

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Ninety-Fifth Legislature

OF THE

STATE OF MAINE

VOLUME II

1951

DAILY KENNEBEC JOURNAL
AUGUSTA, MAINE

HOUSE

Monday, April 23, 1951.

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

Prayer by the Rev. Mr. Mulley of Gardiner.

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

The journal of the previous session was read and approved.

Papers from the Senate**Resolve Received by Unanimous Consent**

Resolve Authorizing the State Tax Assessor to Convey Certain Interest of the State in Lands in Connor to Paul Damboise (S. P. 552) (L. D. 1309)

Came from the Senate received by unanimous consent and referred to the Committee on Natural Resources.

In the House, was received by unanimous consent and referred to the Committee on Natural Resources in concurrence.

Senate Reports of Committees Ought Not to Pass

Report of the Committee on Judiciary reporting "Ought not to pass" on Bill "An Act relating to Order of Offices Printed on Ballots" (S. P. 455) (L. D. 1069)

Report of the Committee on Towns and Counties reporting same on Bill "An Act Increasing Salary of Cumberland County Commissioners" (S. P. 398) (L. D. 945)

Came from the Senate read and accepted.

In the House, read and accepted in concurrence.

Ought to Pass

Report of the Committee on Inland Fisheries and Game reporting "Ought to pass" on Bill "An Act relating to Suspension of Hunting and Fishing Licenses" (S. P. 374) (L. D. 900)

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

In the House, Report was read and accepted in concurrence, and

the Bill read twice, and tomorrow assigned.

Senate Divided Report

Majority Report of the Committee on Judiciary reporting "Ought not to pass" on Resolve Proposing an Amendment to the Constitution to Amend the Referendum Provision (S. P. 492) (L. D. 1194)

Report was signed by the following members:

Messrs. HASKELL of Cumberland
WARD of Penobscot

—of the Senate.

McGLAUFNIN of Portland
FAY of Portland

HARDING of Rockland
WOODWORTH of Fairfield

HAYES of Dover-Foxcroft
FULLER of Bangor

DELAHANTY of Lewiston

—of the House.

Minority Report of same Committee reporting "Ought to pass" on same Resolve.

Report was signed by the following member:

Mr. BARNES of Aroostook

—of the Senate.

Came from the Senate with the Minority Report accepted and the Resolve passed to be engrossed.

In the House, report was read. On motion of Mr. Woodworth of Fairfield, the Majority "Ought not to pass" Report was accepted in non-concurrence and sent up for concurrence.

Non-Concurrent Matter

An Act relating to Boards of Registration in Towns Under Three Thousand Five Hundred Inhabitants" (H. P. 1688) (L. D. 1263) which was passed to be enacted in the House April 18, and passed to be engrossed April 10.

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

In the House, the House voted to recede from its action of April 18 whereby the bill was passed to be enacted and from its action of April 10 whereby the bill was passed to be engrossed.

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

SENATE AMENDMENT "A" to H. P. 1688, L. D. 1263, Bill "An Act

Relating to Boards of Registration in Towns Under Three Thousand Five Hundred Inhabitants."

Amend the title of said Bill by adding before the period at the end thereof the following words: 'and to Time of Registration of Voters in Towns'

Further amend said Bill by adding at the beginning of the headnote, after the enacting clause, the following underlined abbreviation and figure: 'Sec. 1.'

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

"Sec. 2. R. S., c. 3, § 41, amended. Section 41 of chapter 3 of the revised statutes, as amended, is hereby further amended to read as follows:

'Sec. 41. Registration in towns having 2,000 or more voters, and in small cities; changes in list may be made on election day. In all towns, cities not included, having [500] 2,000 or more registered voters, and in all cities having less than [3,000] 3,500 inhabitants, the municipal officers shall receive applications of persons claiming a right to vote, on the 3 days, Sundays and court holidays excepted, next preceding the day of election, and on such additional days prior thereto as they may determine, and no application shall be received after the hour of 9 in the afternoon on the day next preceding the day of election, Sundays and court holidays excepted; and no names shall be added to the list of voters on the day of election, by certificate or otherwise, except such as were upon the list used at the last preceding election, and have been inadvertently omitted by the selectmen; and on that day no change shall be made in names except to correct clerical errors therein.'

