

# 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 30, 1951.

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

Prayer by the Rev. Mr. Lee C. Good of Monticello.

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

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

Report of the Committee on Appropriations and Financial Affairs on Resolve Providing Funds to Augment Institutional Appropriations (S. P. 292) (L. D. 651) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

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

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

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

**COMMITTEE AMENDMENT "A"** to S. P. 292, L. D. 651, Resolve Providing Funds to Augment Institutional Appropriations.

Amend said Resolve by striking out the figures "\$10,000" in the 10th line and inserting in place thereof the figures "\$75,487"

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

Report of the Committee on Judiciary on Bill "An Act relating to Retirement of Firemen Under Maine State Retirement Law" (S. P. 526) (L. D. 1253) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

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

amended by Committee Amendment "A"

In the House, Report was read and accepted in concurrence and the Bill read twice.

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

**COMMITTEE AMENDMENT "A"** to S. P. 526, L. D. 1253, Bill "An Act Relating to Retirement of Firemen Under Maine State Retirement Law."

Amend said bill by striking out in the eighth line of Section 1 thereof, the underlined words "**such member**" and insert in place thereof the underlined words '**a fireman**'.

Further amend said bill by striking out all of Section 2 thereof.

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

Report of the Committee on Natural Resources on Bill "An Act Revising the Laws relating to Outdoor Advertising Signs" (S. P. 326) (L. D. 728) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

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

In the House, Report was read and accepted in concurrence and the Bill read twice.

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

**COMMITTEE AMENDMENT "A"** to S. P. 326, L. D. 728, entitled "An Act Revising the Laws Relating to Outdoor Advertising Signs."

Amend said bill by adding after the underlined words "**or above any public highway**" where they appear in the 5th line of the paragraph lettered "Sec. 122-B."

a comma (,).

Further amend said bill by striking out the underlined words "**in the town where the place is located and in adjoining towns**" where they appear at the end of the 3d paragraph of section 3 of said bill.

Committee Amendment "A" was then adopted in concurrence and

the Bill assigned for third reading tomorrow morning.

Report of the Committee on Towns and Counties on Bill "An Act relating to Salaries of County Officers of Androscoggin County" (S. P. 422) (L. D. 982) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith

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

In the House, Report was read and accepted in concurrence and the Bill read twice.

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

COMMITTEE AMENDMENT "A" to S. P. 422, L. D. 982, Bill "An Act Relating to Salaries of County Officers of Androscoggin County."

Amend said Bill by striking out the 2nd paragraph of "Sec. 1" and inserting in place thereof the following paragraph:

'Androscoggin, [\$1,000] **\$1,200**, except the chairman of said commission who [shall devote each full working days], **in addition to his regular duties**, [which shall be increased by adding to them the superintendence] **shall superintend** [of] the county buildings,, and for all his services his annual salary shall be the sum of [\$1,500] **\$1,800.**'

Further amend said Bill by drawing a line through the figures "\$1,456" in the 4th line from the end of section 5 and inserting immediately after the stricken out figures the underlined figures '**\$1,820**'

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

'**Sec. 10. Effective date.** The provisions of this act shall be retroactive to January 1, 1951.'

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 Initiative and Referendum in the City of South Portland" (S. P. 70) (L. D. 76) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith

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

In the House, Report was read and accepted in concurrence and the Bill read twice.

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

COMMITTEE AMENDMENT "A" to S. P. 70, L. D. 76, Bill "An Act Relating to Initiative and Referendum in the City of South Portland."

Amend said Bill by adding after the underlined word "**voters**" in the 18th line thereof the following underlined words '**voting at the most recent gubernatorial election**'

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

#### Non-Concurrent Matter

Bill "An Act to Authorize the Building of a Road Across Massacre Pond, in Scarborough" (H. P. 61) (L. D. 27) which was passed to be engrossed as amended by Committee Amendment "A" in the House April 10.

Came from the Senate, with Committee Amendment "A" indefinitely postponed and passed to be engrossed as amended by Senate Amendment "A" in non-concurrence.

In the House, on motion of Mr. Chase, of Cape Elizabeth, the House voted to recede from its former action of April 10 whereby it passed the Bill to be engrossed as amended by Committee Amendment "A"; and on further motion of the same gentleman, the House voted to reconsider its action whereby Committee Amendment "A" was adopted.

Thereupon, on further motion of Mr. Chase, House Amendment "A" was indefinitely postponed.

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

SENATE AMENDMENT "A" to H. P. 61, L. D. 27, Bill "An Act to Authorize the Building of a Road Across Massacre Pond, in Scarborough."

