

# 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

Friday, April 1, 1955

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

Prayer by Capt. Lloyd Scott of the Salvation Army, Augusta.

The journal of the previous session was read and approved.

### Papers from the Senate Senate Reports of Committees Ought Not to Pass

Report of the Committee on Appropriations and Financial Affairs reporting "Ought not to pass" on Resolve Appropriating Moneys for Instructorship in Adult Education (S. P. 319) (L. D. 883)

Report of same Committee reporting same on Resolve Appropriating Monies for a State Supervisor of Local Adult Education (S. P. 320) (L. D. 882)

Report of the Committee on Retirements and Pensions reporting same on Resolve in favor of Alvah J. Dunphy of North New Portland (S. P. 272)

Came from the Senate read and accepted.

In the House, the Reports were read and accepted in concurrence.

### Ought to Pass in New Draft

Report of the Committee on Judiciary on Bill "An Act relating to Trial Terms in Knox County" (S. P. 345) (L. D. 954) reporting same in a new draft (S. P. 512) (L. D. 1400) under title of "An Act relating to Trial Terms in Knox and Oxford Counties" and that it "Ought to pass"

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

In the House, the Report was read and accepted in concurrence, the Bill read twice and assigned the next legislative day.

Report of the Committee on Public Utilities on Bill "An Act relating to Public Hearing for Public Utilities" (S. P. 104) (L. D. 229) reporting same in a new draft (S. P. 506) (L. D. 1396) under same title and that it "Ought to pass"

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

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

The SPEAKER: The Chair recognizes the gentleman from Fairfield, Mr. Osborne.

Mr. OSBORNE: Mr. Speaker, I would like to table this item until next Tuesday.

The SPEAKER: The Chair will state that this bill will come up for third reading automatically next Tuesday. It may be possible that an amendment or something could be worked out in the meantime, giving it its first and second readings today.

Mr. OSBORNE: All right, Mr. Speaker, I will withdraw my motion.

The SPEAKER: The Chair understands that the gentleman from Fairfield, Mr. Osborne, withdraws his motion.

Thereupon, the Bill was given its two several readings and assigned for third reading the next legislative day.

### Ought to Pass

Report of the Committee on Claims reporting "Ought to pass" on Resolve in favor of Eugene F. Young of South Portland (S. P. 265) (L. D. 1395)

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

In the House, the Report was read and accepted in concurrence, the Resolve read once and assigned the next legislative day.

### Ought to Pass with Committee Amendment

Report of the Committee on Education on Bill "An Act relating to Education in Unorganized Territory" (S. P. 151) (L. D. 345) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

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

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

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

COMMITTEE AMENDMENT "A" to S. P. 151, L. D. 345, Bill "An Act relating to Education in Unorganized Territory."

Amend said Bill by adding at the end thereof the following Section:

'Sec. 3. **Appropriation.** There is hereby appropriated from the Unorganized Territory School Fund the sum of \$25,000 for the fiscal year ending June 30, 1956 and \$25,000 for the fiscal year ending June 30, 1957 to carry out the purposes of this Act.'

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

The SPEAKER: The Chair is informed that there are in the balcony of the House this afternoon nine students from the Milo High School, Milo, Maine, under the supervision of Mr. Fifield, sub-master.

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

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

#### Divided Report Tabled and Assigned

Majority Report of the Committees on Highways and Taxation jointly reporting "Ought not to pass" on Bill "An Act to Authorize the Issuance of Bonds in the Amount of Fifteen Million Dollars on Behalf of the State for the Purpose of Building State Highways" (S. P. 263) (L. D. 691)

Report was signed by the following members:

Messrs. LOW of Knox

PARKER of Piscataquis

JAMIESON of Aroostook

COLE of Waldo

CUMMINGS of Sagadahoc

ALBEE of Cumberland

— of the Senate.

Messrs. SANFORD

of Dover-Foxcroft

SEAWARD of Kittery

REED of Fort Fairfield

WILLEY of Ellsworth

DUQUETTE of Biddeford

HANSON of Gardiner  
WALSH of Brunswick  
NADEAU of Biddeford  
FERGUSON of Hanover  
HIGGINS of Scarborough  
DUNN of Poland  
PULLEN of Oakland  
CARTER of Etna

— of the House.

