

# 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, April 17, 1951

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

Prayer by the Rev. Gladys Doughty York, of North Yarmouth.

The journal of the previous session was read and approved.

**Special Order of Business**

The SPEAKER: The Chair lays before the House the Special Order of Business, assigned yesterday for today, an order presented by the gentleman from Cape Elizabeth, Mr. Chase.

The question is on the passage of the order.

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

Mr. CHASE: Mr. Speaker, the purpose of this order, of course, is to expedite legislation. In previous sessions an order similar to this has usually been passed a week or two earlier. If this order is passed, we will have all day today and all day tomorrow to take up or to assign the unassigned matters on the calendar. The passage of this order will not preclude retabbing when a reason for retabbing can be given that is satisfactory to the House. After the passage of this order all matters that are tabled without assignment made at the time will stand assigned for the third succeeding legislative day.

Again I point out to the members of the House that when a reason satisfactory to the House can be given, it will be entirely in order to retable or reassign, but it is hoped that through this order we can deal with a good many matters which can be handled promptly.

We come here and operate in a leisurely spirit, feeling that we are going to be here about so long anyway, and that we can hold these matters up to that time. The result of it is that the aggregate number of those matters is very large, and in consequence the session is lengthened a week or two weeks on the end by reason of those delays.

The SPEAKER: The question before the House is on the passage of the order. Is it the pleasure of

the House that the order receive a passage?

Thereupon, the order received a passage.

Papers from the Senate  
Senate Reports of Committees

**Leave to Withdraw**

Report of the Committee on Judiciary on Resolve Proposing an Amendment to the Constitution to Amend the Initiative Referendum Provision (S. P. 456) (L. D. 1070) reporting leave to withdraw

Report of the Committee on Legal Affairs reporting same on Bill "An Act Repealing Advisory Committee on State Budget" (S. P. 363) (L. D. 877)

Came from the Senate read and accepted.

In the House, read and accepted in concurrence.

**Ought Not to Pass**

Report of the Committee on Towns and Counties reporting "Ought not to pass" on Bill "An Act relating to the Salaries of the Judge and the Recorder of the Caribou Municipal Court" (S. P. 194) (L. D. 403)

Came from the Senate read and accepted.

In the House, read and accepted in concurrence.

**Ought to Pass in New Draft**

Report of the Committee on Natural Resources on Bill "An Act relating to Acquisition of National Forests" (S. P. 416) (L. D. 976) reporting a new draft (S. P. 537) (L. D. 1274) under title of Bill "An Act relating to Acquisition of National Forests to Oxford County" and that it "Ought to pass"

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

In the House, Report was read and accepted in concurrence, the New Draft read twice and tomorrow assigned.

**Ought to Pass**

Report of the Committee on Public Utilities reporting "Ought to pass" on Bill "An Act to Amend the Charter of the Kennebec Water District" (S. P. 276) (L. D. 615)

Report of the Committee on Towns and Counties reporting same on Bill "An Act relating to Complainant and Witness Fees and Costs of Police Officers and Constables" (S. P. 522) (L. D. 1250)

Report of the same Committee reporting same on Bill "An Act to Increase the Salary of the Judge and Recorder of the Rumford Falls Municipal Court" (S. P. 282) (L. D. 621)

Report of the same Committee reporting same on Bill "An Act relating to the Salary of Sheriff of Kennebec County" (S. P. 175) (L. D. 349)

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

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

#### Ought to Pass with Committee Amendment

Report of the Committee on Towns and Counties on Bill "An Act relating to the Salaries of the Judge and the Recorder of the Old Town Municipal Court" (S. P. 284) (L. D. 623) 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 was read twice.

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

COMMITTEE AMENDMENT "A" to S. P. 284, L. D. 623, Bill "An Act Relating to the Salaries of the Judge and the Recorder of the Old Town Municipal Court."

Amend said Bill by striking out in the fifth line thereof the underlined figures "\$2,100" and inserting in place thereof the underlined figures '\$2,000'.

Further amend said Bill by striking out in the 6th line thereof the following figures ["\$1,200] \$1,500" and inserting in place thereof the figures '\$1,200'.

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

Report of the Committee on Towns and Counties on Bill "An Act relating to Salary of Register of Deeds of Kennebec County" (S. P. 385) (L. D. 911) 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 was read twice.

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

COMMITTEE AMENDMENT "A" to S. P. 385, L. D. 911, Bill "An Act Relating to Salary of Register of Deeds of Kennebec County".

Amend said Bill by striking out in the last line thereof the underlined figures "\$3,500" and inserting in place thereof the underlined figures '\$2,950'.

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

Report of the Committee on Transportation on Bill "An Act to Provide Special Number Plates for Certain Officials" (S. P. 504) (L. D. 1215) 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 was given its first reading.

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

Mr. DELAHANTY: Mr. Speaker and Members of the House: I had risen for the purpose of making a motion to indefinitely postpone Amendment "A," and I would ask now if it is too late?

The SPEAKER: Will the gentleman please defer his motion until the amendment is presented?

Mr. DELAHANTY: I will, Mr. Speaker.

Thereupon, the bill was given its second reading.

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

**COMMITTEE AMENDMENT "A"**  
to S. P. 504, L. D. 1215, Bill, "An Act to Provide Special Number Plates for Certain Officials."

Amend said Bill by striking out, in the 20th, 21st, 22nd and 23rd lines thereof the following underlined words "except that the secretary may waive the payment of such fee in the case of members of the executive council, president of the senate, speaker of the house, secretary of the senate and clerk of the house."

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

Mr. DELAHANTY: Mr. Speaker and Members of the House; I will not proceed with my motion. I want to say, in clarification, that I assumed that this was adding to it. I find now that the exception is withdrawn.

The SPEAKER: The Chair understands the gentleman withdraws his motion.

Is it the pleasure of the House to adopt Committee Amendment "A"?

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

#### **Non-concurrent Matter Tabled and Assigned**

Report of the Committee on Legal Affairs reporting "Ought not to pass" on Bill "An Act to Repeal the Charter of the Bay Point Village Corporation" (H. P. 1183) (L. D. 738) which was recommitted to the Committee on Legal Affairs in the House on April 12.

Came from the Senate with the Report accepted in non-concurrence.

In the House: Report was read.

(On motion of Mrs. Moffatt of Bath, tabled pending further consideration and specially assigned for Tuesday, April 24th.)

#### **Order**

On motion of Mr. Senter of Brunswick, it was

ORDERED, that Rev. M. Gerry Plummer of Brunswick, be invited to officiate as Chaplain of the House on Friday, April 27, 1951.

The SPEAKER: The Chair, at this time, notes the presence in the balcony of the Hall of the House of the Washington State Normal School of Machias, Seniors, History of Maine Class, under the supervision of Mr. Sennett, Principal.

In behalf of the House the Chair, at this time, bids you a cordial welcome. (Applause)

The SPEAKER: The Chair, at this time, will appoint the gentleman from New Limerick, Mr. Hand, Speaker pro tem, and will direct the Assistant Sergeant-at-Arms to escort the gentleman to the rostrum.

Thereupon, Mr. Hand was escorted to the rostrum by the Assistant Sergeant-at-Arms, where he assumed the Chair amid the applause of the House, and Speaker Silsby retired.

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

#### **House Reports of Committees Tabled and Assigned**

Mr. Bearce from the Committee on Inland Fisheries and Game reported "Ought not to pass" on Bill "An Act Increasing Bounty on Bear" (H. P. 1576) (L. D. 1148)

Report was read.

(On motion of Mr. Parker of Sebec, tabled pending acceptance of Committee Report, and specially assigned for Tuesday, April 24th)

Mr. Carville from the Committee on Inland Fisheries and Game reported "Ought not to pass" on Resolve Providing for a Fish Screen on Scott's Brook, Washington County (H. P. 1536) (L. D. 1129)

Mr. Frechette from the same Committee reported same on Bill "An Act Relating to the Payments to Estates of Persons Killed in Hunting" (H. P. 313) (L. D. 176)

Same gentleman from the same Committee reported same on Resolve Opening Portage Lake to Ice Fishing for Certain Fish (H. P. 528) (L. D. 290)

Reports were read and accepted and sent up for concurrence.

#### **Tabled and Assigned**

Mr. Frechette from the Committee on Inland Fisheries and Game

reported "Ought not to pass" on Bill "An Act relating to Bounty on Bears" (H. P. 1002) (L. D. 590)

Report was read.

(On motion of Mr. Parker of Sebec, tabled pending acceptance of Committee Report and specially assigned for Tuesday, April 24th)

Mr. Watson from the Committee on Inland Fisheries and Game reported "Ought not to pass" on Resolve in favor of Danforth Rod and Gun Club (H. P. 1265) (L. D. 834)

Mr. Delahanty from the Committee on Judiciary reported same on Bill "An Act relating to Evidence of Intoxication" (H. P. 1422) (L. D. 1030)

Reports were read and accepted and sent up for concurrence.

#### Tabled and Assigned

Mr. Harding from the Committee on Judiciary reported "Ought not to pass" on Bill "An Act Establishing a State-wide Probation System" (H. P. 1319) (L. D. 884)

Report was read.

(On motion of Mrs. Moffatt of Bath, tabled pending acceptance of Committee Report, and specially assigned for Thursday, April 26th)

Mr. Harding from the Committee on Judiciary reported "Ought not to pass" on Bill "An Act relating to Evidence of Offenses Before Grand Jury" (H. P. 1542) (L. D. 1135)

Mr. McGlauffin from the same Committee reported same on Bill "An Act relating to Certificate of Devises of Real Estate Filed by a Register of Probate with the Register of Deeds" (H. P. 1547) (L. D. 1108)

Mr. Woodworth from the same Committee reported same on Bill "An Act relating to the Entering upon the Land of Another and Causing Fear or Alarm" (H. P. 1424) (L. D. 1031)

Reports were read and accepted and sent up for concurrence.

Mr. Woodworth from the Committee on Judiciary reported "Ought not to pass" on Bill "An Act relating to Publishing Vital Statistics in Town Reports" (H. P. 1555) (L. D. 1116)

Report was read.

The SPEAKER pro tem: The Chair recognizes the gentleman from Whitefield, Mr. Chase.

Mr. CHASE: Mr. Speaker and Members of the House: I should like to substitute the bill for the report of the committee. I might say at this time that the town of Waldoboro, at their meeting a year ago, voted to have the representative introduce this bill because they felt that it should be left to the discretion of the towns, and I personally feel that we are gradually taking away the right of the town's people to vote to do these various things at the town meetings. I can see no harm if the town votes to print their vital statistics in their town report. I see no reason why they should not do so. Therefore I hope that the bill is substituted for the report.

The SPEAKER pro tem: Does the Chair understand that the gentleman from Whitefield, Mr. Chase, intends to move that the original bill be substituted for the committee's report?

Mr. CHASE: For the report of the committee? Yes, Mr. Speaker, I so move.

The SPEAKER pro tem: The gentleman from Whitefield, Mr. Chase, moves that the original bill, Bill "An Act relating to Publishing Vital Statistics in Town Reports" be substituted for the committee's report.

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

Mr. WOODWORTH: Mr. Speaker, I was delegated by our Judiciary Committee to bring in the unanimous "Ought not to pass" report of that committee.

Several years ago the matter of publishing the names of illegitimate children was thrashed out in the Legislature, and it was decided then that for the good of the child, in order to protect the children from the harsh words of scandal-mongers, that the records of the births of illegitimate children should not become public property.

This bill now before the House proposes that such statistics — nothing in that act "shall be construed to forbid the printing of such statistics in the reports of such

towns that vote to do so at an annual town meeting.”

I believe that the action taken by the House several years ago, and the law now on the books, is a very fine law to have. There is absolutely no reason why people should be permitted to point out certain children or certain people and say, “That is an illegitimate child or that fellow is a bastard.” We have a few people in every town that delight to do such things as that.

This act now before us, the bill under consideration, would remove quite a bit of that protection. It is in this consideration that your committee reported it “Ought not to pass” and I hope that you will support the committee and vote against the motion to substitute the bill for the report.

The SPEAKER pro tem: The question before the House is on the motion of the gentleman from Whitefield, Mr. Chase, to substitute the original bill for the report of the Committee on Bill “An Act relating to Publishing Vital Statistics in Town Reports.”

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

Mr. TOTMAN: Mr. Speaker and Members of the House: I would like to ask a question. I believe it would have to be directed to the Clerk of the House. Didn't we vote in the House, on a bill here two or three, possibly more times, to prohibit the publishing of lists of paupers in town reports? And if we did, then this bill would nullify that action, or am I wrong?

The SPEAKER pro tem: The Chair must inform the gentleman that if he will consult the records of the House, he will find the answer to his question; that the Clerk is not the proper person to whom a question may be addressed.

Mr. TOTMAN: Mr. Speaker, I apologize for embarrassing the Clerk. I realize that is the proper place to look, but since I am not sure I will at least bring the thought before the House that I think we did forbid the publishing of pauper lists in the town reports, and if we pass this bill, we will be nullifying that vote.