Amend said Bill by inserting in the Title before the word "Road" the word 'Private'

Further amend said Bill by striking out everything after the enact-

ing clause and inserting in place thereof the following:

**'Gladys I. Jordan authorized to build private road.** Gladys I. Jordan, of Scarborough, in the county of Cumberland and state of Maine, her heirs and assigns, are hereby authorized and empowered to build and maintain a private road across Massacre pond, so called, a great pond, situated in Scarborough, in the county of Cumberland, said private road to extend from land owned by said Gladys I. Jordan on the northwesterly side of said Massacre pond to land owned by her in common with another on the southeasterly side of said Massacre pond; provided that a bridge be constructed in said road at least 8 feet in length and of sufficient height to permit the free passage of rowboats, canoes and their occupants under said bridge.'

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

#### Non-Concurrent Matter

Bill "An Act relating to Motor Vehicles Following Fire Apparatus and Crossing Fire Hose" (H. P. 1038) (L. D. 603) which was passed to be engrossed as amended by House Amendment "A" in the House on April 25.

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

In the House, on motion of Mr. Pierce of Bucksport, the House voted to recede from its action of April 25 whereby the Bill was passed to be engrossed as amended by House Amendment "A"; and on further motion of the same gentleman, the House voted to reconsider its action whereby House Amendment "A" was adopted.

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

**SENATE AMENDMENT "A" to HOUSE AMENDMENT "A" to H. P. 1038, L. D. 603, Bill "An Act Relating to Motor Vehicles Following Fire Apparatus and Crossing Fire Hose."**

Amend said Amendment by striking out the paragraph designated

"Sec. 109-A" and inserting in place thereof the following paragraph:

**'Sec. 109-A. Following fire apparatus prohibited. The driver of any motor vehicle shall not follow any fire apparatus traveling in response to a fire alarm closer than 500 feet.'**

Senate Amendment "A" to House Amendment "A" was adopted in concurrence.

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

#### Non-Concurrent Matter

Bill "An Act Creating a Sewer System for the Town of Winthrop" (H. P. 1629) (L. D. 1188) which was passed to be engrossed as amended by House Amendment "A" in the House March 13.

Came from the Senate with House Amendment "A" indefinitely postponed and passed to be engrossed as amended by Senate Amendment "A" in non-concurrence.

In the House, on motion of Mr. Maxwell of Winthrop, the House voted to reconsider its action of March 13 whereby the Bill was passed to be engrossed as amended by House Amendment "A"; and on further motion of the same gentleman, the House voted to reconsider its action whereby House Amendment "A" was adopted.

Thereupon House Amendment "A" was indefinitely postponed.

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

**SENATE AMENDMENT "A" to H. P. 1629, L. D. 1188, Bill "An Act Creating a Sewer System for Town of Winthrop"**

Amend said bill by striking out in the 10th line of Sec. 6 thereof the underlined word "five" and inserting in place thereof the underlined figure '3'

Further amend said Bill by striking out Section 8 thereof and inserting the following in place thereof.

**Sec. 8. Referendum.** This act shall take effect 90 days after the adjournment of the legislature only for the purpose of permitting its submission to the legal voters of the territory embraced within the limits of said district, present and voting

at a special election called and held for the purpose on petition therefor signed by at least 20 legal voters resident within said district. Such special election shall be held not later than 1 year after the effective date of this act and shall be called, advertised and conducted according to the law relating to municipal elections; provided, however, that the board of registration in said town of Winthrop shall prepare and furnish separate check lists for such of the voters within said district as are then legal voters of said town and reside in said district, and all notices, warrants or other proceedings shall be varied accordingly so as to show that only such voters as reside in said district as aforesaid are entitled to vote at such meeting. At such meeting the vote shall be by ballot bearing the question "Shall the act creating a Sewer System for Town of Winthrop be accepted?" and the voters shall indicate by a cross or check mark placed against the words "Yes" or "No" their opinion of the same. This act shall take effect for all the purposes hereof immediately upon its acceptance by a majority of the legal voters voting at said meeting; provided that the total number of votes cast for and against the acceptance of this act equals or exceeds 20% of the voters on said check list. The result in said district shall be declared by the selectmen of the town of Winthrop and due certificate thereof filed by the town clerk with the secretary of state.

