

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Ninety-Seventh Legislature

OF THE

STATE OF MAINE

1955

DAILY KENNEBEC JOURNAL
Augusta, Maine

HOUSE

Tuesday, February 22, 1955

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

Prayer by the Rev. Mr. Bernard M. Hanninger of Chestnut Street Methodist Church, Portland.

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

The journal of the previous session was read and approved.

Papers from the Senate

From the Senate: The following Order:

ORDERED, the House concurring, that WHEREAS there are many bills related to salary increases for various department heads, the Committee on Appropriations and Financial Affairs may, if the Committee deems it desirable, report these several bills in consolidated form and on the consolidated bill, include, if they so desire, such additional department head salaries as may not have been covered by individual bills (S. P. 309)

Came from the Senate read and passed.

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

From the Senate:

Bill "An Act to Reactivate a State Committee on Aging" (S. P. 282) (L. D. 793)

Came from the Senate referred to the Committee on Appropriations and Financial Affairs.

In the House, referred to the Committee on Appropriations and Financial Affairs in concurrence.

From the Senate:

Resolve in favor of A. Edwin Madden of Gardiner (S. P. 294)

Resolve in favor of Bertram A. Gardner of Augusta (S. P. 295)

Came from the Senate referred to the Committee on Claims.

In the House, referred to the Committee on Claims in concurrence.

From the Senate:

Resolve Regulating Ice Fishing in Twitchell Pond, Oxford County (S. P. 283) (L. D. 795)

Resolve Regulating Fishing in Broken Bridge Pond, Oxford County (S. P. 284) (L. D. 794)

Came from the Senate referred to the Committee on Inland Fisheries and Game.

In the House, referred to the Committee on Inland Fisheries and Game in concurrence.

From the Senate:

Bill "An Act relating to Possession of Operator's License When Operating Motor Vehicle" (S. P. 285) (L. D. 796)

Bill "An Act relating to Duties of Drivers of Motor Vehicles Involved in Accidents" (S. P. 286) (L. D. 797)

Bill "An Act relating to Prior Convictions in Operating Motor Vehicles Under Influence of Liquor" (S. P. 287) (L. D. 798)

Bill "An Act Declaring Lawful Certain Rules and Regulations Promulgated by State Departments" (S. P. 289) (L. D. 800)

Came from the Senate referred to the Committee on Judiciary.

In the House, referred to the Committee on Judiciary in concurrence.

From the Senate:

Bill "An Act to Amend the Charter of Phillips Electric Light and Power Company" (S. P. 288) (L. D. 799)

Came from the Senate referred to the Committee on Public Utilities.

In the House, referred to the Committee on Public Utilities in concurrence.

From the Senate:

Resolve providing for State Pension for John J. Roy of Montville (S. P. 304)

Resolve providing for State Pension for Mildred H. Humphrey of Readfield (S. P. 305)

Resolve providing for State Pension for Frank Leslie Burt of Hallowell (S. P. 306)

Came from the Senate referred to the Committee on Retirements and Pensions.

In the House, referred to the Committee on Retirements and Pensions in concurrence.

Senate Reports of Committees Ought to Pass

Report of the Committee on Highways reporting "Ought to pass" on Bill "An Act relating to Roadside Picnic Areas" (S. P. 62) (L. D. 89)

Report of the Committee on Judiciary reporting same on Bill "An Act relating to Embezzling by Certain Public Officers" (S. P. 36) (L. D. 26)

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

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

Non-Concurrent Matter

Bill "An Act relating to Right of Way for Police and Fire Vehicles, and Ambulances" (H. P. 107) (L. D. 115) which was passed to be engrossed as amended by Committee Amendment "A" and House Amendment "A" in the House on February 10.

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

In the House: On motion of Mr. Bibber of Kennebunkport, the House voted to recede and concur with the Senate. Thereupon, the Bill was passed to be engrossed as amended by Committee Amendment "A" only and sent to the Senate.

Petitions, Bills and Resolves Requiring Reference

The following Bills and Resolves (transmitted by the Director of Legislative Research pursuant to Joint Order S. P. 25) were received and, upon recommendations of the Committee on Reference of Bills, were referred to the following Committees:

Appropriations and Financial Affairs

Bill "An Act relating to Interest on Organized Townships Fund" (H. P. 769) (Presented by Mr. Dicker of Lakeville Plantation)

(Ordered Printed)

Bill "An Act relating to an Aerial Timber Survey" (H. P. 770) (Presented by Mr. Williams of Hodgdon)

(Ordered Printed)

Resolve in favor of the University of Maine for a Law School (H. P. 771) (Presented by Mr. Maxwell of Winthrop)

(Ordered Printed)

Resolve Appropriating Monies for Civil Defense Matching Funds (H. P. 772) (Presented by Mr. McCluskey of Warren)

(Ordered Printed)

Sent up for concurrence.

Claims

Resolve in favor of Stockton Springs (H. P. 773) (Presented by Mr. Bean of Winterport)

(Ordered Printed)

Resolve in favor of Phyllis Libby of Nobleboro (H. P. 774) (Presented by Mr. Hilton of Bremen)

Sent up for concurrence.

