bill? If not, the third reading is in order, item by item, paragraph by paragraph, and open for discussion after each paragraph is read item by item.

Is it the pleasure of the House that the bill have its third reading at this time?

The Chair would inquire if every-body has a copy of the bill as drafted? If not, the pages will distribute it at this time.

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

Mr. CHASE: Mr. Speaker, is it to be assumed that if, when an item is read, it is not challenged by any member, it is thereby approved?

The SPEAKER: It is the understanding of the Chair that that will be the situation.

The bill was then given its third reading by the Clerk as follows:

"S. P. 495, L. D. 1196, Bill, "An Act to Appropriate Monies for the Expenditures of State Government and for Other Purposes for the Fiscal Years Ending June 30, 1952, and June 30, 1953."

"Emergency preamble. Whereas, acts and resolves passed by the legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the said 90-day period will not terminate until after the beginning of the next fiscal year; and

Whereas, certain obligations and expenses incident to the operation of departments and institutions will become due and payable on or immediately after July 1, 1951; and

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

Be it enacted by the People of the State of Maine, as follows:

Appropriations for necessary expenditures of government. In order to provide for the necessary expenditures of government and for other purposes for the next two

fiscal years—from July 1, 1951, to June 30, 1952, and from July 1, 1952, to June 30, 1953—the following sums or as much thereof as shall severally be found necessary, as designated in the following tabulations, are hereby appropriated out of any monies in the general fund not otherwise appropriated. Upon receipt of allotments duly approved by the governor and council based upon work programs submitted to the commissioner of finance, the state controller shall authorize expenditures of these appropriations and revenues accruing thereto, together with expenditures for other purposes necessary to the conduct of state government on the basis of such allotments and not otherwise.

And be it further provided that the controller be authorized to close his books as soon as practicable after the close of the fiscal years ending June 30, 1952, and June 30, 1953. Any bills presented after those dates may be paid from appropriations for the ensuing year on recommendation of the controller if within the amounts of approved allotments."

The SPEAKER: Is there any objection to this paragraph? If not, the Clerk may proceed.

The CLERK (reading):

"Whenever it appears to the commissioner of finance that the anticipated income of the state will not be sufficient to meet the expenditures authorized by the legislature he shall so report to the governor and council and they may curtail allotments so that expenditures will not exceed the anticipated income."

The SPEAKER: Is there any objection to this paragraph? If not, the Clerk may proceed.

The CLERK (reading):

"At the end of each fiscal year of the biennium all unencumbered appropriation balances representing state monies, except those that carry forward as provided by law, shall be lapsed to unappropriated surplus as provided by section 23, of chapter 14, of the revised statutes of 1944. At the end of each fiscal year of the biennium all encumbered appropriation balances shall be carried forward to the next fiscal year, but in no event shall encumbered

appropriations balances be carried more than once."

The SPEAKER: Is there any objection to this paragraph? If not, the Clerk may proceed.

The CLERK (reading): "There shall be paid from the highway fund the cost of accounting, auditing, purchasing and legal services furnished from the general fund appropriations. This revenue shall credit to the general fund.

GENERAL FUND

Appropriations From General Fund
Department 1951-52 1952-53
ACCOUNTS AND CONTROL
BUREAU OF

Departmental

Operations \$263,793 \$264,152"

Mr. JACOBS of Auburn: Mr. Speaker—

The SPEAKER: For what purpose does the gentleman rise?

Mr. JACOBS: Mr. Speaker, there seems to be some confusion among many of the members here present in regard to the procedure under which we are now operating. It would seem to me in all fairness to those who have amendments to this bill to present that this matter be laid on the table until tomorrow morning at ten o'clock. Then, during this time, it can be found out where the amendments come from and they can be properly presented.

The SPEAKER: The gentleman from Auburn, Mr. Jacobs, moves that Bill "An Act to Appropriate Monies from the Expenditures of State Government and for Other Purposes for the Fiscal Years Ending June 30, 1952, and June 30, 1953" lie on the table and be specially assigned for tomorrow morning at ten o'clock.

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

Mr. CHASE: Mr. Speaker, I rise to ask for a division on the motion to table.

The SPEAKER: The question before the House is on the motion of the gentleman from Auburn, Mr. Jacobs, that Bill "An Act to Appropriate Monies for the Expenditures of State Government and for Other Purposes for the Fiscal Years Ending June 30, 1952, and June 30, 1953" lie on the table and be specially assigned for tomorrow morning at ten o'clock.

The gentleman from Cape Elizabeth, Mr. Chase, has asked that when the vote is taken it be taken by division.

All those in favor of the motion of the gentleman from Auburn, Mr. Jacobs, that the Bill lie upon the table will please rise and remain standing until the monitors have made and returned the count.

A division of the House was had. Fifty-four having voted in the affirmative and sixty-eight having voted in the negative, the motion did not prevail.

The SPEAKER: The Clerk will continue reading the bill.

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

Mr. BURGESS: Mr. Speaker, may I ask a question through the Chair of a member of the Appropriations Committee?

The SPEAKER: The gentleman may ask the question.

Mr. BURGESS: Mr. Speaker, do I understand correctly that the Appropriations Committee has recommended a figure greater than that of the Governor's Budget?

The SPEAKER: The Chair hears the question and a member of the Appropriations Committee may answer the question of the gentleman from Limestone, Mr. Burgess, if he chooses.

Is there a member of the Appropriations Committee to answer the gentleman's question?

The Chair recognizes the gentleman from Lewiston Mr. Jalbert.