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

#### Messages and Documents

From the Senate: The following Communication:

STATE OF MAINE  
SENATE CHAMBER  
Augusta

April 27, 1951

Hon. Harvey R. Pease  
Clerk, 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

disagreeing actions of the two Branches of the Legislature on—

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

Sen. ELA of Somerset  
Sen. SMART of Hancock  
Sen. TABB of Kennebec

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

Sen. ELA of Somerset  
Sen. SMART of Hancock  
Sen. WIGHT of Penobscot

Very truly yours,

(signed)

Chester T. Winslow  
Secretary of Senate

Was read and ordered placed on file.

Mr. McGLAUFILIN of Portland:  
Mr. Speaker—

The SPEAKER: For what purpose does the gentleman rise?

Mr. McGLAUFILIN: I would like to ask if the document in which we asked the opinion of the judges is still in possession of the House?

The SPEAKER: The Chair would inform the gentleman that the papers are in possession of the House and would suggest that it would be a matter which should be taken up under Orders of the Day.

Mr. McGLAUFILIN: Very well, Mr. Speaker.

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

The SPEAKER: The Chair, at this time, will appoint as conferees of the House in the disagreeing action on Bill "An Act Relating to Driving of Deer," H. P. 1753, L. D. 1297, the following members:

Messrs. PLUMMER of Lisbon  
BAILEY of Woolwich  
PATTERSON of Freeport.

#### Orders

On motion of Mr. House of Lincoln, it was

ORDERED, that Mr. Potter of Medway be excused from attendance on Tuesday and Wednesday of this week because of important business.

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

Mr. WINCHENPAW: Mr. Speaker, I request unanimous consent to address the House for about one minute.

The SPEAKER: The gentleman from Friendship, Mr. Winchenpaw, requests unanimous consent to address the House for one minute. Is there any objection? The Chair hears none and the gentleman may proceed.

Mr. WINCHENPAW: Mr. Speaker and Ladies and Gentlemen of the House: I have been working on a proposition off and on all winter. It was only last week that the facts of the case came to light. I have a resolve in favor of John Upton of Thomaston and this is a very worthy case. I have cleared the matter with Senator McKusick, Chairman of the Health and Welfare Committee, and I have been told if this resolve is allowed to be accepted it will not lengthen the session of the Legislature at all because they have one or two more executive sessions.

I am asking unanimous consent to introduce this resolve and have it referred to the Committee on Health and Welfare. If my request is granted, I shall consider it a great personal favor. I thank you.

The SPEAKER: The gentleman from Friendship, Mr. Winchenpaw, presents a resolve and requests unanimous consent for its reception. The Clerk will read the title.

The CLERK (reading): Resolve Providing a State Pension for John Upton of Thomaston.

The SPEAKER: Is there any objection to the resolve being received? The Chair hears none and the resolve is received, referred to the Committee on Welfare and sent up for concurrence.

#### House Reports of Committees Divided Report Tabled

Majority Report of the Committee on Sea and Shore Fisheries on Bill "An Act relating to the Taking of Soft-Shell Clams in Jonesport" (H. P. 62) (L. D. 28) reporting same in a new draft (H. P. 1789) (L. D. 1358) under title of "An Act relating to the Taking of Soft Shelled Clams in Jonesport

and Beals" and that it "Ought to pass"

Report was signed by the following members:

Messrs. LARRABEE of Sagadahoc  
SLEEPER of Knox  
—of the Senate.

STEVENS of Boothbay  
CLAPP of Brooklin  
KNAPP of Yarmouth  
BARTON of Vinalhaven  
LITTLEFIELD of  
Kennebunk  
—of the House.

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

Report was signed by the following members:

Messrs. BROWN of Washington  
—of the Senate.

BUCKNAM of Whiting  
HANSON of Machiasport  
—of the House.

Report was read.

(On motion of Mr. Hanson of Machiasport, the two reports with accompanying papers were tabled pending acceptance of either report.)

#### Divided Report Tabled and Assigned

Majority Report of the Committee on Sea and Shore Fisheries reporting "Ought not to pass" on Bill "An Act Regulating the Taking of Marine Worms" (H. P. 1131) (L. D. 698)

Report was signed by the following members:

Messrs. BROWN of Washington  
—of the Senate.

LITTLEFIELD of  
Kennebunk  
STEVENS of Boothbay  
BARTON of Vinalhaven  
CLAPP of Brooklin  
KNAPP of Yarmouth  
HANSON of Machiasport  
BUCKNAM of Whiting  
—of the House.

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

Report was signed by the following members:

Messrs. SLEEPER of Knox  
LARRABEE of Sagadahoc  
—of the Senate.

Report was read.

(On motion of Mr. Gay of Damascotta, the two reports with accompanying papers were tabled pending acceptance of either report and specially assigned for Wednesday, May 2nd.)