Sec. 3. R. S., c. 3, § 41-A, additional. Chapter 3 of the revised statutes is hereby amended by adding thereto a new section to be numbered 41-A, to read as follows:

'Sec. 41-A. Registration in towns having 500 to 2,000 voters. In all towns, cities not included, having not less than 500 nor more than 2,000 registered voters, the municipal officers shall receive applications of persons claiming a right to vote, on the day, Sundays and

court holidays excepted, next preceding the day of election, and on such additional days prior thereto as they may determine, and no application shall be received after the hour of 9 in the afternoon; and no names shall be added to the list of voters on the day of election, by certificate or otherwise, except such as were upon the list used at the last preceding election, and have been inadvertently omitted by the selectmen; and on that day no change shall be made in names except to correct clerical errors therein.'

Sec. 4. P. L., 1951, c. 162, repealed. Chapter 162 of the public laws of 1951, heretofore passed by this legislature, amending chapter 3 of the revised statutes, is hereby repealed and shall not be printed as part of the session laws of 1951."

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

Messages and Documents

From the Senate:

The following Communication:

STATE OF MAINE
SENATE CHAMBER

April 19, 1951

Hon. Harvey R. Pease
Clerk of the House of
Representatives
95th Maine State Legislature

Dear Sir:

The President of the Senate today appointed the following conferees on the part of the Senate on the disagreeing actions of the two Branches of the Legislature on —

Bill, "An Act Relating to Her Own Business Program" (H. P. 1233) (L. D. 786)

Sen. Reid of Kennebec
Sen. Marshall of York
Sen. Collins of Aroostook

Bill, "An Act Relating to Fishing Licenses for Boys' and Girls' Camps" (H. P. 1410) (L. D. 1018)

Sen. Ela of Somerset
Sen. Wight of Penobscot
Sen. Smart of Hancock

Very truly yours,

(signed)

Chester T. Winslow
Secretary of the Senate

In the House, read and ordered placed on file.

**Petitions, Bills and Resolves
Requiring Reference**

Petition of Mrs. H. S. Searle of Warren and 41 others in favor of Adequate Support by Taxation of the Departments of Education, Institutional Service and Health and Welfare (H. P. 1764) (Presented by Mr. Ingraham of Rockland)

Petition of Fay V. Walls of Kenduskeag and 22 others in favor of same (H. P. 1765) (Presented by Mr. Jacoby of Dixmont).

Petition of Mrs. Phillip Carroll of Southwest Harbor and 63 others in favor of same (H. P. 1766) (Presented by Mr. Phillips of Southwest Harbor)

Petition of Rev. Arthur S. Blowen of Millinocket and 40 others in favor of same (H. P. 1767) (Presented by Mr. Potter of Medway)

Petition of N. Wesley Haynes of Winslow and 32 others in favor of same (H. P. 1768) (Presented by Mr. Roundy of Portland)

Petition of Francis B. Allan of Solon and 24 others in favor of same (H. P. 1769) (Presented by same gentleman)

Petition of Herbert F. Aldrich of Old Orchard Beach and 31 others in favor of same (H. P. 1770) (Presented by same gentleman)

Petition of Martha B. Wright of South Paris and 88 others in favor of same (H. P. 1771) (Presented by Mr. Stewart of Paris)

Petition of Chester A. Baker of Waterville and 109 others in favor of same (H. P. 1772) (Presented by Mr. Thomas of Waterville)

Petition of Clarence B. Davis of Wales and 41 others in favor of same (H. P. 1773) (Presented by Mr. Wood of Webster)

Remonstrance

Remonstrance of Carl A. Richards of Van Buren and 127 others against the Sales Tax (H. P. 1774) (Presented by Mr. Madore of Van Buren)

Were read and ordered placed on file and sent up for concurrence.

Joint Resolution

Joint Resolution Making Application to the Congress of the

United States for the Calling of a Convention to Propose an Amendment to the Constitution of the United States (H. P. 1775) (Presented by Mr. Brown of Wayne)

Was referred to the Committee on Judiciary, ordered printed, and sent up for concurrence.

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
Divided Report
Tabled**

Majority Report of the Committee on Towns and Counties reporting "Ought not to pass" on Bill "An Act Authorizing Cities and Towns to Collect Garbage and Rubbish and Make Service Charge Therefor" (H. P. 942) (L. D. 538)

Report was signed by the following members:

Messrs. COLLINS of Aroostook
HASKELL of Cumberland
SAVAGE of Somerset
—of the Senate.

PETERSON of Bar Harbor
DEBECK of Holden
EDWARDS of Raymond
—of the House.

Minority Report of the same Committee reporting "Ought to pass" on same Bill.

Report was signed by the following members:

Messrs. BURGESS of Limestone
TAYLOR of Lyman
MARTIN of Eagle Lake
—of the House.

Report was read.

(On motion of Mr. Littlefield of Kennebunk, tabled pending acceptance of either report.)

