

# 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, March 22, 1955

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

Prayer by the Reverend Mr. Eugene Crommett of Hallowell.

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

The journal of the previous session was read and approved.

The SPEAKER: On behalf of the House, the Chair is pleased to call to its attention this morning the presence in the balcony of the House of 40 students from the Riverside School in Vassalboro accompanied by their principal, Beulah McDonald.

On behalf of the House, the Chair extends to you a hearty and cordial welcome. (Applause)

### Papers from the Senate

From the Senate:

Bill "An Act relating to Officers of the Legislature" (S. P. 461) (L. D. 1305)

Bill "An Act relating to Retirement of Officers of the Legislature" (S. P. 462) (L. D. 1306)

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:

Bill "An Act relating to Purposes of Companies Organized Under General Insurance Law" (S. P. 463) (L. D. 1307)

Came from the Senate referred to the Committee on Business Legislation.

In the House, referred to the Committee on Business Legislation in concurrence.

From the Senate:

Bill "An Act relating to Publication of Specimen Ballots" (S. P. 464) (L. D. 1308)

Bill "An Act relating to Municipal Court Costs" (S. P. 465) (L. D. 1316)

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 relating to Leather Poisoning as an Occupational Disease" (S. P. 466) (L. D. 1309)

Came from the Senate referred to the Committee on Labor.

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

From the Senate:

Bill "An Act relating to Kennel License Fees" (S. P. 467) (L. D. 1310)

Bill "An Act relating to the Keeping of Records by Persons in the Business of Selling Dogs" (S. P. 468) (L. D. 1311)

Bill "An Act relating to Approval of Dog Shelters" (S. P. 469) (L. D. 1312)

Bill "An Act relating to Examination of Dog Shelters" (S. P. 470) (L. D. 1313)

Came from the Senate referred to the Committee on Legal Affairs.

In the House, referred to the Committee on Legal Affairs in concurrence.

From the Senate:

Bill "An Act relating to Pensions for Dependents of Sheriffs and Deputy Sheriffs" (S. P. 471) (L. D. 1314)

Came from the Senate referred to the Committee on Towns and Counties.

In the House, referred to the Committee on Towns and Counties in concurrence.

From the Senate:

Bill "An Act relating to 'Antique Auto' Plates" (S. P. 472) (L. D. 1315)

Came from the Senate referred to the Committee on Transportation.

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

### Senate Reports of Committees Ought to Pass

Report of the Committee on Towns and Counties reporting "Ought to pass" on Bill "An Act Increasing Salary of the Judge of

the Newport Municipal Court" (S. P. 359) (L. D. 968)

Report of same Committee reporting same on Bill "An Act Increasing the Salary of the Judge of the Dexter Municipal Court" (S. P. 361) (L. D. 970)

Report of same Committee reporting same on Bill "An Act Increasing Salaries of the Judge and Recorder of the Millinocket Municipal Court" (S. P. 362) (L. D. 971)

Report of same Committee reporting same on Bill "An Act Increasing Salaries of the Judge and Recorder of the Old Town Municipal Court" (S. P. 363) (L. D. 972)

Report of same Committee reporting same on Bill "An Act Increasing Salaries of the Judge and Recorder of the Bangor Municipal Court" (S. P. 364) (L. D. 973)

Report of same Committee reporting same on Bill "An Act Increasing Salaries of County Attorney and Assistant County Attorney of Penobscot County" (S. P. 381) (L. D. 1077)

Report of same Committee reporting same on Bill "An Act Increasing Salaries of the Judge and Recorder of Eastport Municipal Court" (S. P. 382) (L. D. 1078)

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.

#### **Ought to Pass Amended in Senate Tabled and Assigned**

Report of the Committee on Towns and Counties reporting "Ought to pass" on Bill "An Act Increasing Salaries of the Judge and Recorder of the Town of Lincoln Municipal Court" (S. P. 360) (L. D. 969)

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

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

The SPEAKER: The Chair recognizes the gentleman from Medway, Mr. Potter.

Mr. POTTER: Mr. Speaker and Members of the House: I am going

to ask that this bill lie on the table assigned for a week from today pending my study of this Senate Amendment.

The SPEAKER: The gentleman from Medway, Mr. Potter, moves that Item 20, Report of the Committee on Towns and Counties on Bill "An Act Increasing Salaries of the Judge and Recorder of the Town of Lincoln Municipal Court," Senate Paper 360, Legislative Document 969, lie on the table pending first reading and be specially assigned for Tuesday next, March 29. Is this the pleasure of the House?

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

#### **Non-Concurrent Matter**

Bill "An Act relating to Trapping for Bear" (H. P. 413) (L. D. 460) which was passed to be engrossed as amended by Committee Amendment "A" and House Amendment "A" in the House on March 15.

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

In the House: On motion of Mr. Osborne of Fairfield, the House voted to recede and concur with the Senate.

#### **Petitions, Bills and Resolves Requiring Reference**

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

#### **Natural Resources**

Bill "An Act Providing for Clean Waters in Maine" (H. P. 1153) (Presented by Mr. Briggs of Caribou)  
(2,000 copies Ordered Printed)  
Sent up for concurrence.

#### **Orders**

On motion of Mr. Reynolds of Mt. Desert, it was

ORDERED, that the House of Representatives declares a vacancy to exist in the representation in this

House of the class towns of Amherst, Aurora, Eastbrook, Franklin, Gouldsboro, Mariaville, Otis, Sorrento, Sullivan, Waltham, Winter Harbor, Osborn Plantation and Plantation No. 33 on account of the death of the Honorable Allan M. Butler, and be it further

ORDERED, that a copy of this Order, certified by the Clerk of the House, be sent to the Governor, the Secretary of State, and the Chairman of the Board of Selectmen of the oldest town in the representative class in which the vacancy exists.

On motion of Mr. Edgar of Bar Harbor, it was

ORDERED, that the balance of the regular compensation of a member not paid to the late Allan M. Butler in his lifetime, be paid to Mrs. Leneita Butler, his widow.

#### **House Reports of Committees Leave to Withdraw**

Mr. Pike from the Committee on Business Legislation on Bill "An Act relating to Interest Rates for Small Loan Agencies" (H. P. 464) (L. D. 509) reported Leave to Withdraw.

Mr. Davis from the Committee on Judiciary reported same on Bill "An Act Repealing the Small Claims Law" (H. P. 744) (L. D. 825)

Mr. Howard from the Committee on Natural Resources reported same on Resolve Authorizing the Forest Commissioner to Convey Certain Interest of the State in an Island in Kennebec County (H. P. 675) (L. D. 751) which was recommitteed.

Mr. Bibber from the Committee on Public Health reported same on Bill "An Act relating to Apprenticeship in Hairdressing and Beauty Culture" (H. P. 495) (L. D. 539)

Mr. McCluskey from the Committee on Sea and Shore Fisheries reported same on Resolve Regulating Digging of Marine Worms in the Town of Orland, Hancock County (H. P. 853) (L. D. 939)

Reports were read and accepted and sent up for concurrence.

#### **Tabled**

Mr. Palmeter from the Committee on Transportation reported Leave to

Withdraw on Bill "An Act relating to the Issuance of Operators' Licenses from Date of Birth with Notification" (H. P. 30) (L. D. 40)

Report was read.

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

Mr. TOTMAN: Mr. Speaker and Members of the House: Out of courtesy to the gentleman who introduced these bills and who has been absent due to illness, I request that this bill be tabled unassigned.