Highways

Resolve relating to Anticipation of State Aid Funds by Town of Bremen (H. P. 775) (Presented by Mr. Hilton of Bremen)

(Ordered Printed)

Sent up for concurrence.

Inland Fisheries and Game

Bill "An Act Establishing the Durham Game Preserve" (H. P. 776) (Presented by Mr. Bowie of Durham)

(Ordered Printed)

Bill "An Act relating to Closed Time on Deer on Frye Island, Cumberland County" (H. P. 777) (Presented by Mr. Davis of Westbrook)

(Ordered Printed)

Bill "An Act relating to Transportation of Fish, Game and Furbearing Animals by Aircraft" (H. P. 778) (Presented by Mr. Maxwell of Winthrop)

(Ordered Printed)

Resolve Regulating Fishing in Little Tunk Lake, Hancock County (H. P. 779) (Presented by Mr. Butler of Franklin)

(Ordered Printed)

Resolve Regulating Fishing in West Lake in Hancock County (H. P. 780) (Presented by same gentleman)

(Ordered Printed)

Resolve Regulating Fishing for White Perch in Unity Pond, Waldo County (H. P. 781) (Presented by Mr. Elwell of Brooks)

(Ordered Printed)

Resolve Prohibiting Use of Fish as Bait in Certain Lakes in Aroostook County (H. P. 782) (Presented by Mr. Martin of Eagle Lake)

(Ordered Printed)

Resolve Regulating Fishing for White Perch in Androscoggin County (H. P. 783) (Presented by Mr. Wade of Auburn)

(Ordered Printed)

Sent up for concurrence.

Judiciary

Bill "An Act to Ratify and Make Valid the Incorporation of the Sebago Lake Congregational Church" (H. P. 784) (Presented by Mr. Sanborn of Baldwin)

(Ordered Printed)

Bill "An Act Establishing Robert W. Traip Academy" (H. P. 785) (Presented by Mr. Seaward of Kittery)

(Ordered Printed)

Sent up for concurrence.

Natural Resources

Bill "An Act relating to Sale of Unused Forest Fire Warden Headquarters Sites" (H. P. 786) (Presented by Mr. Williams of Hodgdon)

(Ordered Printed)

Resolve Authorizing the State Forester Commissioner to Convey Fan Island, Washington County (H. P. 787) (Presented by Mr. Cates of East Machias by request)

(Ordered Printed)

Resolve Authorizing Forest Commissioner to Renew Lease to Passamaquoddy Lumber Company (H. P. 788) (Presented by Mr. Stanley of Hampden)

(Ordered Printed)

Sent up for concurrence.

Public Utilities

Bill "An Act relating to Facilities Furnished by Public Utilities for Rate Fixing Purposes" (H. P. 789) (Presented by Mr. Haughn of Bridgton)

(750 copies Ordered Printed)

Sent up for concurrence.

Retirements and Pensions

Resolve providing for State Pension for Clarence A. Lanpher of Winterport (H. P. 790) (Presented by Mr. Bean of Winterport)

Resolve providing for State Pension for Glendon Hardison of Franklin (H. P. 791) (Presented by Mr. Butler of Franklin)

Resolve in favor of Arthur Payson, of Brooks (H. P. 792) (Presented by Mr. Elwell of Brooks)

Resolve providing for State Pension for Mattie C. Abbott of Union (H. P. 793) (Presented by Mr. McCluskey of Warren)

Resolve providing for a State Pension for Beulah Tucker of Smyrna Mills (H. P. 794) (Presented by Mr. Soule of Merrill)

Resolve providing for State Pension for Hildred Leighton, Cherryfield (H. P. 795) (Presented by Mr. Stanwood of Steuben)

Resolve providing for a State Pension for Frank Moore of Norridgewock (H. P. 796) (Presented by Mrs. Thomas of Anson)

Resolve providing for State Pension for George W. Tuttle, Jr. of Norridgewock (H. P. 797) (Presented by same member)

Resolve providing for State Pension for Raymond Guy of Mount Vernon (H. P. 798) (Presented by Mr. Wadleigh of Mount Vernon)

Sent up for concurrence.

Sea and Shore Fisheries

Bill "An Act Permitting the Digging of Clams in Limits of Biddeford for Bait Only" (H. P. 799) (Presented by Mr. Sansoucy of Biddeford)

(Ordered Printed)

Sent up for concurrence.

Taxation

Bill "An Act relating to Tax Only Upon Difference Between Sale Price of Purchased Aircraft and Sale Price of Aircraft Traded In" (H. P. 800) (Presented by Mr. Maxwell of Winthrop)

(750 copies Ordered Printed)

Sent up for concurrence.