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

Mr. McGLAUFFIN: Mr. Speaker, may I answer the question? That was “pauper”; this is “vital statistics”; they have nothing to do with each other.

The SPEAKER pro tem: The question before the House is on the motion of the gentleman from Whitefield, Mr. Chase, that the original bill be substituted for the committee's report on Bill “An Act relating to Publishing Vital Statistics in Town Reports.”

Is the House ready for the question? All those in favor of substituting the original bill for the committee's report will say aye: those opposed, no.

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

Thereupon, the “Ought not to pass” report of the committee was accepted and sent up for concurrence.

Mr. Burgess from the Committee on Towns and Counties reported, “Ought not to pass” on Bill “An Act relating to Continuous Credit for Excise Tax on Motor Vehicles” (H. P. 1137) (L. D. 669)

Mr. DeBeck from the same Committee reported same on Bill “An Act relating to the Expenses of the Town of Lincoln Municipal Court” (H. P. 557) (L. D. 315) as it is covered by other legislation

Mr. Fenn from the Committee on Welfare reported same on Resolve Providing for State Pension for Fred Gagnon of Augusta (H. P. 1287)

Mr. Lessard from the same Committee reported same on Resolve in favor of Antonio Bosse of Lewiston (H. P. 1654)

Mr. Patterson from the same Committee reported same on Resolve Providing for an Increase in State Pension for Harold Varney of Houlton” (H. P. 1459)

Reports were read and accepted and sent up for concurrence.

#### Ought to Pass Printed Bills

Mrs. Fay from the Committee on Judiciary reported “Ought to pass” on Bill “An Act relating to Merger, Consolidation and Conversion of National Banks and Trust Companies” (H. P. 1482) (L. D. 1089)

Mr. Fuller from the same Committee reported same on Bill “An

Act relating to Liens on Electric Motors" (H. P. 1419) (L. D. 1027)

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

#### Ought to Pass with Committee Amendment

Mr. Fuller from the Committee on Judiciary on Bill "An Act relative to Revision and Publication of Municipal Ordinances" (H. P. 1543) (L. D. 1136) 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. 1543, L. D. 1136, Bill "An Act Relative to Revision and Publication of Municipal Ordinances."

Amend said bill by striking out in the first line of that part of the bill designated as Sec. 83-B the underlined words and figures "of 50,000 or more population"

Further amend said bill by inserting in the first line of said Sec. 83-B after the word "city" the underlined words 'or town'

Further amend said bill by inserting after the underlined word "city" in the last line of Sec. 83-D the underlined words 'or town'

Further amend said bill by inserting after the word "city" in the last line of Sec. 83-E the underlined words 'or town'

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

The SPEAKER pro tem: The Chair, at this time, notes the presence in the balcony of the hall of the House of a group of Girl Scouts from Readfield, Maine, in charge of Mrs. Bracy. These girls are working for their Junior Citizenship Badge.

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

#### Passed to be Engrossed

Bill "An Act relating to the Alumni Trustee of the University of Maine" (S. P. 536) (L. D. 1268)

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 and Assigned

Bill "An Act to Repeal Bounty on Bear" (H. P. 1263) (L. D. 833)

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

(On motion of Mr. Parker of Sebec, tabled pending third reading and specially assigned for Tuesday morning, April 24th)

Bill "An Act relative to Fishing Contests" (H. P. 1725) (L. D. 1280)

Bill "An Act relating to Transportation of Fish, Game or Fur-Bearing Animals by Aircraft" (H. P. 1728) (L. D. 1283)

Resolve Providing for a Fish Screen at Outlet of Highland Lake in the Town of Bridgton (H. P. 317) (L. D. 175)

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) (L. D. 1130)

Resolve Providing for a Fish Screen at Worthley Pond, in the Town of Peru, Oxford County (H. P. 1578) (L. D. 1150)

Resolve Limiting Certain Ponds in Aroostook County to Fly Fishing (H. P. 1726) (L. D. 1281)

Resolve in favor of Piscataquis County Fish and Game Association (H. P. 1727) (L. D. 1282)

Resolve in favor of the Waterford Fish and Game Association (H. P. 1729) (L. D. 1284)

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

#### Amended Bills

Bill "An Act relating to Support of Paupers by Kindred" (S. P. 412) (L. D. 972)

Bill "An Act relating to Legitimacy of Children" (S. P. 413) (L. D. 973)

Were reported by the Committee on Bills in the Third Reading, read the third time, passed to be en-



grossed as amended by Committee Amendment "A" and sent to the Senate.

#### Tabled and Assigned

Bill "An Act to Control and Eradicate Bang's Disease" (S. P. 467) (L. D. 1100)

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

(On motion of Mr. Roberts of Dexter, tabled pending third reading, and specially assigned for Wednesday, April 25th)

Bill "An Act to Increase the Salaries of the Judge and Recorder of the Town of Lincoln Municipal Court" (H. P. 556) (L. D. 314)

Bill "An Act relating to Salary of the Judge of the Pittsfield Municipal Court" (H. P. 1140) (L. D. 672) (Amended Title)

Bill "An Act relating to Motor Vehicle Excise Taxes of Persons in Unorganized Territory" (H. P. 1671) (L. D. 1242)

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.

At this point Speaker Silsby returned to the rostrum.

The SPEAKER: Mr. Hand, in order that you may remember this occasion, may I present you with this little gavel.

Mr. HAND: Thank you, Mr. Speaker.

Thereupon, Mr. Hand was conducted to his seat on the Floor amid the applause of the House, and Speaker Silsby resumed the Chair.

#### Passed to be Enacted Emergency Measure

An Act Authorizing Approval of the Interstate Civil Defense and Disaster Compact (S. P. 117) (L. D. 207)

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

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. 114 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 Membership of the Emergency Municipal Finance Board (S. P. 39) (L. D. 22)

An Act relating to Trustee of Wages (S. P. 163) (L. D. 339)

An Act relating to the Taking of Alewives in the New Meadows River in the Towns of Brunswick and West Bath (S. P. 279) (L. D. 618)

An Act relating to the Salaries of the Judge and the Clerk and Clerk Hire of the Auburn Municipal Court (S. P. 288) (L. D. 627)

An Act relating to the Superintending School Committee of the Town of Houlton (S. P. 309) (L. D. 660)

An Act relating to Wholesale Lobster Dealer's License (S. P. 311) (L. D. 662)

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 and Assigned

An Act relating to Sale and Lease of Lands in Indian Township (S. P. 328) (L. D. 815)

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

Mr. BROWN of Baileyville: Mr. Speaker—

The SPEAKER: For what purpose does the gentleman rise?

Mr. BROWN: To table an item, Mr. Speaker.

The SPEAKER: Does the gentleman wish to make a motion?

Mr. BROWN: Yes, Mr. Speaker. The SPEAKER: The gentleman may proceed.

Mr. BROWN: I move that Item 9, An Act relating to Sale and Lease of Lands in Indian Township, be tabled and specially assigned for Friday.

The SPEAKER: The gentleman from Baileyville, Mr. Brown, moves that An Act relating to Sale and Lease of Lands in Indian Township lie on the table and be specially assigned for Friday, April 20th, pending passage to be enacted. Is this the pleasure of the House?

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

An Act relating to the Taking of Certain Property by the Town of Naples by Right of Eminent Domain (S. P. 345) (L. D. 810)

An Act relating to Overloaded Trucks (S. P. 400) (L. D. 947)

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.

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

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

Mr. COLE of Liberty: Mr. Speaker and Members of the House: Under suspension of the rules I ask for reconsideration of this Item, Senate Paper 443, Legislative Document 1006, An Act relating to Qualifications for Lobster Licenses for Veterans.

My purpose is to offer an amendment.

The SPEAKER: Under suspension of the rules, the gentleman from Liberty, Mr. Cole, moves that the House reconsider its action whereby it passed, on April 6th, Bill "An Act relating to Qualifications for Lobster Licenses for Veterans" to be engrossed. Is it the pleasure of the House to reconsider?

The motion prevailed.

Mr. Cole 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. 443, L. D. 1006, Bill "An Act Relating to Qualifications for Lobster Licenses for Veterans."

Amend said Bill by striking out the last paragraph thereof and inserting in place thereof the following paragraph:

"Such license shall be issued only to persons who have been, for 3 years immediately prior to the date of the application, legal residents of this state; provided, however, that any person who has previously been a legal resident of this state and has reestablished a legal residence here for a period of 1 year next preceding his application shall be entitled to have his non-residence taken as a part of said 3 years, and the fee for such license shall be \$5; and provided further, that a veteran of World War II, who [was] is honorably discharged [or], honorably separated or retired from active service in the armed forces [and who has resided in Maine at any time between July 25, 1947 and July 25, 1956 and who has taken training under a licensed Maine lobster fisherman as provided for in Public Law 346, 78th Congress (G. I. Bill) or Public Law 16, 78th Congress,] shall be granted such license if he has been a resident of Maine for at least [2 years] 1 year prior to the date of the application."

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

#### Passed to be Enacted (Cont'd)

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

An Act Amending the Voluntary Apprenticeship Law (S. P. 458) (L. D. 1072)

An Act relative to Itinerant Photographers (S. P. 459) (L. D. 1073)

An Act relating to Baxter State Park (S. P. 521) (L. D. 1243)

An Act relating to Liquor Licenses in Unincorporated Places (S. P. 523) (L. D. 1249)

An Act Increasing the Salary of the Recorder of the Western Han-

cock Municipal Court (H. P. 555) (L. D. 313)

An Act relating to the Taking of Alewives in the Town of Arrowsic (H. P. 1063) (L. D. 643)

An Act relating to the Rights of Minority Stockholders (H. P. 1229) (L. D. 782)

An Act relating to Fire Protection Tax in Unorganized Territory (H. P. 1327) (L. D. 890)

#### Finally Passed

Resolve Authorizing Forest Commissioner to Renew Lease to Passamaquoddy Lumber Company (S. P. 327) (L. D. 816)

Resolve in favor of the Town of Sebec (H. P. 1663) (L. D. 1261)

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

#### Orders of the Day

The SPEAKER: Under Orders of the Day, The Chair lays before the House the first item of unfinished business, Resolve Prohibiting Fishing in Certain Parts of Swan Lake, Waldo County, H. P. 1225, L. D. 779, tabled on April 4 by the gentleman from Brooks, Mr. Dickey, pending final passage; and the Chair recognizes that gentleman.

Mr. DICKEY: Mr. Speaker and Members of the House: I move that the House, under suspension of the rules, reconsider its action whereby it passed this resolve to be engrossed.

The SPEAKER: The gentleman from Brooks, Mr. Dickey, moves that the House reconsider its action of March 23 whereby it passed to be engrossed, Resolve Prohibiting Fishing in Certain Parts of Swan Lake, Waldo County. Is it the pleasure of the House to reconsider?

The motion prevailed, and the gentleman from Brooks, Mr. Dickey, then offered House Amendment "A" and moved its adoption. House Amendment "A" was read by the Clerk as follows:

HOUSE AMENDMENT "A" to H. P. 1225, L. D. 779, Resolve, Prohibiting Fishing in Certain Parts of Swan Lake, Waldo County.

Amend said Resolve by striking out the period at the end thereof and inserting in place thereof the following punctuation and words: "; provided, however, that such rule and regulation shall not apply to fishing by persons 15 years of age or younger and persons 60 years of age and older."

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

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

Mr. CARVILLE: Mr. Speaker, again I have to disagree with the gentleman from Brooks, Mr. Dickey, another one of my colleagues. This sets a precedent here of ages, something I know no one of us dreamed before, giving the boys up to fifteen years of age a free license, and over sixty. I don't know how the wardens would determine these boys' ages and, in this particular location, this pond is three miles by one mile long, it is just a spring hole. It is only a matter of—apparently, these families live along this body of water here and it was brought out to the committee that the privilege was abused by the families which lived close by. And, wherein it was a spring hole and seemed to want to flow water, the fish congregate there and they were just living out of this spring hole.

I certainly hope that this amendment will not be adopted.

The SPEAKER: The Chair recognizes the gentleman from Brooks, Mr. Dickey.

Mr. DICKEY: Mr. Speaker, I note that the gentleman before me (Mr. Carville) said it was brought out in committee that this was abused by the people living in the vicinity. I followed this bill along; I thought that it was a conservation measure and I would go along with it until I find that it smells just a little bit. I realize that the calendar of the gentlemen on the committee of Fish and Game that duties are tremendous. I noticed their books, they are two or three inches thick with resolves, and I think they have done a very marvelous job. However, there are so many bills I don't think it is a crime that they perhaps have erred in their judgment in this case.

Now, I wondered in the beginning, as long as this bill was in one of my nine towns, Swan Lake, a good part of it, and this particular part is in the town of Swanville, which I represent and I have a desk full of letters here and at the committee hearing there were a number of the citizens who came over to object to this bill and I, thinking, perhaps, as a conservation measure it would help, went along with them but I find that it is vicious and therefore I offer this amendment.