The SPEAKER: The gentleman from Bangor, Mr. Totman, moves that Item 6 under Committee Reports relating to Bill "An Act relating to the Issuance of Operators' Licenses from Date of Birth with Notification," House Paper 30, Legislative Document 40, be tabled pending acceptance of the Committee Report and be unassigned. Is this the pleasure of the House?

The motion prevailed and the Report and Bill were tabled pending acceptance of the Committee Report and unassigned.

#### **Tabled**

Mr. Totman from the Committee on Transportation reported Leave to Withdraw on Bill "An Act relating to the Issuance of Operators' Licenses from Date of Birth" (H. P. 509) (L. D. 546)

Report was read.

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

Mr. TOTMAN: Mr. Speaker and Members of the House: I request that this bill also lie on the table pending the return of the gentleman from Greenville, Mr. Anderson, and be unassigned.

The SPEAKER: The gentleman from Bangor, Mr. Totman, moves that the Report and Bill, Item 7, lie on the table pending acceptance of the Committee Report and be unassigned. Is this the pleasure of the House?

The motion prevailed and the Report and Bill were so tabled.

#### **Ought Not to Pass**

Mr. Pike from the Committee on Business Legislation reported "Ought not to pass" on Bill "An

Act relating to Qualifications for Real Estate Brokers' Licenses" (H. P. 639) (L. D. 716)

Mr. Briggs from the Committee on Inland Fisheries and Game reported same on Bill "An Act relating to Open Season for Hunting with Bow and Arrow in York County" (H. P. 589) (L. D. 645)

Mr. Dudley from same Committee reported same on Bill "An Act relating to Open Season on Otter" (H. P. 531) (L. D. 588) as it is covered by other legislation.

Mr. Howard from the Committee on Natural Resources reported same on Resolve Authorizing Forest Commissioner to Sell Island in Parker Pond, Kennebec County (H. P. 1006) (L. D. 1153)

Reports were read and accepted and sent up for concurrence.

#### Recommitted

Mr. Stilphen from the Committee on Public Health reported "Ought not to pass" on Bill "An Act relating to Registration for Barbers and Apprentice Barbers" (H. P. 551) (L. D. 608)

Report was read.

The SPEAKER: The Chair recognizes the gentleman from Gardiner, Mr. Hanson.

Mr. HANSON: Mr. Speaker and Members of the House: I would like to have this bill referred back to committee because there is one paragraph that was in this bill which, if you are willing to turn over to Item 41 on page 6, which has connection with and reads exactly the same so I would like to have it referred back to the committee.

The SPEAKER: The gentleman from Gardiner, Mr. Hanson, moves that the Report and Bill be recommitted to the Committee on Public Health. Is this the pleasure of the House?

The motion prevailed and the Report and Bill were recommitted to the Committee on Public Health and sent up for concurrence.

Mr. Dicker from the Committee on Public Health reported "Ought not to pass" on Bill "An Act relating to Time of Examinations for Barbers" (H. P. 522) (L. D. 609)

Mr. Seaward from the Committee on Taxation reported same on Bill

"An Act relating to Inheritance Tax Exemptions of Class A" (H. P. 942) (L. D. 1045)

Mr. Jacques from the Committee on Transportation reported same on Bill "An Act relating to Registration of Motor Vehicles Registered in Another State" (H. P. 568) (L. D. 616)

Reports were read and accepted and sent up for concurrence.

#### Ought to Pass Printed Bills

Mr. Briggs from the Committee on Inland Fisheries and Game reported "Ought to pass" on Bill "An Act relating to Disposal of Wild Animals" (H. P. 415) (L. D. 462)

Mr. Harnden from same Committee reported same on Bill "An Act relating to Nonresidents Kindling Fires in Unorganized Territory" (H. P. 419) (L. D. 504)

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

Mr. Harnden from the Committee on Inland Fisheries and Game reported "Ought to pass" on Bill "An Act relating to Hunting of Partridge and Pheasants" (H. P. 533) (L. D. 590)

Report was read and accepted and the Bill read once.

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

Thereupon, the Bill, House Paper 533, Legislative Document 590, was read the second time and assigned for third reading tomorrow.

Mr. Harnden from the Committee on Inland Fisheries and Game reported "Ought to pass" on Resolve Defining Upper Dam Pool in Township 4 Range 1, Oxford County (H. P. 474) (L. D. 519)

Mr. Ross from same Committee reported same on Bill "An Act relating to Bows for Hunting Carried in Motor Vehicles" (H. P. 532) (L. D. 589)

Mr. Earles from the Committee on Judiciary reported same on Bill "An Act relating to Investment of

Municipal Trust Funds" (H. P. 988) (L. D. 1136)

Mr. Hancock from same Committee reported same on Bill "An Act relating to Surrender of Property by Academies" (H. P. 909) (L. D. 1017)

Mr. Quinn from the Committee on Legal Affairs reported same on Bill "An Act Creating the Baileyville School District" (H. P. 965) (L. D. 1091)

Mrs. Thomas from same Committee reported same on Bill "An Act relating to Bonds for Slum Clearance and Redevelopment Authority of Portland" (H. P. 999) (L. D. 1147)

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

The SPEAKER: At this time, the Chair is informed that there are in the balcony of the House forty-two students from Cheverus High School accompanied by a member of the faculty, Rev. John J. McLaughlin, S.J.

On behalf of the House, the Chair extends to you a hearty and cordial welcome and hopes that your stay with us today will be profitable. (Applause)

Mr. Libby from the Committee on Natural Resources reported "Ought to pass" on Resolve Officially Naming Echo Lake, Penobscot County (H. P. 1005) (L. D. 1152)

Mr. Bibber from the Committee on Public Health reported same on Bill "An Act relating to Age of Apprenticeship in Practice of Hairdressing and Beauty Culture" (H. P. 753) (L. D. 834)

Mr. Baird from the Committee on Sea and Shore Fisheries reported same on Bill "An Act Repealing the Law Closing Certain Clam Flats in Lubec, Washington County" (H. P. 848) (L. D. 934)

Mr. Greenleaf from same Committee reported same on Bill "An Act relating to Taking, Having in Possession and Selling Oysters" (H. P. 611) (L. D. 659)

Mr. McCluskey from same Committee reported same on Resolve relating to Taking of Smelts from Georges River, Knox County (H. P. 852) (L. D. 938)

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

#### Tabled and Assigned

Mr. Stanwood from the Committee on Sea and Shore Fisheries reported "Ought to pass" on Bill "An Act relating to the Taking of Quahogs" (H. P. 166) (L. D. 157)

Report was read and accepted.

(On motion of Mr. Cates of East Machias, the Bill with accompanying papers was tabled pending first reading and specially assigned for Wednesday, March 30.)

Mr. Stanwood from the Committee on Sea and Shore Fisheries reported "Ought to pass" on Bill "An Act Repealing the Act to Regulate the Taking of Smelts in the Waters of Egypt Bay, Franklin Bay, Taunton Bay and River, in the Towns of Hancock, Franklin and Sullivan, Hancock County" (H. P. 721) (L. D. 785)

Mr. Reed from the Committee on Taxation reported same on Bill "An Act relating to Inheritance and Estate Tax Law" (H. P. 687) (L. D. 755)

Mr. Sanford from same Committee reported same on Bill "An Act Exempting Towns from the Use Fuel Tax" (H. P. 763) (L. D. 839)

Mr. Finemore from the Committee on Transportation reported same on Bill "An Act relating to Permits for Towing Unregistered Motor Vehicles" (H. P. 973) (L. D. 1099)

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

#### Tabled and Assigned

Mr. Palmeter from the Committee on Transportation reported "Ought to pass" on Bill "An Act Displaying Names of Owners and Lessees on Truck Tractors" (H. P. 972) (L. D. 1098)

Report was read and accepted.