Towns and Counties

Bill "An Act to Increase the Salaries of Members of the Boards of

Registration of Voters" (H. P. 801)
(Presented by Mr. Couture of Bath)

(Ordered Printed)

Bill "An Act Increasing Salaries of County Officials of Sagadahoc County" (H. P. 802) (Presented by same gentleman)

(Ordered Printed)

Bill "An Act relating to Salaries of the Judge, Clerk and Clerk Hire of the Auburn Municipal Court" (H. P. 803) (Presented by Mr. Wade of Auburn)

(Ordered Printed)

Sent up for concurrence.

Transportation

Bill "An Act relating to Weight of Commercial Vehicles" (H. P. 804) (Presented by Mr. Finemore of Bridgewater)

(Ordered Printed)

Sent up for concurrence.

House Reports of Committees Leave to Withdraw

Mr. Potter from the Committee on Inland Fisheries and Game on Bill "An Act relating to Crop and Orchard Damage" (H. P. 422) (L. D. 468) reported Leave to Withdraw.

Mr. Pierce from the Committee on Liquor Control reported same on Bill "An Act to Provide Refunds on Certain Liquor License Fees" (H. P. 372) (L. D. 407)

Reports were read and accepted and sent up for concurrence.

Ought Not to Pass

Mr. Foster from the Committee on Legal Affairs reported "Ought not to pass" on Bill "An Act Amending the Charter of the City of Auburn re Obligations to be Incurred by the Superintending School Committee" (H. P. 199) (L. D. 204)

Report was read and accepted and sent up for concurrence.

Ought to Pass Printed Bills

Mr. Carter from the Committee on Highways reported "Ought to pass" on Resolve relating to the Deer Isle-Sedgwick Bridge (H. P. 142) (L. D. 142)

Mr. Pullen from same Committee reported same on Bill "An Act relating to Compensation of Members of the Maine-New Hampshire Inter-

state Bridge Authority" (H. P. 293) (L. D. 305)

Mr. Briggs from the Committee on Inland Fisheries and Game reported same on Bill "An Act relating to Boundaries of Stockholm Game Preserve" (H. P. 187) (L. D. 192)

Mr. Earles from the Committee on Judiciary reported same on Bill "An Act to Ratify and Make Valid the Incorporation of the First Congregational Church of Millinocket" (H. P. 301) (L. D. 312)

Mr. Childs from the Committee on Legal Affairs reported same on Bill "An Act relating to Time of Report of Harness Racing Commission" (H. P. 276) (L. D. 260)

Mr. Quinn from same Committee reported same on Bill "An Act to Validate the Acts of the Lawndale Cemetery Corporation and to Authorize the Transfer to and Acceptance by the City of Old Town of that Corporation's Cemetery and Trust Funds" (H. P. 309) (L. D. 286)

Mrs. Thomas from same Committee reported same on Bill "An Act Amending the Charter of the City of Auburn re the City Planning Board" (H. P. 200) (L. D. 205)

Mr. Cook from the Committee on Public Utilities reported same on Bill "An Act Defining Vessel under Public Utility Law" (H. P. 280) (L. D. 264)

Reports were read and accepted, the Bills read twice, Resolve read once, and tomorrow assigned.

Ought to Pass with Committee Amendment

Mr. Butler from the Committee on Inland Fisheries and Game on Resolve, Regulating Fishing for White Perch in Penobscot County (H. P. 266) (L. D. 250) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Resolve read once.

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

COMMITTEE AMENDMENT "A" to H. P. 266, L. D. 250, Resolve, Regulating Fishing for White Perch in Penobscot County.

Amend said Resolve title to read as follows: Resolve, 'Regulating Fishing for White Perch in Penobscot County, and All Other Counties in the State of Maine.'

Further amend said Resolve by inserting in the fourth line, after the word "county," the following words thereof: 'and all other counties in the State of Maine.'

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

On motion of the gentlewoman from Rumford, Miss Cormier, House Rule 25 was suspended for the remainder of today's session in order to permit smoking.

Mr. Dudley from the Committee on Inland Fisheries and Game on Resolve, Regulating Fishing in Squa Pan Lake in Aroostook County (H. P. 188) (L. D. 193) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Resolve read once.

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

COMMITTEE AMENDMENT "A" to H. P. 188, L. D. 193, Resolve, Regulating Fishing in Squa Pan Lake in Aroostook County.

Amend said Resolve by striking out the last 4 lines thereof and inserting in place thereof the following:

'fishing for smelts from Ice In to March 31st with 1 hook to the line and not more than 5 lines.'

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

Passed to Be Engrossed

Bill "An Act to Allocate Money from the General Highway Fund for State Aid Construction" (S. P. 63) (L. D. 90)

Bill "An Act relating to Transfer of Certain Property to Lincoln County Cultural and Historical Association" (S. P. 85) (L. D. 174)

Bill "An Act relating to Payments to Piscataquis County Law Library" (H. P. 29) (L. D. 39)

Bill "An Act relating to Forgery of Motor Vehicle Operator's License

or Registration Certificate" (H. P. 60) (L. D. 65)

Bill "An Act relating to Delinquent Election Returns" (H. P. 152) (L. D. 152)

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

Tabled and Assigned

Bill "An Act Increasing Salaries of Certain Officers in Washington County" (H. P. 169) (L. D. 160)

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

(On motion of Mr. Davis of Calais, tabled pending third reading and specially assigned for tomorrow.)