Divided Report

Majority Report of the Committee on Towns and Counties reporting "Ought not to pass" on Bill "An Act relating to Special Deputies in Cumberland County" (H. P. 1241) (L. D. 793)

Report was signed by the following members:

Messrs. COLLINS of Aroostook
HASKELL of Cumberland
SAVAGE of Somerset
—of the Senate.

DEBECK of Holden
 PETERSON of Bar Harbor
 TAYLOR of Lyman
 BURGESS of Limestone

Minority Report of the same
 —of the House.

Committee reporting "Ought to pass" on same Bill.

Report was signed by the following members:

Messrs. EDWARDS of Raymond
 MARTIN of Eagle Lake
 —of the House.

Report was read.

The SPEAKER: The Chair recognizes the gentleman from Raymond, Mr. Edwards.

Mr. EDWARDS: Mr. Speaker and Members of the House: In the days of prohibition these three deputies were known as liquor deputies. Since then a bill was passed calling them three special deputies. I fail to see that we need any such act as this, as the Sheriff of Cumberland County has the right to appoint as many deputies as he deems necessary. It costs somewhere in the neighborhood of \$9000 as long as this is on the books and makes it necessary for the taxpayers of Cumberland County to raise in the neighborhood of \$9000; and so, in the interest of the taxpayers of Cumberland County, Mr. Speaker, I move the acceptance of the minority "Ought to pass" report.

The SPEAKER: The gentleman from Raymond, Mr. Edwards, moves the acceptance of the minority "Ought to pass" report.

The Chair recognizes the gentleman from Freeport, Mr. Patterson.

Mr. PATTERSON: Mr. Speaker and Members of the House: The gentleman from Raymond, Mr. Edwards, has stated that it costs nine thousand dollars. They go adding on a lot more and it will cost from about thirteen to sixteen thousand dollars.

Now this bill was taken up before the whole county delegation; I think there were all of twenty-four or twenty-eight there, and they all to a man voted that this was not necessary. The old original three deputies were when Prohibition times were on. Later they passed it on for the suppression of crime. Now all of you know that so far as the suppression of crime is concerned, any sheriff, deputy

sheriff, constable or police officer is sworn to do that when he takes his oath. This is just a cluttering-up, as I look at it, of the statutes, which is not necessary. The sheriff can appoint all the deputies he needs. So the whole county delegation on the whole voted that this should pass and the deputies be eliminated, because the sheriff can appoint all that are necessary so far as the suppression of crime is concerned. If the sheriffs do not perform their duties they should be fired out of office anyway, no matter who they are. And therefore I second the motion of the gentleman from Raymond, Mr. Edwards. As he states, this affects Cumberland County only. Those are the only ones appointed in any county in the State of Maine "for suppression of crime." Therefore I second the gentleman's motion.

The SPEAKER: Is the House ready for the question?

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

Mr. MARCH: Mr. Speaker and Members of the House: I just want to bear out what the gentleman from Raymond, Mr. Edwards, and the gentleman from Freeport, Mr. Patterson, have said. The delegation felt that that act no longer served the purpose and should be repealed. All present were in favor of repealing, which means that the "Ought to pass" report should be accepted.

The SPEAKER: The question before the House is on the motion of the gentleman from Raymond, Mr. Edwards, that the House accept the minority "Ought to pass" report on Bill "An Act relating to Special Deputies in Cumberland County," H. P. 1241, L. D. 793.

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

Ought to Pass in New Draft Indefinitely Postponed

Mr. Watson from the Committee on Inland Fisheries and Game on

Bill "An Act relative to Complimentary Hunting Licenses for Members of Canadian Immigration and Customs Forces" (H. P. 733) (L. D. 422) reported same in a new draft (H. P. 1776) (L. D. 1308) under title of "An Act Relative to Complimentary Fishing and Hunting Licenses for Members of Canadian Immigration and Customs Forces" and that it "Ought to pass"

Report was read.

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

Mr. BURGESS: Mr. Speaker and Members of the House: I move the indefinite postponement of the committee report on H. P. 1776, L. D. 1308, and in support of my motion I would like to briefly outline the history of the statute now in effect relative to the permissive act which enables the Governor, if he wishes, to issue these complimentary licenses.

In 1941, after war had been declared, the then Governor, Sumner Sewall, approached me at a time when legislation was being enacted for veterans, and asked me if I would consider, knowing that I lived in a border town getting some enactment that would permit him to carry out legally a custom which had been put into effect by previous Governors, namely to reciprocate in the issuing of complimentary fishing licenses to members of the Canadian immigration and customs stationed on the Maine border.