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

Report was signed by the following member:

Mr. DENBOW of Lubec

— of the House.

Came from the Senate with the Majority Report read and accepted. In the House: Reports were read.

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

Mr. CATES: Mr. Speaker and Members of the House: In accordance with the gentleman from Lubec, Mr. Denbow, who is unavoidably absent today, I would like to table this matter and have it specially assigned for next Tuesday.

The SPEAKER: The gentleman from East Machias, Mr. Cates, moves that this matter lie on the table pending acceptance of either report and be specially assigned for Tuesday, April 5. Is this the pleasure of the House?

The motion prevailed and the two Reports were so tabled and assigned.

#### Ought to Pass in New Draft Amended in Senate

Report of the Committee on Business Legislation on Bill "An Act relating to Payments of Beneficiary Societies of Children" (S. P. 120) (L. D. 316) reporting same in a new draft (S. P. 511) (L. D. 1401) under same title and that it "Ought to pass"

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

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

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

SENATE AMENDMENT "A" to S. P. 511, L. D. 1401, Bill "An Act

relating to Payments of Beneficiary Societies of Children."

Amend said Bill by indicating the striking out of the figure "3%" in the 9th line by drawing a line through said figure "3%" and inserting immediately after said stricken out figure the underlined figure '3½%'.

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

#### **Ought to Pass Recommended in Senate**

Report of the Committee on Taxation reporting "Ought to pass" on Bill "An Act Repealing the Gasoline Road Tax on Motor Vehicles" (S. P. 315) (L. D. 853)

Came from the Senate with the Report and Bill recommended to the Committee on Taxation.

In the House: The Committee Report was read and accepted in non-concurrence and the Bill read twice and assigned the next legislative day.

(Subsequently recommended in concurrence.)

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

Resolve Proposing an Amendment to the Constitution to Reduce the Voting Age to Eighteen Years (H. P. 483) (L. D. 528) on which the House accepted the Minority Report of the Committee on Judiciary and passed the Resolve to be engrossed on March 17.

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

In the House: On motion of Mrs. Files of Portland, the House voted to recede and concur with the Senate.

The SPEAKER: The Chair recognizes the gentleman from Dover-Foxcroft, Mr. Sanford. For what purpose does the gentleman rise?

Mr. SANFORD: Mr. Speaker, I would like to ask a question for information on the last one that we just took up, Item 11.

The SPEAKER: The Chair would inform the gentleman that the House gave the Bill its first two readings after accepting the Committee Report rather than concurring with the

Senate action to recommit the bill.

Would the gentleman move reconsideration?

Mr. SANFORD: I would, Mr. Speaker.

The SPEAKER: The gentleman from Dover-Foxcroft, Mr. Sanford, moves that the House reconsider its action taken on Item 11, Report of the Committee on Taxation reporting "Cought to pass" on Bill "An Act Repealing the Gasoline Road Tax on Motor Vehicles", Senate Paper 315, Legislative Document 853, whereby this Bill was assigned for third reading on Tuesday next. Is this the pleasure of the House?

The motion prevailed.

Mr. SANFORD: Mr. Speaker, I would like to concur with the Senate and refer it back to the Taxation Committee as we have much more information on this bill and we would like to have it back ourselves.

The SPEAKER: The gentleman from Dover-Foxcroft, Mr. Sanford, moves; that Item 11, Bill "An Act Repealing the Gasoline Road Tax on Motor Vehicles", Senate Paper 315, Legislative Document 853, be recommended to the Committee on Taxation. Is this the pleasure of the House?

The motion prevailed and the Bill was recommended to the Committee on Taxation in concurrence.

#### **Orders**

On motion of Mr. Hancock of York, it was

ORDERED, that the members of the House extend congratulations and very best wishes to Raymond O. Gidney, Jr., House Reporter, on his birthday today.

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

Mr. Edgar from the Committee on Business Legislation on Bill "An Act relating to Rate of Interest of Small Loan Agencies" (H. P. 818) (L. D. 910) reported Leave to Withdraw.