The gentleman from Eustis, Mr. Carville, says that it is creating a precedent where it states that "youngsters fifteen years of age or younger"—maybe I should be careful of this one—it says: "gentlemen sixty years of age or over"—I'll be there in ten years. I believe that we have had such precedents. In this whole legislative body, we have set precedents in the length of fish, the number of pounds, the number of pounds in the catch and so forth, so I don't think that that would be any great crime. I don't think it would be any great job for the warden in this district—I know him very well and I am sure that he would cooperate. This particular dam that we are talking about is on the foot of Swan Lake. When the water is drained down, it is just a small expanse of water and we advertise in the State of Maine a "Vacation Land".

Now, there are a lot of people sixty years of age or older around this community and relatives and friends of theirs who buy out-of-state licenses who would like to sit on the dam in the sun and fish a little bit, sleep a little bit; several youngsters with an old alder pole and several worms like to go down there to the dam because their parents don't want them to go out in a boat on this lake. I know that the Fish and Game Association of Swan Lake would like to have this closed to everybody but the people, themselves, don't. They have put up with the putt-putt of their boats around the lake and their trawling; they have put up with their trespassing on their property. Therefore, I don't see why there should be any objection to my amendment. We know that when Yankee wrath gets riled up it is pretty tough and

when you get the Yankees a-feuding, it is really bad. Now, I think that with this amendment that will allow the older people to go down and sit on the dam and fish if they want for a few yellow perch and the youngsters with their alder poles to sit down there instead of being deprived of the privilege of fishing on this lake, I will go along with my motion and I hope it will prevail.

The SPEAKER: The Chair recognizes the gentleman from Lisbon, Mr. Plummer.

Mr. PLUMMER: Mr. Speaker and Members of the House: One of the things I don't like about this amendment is that it hits old men, sixty years of age—it hits pretty near me. But this bill does not close the whole lake, it only closes fishing to within four hundred feet of the dam. And it was brought out in the hearing that fish do congregate there, and that it is a conservation measure in that it protects the fish when they are spawning and this amendment limiting to fifteen years, under fifteen years or over sixty, would be creating a precedent and I think a very dangerous one. It would tend to class legislation in allowing only those to fish who come within these age limits and I think that it would really be establishing a very dangerous precedent. I hope that the motion does not prevail.

The SPEAKER: The Chair recognizes the gentleman from Moose River Plantation, Mr. Watson.

Mr. WATSON: Mr. Speaker and Members of the House: I dislike very much to get up and oppose my seat mate, the gentleman from Brooks, Mr. Dickey, but I cannot go along with him on his amendment. As has been pointed out by the gentleman from Eustis, Mr. Carville, and the gentleman from Lisbon, Mr. Plummer, this amendment would be almost impossible to enforce.

In speaking on this Swan Lake, it was very well presented to us in committee that there was a problem there and, of course, a good many of us realized what the problem is when a lake is drained down and all the fish have to congregate in a very narrow body of water; they are very easy to catch.

For that reason and for the getting rid of this amendment, I hope that the motion will not prevail.

The SPEAKER: Is the House ready for the question?

The Chair recognizes the gentleman from Brooks, Mr. Dickey.

Mr. DICKEY: Mr. Speaker, about the only objection that I find here is because it creates a precedent. It doesn't bother me a bit that my friend, the gentleman from Moose River Plantation, Mr. Watson, is my seat-mate. If I thought he was right, I would go along with him; if I thought he was wrong, I would go against him. It doesn't make any difference whether he sits alongside of me or ten seats away.

Now, they mentioned in the committee that they had a lot of data on it. I believe there was one party who presented himself as being sent here by the Swan Lake Fish and Game Club. I have gone through all these papers listing your legislative agents and I don't find his name here. Therefore, I would say that the committee should take his testimony as an individual and besides that I have found out enough to know that this Swan Lake Rod and Gun Club isn't for this unanimously. They are in a fight among themselves. They are only over here asking the Legislature to wash a little dirty linen.

So, as long as all they talked about is just because it creates a precedent, and I have shown that we have had precedents in the matter of length of lobsters, the pounds of lobsters, the length of fish and the amount of catch, I believe I am right in submitting this House Amendment and I hope my motion will prevail.

The SPEAKER: Is the House ready for the question?

The question before the House is on the adoption of House Amendment "A", presented by the gentleman from Brooks, Mr. Dickey, on Resolve Prohibiting Fishing in Certain Parts of Swan Lake, Waldo County, H. P. 1225, L. D. 779.

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

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

Thirty-five having voted in the affirmative and forty-eight in the negative, the motion to adopt House Amendment "A" did not prevail.

The SPEAKER: The Chair recognizes the gentleman from Brooks, Mr. Dickey.

Mr. DICKEY: Mr. Speaker, I can see where the House decided it would create a precedent in determining the age and, therefore, I now move the indefinite postponement of the Resolve.

The SPEAKER: The gentleman from Brooks, Mr. Dickey, moves that Resolve Prohibiting Fishing in Certain Parts of Swan Lake, Waldo County, H. P. 1225, L. D. 779, be indefinitely postponed.

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

The motion prevailed and the resolve was indefinitely postponed and sent up for concurrence.

The SPEAKER: The Chair now lays before the House the second item of unfinished business, House Report "Ought not to pass" of the Committee on Labor on Bill "An Act Including Dust and Fumes as Occupational Diseases," H. P. 1426, L. D. 1033, tabled on April 6 by the gentleman from Greenville, Mr. Rollins, pending acceptance of the report; and the Chair recognizes that gentleman.

Mr. ROLLINS: Mr. Speaker and Members of the House: I am going to make a motion to substitute the bill for the "Ought not to pass" report of the committee. If I am successful, I will then present House Amendment "A", under filing number 212, which is designed according to the now set up structure of diseases under the Workmen's Compensation Act. And the work which is defined on the one side is pneumoconiosis and that, the dictionary claims, is a disease of the lungs due to inhaling dust or minute metallic particles.

This amendment is in conformity with the Workmen's Compensation Act, which they have under Article 11, which, with this would be 14, carbon monoxide poisoning on the one hand; on the other hand any process involving direct exposure to carbon monoxide in buildings, sheds and closed places. That is the

reason that that is written in that form.

I would like to read into the record from the "Diseases of the Chest," which is the official publication of the American College of Chest Physicians, dated December, 1950. "Dust Inhalation in Relation to Pulmonary Disease" by John E. Silson, M.D., New York, New York. "Everyone is inhaling some dust with almost every breath taken but the results of this dust upon the lungs is considered part of the natural process of aging when it occurs outside of his occupation. The relationship of dust inhalation to pulmonary disease is therefore usually considered only from the point of view of industrial exposure. Observations on the effect of dusts in industry have consequently been limited largely to those pathological processes which can be clearly differentiated from pulmonary diseases of non-occupational origin. To these characteristic changes in the lungs produced by dust, the term pneumoconiosis has been applied."

Now, ladies and gentlemen of the House, we have many cases in this State in our industries where we have dust diseases. We have one prevalent in my town that is comparatively new. It is in the process of making this high-grade veneer from birch, hardwood logs. It is this new process of sanding that has created a terrible hazard in all the industries, of which there are several, at Bingham, at Greenville, at Howland, at, I think, New Sweden or Stockton, one of those places up there and several more over the State.

The condition is side-stepped. I had some pictures taken a couple of weeks ago and in the interiors of buildings you couldn't see the men working and they were inhaling. The steam pipes, the outside of the building, the entire area is just covered with minute particles of dust which are not only injurious to the lungs of workmen but it is a tremendous fire hazard. This stuff is nothing but a gas; it is of combustible nature.

It is true they are trying to get some machinery to eliminate to some extent this condition, which, no doubt, perhaps, if placed on the occupational disease list, including

that item, would insure a speeding up of the installation of such machinery. But, as this House apparently feels that it is their duty to shift the burden of taxation upon the lower income group, the working man, it appears to me that if we are to carry on and increase this great octopus which we are building around this dome, if we are to carry on this welfare state, which we shall soon be known as, we must do something to protect the man with the dinner pail so that he can drag to work that he may pay the taxes.

Mr. Speaker, I move the substitution of the bill for the "Ought not to pass" report of the committee.

The SPEAKER: The question before the House is on the motion of the gentleman from Greenville, Mr. Rollins, that the House substitute Bill "An Act Including Dust and Fumes as Occupational Diseases," H. P. 1426, L. D. 1033, for the "Ought not to pass" report of the committee. Is the House ready for the question?

All those in favor of the motion of the gentleman from Greenville, Mr. Rollins, that Bill "An Act Including Dust and Fumes as Occupational Diseases" be substituted for the "Ought not to pass" report of the committee will please say aye; those opposed, no.

A viva voce vote being doubted,

A division of the House was had.

Fifty-six having voted in the affirmative and thirty-six in the negative, the bill was substituted for the "Ought not to pass" report of the committee.

Thereupon, the bill having already been printed was given its two several readings under suspension of the rules.

The gentleman from Greenville, Mr. Rollins, then offered House Amendment "A" and moved its adoption. House Amendment "A" was read by the Clerk as follows:

HOUSE AMENDMENT "A" to H. P. 1426, L. D. 1033, Bill "An Act Including Dust and Fumes as Occupational Diseases."

Amend said Bill by striking out all after the first paragraph, beginning with the underlined word "Caused", and inserting in place thereof the following:

**'14 Pneumoconiosis:**

**14. Any process involving direct exposure to irritating dusts in buildings, sheds, or enclosed places.'**

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

The SPEAKER: The Chair now lays before the House the third item of unfinished business on today's calendar, House Report "Ought to pass" as amended by Committee Amendment "A" of the Committee on Legal Affairs on Bill "An Act Relating to Uniforms for Members of Police Department of City of Lewiston," H. P. 1587, L. D. 1159, tabled on March 30 by the gentleman from Lewiston, Mr. St. Pierre, pending acceptance of the report; and the Chair recognizes that gentleman.

Mr. ST. PIERRE: Mr. Speaker and Members of the House: I tabled this bill, House Paper 1587, L. D. 1159, in courtesy to the gentleman from Lewiston, Mr. Couture, and, at this moment, I would like to yield to the gentleman from Lewiston, Mr. Couture.

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

Mr. COUTURE: Mr. Speaker and Members of the House: I move that we retable House Paper 1587, L. D. 1159, and specially assign it for Friday, April 27. The reason is because I haven't got the proper paper, the amendment that was drawn by my colleague.

The SPEAKER: The gentleman from Lewiston, Mr. Couture, moves that the third item of unfinished business on today's calendar be retabled and specially assigned for Friday, April 27, pending acceptance of the committee report. Is this the pleasure of the House?

The motion prevailed and the matter was so tabled and so assigned.

The SPEAKER: The Chair lays before the House the first tabled and today assigned matter on today's calendar, House Report "Ought to pass" as amended by Committee Amendment "A" of the Committee on Labor on Bill "An Act Designating Silicosis as an Occu-

cupational Disease," H. P. 676, L. D. 408, tabled on March 30 by the gentleman from Baileyville, Mr. Brown, pending acceptance of the report; and the Chair recognizes that gentleman.

On motion of the gentleman from Baileyville, Mr. Brown, the House voted to accept the "Ought to pass" as amended by Committee Amendment "A" report of the committee.

Thereupon, the bill, having already been printed, was given its two several readings under suspension of the rules.

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

COMMITTEE AMENDMENT "A" to H. P. 676, L. D. 408, Bill "An Act Designating Silicosis as an Occupational Disease."

Amend said Bill by inserting at the beginning thereof the underlined abbreviation and figure: 'Sec. 1.'

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

"Sec. 2. R. S., c. 26, §§ 69-A, 69-B, additional. Chapter 26 of the revised statutes is hereby amended by adding thereto 2 new sections to be numbered sections 69-A and 69-B, to read as follows:

'Sec. 69-A. Special provisions relating to silicosis. In the absence of conclusive evidence in favor of the claim, disability or death from silicosis shall be presumed not to be due to the nature of any occupation, unless during the 10 years immediately preceding the date of disability the employee has been exposed to the inhalation of silica dust over a period of not less than 5 years, 2 years of which shall have been in this state, under a contract of employment existing in this state; provided, however, that if the employee shall have been employed by the same employer during the whole of such 5-year period, his right to compensation against such employer shall not be affected by the fact that he had been employed during any part of such period outside of this state. No compensation shall be payable for partial incapacity due to silicosis. The compensation payable in any such case shall be limited to a period not to exceed the average life expectancy of a person of the

age and sex of the deceased. In the event of disability from silicosis the employer shall provide reasonable medical treatment not to exceed \$1,000 in amount.

**Sec. 69-B. Addition of new occupational diseases not retroactive.** When silicosis and any other new occupational disease is added to the list of compensable occupational diseases, the occupational disease law, including sections 58 and 65, shall apply thereto as if effective as of the effective date of the law making such addition."

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

Mr. CHASE: Mr. Speaker, may I inquire of any member of the Committee on Labor what relation, if any, this bill has to L. D. 1033, which was just substituted for the report of the committee and amended, and which appears, at first glance, to relate to the same chapter and has the same number.