I personally have knowledge that the practice has been carried on for several years, how many I do not know, prior to this 1941 enactment of the statute under which the State is now operating. The Legislature very kindly consented and did enact the permissive act which is now in effect. At this session of the Legislature two bills were introduced to repeal the two sections in our Maine laws which cover this particular activity.

Now may I point out to the members of the House that only last week there was a convention held at the University of Maine known as the Good Will Convention, comprised of a great many dignitaries and influential people from the great Dominion of Canada and the people of the State of Maine, dis-

cussing the future good will of our two nations. May I also point out to you that this great Dominion of Canada lying immediately to the north of the United States and with three thousand miles or more of unguarded border, denotes a friendly ally as well as a people who are very much the same kind of people, descended from the same good stock as we of the United States and particularly of these northern states. May I further point out that this act of kindness and good will does not cost the State of Maine one nickel except the printing of the card which is issued to them. May I further point out that these men who receive them do not use them because they have better fishing on their own side of the border in almost every instance.

The Canadian government has, for a time longer than the State of Maine has been doing, been giving not only complimentary fishing licenses to the customs and immigration officers of the United States stationed on the border, but they also have been giving to our State Police a complimentary license as a good will proposition.

Now I submit to you that to the best of my knowledge a very few complimentary hunting licenses have ever been issued to them, but the fishing license has been issued, because those of us who live in the border towns see to it that a list of our neighboring officers are brought in to the Commissioner of Inland Fisheries and Game annually so that the complimentary license would be issued.

Considering the situation which we find ourselves in with respect to foreign relations, I would certainly urge upon this House that they do not do anything at this time which would reflect upon our peaceful relations or in any way take away a privilege which costs nothing and is an agent of good will.

It is my honest, candid opinion that Australia and Canada are the only two countries on which we could firmly rely in case we were in trouble. And so I ask the House to join with me in the indefinite postponement of this L. D. 1308 for the reasons which I have stated,

namely that it does not cost us anything, that it is a good will proposition, that it is a practice that has been in effect for a good many years, at least ten, under the statutes now existing, And it is also my opinion that should this House and should the Legislature see fit to repeal the acts which make it permissive on the Governor to do this, I have confidence that our Canadian government would still continue to give our American customs and immigration officers along the border the same complimentary license courtesy which they have been doing for so many years. And it would place us in an embarrassing position to say that the Maine Legislature found it necessary to repeal an act which cost us nothing and did give us good will.

The SPEAKER: The gentleman from Limestone, Mr. Burgess, moves that the report of the committee on Bill "An Act relative to Complimentary Hunting Licenses for Members of Canadian Immigration and Customs Forces" H. P. 733, L. D. 422, reported in new draft, H. P. 1776, L. D. 1308, under title of Bill "An Act Relative to Complimentary Fishing and Hunting Licenses for Members of Canadian Immigration and Customs Forces" and that it "Ought to pass" be indefinitely postponed.

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

Mr. WATSON: Mr. Speaker and Members of the House: I feel now probably like the young lawyer who gets up to defend his first case in court by opposing my good friend, the gentleman from Limestone, Mr. Burgess, who is an able legislator and has had many years of experience, but on this occasion I must oppose him.

This complimentary hunting and fishing license came to our committee, and, as you will note, it came out unanimously from the committee "Ought to pass in New Draft," repealing that law that gives Canadian customs and immigration men free hunting and fishing licenses.

Now the gentleman from Limestone, Mr. Burgess, stated to you that it did not cost us anything except the printing. I cannot

agree with him on that. The face value of the hunting and fishing licenses that they issued last year was \$3700. I agree with him that a good many of these licenses are not used, but a good many of them are. I come from a border town, too, and I happen to be very familiar with those boys. This, in other words, is giving a special group of people a privilege that we do not give to our own people. They are the best-paid group of men in the country, or almost the best, in their line of business.

I also note that Mr. Burgess said that in Orono they had a good will conference. Now if we have got to give the Canadian immigration and customs men a hunting and fishing license for their good will, I think that is buying good will pretty cheap' and I do not think it would help any. I have talked with a good many people on this and there are none in favor of it. If we have any hunting and fishing licenses to give away I would say to you: let's give them to our own veterans whom we have been passing such a hard time to here in the last few weeks.

Just a word more in regard to the cost of the license: I know one of our chief wardens had to drive two hundred miles to Augusta and pick up those licenses and issue them in Canada. Now I do not know whether it costs the State anything to run their cars two hundred miles, but it certainly costs me something.

I hope that you members will vote not to indefinitely postpone this bill and that you will vote to repeal it.