(On motion of Mr. Greene of Belfast, the Bill with accompanying papers was tabled pending first reading and specially assigned for Tuesday, March 29.)

Mr. Totman from the Committee on Transportation reported "Ought to pass" on Bill "An Act relating to

Exemption of Registration Certificates under Aviation Laws" (H. P. 951) (L. D. 1054)

Report was read and accepted, the Bill read twice and tomorrow assigned.

#### **Ought to Pass with Committee Amendment**

Mr. Earles from the Committee on Judiciary on Bill "An Act relating to Trespass by Cattle and Other Domestic Animals" (H. P. 708) (L. D. 776) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Bill read twice.

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

COMMITTEE AMENDMENT "A" to H. P. 708, L. D. 776, Bill "An Act relating to Trespass by Cattle and Other Domestic Animals."

Amend said Bill by striking out in the 12th and 13th lines thereof the underlined words "**and lands adjacent thereto**"

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

#### **Tabled and Assigned**

Mr. Earles from the Committee on Judiciary on Bill "An Act Regulating Closing-Out Sales and Similar Types of Sales" (H. P. 297) (L. D. 280) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted.

(On motion of Mr. Edgar of Bar Harbor, the Bill with accompanying papers was tabled pending first reading and specially assigned for Tuesday, March 29.)

#### **Tabled and Assigned**

Mr. McGlaflin from the Committee on Judiciary on Bill "An Act relating to Checking Speed of Motor Vehicles by Electrical Devices" (H. P. 109) (L. D. 117) which was re-committed, reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted.

(On motion of Mr. Dumais of Lewiston, the Bill with accompanying papers was tabled pending first

reading and specially assigned for Tuesday, March 29.)

Mr. Needham from the Committee on Judiciary on Bill "An Act relating to Powers of State Fire Inspectors" (H. P. 363) (L. D. 451) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Bill read twice.

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

COMMITTEE AMENDMENT "A" to H. P. 363, L. D. 451, Bill "An Act relating to Powers of State Fire Inspectors."

Amend said Bill by striking out in the 7th line thereof the underlined words "**and crimes against habitation**"

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

Mr. Curtis from the Committee on Public Health on Bill "An Act relating to Instruction in Schools of Barbering" (H. P. 549) (L. D. 606) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Bill read twice.

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

COMMITTEE AMENDMENT "A" to H. P. 549, L. D. 606, Bill "An Act Relating to Instruction in Schools of Barbering."

Amend said Bill by striking out the 10th and 11th lines thereof, and inserting in place thereof the following:

'minimum requirement of a continuous course of study of 1000 hours distributed over a term of not less than 6 months, including'

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

Mr. Stilphen from the Committee on Public Health on Bill "An Act relating to Compensation and Inspections of State Board of Barbers and Hairdressers" (H. P. 550) (L. D. 607) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Bill read twice.



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

COMMITTEE AMENDMENT "A" to H. P. 550, L. D. 607, Bill "An Act relating to Compensation and Inspections of State Board of Barbers and Hairdressers."

Amend said Bill by striking out this underlined abbreviation and figure "Sec. 1." at the beginning of the 1st line.

Further amend said Bill by striking out all of section 2 thereof.

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

Mr. McCluskey from the Committee on Sea and Shore Fisheries on Bill "An Act Permitting the Digging of Clams in Limits of Biddeford for Bait Only" (H. P. 799) (L. D. 873) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Bill read twice.

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

COMMITTEE AMENDMENT "A" to H. P. 799, L. D. 873, Bill "An Act Permitting the Digging of Clams in Limits of Biddeford for Bait Only."

Amend said Bill by adding the following words after the word "taken" at end of last sentence:

'Provided further that no one shall dig clams for fish bait in Biddeford without first having obtained a permit from the Commissioner of Sea and Shore Fisheries. No fee shall be charged for such a permit and such permits may be granted or revoked at the discretion of the Commissioner.'

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

Mr. Willey from the Committee on Taxation on Bill "An Act relating to Taxation of Television Transmitting Equipment in Town Where Situated" (H. P. 722) (L. D. 786) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Bill read twice.

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

COMMITTEE AMENDMENT "A" to H. P. 722, L. D. 786, Bill "An Act relating to Taxation of Television Transmitting Equipment in Town Where Situated."

Amend said Bill in the Title thereof by inserting after the word "Television" the words 'and Radio'

Further amend said Bill, in the 24th line thereof, by inserting after the underlined word "television" the underlined words 'and radio'

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

### Ought to Pass

#### Without Reference to a Committee

Mr. McCluskey from the House Committee on County Estimates on the County Estimates of the Several Counties reported a Resolve under title of "Resolve for the Laying of the County Taxes for the years Nineteen Hundred Fifty-five and Nineteen Hundred Fifty-six" (H. P. 1154) (L. D. 1368) and that it "Ought to pass"

Report was read and accepted and the Resolve read once under suspension of the rules, without reference to a Joint Standing Committee, and tomorrow assigned.

The SPEAKER: The Chair is informed that there are also in the balcony of the House the Senior Class of the Waldoboro High School under the direction of their Social Science Teacher, Mr. Hassufus, and also this information is brought to the attention of the Chair by Representative Walter from Waldoboro.

On behalf of the House, the Chair extends to you a hearty and cordial welcome and hopes that you will find your stay profitable. (Applause)

### Passed to Be Engrossed

Bill "An Act relating to the Laws of Divorce" (S. P. 125) (L. D. 321)

Bill "An Act relating to Payment of Alimony and Support of Minor Children" (S. P. 193) (L. D. 447)

Bill "An Act relating to Children Caring for Parents" (S. P. 194) (L. D. 445)

Bill "An Act relating to Charitable Gifts by Trust Companies" (S. P. 341) (L. D. 950)

Bill "An Act relating to Study in Out-of-State Schools of Hairdressing and Beauty Culture" (H. P. 754) (L. D. 835)

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 Rental for Brewer Municipal Court" (H. P. 234) (L. D. 213)

Bill "An Act relating to Salary of Judge of Brewer Municipal Court" (H. P. 235) (L. D. 214)

Bill "An Act relating to Permits and Certificates for Motor Vehicle Carriers" (H. P. 377) (L. D. 412)

Bill "An Act relating to Line Budget for Personal Services, Capital Expenditures and Other Expenses for State Departments" (H. P. 405) (L. D. 452)

Bill "An Act Providing for Maintenance of Certain Roads in Baxter State Park" (H. P. 704) (L. D. 772)

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.

