

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

Friday, May 11, 1951.

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

Prayer by the Rev. Edna L. Knowlton of Augusta.

The journal of the previous session was read and approved.

**Papers from the Senate
New Matter**

Bill "An Act relating to Non-Resident Commercial Fishing Licenses" (S. P. 578)

Came from the Senate received by unanimous consent, given its several readings under suspension of the rules and passed to be engrossed without reference to a Committee.

In the House:

The SPEAKER: This bill, being offered under the cloture rule, requires unanimous consent for its introduction. Is there any objection to its introduction? The Chair hears none and the bill is received.

Under suspension of the rules the Bill received its two several readings without reference to a Committee, and was assigned for third reading the next legislative day and was ordered printed.

Resolve Proposing an Amendment to the Constitution to Liberalize Limitation of Municipal Indebtedness (S. P. 579)

Came from the Senate received by unanimous consent, given its several readings under suspension of the rules and passed to be engrossed as amended by Senate Amendment "A" without reference to a Committee.

In the House:

The SPEAKER: Under the cloture rule this resolve requires unanimous consent for its introduction. Does the Chair hear any objection?

The Chair recognizes the gentleman from Bridgton, Mr. March. The Chair will state that unanimous consent is not debatable.

Mr. MARCH: Mr. Speaker and Members of the House: I would just feel I would like to know what I am voting on.

The SPEAKER: The Clerk will read the resolve.

The resolve in its entirety was then read by the Clerk.

Mr. CHASE of Cape Elizabeth: Mr. Speaker —

The SPEAKER: For what purpose does the gentleman rise?

Mr. CHASE: Mr. Speaker, I ask unanimous consent to explain this resolve.

The SPEAKER: The Chair must inform the gentleman that unanimous consent is not debatable.

The matter, having been received under the cloture rule, requires unanimous consent of the members of the House for its introduction. Does the Chair hear any objection? The Chair hears none, and the resolve is received.

Under suspension of the rules the resolve was given its first reading and was assigned for second reading the next legislative day and was ordered printed.

Mr. WOODWORTH of Fairfield: Mr. Speaker —

The SPEAKER: For what purpose does the gentleman rise?

Mr. WOODWORTH: Mr. Speaker, I want to inquire if that bill is going to be printed.

The SPEAKER: The Chair will inform the gentleman that it has already been ordered printed.

**Senate Reports of Committees
Leave to Withdraw**

Report of the Committee on Judiciary on Bill "An Act relating to Admission to the Bar for Time of War or National Emergency" (S. P. 410) (L. D. 970) reported leave to withdraw.

Report of the same Committee reporting same on Resolve Authorizing Treasurer of State to Accept Assignment of Mortgage from Susie E. Moody, of Waterville (S. P. 543) (L. D. 1294)

Came from the Senate with the Reports read and accepted.

In the House Reports were read and accepted in concurrence.

Ought Not to Pass

Report of the Committee on Highways reporting "Ought not to pass" on Resolve Appropriating Moneys for Promotion of Highway Safety (H. P. 56) (L. D. 110)

Report of the Committee on Judiciary reporting same on Bill "An Act relating to Membership in State Employees' Retirement System" (S. P. 234) (L. D. 505)

Report of the same Committee reporting same on Bill "An Act relating to Optional Allowances on Retirement Under State Retirement Law" as it is covered by other legislation (S. P. 236) (L. D. 507)

Came from the Senate read and accepted.

In the House, read and accepted in concurrence.

Ought to Pass

Report of the Committee on Appropriations and Financial Affairs reporting "Ought to pass" on Bill "An Act relating to a State Police Barrack in the County of Somerset" (S. P. 294) (L. D. 653)

Report of the same Committee reporting same on Resolve Appropriating Moneys for Wing at State Police Building in Augusta (S. P. 220) (L. D. 495)

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

In the House, Reports were read and accepted in concurrence, the Bill read twice, the Resolve read once, and assigned for the next legislative day.

Ought to Pass in New Draft

Report of the Committee on Inland Fisheries and Game on Bill "An Act relating to Open Time on Rabbits in Somerset County" (S. P. 321) (L. D. 720) reporting a new draft (S. P. 507) (L. D. 1218) under same title and that it "Ought to pass"

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, the Bill read twice and assigned for third reading the next legislative day.

Non-Concurrent Matter

From the Senate:

Bill "An Act relating to Definition of "Teacher" Under Maine State Retirement Law" (H. P. 926) (L. D. 528) which was passed to be enacted

in the House on May 2, and passed to be engrossed on March 14, and which was recalled to the Senate by Joint Order.

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

In the House:

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

Mr. CHASE: Mr. Speaker, the gentleman from Houlton, Mr. Robbins, who introduced this bill, has asked me to move to recede and concur with the Senate.

Thereupon, on motion of Mr. Chase, the House voted to recede from its action of May 2nd whereby it passed the bill to be enacted.

On further motion of Mr. Chase, the House voted to recede from its action of March 14th whereby it passed the bill to be engrossed.

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

SENATE AMENDMENT "A" to H. P. 926, L. D. 528, Bill "An Act Relating to Definition of "Teacher" Under Maine State Retirement Law."

Amend said Bill by striking out the underlined words "is receiving or has received any direct state aid since 1920" in the 9th and 10th lines thereof and inserting in place thereof the underlined words "received any direct state aid in 1950, and municipal tuition funds amounting to at least twice the amount of such state aid, during the same year"

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

Non-Concurrent Matter

Bill "An Act relating to Fees of Registers of Probate" (S. P. 438) (L. D. 1001) which was passed to be enacted in the House on May 1, and which was passed to be engrossed as amended by Committee Amendment "A" in the House on April 23.

Came from the Senate indefinitely postponed in non-concurrence

In the House: On motion of Mr. Hayes of Dover-Foxcroft, the House voted to recede and concur with the

Senate in the indefinite postponement of the Bill.

Non-Concurrent Matter

Bill "An Act relating to Purposes for Which Cities and Towns May Raise Money" (H. P. 1645) (L. D. 1208) which was passed to be enacted in the House on April 12, and passed to be engrossed on April 4.

Came from the Senate indefinitely postponed in non-concurrence.

In the House: The House voted to recede and concur with the Senate in the indefinite postponement of the Bill.

Non-Concurrent Matter

Bill "An Act relative to Recording Meters on Fuel and Range Oil Trucks" (H. P. 401) (L. D. 245) on which the House accepted the Majority Report of the Committee on Agriculture reporting "Ought to pass" as amended by Committee Amendment "A" on May 8, and passed the bill to be engrossed as amended by Committee Amendment "A" on May 9.