The SPEAKER: The Chair recognizes the gentleman from Calais, Mr. Hall.

Mr. HALL: Mr. Speaker, I am another one who comes from one of the border towns and it was only this morning that I was talking with two of the immigration men who work on the American side of the river and they expressed their greatest hope that this matter of complimentary licenses being issued to the Canadian Customs and Immigration officers would not be repealed.

They went into some length telling me of some of the experiences, both for good fellow-

ship and good advertising for the State of Maine because of the issuance of these licenses.

This is something which is done both ways. The American boys get their licenses from the Canadians. As a matter of fact, they are having quite a laugh at the Canadian boys just at present because it seems to be rather of a race to see who is going to get the licenses issued first, whether the Canadians are going to get theirs issued to the American boys first or not, or vice versa. It so happens that the State of Maine licenses are already in possession of the Canadians and the Canadians are holding theirs up waiting to see what happens to this bill because legislation in Canada is going to follow the pattern of the State of Maine. In other words, if we repeal this, if this act is not indefinitely postponed, the Canadians are going to reciprocate and indefinitely postpone giving any more licenses.

I have heard of this for several years and the good will which was carried on between the two branches in Canada and in the United States is, I am sure, well worth any of the expense which may be incurred.

I want to go along with the gentleman from Limestone, Mr. Burgess.

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

Mr. CARVILLE: Mr. Speaker and Members of the House: I would like to ask through the Chair a question of the gentleman from Limestone (Mr. Burgess).

We were told at the committee that a number of these licenses are issued to, not only our wardens here but to many of the individuals and I understood that the gentleman from Limestone (Mr. Burgess) had everything from the Canadian Government except a license to steal and it is based on this bill which they are trying to put through. If this doesn't go through, I understand that he will not get any more and I think there are a lot more in the same box. It is discriminatory. I live in a border town and I know it is abused there and know these fellows will still buy the licenses and come over

here and fish. I happen to be where the fishing is better on my side than it is on theirs.

I certainly hope that the motion of the gentleman from Limestone (Mr. Burgess) does not prevail.

The SPEAKER: The gentleman from Eustis, Mr. Carville, through the Chair asks a question of the gentleman from Limestone, Mr. Burgess. The gentleman may answer if he chooses.

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

Mr. BURGESS: Mr. Speaker, I am very happy to answer the gentleman's question although I do not think it is pertinent to the case or refers to anyone except myself.

It so happens that the Canadian Senator from the Province of New Brunswick married a classmate of mine and from the time he entered Parliament in the Province of New Brunswick, he has given me a complimentary fishing license. For the last three years I have received three; I have also bought one. I might answer the gentleman from Eustis, Mr. Carville, that the success of this bill is immaterial as far as I am concerned and I want to assure him of that emphatically and assure the rest of you. I hope that no one in this House would think that I would stoop to attempt to defend any measure for a personal interest and I don't think he meant it that way. I hope not.

Now, may I, while I am on my feet, again say to this House that it is strictly a good will proposition. I do not know how many of these same men would buy a license in the State of Maine, but I think very, very few and the good that comes from it is far greater than the cost if there be one.

The SPEAKER: Is the House ready for the question?

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

Mr. WATSON: Mr. Speaker and Members of the House: One more thing I want to bring out. Of course, this has no bearing on what we give Canada but it does have a bearing that our officers are not allowed under the Criminal Code, Section 18-124, to receive any license from any country or any gift.

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 Report and Bill "An Act relative to Complimentary Hunting Licenses for Members of Canadian Immigration and Customs Forces," H. P. 733, L. D. 422, reported in a new draft, H. P. 1776, L. D. 1308 under title of "An Act Relative to Complimentary Fishing and Hunting Licenses for Members of Canadian Immigration and Customs Forces" and that it "Ought to pass" be indefinitely postponed.

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

Mr. BURGESS: Mr. Speaker, may I ask when the vote is taken it be by division?

The **SPEAKER**: The gentleman from Limestone, Mr. Burgess, requests a division.

All those in favor of the indefinite postponement of the report and bill will please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Sixty-eight having voted in the affirmative and twenty-nine in the negative, the motion prevailed and the report and bill were indefinitely postponed and sent up for concurrence.

Tabled and Assigned

Mr. Burgess from the Committee on Towns and Counties on Bill "An Act Abolishing the Polling Place in Rockwood in Somerset County" (H. P. 168) (L. D. 99) reported same in a new draft (H. P. 1762) (L. D. 1306) under title of "An Act relating to the Polling Place in Rockwood in Somerset County" and that it "Ought to pass"

Report was read.