Mr. JALBERT: Mr. Speaker, the figures for the years 1951-52 and 1952-53 of the Budget Recommendation are \$255,543 and \$253,398. The figure remains the same as the Budget Recommendation for the year 1952-53 but it was raised approximately \$8,253 for the year 1951-52 from the Budget Recommendation. The reason for that is that the Bureau of Accounts and Control needs a new check machine.

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

Mr. BURGESS: Mr. Speaker, I would like to ask again through the Chair of a member of the Appropriations Committee if, as we progress, a member of the Appropriations Committee would explain

any increases and the reasons for them, briefly.

The SPEAKER: A member of the Appropriations Committee has undoubtedly heard the request for information of the gentleman from Limestone, Mr. Burgess, and a member may answer if he chooses.

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

Mr. JALBERT: Mr. Speaker, the only reason I am on my feet now is because the mike is in front of me, I mean I would be happy to answer as a member of the committee.

I would like to ask a point of information, Mr. Speaker.

The SPEAKER: The gentleman may state his point.

Mr. JALBERT: Mr. Speaker, these amendments do not have to be reproduced and you may submit them as you want to. Is that right?

The SPEAKER: The Chair will state that the gentleman is correct. Amendments, under the order, do not have to be reproduced.

Mr. JALBERT: Thank you, Mr. Speaker.

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

Mr. WOODWORTH: Mr. Speaker, I offer an amendment and move its adoption.

The SPEAKER: The gentleman from Fairfield, Mr. Woodworth, offers an amendment and moves its adoption.

The Clerk will read the amendment.

The amendment was read by the Clerk as follows:

HOUSE AMENDMENT to S. P. 495, L. D. 1196, Bill "An Act to Appropriate Monies for the Expenditures of State Government and for Other Purposes for the Fiscal Years Ending June 30, 1952, and June 30, 1953".

In each case where the figures in the Governor's Budget Recommendation differ from those given in the report of the Appropriations Committee, the lesser figures be accepted.

The SPEAKER: The gentleman from Fairfield, Mr. Woodworth, offers an amendment and moves its adoption.

The Chair will have to rule that the amendment is out of order. It

is not to the point of the item under discussion.

Is there any further debate?

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

Mr. JALBERT: Mr. Speaker, I would like to inquire if the motion to table is still in order?

The SPEAKER: The Chair will state that the motion to table is always in order.

The gentleman may proceed.

Mr. JALBERT: Mr. Speaker and Members of the House: I am not speaking for the Appropriations Committee; I am not speaking for my party; I am speaking as a member of the Legislature, who served on the Appropriations Committee two years ago, who served on the Budget Advisory Committee last October, who is, at present, serving as a member of the Appropriations Committee.

I have sat up nights over anything from a school book to a budget book. I have ridden on buses, I have ridden in other people's cars, and have worn out one book and I still have a lot to learn about this budget.

I assure you that I am prepared as far as amendments are concerned because I got up at six o'clock this morning to make certain that I would get them ready. I am ready to stay here; I am not hungry, I can stay here until tonight. But when I present my amendments I assure you that I shall speak on each and every one of them.

I was one who went to the majority leader, the gentleman from Cape Elizabeth, Mr. Chase, Friday, sought him out to congratulate him on his order. It was well-done, well-worded with the intent that it would serve eventually to expedite matters.

Many members of the Appropriations Committee have not had the opportunity since Friday when the other body gave us the bill,—this is the first day of the legislature this week, and many of us did not have time to peruse the various amendments that the other body suggested. As far as I am concerned, again I say that I am ready for that as I sat through every minute of debate when these amendments were presented in the other body.

I certainly do not think that the House Chairman of the Appropriations Committee, Mr. Jacobs, was out of order when he suggested that this bill be tabled. For the benefit and the enlightenment of all of us present and any of you who may want to study, at least, the Senate amendments, I feel, at this time, that certainly — forgetting party, forgetting committee, but remembering that at least any of us on the Appropriations Committee are willing to help, we want to help in order to answer questions—that we, ourselves, want to get together on these amendments on this new bill.

I feel the bill should definitely be tabled, Mr. Speaker, and I move that it be tabled.

The SPEAKER: The gentleman from Lewiston, Mr. Jalbert, moves that the Bill lie on the table pending continuance of third reading.

Would the gentleman care to make an assignment?

Mr. JALBERT: I will assign it for tomorrow morning, Mr. Speaker.

The SPEAKER: The gentleman from Lewiston, Mr. Jalbert, moves that the Bill lie on the table pending continuance of third reading and be specially assigned for tomorrow morning.

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

Mr. CHASE: Mr. Speaker, I rise to ask for a division.

The SPEAKER: The gentleman from Lewiston, Mr. Jalbert, moves that Bill "An Act to Appropriate Monies for the Expenditures of State Government and for Other Purposes for the Fiscal Year End-

ing June 30, 1952, and June 30, 1953", S. P. 495, L. D. 1196, lie on the table pending continuance of third reading and be specially assigned for tomorrow morning.

The gentleman from Cape Elizabeth, Mr. Chase, has asked that when the vote is taken it be taken by division.

All those in favor of the motion of the gentleman from Lewiston, Mr. Jalbert, that the bill be tabled will please rise and remain standing until the monitors have made and returned the count.

A division of the House was had. Seventy-two having voted in the affirmative and fifty-one having voted in the negative, the bill was tabled pending continuance of third reading and specially assigned for tomorrow morning.

The SPEAKER: The Chair will inform the Members of the House that the Clerk's office is at their disposal to assist in drafting amendments or assist in any particular with reference to this bill.

The Clerk's office is also prepared to reproduce any amendment which the members may wish to file.

Orders of the Day

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

If there is no further business for the House to consider this day, the Clerk will read the notices.

On motion of Mr. Chase of Cape Elizabeth,

Adjourned until 10:00 o'clock tomorrow morning.