#### Passed to Be Enacted Emergency Measure

An Act Regulating Fishing in Dennys River, Washington County (H. P. 257) (L. D. 297)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a division was had, 116 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

#### Passed to Be Enacted

An Act Repealing Special Duty of State Police Re Registration of Motor Vehicles and Licensing of Operators (S. P. 171) (L. D. 361)

An Act relating to Peremptory Challenges in Criminal Cases (S. P. 217) (L. D. 558)

An Act relating to Registration of Architects (S. P. 224) (L. D. 565)

An Act relating to Abstracts of Criminal Records for State Bureau of Identification (S. P. 248) (L. D. 680)

An Act relating to Jurisdiction of State Courts after Federal Court Disposed of Criminal Cases (S. P. 252) (L. D. 684)

An Act relating to Uniform Interstate Compact on Juveniles (S. P. 268) (L. D. 699)

An Act Prohibiting Gifts or Other Gratuities to Bank Officials for Procuring Loans (H. P. 90) (L. D. 101)

An Act to Amend the Charter of the City of Bath (H. P. 112) (L. D. 120)

An Act relating to Closed Time on Deer in Vinalhaven (H. P. 143) (L. D. 143)

An Act relating to the Taking of Clams or Quahogs in the Town of Harpswell (H. P. 167) (L. D. 158)

An Act relating to the Digging of Clams in the Town of Lincolnville (H. P. 400) (L. D. 416)

An Act relating to Use of Gill Nets (H. P. 418) (L. D. 465)

An Act relating to Membership on Harness Racing Commission (H. P. 544) (L. D. 601)

An Act relating to Term of Office of Town Clerk of Fort Fairfield (H. P. 629) (L. D. 669)

An Act relating to Repair of Private Common Sewers in the City of Portland (H. P. 712) (L. D. 780)

An Act relating to Sporting Camps in Unorganized Territory (H. P. 1036) (L. D. 1197)

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

#### Resolve on Final Passage Tabled and Assigned

Resolve Providing for Construction of a Substitute Road in Howland (H. P. 356) (L. D. 394)

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

(On motion of Mr. Reynolds of Mount Desert, tabled pending final passage and specially assigned for Wednesday, March 30.)

### Finally Passed

Resolve Authorizing Alfred Howard, Sr. and Ethel M. Howard of Moscow to Sue the State of Maine (H. P. 600) (L. D. 656)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed, finally passed, signed by the Speaker and sent to the Senate.

### Orders of the Day

The SPEAKER: Under Orders of the Day, the Chair lays before the House the first item of unfinished business, Bill "An Act relating to Open Season on Beaver," House Paper 421, Legislative Document 467, tabled on March 9 by the gentleman from Milo, Mr. Brockway, pending third reading and the Chair recognizes that gentleman.

Thereupon, Mr. Brockway of Milo offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to H. P. 421, L. D. 467, Bill "An Act relating to Open Season on Beaver."

Amend said Bill by inserting before the period at the end of the 3rd paragraph of that part designated "Sec. 119" the following underlined words and punctuation: **"in unorganized territory, and only with the consent of the landowner in organized territory"**

Further amend said Bill by inserting before the period at the end of the 4th paragraph of said "Sec. 119" the following underlined words: **"without the consent of the landowner"**

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

The SPEAKER: The Chair lays before the House the second item of unfinished business, An Act relating to Exits from and Means of Extinguishing Fire in School Buildings, House Paper 342, Legislative Document 381, tabled on March 9 by the gentleman from Fort Fairfield, Mr. Reed, pending passage to be enacted and the Chair recognizes that gentleman.

Mr. REED: Mr. Speaker and Members of the House: I request that this bill be tabled to check the wording. I fear that in its present language it would require all school buildings to have sprinkler systems installed and after checking with competent authority, I find that it is altogether possible that it might be interpreted that way.

To clarify the language in the bill, I offer House Amendment "A" to House Paper 342, L. D. 381, and move its adoption.

The SPEAKER: The Chair understands that the gentleman from Fort Fairfield, Mr. Reed, moves that the House reconsider its action whereby it passed to be engrossed Bill "An Act relating to Exits from and Means of Extinguishing Fire in School Buildings," House Paper 342, Legislative Document 381. Is this the pleasure of the House?

The motion prevailed.

The SPEAKER: The gentleman from Fort Fairfield, Mr. Reed, now offers House Amendment "A" and moves its adoption. The Clerk will read House Amendment "A".

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

HOUSE AMENDMENT "A" to H. P. 342, L. D. 381, Bill "An Act relating to Exits from and Means of Extinguishing Fire in School Buildings."

Amend said Bill by striking out the commas after the underlined words **"systems"** and **"extinguishers"** in the 8th line thereof.

Further amend said Bill by inserting in the 8th line thereof, after the underlined word **"systems"** the underlined word **"or"**

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

The SPEAKER: The Chair lays before the House the third item of unfinished business, House Report "Ought not to pass" of the Committee on Inland Fisheries and Game on Bill "An Act relating to Open Season on Muskrats in Oxford County," House Paper 294, Legislative Document 306, tabled on March 10 by the gentleman from Rumford, Mr. MacDonald, pending acceptance

of the report and the Chair recognizes that gentleman.

Mr. MacDONALD: Mr. Speaker, after consulting with the gentleman from Medway, Mr. Potter, who, I understand, is House Chairman of this committee and consulting with other members, I move that this be returned to the Committee and at the request of the gentleman from Medway, Mr. Potter, be returned without printing and without advertising.

The SPEAKER: The gentleman from Rumford, Mr. MacDonald, moves that the third item of unfinished business be recommitted to the Committee on Inland Fisheries and Game. Is this the pleasure of the House?

The motion prevailed and the Report and Bill were recommitted to the Committee on Inland Fisheries and Game and sent up for concurrence.

The SPEAKER: The Chair lays before the House the fourth item of unfinished business, Bill "An Act relating to Definition of Retail Sale Under Sales Tax Law," Senate Paper 138, Legislative Document 330, tabled on March 10 by the gentleman from Portland, Mr. Roundy, pending third reading.

Thereupon, the Bill was given its third reading, passed to be engrossed and sent to the Senate.

The SPEAKER: The Chair lays before the House the fifth item of unfinished business, House Report "Ought not to pass" of the Committee on Judiciary on Bill "An Act to Clarify Provision for Child, Etc. Omitted in Will", House Paper 482, Legislative Document 527, tabled on March 15 by the gentleman from Portland, Mr. Childs, pending acceptance and the Chair recognizes that gentleman.

Mr. CHILDS: Mr. Speaker, with the approval of the Chairman of the Judiciary Committee, I now move that this bill be recommitted to the Committee on Judiciary.

The SPEAKER: The gentleman from Portland, Mr. Childs, moves that the fifth item of unfinished business be recommitted to the Committee on Judiciary. Is this the pleasure of the House?

The motion prevailed and the Report and Bill were recommitted to the Committee on Judiciary and sent up for concurrence.

The SPEAKER: The Chair lays before the House the sixth item of unfinished business, Bill "An Act Exempting Persons Seventy Years of Age from Poll Tax", House Paper 685, Legislative Document 753, tabled on March 15 by the gentleman from Milo, Mr. Brockway, pending third reading and the Chair recognizes that gentleman.

Thereupon, on motion of Mr. Brockway of Milo, the Bill was given its third reading, passed to be engrossed and sent to the Senate.

The SPEAKER: The Chair lays before the House the seventh item of unfinished business, Resolve Providing Review of Shellfish and Marine Worm Laws, House Paper 505, Legislative Document 542, tabled on March 9 by the gentleman from Portland, Mr. Childs, pending second reading and the Chair recognizes that gentleman.

Mr. CHILDS: Mr. Speaker, there is pending before the House an order which was submitted by the gentleman from Auburn, Mr. Jacobs, and tabled by the gentleman from Bangor, Mr. Totman. If this order receives passage, this resolve which I have tabled would fall in that category.

Therefore, I move that this matter lie on the table until further in the day until the order which was tabled by the gentleman from Bangor, Mr. Totman, is disposed of.

The SPEAKER: The gentleman from Portland, Mr. Childs, moves that the Resolve lie on the table pending second reading and be specially assigned for later in today's session. Is this the pleasure of the House?