Mrs. Mann from the Committee on Education reported same on Bill "An Act relating to Nominations of School Personnel by Superintendents of Schools" (H. P. 1039) (L. D. 1214)

Mr. Quinn from the Committee on Legal Affairs reported same on Bill "An Act relating to the Administration of the Water Department of the

Town of Lisbon" (H. P. 843) (L. D. 933)

Mr. Martin from the Committee on Natural Resources reported same on Bill "An Act relating to Mineral Exploration" (H. P. 1110) (L. D. 1301)

Reports were read and accepted and sent up for concurrence.

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

Miss Cormier from the Committee on Education reported "Ought not to pass" on Bill "An Act relating to Licenses to Teach in Public Schools" (H. P. 1063) (L. D. 1251)

Report was read and accepted and sent up for concurrence.

#### **Tabled**

Mr. Knight from the Committee on Education reported "Ought not to pass" on Bill "An Act relating to Conveyance of Public Secondary School Pupils" (H. P. 644) (L. D. 721)

Report was read.

(On motion of Mr. Brown of Baileyville, the Report and Bill were tabled pending acceptance of the Committee Report and unassigned.)

#### **Tabled and Assigned**

Mr. Carter from the Committee on Highways reported "Ought not to pass" on Bill "An Act relating to Removal of the Old Vaughan Bridge" (H. P. 141) (L. D. 141)

Report was read.

(On motion of Mr. Ferguson of Hanover, the Report and Bill were tabled pending acceptance of the Committee Report and specially assigned for Wednesday, April 6.)

#### **Tabled and Assigned**

Mr. Ferguson from the Committee on Highways reported "Ought not to pass" on Bill "An Act relating to the Relocation of Water Pipes in State and State Aid Highways" (H. P. 877) (L. D. 985)

Report was read.

(On motion of Mr. Jack of Tops-ham, the Report and Bill were tabled pending acceptance of the Committee Report and specially assigned for Wednesday, April 6.)

Mr. Pullen from the Committee on Highways reported "Ought not to pass" on Bill "An Act Permitting

Transfer of Town Road Improvement Funds to State Aid Accounts" (H. P. 1064) (L. D. 1252)

Mr. Martin from the Committee on Legal Affairs reported same on Bill "An Act relating to Penalty for Failure to Pay Wages Due" (H. P. 1131) (L. D. 1329)

Mr. Greenleaf from the Committee on Sea and Shore Fisheries reported same on Bill "An Act relating to Revocation and Suspension of Licenses Issued Under Sea and Shore Fisheries Laws" (H. P. 761) (L. D. 837)

Reports were read and accepted and sent up for concurrence.

The following paper from the Senate was taken up out of order and under suspension of the rules.

#### **Senate Order Out of Order**

ORDERED, the House concurring, that when the Senate and House adjourn, they adjourn to meet on Tuesday, April 5, 1955. (S. P. 517)

Came from the Senate read and passed.

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

Mr. Duquette from the Committee on Taxation reported "Ought not to pass" on Bill "An Act Exempting Non-Profit and Charitable Institutions from Sales and Use Tax Law" (H. P. 1018) (L. D. 1158)

Mr. Hanson from same Committee reported same on Bill "An Act relating to Sales Taxes Upon the Seller on Sales Under Twenty-five Cents" (H. P. 1138) (L. D. 1335)

Reports were read and accepted and sent up for concurrence.

#### **Tabled and Assigned**

Mr. Reed from the Committee on Taxation reported "Ought not to pass" on Bill "An Act relating to Exemption of Sales Taxes on Certain Items Pertaining to the Maine Maritime Academy" (H. P. 765) (L. D. 841)

Report was read.

(On motion of Mr. Charles of Portland, the Report and Bill were tabled pending acceptance of the Committee Report and specially assigned for Wednesday, April 13.)

**Tabled and Assigned**

Mr. Sanford from the Committee on Taxation reported "Ought not to pass" on Bill "An Act Exempting Certain Materials Used by Commercial Fishermen from the Sales Tax" (H. P. 17) (L. D. 16)

Report was read.

The SPEAKER: The Chair recognizes the gentleman from Rockland, Mr. Stilphen.

Mr. STILPHEN: Mr. Speaker, the gentleman from North Haven, Mr. Baird, was unable to be here today and he requested me to have this placed on the table until next Tuesday.