Came from the Senate with the Minority "Ought not to pass" Report accepted in non-concurrence.

In the House: On motion of the gentleman from Standish, Mr. Center, the House voted to recede and concur with the Senate in the acceptance of the Minority "Ought not to pass" Report.

Non-Concurrent Matter

Bill "An Act to Incorporate the 'Paris Company'" (H. P. 1662) (L. D. 1231) which was passed to be engrossed in the House on April 3.

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

In the House: On motion of the gentleman from South Paris, Mr. Stewart, the House voted to recede from its action of April 3rd where-by it passed the bill to be engrossed.

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

SENATE AMENDMENT "A" to H. P. 1662, L. D. 1231, Bill "An Act to Incorporate the 'Paris Company.'"

Amend said Bill by striking out all of Section 5 thereof and inserting in place thereof the following:

'Sec. 5. Subject to supervision.

The corporation shall be subject to supervision of the bank commissioner and he shall have the same authority over it as he has over savings banks, trust companies and loan and building associations, and should said corporation apply for and receive a license to engage in the insurance business, then said corporation shall be subject to supervision of the insurance commissioner.'

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

Non-Concurrent Matter

Report of the Committee on Appropriations and Financial Affairs reporting "Ought not to pass" on Bill "An Act relating to Cost of Living Adjustment Plan for State Employees" (H. P. 1071) (L. D. 679) which was recommitted to the Committee on Appropriations and Financial Affairs in the House on April 16.

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

In the House: The House voted to recede and concur with the Senate in the acceptance of the Committee Report.

New Matter

Bill "An Act relating to Officers and Employees of the Legislature" (S. P. 573) (L. D. 1378)

Came from the Senate passed to be engrossed without reference to a Committee.

In the House:

The SPEAKER: This matter, not having come in under the cloture rule, it requires the unanimous consent. Does the Chair hear any objection?

Mr. FULLER of Bangor: Yes, Mr. Speaker, I object.

The SPEAKER: The Chair hears objection, and the matter cannot be received under the cloture rule. It is referred to the 96th Legislature.

Non-Concurrent Matter

Bill "An Act to Place a Bounty on Porcupines" (H. P. 1415) (L. D. 1023) on which the House accepted the Minority Report of the

Committee on Inland Fisheries and Game reporting "Ought to pass" and passed the bill to be engrossed on April 23.

Came from the Senate with the Majority Report reporting "Ought not to pass" accepted in non-concurrence.

In the House:

The SPEAKER: The Chair recognizes the gentleman from East Machias, Mr. Dennison.

Mr. DENNISON: Mr. Speaker, I move that the House insist on its former action whereby it accepted the minority report of the Inland Fish and Game Committee, "Ought to pass."

The SPEAKER: Does the gentleman request a Committee of Conference?

Mr. DENNISON: Yes, Mr. Speaker.

The SPEAKER: The gentleman from East Machias, Mr. Dennison, moves that the House insist upon its former action and request a Committee of Conference. Is this the pleasure of the House?

The motion prevailed.

The SPEAKER: Would the gentleman from East Machias, Mr. Dennison, approach the rostrum, please.

The SPEAKER: The Chair will appoint as Conferees on the disagreeing action on Bill "An Act to Place a Bounty on Porcupines": The gentleman from East Machias, Mr. Dennison, the gentleman from Whiting, Mr. Bucknam, and the gentleman from Sanford, Mr. Frechette.

The SPEAKER: The Chair at this time notes the presence in the balcony of the Hall of the House of the Williams Grammar School, Augusta, Maine, 8th Grade, Class in American History, under the supervision of Mrs. Johnson and Mrs. Philbrook, and in behalf of the House the Chair at this time bids you all a cordial welcome. (Applause)

Divided Report

Majority Report of the Committee on Transportation reporting "Ought not to pass" on Bill "An Act to Provide for the Issue of State of Maine Airport Bonds for

the Construction and Improvement of Airports" (S. P. 209) (L. D. 458)

Report was signed by the following members:

Messrs. CHRISTENSEN of
Washington
BOYKER of Oxford
—of the Senate.

TURNER of Auburn
MAGUIRE of Auburn
PERRY of Chelsea
JONES of Bowdoinham

—of the House.

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

Report was signed by the following members:

Messrs. ALLEN of Cumberland
—of the Senate.

NOWELL of Hermon
TRAVIS of Westbrook
KELLY of Rumford

—of the House.

Came from the Senate with the Majority Report accepted.

In the House: Report was read.

On motion of Mr. Jones of Bowdoinham, the Majority "Ought not to pass" Report was accepted in concurrence.

From the Senate: The following Order:

ORDERED, the House concurring, that when the Senate and House adjourn, they adjourn to meet on Monday, May 14th, 1951, at 2:00 o'clock in the afternoon, Eastern Standard Time. (S. P. 563)

Came from the Senate, in that body today read and passed.

In the House, read and passed in concurrence.

Messages and Documents

The following Communication:

STATE OF MAINE
SENATE CHAMBER
Augusta

May 10, 1951

Honorable 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 disagreeing actions of the two Branches of the Legislature on—

Bill "An Act to Provide Partial Cutting Adjacent to Roadsides." (H. P. 1642) (L. D. 1206)

Senators Ela of Somerset
Greeley of Waldo
Savage of Somerset

Very truly yours,
(Signed) CHESTER T. WINSLOW
Secretary of Senate

Was read and ordered placed on file.

OPINION
OF THE JUSTICES OF THE
SUPREME JUDICIAL COURT
GIVEN UNDER THE PROVISIONS
OF SECTION 3 OF ARTICLE VI
OF THE CONSTITUTION
* * * *

QUESTIONS PROPOUNDED BY THE HOUSE IN AN ORDER PASSED MAY 10, 1951, ANSWERED MAY 10, 1951 RELATIVE TO THE CONSTITUTIONALITY OF BILL, "AN ACT CREATING THE MAINE SCHOOL BUILDING AUTHORITY" HOUSE PAPER NO. 1274, LEGISLATIVE DOCUMENT NO. 824

(See Record of May 9, 1951 for order requesting opinion)

ANSWERS OF THE JUSTICES

To the Honorable House of Representatives of the State of Maine:

The undersigned Justices of the Supreme Judicial Court, in accordance with the provisions of the Constitution, respectfully answer herein the questions propounded by the House of Representatives in an order dated May 9, 1951 passed May 10, 1951 relative to House Paper No. 1274, Legislative Document No. 824 entitled "An Act Creating the Maine School Building Authority," with proposed amendment identified as Committee Amendment "A" together with "Resolve, Proposing an Amendment to the Constitution to Exempt Rental Agreements with the Maine School Building Authority from the Limitations of Municipal Indebtedness," House Paper No. 1032, Legislative Document No. 695, and proposed amendments identified as Committee Amendment "A" and House Amendment "A."