#### Divided Report

Majority Report of the Committee on Sea and Shore Fisheries on Bill "An Act relating to the Conservation of Clams in Washington County" (H. P. 1329) (L. D. 892) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith

Report was signed by the following members:

Messrs. BROWN of Washington  
—of the Senate.

BUCKNAM of Whiting  
HANSON of Machiasport  
BARTON of Vinalhaven  
KNAPP of Yarmouth  
CLAPP of Brooklin  
STEVENS of Boothbay  
LITTLEFIELD of

Kennebunk  
—of the House.

Minority Report of the same Committee reporting "Ought not to pass" on same Bill.

Report was signed by the following members:

Messrs. SLEEPER of Knox  
LARRABEE of Sagadahoc  
—of the Senate.

Report was read.

On motion of Mr. Barton of Vinalhaven, the Majority Report "Ought to pass" as amended by Committee Amendment "A" was accepted.

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. 1329, L. D. 892, Bill "An Act Relating to the Conservation of Clams in Washington County".

Amend said Bill by striking out in that part designated "Sec 88-A" in the second line thereof the underlined phrase "15th day of May" and inserting in place thereof the underlined phrase '1st day of June'

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

#### Ought to Pass Printed Bill

Mr. Hayes from the Committee on Judiciary reported "Ought to pass" on Bill "An Act to Incorporate the Trustees of La Mennais College" (H. P. 318) (L. D. 183)

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

#### Ought to Pass with Committee Amendment Tabled and Assigned

Mr. Fuller from the Committee on Judiciary on Bill "An Act Amending the Maine Housing Authorities Act" (H. P. 159) (L. D. 90) which was recommitted reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read.

(On action of Mrs. Fay of Portland, tabled pending acceptance of the committee report and specially assigned for Wednesday, May 2.)

#### Passed to be Engrossed

Bill "An Act relating to Attorney's Fee for Foreclosure of a Mortgage" (S. P. 362) (L. D. 876)

Bill "An Act relating to the Salary of the Judge of the Northern Aroostook Municipal Court" (S. P. 545) (L. D. 1286)

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

#### Amended Bill

Bill "An Act to Create the Bangor Water District" (H. P. 1787) (L. D. 1347)

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

Mr. Fuller of Bangor 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. 1787, L. D. 1347, Bill "An Act to Create the Bangor Water District".



Amend said Bill as follows:

By inserting in the fourth line of Sec. 2 after the word "Bangor," the following **from Hatcase Pond subject to the prior rights of the Brewer Water District,**

By inserting in the fifth line of Sec. 6 after the words "public utilities commission" the following, if it finds that a reasonable necessity exists for such crossing,'

By striking out from the third line of Sec. 14 the words "regular or".

By inserting in the sixth line of Sec. 2, a comma between the words "them" and "from".

By inserting in the fifth line from the end of Sec. 4 after the words "as near as may be" the word 'as'

House Amendment "A" was adopted, and the bill was given its third reading, passed to be engrossed as amended by House Amendment "A" and sent to the Senate.

Resolve in favor of Robert George Llewellyn, of South Portland (S. P. 143) (L. D. 1349)

Resolve in favor of Merle Libby, of Caribou (S. P. 211) (L. D. 1350)

Resolve in favor of Peter Spanos, of Portland (S. P. 485) (L. D. 1351)

Resolve in favor of George Panages, of Portland (S. P. 486) (L. D. 1352)

Resolve in favor of the Town of Nobleboro (S. P. 525) (L. D. 1353)

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

#### Amended Bills and Resolves

Bill "An Act to Increase the Salary of the Judge of the Van Buren Municipal Court" (S. P. 280) (L. D. 619)

Bill "An Act relative to Health Certificates in the Sale of Cattle" (H. P. 1464) (L. D. 1080)

Resolve Appropriating Moneys to Reimburse Town of Phippsburg for Snow Removal (S. P. 296) (L. D. 1354)

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

Bill "An Act relating to Prospecting for Minerals and Metals" (S. P. 548) (L. D. 1312)

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

Resolve Permitting the Building of a Wharf in Maranacook Lake (S. P. 556) (L. D. 1314)

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

#### Orders of the Day

The SPEAKER: The Clerk will read the notices, which have not been mimeographed.

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

Mr. MCGLAUFLIN: Mr. Speaker and Members of the House: The gentleman from Dover-Foxcroft, Mr. Hayes, has requested me —

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

Mr. MCGLAUFLIN: Mr. Speaker and Members of the House: I move to reconsider our action whereby we passed the Order Propounding Questions to the Justices of the Supreme Judicial Court.