(On motion of Mr. Watson of Moose River Plantation, tabled pending acceptance of the Committee report and specially assigned for Thursday, April 26.)

Mr. Peterson from the Committee on Towns and Counties on Bill "An Act relating to Salary of the Judge of the Ellsworth Municipal Court" (H. P. 554) (L. D. 312) reported same in a new draft (H. P. 1763) (L. D. 1307) under title of "An Act

relating to Salaries of the Judge and Recorder of the Ellsworth Municipal Court" and that it "Ought to pass"

Report was read and accepted and the new draft, having already been printed, the bill was read twice under suspension of the rules and assigned for third reading tomorrow morning.

Ought to Pass Printed Bills

Mr. Burgess from the Committee on Towns and Counties reported "Ought to pass" on Bill "An Act to Authorize the County Commissioners of Cumberland County to Issue Bonds for Bridge Repairs" (H. P. 658) (L. D. 367)

Mr. Edwards from the same Committee reported same on Bill "An Act relating to Clerk Hire in the Office of the Recorder of the Portland Municipal Court" (H. P. 166) (L. D. 97)

Same gentleman from the same Committee reported same on Bill "An Act relating to Expenses of the Brunswick Municipal Court" (H. P. 1069) (L. D. 649)

Mr. Taylor from the same Committee reported same on Bill "An Act relating to Salary to the Deputy Treasurer of the County of Cumberland" (H. P. 1440) (L. D. 1051)

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. Martin from the Committee on Legal Affairs on Bill "An Act to Amend the Charter of the City of Bath" (H. P. 1119) (L. D. 706) 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. 1119, L. D. 706, Bill "An Act to Amend the Charter of the City of Bath."

Amend said Bill by striking out all of Section 12 thereof.

Further amend said Bill by renumbering sections 13 to 17 to be sections 12 to 16, respectively.

Further amend said Bill by striking out that part of Section 16 designated "Sec. 722." and inserting in place thereof the following underlined paragraph:

‘Sec. 722. Public sale. All bonds issued under this charter shall, except as hereinafter provided, be sold upon sealed proposals. Notice of such sale shall be made by at least one publication in a newspaper, customarily carrying financial news, published in Boston, Massachusetts, and by at least one publication in a newspaper having a general circulation in the city of Bath. Such newspaper publications shall be made at least 10 days prior to the date of sale. Such notice shall, set forth where sealed bids for the bonds will be received and opened, specify the amount and kind thereof to be sold and reserve the right to reject any or all bids. The bid of the responsible party or parties, which provides the lowest interest rate, or if more than one bid at such rate was submitted, such of those bids as provides the highest premium for the city for the aggregate amount of the bonds offered shall be accepted, but if in the opinion of the treasurer, no bid is satisfactory, all bids may be rejected. Nothing in this section shall prevent negotiation for the sale and sale of such bonds for an adequate price after failure to obtain a satisfactory bid on sealed proposals, or if no bids are received after public notice, provided that such price produces a lower net cost to the city, than that offered by bid, if a bid has been received.’

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

Passed to be Engrossed

Bill "An Act to Increase the Salary of the Judge of the Norway Municipal Court" (S. P. 281) (L. D. 620)

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

Bill "An Act to Correct Errors and Inconsistencies in the 1944 Re-

vision and the Session Laws of 1945, 1947 and 1949" (S. P. 500)

Bill "An Act relating to Location of Public Utility Structures" (S. P. 542) (L. D. 1285)

Bill "An Act to Amend the Charter of the Western Somerset Municipal Court" (H. P. 1177) (L. D. 733)

Bill "An Act to Place a Bounty on Porcupines" (H. P. 1415) (L. D. 1023)

Bill "An Act to Remove Employees' Trusts from the Operation of the Rule Against Perpetuities and Against Accumulations" (H. P. 1544) (L. D. 1137)

Bill "An Act relative to the Dismissal of Conservators" (H. P. 1545) (L. D. 1138)

Bill "An Act relating to Driving of Deer" (H. P. 1753) (L. D. 1297)

Bill "An Act relating to Change of Purposes of Domestic Mutual Insurance Companies" (H. P. 1754) (L. D. 1298)

Bill "An Act relating to Non-Resident Dealers in Furs" (H. P. 1756) (L. D. 1300)

Bill "An Act relating to Definition of, and Setting Traps Near Beaver Dams" (H. P. 1757) (L. D. 1301)

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

Tabled and Assigned

Bill "An Act Prohibiting Claims of Damage to Motor Vehicles by Wild Animals and Birds" (H. P. 1759) (L. D. 1303)

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

The SPEAKER: The Chair recognizes the gentleman from Livermore, Mr. Boothby.