Question 1.

The Bill "An Act Creating the Maine School Building Authority" if enacted with or without amend-

ment, as proposed, would not pledge the credit of the State contrary to the Constitution.

Question 2.

If the "Resolve, Proposing an Amendment to the Constitution to Exempt Rental Agreements with the Maine School Building Authority from the Limitations of Municipal Indebtedness," with or without amendment, as proposed, be adopted by the people, the provisions of Legislative Document No. 824, if enacted, with or without amendment, as proposed, will not violate the constitutional provisions relative to limitation of municipal indebtedness.

Question 3.

If the resolve be not adopted by the people, the provisions of Legislative Document No. 824, if enacted, with or without amendment, as proposed, will not violate the provisions of the Constitution relative to limitation on municipal indebtedness. Any action taken under the act, however, would violate the provisions of the Constitution if the municipal indebtedness in any particular instance or instances is thereby increased beyond constitutional debt limits. The declaration in Section 218, of the proposed act, that "all rentals or other charges provided by any such contract to be paid for the lease or use of such project shall be deemed to be current operating expenses of the town or the community school district" neither controls nor determines the nature of the liability created by the lease. So long as Section 15 of Article IX of the Constitution (as now codified) remains unchanged, the liabilities of municipalities must be determined in accordance with the principles declared in *Reynolds v. City of Waterville*, 92 Maine 292; and in *Opinions of the Justices*, 99 Maine 515, and 146 Maine —, 79 Atlantic 2d 753.

Dated at Augusta, Maine, this tenth day of May, 1951.

Respectfully submitted:

Harold H. Murchie
Sidney St. F. Thaxter
Raymond Fellows
Edward F. Merrill
William B. Nully
Robert B. Williamson

Was read and placed on file.

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

House Reports of Committees

Divided Report

Majority Report of the Committee on Judiciary reporting "Ought not to pass" on Resolve Proposing an Amendment to the Constitution relating to Absent Voting" (H. P. 105) (L. D. 52)

Report was signed by the following members:

Messrs. HASKELL of Cumberland
WARD of Penobscot
BARNES of Aroostook
—of the Senate.
McGLAUFILIN of Portland
HARDING of Rockland
DELAHANTY of Lewiston
—of the House.

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

Report was signed by the following members:

Messrs. HAYES of Dover-Foxcroft
WOODWORTH of Fairfield
FULLER of Bangor
Mrs. FAY of Portland
—of the House.

Report was read.

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

Mr. CHASE: Mr. Speaker, it is not quite clear to me which report is favorable to the resolve. It is my resolve and I would like to speak on it, but it was my impression that the "Ought to pass" report was otherwise signed.

The SPEAKER: The Chair would inform the gentleman that according to the record it appears that the minority report is the "Ought to pass" report, and the majority report is the "Ought not to pass" report.

Mr. CHASE: Mr. Speaker, may I ask who signed the "Ought to pass" report?

The SPEAKER: The Clerk will read the names of the signers.

The CLERK: The "Ought to pass" report on the Resolve was signed by the gentleman from Dover-Foxcroft, Mr. Hayes, the gentleman from Fairfield, Mr. Woodworth, the gentleman from Bangor,

Mr. Fuller, and the gentlewoman from Portland, Mrs. Fay.

Mr. CHASE: Mr. Speaker, I move the acceptance of the minority "Ought to pass" report. Now some may think that this is not a very important matter. The sole purpose of this resolve is to eliminate from the Constitution more than one entire page which relates to nothing except voting by troops in the field during the Civil War.

Now there are two reasons which I think should be controlling that this ought to pass. I regret very much the absence of Representative Jalbert and Representative Delahanty because one of these reasons is very important to the Democratic party. This is the section of the Constitution which fixes the election date in September, and I should think it would very much encourage the Democrats because if this section can be changed in one respect, they might have ground for hope that some day it could be changed in another. (Laughter)

Now, furthermore, and this is the reason which should appeal to the entire House, if we can eliminate from the Constitution this more than one page which begins on page 4, then the next reprint of the Constitution which will be made in the statutes to be revised at the next session would move over onto page 4 the provisions of the Constitution relating to the apportionment of Representatives, which might make it more likely that the members of the Legislature would read the Constitution up to that point some day. (Laughter)

Now for those reasons, which it seems to me ought to be compelling, I move the acceptance of the minority "Ought to pass" report.

The SPEAKER: The gentleman from Cape Elizabeth, Mr. Chase, moves that the House accept the minority "Ought to pass" report on Resolve Proposing an Amendment to the Constitution relating to Absent Voting." Is this the pleasure of the House?

The motion prevailed, and the Resolve, having already been printed, was read once under suspension of the rules.

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

Mr. CHASE: Mr. Speaker, it appears that there is with the papers a new draft which changes this resolve in order to make it apply to the codified Constitution which has since been adopted by the Legislature, and I offer this new draft as an amendment.

The SPEAKER: The gentleman from Cape Elizabeth, Mr. Chase, offers a substitute resolve, Resolve Proposing an Amendment to the Constitution Relating to Voting by Citizens in the Armed Forces and Others Absent or Physically Incapacitated. (H. P. 1813). Is it the pleasure of the House that the Resolve be received?

The substitute resolve was received, and on further motion of Mr. Chase, was tabled pending adoption, ordered printed, and specially assigned for Monday, May 14th.

Divided Report Tabled and Assigned

Majority Report of the Committee on Judiciary reporting "Ought to be Adopted" on Memorial to Congress 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) (L. D. 1315)

Report was signed by the following members:

Messrs. HASKELL of Cumberland
WARD of Penobscot
BARNES of Aroostook
—of the Senate.
Mrs. FAY of Portland
Messrs. HARDING of Rockland
WOODWORTH of Fairfield
HAYES of Dover-Foxcroft
FULLER of Bangor
—of the House.

Minority Report of the same Committee reporting "Ought not to be adopted" on same Memorial:

Report was signed by the following members:

Messrs. McGLAUFNIN of Portland
DELAHANTY of Lewiston
—of the House.

Report was read.

The SPEAKER: The Chair rec-

ognizes the gentleman from Wayne, Mr. Brown.

Mr. BROWN: Mr. Speaker, I move that the House accept the majority report of the Committee on Judiciary on Memorial to Congress 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, being House Paper 1775, Legislative Document 1315.