The SPEAKER: The gentleman from Cape Elizabeth, Mr. Chase, through the Chair, requests information from any member of the Committee on Labor. Any member of the Labor Committee may answer if he chooses.

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

Mr. BATES: Mr. Speaker, I am not a member of the Labor Committee but I would like to state that it would be my understanding that the first item 1033, that we acted on this morning, would be a vague application to all dust and fine particles as a cause of pulmonary disease, whereas in silicosis, it is dust particles containing silica, a more specific condition.

The SPEAKER: The question before the House is on the adoption of Committee Amendment "A" to H. P. 676, L. D. 408, Bill "An Act Designating Silicosis as an Occupational Disease." Is it the pleasure of the House to adopt Committee Amendment "A"?

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

The SPEAKER: The Chair now lays before the House the second tabled and today assigned matter,

An Act Relating to Sewer Service Charges, H. P. 1238, L. D. 790, tabled on April 12 by the gentleman from Lewiston, Mr. Delahanty, pending passage to be enacted; and the Chair recognizes that gentleman.

Mr. DELAHANTY: Mr. Speaker and Members of the House: I now move that An Act Relating to Sewer Service Charges, L. D. 790, be passed to be enacted.

The SPEAKER: The gentleman from Lewiston, Mr. Delahanty, moves that An Act Relating to Sewer Service Charges, H. P. 1238, L. D. 790, now pass to be enacted.

This bill having had its three several readings in the House, and having been passed to be engrossed; and having had its three several readings in the Senate and having been passed to be engrossed, and the Committee on Engrossed Bills having reported that it is truly and strictly engrossed, is it now the pleasure of the House that it be passed to be enacted?

The motion prevailed and the bill was passed to be enacted, signed by the Speaker and sent to the Senate.

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

The Chair recognizes the gentleman from Gorham, Mr. Sanborn.

On motion of the gentleman from Gorham, Mr. Sanborn, the House voted to take from the table the fourteenth tabled and unassigned matter, An Act relating to Insurance Agents and Brokers, S. P. 370, L. D. 898, tabled by that gentleman on March 21 pending passage to be enacted.

And, on further motion of the same gentleman, under suspension of the rules, the House voted to reconsider its action of March 14th whereby it passed the bill to be engrossed.

Thereupon, the gentleman from Gorham, Mr. Sanborn, presented House Amendment "A" and moved its adoption.

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

**HOUSE AMENDMENT "A" to S. P. 370, L. D. 898, Bill "An Act Relating to Insurance Agents and Brokers."**



Amend said Bill by striking out in the 14th line thereof the underlined words "or debtors"

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

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

Mr. PERRY: Mr. Speaker and Members of the House: I would like to have the House reconsider its action whereby it passed to be engrossed, House Paper 1728, L. D. 1283, Bill "An Act relating to Transportation of Fish, Game or Fur-Bearing Animals by Aircraft" on page 4 of today's calendar.

The SPEAKER: The gentleman from Chelsea, Mr. Perry, moves that the House reconsider its action taken earlier in today's session whereby Bill "An Act relating to Transportation of Fish, Game or Fur-Bearing Animals by Aircraft," H. P. 1728, L. D. 1283, was passed to be engrossed. Is it the pleasure of the House to reconsider?

(Cries of "Object")

The SPEAKER: All those in favor of the reconsideration will say aye; those opposed, no.

A viva voce vote being taken, the motion for reconsideration prevailed.

Thereupon, on further motion of the gentleman from Chelsea, Mr. Perry, the bill was tabled pending passage to be engrossed and was specially assigned for tomorrow morning, April 18.

On motion of the gentleman from Old Orchard Beach, Mr. Gerrish, the House voted to take from the table the twelfth tabled and unassigned matter, Bill "An Act to Establish a Civil Service Commission for the Town of Old Orchard Beach", H. P. 1206, L. D. 764, tabled on March 20 by that gentleman pending third reading.

The SPEAKER: The Chair recognizes the gentleman from Old Orchard Beach, Mr. Gerrish.

Mr. GERRISH: Mr. Speaker, I move that this bill be indefinitely postponed.

The SPEAKER: The gentleman from Old Orchard Beach, Mr. Gerrish, moves that Bill "An Act to

Establish a Civil Service Commission for the Town of Old Orchard Beach", H. P. 1206, L. D. 764, be indefinitely postponed.

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

A viva voce vote being taken, the motion prevailed and the bill was indefinitely postponed and sent up for concurrence.

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

Mr. BATES: Mr. Speaker, I move to take from the table the sixty-third tabled and unassigned matter, which I tabled on April 12th because the attendance of the House at that time did not seem to warrant action on an emergency measure.

The SPEAKER: The gentleman from Orono, Mr. Bates, moves that the House take from the table the sixty-third tabled and unassigned matter on today's calendar, An Act to Incorporate the Town of Hancock School District, H. P. 1276, L. D. 845, (Emergency Measure) tabled on April 12 by that gentleman pending passage to be enacted. Is this the pleasure of the House?

The motion prevailed.

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

Mr. BATES: Mr. Speaker, I now move that this item be passed to be enacted.

The SPEAKER: The gentleman from Orono, Mr. Bates, moves that An Act to Incorporate the Town of Hancock School District, H. P. 1276, L. D. 845, pass to be enacted.

This bill, having had its three several readings in the House and having been passed to be engrossed; and having had its three several readings in the Senate and having been passed to be engrossed, and the Committee on Engrossed Bills having reported that it was truly and strictly engrossed, is it now the pleasure of the House that it pass to be enacted?

This being an emergency measure, under the Constitution it requires for its enactment the affirmative vote of two-thirds of the entire elected membership of the House. Those in favor of its passage as an emergency measure will please rise and remain standing un-

til the monitors have made and returned the count.

A division of the House was had.

One hundred twenty-seven having voted in the affirmative and none in the negative the bill was passed to be enacted, signed by the Speaker and sent to the Senate.

On motion of the gentlewoman from Portland, Mrs. Fay, the House voted to take from the table the forty-second tabled and unassigned matter, Senate Report "Ought to pass" of the Committee on Towns and Counties on Bill "An Act to Authorize Cities and Towns to Accept Grants from Federal Government", S. P. 461, L. D. 1075, tabled on April 5 by the gentlewoman from Portland, Mrs. Fay, pending acceptance in concurrence.

On further motion of the same gentlewoman, the House voted to accept the "Ought to pass" report in concurrence.

Thereupon, the bill was given its two several readings and was assigned for third reading tomorrow morning.

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

On motion of the gentleman from Lyman, Mr. Taylor, the House voted to take from the table the eighth tabled and unassigned matter, House Report "Ought to pass" as amended by Committee Amendment "A" of the Committee on Towns and Counties on Bill "An Act relating to the Hire of Professional Appraisers by Cities and Towns", H. P. 1214, L. D. 771, tabled by that gentleman on March 8 pending adoption of Committee Amendment "A".

The SPEAKER: The Chair recognizes the gentleman from Lyman, Mr. Taylor.

Mr. TAYLOR: I now move, Mr. Speaker, that we indefinitely postpone Committee Amendment "A".

The SPEAKER: The gentleman from Lyman, Mr. Taylor, moves that the House do indefinitely postpone Committee Amendment "A" to Bill "An Act relating to the Hire of Professional Appraisers by Cities and Towns". Is this the pleasure of the House?

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

Mr. BURGESS: Mr. Speaker, may I ask the Clerk to read Committee Amendment "A"?

The SPEAKER: The gentleman may. The Clerk will read Committee Amendment "A".

The CLERK: Committee Amendment "A" was reproduced and distributed under Filing Number 72.

COMMITTEE AMENDMENT "A" to H. P. 1214, L. D. 771, Bill "An Act Relating to the Hire of Professional Appraisers by Cities and Towns."

Amend said Bill by striking out in the Title thereof the word "Professional" and inserting in its place the word 'Qualified'

Further amend said Bill by striking out the underlined word "**professional**" in the 4th and 6th lines and inserting in its place the underlined word 'qualified'

Further amend said Bill by striking out the word "professional" in the next to last line and inserting in its place the word 'qualified'

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

Mr. BURGESS: Mr. Speaker, I can assure you it does not give me any pleasure to oppose my good friend and committee associate, the gentleman from Lyman, Mr. Taylor. However, I do feel that this amendment should not be postponed for the reason that "professional" would be, in my opinion, a very difficult word to define. A person may not be professional in this field and yet may be very thoroughly qualified being familiar with valuation and property in a certain area.

I have seen in my own community professional appraisers sent in by the United States Government, whose experience had been in other states and in other fields of appraisal and their work was not upheld by the United States court when it came to a matter of settling appraised values.

I hope that the House will not vote to indefinitely postpone this amendment, believing thoroughly as I do that the word "qualified" is a very proper word by which selectmen and assessors in a town or a city may judge the qualifications of a person whom they wish to hire.

The SPEAKER: The question before the House is on the motion of the gentleman from Lyman, Mr. Taylor, that the House indefinitely postpone Committee Amendment "A" to Bill "An Act Relating to the Hire of Professional Appraisers by Cities and Towns." Is the House ready for the question?

The Chair recognizes the gentleman from Lyman, Mr. Taylor.

Mr. TAYLOR: Mr. Speaker, I am going to agree with the gentleman from Limestone, Mr. Burgess, on this committee amendment. I got it mixed up with another one which he offered that took up another matter and which other legislation would cover.

I will withdraw my motion and move that the House accept the "Ought to pass" report of the committee.

The SPEAKER: The Chair understands that the gentleman from Lyman, Mr. Taylor, withdraws his motion to indefinitely postpone Committee Amendment "A".

Is it now the pleasure of the House to adopt Committee Amendment "A" to Bill "An Act relating to the Hire of Professional Appraisers by Cities and Towns," H. P. 1214, L. D. 771?

Thereupon, Committee Amendment "A" was adopted.

Mr. TAYLOR: Mr. Speaker—

The SPEAKER: For what purpose does the gentleman rise?

Mr. TAYLOR: I want to make a motion, Mr. Speaker.

The SPEAKER: The gentleman may.

Mr. TAYLOR: Mr. Speaker, I move that we accept the "Ought to pass" report of the Committee.

The SPEAKER: The Chair will state that the question before the House is on the assignment of the bill for third reading.

Thereupon, the bill as amended was assigned for third reading tomorrow morning.

On motion of the gentleman from Limestone, Mr. Burgess, the House voted to take from the table the sixty-eighth tabled and unassigned matter, Bill "An Act relating to Automobile Travel by State Employees", H. P. 791, L. D. 471, tabled on April 12 by that gentleman, pending assignment for third reading.

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

Mr. BURGESS: Mr. Speaker, I would ask a question of the Chair if the question before the House is on the adoption of House Amendment?

The SPEAKER: The Chair will inform the gentleman that the amendment has been adopted and the bill is now pending assignment for third reading.

Mr. BURGESS: Mr. Speaker, may I ask another question? Will you give us the number of the adopted amendment?

The SPEAKER: The Chair will inform the gentleman that the Committee Amendment is Filing Number 147, House Amendment "A" is Filing Number 156 and House Amendment "B" is Filing Number 168.

Mr. BURGESS: Mr. Speaker, the amendment which I wish to oppose, if the Clerk will help me out, is the one that makes the travel mileage equal for all State employees and which was offered by the gentleman from Falmouth, Mr. Dow.

The SPEAKER: The Chair will inform the gentleman that House Amendment "B" presented by the gentleman from Falmouth, Mr. Dow, and adopted on April 12 is Filing Number 168.

Mr. BURGESS: Mr. Speaker and Members of the House: If I would be in order, I would like to move reconsideration of the adoption of House Amendment "B" and, in stating my case very briefly, I would point out to the House—

The SPEAKER: The Chair will inform the gentleman that the motion to reconsider would not be in order unless the rules are suspended. Does the gentleman so move?

Mr. BURGESS: I so move, Mr. Speaker.

The SPEAKER: The gentleman from Limestone, Mr. Burgess, moves that the rules be suspended in order that he may make a motion to reconsider. Is this the pleasure of the House?

All those in favor of the motion that the rules be suspended in order that the gentleman from Limestone, Mr. Burgess, may move to reconsider the adoption of House Amend-

ment "B" on Bill "An Act relating to Automobile Travel by State Employees", H. P. 791, L. D. 471, will please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

One hundred two having voted in the affirmative and none in the negative, the rules were suspended.

The SPEAKER: The gentleman from Limestone, Mr. Burgess, now moves that the House reconsider its action whereby it adopted House Amendment "B" on April 12 to Bill "An Act relating to Automobile Travel by State Employees," H. P. 791, L. D. 471.

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

Mr. BURGESS: Mr. Speaker and Members of the House: In making this motion, I would like to point out to the House that the amendment affects inspectors of certified seed and I would like to further point out to the House that the money with which the inspectors of certified seed are paid comes strictly and wholly from the seed growers of the State of Maine and does not require one cent of money from the State's Treasurer.

Therefore, I believe that the seed growers of the State of Maine, who pay the bill, are entitled to set that salary through their representatives here in the Legislature and that by the widest stretch of imagination, we as entire members of this House throughout the State, should not interfere with their program.