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

The SPEAKER: The Chair now lays before the House the eighth item of unfinished business, House Report "Ought not to pass" of the Committee on Retirements and Pensions on Resolve Providing for an Increase in State Pension for Marie A. Fongemie of Madawaska, House

Paper 227, tabled on March 10 by the gentlewoman from Madawaska, Mrs. Michaud, pending acceptance and the Chair recognizes that gentlewoman.

Mr. MICHAUD: Mr. Speaker, I have consulted with the Senate Chairman and the House Chairman on this matter and I wish to have this recommitted to the Committee. That is House Paper 227.

The SPEAKER: The gentlewoman from Madawaska, Mrs. Michaud, moves that the Report and Resolve be recommitted to the Committee on Retirements and Pensions. Is this the pleasure of the House?

The motion prevailed and the Report and Resolve were recommitted to the Committee on Retirements and Pensions and sent up for concurrence.

The SPEAKER: The Chair lays before the House the ninth item of unfinished business, House Report "Ought not to pass" of the Committee on Retirements and Pensions on Resolve Providing for State Pension for Charles H. Nutter of Newport, House Paper 424, Legislative Document 296, tabled on March 10 by the gentleman from Newport, Mr. Carter, pending acceptance and the Chair recognizes that gentleman.

Thereupon, on motion of Mr. Carter of Newport, the "Ought not to pass" Report was accepted and sent up for concurrence.

The SPEAKER: The Chair lays before the House the tenth item of unfinished business, House Report "Ought not to pass" of the Committee on Retirements and Pensions on Resolve Providing for State Pension for Esther Genthner of Thomaston, House Paper 325, tabled on March 10 by the gentleman from Friendship, Mr. Winchenpaw, pending acceptance and the Chair recognizes that gentleman.

Mr. WINCHENPAW: Mr. Speaker, I move that Item 10 be retabled until Thursday, March 24, in order to give me a little more time to ascertain some facts.

The SPEAKER: The gentleman from Friendship, Mr. Winchenpaw, moves that the Report and Resolve be retabled pending acceptance of the Committee Report and be spe-

cially assigned for Thursday, March 24. Is this the pleasure of the House?

The motion prevailed and the Report and Resolve were so tabled and assigned.

The SPEAKER: The Chair lays before the House the eleventh item of unfinished business, House Report "Ought not to pass" of the Committee on Retirements and Pensions on Resolve Providing for an Increase in State Pension for Helen Lindsay of Damariscotta, House Paper 72, tabled on March 10 by the gentleman from Bremen, Mr. Hilton, pending acceptance and the Chair recognizes that gentleman.

Mr. HILTON: Mr. Speaker, after consulting with the Committee on Retirements and Pensions and finding that I can not get the information they wish until the first or middle of next month, I ask that this be retabled and unassigned.

The SPEAKER: The gentleman from Bremen, Mr. Hilton, moves that the Report and Resolve be retabled pending acceptance of the Committee Report and be unassigned. Is this the pleasure of the House?

The motion prevailed and the Report and Resolve were so tabled.

The SPEAKER: The Chair lays before the House the twelfth item of unfinished business, House Report "Ought not to pass" of the Committee on Retirements and Pensions on Resolve Providing for State Pension for Arthur Glidden of Howland, House Paper 385, tabled on March 10 by the gentleman from Charleston, Mr. Rich, pending acceptance and the Chair recognizes that gentleman.

Thereupon, on motion of Mr. Rich of Charleston the "Ought not to pass" Report was accepted and sent up for concurrence.

The SPEAKER: The Chair lays before the House the thirteenth item of unfinished business, House Report "Ought not to pass" of the Committee on Retirements and Pensions on Resolve Providing for State Pension for Mrs. Addie Lavoie of Milford, House Paper 390, tabled on March 10 by the gentleman from Orono, Mr. Needham, pending acceptance

and the Chair recognizes that gentleman.

Mr. NEEDHAM: Mr. Speaker, I have conferred with the Senate Chairman and the House Chairman on this matter and, at their suggestion, I move that this matter remain on the table unassigned.

The SPEAKER: The gentleman from Orono, Mr. Needham, moves that the Report and Resolve be retabled pending acceptance of the Committee Report and be unassigned. Is this the pleasure of the House?

The motion prevailed and the Report and Resolve were so tabled.

The SPEAKER: The Chair lays before the House the fourteenth item of unfinished business, House Report "Ought not to pass" of the Committee on Retirements and Pensions on Resolve Providing for State Pension for Annie McEntee of Westfield, House Paper 213, tabled on March 10 by the gentleman from Chapman, Mr. Foss, pending acceptance and the Chair recognizes that gentleman.

Thereupon, on motion of Mr. Foss of Chapman, the "Ought not to pass" Report was accepted and sent up for concurrence.

The SPEAKER: The Chair lays before the House the fifteenth item of unfinished business, House Report "Ought not to pass" of the Committee on Retirements and Pensions on Resolve Providing for State Pension for Mrs. Agnes Bourgoin of Madawaska, House Paper 225, tabled on March 10 by the gentleman from Madawaska, Mrs. Michaud, pending acceptance and the Chair recognizes that gentleman.

Thereupon, on motion of Mrs. Michaud of Madawaska, the "Ought not to pass" Report was accepted and sent up for concurrence.

The SPEAKER: The Chair is informed that there are in the balcony of the House the eighth grade students from the town of Lovell schools, Lovell being in Oxford County, under the direction of Mr. and Mrs. Vinton, Mr. Dillinger and Mrs. Cook.

On behalf of the House, the Chair is happy to extend to you a hearty and cordial welcome. (Applause)

The SPEAKER: The Chair lays before the House the sixteenth item of unfinished business, House Report "Ought not to pass" of the Committee on Retirements and Pensions on Resolve Providing for an Increase in State Pension for Elizabeth Kavanaugh of Millinocket, House Paper 560, tabled on March 10 by the gentleman from Millinocket, Mr. Walls, pending acceptance of the Committee Report and the Chair recognizes that gentleman.

Thereupon, on motion of Mr. Walls of Millinocket, the "Ought not to pass" Report of the Committee was accepted and sent up for concurrence.

The SPEAKER: The Chair lays before the House the seventeenth item of unfinished business, Bill "An Act Repealing Statement of Contributions and Expenses by Municipal Candidates", House Paper 191, Legislative Document 196, tabled on March 15 by the gentleman from Bangor, Mr. Quinn, pending third reading and the Chair recognizes that gentleman.

Mr. QUINN: Mr. Speaker and Members of the House: I have presented an amendment to the act, Amendment "C", in order that the act as amended by Amendment "B" would conform in its entirety. The day I presented that amendment, several members of the House expressed a desire that that act as amended apply to communities of 10,000 and over rather than 30,000 and over. In view of that request, I have had drafted Amendment "D" to conform with that request so that the bill as amended would apply to communities of 10,000 and over.

In talking with the Reviser of Statutes as to this amendment, he suggested that whereas the act had already been amended by Amendments "B" and "C" that Amendment "D" perhaps should have embodied in it all of the matters covered by the other two amendments as well as this amended proposition. That being the case, I now move that we reconsider our action in adopting House Amendments "B" and "C"

and then consider the adoption of Amendment "D".

The SPEAKER: The gentleman from Bangor, Mr. Quinn, moves that under suspension of the rules, the House reconsider its action whereby it adopted House Amendments "B" and "C". Is this the pleasure of the House?