The SPEAKER: The gentleman from Wayne, Mr. Brown, moves that the House accept the majority report.

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

Mr. McGLAUFNIN: Mr. Speaker, I move that this item be laid on the table and specially assigned for Tuesday next.

The SPEAKER: The gentleman from Portland, Mr. McGlauffin, moves that the two reports, with accompanying papers, lie on the table and be specially assigned for Tuesday, May 15. Is this the pleasure of the House?

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

A viva voce vote being taken, the motion prevailed, and the matter was so tabled and so assigned.

Ought to Pass in New Draft

Mr. Jacobs from the Committee on Appropriations and Financial Affairs on Bill "An Act relating to the Post-Audit of Maine Forestry District" (H. P. 1165) (L. D. 729) reported same in a new draft (H. P. 1806) (L. D. 1383) under title of "An Act relating to the Post-Audit of Maine Forestry District and Maine Port Authority" and that it "Ought to pass"

Mr. Gay from the Committee on Claims on Resolve to Reimburse Robert Ballard of Hallowell (H. P. 1573) reported same in a new draft (H. P. 1808) (L. D. 1385) under same title and that it "Ought to pass"

Mr. Robbins from the Committee on Highways on Bill "An Act to Increase the Salaries of Members of the State Police" (H. P. 968) (L. D. 561) reported same in a new draft (H. P. 1809) (L. D. 1386) under

same title and that it "Ought to pass"

Reports were read and accepted and the Bills and Resolve having already been printed, the Bills were read twice under suspension of the rules, the Resolve read once and assigned for the next legislative day.

Tabled and Assigned

Mr. Hayes from the Committee on Judiciary on Bill "An Act relating to the Commitment to Mental Hospitals" (H. P. 1423) (L. D. 1056) reported same in a new draft (H. P. 1807) (L. D. 1384) under same title and that it "Ought to pass"

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

The SPEAKER: The Chair recognizes the gentleman from Holden, Mr. DeBeck.

Mr. DeBECK: Mr. Speaker and Members of the House: I would like to have House Paper 1807, Legislative Document 1384, lie on the table until Wednesday of next week.

The SPEAKER: Does the gentleman move that the matter be given its third reading on Wednesday of next week?

Mr. DeBECK: Yes, Mr. Speaker.

The SPEAKER: The gentleman from Holden, Mr. DeBeck, moves that the matter be assigned for third reading on Wednesday, May 16th. Is this the pleasure of the House?

Calls of "No."

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

A viva voce vote being doubted,

A division of the House was had.

Thirty-eight having voted in the affirmative and thirty-three having voted in the negative, the motion prevailed, and the Bill was assigned for third reading on Wednesday, May 16th.

The SPEAKER: The Chair at this time notes in the balcony of the Hall of the House the presence of the Brownie Troop Number 11 and Girl Scout Troop Number 8, of Farmington, with their leaders.

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

Ought to Pass Printed Bill

Mr. Hayes from the Committee on Judiciary reported "Ought to pass" on Bill "An Act relating to Prevention of Subversive Activity" (H. P. 1315) (L. D. 851)

Report was read and accepted and the Bill, having already been printed, was read twice under suspension of the rules and assigned for third reading the next legislative day.

Tabled and Assigned Ought to Pass with Committee Amendment

Mr. Hawkes from the Committee on Legal Affairs on Bill "An Act relating to Elections in the City of Biddeford" (H. P. 1204) (L. D. 762) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read.

(On motion of Mr. Duquette of Biddeford, tabled pending acceptance of Committee Report and specially assigned for Tuesday, May 15th.

Mr. Hawkes from the Committee on Legal Affairs on Bill "An Act relating to Sanitary Facilities for Certain Places" (H. P. 1328) (L. D. 891) 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. 1328, L. D. 891, Bill, "An Act Relating to Sanitary Facilities for Certain Places."

Amend said bill by inserting the following section:

'Sec. 165. Cities and towns may prescribe plumbing regulations, subject to state minimum. Any city or town, may by ordinance or by-laws, prescribe regulations for the materials, construction, alteration and inspection of all pipes, tanks, faucets, valves and other fixtures by and through which waste or sewage is used and carried, and for the materials and sizes of pipe which carry water to all plumbing

fixtures, which regulations shall provide not less than the minimum requirements of the rules and regulations of the department in relation to plumbing work, for the carrying of such waste and sewage and for the materials and sizes of pipe which carry water to all plumbing fixtures, and shall provide that such pipes, tanks, faucets, valves or other fixtures shall not be placed in any building in such city or town, nor shall any septic tank or other system of private sewage disposal be installed to receive the drainage from such plumbing, (except to repair leaks or replace an old fixture to be used for the same purpose) except after the issuing of a permit for the installation of such work, issued by the inspector of plumbing in such city or town in accordance with a written description or information on such application blanks as shall be approved and furnished to such cities or towns by the department.'

Thereupon, Committee Amendment "A" was adopted, and the Bill was assigned for third reading the next legislative day.

Mr. FULLER of Bangor: Mr. Speaker —

The SPEAKER: For what purpose does the gentleman rise?

Mr. FULLER: To make a motion to reconsider, Mr. Speaker.

The SPEAKER: The gentleman may make his motion.

Mr. FULLER: Mr. Speaker and Members of the House: I move that the House reconsider its action of yesterday on Legislative Document 544, "An Act Relating to the Salary of the Judge of Probate in Penobscot County" and I would like to make a few remarks in support of my motion.

The SPEAKER: It is in order to make the remarks at this time if the gentleman prefers.

Mr. FULLER: Mr. Speaker and Members of the House: As I said yesterday, this matter is an increase of \$500. in the salary of the Judge of Probate of Penobscot County. This actually is a county matter because it was approved by a caucus of the delegation of Representatives and Senators here in the Legislature. It was approved at

that time, as far as we know, without any dissenting vote.

This was reported by the County Commissioners and allowance was made for it by them in their estimates. I am advised that it is quite unusual for a salary increase approved in this manner to be turned down 100 per cent the way this one was.

In addition to that we have the probability that as soon as these laws which are being enacted at this session go into effect that the Judges of Probate will take over the duties previously performed by the Municipal Officers in connection with the commitment of persons to the mental hospitals in the State. That will impose upon them additional duties, and frankly they should not be asked to perform those duties for the same compensation that they received before.

One other thing is that of course it is the position and not the person that counts, but I find that some members of the House didn't realize who the person is that this bill dealt with, so I would like to say that it is Randolph A. Weatherbee of Hampden, who is the present incumbent of this position.