The reason for their travel having been set at the figure which is now prescribed by law is this: A certified seed inspector is a field inspector during the summer months and, in performing his duty he is required to travel over field roads, over roads which are at times hardly passable to reach isolated fields of seed.

Now, they are doing a good job and the seed growers of the State of Maine are satisfied with the work they are doing and they are satisfied with the mileage that they are receiving. And, may I very briefly compare their travel to that of many other State employees. The average State employee travels over

a trunk line, mostly over hard-surfaced roads, from one town to the other and I submit to you that the wear and tear of his car is not comparable to the certified seed inspector who, in order to perform his duty, travels through the fields.

If it would be in order, Mr. Speaker, I would now move the indefinite postponement of House Amendment "B."

The SPEAKER: The Chair will inform the gentleman that the motion before the House is the motion for reconsideration.

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

Mr. BROWN: Mr. Speaker, I believe this is the bill that I introduced into the Legislature.

At the time I was going into this thing, I was a little concerned with why the seed potato men had a difference in the mileage travel and after digging into the thing, I find out that what my good friend, the gentleman from Limestone, Mr. Burgess, says is absolutely true. That these inspectors of seed potatoes are compelled to travel over terrible roads. Anyone who is familiar with Aroostook County, the back country up there where the potatoes are grown, will realize that the facts that have been brought out here are true. Also the fact that the growers of seed potatoes do furnish the money that finances this travel so if we want to maintain the seed potato business and give it the proper inspection and one thing and another, I don't think that we should interfere in the program that the growers of seed potatoes are trying to put across that our seed potatoes in the State of Maine will be far above any others in the country.

So, I hope that the action that the gentleman from Limestone, Mr. Burgess, recommends will be adopted by this House.

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

Mr. DOW: Mr. Speaker and Members of the House: This amendment was designed to place all State employees on the same mileage basis. It would eliminate much friction and dissatisfaction which is at present among members of different departments and even different divisions in the same

department on account of different mileage scales.

Now, it has been stated that these inspectors of seed potatoes work only in the summertime. I do not believe they have any serious difficulty in getting over the roads that they travel, although if they travel a number of miles just in the summer which they are collecting mileage for, they probably do go into all niches and corners of the State. The mileage of the seed potato inspectors for the last year was more than a quarter of million miles, 250,678, quite a distance to travel inspecting seed potatoes. And furthermore, many of the above were also paid mileage at other than the seven cent rate while working as inspectors on other programs. For instance, a man might inspect potatoes for 5,000 miles at eight cents a mile under the old schedule and then he might inspect seed potatoes for all the balance of his mileage at seven cents, which puts him in an even better classification than seven cents straight. If the committee amendment were accepted making the first stage seven instead of eight for the first 5,000 miles and six cents a mile for each mile thereafter, it would only reduce the total \$1156.78 for all those 250,000 miles traveled, and it would eliminate much dissatisfaction which we have at present.

For instance, even in the Department of Agriculture, an inspector in the Division of Animal Industry or Plant Industry works on one schedule, the inspector of seed potatoes works on another and I assure you members that causes unpleasantness, to say the least. And more than that, we have another bill coming along where another department wants to come in on the same classification as the inspectors of seed potatoes for the same reason, claiming that they have to travel over difficult roads. I hope the motion will not prevail.

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

Mr. CHASE: Mr. Speaker, the merits of the question involved do not concern me deeply but I would like to point out to the House that as a matter of procedure it would

greatly expedite legislation if these issues could be settled when they are before the House.

If we are going back to resurrect all the mistakes which we may have made, of which I suspect there are a number, it will be a very difficult procedure. I simply, without expressing myself on the merits of this question, I do express the hope that the members of this House who are interested in bills and amendments will make their fight when the matter is before the House so that when we do something here we can consider that it has been finally disposed of.

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

Mr. BURGESS: Mr. Speaker, with absolutely no feeling, I would like to make a confession to the House that I do not have the ability to catch all of the undesirable things as they progress.

I want to thank the House for allowing me to reconsider on this amendment and I will assure the Floor Leader that I will try to do better in the future. I do not think that any of us are perfect.

May I further state with respect to the amendment, just in case the entire House is not familiar with the potato program and particularly certified seed, that it is a program whereby the farmer wishing to enter his crop of seed for certification, sends an application to the Commissioner of Agriculture with a fee at the time of his application. Later, if his field passes inspection and it is being sold for seed, he purchases from the Department of Agriculture a tag which designates that his seed has been certified by the State Department of Agriculture. From those two payments, the payment for the tag and the payment for his application, that part of the Department of Agriculture which relates to certified seed is paid for by that grower and he, in turn, helps to establish the policies by which that phase of the department is operated. It is his program.

I stand here now and say to this entire House, if you have another department, another part of the Department of Agriculture or any other department, which is self-supporting and paying its own way,

I certainly would not object if they, the people who are paying the bill, come into the House and ask us to establish a policy for their good. I believe it should be considered.

And I just simply repeat that this is a program which does not cost the State a nickel, it is being paid for by the people who are trying to promote good seed in the State of Maine and again, if there is another department that is self-supporting, I for one, shall be glad to vote to allow them to establish a policy.

I hope you will support my motion.

The SPEAKER: Is the House ready for the question? The question before the House is on the motion of the gentleman from Limestone, Mr. Burgess, that the House reconsider its action of April 12 whereby it adopted House Amendment "B" to Bill "An Act relating to Automobile Travel by State Employees," H. P. 791, L. D. 471.

All those in favor of reconsidering will say aye; those opposed, no.

A viva voce vote being taken, the motion prevailed.

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

Mr. BURGESS: Mr. Speaker, I now move the indefinite postponement of House Amendment "B".

The SPEAKER: The gentleman from Limestone, Mr. Burgess, now moves that the House indefinitely postpone House Amendment "B" to Bill "An Act relating to Automobile Travel by State Employees".

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

A viva voce vote being taken, the motion prevailed and House Amendment "B" was indefinitely postponed and the bill was assigned for third reading tomorrow morning.

On motion of the gentleman from Fairfield, Mr. Woodworth, the House voted to take from the table the thirty-ninth tabled and unassigned matter on today's calendar, House Report "Ought not to pass" of the Committee on Appropriations and Financial Affairs on Bill "An Act to Provide a Plan for the Administration of Certain Welfare Funds" H. P. 1298, L. D. 856,

tabled by that gentleman on April 4, pending acceptance of report.

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

Mr. WOODWORTH: Mr. Speaker, the Judiciary Committee is under orders to report on the laws relating to this Welfare set-up. I therefore move that this matter be retabled and assigned for Friday, April 27th. The report is due next week.

The SPEAKER: The gentleman from Fairfield, Mr. Woodworth, moves that the House Report "Ought not to pass" of the Committee on Appropriations and Financial Affairs on Bill "An Act to Provide a Plan for the Administration of Certain Welfare Funds" lie on the table and be specially assigned for Friday, April 27th, pending acceptance of the report. Is this the pleasure of the House?

The motion prevailed and the matter was so tabled and so assigned.

On motion of the gentleman from Auburn, Mr. Turner, the House voted to take from the table and thirty-fourth tabled and unassigned matter, Majority Report "Ought to pass" and Minority Report "Ought not to pass" of the Committee on Transportation on Bill "An Act Providing for Safety Equipment for Large Trucks" H. P. 1373, L. D. 963, tabled by that gentleman on April 4, pending acceptance of either report.

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

Mr. TURNER: Mr. Speaker, I would like to make the motion that we accept the minority report "Ought not to pass." I was the only one who signed that report. I didn't care too much which way it went, but I know that takes in every truck in the State of Maine of a ton and a half or over.

It says "9,000 pounds", and that means every farm truck or the trucks working around the cities. The title is a little misleading; it says "large trucks", so I don't think, if you members will look the bill over, and see just what it means, that you would like to go home and tell the boys that you have passed

this bill. I don't think it would do much good.

The SPEAKER: The gentleman from Auburn, Mr. Turner, moves that the House accept the minority "Ought not to pass" report of the committee. The Chair recognizes the gentleman from Bowdoinham, Mr. Jones.

Mr. JONES: Mr. Speaker and Members of the House: This particular bill is a safety measure. The bill calls for flares, and I think the total amount of cost per truck is \$3.50. The Transportation Committee, the majority, is in favor of safety, and I believe that \$3.50, if it is going to preserve a life, isn't asking too much. So I hope that the motion of the gentleman from Auburn, Mr. Turner, does not prevail.

The SPEAKER: Is the House ready for the question?

The question before the House is on the motion of the gentleman from Auburn, Mr. Turner, that the House accept the "Ought not to pass" report of the Committee on Transportation on Bill "An Act providing for Safety Equipment for Large Trucks." All those in favor of the motion will say aye; those opposed, no.

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

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

On motion of the gentleman from Wayne, Mr. Brown, the House voted to take from the table the forty-seventh tabled and unassigned matter, House Report "Ought not to pass" of the Committee on Inland Fisheries and Game on Bill "An Act relating to Closed Time on Deer in Southern Counties of Maine," H. P. 1575, L. D. 1147, tabled by that gentleman on April 10 pending acceptance of the report.

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

Mr. BROWN: Mr. Speaker and Members of the House: I cannot wholeheartedly agree with the decision of the Committee on Inland Fisheries and Game but, at this

time, I will bow to their superior wisdom and move the acceptance of the "Ought not to pass" report.

The SPEAKER: The gentleman from Wayne, Mr. Brown, moves that the House accept the "Ought not to pass" report of the Committee on Inland Fisheries and Game on Bill "An Act relating to Closed Time on Deer in Southern Counties of Maine."

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

Mr. CARVILLE: Mr. Speaker and Members of the House: I am caught here a little; I haven't got located on this. I would like a little more time. I would like to have this specially assigned for tomorrow morning.

The SPEAKER: The gentleman from Eustis, Mr. Carville, moves that the forty-seventh tabled and unassigned matter on today's calendar, House Report "Ought not to pass" of the Committee on Inland Fisheries and Game on Bill "An Act relating to Closed Time on Deer in Southern Counties of Maine," H. P. 1575, L. D. 1147, lie on the table pending acceptance of the report and be specially assigned for tomorrow, April 18. Is this the pleasure of the House?

The motion prevailed and the report with accompanying papers was so tabled and so assigned.

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

Mr. MARTIN: Mr. Speaker and Members of the House: During my absence this morning, the "Ought not to pass" report of the Committee on Towns and Counties on Bill "An Act relating to Continuous Credit for Excise Tax on Motor Vehicles," H. P. 1137, L. D. 669, was accepted by this House.

I have spoken to the gentleman from Limestone, Mr. Burgess, who signed the report and he has given me his approval for the motion which I am about to make.

I will now move that the House reconsider its action whereby it accepted the "Ought not to pass" report of the committee.

The SPEAKER: The gentleman from Augusta, Mr. Martin, moves that the House reconsider its action taken earlier in this morning's ses-

sion whereby it accepted the "Ought not to pass" report of the Committee on Towns and Counties on Bill "An Act relating to Continuous Credit for Excise Tax on Motor Vehicles," H. P. 1137, L. D. 669. Is it the pleasure of the House to reconsider?

The motion prevailed.

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

Mr. MARTIN: Mr. Speaker and Members of the House: I now move that this matter lie on the table and be specially assigned for Wednesday next, pending acceptance of the committee report.

The SPEAKER: The Chair will inquire of the gentleman if he means Wednesday, tomorrow, or Wednesday of next week?

Mr. MARTIN: Wednesday of next week, Mr. Speaker.

The SPEAKER: The gentleman from Augusta, Mr. Martin, moves that the "Ought not to pass" report of the Committee on Towns and Counties on Bill "An Act relating to Continuous Credit for Excise Tax on Motor Vehicles," H. P. 1137, L. D. 669, lie on the table pending acceptance of the committee report and be specially assigned for Wednesday, April 25th. Is this the pleasure of the House?

The motion prevailed and the report with accompanying papers was so tabled and so assigned.

On motion of the gentleman from Hermon, Mr. Nowell, the House voted to take from the table the thirty-seventh tabled and unassigned matter, House Report "Ought not to pass" of the Committee on Appropriations and Financial Affairs on Resolve in favor of Hampden Academy, H. P. 1511, L. D. 1105, tabled by that gentleman on April 4, pending acceptance of the committee report.

The SPEAKER: The Chair recognizes the gentleman from Hermon, Mr. Nowell.

Mr. NOWELL: Mr. Speaker, I now move that item 37 be retabled pending further consideration and be specially assigned for May 3rd.

The SPEAKER: The gentleman from Hermon, Mr. Nowell, moves that House Report "Ought not to pass" of the Committee on Approp-

priations and Financial Affairs on Resolve in favor of Hampden Academy lie on the table and be specially assigned for May 3rd. Is this the pleasure of the House?

(Cries of "No")

The SPEAKER: All those in favor of the motion will say aye; those opposed, no.

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

The SPEAKER: The question before the House is on the acceptance of the committee report.

The Chair recognizes the gentleman from Hermon, Mr. Nowell.