The motion prevailed, and under suspension of the rules, the House reconsidered its action of March 10 whereby House Amendment "B" was adopted and the amendment was indefinitely postponed, and its action of March 15 whereby House Amendment "C" was adopted and the amendment was indefinitely postponed.

Thereupon, Mr. Quinn of Bangor offered House Amendment "D" and moved its adoption.

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

HOUSE AMENDMENT "D" to H. P. 191, L. D. 196, Bill "An Act Repealing Statement of Contributions and Expenses by Municipal Candidates."

Amend said Bill by inserting in the Title thereof after the word "by" the word 'Certain'

Further amend said Bill by striking out the 8th, 9th, and 10th lines thereof and inserting in place thereof the following:

'State Senator or Representative in the Legislature, but with the clerk of the municipality in which he resides, if he was a candidate **at large for a municipal office in a city of over 10,000 inhabitants**, for a city, ward or town office, an itemized, sworn statement setting'

Further amend said Bill, in the 25th and 26th lines thereof, by restoring the stricken out words and punctuation to read as follows: 'or the clerk of the municipality, as the case may be,'

Further amend said Bill by striking out all of Section 2 and inserting in place thereof the following:

"Sec. 2. R. S., c. 9, Sec. 7, amended. The last sentence of section 7 of chapter 9 of the revised statutes is hereby amended to read as follows:

'The Secretary of State shall, at the expense of the State, provide every city or town clerk of a city of **over 10,000 inhabitants** with blank

forms suitable for the statements required to be returned to him.'

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

The SPEAKER: The Chair now lays before the House the eighteenth item of unfinished business, Resolve Proposing an Amendment to the Constitution to Change the Qualifications of Citizenship of the Governor, House Paper 432, Legislative Document 478, tabled on March 16 by the gentleman from Bangor, Mr. Totman, pending adoption of House Amendment "A".

The Chair recognizes the gentleman from Rumford, Mr. MacDonald.

Mr. MacDonald of Rumford then offered House Amendment "A" to House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to HOUSE AMENDMENT "A" to H. P. 432 L. D. 478, Resolve Proposing an Amendment to the Constitution to Change the Qualifications of Citizenship of the Governor.

Amend said Amendment by striking out from the last line the underlined figure "20" and inserting in place thereof the underlined figure '10'

The SPEAKER: Is it the pleasure of the House that House Amendment "A" to House Amendment "A" be adopted?

The Chair recognizes the gentleman from Presque Isle, Mrs. Christie.

Mrs. CHRISTIE: Mr. Speaker, although I hate to be arbitrary, it seems to me that ten years citizenship is not a sufficient length of time for people to become thoroughly familiar with our way of life and thoroughly effective in the type of government which we promote. It seems to me that we should retain the at least twenty years citizenship which was provided for in my amendment, and I move that this Amendment "A" to Amendment "A" be indefinitely postponed.

The SPEAKER: The gentleman from Presque Isle, Mrs. Chris-

tie, moves that House Amendment "A" to House Amendment "A" be indefinitely postponed.

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

Mr. TOTMAN: Mr. Speaker and Members of the House: The only reason that I got injected into this particular bill was that I wished to give either Mr. MacDonald, the gentleman from Rumford, or Mr. Malenfant, the gentleman from Lewiston, an opportunity to offer an amendment.

However, I would like to add very simply that I do favor the amendment and I would point out to the House and to the gentlewoman from Presque Isle, Mrs. Christie, that before a person becomes a naturalized citizen they must reside in the United States five years. After they become a citizen the amendment would then require ten, so actually they must have been a citizen or a resident of the United States for a total of fifteen years, and I think this is sufficient. I hope her motion to indefinitely postpone this House Amendment "A" to House Amendment "A" does not prevail.

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

Mr. MALENFANT: Mr. Speaker and Members of the House: I hope the House accepts House Amendment "A" to House Amendment "A". If a person does not learn enough in ten years, he will never run for governor. If a man or woman is obliged to stay in this country twenty years, and they come to this country at the age of thirty, they are going to be too old to run for Governor. I hope this amendment is adopted.

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

Mr. HANCOCK: Mr. Speaker, I stand to support Mr. MacDonald, the gentleman from Rumford, on this particular matter, for the simple reason that certainly ten years plus the five is long enough, and before anyone gets around to running for governor, they certainly have to prove their qualifications to the citizens of the State of Maine. I therefore support the gentleman from Rumford, Mr. MacDonald.

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

Mr. CHILDS: Mr. Speaker and Members of the House: I am of the opinion we have a very small time element in dispute here. The gentlewoman from Presque Isle, Mrs. Christie, is of the opinion that one should be in this country at least twenty years before they are in a position to properly conduct the high office of our executive. The gentleman from Rumford, Mr. MacDonald, seems to feel that ten years is sufficient. Possibly a compromise would be all right here, and I will move that this lie upon the table for the purpose of putting in my amendment which will be fifteen years instead of the ten or the twenty, and plus the five will make the twenty that the gentlewoman from Presque Isle, Mrs. Christie, was originally interested in, so I move that this lie upon the table and be specially assigned for tomorrow.

The SPEAKER: The gentleman from Portland, Mr. Childs, moves that Resolve Proposing an Amendment to the Constitution to Change the Qualifications of Citizenship of the Governor, House Paper 432, Legislative Document 478, with accompanying papers lie on the table pending action on the motion of the gentlewoman from Presque Isle, Mrs. Christie, that House Amendment "A" to House Amendment "A" be indefinitely postponed and be specially assigned for tomorrow. Is this the pleasure of the House?

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

The SPEAKER: The Chair lays before the House the first tabled and today assigned matter, House Report, "Ought not to pass" of the Committee on Legal Affairs on Bill "An Act relating to Approval of Certain Heating Units," House Paper 750, Legislative Document 831, tabled on March 15 by the gentleman from Bucksport, Mr. Pierce, pending acceptance, and the Chair recognizes that gentleman.

Thereupon, on motion of Mr. Pierce of Bucksport, the "Ought not to pass" Report was accepted and sent up for concurrence.



The SPEAKER: The Chair lays before the House the second tabled and today assigned matter, House Report, "Ought to pass" of the Committee on Business Legislation on Bill "An Act relating to Transportation of Explosives," House Paper 337, Legislative Document 378, tabled on March 15 by the gentleman from Pittsfield, Mr. Cianchette, pending acceptance, and the Chair recognizes that gentleman.

Mr. CIANCHETTE: Mr. Speaker and Members of the House: My questions on this bill have been answered, but prior to this session this morning I have been approached by several persons asking that their interests be protected, and I move that this be again tabled to Tuesday, March 29.

The SPEAKER: The gentleman from Pittsfield, Mr. Cianchette, moves that the Report and Bill be retabled pending acceptance of the "Ought to pass" report of the committee and be specially assigned for Tuesday, March 29. Is this the pleasure of the House?

The motion prevailed and the Report and Bill were so tabled and assigned.

The SPEAKER: The Chair is delighted to notice that the gentleman from Greenville, Mr. Anderson, is back with the House this morning. (Applause)

The SPEAKER: The Chair lays before the House the third tabled and today assigned matter, Bill "An Act to Amend the Charter of the Town of Mount Desert to Give the Selectmen Authority to Make Ordinances," House Paper 281, Legislative Document 265, tabled on March 15 by the gentleman from Mount Desert, Mr. Reynolds, pending passage to be engrossed, and the Chair recognizes that gentleman.