The SPEAKER: The gentleman from Portland, Mr. McGlaufflin, moves that the House reconsider its action whereby it passed on April 26th the Order Propounding Questions to the Justices of the Supreme Judicial Court concerning Bill "An Act to Incorporate the Guardian Finance Co.", H. P. 641, L. D. 383. Is it the pleasure of the House to reconsider?

The motion prevailed.

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

Mr. MCGLAUFLIN: Mr. Speaker, I now move that this matter lie upon the table.

The SPEAKER: The gentleman from Portland, Mr. McGlaufflin, now moves that the order lie on the table. Is this the pleasure of the House?

The motion prevailed and the Order was tabled pending passage.

The **SPEAKER**: The Chair now lays before the House the first item of unfinished business, House Report "Ought not to pass" of the Committee on Claims on Resolve to Reimburse the Town of Pittsfield for Support of Dianne K. Edwards, H. P. 453, tabled on April 11 by the gentleman from Pittsfield, Mr. Sinclair, pending acceptance of the report and the Chair recognizes that gentleman.

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

The **SPEAKER**: The Chair lays before the House the second item of unfinished business on today's calendar, House Report "Ought not to pass" of the Committee on Claims on Resolve to Reimburse the Town of Pittston for Support and Care of Robert Calnan, Otherwise Known as Robert Callman, H. P. 878, tabled on April 11 by the gentleman from Windsor, Mr. Hussey, pending acceptance of the report; and the Chair recognizes that gentleman.

Mr. **HUSSEY**: Mr. Speaker and Members of the House: I would like to recommit H. P. 878, to the Claims Committee. In explanation, I have permission of the House Chairman and I so move.

The **SPEAKER**: The gentleman from Windsor, Mr. Hussey, moves that the House recommit to the Committee on Claims House Report "Ought not to pass" on Resolve to Reimburse the Town of Pittston for Support and Care of Robert Calnan, Otherwise Known as Robert Callman, H. P. 878. Is this the pleasure of the House?

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

The **SPEAKER**: The Chair lays before the House the third item of unfinished business, Bill "An Act to Authorize the Withdrawal of Southport from the Boothbay Region Community School District,"

H. P. 27, L. D. 10, tabled on April 12th by the gentleman from Boothbay, Mr. Stevens, pending further consideration; and the Chair recognizes that gentleman.

Mr. **STEVENS**: Mr. Speaker, through a misunderstanding this bill was indefinitely postponed in the Senate, and I now move that the House insist on its former action.

The **SPEAKER**: The gentleman from Boothbay, Mr. Stevens, moves that the House insist on its former action whereby it passed to be enacted on February 21st Bill "An Act to Authorize the Withdrawal of Southport from the Boothbay Region Community School District" H. P. 27, L. D. 10. Is this the pleasure of the House?

The motion prevailed and the House voted to insist on its former action whereby it passed the bill to be enacted.

The **SPEAKER**: The Chair lays before the House the fourth item of unfinished business on today's calendar, House Order for Reproducing Joint Order Creating a Special Investigating Committee to Study Criminal Activities and Crime in the State, tabled on April 12th by the gentleman from Portland, Mr. Burkett, pending passage.

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

Mr. **BUBAR**: Mr. Speaker, this bill was tabled by the gentleman from Portland, Mr. Burkett, on April 12th, and he has sent a message to me, which I have just now received, stating that it was impossible for him to be here today and requesting that this lie on the table until tomorrow when he could get here.

The **SPEAKER**: The gentleman from Blaine, Mr. Bubar, moves that the order lie on the table and be specially assigned for tomorrow, Tuesday, May 1st. Is this the pleasure of the House?

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

The **SPEAKER**: The Chair lays before the House the fifth item of unfinished business, House Report "Ought not to pass" of the Committee on Education on Bill "An Act Relating to School Subsidies,"

H. P. 1304, L. D. 859, tabled on April 12th by the gentleman from Fairfield, Mr. Woodworth pending acceptance of the report; and the Chair recognizes that gentleman.

Mr. WOODWORTH: Mr. Speaker, I have been told that this was the best bill relating to school subsidies that has been presented to the Legislature for some time, but the Committee on Education did not think so, and I therefore move acceptance of the unanimous "Ought not to pass" report of the committee.