The SPEAKER: The Chair understands that the gentleman from Rockland, Mr. Stilphen, moves that the Report and Bill be tabled pending acceptance of the Committee Report and be specially assigned for Tuesday, April 5. Is this the pleasure of the House?

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

Mr. Sanford from the Committee on Taxation reported "Ought not to pass" on Bill "An Act Exempting Funeral Services from Sales Tax" (H. P. 506) (L. D. 543)

Mr. Seaward from same Committee reported same on Bill "An Act Exempting Insecticides, Fungicides, Etc. from Sales and Use Tax" (H. P. 1017) (L. D. 1157)

Reports were read and accepted and sent up for concurrence.

**Tabled and Assigned**

Mr. Willey from the Committee on Taxation reported "Ought not to pass" on Bill "An Act Exempting Agricultural Sprays and Dusts from Sales and Use Tax" (H. P. 764) (L. D. 840)

Report was read.

The SPEAKER: The Chair recognizes the gentleman from Milo, Mr. Brockway.

Mr. BROCKWAY: Mr. Speaker and Members of the House: In the absence of the gentleman from Perham, Mr. Bragdon, I move that this item be tabled and specially assigned for Thursday, April 14.

The SPEAKER: The gentleman from Milo, Mr. Brockway, moves that Item 18 lie on the table pending

acceptance of the Committee Report and be specially assigned for Thursday, April 14. Is this the pleasure of the House?

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

**Tabled and Assigned**

Mr. Willey from the Committee on Taxation reported "Ought not to pass" on 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) (L. D. 874)

Report was read.

(On motion of Mr. Allen of Chelsea, the Report and Bill were tabled pending acceptance of the Committee Report and specially assigned for Wednesday, April 6.)

Mr. Eabineau from the Committee on Welfare reported "Ought not to pass" on Bill "An Act Providing Appointment of Director of Indian Affairs by Governor and Council" (H. P. 1099) (L. D. 1282)

Mr. Latno from same Committee reported same on Bill "An Act Providing for Land Claim Commissioner for Indians" (H. P. 1100) (L. D. 1283)

Mr. Storm from same Committee reported same on Bill "An Act Placing Indians Under Jurisdiction of Governor and Council" (H. P. 1098) (L. D. 1281)

Reports were read and accepted and sent up for concurrence.

**Ought to Pass  
Printed Bills**

Mr. Elanchard from the Committee on Business Legislation reported "Ought to pass" on Bill "An Act relating to Merger of Domestic Mutual Insurance Companies" (H. P. 1028) (L. D. 1200)

Mr. Edgar from same Committee reported same on Bill "An Act relative to the Number of Employees Under Group Accident and Sickness Insurance Policies" (H. P. 868) (L. D. 980)

Mr. Pike from same Committee reported same on Bill "An Act relating to Number of Employees under Group Life Insurance Policies" (H. P. 1094) (L. D. 1277)

Mr. Evans from the Committee on Education reported same on Bill

"An Act relating to Determination of Physical Disability by Department of Education" (H. P. 979) (L. D. 1127)

Mr. Lord from the Committee on Legal Affairs reported same on Bill "An Act to Grant a Charter to the Town of Brunswick" (H. P. 1075) (L. D. 1270)

Mr. Williams from the Committee on Natural Resources reported same on Bill "An Act relating to Restrictions on Turnpikes" (H. P. 752) (L. D. 833)

Mr. Stanwood from the Committee on Sea and Shore Fisheries reported same on Bill "An Act relating to Bonds to Towns for License to Build Fish Weirs" (H. P. 938) (L. D. 1041)

Mr. Walsh from the Committee on Taxation reported same on Bill "An Act Exempting Foreign Charitable Corporations from Certain Fees" (H. P. 855) (L. D. 941)

Mr. Cianchette from the Committee on Towns and Counties reported same on Bill "An Act Increasing the Salary of the Judge of the Rumford Municipal Court" (H. P. 1052) (L. D. 1227)

Same gentleman from same Committee reported same on Bill "An Act Increasing the Salary of the Judge of the Norway Municipal Court" (H. P. 1053) (L. D. 1228)

Mr. Hilton from same Committee reported same on Bill "An Act Increasing the Salary of the Judge of Western Oxford Municipal Court" (H. P. 1051) (L. D. 1226)

Mr. Staples from same Committee reported same on Bill "An Act relating to Payments to Knox County Law Library" (H. P. 858) (L. D. 944)

Reports were read and accepted, the Bills read twice, and assigned the next legislative day.