Mr. REYNOLDS: Mr. Speaker and Members of the House: When I laid this bill on the table last week I had the idea at that time of offering an amendment. Since then, however, there have arisen a few issues apropos to the legalities of this act, so, in order to give me more time to consult with the Attorney General and other legal authorities, I respectfully request that the

bill be retabled and be specially assigned for next Tuesday, March 29.

The SPEAKER: The gentleman from Mount Desert, Mr. Reynolds, moves that the Bill be retabled pending passage to be engrossed and be specially assigned for Tuesday, March 29. Is this the pleasure of the House?

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

The SPEAKER: The Chair lays before the House the fourth tabled and today assigned matter, House Report, "Ought not to pass" of the Committee on Highways on Bill "An Act relating to Trees Within the Highway Limits," House Paper 823, Legislative Document 915, tabled on March 16 by the gentleman from Bangor, Mr. Totman, pending acceptance, and the Chair recognizes that gentleman.

Mr. TOTMAN: Mr. Speaker and Members of the House: In one sense this bill is an extremely important bill. On the other hand, as I will comment briefly in a few minutes, it is not a matter that should require long debate, but I would like, before I move the acceptance of the committee's report, to make a few comments.

I do not know how many members of the House are particularly interested in highway safety. I can state quite frankly that that is my number one interest since I have been in the Legislature and I am very glad to champion that cause. I am not particularly interested in how fast we get from one town to another, but I am very much interested in how safely we get from one point to another. I do not know how many of you realize that each year, of the varying one hundred and fifty to one hundred and seventy people that are killed in the State of Maine, of those who are killed by hitting fixed objects, the greatest common denominator of obstacles is roadside trees. It seems most unfortunate to me that once a person has been killed by hitting a tree that is too close to the highway, it is not immediately apparent that that tree should be examined carefully to see if it is in a dangerous location and then removed, but there are countless examples on

hand, and I say that advisedly after doing some research over at the State Police headquarters, where a tree has killed not one, or two, but even three people before public opinion finally gets aroused and sees to it that that tree is removed.

I would like to relate just briefly a prime example of why I introduced this bill. A year or so ago, a young serviceman and his wife were driving on the main road from Augusta to Brunswick in the vicinity of Topsham, and in rounding a curve, regardless of the reasons for leaving the highway, they struck a tree which was fairly close to the road. They were both instantly killed. The Highway Commission, with their very limited authority, wrote the owner of these trees and respectfully asked him to either cut the trees down or allow the Commission to cut the trees down and leave the resulting wood with the owner. That request created such a political furor; that request brought down so many present politicians and ex-politicians upon the poor head of our present Highway Commissioner that I, as a proponent of highway safety, called up several of these politicians and asked them to for once place the safety of people above sentimental attachment to trees, and I pointed out that in this row of trees that were being crusaded for, half of them were rotten and half were dead.

Consequently, when we came to this session, some of those who crusaded for that particular land owner, admitted that there was a very strong logical reason for giving the Highway Commission a more clear-cut authority to remove those trees which were obviously killers. I introduced this bill with the knowledge of the State Highway Commission; I spoke briefly to the committee on the bill; there was no opposition, and the bill came out "Ought not to pass."

I am frankly puzzled. However, having been here two and a half sessions, I have learned to respect the fact that when a Committee decides unanimously "Ought not to pass" they must have a sound reason. I frankly do not know that reason, other than the fact that the Committee just did not apparently seem to like the bill.

That, briefly, is the history of the bill. I still think it is excellent because it deals directly with persons' lives and has no money attached. However, since it is not one of the major bills of the session and we have more important business, and in view of the fact the Highway Commission does have a certain limited, restricted amount of authority, I will not speak further on the bill, and I will move the acceptance reluctantly of the "Ought not to pass" report.

The SPEAKER: The gentleman from Bangor, Mr. Totman, moves that the "Ought not to pass" report of the Committee on Highways on Bill "An Act relating to Trees Within the Highway Limits", House Paper 823, Legislative Document 915, be accepted. Is this the pleasure of the House?

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

The SPEAKER: The Chair lays before the House the fifth tabled and today assigned matter, House Order relative to Special Calendar by members of the Committee on Appropriations and Financial Affairs, tabled on March 17 by the gentleman from Bangor, Mr. Totman, pending passage, and the reproduction ordered has been carried out. The Chair recognizes the gentleman from Bangor, Mr. Totman.

Mr. TOTMAN: Mr. Speaker and Members of the House: I apologize for having to speak twice in a row, but that is sheer coincidence because of the calendar.

Referring to the matter before us, we had offered in the House the other day an order which basically was introduced to facilitate and organize the very many bills which are accumulating on our calendar requiring money. It is not my intent by asking for reconsideration and asking for reproduction of the order to be an obstructionist. I distinctly simply wish to give the members of the House an opportunity to read this order. It is true that in past sessions the order has been introduced. I would like to say in passing, however, that in the 95th session our then floor leader, the very much respected gentleman from Portland, Mr. Chase, did oppose this

order and there was division on the order, but, however, it did pass.

I would like to point out for the benefit of the new members that this order will take a bill which requires any money, even a small amount of money such as twenty or thirty dollars for a resolve, and place it one hundred per cent in control of any member of the Committee on Appropriations and Financial Affairs. In fairness, while that sounds as though it were a very dangerous — possible or potential dangerous control, I will say that I do not know in past occasions whereby that privilege has been abused. Therefore, having called the full context of the order to your attention, I will now leave it up to any member of the House who wishes, if they feel it necessary, to table the order for modification. If you feel no modification is necessary, I would move that the order receive passage.

The SPEAKER: The gentleman from Bangor, Mr. Totman, moves that the order receive passage.

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

Mr. CHILDS: Mr. Speaker and Members of the House: I too concur with our former floor leader, the gentleman from Portland, Mr. Chase, on his objection to this order. His objection to the order is the same as that of the gentleman from Bangor, Mr. Totman, which was the wording of the order more than the purpose of the order. I fully believe that if the wording of this order was changed somewhat, that the objection of the gentleman from Bangor, Mr. Totman, will be done away with. I therefore move that this order lie upon the table, and be specially assigned for tomorrow for the purpose of offering an amendment.

The SPEAKER: The gentleman from Portland, Mr. Childs, moves that House Order relative to Special Calendar by members of the Committee on Appropriations and Financial Affairs be retabled pending passage and be specially assigned for tomorrow, March 23. Is this the pleasure of the House?

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

The SPEAKER: The Chair now lays before the House a matter

tabled earlier this morning by the gentleman from Portland, Mr. Childs, pending second reading, Resolve Providing Review of Shellfish and Marine Worm Laws, House Paper 505, Legislative Document 542, and specially assigned for the end of the calendar this morning, and the Chair recognizes that gentleman.

Mr. CHILDS: Mr. Speaker, as I said before I tabled this matter until we had disposed of the order we have just previously discussed. Where we have not disposed of it, it is rather difficult to take care of this particular bill. Therefore, I feel that it is necessary for this to lie upon the table until the order which was just discussed is finally disposed of. I therefore move this lie upon the table and be specially assigned for tomorrow.

The SPEAKER: The gentleman from Portland, Mr. Childs, moves that this Resolve be retabled pending second reading and be specially assigned for tomorrow. Is this the pleasure of the House?

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

Mr. Edgar of Bar Harbor was granted unanimous consent to address the House.

Mr. EDGAR: Mr. Speaker, acting on instructions that I can not very well afford to disregard, instructions which, I might add, come from my wife, I would like to report to the House, and especially to the gentleman from Fort Fairfield, Mr. Reed, that the potatoes which I took home last Thursday night were the best baking potatoes that the Edgar family has ever eaten. (Applause)

Mr. Wadleigh of Mt. Vernon was granted unanimous consent to address the House.