Tabled and Assigned

Bill "An Act to Increase the Salaries of the Judge and the Recorder of the Western Washington Municipal Court" (H. P. 170) (L. D. 161)

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

(On motion of Mr. Davis of Calais, tabled pending third reading, and specially assigned for tomorrow.)

Tabled and Assigned

Bill "An Act to Increase the Salary of the Judge of the Calais Municipal Court" (H. P. 171) (L. D. 162)

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

(On motion of Mr. Davis of Calais, tabled pending third reading and specially assigned for tomorrow.)

Tabled and Assigned

Bill "An Act to Increase the Salary of the Recorder of the Calais Municipal Court" (H. P. 172) (L. D. 163)

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

(On motion of Mr. Davis of Calais, tabled pending third reading and specially assigned for tomorrow.)

Tabled and Assigned

Bill "An Act Repealing Statement of Contributions and Expenses by

Municipal Candidates" (H. P. 191) (L. D. 196)

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

(On motion of Mr. Totman of Bangor, tabled pending third reading and specially assigned for Wednesday, March 2.)

Bill "An Act relating to Use of Life Rafts by Certain Boats" (H. P. 204) (L. D. 209)

Bill "An Act to Extend the Charter of the Eliot Water District" (H. P. 311) (L. D. 288)

Bill "An Act relating to the Superintending School Committee of the City of Belfast" (H. P. 364) (L. D. 401)

Bill "An Act relating to Salary and Bond of Treasurer of Community School District" (H. P. 368) (L. D. 404)

Bill "An Act relating to Retirement Pensions for Police and Fire Departments of the City of Portland" (H. P. 369) (L. D. 405)

Resolve Changing the Name of Rattlesnake Pond to Pequawket Pond (H. P. 15) (L. D. 14)

Resolve Regulating Fishing for Smallmouth Black Bass, Pickerel and White Perch on Mount Desert Island (H. P. 146) (L. D. 146)

Resolve Regulating Taking of Smelts in Outlet of Nubble Pond, Cumberland County (H. P. 147) (L. D. 147)

Resolve Permitting the United States Government to Install a UHF Remote Transmitter on State Owned Property at South Portland, Cumberland County (H. P. 203) (L. D. 208)

Resolve Authorizing the Commissioner of Institutional Service to Convey to Portland Water District a Right of Way for a Pipeline over Land of the Reformatory for Men in South Windham (H. P. 375) (L. D. 410)

Resolve Regulating Fishing in Sawyer's Pond in Southport (H. P. 471) (L. D. 516)

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

Amended Bills

Bill "An Act relating to Appropriations by Municipalities for Advertising" (H. P. 50) (L. D. 57)

Bill "An Act to Clarify Certain Election Laws" (H. P. 151) (L. D. 151)

Bill "An Act relating to Temporary Public Utility Certificate for Buses" (H. P. 206) (L. D. 211)

Bill "An Act relating to Open Season for Black Bass" (H. P. 256) (L. D. 241)

Bill "An Act relating to Expending Aroostook County Funds for Ricker College" (H. P. 314) (L. D. 291)

Resolve in favor of Gordon M. Stewart of Paris, Administrator d. b.n.c.t.a. of the Estate of Eva M. Elliot, late of Otisfield, Deceased (S. P. 29) (L. D. 18)

Resolve Opening Brooks and Rivers in Hancock County to Taking of Salt Water Smelts (H. P. 49) (L. D. 56)

Resolve Regulating Fishing in Rocky Lake and Sunken Lake in Washington County (H. P. 144) (L. D. 144)

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

Orders of the Day

The SPEAKER: The Chair lays before the House the first tabled and today assigned matter, Resolve to Apportion One Hundred and Fifty-one Representatives Among the Several Counties, Cities, Towns, Plantations and Classes in the State of Maine, House Paper 22, Legislative Document 37, tabled on February 16 by the gentleman from Livermore Falls, Mr. Kinch, pending assignment for second reading.

Is it the pleasure of the House that this resolve have its second reading at this time?

The Chair is informed that the resolve is not in order for second reading at this time.

The question before the House is on the adoption of the amendment offered by the gentleman from Lisbon, Mr. Beal, House Amendment "D".

The Chair recognizes the gentleman from Lisbon, Mr. Beal.

Mr. BEAL: Mr. Speaker, I would like to withdraw House Amendment "D" to this legislative document 37.

The SPEAKER: The gentleman from Lisbon, Mr. Beal, now withdraws House Amendment "D".

The Chair recognizes the same gentleman.

Mr. BEAL: Mr. Speaker, I would now like to present to the same legislative document House Amendment "H" and I move its adoption and I would like to speak to the motion.

The SPEAKER: The gentleman from Lisbon, Mr. Beal, offers House Amendment "H" to this resolve and moves its adoption. The Clerk will read House Amendment "H".