The SPEAKER: The gentleman from Fairfield, Mr. Woodworth, moves that the House accept the "Ought not to pass" report of the committee. 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 lays before the House the sixth item of unfinished business, House Report "Ought not to pass" as covered by other legislation of the Committee on Taxation on Bill "An Act Imposing a Sales and Use Tax for the Purpose of Raising Additional Revenue", H. P. 1030, L. D. 546, tabled on April 12th by the gentleman from Ellsworth, Mr. Dunham, pending acceptance of report; and the Chair recognizes that gentleman.

Mr. DUNHAM: Mr. Speaker and Members of the House: This is like parting with an old friend. I followed this tax bill through the committee and argued it at great length, but knowing that the Committee on Taxation has written a better bill and also believing that if they do not pass the present bill they would not have anything to do with this one, I now move the acceptance of the report.

The SPEAKER: The gentleman from Ellsworth, Mr. Dunham, moves that the House accept the "Ought not to pass" report of the Committee on Taxation on Bill "An Act Imposing a Sales and Use Tax for the Purpose of Raising Additional Revenue," H. P. 1030, L. D. 546. Is this the pleasure of the House?

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

The SPEAKER: The Chair lays before the House the seventh item of unfinished business, Resolve Providing Funds for Maintenance at Teachers' Colleges and Normal Schools, S. P. 224, L. D. 499, tabled on April 12th by the gentleman from Orono, Mr. Bates, pending passage to be enacted; and the Chair recognizes that gentleman.

Mr. BATES: Mr. Speaker, this resolve provides for funds and also provides for a two-thirds vote. Because of the attendance today, I move that the matter be tabled and specially assigned for Wednesday, May 2nd.

The SPEAKER: The gentleman from Orono, Mr. Bates, moves that the resolve be tabled pending passage to be enacted and specially assigned for Wednesday, May 2nd. Is this the pleasure of the House?

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

The SPEAKER: The Chair lays before the House the eighth item of unfinished business on today's calendar, House Report "Ought to pass" as amended by Committee Amendment "A" of the Committee on Appropriations and Financial Affairs on Bill "An Act Relating to Elderly Teachers' Pensions", H. P. 738, L. D. 425, tabled on April 12th by the gentleman from Presque Isle, Mr. Jamieson, pending acceptance of the report; and the Chair recognizes that gentleman.

Mr. JAMIESON: Mr. Speaker and Members of the House: The original bill as made up called for an amount of \$116,100 each year, which would give to the three classes of teachers, the \$500 class \$700; the \$600 class \$800; and the \$700 class \$900. The bill as amended at the present time would cut that increase by \$100. The amount of that bill as amended would be \$58,050. These elderly teachers, who have given the best part of their lives to the teaching profession, now have only that five, six and seven hundred dollar pension to live on, and I think that we should indefinitely postpone that amendment and

accept the bill as originally written, and I so move.

The SPEAKER: The question before the House is on the acceptance of the report of the committee. Does the gentleman move that the House accept the report?

Mr. JAMIESON: Mr. Speaker, I move that the amendment be indefinitely postponed and that the original bill be accepted — the "Ought to pass" report.

The SPEAKER: The Chair must inform the gentleman that we must either accept the report of the committee or reject the report of the committee or substitute the bill for the report of the committee.

Mr. JAMIESON: I move that we substitute the bill for the report.

The SPEAKER: The gentleman from Presque Isle, Mr. Jamieson, moves that the House substitute Bill "An Act Relating to Elderly Teachers' Pensions" H. P. 738, L. D. 425, for the report of the committee. Is this the pleasure of the House?

All those in favor of substituting the bill for the report will say aye; those opposed, no.

A viva voce vote being taken, the motion prevailed and the bill was substituted for the "Ought to pass" as Amended by Committee Amendment 'A' report of the committee.

Thereupon the bill was given its two several readings, under suspension of the rules, and tomorrow assigned for third reading.

The SPEAKER: The Chair lays before the House the ninth item of unfinished business, House Report, "Ought not to pass" of the Committee on Public Health on Bill "An Act Providing for the Study, Treatment and Care of Alcoholics", H. P. 1487, L. D. 1094, tabled on April 12th by the gentleman from Portland, Mr. Burkett, pending acceptance of the report.

The Chair recognizes the gentleman from Liberty, Mr. Cole.

Mr. COLE: Mr. Speaker, due to the absence of the gentleman from Portland, Mr. Burkett, I move that this matter lie on the table and be specially assigned for tomorrow.

The SPEAKER: The gentleman from Liberty, Mr. Cole, moves that the matter lie on the table pending acceptance of report and be specially assigned for tomorrow, Tues-

day, May 1st. Is this the pleasure of the House?