The SPEAKER: The gentleman from Bangor, Mr. Fuller, moves that the House reconsider its action of yesterday whereby it accepted the "Ought not to pass" report of the Committee on Towns and Counties on Bill "An Act Relating to the Salary of the Judge of Probate in Penobscot County" (H. P. 939) (L. D. 544)

At this point a message was received from the Senate, borne by Secretary Winslow of that body, proposing a Joint Convention of both branches of the Legislature to be held forthwith in the Hall of the House for the purpose of extending to the Honorable Charles C. Ralls, of Seattle, Washington, National Commander of the Veterans of Foreign Wars, and his official party, an invitation to attend the Convention, and address to the same such remarks as he may be pleased to make.

The SPEAKER: The Chair hears the message and thanks the messenger.

On motion of Mr. Chase of Cape Elizabeth, the Clerk was charged with and conveyed a message to the Senate, informing that body that the House concurred in the proposal for a Joint Convention.

The Clerk subsequently reported that he had delivered the message with which he was charged.

The SPEAKER: The question before the House is on the motion of the gentleman from Bangor, Mr. Fuller, that the House reconsider its action of yesterday whereby it accepted the "Ought not to pass" report of the Committee on Towns and Counties on Bill "An Act Relating to the Salary of the Judge of Probate in Penobscot County."

The Chair recognizes the gentleman from Holden, Mr. DeBeck.

Mr. DeBECK: Mr. Speaker and Members of the House: I wish to say that I am personally acquainted with the Judge of Probate of Penobscot County. I know him to be a very efficient official. I am personally acquainted, also, with hundreds of taxpayers in Penobscot County. I do not know of any taxpayer in Penobscot County unless he holds county office who is in favor of this salary increase.

It seems to me as though every two years there is a distemper that gets into the State and about the time the Legislature gets in session, and it is very contagious, especially among the county officers, to the effect that they have all got to have their salaries increased.

I am still opposed to any increase in the salary of the Judge of Probate in Penobscot County. I thank you.

I move that when the vote is taken, it be taken by a division of the House.

The SPEAKER: Is the House ready for the question? The question before the House is on the motion of the gentleman from Bangor, Mr. Fuller, that the House reconsider its action taken yesterday whereby it accepted the "Ought not to pass" report of the Committee on Towns and Counties on Bill "An Act Relating to the Salary of the Judge of Probate in Penobscot County," (H. P. 939) (L. D. 544)

All those in favor of the motion will please rise and remain stand-

ing until counted and the monitors have made and returned the count.

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

Passed to be Engrossed

Resolve in favor of Julius Moskowitz, of Presque Isle (S. P. 142) (L. D. 1371)

Resolve in favor of Eathel F. Rowe, of Aurora (S. P. 471) (L. D. 1369)

Resolve in favor of Howard P. Fairfield, of Skowhegan (S. P. 144) (L. D. 1370)

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

At this point the Senate entered the Hall of the House, amid applause, the Members rising, and a Joint Convention was formed.

In Convention

The President of the Senate, Honorable Burton M. Cross, in the Chair.

On motion of Senator Leavitt of Cumberland, it was

ORDERED, that a Committee be appointed to inform the Honorable Charles C. Ralls, of Seattle, Washington, National Commander of the Veterans of Foreign Wars, that the two branches of the Legislature are in Convention assembled, and extend to him and his official party, an invitation to attend the Convention, and address to it such remarks as he may be pleased to make.

The Chair appointed as such committee:

Senators:

LEAVITT of Cumberland
PALMER of Lincoln
BROWN of Washington

Representatives:

JENNINGS of Strong
BERRY of South Portland
GAY of Damariscotta
VAUGHAN of Hallowell
GILMAN of Portland
COUTURE of Lewiston
MADORE of Van Buren

Convention at Ease

Called to order by the Chairman. Senator Leavitt for the committee subsequently reported that the

committee had discharged the duty assigned it and that the Honorable Charles C. Ralls, National Commander of the Veterans of Foreign Wars, and his official party would be pleased to attend the Convention forthwith.

Convention at Ease

Called to order by the Chairman.

Thereupon, the Honorable Charles C. Ralls, accompanied by J. Dennis Bruno, State Commander of the V. F. W., and official party and escorted by the Sergeant-at-Arms, entered the Convention Hall, amid prolonged applause, the audience rising.

The CHAIRMAN: Members of the Convention and Guests: It is my pleasure and privilege to introduce to you at this time the Honorable Charles C. Ralls, National Commander of the Veterans of Foreign Wars—Mr. Ralls. (Prolonged applause, the audience rising)

Commander Ralls then addressed the Convention as follows:

Mr. President, Mr. Speaker, Members of the Legislature in the State of Maine: I guess I am just about as far away from home as I can get in this State so I will bring you the greetings from the Pacific Ocean to the Atlantic Ocean.

I have to watch myself very much inasmuch as this is the twenty-sixth Legislature it has been my very great privilege to address and we move so fast we made eighteen states in fifteen days and I was speaking before the Legislature in Arkansas. We had had a very trying time in flying, which we do all the time, and during my remarks I thanked them for the privilege of addressing that session and I stated it in this way: "I am very grateful to have the privilege of addressing those who represent the sovereign people of the State of Arizona." (Laughter) After the reception I made up my mind that my itinerary will not include Arkansas until I am relieved as Commander in Chief.

But, on behalf of the 10,000 posts of our organization, I do thank you for the privilege of speaking to you. I have never been in Maine before and I consider it a very high honor to have this opportunity.

I would like to take just a few moments to tell you of one of the main jobs which we are trying to do in the V. F. W., my impression of what is going on in Washington, D. C., now, and what is going on in our country after some 410,000 miles of travel the last 35 months.

We are convinced in the V.F.W. that the people of our country do not realize exactly what is going on. In many instances, a lot of them do not want to realize what is going on. In the V.F.W. we have one ideal and that is: We have taken a vow to do everything possible to preserve and defend the United States from all her enemies, whomsoever. We know, and I know that we are facing a much more, critical time right now than we were on December 7, 1941 at which time the Japanese Empire bombed Pearl Harbor. Now, I just came from Washington, D. C., with a heavy heart that I see what is going on in our Nation's Capital. I talked with men in our Joint Chiefs of Staff, in the Executive Branch and the Congressional Branch. From everything that I can decipher there Russia has 9,000,000 men under arms, ready to go, 9,000,000, and we are debating over an army of 3,000,000. Russia has one-third of the area of the world. She has a larger navy right now than we have, under the sea at least, and, numerically speaking, a larger air force. Never in the history of the world has an aggressor nation been able to turn back because a dictator has to keep driving or he is going to lose the power given to him by virtue of the fact that he is ruling by force and violence. There is only one nation standing in the way of world revolution or successful world revolution and that is the United States. We have spent one hundred billion dollars. You can imagine that, sitting here, I assume you have had your tax problems as well as the other Legislatures I have visited and it is a terrific problem and yet, with inflation, we still have spent one hundred billion dollars to endeavor to keep the economy of the free nations going so that the free men who live in the world can stand united against aggressors, one hundred billion dollars. And we are trying with might and main to

fight and stave off this threat that we know is facing us.