Mr. BOOTHBY: Mr. Speaker and Members of the House: I move the indefinite postponement of House Paper 1759, Legislative Document 1303, and the reason why is on account of the amount of deer there are now in the State of Maine, especially have they built up in the lower part of the State here, there is a great deal of damage caused automobiles by deer and occasionally a moose, and I think in this case that people who are getting their cars stove up should have some protection.

I know that two years ago I had five claims that ran all the way from \$50 to \$100 and over and, if the deer that they have here in the State are worth as much to the State as they say they are I think they should be willing to pay the damages. If you are run into by another car, in all probability he carries insurance, and you get some pay but the only way of collecting on a damage of this kind is through the State, through the Fish and Game Department and through the Legislature.

The **SPEAKER**: The gentleman from Livermore, Mr. Boothby, moves the indefinite postponement of Bill, "An Act Prohibiting Claims of Damage to Motor Vehicles by Wild Animals and Birds."

The Chair recognizes the gentleman from Woolwich, Mr. Bailey.

Mr. **BAILEY**: Mr. Speaker and Ladies and Gentlemen: In this bill I notice it says: "No payments for motor vehicle damage. No claim for damages to motor vehicles by a protected wild animal or wild bird shall be paid by the state."

In checking up on that, the reports which were given to the last Legislature, the last definite reports they could get, showed that in the previous two years at that time what had been paid for damages—there were 316 cases. Now that 316 cases means there were quite a number of people here in the State who licensed their cars and paid for the privilege of using the highways but in that use they get damaged and it seems very definite if we are going to protect these game animals and birds we should have some protection from the State and I further move that this bill be indefinitely postponed.

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

Mr. **GAY**: Mr. Speaker and Members of the House: Under the circumstances and having been a member of the Claims Committee, until such time as I can compile a set of figures, I will move that we table this bill until Thursday, April 26th.

The **SPEAKER**: The gentleman from Damariscotta, Mr. Gay, moves that Item 13, Bill "An Act Prohibiting Claims of Damage to Motor Vehicles by Wild Animals and

Birds", H. P. 1759, L. D. 1303, lie on the table and be specially assigned for Thursday, April 26, pending the motion of the gentleman from Livermore, Mr. Boothby, to indefinitely postpone.

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 so tabled and so assigned.

Passed to be Engrossed (cont'd)

Bill "An Act relating to Dealers in Bait" (H. P. (1760) (L. D. 1304)

Resolve Approving Draft and Arrangement of the State Constitution Made by the Chief Justice of the Supreme Judicial Court, and Providing for its Publication and Distribution (S. P. 550)

Resolve in favor of Florence Goodwin, of Clinton (H. P. 1625) (L. D. 1184)

Resolve Providing for a Fish Screen at Outlet of Coffee Pond in the Town of Casco (S. P. 544) (L. D. 1287)

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

Amended Bills

Bill "An Act Increasing Salary of Treasurer of Somerset County" (S. P. 421) (L. D. 981)

Bill "An Act to Increase the Salary of the County Commissioners of Kennebec County" (S. P. 396) (L. D. 943)

Bill "An Act relating to Fees of Registers of Probate" (S. P. 438) (L. D. 1001)

Bill "An Act relating to Dumping of Rubbish in Highways" (H. P. 1175) (L. D. 731)

Bill "An Act relating to the County Law Library at Rumford, Oxford County" (H. P. 1639) (L. D. 1203)

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

Orders of the Day

The SPEAKER: Under Orders of the Day, the Chair lays before the House the first item of unfinished business on today's calendar, House Report "Ought not to pass" of the Committee on Education on Bill "An Act Relating to Superintending School Committees", H. P. 1524, L. D. 1106, tabled on April 12 by the gentleman from Whitefield, Mr. Chase, pending acceptance of the report; and the Chair recognizes that gentleman.

Mr. CHASE: Mr. Speaker and Members of the House: I presented this bill with all sincerity. I believe there are many undesirable situations existing in the cities and towns of this State, today, caused by weak, personally aggrieved school board members. As you know the office of a school board member is very undesirable and the pay is small. Consequently, I believe there are many unqualified people who get on these school boards. Once elected, they are in for three years. There is absolutely no way of removing any one of these unqualified members from office once they are elected. I personally know of many cases where the school board has done entirely opposite of what the townspeople, the majority of the townspeople, have wanted. But, this bill that I presented here, presented before the committee, was pointed out to me as being entirely too broad. It has too much in it, too much power in it. So I move that we accept the committee's report.