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

The SPEAKER: The Chair lays before the House the tenth item of unfinished business, House Report, "Ought to pass" as amended by Committee Amendment "A" of the Committee on Inland Fisheries and Game on Bill "An Act Assenting to Act of Congress relating to Fish Restoration and Management Projects" (H. P. 525) (L. D. 287) tabled on April 12th by the gentleman from Vinalhaven, Mr. Barton, pending his motion to recede; and the Chair recognizes that gentleman.

Mr. BARTON: Mr. Speaker and Members of the House: I tabled this bill in the absence of Mr. Brown of Wayne. He is here today, but Mr. Rollins of Greenville, who is very much interested in this particular bill, is not here, so I move that it be retabled and specially assigned for Wednesday, May 2nd.

The SPEAKER: The gentleman from Vinalhaven, Mr. Barton, moves that the matter lie on the table, pending his motion to recede, and be specially assigned for Wednesday, May 2nd. Is this the pleasure of the House?

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

The SPEAKER: The Chair lays before the House the eleventh item of unfinished business, House Report "Ought not to pass" of the Committee on Appropriations and Financial Affairs on Bill "An Act Liberalizing Certain Limitations on Old Age Assistance," H. P. 1245, L. D. 799, tabled on April 12th by the gentleman from Portland, Mr. Burkett, pending acceptance of report.

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

Mr. BUBAR: Mr. Speaker and Members of the House: Mr. Burkett is unable to be here today and his request is that this lie on the table until Wednesday of this week. He will be unable to get here until then. I so move, Mr. Speaker.

The SPEAKER: The gentleman from Blaine, Mr. Bubar, moves that

the eleventh matter of unfinished business lie on the table pending acceptance of the report and be specially assigned for Wednesday, May 2nd. Is this the pleasure of the House?

The motion prevailed and the bill was so tabled and assigned

The SPEAKER: The Chair lays before the House the twelfth item of unfinished business on today's calendar, House Report "Ought not to pass" of the Committee on Claims on Resolve to Reimburse the Town of Clinton for Expenses Incurred for Support of William Pushaw, H. P. 1603, tabled on April 13th by the gentleman from Clinton, Mr. Keene.

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

Mr. HALL: Mr. Speaker, I note the absence of the gentleman from Clinton, Mr. Keene. By way of explanation, I will say that he has three matters tabled. These two I have definitely talked over with him and he is willing to accept the "Ought not to pass" report on these two, the 12th and the 13th items of unfinished business and I move the acceptance of Item 12.

The SPEAKER: The gentleman from Calais, Mr. Hall, moves that the House accept the "Ought not to pass" report of the Committee on Claims on Resolve to Reimburse the Town of Clinton for Expenses Incurred for Support of William Pushaw, H. P. 1603. Is this the pleasure of the House?

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

The SPEAKER: The Chair lays before the House the thirteenth item of unfinished business on today's calendar, House Report "Ought not to pass" of the Committee on Claims on Resolve to Reimburse the Town of Clinton for Expenses Incurred for Support of Bessie Sites, H. P. 1602, tabled on April 13th by the gentleman from Clinton, Mr. Keene, pending acceptance of report.

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

Mr. HALL: Mr. Speaker, with permission of the gentleman from Clinton, Mr. Keene, I move acceptance of the "Ought not to pass" report.

The SPEAKER: The gentleman from Calais, Mr. Hall, moves that the House accept the "Ought not to pass" report of the Committee on Claims on Resolve to Reimburse the Town of Clinton for Expenses Incurred for Support of Bessie Sites, H. P. 1602. Is this the pleasure of the House?

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

The SPEAKER: The Chair lays before the House the fourteenth item of unfinished business on today's calendar, Bill "An Act relating to Salaries of County Commissioners and County Treasurer of York County," H. P. 1375, L. D. 965, tabled on April 13th by the gentleman from Kennebunk, Mr. Littlefield, pending adoption of Committee Amendment "A"; and the Chair recognizes that gentleman.

Mr. LITTLEFIELD: Mr. Speaker, I move the indefinite postponement of Committee Amendment "A".

The SPEAKER: The gentleman from Kennebunk, Mr. Littlefield, moves the indefinite postponement of Committee Amendment "A".

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

Mr. TAYLOR: Mr. Speaker, this amendment is the majority report of the Committee on Towns and Counties. It changes the amount of raise in the salary of the County Commissioners from the amount asked of \$1500 to \$1250 per year per member. The amount asked was a fifty per cent raise, and a twenty-five per cent raise was reported. I feel that that is a very substantial raise and that the salary of \$1250 a year is a very substantial one.