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

Mr. Courtois from the Committee on Claims on Resolve in favor of Dudley Carter of Newport (H. P. 641) (L. D. 718) 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. 641, L. D. 718, Resolve in Favor of Dudley Carter of Newport.

Amend said Resolve by striking out in second line in said Resolve the figure "\$975" and inserting in place thereof the figure "\$679"

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

#### **Tabled and Assigned**

Mr. Fuller from the Committee on Education on Bill "An Act relating to School Age in Public Schools" (H. P. 54) (L. D. 60) 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. 54, L. D. 60, Bill "An Act relating to School Age in Public Schools."

Amend said Bill by adding at the end of the 3rd paragraph of Sec. 44 the following underlined sentence: **'All children who have been enrolled in one or more years of childhood education programs prior to grade one before the effective date of this act shall be allowed to continue regular advancement notwithstanding the provisions of this act.'**

Further amend said Bill by striking out in the last line thereof the following underlined words **"a legal"**

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

The Chair recognizes the gentleman from Pittsfield, Mr. Cianchette.

Mr. CIANCHETTE: Mr. Speaker, I have no objection on the amendment. I would like to table the Bill after the amendment is adopted.

Thereupon, Committee Amendment "A" was adopted.

The SPEAKER: The Chair would state that this matter will automatically come up for third reading Tuesday at which time an amendment could be offered if that is the gentleman's purpose.

The Chair recognizes the gentleman from Pittsfield, Mr. Cianchette.

Mr. CIANCHETTE: Mr. Speaker, I would prefer that it be tabled until

Wednesday morning to give me time on that amendment.

The SPEAKER: The gentleman from Pittsfield, Mr. Cianchette, moves that Bill "An Act relating to School Age in Public Schools", House Paper 54, Legislative Document 60, with accompanying papers lie on the table pending assignment for third reading and be specially assigned for Wednesday, April 6. Is this the pleasure of the House?

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

Mr. Roundy from the Committee on Education on Bill "An Act relating to Vocational Rehabilitation" (H. P. 978) (L. D. 1126) 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. 978, L. D. 1126, Bill "An Act relating to Vocational Rehabilitation."

Amend said Bill by striking out on Page 2, under Sec. 199, in the 11th line thereof the underlined words "the blind as" and inserting in place thereof the underlined words "those services provided for in Chapter 25"

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

Mr. Foster from the Committee on Legal Affairs on Bill "An Act Amending the Charter of the City of Calais" (H. P. 1071) (L. D. 1266) 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. 1071, L. D. 1266, Bill "An Act Amending the Charter of the City of Calais."

Amend said Bill by striking out the last 3 underlined sentences of that

part designated "Sec. 1" of section 4.

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

Mr. Bibber from the Committee on Public Health on Bill "An Act Amending the Laws on Registration of Podiatrists" (H. P. 1135) (L. D. 1333) 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. 1135, L. D. 1333, Bill "An Act Amending the Laws on Registration of Podiatrists."

Amend said Bill in Section 4 by inserting before the word "external" in the 4th line the underlined words 'diagnosis or the'

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

Mr. Greenleaf from the Committee on Sea and Shore Fisheries on Bill "An Act relating to Digging Clams in Kennebunkport, York County" (H. P. 968) (L. D. 1094) 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. 968, L. D. 1094, Bill "An Act relating to Digging Clams in Kennebunkport, York County."

Amend said Bill by adding at the end thereof before the period the following underlined words:

**'except that, during said two-year period, any resident or property owner of said town may dig from said flats not to exceed 2 pecks of clams at one tide'**

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

Mr. Stanwood from the Committee on Sea and Shore Fisheries on Re-

solve Opening Part of Passagassawaukeag River for Salt Water Smelt Seining (H. P. 684) (L. D. 752) 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. 684, L. D. 752, Resolve Opening Part of Passagassawaukeag River for Salt Water Smelt Seining.