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

HOUSE AMENDMENT "H" to H. P. 22, L. D. 37, Resolve, to Apportion One Hundred Fifty-one Representatives Among the Several Counties, Cities, Towns, Plantations and Classes in the State of Maine.

Amend said Resolve by striking out in the 3rd line of the second paragraph thereof relating to Androscoggin County the words and punctuation "Durham and Lisbon, one representative;" and inserting in place thereof the words and punctuation '**Lisbon, one representative; Durham.**'

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

Mr. BEAL: Mr. Speaker, I think perhaps I should explain that the amendment that I put in originally was ruled as barring any further amendments respecting Androscoggin County, that was the reason for my changing my amendment, and the substance of this amendment is exactly the same as the substance of the one I withdrew.

I suppose it is not generally accepted practice to support an amendment before it has been attacked, but frankly there is some disagreement in our county, and I know this will be attacked, and I am not particularly interested in strategy, I simply want to explain my position on re-apportionment

in general and on this amendment in particular.

I hope you will pardon me if I stick reasonably close to my paper because I want to say exactly what I want to say without rambling around. When I signed the minority "Ought not to pass" report on this re-apportionment bill I didn't do it because I am opposed to re-apportionment. I did it because I am opposed to the application of the principle in my county, that is, I am opposed to the bill as it is written with respect to Androscoggin County only.

As you may know under this bill, Androscoggin is to have the same number of representatives that it has always had, we have had thirteen; we are to have thirteen, but Lewiston is to be given an additional representative, and I am willing to concede that probably a city of 40,000 people ought to have six representatives. Auburn is to retain the three representatives that it now has. Obviously then, this representative which goes to Lewiston must come from the small towns of the county, and it is to the proposed regrouping of those towns that I object for I feel that an injustice is being done to both Lisbon and Durham. I honestly believe that Lisbon deserves to retain the degree of representation that we have always had and I believe equally that Durham would fare better elsewhere. Before I go into detail on my reasons for believing this, there is one matter that I would like to dispose of, if I can. I have been charged with being motivated in this action by some ulterior political motive. There seems to be a feeling that I am trying to establish the permanence of Democratic representation in Lisbon. Nothing could be farther from the truth than that. I think the past history of representation in Lisbon would show the absurdity of that statement. Through the years representation from Lisbon has been almost equally divided between the two parties. My predecessor, whom some of you may know, Mr. Plummer, who was here for four or five terms, was Republican. Before him, we had two Democrats for a total

of three terms, and before that Mr. L. A. Jack was over here and he is an ardent Republican. Through the years Lisbon has elected its representative on a non-partisan basis, and I personally hope that they will continue to do that in the future for, without appearing to compliment myself, I think we really get better representation that way.

Furthermore, I don't think anyone is smart enough to foresee what effect it will have on the representation of Lisbon and Durham if those two towns were united, because Durham can not be depended upon to stay in either political column. I think that the gentleman from Durham, Mr. Bowie, will bear me out when I say that in this last election Durham went Democratic, and three sessions ago it also defeated the Republican candidate of that day, Mr. Joseph Brown, so I really believe that if I were being impelled by any political motive, I would take Durham.

In the next place, I am representing all of the citizens of Lisbon, not just one group, and I can tell you truthfully that the sentiment in my town is overwhelmingly in favor of a continuation of the present set-up. That view is held by the members of both parties. I really am not actuated by any political motives, I would merely like to present to this House my honest reasons for this amendment, and I hope the matter can be decided solely on its merits.

If, after hearing me through, you think that my position is reasonable and fair, I would like your support, naturally. If you do not think that way, I naturally do not expect you to support me.

Now I want to call your attention, if I may, first to the population figures in my county. In this group as proposed of Poland, Mechanic Falls and Minot, the population is 4314 people. Now Lisbon alone has 4318 people, four more than that group. The next group of Turner, Greene, Wales and Webster has a population of 4335, exactly seventeen more than the population of Lisbon alone. I hope nobody objects to those figures because those are

1950 population figures. Let me repeat them, 4314, 4318, 4335; population figures couldn't be much nearer than that, but Durham hasn't been disposed of, and I think that it is fairly obvious that as far as population goes there is just as much justification for putting Durham in one group as there is in the other. Why then does this bill attach Durham to Lisbon? It is solely because of geography.

Lisbon and Durham are separated only by the Androscoggin River, but there isn't even a river between Auburn and Durham, but nobody suggests putting Durham with Auburn. Obviously one is a city and the other is a small town, they are not homogeneous, they are not compatible, but I claim neither is Durham and Lisbon. In the first place Lisbon is four times the size of Durham and I do not think it is a healthful condition when you put a small town with a larger one. I see no reason why Durham should sacrifice its representation to larger Lisbon; neither do I see any reason why periodically larger Lisbon should waive its representation to Durham. Further than that, Durham is a rural community, Lisbon is urban. We are concentrated in three villages not over two miles apart and they are rapidly approaching each other. Lisbon is an industrial town and I shall speak further more specifically regarding that a little later, but Durham is largely agricultural although, of course, there are people who work in other towns. These two towns have no common interest except the bridge between them and possibly, as one of Durham's Selectmen recently said when he was looking around for some common interest, Route 9 runs through both towns. Now that's about the amount of common interest that these two towns have, one with the other, and it is my contention that homogeneity and common interest and reasonably near the same size is more important than geography, especially since Durham has been getting along for years in a class with Leeds and Webster and they are not adjacent to those two towns. Further than that I think you will

find a precedent in this very bill where certain towns have been classed that are not adjacent to each other, and you will also notice that Poland and Minot, if not Mechanic Falls, are much nearer the size of Durham.