I hope the motion to indefinitely postpone Committee Amendment "A" does not prevail.

The SPEAKER: The Chair recognizes the gentleman from Waterboro, Mr. Bradeen.

Mr. BRADEEN: Mr. Speaker and Members of the House: I have had

occasion to talk this matter over somewhat with the members of the Committee on Towns and Counties, and perhaps I may know something, although not too much, of the weight of the duties of our County Commissioners. It has seemed to us that perhaps a twenty-five per cent increase, which might mean something in the neighborhood of ten dollars a day, would be sufficient. For that reason, I go along with the thinking of my friend, the gentleman from Lyman, Mr. Taylor.

The SPEAKER: Is the House ready for the question?

The question before the House is on the motion of the gentleman from Kennebunk, Mr. Littlefield, that the House indefinitely postpone Committee Amendment "A" to Bill "An Act relating to Salaries of County Commissioners and County Treasurer of York County," H. P. 1375, L. D. 965.

All those in favor of indefinitely postponing Committee Amendment "A" will say aye; those opposed, no.

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

Thereupon, a viva voce vote being taken, the House voted to adopt Committee Amendment "A", and the bill as amended was tomorrow assigned for third reading.

The SPEAKER: The Chair lays before the House the fifteenth item of unfinished business on today's calendar, House Report "Ought to pass" as amended by Committee Amendment "A" of the Committee on Towns and Counties on Bill "An Act relating to Salary of Judge of Probate of York County", H. P. 1437, L. D. 1048, tabled on April 13th by the gentleman from Kennebunk, Mr. Littlefield, pending acceptance of report; and the Chair recognizes that gentleman.

Mr. LITTLEFIELD: Mr. Speaker, I move the indefinite postponement of Committee Amendment "A".

The SPEAKER: The Chair would inform the gentleman from Kennebunk, Mr. Littlefield, that the report "Ought to pass" as amended by Committee Amendment "A" has not been accepted. The Chair would further inform the gentleman that he may move the acceptance of

the report or move to substitute the bill for the report.

Mr. LITTLEFIELD: Mr. Speaker, I move to substitute the bill for the report.

The SPEAKER: The gentleman from Kennebunk, Mr. Littlefield, moves that the House substitute the bill for the report of the committee.

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

Mr. TAYLOR: Mr. Speaker, this report of the Committee on Towns and Counties and this amendment cuts the salary of the Judge of Probate from the amount asked, \$5000, to \$4750, giving him a raise of \$250. We thought the duties of the Judge of Probate were such that a salary of \$4750 was sufficient. It is only a part-time job and he has been here two different times this winter lobbying on bills for private parties. He also carries on a law practice all the time. I hope that the motion of the gentleman from Kennebunk, Mr. Littlefield, does not prevail.

The SPEAKER: Is the House ready for the question?

The Chair recognizes the gentleman from Saco, Mr. Hawkes.

Mr. HAWKES: Mr. Speaker, I know very little about the County Commissioners' duties and did not feel in any way qualified to speak on those. I do know, however, a little more about the duties of the Judge of Probate. Without entering into the merits as to whether the Judge of Probate earns the salary which he is paid in York County, I will say that due to the increases which the House has already agreed upon, and I believe has passed to be enacted, of the Register of Probate and Clerk of Courts, it would seem to me it would be only fitting and commensurate with the other raises which have been given to officials in York County, that the motion of the gentleman from Kennebunk, Mr. Littlefield, should prevail.

The SPEAKER: Is the House ready for the question?

The question before the House is on the motion of the gentleman from Kennebunk, Mr. Littlefield, that the House substitute Bill "An Act relating to Salary of Judge of Probate of York County," H. P.

1437, L. D. 1048, for the report of the committee "Ought to pass" as amended by Committee Amendment 'A'.

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

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

The SPEAKER: Fourteen having voted in the affirmative and forty-one in the negative the motion to substitute the bill for the report does not prevail.

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

On motion of Mr. Taylor of Lyman, a viva voce vote being taken, the House voted to accept the report of the committee, "Ought to pass as amended by Committee Amendment 'A'".

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. 1437, L. D. 1048, Bill "An Act Relating to Salary of Judge of Probate of York County".

Amend said Bill by striking out in the last line thereof the underlined figures "\$5,000" and inserting in place thereof the underlined figures '\$4,750'.

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

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On motion of Mr. Chase of Cape Elizabeth,

Adjourned until 8:30 E.S.T. tomorrow morning.