General Marshall testified the other day, and I have known it for some time, that Russia is massing troops across the Manchurian border and there is no question in anybody's mind who knows anything about the present situation but that Russia is responsible for the Korean incident; they are massing troops at Iran and Iraq with the idea of taking the oil and, once they do that and start moving through Europe, we are in a large-scale war.

Now, here is what we fear in the Veterans of Foreign Wars: About five months ago when we were being pushed back in Korea, there was quite a flurry in civilian defense throughout the country. Every city that I have gone into has had quite a bit of activity. And now, since we have achieved some success, we find that the flurry has dropped and you can get lots of generals, all kinds of them in civilian defense, but we can't get any privates. People are just dropping it. And, unfortunately, regardless of the political faith that the Congressmen might belong to my impression of Congress is that they are re-acting to the lethargy of our people and they are playing politics with every defense issue that is presented before them, and I know it and I know it as a positive fact that our defense program is not going on the way it should and I know of many orders put in in our air force that the government is not pursuing and putting that into military plans and things so we can be defended.

If you will just read the newspapers lately and things I have been told personally by the men whom I will cite, we have to face facts and realize that the next war, if it comes, unless we make ourselves strong in a hurry is going to be on our shores. The President of the United States stated: "World War III might be avoided." Carl Vincent in the Military Affairs Committee in the House the other day stated that Russia has the bombs and Russia has the bombers and I know that they have every secret that we have, the atomic and hydrogen bombs. General Hoyt Vanden-

berg says that the best we can hope to do for the air force that is now set up is to knock off thirty per cent of an invading armada. And General Matthew Ridgway, now in command of our troops, says that the flight of Korean civilians as they fled before the Red hordes was the most tragic thing that ever happened in the long history of Asia but he said the issue is not Korea, the issue can only be settled in the Western World, in the United States. Now, here is a man who is talking to prisoners, he knows the Russian influence, he sees the equipment out there and he must know whereof he speaks.

So we have that definitely clear in the V.F.W. We know what war is; we know what bombing is. We have a definite fear that unless we can bend more of our time and more of our energy, the next flight of civilians might be our own and in my own country, in the Puget Sound area, we are especially concerned because we are very close to Alaska and we know that Siberia, which is just a short distance from Alaska, has many, many divisions of Russian troops and air force and that Alaska could be taken in about 48 days.

We have started a program of community service in which we have active participants in 1800 cities in America. We feel that if we can spend one hundred billion dollars of government money doing away with the seeds of communism, then we, in America, must do away with those same seeds and make every American realize that our form of government is the best. I don't feel too good knowing what we have when I go around these cities and see hungry children and hungry families, many of them hungry through no fault of their own but just the circumstances in which they are plunged. We are trying to interest every man and woman and every organization in America to join with us in this program of community service so that we can unite our people.

I am going to leave this thought in your minds: We are 150,000,000 strong; Russia has 205,000,000 and with her satellites, we are very much in the minority. We have the greatest weapon of all: Our pro-

ductivity, our intelligence, our higher education and the fact that we are free men and free women, but unless we harness our hearts and our minds and mobilize them so that we will work together in unity then we are an apt and fit target for a foe which means to destroy us.

I am especially grateful to be able to speak to you by virtue of the fact that you are here elected by your own people which demonstrates that you are leaders in your own communities and I say to you that we have no selfish motives in perpetuating the Veterans of Foreign Wars. The only thing that we are seeking to perpetuate is our form of government, our liberty, and I ask you in behalf of the one and a quarter million men and the three or four hundred thousand women of this organization if you would join with us so that our country will survive this attack and the public opinion that we create will force our Congress to act in a bi-partisan manner on matters of defense and public policy that has anything to do with our survival. And I know that if we all join, we in Maine, we in Washington, and people in the south and other parts of the country that we can create that public opinion and Congress will be forced then to arm our country in an expeditious manner so we can withstand the threat that faces us. And please believe me, everyone I have talked to in our Nation's Capital, everyone, regardless of what branch of the government they are in, is frank in saying that the crisis we face is much more serious than that on December 7, 1941.

On behalf of my organization and personally I thank you for listening to me and I ask you real seriously to read these accounts as they come out and help us in creating the public opinion necessary to go on and make this an even better country in which to live. I thank you. (Prolonged Applause)

Chairman CROSS: I am sure that this Convention has been highly honored to receive the views of a man who has toured the country, feeling the pulse of the Nation. I am sure that you would want me to say to him that we in Maine realize the gravity of the situation

and that our faith is always in the men who have fought for us in the past.

On behalf of this Convention and the people of the State of Maine, I want to thank you, Commander Ralls, for your address to us and assure you that we will do everything we possibly can to back up the efforts of your organization.

Thank you.

Commander Ralls and his party were conducted from the Convention Hall by the Sergeant-at-Arms amid applause, the audience rising.

The purpose for which the Convention was assembled having been accomplished, the Chairman declared the same dissolved.

The Senate then retired to their Chamber amid the applause of the House, the Members rising.

In the House

The House was called to order by Speaker Silsby.

Passed to be Engrossed (Cont'd)

Bill "An Act relating to Schooling of Children of Parents Who Reside on State-owned Property" (H. P. 1805) (L. D. 1380)

Bill "An Act for the Assessment of a State Tax for the Year Nineteen Hundred Fifty-one and for the Year Nineteen Hundred Fifty-two" (H. P. 1798) (L. D. 137)

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 Bills

Bill "An Act relating to Police Authority of Director of Aeronautics and Inspectors" (H. P. 195) (L. D. 117)

Bill "An Act relating to Combination Highway and Railroad Bridge Across Fore River" (H. P. 684) (L. D. 414)

Bill "An Act to Create a Public Body in the City of Portland to be Known as the Slum Clearance and Redevelopment Authority" (H. P. 1228) (L. D. 807)

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.

Bill "An Act relating to Head and Rear Lights on Railroad Cars" (H. P. 1352) (L. D. 927)

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

On motion of Mr. Keene of Clinton, the House voted under suspension of the rules to reconsider its action whereby it adopted Committee Amendment "A".