The SPEAKER: The gentleman from Whitefield, Mr. Chase, moves that the House accept the "Ought not to pass" report of the Committee on Education on Bill "An Act Relating to Superintending School Committees", H. P. 1524, L. D. 1106. Is this the pleasure of the House?

The motion prevailed and the "Ought not to pass" report was accepted and sent up for concurrence.

The SPEAKER: The Chair now lays before the House the second item of unfinished business, House Report "Ought to pass" of the Committee on Agriculture on Bill "An Act to Clarify Laws of Division of Animal Husbandry," H. P.

1462, L. D. 1078, tabled on April 12 by the gentleman from Guilford, Mr. Campbell, pending acceptance of the report; and the Chair recognizes that gentleman.

Mr. CAMPBELL: Mr. Speaker, I now move that we accept the committee's report.

The SPEAKER: The gentleman from Guilford, Mr. Campbell, moves that the House accept the "Ought to pass" report on Bill "An Act to Clarify Laws of Division of Animal Husbandry". Is this the pleasure of the House?

The motion prevailed and the report was accepted. The bill, having already been printed, was given its two several readings under suspension of the rules.

Thereupon Mr. Campbell of Guilford offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to H. P. 1462, L. D. 1078, Bill "An Act to Clarify Laws of Division of Animal Husbandry."

Amend said Bill by striking out in the 10th line of section 2 of said Bill the words "[shall] may" and inserting in place thereof the word 'shall'

Further amend said Bill by striking out in the 16th line of section 2 of said Bill the words "[shall] may" and inserting in place thereof the word 'shall'

Further amend said Bill by striking out in the 18th line of section 2 of said Bill the words "[shall] may" and inserting in place thereof the word 'shall'

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

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

Mr. CHASE: Mr. Speaker, before moving to adjourn for today, I ask unanimous consent to speak briefly regarding the possibilities of final adjournment.

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

Mr. CHASE: Mr. Speaker, there are about one hundred and twenty-five bills still in committee, not counting claims, pensions and road resolves. We have on the House calendar sixty-seven tabled items of unfinished business and twenty-four specially assigned matters. On the Senate table are about twenty-one bills which have never been in the House. This makes over two hundred and fifty matters to be considered. If only eighty of these two hundred and fifty matters are "talking" bills which require thirty minutes apiece, that is forty hours debate. We are now working in session less than twenty hours per week. The Highway program remains to be considered and we are not through yet with appropriations and matters relating to finance, and there are many other important matters. It now seems barely possible that we can finish in three weeks, but we may not finish in May unless we get busy and brief.

Mr. Speaker, I move that we now adjourn until 9:30 A. M. tomorrow.

The SPEAKER: Will the gentleman from Limestone, Mr. Burgess, and the gentleman from Cape Elizabeth, Mr. Chase, approach the rostrum?

The Chair understands that the gentleman from Cape Elizabeth, Mr. Chase, withdraws his motion for adjournment at this time.

Mr. BURGESS of Limestone: Mr. Speaker—

The SPEAKER: For what purpose does the gentleman rise?

Mr. BURGESS: Mr. Speaker, under suspension of the rules I would like to ask permission for reassignment of a measure that is now assigned for Friday.

The SPEAKER: The gentleman from Limestone, Mr. Burgess, re-

quests unanimous consent to reassign Item 24 on Page 20 of today's calendar, House Report, Minority "Ought to pass," Majority "Ought not to pass" of the Committee on Taxation on Bill "An Act Imposing a Personal Income Tax," H. P. 1133, L. D. 666, tabled on April 19 by the gentleman from Limestone, Mr. Burgess, pending his motion to accept the Minority Report, and specially assigned for Friday, April 27th.

The Chair hears no objection and the gentleman may proceed.

Mr. BURGESS: Mr. Speaker and Members of the House: For the purpose of not interfering with the mechanics and plans of the Majority Floor Leader, I would like to have this item taken from the table and reassigned for Wednesday, April 25th, believing that it can be considered at that time immediately following our action on another tax bill before the House, and not wishing to hold this House up for one minute.

The SPEAKER: The gentleman from Limestone, Mr. Burgess, requests unanimous consent to reassign the 24th tabled and specially assigned matter on Page 20 of today's calendar, House Report, Minority "Ought to pass," Majority "Ought not to pass" of the Committee on Taxation on Bill "An Act Imposing a Personal Income Tax," H. P. 1133, L. D. 666, to Wednesday, April 25th. Is there any objection? The Chair hears none and the matter is so reassigned.

The Clerk will read the notices.

On motion of Mr. Chase of Cape Elizabeth,

Adjourned until 9:30 tomorrow morning.