However, my principal reason for proposing this amendment is because I sincerely believe that Lisbon is large enough and important enough in Androscoggin County to warrant a representative of its own. I feel that even more keenly when I look into a neighboring county and see the town of Bridgton with 2950 people having its own representative; with Cape Elizabeth with 3816 and its own representative and Falmouth with 4342 and its own representative. I am aware that Lisbon is far from a city, but it is undeniably the most populous community in the county. Lisbon is the largest, Livermore Falls is second and Mechanic Falls is third, and Lisbon is twice the size of Mechanic Falls, almost three times the size of Poland, four times the size of Durham and six times that of Minot, and our town is growing. At least twenty to twenty-five new houses have been built in our town since this Legislature last convened. On the basis of its comparative size I firmly believe that we deserve our own representation.

The same thing holds in valuation. Lisbon's valuation by the new State assessment is nine and one-half million. Mechanic Falls is three and one-tenth millions, about one-third of Lisbon; Poland is two and three-quarter million, less than a third of ours; Minot is only eight hundred and twenty thousand and Durham nine hundred and twenty thousand, and naturally this larger valuation reflects it in a larger county tax. We in Lisbon in 1954 paid \$8600 in county tax in round numbers, while Mechanic Falls paid \$3300, Poland \$3500, Durham \$1250 and Minot \$987. It seems to me that these figures point up sharply the relative importance of Lisbon among the towns of Androscoggin County.

And finally I want to emphasize the fact that Lisbon is an industrial town. We have located there four major industries: a plant of the

United States Gypsum Company, the Worumbo Manufacturing Company, the Farnsworth Plant of Milliken-Deering and the Bonafide Mills, manufacturers of linoleum, and right at this moment Bonafide Mills is undertaking a project which will double their capacity. We have four major industries employing almost as many people as the entire population of the separate towns of Androscoggin County with the possible exception of Livermore Falls and Mechanic Falls. It seems to me that these comparisons of the relative size and the valuation and the industrial importance show clearly why I am so convinced that Lisbon enjoys a position among the towns of the county entitling it to its own representation.

At any rate, my case is completed and as I said in the beginning, I hope some of you may see in my argument enough fairness and reasonableness to support my amendment on the basis of its merit. At any rate, I thank you for your patient listening.

The SPEAKER: The Chair recognizes the gentleman from Durham, Mr. Bowie.

Mr. BOWIE: Mr. Speaker and Members of the House: As you probably realize I am the representative from Durham and the gentleman from Lisbon, Mr. Beal, has had quite a lot to say about Durham, and in all fairness to Mr. Beal I think he has put the thing pretty fair to you except that you must realize that we are from the outside towns losing a representative to Lewiston there and we have all got to make our sacrifices, and I think Lisbon has got to make its sacrifice too along with the rest of our small towns.

In my own particular case, at the present time I am representing a town that is within forty-five minutes of where I live. In other words, it is a hard job to know the people up there, know what they want, campaign up there and what have you, where on the other hand I am just across the river from Lisbon Falls and I feel that I would be in a much better place to be in contact with my constituents than I am geographically the way I am situated. As the gentleman from

Lisbon, Mr. Beal, says, Durham is just across the river from Lisbon and to me, even though he says Lisbon is industrial and we are rural, our problems are still pretty much the same. Many of my own folks that live in Durham work in those mills in Lisbon Falls and I feel that we are quite neighborly as towns, and I do not like the idea of being put in with other towns so far away from home that we do not know what the people there would like.

In regard to this geographical location, once more I say that regardless of the fact that Lisbon is larger and from what I can gather from people in Lisbon I have talked with, I have been encouraged to support the Stanley bill as it was written, and from my own town this past week I have contacted a considerable amount of people who have wanted me to be with Lisbon rather than towns that are geographically so far away.

I think that when it comes right down to it on re-apportionment we all should be here to re-apportion, and no matter how we re-apportion not everyone is going to be happy about it, and for my part one way or another, we have got to do this with the greatest amount of—let us say the least amount of pain to any particular group, and if I were to go with Poland, Mechanic Falls for example, both of those towns now have legislators and I am sure they would not agree with the set-up and they would not agree with re-apportionment under those conditions. Due to the fact that I think we must re-apportion, I say the only justifiable place of being put is with Lisbon, and I ask that the amendment of the gentleman from Lisbon, Mr. Beal, to the Stanley bill be defeated.

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

Mr. HAUGHN: Mr. Speaker and Members of the House, I realize this is a county problem so therefore I would request that this vote be taken by division.