Mr. NOWELL: Mr. Speaker, I now move that the thirty-seventh unassigned matter be retabled pending further consideration and be specially assigned for April 27, Friday.

The SPEAKER: The gentleman from Hermon, Mr. Nowell, now moves that House Report "Ought not to pass" of the Committee on Appropriations and Financial Affairs on Resolve in favor of Hampden Academy lie on the table and be specially assigned for Friday, April 27. Is this the pleasure of the House?

The motion prevailed and the report with accompanying papers was so tabled and so assigned.

On motion of the gentleman from Stockton Springs, Mr. West, the House voted to take from the table the eighteenth tabled and unassigned matter, House Report "Ought to pass" of the Committee on Sea and Shore Fisheries on Bill "An Act Regulating the Digging of Marine Worms in the Town of Stockton Springs, Waldo County", H. P. 1187, L. D. 741, tabled by that gentleman on March 23rd pending acceptance of the committee report.

On further motion of the same gentleman, the House voted to accept the House Report "Ought to pass" of the Committee on Sea and Shore Fisheries on Bill "An Act Regulating the Digging of Marine Worms in the Town of Stockton Springs, Waldo County".

Thereupon, under suspension of the rules, the bill was given its two several readings.

The SPEAKER: The Chair recognizes the gentleman from Vinalhaven, Mr. Barton.



Mr. BARTON: Mr. Speaker, if I am in order may I present House Amendment "A" and move its adoption?

The SPEAKER: The gentleman from Vinalhaven, Mr. Barton, presents House Amendment "A" to Bill "An Act Regulating the Digging of Marine Worms in the Town of Stockton Springs, Waldo County" and moves its adoption. The Clerk will read the amendment.

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

HOUSE AMENDMENT "A" to H. P. 1187, L. D. 741, Bill "An Act Regulating the Digging of Marine Worms in the Town of Stockton Springs, Waldo County."

Amend said bill by striking out the word "clams" in the 1st line of the last paragraph and inserting in place thereof the words 'marine worms'.

The SPEAKER: The Chair recognizes the gentleman from Vinalhaven, Mr. Barton.

Mr. BARTON: Mr. Speaker, I would just like to present a word of clarification. The bill has to do with the digging of marine worms in the Town of Stockton Springs, and the committee failed to notice that under the penalty clause the word "clams" was there instead of "marine worms". It is a correctional amendment.

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

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

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

Mr. CHASE: Mr. Speaker, in order to afford time for executive sessions of the committees this afternoon and to later resume action on these unassigned matters, I move that the House recess until 4:00 P. M. this afternoon.

The SPEAKER: The Clerk will read the notices.

Thereupon, on motion of Mr. Chase of Cape Elizabeth, the House recessed until 4:00 P. M.

#### AFTER RECESS—4:00 P. M.

The House was called to order by the Speaker.

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

On motion of the gentleman from Chelsea, Mr. Perry, the House voted to take from the table the thirty-first tabled and unassigned matter, Majority Report "Ought to pass" and Minority Report "Ought not to pass" of the Committee on Taxation on Bill "An Act relating to Exemptions from Taxation," H. P. 336, L. D. 194, tabled on April 3rd by that gentleman, pending acceptance of either report.

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

Mr. PERRY: Mr. Speaker and Members of the House: I am going to move that we accept the majority "Ought to pass" report of the Taxation Committee on this particular bill.

My reason for introducing this particular bill was because of the condition that exists at the present time and which naturally was going to be getting worse in my own town. In my particular town, at the present time, due to the fact of the State Legislature passing this particular law, there is now over ten per cent of all the property exempt entirely. In the matter of a few years a much greater per cent will be exempt, even up to approximately fifty per cent of the town will be totally exempt from taxation, and of course when that condition exists, that means that the fifty per cent left in the town paying taxes are going to be paying a hundred per cent more in taxes.

The law on the statutes as of today, this Legislative Document 194, states that any person, any veteran who was in the service any length of time—he could have been in just one day and out again—there is no minimum time prescribed—is exempt at the age of sixty-two years from taxes up to \$3,500 valuation. I think most of the members of the House know and understand that \$3,500 exemption in any particular town, and a good share of the cities, is a pretty

large exemption. In most towns it would have to be quite an estate before it would even get close to that particular amount. In our town alone probably the most expensively valued house in that particular town runs in the vicinity of \$13,000.

We, in our town, at the present time are giving approximately \$3,000 a year actually in abatement of taxes due to this particular bill, and a small percentage of the citizens of my town can afford to pay the taxes.

Now I maintain that any person—I don't care who it is—who is physically and financially able to pay taxes, should be paying his taxes. That is why I would like to have the majority "Ought to pass" report of the committee accepted. I have studied this thing thoroughly, compared it to all of the other states in the forty-eight states, and I find actually that there is not another state in the forty-eight states that gives the exemptions with no strings that we are giving here in the State of Maine. There are two other states that give an exemption with no strings attached, but their maximum exemption is \$2,000, not \$3,500.

I do not think that when this particular law was put on the statute—the particular law that I refer to is the part that has left it wide open so that everybody could be tax-exempt at the age of sixty-two regardless of need—anyone foresaw another world war, namely World War II, that has come along. To me, as a tax assessor going around in the town, the town that I live in, and going to families and assessing them for taxes, knowing the taxes should be made in the vicinity of \$100, and having to assess them \$120, or \$130, for the exemptions, knowing full well that this particular mother or father probably has sons that are buried overseas from World War II, to make up the difference, and a person who is exempt and is financially able to pay the taxes creates a definitely unfair situation.

Now this particular law, I think, has no basis of need and at the present time exempts everybody. If the majority "Ought to pass" report

of the committee were accepted, it would then put this particular bill on the basis of need, where the law specifically states that any person, due to reasons of age, infirmity, disability or poverty, who in the judgment of the assessors, is unable to contribute to the support of public charges, shall be exempt. In other words, a person, I want to emphatically state, does not have to be a pauper in any way, shape or manner, to be able to get this exemption. It is based on need, and I think that is the American way and the way that it should be based is on need.

Another feature of the law which to me is grossly unfair is to take one veteran at the age of sixty-two years, who owns property, and may be financially well off and give him a bonus, paid at the local level of the town, at which this particular bonus is given, at the local level of the town, and then take the other veteran who reaches the age of sixty-two years who is unable to own a home, is not financially able to buy a home, he is the fellow who should be getting help and what has he got? He is getting an opportunity to pay higher rent to help amortize his buddy's bonus and his buddy is the person who should be paying the tax as he is the one who is financially able to do it.

That is one more reason why I feel that this particular law should be amended and put on a basis of need. In the particular law that has been redrafted, the totally disabled service-connected veteran is exempt \$3,500 valuation of taxes regardless of age, and that is, I think, as it should be. Any veteran who has become totally disabled I believe he should be exempt, I think, for the \$3,500 without any question, but to put it on a blanket exemption to everybody, regardless of need, is carrying it up to the point that the economy on the local level of the town cannot stand, and two to three years from now there will be so many more towns that are in the condition that my town is at the present time, it will be pathetic, and at that particular time if you wish to wait, to do something about this, you are hurting that many more people because they were the

ones that will have already gotten it and if you try to take it away from them it will be a lot harder than it will to do it right at the present time when we know that the conditions exist and are going to get worse.

As I say, in other states that have tax exemptions—there are only two other states that have the same law that we have—that is wide open and give it to everybody. There are about twenty-four states and approximately half of them do give exemptions to veterans from taxation on their property, but in many states the maximum is anywhere from \$500. \$1200 is a pretty average figure, \$1500, and some up to the point of \$2000, but they have several different amendments and strings attached to their exemptions; a person having to be disabled, based on need, a lot of them state that that particular individual had to be a citizen of the particular state when he went into the service; a lot of them have a maximum on their particular exemption stating that a person owning a piece of property that is valued at \$5,000 or over will get no exemption, where if the value is under that he will get the exemption. All in all, I say, there are only two other states in the United States that are giving an exemption such as this and even then the total exemption is \$2,000 instead of \$3,500.

I think it is grossly unfair to exempt veterans or any other group and that this is class legislation on taxation when they are financially able, and I do mean those who are financially able. Believe me, I do not want to force or make any particular person who is not able to contribute to public charges to pay his tax, but to allow the particular persons who can well afford not to pay it is unfair, and I think it should be amended and taken care of, and I hope that the motion to accept the majority report of the committee prevails.

The SPEAKER: Does the Chair understand that the gentleman from Chelsea moves that the House accept the majority "Ought to pass" report?

Mr. PERRY: Yes, Mr. Speaker.

The SPEAKER: The Chair rec-

ognizes the gentleman from Portland, Mr. McGlaulin.

Mr. McGLAULIN: Mr. Speaker and Members of the House: I consider this about the worst bill that has been introduced into this House since I have been a member, and that is some time.

Some years ago the Legislature of Maine, wanting to show some appreciation of what the soldiers had done, provided that those soldiers should receive a bonus in the nature of a tax exemption up to \$5,000, after they had reached the age of sixty-two years. That law was in effect for some time.

In 1935, the Representative from this same town of Chelsea came to this Legislature and complained that some of the men who lived in Togus owned a little property there and they didn't pay any taxes on it, and Chelsea didn't like it, so they got the law amended in a way that upset the whole purpose of the law, and when I came here in 1937 I introduced a bill to have this restored the way it was before. I took that before the Taxation Committee. I argued my point, and nobody opposed it, but when the report came out I didn't recognize my own bill. They had cut it to pieces. Twice I saw amendments—I happened to be in the Senate twice when they threw my amendments out of the window, but after long striving, we finally got the law as it is today restored, and the exemption was reduced to \$3,500 dollars.

Now I want to point out to you that this was in the nature of a bonus. It did not have anything to do with whether the soldier was rich or poor, black or white. It was an appreciation of what the soldier had done by giving his service to the country.

Now this bill changes the bonus into a dole. You completely spoil the whole purpose. To make my point clear, we, in this Legislature, get equal pay. Why? Because we belong to a certain class, the members of the Legislature. This bonus was intended for soldiers because they were soldiers. It had nothing to do with how much they were worth or how little they were worth.

The gentleman from Chelsea, Mr. Perry, would put the soldier who is not totally disabled back on

this provision. Let me read it: "The polls and estates of persons who by reason of age, infirmity or poverty are in the judgment of the assessors unable to contribute towards public charges." This bill strikes out the sixty-two years and it puts every last soldier who is not totally disabled back where he cannot get any exemption unless the assessors of the town say that he is not able to contribute anything towards taxes. And what chance can any of the soldiers here get in the Town of Chelsea with the assessors feeling as they do.

Again I repeat: the object of this law, the whole purpose of the law was a bonus, and now you are putting it back onto a dole. To me, it seems an insult to the soldiers.

Now I will briefly sum up some of the things this bill does, and I want you to note them:

1. It completely defeats the whole purpose of the law to give a bonus to aged veterans. Under the law as it stands today they do not get it until they are sixty-two years old; and I want to point out to you that a great many of them never get that far along.

2. Note this point, because I have studied this bill, and I know what I am talking about. It takes away the exemption from every veteran who now receives the exemption, unless he is service-connected totally disabled.

3. It deprives every veteran in this Legislature, and there are quite a number here, of the right to ever get this exemption unless he is service-connected totally disabled. The present law does not have this "service connected disability," it merely says if they are "totally disabled." This further limits it. They must be service-connected, and they change "estates" to "residences."

On that point let me say that it cuts out the possibility of a man getting an exemption if he owns a blacksmith shop, or a shoe shop or a shed or a barn; he gets no exemption unless it is in the form of a residence.

4. It deprives every veteran in this State of the right to ever get this exemption unless he is service-connected totally disabled.

5. It gives the exemption only to those veterans who do not need it,

since every one of those veterans who are totally disabled now receive a pension from the government a minimum of \$150 a month and a maximum of \$451 a month. I got those figures from the Veterans Bureau and they are correct. Again I am telling you that you are taking away the bonus from the people for whom it was intended and giving it only to those who could very well get along without. In other words, it takes the exemption from those who may need it and gives it to those only who are already well provided for.

As I have already stated, it changes the bonus into a dole.

Under this bill, the veteran who is not totally disabled service-connected is no better off than you and I or any other citizen in the State of Maine even if they never saw a gun.

This bill would deprive men like my seatmate here who was shot in the first World War and who has not any too much property to throw away—and while he has paid his taxes he has got to the point where he could have the benefit of it — you deprive him of ever having a chance to get the benefit of that bonus. And that is not all; you are taking it away from his widow. He may pay while he is alive, but his widow, if he dies, would not be in so good a position because she would have to get along without that exemption.

Now they are going at this the wrong way. I am surprised that some of the sensible members of the Taxation Committee, like my friend, the gentleman from Falmouth, Mr. Dow, and my friend, the gentleman from Cape Elizabeth, Mr. Chase, voted for this damnable bill. I hope to the Lord that they have sense enough to change their vote. (Laughter)

I could talk on this longer, but I have given you an outline of the situation. I want to explain to you in regard to the method of correcting things. Some of you have got the idea that it is too big a burden. That may be. But the way to correct it is to cut down the amount of the exemption. That could easily be done. Make it \$3,000, \$2500 or whatever you please. Or you could increase the time: make it sixty-five years instead of sixty-two. But as

it stands I cannot see how any member, even how Mr. Perry himself, can vote for his own bill when I have pointed out the inequities of it.