Mr. Keene then presented House Amendment "A" to Committee Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to H. P. 1352, L. D. 927, Bill "An Act Relating to Head and Rear Lights on Railroad Cars."

Amend said Amendment by striking out the underlined word "light" at the end of the 1st paragraph of said Amendment and inserting in place thereof the underlined word 'headlight'

House Amendment "A" to Committee Amendment "A" was adopted.

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

Bill "An Act Increasing Pensions of Retired Members of the State Police" (H. P. 198) (L. D. 120)

Resolve Proposing an Amendment to the Constitution to Make Temporarily Inoperative any Measure Adopted by the People which Fails to Provide a Revenue Adequate for its Service (H. P. 1014) (L. D. 576)

Were reported by the Committee on Bills in the Third Reading, Bill 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.

Tabled

Bill "An Act relating to the Banking Department" (H. P. 1282) (L. D. 848)

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

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

Mr. CHASE: Mr. Speaker, in order to afford an opportunity to confer with the Representative who introduced this bill and who is today absent, I move that it lie on the table.

The SPEAKER: The gentleman from Cape Elizabeth, Mr. Chase, moves that Item 12, Bill "An Act relating to the Banking Department" lie on the table pending third reading. Is this the pleasure of the House?

The motion prevailed.

Bill "An Act to Authorize the Construction of a Toll Bridge Across the Androscoggin River Between the Cities of Lewiston and Auburn" (H. P. 462) (L. D. 282)

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

Orders of the Day

Mr. Patterson of Freeport was granted unanimous consent to address the House.

Mr. PATTERSON: Mr. Speaker and Members of the House: Under suspension of the House, I ask consent to present a bill which clarifies Section 3 and Section 4 of Legislative Document 371. There is no controversy on it whatsoever but it gives a buyer a chance to have a license to buy quahogs and clams in the Town of Freeport. That was left out and I just simply ask that that be carried along so that the buyer can get a license to buy clams and quahogs in the Town of Freeport which would clarify the situation and I don't think it would cause anybody any trouble.

The SPEAKER: The gentleman from Freeport, Mr. Patterson, requests unanimous consent to present a bill. Is there any objection? The Chair hears none and the bill is received.

The Clerk will read the title.

The CLERK (reading): Bill "An Act Relating to the Digging of Shell Fish and Marine Worms in the Town of Freeport," H. P. 1811.

On motion of Mr. Patterson of Freeport, under suspension of the rules, the Bill was then given its two several readings without reference to any committee.

The Bill was assigned for third reading the next legislative day and ordered printed.

The SPEAKER: Under orders of the Day, the Chair now lays before the House the 1st tabled and today assigned matter, Majority Report "Ought to pass" as amended by Committee Amendment "A" and Minority Report "Ought not to pass" of the Committee on Judiciary on Bill "An Act Creating the Maine School Building Authority", H. P. 1274, L. D. 824, tabled on May 9 by the gentleman from Rockland, Mr. Low, pending acceptance of either report; and the Chair recognizes that gentleman.

Thereupon, on motion of Mr. Low of Rockland the matter was retabled and specially assigned for Tuesday, May 15th.

The SPEAKER: The Chair lays before the House the 2nd tabled and today assigned matter, Majority Report "Ought to pass" as amended by Committee Amendment "A" and Minority Report "Ought not to pass" of the Committee on Judiciary on Resolve Proposing an Amendment to the Constitution to Exempt Rental Agreements with the Maine School Building Authority from the Limitation of Municipal Indebtedness, H. P. 1082, L. D. 695, tabled on May 9 by the gentleman from Brunswick, Mr. Senter, pending acceptance of either report; and the Chair recognizes that gentleman.

Thereupon, on motion of Mr. Senter of Brunswick the matter was retabled and specially assigned for Tuesday, May 15th.

The SPEAKER: The Chair now lays before the House the 3rd tabled and today assigned matter, An Act relating to Salaries of County Commissioners and County Treasurer of York County, H. P. 1375, L. D. 965, tabled on May 9 by the gentleman from Sanford, Mr. Letourneau, pending passage to be enacted. The Chair recognizes

the gentleman from Liberty, Mr. Cole.

Mr. COLE: Mr. Speaker, I have been asked by my seatmate, the gentleman from Sanford, Mr. Letourneau, to let this go. I move, Mr. Speaker, that it pass to be enacted.

The SPEAKER: The gentleman from Liberty, Mr. Cole, moves that An Act relating to Salaries of County Commissioners and County Treasurer of York County, H. P. 1375, L. D. 965, pass to be enacted. Is this the pleasure of the House?

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

The SPEAKER: The Chair now lays before the House the 4th tabled and today assigned matter, An Act relating to Salary of Judge of Probate of York County, H. P. 1437, L. D. 1048, tabled on May 9 by the gentleman from Sanford, Mr. Letourneau, pending passage to be enacted. The Chair recognizes the gentleman from Liberty, Mr. Cole.

Thereupon, on motion of Mr. Cole of Liberty, the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

The SPEAKER: The Chair lays before the House the 5th tabled and today assigned matter, Senate Report "Ought to Pass" as amended by Committee Amendment "A" of the Committee on Claims on Resolve in Favor of Timothy J. Murphy of Hallowell, S. P. 298, L. D. 1368, tabled on May 10 by the gentleman from Bucksport, Mr. Pierce, pending acceptance in concurrence; and the Chair recognizes that gentleman.

Thereupon, on motion of Mr. Pierce of Bucksport, the "Ought to Pass" as amended by Committee Amendment "A" report was accepted in concurrence.

The Resolve was then given its first reading.

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

COMMITTEE AMENDMENT "A" to S. P. 298, Resolve in Favor of Timothy J. Murphy, of Hallowell.

Amend said Resolve by striking out the figures "\$6,500" in the 2nd

line thereof, and inserting in place thereof the figures '\$4,000'.

Committee Amendment "A" was then adopted in concurrence and the Resolve was assigned for second reading the next legislative day.

The SPEAKER: The Chair now lays before the House the 6th tabled and today assigned matter, House Report "Ought to pass" in new draft, same title, H. P. 1802, L. D. 1381, of the Committee on Appropriations and Financial Affairs on Bill "An Act Relating to Salaries of Certain Department Heads," H. P. 1251, L. D. 825, tabled on May 10 by the gentleman from Livermore, Mr. Boothby, pending acceptance of the report; and the Chair recognizes that gentleman.

Thereupon, on motion of Mr. Boothby of Livermore, the "Ought to pass" in new draft report was accepted.

The new draft having been printed, the Bill was then given its two several readings under suspension of the rules.