The SPEAKER: The Chair recognizes the gentleman from Mechanic Falls, Mr. Foster.

Mr. FOSTER: Mr. Speaker and Ladies and Gentlemen of the House: I represent a rural area. I want to endorse my colleague, the gentleman from Durham, Mr. Bowie. We have the same problem perhaps in Mechanic Falls. We have the same problem in trying to attach Turner with a larger town or city. The question of being separated geographically and all that, the industrial area of Lisbon I have an idea, perhaps, is the same as in Mechanic Falls that people work over there and yet they sleep over in Durham. I do not like to create any idea that Durham at all is an orphan and nobody wants it any more than I would like to create the thought that Mechanic Falls or Turner is an orphan. We have a bill that has already been introduced and passed, I guess, and it is well agreed that Turner is to go with Livermore Falls — Livermore and Livermore Falls. I can not see any serious objection, as the gentleman from Durham, Mr. Bowie, has said, there is a sacrifice all the way around. I appreciate the gentleman from Lisbon (Mr. Beal) wanting to have a representative from his own individual town, but it does not seem too serious to attach a smaller town like Durham to it.

I think the House should recognize the fact that the Androscoggin delegation is familiar with the situation and ought to be listened to, and I think if a poll was taken of the Androscoggin delegation, that the majority probably would go along with the idea that it is Durham with Lisbon and, as we have said, Turner with Livermore and Livermore Falls.

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

Mr. WADE: Mr. Speaker and Members of the House: As another representative from Androscoggin County I want to second what the gentleman from Mechanic Falls, Mr. Foster, and the gentleman from Durham, Mr. Bowie, have said and hope that this amendment will not pass.

I am sure that the committee on re-apportionment in putting Lisbon and Durham together took into consideration the fact that there were

not great matters of population involved, and recognized the soundness of the geographical situation. Although Lisbon is somewhat larger and somewhat industrialized, I think as we all know from reading the works of the distinguished townsman of the gentleman from Lisbon, Mr. Beal, John Gould, that Lisbon is not an industrial metropolis; in fact, Mr. Gould gives quite a different impression. I sincerely hope that this amendment will not pass.

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

Mr. BEAL: Mr. Speaker, I would like to correct one impression which I think the gentleman inadvertently made. My amendment does have the support of the majority of the county delegation. Even under those circumstances, I am forced to present it from the floor.

The SPEAKER: The question before the House is on the motion of the gentleman from Lisbon, Mr. Beal, that House Amendment "H" be adopted. The gentleman from Bridgton, Mr. Haughn, has requested a division.

As many as are in favor of the motion of the gentleman from Lisbon, Mr. Beal, that House Amendment "H" be adopted will kindly rise and remain standing in their places until the monitors have made and returned the count.

A division of the House was had.

Twenty-eight voted in the affirmative and seventy-six in the negative and the motion to adopt House Amendment "H" did not prevail.

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

Mr. BEAL: Mr. Speaker, I want to thank the members who supported my amendment and I want to assure those who saw fit not to do so that I am quite willing to abide by the decision of this House and that I shall do all in my power to make this partnership with Lisbon and Durham successful and satisfactory to everybody. (Applause)

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

Mr. KINCH: Mr. Speaker, I would like to present House Amendment "G" to House Paper 22, Legislative Document 37.

The SPEAKER: The gentleman from Livermore Falls, Mr. Kinch, offers House Amendment "G" and moves its adoption. The Clerk will read House Amendment "G".

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

HOUSE AMENDMENT "G" to H. P. 22, L. D. 37, Resolve, to Apportion One Hundred and Fifty-one Representatives Among the Several Counties, Cities, Towns, Plantations and Classes in the State of Maine.

Amend said Resolve by striking out in the 4th line of the second paragraph thereof relating to Androscoggin County the word "Turner" and inserting in place thereof the word 'Leeds'.

Further amend said Resolve by striking out in the 5th line of the second paragraph thereof the word "Leeds" and inserting in place thereof the word 'Turner'.

The SPEAKER: The question before the House is on the motion of the gentleman from Livermore Falls, Mr. Kinch, that House Amendment "G" be adopted.

The Chair recognizes the gentleman from Livermore Falls, Mr. Kinch.

Mr. KINCH: Mr. Speaker, first I would like to thank the gentleman from Lisbon, Mr. Beal, for removing his amendment of last week and presenting his amendment this morning so that I could present an amendment of my own.

I recognize the fact that we must have reapportionment. My sole purpose in presenting this amendment is so that we can group the smaller communities amongst themselves. I do not think that it is good representation for these small communities if they are tagged on to some larger community and my sole argument is, short and to the point, that if we group these smaller communities with themselves they will have better representation in the House and that is my sole object in presenting my amendment. I am willing to take the turn-around which is going to give us a larger

voting population but I think in fairness to the smaller communities that they should have representation of their own.

The SPEAKER: The question before the House is on the motion of the gentleman from Livermore Falls, Mr. Kinch, that House Amendment "G" be adopted. Is this the pleasure of the House?