I move that the Reports and Bill be indefinitely postponed.

The SPEAKER: The gentleman from Portland, Mr. McGlauffin, moves that the Reports and Bill be indefinitely postponed.

The SPEAKER: The Chair recognizes the gentleman from Bowdoinham, Mr. Jones.

Mr. JONES: Mr. Speaker, I see nothing wrong with this bill. I am an amputee veteran of World War II. I could claim all the exemptions that are called for in the law as it is today, but I do not think that a veteran should. I believe that a veteran should be a citizen first and not claim all these exemptions. I believe that the so-called Perry bill is a good bill, therefore I hope that the motion of the gentleman from Portland, Mr. McGlauffin, does not prevail.

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

Mr. DOW: Mr. Speaker and Members of the House: My friend from Portland, Judge McGlauffin, mentioned several times that this was a bonus. Many of you will remember that we had bonus bills before the Legislature and they have failed of passage. I think it is the wrong approach in giving a bonus for the State to say to some town where the veteran happens to be, "You shall pay the bonus." That veteran may never have been a citizen of that town until recently. If you are going to give a bonus, pass a bonus bill, but don't say to the towns, "You shall give a bonus to every veteran in your town over sixty-two years of age."

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

Mr. HANCOCK: Mr. Speaker and Members of the House: To set the record straight right at the beginning, I am a veteran of World War II, some twenty odd months overseas service and the recipient of two combat stars. I am highly in favor of Mr. Perry's bill, the gentleman from Chelsea; I think it is a start towards fair play; I think it is very equitable; I think it takes

away the business of the towns giving a bonus to the veterans. I had not realized that the veterans were receiving a bonus. I haven't got my check yet. I would like to see the State, if the State is going to give a bonus, give it from the State itself and not pass it along for the towns to give. I hope that the motion of the gentleman from Portland, Mr. McGlauffin, does not prevail.

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

Mr. SPEAR: Mr. Speaker and Members of the House: Maybe I can qualify too to speak on this measure. I spoke on it two years ago, and probably the veterans will always be defending themselves and speaking on it for years to come.

I can but repeat one part of my thought of two years ago. I remember a cartoon which appeared, I think it was in the American Legion Monthly. Many of you here will remember a slogan which was used in World War I: "Give till it hurts," and so there was this cartoon of this veteran, which appeared sometime after World War I. He was standing there disheveled and discouraged, with his hands in his pockets, looking at a sign on one side of him which said, "Give till it hurts," and he turned around and looked at another billboard on the other side of him which said "Don't give a damn cent."

Wars blow hot and wars blow cold. When the Japs are coming across the Pacific and we are retreating and swapping space for time we are all out to do most anything. When the Reds are coming down from North Korea and our perimeter is getting smaller and smaller and again we are swapping space for time, we get pretty hot and pretty excited, and we seem to go all out, but just as soon as things cool off a little bit we forget all about those things. But, regardless of that, do not forget that it was the veteran who made taxation possible. If it were not for him—you can analyze it—if it were not for him you would not have any taxation as you have it now. It would be a different kind of taxation. Let us analyze this in another way too. All of us enjoy,

or we don't enjoy, an increased cost of living, due to the decreased value of the dollar which is probably worth fifty cents at the present time. So, in theory, all cities and towns should have had to increase their tax rate by twice as much or increase their valuation by twice as much, to have an income to carry them on the same level which they enjoyed ten years ago I think that is reasonable, but how many cities and towns have increased their tax rate or increased their valuation to twice as much? How many of you members here are paying twice as much taxes in your town as you paid ten years ago? Very few.

Well, how do these cities and towns get along to meet this increased cost of living or the increased cost of town government? They do it through subsidies. They receive subsidies from the Federal government; they receive subsidies from the State. The cities and towns are largely responsible for the present condition the State is in. Now they are looking for a potential subsidy for the veteran; they haven't paid him anything yet, but they think, if they don't pay him, they can get along without increasing taxes, and it is just another potential subsidy. They are taking this money away from the veteran, money which he has never gotten because he hasn't been privileged to reach the age of sixty-two.

I have a copy of the bill here. The gentleman from Portland, Mr. McGlaflin, has gone through it carefully, but I think the bill is poorly gotten up. I just want to read part of it to you. I was Service Officer for our local post of the American Legion for a period of ten years, and I think I know quite a bit about the affairs of the veteran. As the gentleman from Portland, Mr. McGlaflin, has explained to you, the only one that can qualify under this bill as it is re-written is the veteran who is totally disabled and service connected.

Now you can well imagine a veteran of World War I, who had been totally disabled, and that doesn't mean seventy per cent, or eighty per cent, or ninety per cent; it means totally disabled, and the qualifications for total disability are pretty rigid; generally the vet-

eran is bedridden or has some serious disability. Now can you imagine a veteran earning very much in the period of years, very much in worldly goods, so he owns very much property? This bill as it is written practically disqualifies all veterans, but it doesn't disqualify the widow of the veteran; I think it was intended to, but the way it is written here it doesn't. I had an opinion from the Attorney General, and I took it up with him. So it means, as it says here—it speaks about "... thereby are receiving a pension, retirement pay or compensation from the United States government for service connected total disability, or the unremarried widow of any veteran who is herself receiving a pension from the United States government. . . ."

So that means that under the present law there are two things that a widow of a veteran can receive. She can receive veteran's pension or she can receive compensation. If a veteran dies of a service connected disability, his widow is entitled to receive compensation. If a veteran dies of a non-service connected disability, his widow is entitled to a pension if she has dependent children and is receiving less than \$2,500 a year income, or if she does not have any dependents and is receiving less than \$1,000 a year income, she is entitled to a pension. I think it is \$42. a month in the latter instance. So a veteran cannot receive it, but his widow can. I think the law is poorly written because I think it was the intent to rule the widow out too, and only allow the widows of veterans who were service connected with a hundred per cent disability.

But I think this shows very poor faith; I think it was the intent of the people at that time—I know the question has been brought up: Let these towns regulate their own affairs. But these towns came to the Legislature, and a legislative body, at a legislative meeting and assembly—I don't know whether it was unanimous or not—I didn't look at the record—but it is part of our law at the present time, so it was the thought of the majority at that time that they would extend some gratuity to the veteran,

and they were grateful to him, so they, in assembly, did just this same thing. Now, because the towns don't want to raise the taxes, they want more subsidies, they don't want to exist through an increased taxation; they intend to exist through subsidies, and so they are looking to the veteran with their hands out, and they are trying to take a subsidy from him. I hope that the motion of the gentleman from Portland (Mr. McGlauffin) does prevail.

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

Mr. FULLER: Mr. Speaker and Members of the House: There are a couple of points I would like to make in connection with this bill. Now the first one is about the loss of revenue by the various towns on account of veterans. The situation is that if a veteran builds a house worth eight or ten thousand dollars, but the assessors in the city or town see fit to assess it for two or three thousand, because that minimizes the State tax, then, ladies and gentlemen, that is the fault of the assessors and not the fault of the veteran.

The other thing is the situation that exists as to any group of men after they get to the age of sixty or so. I have a few statistics from a Life Insurance Agent's service; according to those, taking one hundred men who are twenty-five years old, then what happens to them in forty years when they become sixty-five? At that time, if our averages in this service are correct, thirty-six percent would be dead, fifty-four percent would be dependent, five percent would be self-supporting and still working; five more percent would be financially independent. So of the hundred when we started, by the time they were sixty-five, only ten percent would be financially independent.

That should not work too great a hardship on the various municipalities. It shouldn't be too unfair to provide them at least with some assistance along this line.

The SPEAKER: The Chair recognizes the gentleman from Strong, Mr. Jennings.

Mr. JENNINGS: Mr. Speaker and Members of the House: I am speaking this afternoon as an ordi-

nary citizen. I hope that I will bring out some things that may not have been said by previous speakers.

I can understand the reason for this bill being written and being brought up, especially from the situation that exists in the town of Chelsea. I understand there is one other town that has something of a similar situation, but the over-all picture in the State of Maine today only reaches just one-half of one percent on exemptions. This bill, as written, I do not consider a good bill. Some parts of it have been explained by previous speakers and one thing that I think of at this time is that a soldier may be totally disabled, his papers might have been lost, he is now receiving compensation on account of total disability, but he cannot prove that he was service connected.

I believe that the majority of the veterans that are becoming sixty-two years old are glad and willing and grateful that they have this country to live in, and are paying their taxes. The veterans, when they fight for this country, fight because they like the country, and when they come back, it is up to them and they feel that they should set an example for others because they have been on foreign lands and seen how other governments perform.

Therefore, Mr. Speaker and Members of the House, I hope that the motion made by the gentleman from Portland, Mr. McGlauffin, prevails, and when the vote is taken, I would ask for a division.

The SPEAKER: The Chair recognizes the gentleman from Bowdoinham, Mr. Jones.

Mr. JONES: Mr. Speaker, in answer to the gentleman from Strong, Mr. Jennings, I would say that I fought because Mr. Roosevelt sent me greetings. I had no alternative, and I reiterate my statement in being here that I am a citizen in place of a veteran, and when I say that I am an amputee veteran and available for all of these exemptions, I am not bragging, neither am I complaining. I do hope that there are possible amendments that we can make to this bill, and for that reason I ask that this bill be tabled until Wednesday morning, I do not know what the date is.

The SPEAKER: The Chair would inquire if the gentleman refers to Wednesday, tomorrow, or Wednesday, a week from tomorrow?

Mr. JONES: Wednesday, tomorrow, Mr. Speaker.

The SPEAKER: The gentleman from Bowdoinham, Mr. Jones, moves that the reports of the committee on Bill "An Act relating to Exemption from Taxation," H. P. 336 L. D. 194, be tabled pending the motion of the gentleman from Portland, Mr. McGlauffin, that the Reports and Bill be indefinitely postponed and assigned for tomorrow, April 18th. All those in favor of the motion will say aye; those opposed, no.

A viva voce vote being doubted,

A division of the House was had.

The SPEAKER: Sixty-four having voted in the affirmative and fifty-one having voted in the negative, the motion prevails, and the two reports, with accompanying papers, are so tabled and so assigned.

On motion of Mr. Fenn of Bath, the House voted to take from the table the 35th tabled and unassigned matter, Majority Report "Ought to pass" and Minority Report "Ought not to pass" of the Committee on Transportation on Bill "An Act relating to Examination of Certain School Bus Operators" (H. P. 1243) (L. D. 795) tabled by that gentleman on April 4th, pending acceptance of either report.

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

Mr. FENN: Mr. Speaker, earlier this morning in this House we passed a measure, purely a safety measure, to go along and protect our school children. This bill here also is a measure for the protection of our school children. I had this bill drawn up with the cooperation of the Department of Education, the Department of Motor Vehicles, and also through the Secretary of State's office, so their concurrence in this matter is very well met.

When this report came out as a divided report, I had it tabled to find out exactly what the minority report consisted of and why.

There was a particular point which they brought to my attention, in that it included privately owned academies and private schools, and

I am prepared to offer an amendment on that. So, Mr. Speaker and Members of the House, I would like to have the Majority Report "Ought to pass" accepted.

The SPEAKER: Does the gentleman make the motion?

Mr. FENN: Yes, Mr. Speaker.

The SPEAKER: The gentleman from Bath, Mr. Fenn, moves that the House accept the majority "Ought to pass" report of the Committee on Transportation on Bill "An Act relating to Examination of Certain School Bus Operators," H. P. 1243, L. D. 795.

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

Mr. TURNER: Mr. Speaker and Members of the House: I signed the "Ought not to pass" report on this bill on the strength of the fact it says here that the operators must be at least twenty-one years of age. Now I have seen a lot of fellows eighteen years of age who are just as good drivers as those twenty-one and perhaps better than some who are older. That was my particular reason for signing the "Ought not to pass" report. I hope the motion of the gentleman from Bath, Mr. Fenn, does not prevail.

The SPEAKER: Is the House ready for the question? The question before the House is on the motion of the gentleman from Bath, Mr. Fenn, that the House accept the majority "Ought to pass" report of the Committee on Transportation on Bill "An Act relating to Examination of Certain School Bus Operators," H. P. 1243, L. D. 795.

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

Mr. WINCHENPAW of Friendship: Mr. Speaker—

The SPEAKER: For what purpose does the gentleman rise?

Mr. WINCHENPAW: I would like to make a few remarks on this bill, Mr. Speaker.

The SPEAKER: The Chair recognizes the gentleman from Friendship, Mr. Winchenpaw.

Mr. WINCHENPAW: Mr. Speaker, there is one point here that I think we have overlooked and that is what comprises a school bus. If a high school student is eighteen years old and has a car and he carries down a load of students to high school isn't he a school bus?