Mr. Boothby of Livermore then presented House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to H. P. 1802, L. D. 1381, Bill "An Act Relating to Salaries of Certain Department Heads."

Amend said Bill by striking out the underlined figures "\$7,000" in the last line of section 10 of said bill and inserting in place thereof the underlined figures '\$8,000'

The SPEAKER: The Chair recognizes the gentleman from Guilford, Mr. Campbell.

Mr. CAMPBELL: Mr. Speaker, would a motion to table this until next Tuesday be in order?

The SPEAKER: The Chair will inform the gentleman that it is.

Thereupon, on motion of Mr. Campbell of Guilford, the Bill with accompanying papers was tabled pending adoption of House Amendment "A" and specially assigned for Tuesday, May 15.

The SPEAKER: The Chair now lays before the House the 7th tabled and today assigned matter, An Act Providing for Construction of Roadside Picnic Areas, H. P. 72,

L. D. 34, tabled on May 10 by the gentleman from Cape Elizabeth, Mr. Chase, pending the motion of the same gentleman to reconsider vote whereby it failed on passage to be enacted; and the Chair recognizes that gentleman.

Mr. CHASE: Mr. Speaker, this is not my bill and I moved yesterday to reconsider only that the bill might have a fair chance with reasonably full attendance. I, therefore, now leave to its sponsor or to the committee which reported it whether they want to take a vote on it now or further defer.

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

Mr. SPEAR: Mr. Speaker, on the part of the committee I can only say that this bill did receive a favorable report from the committee in order that it might receive favorable consideration from the members of the House. I now move that it be tabled until next Tuesday when there will be a good attendance.

The SPEAKER: The gentleman from South Portland, Mr. Spear, moves that the 7th tabled and today assigned matter, An Act Providing for Construction of Roadside Picnic Areas, H. P. 72, L. D. 34, be retabled pending the motion of Mr. Chase of Cape Elizabeth to reconsider vote whereby it failed on passage to be enacted and be specially assigned for Tuesday, May 15th. Is this the pleasure of the House?

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

The SPEAKER: The Chair now lays before the House the 8th tabled and today assigned matter, pursuant to House Order, Senate Report "Ought to pass" of the Committee on Judiciary on Bill "An Act relating to Time Sales on Motor Vehicles", S. P. 509, L. D. 1227, tabled on May 9 by the gentleman from Auburn, Mr. Turner, pending acceptance in concurrence; and the Chair recognizes that gentleman.

Thereupon, on motion of Mr. Turner of Auburn, the "Ought to pass" report was accepted in concurrence.

The Bill was then given its two several readings and assigned for

third reading the next legislative day.

The SPEAKER: The Chair now lays before the House the 9th tabled and today assigned matter, pursuant to House Order, Senate Report "Ought to pass" as amended by Committee Amendment "A" of the Committee on Judiciary on Bill "An Act relating to the Greater Portland Public Development Commission", S. P. 527, L. D. 1252, tabled on May 9 by the gentleman from Cape Elizabeth, Mr. Chase, pending acceptance in concurrence; and the Chair recognizes that gentleman.

Mr. CHASE: Mr. Speaker, the Greater Portland Public Development Commission was originally created with the right to acquire certain surplus properties from the Federal Government in the Portland and South Portland area. In 1947, the Greater Portland Public Development Commission was designated as an agency and instrumentality of the State of Maine.

It is now proposed by this bill to greatly broaden the powers of this Commission so that it may have the right to acquire other properties apparently without limitation. There is some legal question upon which I will not presume to pass whether this Commission, being a State agency, is exempt from taxation with respect to the properties which it may acquire.

I have no particular interest in the measure. It doesn't touch my communities but I think when the House votes on it it ought to be aware of the magnitude of the measure.

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

Is it the pleasure of the House to accept the "Ought to pass" as amended by Committee Amendment "A" Report?

The motion prevailed.

The bill was then given its two several readings.

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

COMMITTEE AMENDMENT "A" to S. P. 527, L. D. 1252, Bill "An Act Relating to the Greater Portland Public Development Commission."

Amend said Bill by adding the following Section.

Sec. 3. P. & S. L., 1945, c. 123, §5, amended. Section 5 of chapter 123 of the private and special laws of 1945 is hereby amended by adding at the end thereof the following sentence:

'It shall be the policy of the said corporation to establish as rental for the facilities to be leased by it a sum which will be in parity with comparable facilities established by private enterprises so as to prevent any undue competitive condition which would tend to handicap, destroy or put out of business existing competitive comparable facilities.'

Committee Amendment "A" was then adopted in concurrence and the Bill as amended was assigned for third reading the next legislative day.

The SPEAKER: The Chair lays before the House the 10th tabled and today assigned matter, pursuant to House Order, An Act to Create the Flander's Bay Community School District, S. P. 414, L. D. 975, tabled on May 9 by the gentleman from Ellsworth, Mr. Dunham, pending passage to be enacted; and the Chair recognizes that gentleman.

Thereupon, on motion of Mr. Dunham of Ellsworth, the House voted, under suspension of the rules, to reconsider its action whereby it passed the bill to be engrossed on May 2nd.

Mr. Dunham then presented House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to S. P. 414, L. D. 975, Bill "An Act to Create the Flander's Bay Community School District."

Amend said Bill by striking out the Title and inserting in place thereof the following Title: 'An Act Relating to the Flander's Bay Community School District.'

Further amend said Bill by striking out all after the enacting clause and inserting in place thereof the following:

'Power to borrow money and how financed. The trustees of the Flander's Bay Community School

District, organized under the general law, are hereby authorized to issue bonds and notes of the district, not to exceed in the aggregate at any one time outstanding exclusive of refundings, 7% of the total of the last preceding valuation of all of the participating towns. The maintenance and operational costs of the district shall be apportioned among the participating towns on the basis of the average daily membership in the community school from each of the towns.'

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

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

Mr. Bates of Orono was granted unanimous consent to take from the table the third tabled and specially assigned matter, House Order re holiday on Memorial Day, tabled on May 2 by that gentleman pending

passage and specially assigned for July 4.

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

Mr. BATES: Mr. Speaker, I now move that this be indefinitely postponed.

The SPEAKER: The gentleman from Orono, Mr. Bates, moves that the third tabled and specially assigned matter, House Order re Holiday on Memorial Day, be indefinitely postponed. 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 doubted,

A division of the House was had.

Forty-seven having voted in the affirmative and forty in the negative, the motion prevailed and the order was indefinitely postponed.

On motion of Mr. Chase of Cape Elizabeth,

Adjourned until 2:00 P. M., Eastern Standard Time, Monday, May 14th.