The motion prevailed and House Amendment "G" was adopted.

The SPEAKER: The Chair will state that if there are other amendments to perfect the existing reapportionment resolve with respect to county distribution it would be a good move in perfecting the bill to do so at this time.

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

Thereupon, Mr. Davis offered House Amendment "I" and moved its adoption.

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

HOUSE AMENDMENT "I" to H. P. 22, L. D. 37, Resolve, to Apportion One Hundred and Fifty-one Representatives Among the Several Counties, Cities, Towns, Plantations and Classes in the State of Maine.

Amend said Resolve by striking out the 16th paragraph thereof, which relates to Washington County, and inserting in place thereof the following:

"The County of Washington shall choose six representatives to be apportioned as follows: Addison, Milbridge, Cherryfield, Columbia, Steuben, Deblois, Beddington, Harrington, Beals and Columbia Falls, one representative; Machias, East Machias, Whitneyville, Marshfield, Northfield, Wesley, Roque Bluffs, Centerville, Jonesboro, Machiasport and Jonesport, one representative; Lubec, Trescott, Whiting, Edmunds, Cutler, Dennysville, Marion, Number Fourteen Plantation, and Number Eighteen Plantation, one representative; Vanceboro, Danforth, Baileyville, Brookton, Topsfield, Princeton, Waite, Talmadge, Grand Lake Stream Plantation, Alexander, Crawford, Baring, Number Twenty-one Plantation, Codyville, Forest City, Kossuth, Lambert Lake Plantation, Number Ten R. 3, Number

Twenty-seven E. Div. and Indian Township, one representative; Calais, Meddybemps, Charlotte and Cooper, one representative; Eastport, Pembroke, Perry, and Robbinston, one representative."

House Amendment "I" was then adopted.

The SPEAKER: The Chair will inquire if there are any other amendments to be offered to perfect the resolve.

The Chair recognizes the gentleman from Hampden, Mr. Stanley.

Mr. STANLEY: Mr. Speaker and Members of the House: I want to thank you first of all for the courtesies you extended me last week by foregoing your privilege of debating the re-apportionment bill at that time.

Now that these amendments are in to give the counties each one, I think each member should study the original bill plus the amendments to ascertain whether or not there are any errors, any towns left out in your county or township and if there are any errors that, in order to have time to correct them and also another bill which is to be made up now by the gentleman from Houlton, Mr. Rogerson, in order to have that get before us and be fair with him and his bill, I would ask that Legislative Document 37, House Paper 22, lie on the table with accompanying papers and be specially assigned for ten o'clock, Wednesday, March the second.

The SPEAKER: The gentleman from Hampden, Mr. Stanley, moves that House Paper 22, Legislative Document 37, Resolve, to Apportion One Hundred and Fifty-one Representatives Among the Several Counties, Cities, Towns, Plantations and Classes in the State of Maine and accompanying papers lie on the table pending assignment for second reading and be specially assigned for March 7, Wednesday morning. Is this the pleasure of the House?

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

Mr. CHILDS: Mr. Speaker, I rise for a point of order.

The SPEAKER: The gentleman may state his point of order.

Mr. CHILDS: Mr. Speaker, I believe the motion was March 2nd, wasn't it?

The SPEAKER: The Chair will restate the motion: That the Resolve lie on the table pending assignment for second reading and be specially assigned for Wednesday, March 2. Is this the pleasure of the House?

The motion prevailed and the Resolve as amended by House Amendments "A", "B", "C", "E", "G" and "I" was so tabled and assigned.

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

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

Mr. WINCHENPAW: Mr. Speaker, I request unanimous consent to introduce a bill notwithstanding the cloture rule.

The SPEAKER: The gentleman from Friendship, Mr. Winchenpaw, requests unanimous consent to introduce a bill notwithstanding the cloture order. The Clerk will read the title of the bill.

The CLERK: Bill "An Act to Control Cat Vagrancy in Order to Conserve Insectivorous Birds and Appropriating \$10,000 for Cat Traps".

The SPEAKER: Does the Chair hear objection to the reception of this bill by unanimous consent notwithstanding the cloture order?

(Cries of "Yes")

The SPEAKER: The Chair hears objection and the bill is not received.

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

If there is no further business to come before the House, the Clerk will read the notices.

Mr. Childs of Portland was granted unanimous consent to address the House.

Mr. CHILDS: Mr. Speaker and Members of the House: One of the best of our modern Americans, James Russell Lowell, who was born on the same day of the month as George Washington, February 22, wrote shortly before his death to a school girl whose class proposed noticing his birthday. He said in this letter: "Whatever else you do on the 22nd of February, recollect first of all that on that day a really great man was born, and do not fail to warm your hearts with the memory of his service and to grace your minds with the contemplation of his character. The rest of us must wait uncovered until he be served."

I think that these words so adequately express the significance of February 22 and may we in the activities of this day occasionally give thought to one of our greatest soldiers, one of our greatest statesmen and the Father of our Country.

On motion of Mr. Williams of Hodgdon,

Adjourned until ten o'clock tomorrow morning.