Mr. WADLEIGH: Mr. Speaker and Members of the House: I have a resolve I wish to present. In Mr. Slosberg's office accompanying this resolve they have a petition bearing the signatures of seventy-six real estate taxpayers in Readfield and Mount Vernon. At this time I request unanimous consent to introduce this resolve.

The SPEAKER: The gentleman from Mt. Vernon, Mr. Wadleigh, requests unanimous consent to introduce a resolve notwithstanding the

cloture order. The Clerk will read the title of the resolve.

The CLERK: Resolve Authorizing the State Highway Commission to Construct Certain Road in Readfield and Mount Vernon.

The SPEAKER: Does the Chair hear objection to the reception of this Resolve by unanimous consent notwithstanding the cloture order? The Chair hears none and the resolve is received.

Thereupon, on motion of Mr. Wadleigh of Mt. Vernon, the Resolve (H. P. 1155) was referred to the Committee on Highways, ordered printed and sent up for concurrence.

Mr. Needham of Orono was granted unanimous consent to address the House.

Mr. NEEDHAM: Mr. Speaker and Members of the House: A very recent development which has occurred since the cloture rule became effective, shows the need for the creation of an Orono-Veazie Water District. This matter came to my attention for the first time last week, and I recognized that the need existed and hastened to prepare this act. I feel this matter could be of very great importance to these two communities, and I therefore request unanimous consent to present this Act.

The SPEAKER: The gentleman from Orono, Mr. Needham, 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 Incorporate the Orono-Veazie Water District."

The SPEAKER: Does the Chair hear objection to the reception of this resolve by unanimous consent notwithstanding the cloture order? The Chair hears none and the bill is received.

Thereupon, on motion of Mr. Needham of Orono, the Bill (H. P. 1156) was referred to the Committee on Public Utilities, ordered printed and sent up for concurrence.

On motion of Mr. Stanley of Hampden, the House voted to take from the table the third tabled and unassigned matter, Bill "An Act re-

lating to Fees of Deputy Sheriffs in Attendance at Court," (S. P. 86) (L. D. 175) tabled by that gentleman on February 24 pending third reading.

The same gentleman then offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to S. P. 86, L. D. 175, Bill "An Act relating to Fees of Deputy Sheriffs in Attendance at Court."

Amend said Bill by striking out the underlined words "convening of the court until adjournment" in the 8th and 9th lines thereof and inserting in place thereof the underlined words 'commencement of such attendance and service until adjournment unless sooner released by the court'

Further amend said Bill by indicating the striking out of the word "necessary" in the 9th line thereof by drawing a line through said word "necessary" and inserting immediately after said stricken out word, the underlined word 'actual'

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

Mr. Hancock of York was granted unanimous consent to address the House.

Mr. HANCOCK: Mr. Speaker, I have a bill which I would like to introduce notwithstanding the cloture order. It relates to my town, and my town alone. In my town of York, we have two village corporations within the town. There is a bill now in the Committee on Legal Affairs relating to the York Beach Village Corporation, and since that bill was introduced, York has had their town meeting and the village has had their corporation meeting just last week. This bill would repeal the York Beach Charter and set up a five-man board of selectmen. The selectmen have asked me to introduce this bill and I feel it is very important to the town of York to do so. I therefore respectfully request the introduction.

The SPEAKER: The gentleman from York, Mr. Hancock, 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 Repeal the Charter of the York Beach Corporation and District the Town of York as to Selectmen."

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

The Chair hears objection and the bill is not received.

Mr. McCluskey of Warren was granted unanimous consent to address the House.

Mr. McCLUSKEY: Mr. Speaker and Members of the House: The time will soon be here when this legislative body must consider an act on proposed major appropriation and tax bills. Early in the session we were presented with two budgets that could be adopted to run our State Government for the next two years. These we were asked to study. One was a balanced budget, the other, an unbalanced budget requiring some five million dollars a year above the estimated income. It has been suggested that we could obtain these additional funds by an increase in the sales tax or by the imposition of a state income tax. I would like to point out here that in this unbalanced budget, two million of the five was to be set aside in a reserve building fund, thus leaving a net of three million deemed necessary for many added and improved services suggested by the Governor.

We can approve either the balanced or the unbalanced budget, or in my opinion we can arrive at one somewhere in between the two, which to me seems more practical.

We are being subjected to tremendous conflicting pressures. A segment of the people is insisting upon a wide extension of measures to increase the public welfare through major appropriations for roads, schools and other services. A second pressure comes from those who believe that taxes should be reduced and the cost of living lowered, and finally we have a group who believe that perhaps we

should go slowly in either increasing or decreasing our budgets.

At the present time we do not know what our Appropriations Committee will recommend, nor do we know what our Taxation Committee will suggest to meet these appropriations. It is my understanding, however, that requests for new money heard before the Appropriations Committee so far, total some twenty million dollars in excess of estimated income. This fact, I think, calls for some very careful thinking and study on our part, and it will be our duty to draw a line of distinction between those expenditures for services which are actually essential, and those which are merely desirable, and this will be no easy task.

Each session of the Legislature, our state tax structure is to some degree revised. The greatest of care should be exercised in framing new legislation. When our tax structure is revised, either on a large or a small scale, many unexpected situations are likely to be created, and we should be ever alert to look for loopholes and inequities. Our state system of conducting its financial operations is somewhat cumbersome and confusing.

It has been suggested, and I believe it possible, that sufficient funds for our essential requirements, and that includes many additional services as recommended by the Governor, can be met by some adjustments and increases in our present tax structure and by using revenue from our surplus fund, which builds up each year by reason of underestimating the revenue received from the present 2 per cent sales tax. I would remind you that surplus funds in government represent taxes collected from its citizens in excess of current needs. I most certainly believe that we should use part of these funds for current expenses before the imposition of new major taxes. By law, the State insists upon this practice for local government. We should do no less. There may be some here who question that revenue from our present 2 per cent sales tax will remain the same or increase. I would like to point out that a survey just completed by the Securities & Exchange Commission with the U. S.

Dept. of Commerce indicates that business in general anticipates a 5 per cent increase in sales in 1955 over 1954. Previous surveys by these agencies have proved substantially correct. This increase will be reflected, of course, in our sales tax revenue.

I do not think that anyone here questions but what we must continually improve our highways, our educational system, our institutions and other services. This we can do and are doing, but the end of the crisis on these matters must wait the day when all branches of government cut their own expenses so that more sources of income can be allocated for many more worthy purposes, that day when Peace is an actuality and funds necessary for our security may be reduced.

I believe that we must never lose sight of the fact that in spite of the tremendous funds we have expended for war purposes during the first half of this century, we, here in this country, at the present time, have the finest roads, the finest schools and institutions the world has ever known.

Our present standard of living, right here in Maine, with all of its

recognized deficiencies, is so fabulous that our grandfathers could not have imagined it, even in their wildest dreams.

We have definite responsibilities to meet, and I see no reason why both parties of this House cannot agree on how and to what extent they should be met. I believe that whatever plan either party suggests or recommends should be given the most careful consideration by all of us.

True, we cannot be of one mind on all things, and Heaven help the people of Maine if we were, but I do respectfully suggest that we all try to work together, work a little more closely for the good of the people of Maine. Thank you.

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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.

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On motion of Mr. Childs of Portland,

Adjourned until ten o'clock tomorrow morning.