I have seen cars going around with school bus plates on them. I think this would be a very bad bill if it went through. I do not see any need for the bill anyway. I feel like the gentleman from Auburn, Mr. Turner, that a good many fellows nineteen or twenty years old are capable of driving a school bus, because they have a driver's license. This might work a hardship on some man that was older. Maybe I have a school bus and I get awfully sick tomorrow morning and my son has to take the school bus for me and he is only nineteen or twenty and a half. There are a good many situations like that throughout the State, and I think this is a very bad bill.

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

Mr. FENN: Mr. Speaker and Members of the House: To answer the question of my good friend, the gentleman from Friendship, Mr. Winchenpaw, regarding this bill: if you will read it you will see that it specifies specifically busses of ten or more capacity, and it does not include the passenger type of school bus.

The SPEAKER: Is the House ready for the question?

The Chair recognizes the gentleman from Hope, Mr. Ludwig.

Mr. LUDWIG: Mr. Speaker, in regard to this bill, in Section 5 it says: "Application for such examination must be filed with the secretary at least thirty days before the commencement of such operation."

I have operated school busses for twelve years, and I am wondering what is going to happen if you live up to the letter of the law, if my driver is sick and I have to find a substitute? Has school got to be closed for thirty days while they are waiting to get this application in to the Secretary of State? I think there are a lot of points in this bill that are bad. As the gentleman said before, I do not think anyone necessarily has got to be twenty-one years of age. I had just as soon have a lot of people nineteen or twenty driving my bus as I had someone seventy-five.

The SPEAKER: Is the House ready for the question?

The question before the House is on the motion of the gentleman from Bath, Mr. Fenn, that the House accept the majority "Ought to pass" report of the Committee on Transportation on Bill "An Act relating to Examination of certain School Bus Operators," H. P. 1243, L. D. 795.

The Chair recognizes the gentleman from Friendship, Mr. Winchenpaw.

Mr. WINCHENPAW: Mr. Speaker, when the vote is taken I ask for a division.

The SPEAKER: The gentleman from Friendship, Mr. Winchenpaw, asks for a division.

All those in favor of the motion will please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

The SPEAKER: Fifty-six having voted in the affirmative and fifty-nine in the negative, the motion does not prevail.

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

Mr. TURNER: Mr. Speaker and Members of the House: I move that we accept the minority report, "Ought not to pass."

The SPEAKER: The gentleman from Auburn, Mr. Turner, moves that the House accept the minority "Ought not to pass" report on Bill "An Act relating to Examination of Certain School Bus Operators," H. P. 1243, L. D. 795.

The Chair recognizes the gentleman from Bowdoinham, Mr. Jones.

Mr. JONES: Mr. Speaker, if I am in order, I move that the motion lie on the table until Thursday next.

The SPEAKER: The gentleman from Bowdoinham, Mr. Jones, moves that the matter lie on the table and be specially assigned for Thursday, April 19th. Is this the pleasure of the House?

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

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

The SPEAKER: The question before the House is on the motion of the gentleman from Friendship, Mr. Winchenpaw, that the House accept the minority "Ought not to pass" report of the Committee on Transportation on Bill "An Act relating to Examination of Certain

School Bus Operators," H. P. 1243, L. D. 795.

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

A viva voce vote being taken, the motion prevailed and the minority "Ought not to pass" report was accepted and sent up for concurrence.

On motion of Mr. Brown of Baileyville, the House voted to take from the table the 36th tabled and unassigned matter, Majority Report "Ought not to pass" and Minority Report "Ought to pass" of the Committee on Judiciary on Bill "An Act relating to Fees in Small Claims Law" (H. P. 1270) (L. D. 839) tabled on April 4th by the same gentleman pending acceptance of either report.

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

Mr. BROWN: Mr. Speaker, having batted my head up against the wall many times and especially on bills of mine which have gone to the Judiciary Committee, I rather hesitate to make the motion that I am going to make in the House at this time. I am going to move that we substitute the bill for the "Ought not to pass" report of the Committee.

The SPEAKER: Does the Chair understand the gentleman moves to accept the Minority "Ought to pass" report?

Mr. BROWN: Pardon me, Mr. Speaker. I see that that was — I move that we accept the minority report "Ought to pass," Mr. Speaker.

The SPEAKER: The gentleman may proceed.

Mr. BROWN: Mr. Speaker and Members of the House: I introduced this bill after receiving a lot of communications from the courts and from the county commissioners of the State of Maine. In this House, we have passed many measures trying to make different activities of the State and its subdivisions self-sustaining. This bill, which I introduced, is an attempt to do just that. In all the information and data which I have received on this matter, from the judges of the court and from the commissioners, in handling the papers of the details of the smaller courts our counties are compelled to take from their

funds money to help finance this activity because of the fact that the fees are so low. This is an attempt to put the fees somewhere so that the money which is derived from these claims will, in part, help finance the handling of the papers in the small courts. Your counties are compelled to furnish the papers, the judges and recorders of the court have to do the paper work and it is getting to a point now where our municipal courts are nothing but collecting agencies.

So, with those few brief remarks, I think you are all familiar with them, I trust that my motion will prevail.

The SPEAKER: The gentleman from Baileyville, Mr. Brown, moves that the House accept the minority "Ought to pass" report of the committee.

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

Mr. JACOBS: Mr. Speaker and Members of the House: I have listened with some interest to the remarks made by the gentleman from Baileyville, Mr. Brown, with regard to this Small Claims Court bill. This was passed by the Legislature a few years ago to help merchants and business men and women to collect small accounts, not exceeding \$35. This bill has worked well within the State of Maine. It has enabled many business men and others who have bills against their neighbors to collect at a small expense.

Now, this is not a big expense on the courts or county commissioners of the State of Maine, in my opinion. All the municipal court judge and recorder has to do is send out a blank with my name, for instance, at the bottom and the amount against the debtor, say \$7 or \$8 up to \$35. Ninety per cent of these bills are collected as soon as the debtor receives the bill. There are no teeth in this bill to compel him to go to jail or anything else of the kind. It is simply a reminder to the debtor that he owes me, for instance, \$7 or \$8 or whatever it might be. Five states out of the six New England states have this law and it is patterned after it. Two years ago, they raised this \$1.75 to \$2.00. Now, they want it raised to \$4 and give the county a

dollar. Why should I be assessed a dollar to try to collect an honest bill? Supposing you, for instance, have a bill against your neighbor, or whoever you had trusted. I think it is perfectly fair. Debtors go into court very seldom. I have had an opportunity to put in ten—you can only put in five at a time to the municipal court judge—I have had ten placed in the hands of the court and on the judge's signature, he sent them out to the debtors and nine out of those ten came to my store within a week, sometimes within two days, and paid the bill in order to pay all expenses incurred. The other one I had had moved out of the State, not to my knowledge, and I believe that it is fair, ladies and gentlemen. All the judge has to do is to sign his name to this paper. If a debtor appears, he can do nothing about it, just chastise him, maybe, but there are no teeth which send him to jail or otherwise and I believe we, who have bills against our neighbors, or those who are indebted to us, should not be obliged to pay a dollar to the county. Many of our bills—B. Peck & Company in Lewiston, one of the largest retail merchants in the State outside of Portland, have used this to very good advantage to them, bills from \$5 up to \$35.

Now, if you have to pay \$4 on a \$6 bill, you might just as well give it to a customer. I believe it is fair and right that this should remain as it is and I hope that this motion of the gentleman from Baileyville, Mr. Brown, will not prevail.

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

Mr. WOODWORTH: Mr. Speaker, I was one of the signers of the majority "Ought not to pass" report. The Small Claims Act was intended to make it easier for creditors to collect their bills and to cut the expense of collection. There are two ways to kill a law of this sort: one is to repeal it and the other is to increase the cost so much that it shall have outlived its usefulness.

This bill doubles the fee and, for that reason, a majority of your Judiciary Committee considered that it ought not to pass because

that was one step toward killing the Small Claims law.

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

Mr. HARDING: Mr. Speaker and Members of the House: I think that is the bill on which I signed the minority report and I wish to say to you that the law which creates the Small Claims Court is a law which permits an individual to sue a claim himself, just the same as an attorney could sue a claim for you. You can go into court and do it with less formality.

At the time this bill was before the Judiciary Committee, there was another bill before that same committee which would require the merchants to render an itemized statement and while I personally favor that bill, I voted against it because I thought it might limit the usefulness of the court. And I say to you right now that I am opposed to the court; it is a nuisance, but if people want it and it is useful to them, I will go along with the thing. And, it was not my intention in signing the minority report to interfere with the functioning of this Small Claims Court in any way. It does not, however, pay for itself and it should pay for itself and by requiring a \$4 fee, if it does not completely pay for itself, at least it will help more to pay for itself than it does at the present time.

There is one thing that has not been mentioned, today, here, and I think we should take that into consideration in voting for this bill: say the expense of this is going to make it prohibitive, this expense that they claim we are going to have to pay out of our own pockets is added to the bill that is owed by the debtor and collected from him. You can collect it from the debtor. It isn't going to cost you a cent and it isn't going to be an expense to the county. If the debtor has refused to pay the bill, he has made the process necessary; he has made you come into court and if he has to pay this extra expense he has no legitimate complaint to make about it.

For that reason and for the reason that it is not actually an expense to the creditor, and for the

reason that it will be helpful to the county, I signed the minority report and I will vote with the gentleman from Baileyville, Mr. Brown; I hope that his motion prevails.

The SPEAKER: Is the House ready for the question?

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

Mr. BROWN: Mr. Speaker, I knew when I stuck my neck into this thing that I was going to run up against something. I only wish I were a lawyer so that I could talk in a lawyer's language; but not being that, I can't. However, in this controversy, I have found out that all lawyers don't agree.

As I have evidence here from a great many lawyers who have furnished their standing on this thing and it shows that there is some justification and, with that justification in mind, that was the reason that I introduced the bill. So, those are the facts and I trust that the House will go along with me on my motion.

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

Mr. JACOBS: To correct an impression, Mr. Speaker, I paid my fee of \$1.75 at the time, or \$2.00 which is now the law. I never charged the debtor a cent and I don't think it is the intent of the law or the bill, in its original state. I put in my \$1.75 and others did against their debtors. I paid that for the privilege of receiving the full amount of the bill which the debtor owed me. I was glad to get it.

The SPEAKER: The Chair recognizes the gentleman from Dover-Foxcroft, Mr. Hayes.

Mr. HAYES: Mr. Speaker, it will be observed that the members of the Judiciary Committee are not completely in unanimity in this thing. I don't think the question of whether we like the Small Claims Law or don't like the Small Claims Law is too important at this time. We have it; I have never used it in my life but I understand that it works well.

It seems to me, and I am one of those who believe in it, that the citizens of the State of Maine should have a right to take advantage of the facilities of our

courts whether the courts are self-supporting or not.

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

Mr. MCGLAUFFIN: Mr. Speaker, I merely wish to say that I endorse the remarks of the gentleman from Fairfield, Mr. Woodworth.

The SPEAKER: Is the House ready for the question? The question before the House is on the motion of the gentleman from Baileyville, Mr. Brown, that the House accept the minority "Ought to pass" report of the Committee on Judiciary on Bill "An Act relating to Fees in Small Claims Law", H. P. 1270, L. D. 839.

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

A viva voce vote being taken, the motion to accept the minority "Ought to pass" report did not prevail.

Thereupon, on motion of the gentleman from Auburn, Mr. Jacobs, the majority "Ought not to pass" report was accepted and sent up for concurrence.

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

On motion of the gentleman from Kennebunk, Mr. Littlefield, the House voted to take from the table the twenty-eighth tabled and unassigned matter, Bill "An Act Relating to Taking Animals and Birds for Scientific Purposes," S. P. 454, L. D. 1068, tabled by that gentleman on March 30 pending passage to be engrossed.

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

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

HOUSE AMENDMENT "A" to S. P. 454, L. D. 1068, Bill "An Act Relating to Taking Animals and Birds for Scientific Purposes."

Amend said bill by inserting in the 5th line thereof before the underlined word "animals" the underlined word "wild".

House Amendment "A" was then adopted.

The SPEAKER: This bill having had its three several readings in the House and having been passed to be engrossed and having had its three several readings in the Senate

and having been passed to be engrossed, and the Committee on Bills in the Third Reading having reported that no further verbal amendments were necessary, is it now the pleasure of the House that it pass to be engrossed as amended?

Thereupon, the bill was passed to be engrossed as amended by House Amendment "A" in non-concurrence and sent up for concurrence.

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

The Chair will inform the members of the House, at this time, that according to the order passed this morning all matters on this morning's calendar will automatically

come off the table Thursday next, April 19, if they are not taken off before.

The House is proceeding under Orders of the Day.

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

Mr. WOODWORTH: Mr. Speaker, I move that the House adjourn.

The SPEAKER: The gentleman from Fairfield, Mr. Woodworth, moves that the House do now adjourn. Is this the pleasure of the House?

A viva voce vote being taken, the motion prevailed and the House was

Adjourned until 10:00 o'clock tomorrow morning.