Amend said Resolve by striking out the last word of the Title, "Seining" and inserting in place thereof the word 'Fishing'.

Further amend said Resolve by striking out the underlined word "seining" in the headnote and inserting in place thereof the underlined word 'fishing'.

Further amend said Resolve by striking out the words "seining of" at the end of the next to last line and inserting in place thereof the words 'fishing for'.

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

Mr. Reed from the Committee on Taxation on Bill "An Act relating to Excise Tax on Aircraft" (H. P. 123) (L. D. 126) 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. 123, L. D. 126, Bill "An Act relating to Excise Tax on Aircraft."

Amend said Bill, in that part designated "Sec. 52", by adding at the end of the next to the last sentence thereof, before the period, the following underlined punctuation and words: 'except that the excise tax on aircraft kept at a municipally owned airport shall be paid to the municipality which owns the airport'

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

Mr. Cianchette from the Committee on Towns and Counties on Bill

"An Act relating to Salaries of the Judge, Clerk and Clerk Hire of the Auburn Municipal Court" (H. P. 803) (L. D. 877) 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. 803, L. D. 877, Bill "An Act relating to Salaries of the Judge, Clerk and Clerk Hire of the Auburn Municipal Court."

Amend said Bill by striking out in the 17th line thereof the underlined figure "\$3,000" and inserting in place thereof the underlined figure '\$2,850'.

Further amend said Bill by striking out in the 8th line from the end thereof the underlined figure "\$2,400" and inserting in place thereof the underlined figure '\$2,250'.

Further amend said Bill by striking out in the 7th line from the end thereof the underlined figure "\$1,500" and inserting in place thereof the underlined figure '\$1,400'.

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

Mr. Porell from the Committee on Towns and Counties on Bill "An Act relating to Salary of Judge of the Lewiston Municipal Court" (H. P. 1026) (L. D. 1165) 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. 1026, L. D. 1165, Bill "An Act relating to Salary of Judge of the Lewiston Municipal Court."

Amend said Bill by striking out the underlined figure "\$3,500" in the next to the last line thereof and inserting in place thereof the underlined figure '\$3,200'.

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

Mr. Stanley from the Committee on Towns and Counties on Bill "An

Act Increasing the Salary of the Judge of the Livermore Falls Municipal Court" (H. P. 697) (L. D. 763) 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. 697, L. D. 763, Bill "An Act Increasing the Salary of the Judge of the Livermore Falls Municipal Court."

Amend said Bill by striking out the underlined figures "\$1,500" and inserting in place thereof the underlined figure '\$1,400'

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

Mr. Stanley from the Committee on Towns and Counties on Bill "An Act relating to Salary of the Recorder and Clerk Hire of the Lewiston Municipal Court" (H. P. 1022) (L. D. 1162) 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. 1022, L. D. 1162, Bill "An Act relating to Salary of the Recorder and Clerk Hire of the Lewiston Municipal Court."

Amend said Bill by striking out the underlined figure "\$2,900" in the 9th line thereof and inserting in place thereof the underlined figure '\$2,800'

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

Mr. Stanley from the Committee on Towns and Counties on Bill "An Act Increasing Salaries of the Judge and Recorder of the Bath Municipal Court" (H. P. 1035) (L. D. 1207) 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. 1035, L. D. 1207, Bill "An Act Increasing Salaries of the Judge and Recorder of the Bath Municipal Court."

Amend said Bill by striking out all of the last two lines thereof.

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

Mr. Wadleigh from the Committee on Towns and Counties on Bill "An Act relating to Payment of Expenses and Increasing Salary of Judge of Lisbon Municipal Court" (H. P. 696) (L. D. 762) 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. 696, L. D. 762, Bill "An Act relating to Payment of Expenses and Increasing Salary of Judge of Lisbon Municipal Court."

Amend said Bill by striking out the underlined figure "\$1,500" and inserting in place thereof the underlined figure '\$1,400'

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

#### Divided Report Tabled and Assigned

Majority Report of the Committee on Claims reporting "Ought not to pass" on Resolve in favor of Dr. John D. Denison of Patten (H. P. 526)

Report was signed by the following members:

Messrs. LOW of Knox  
FOURNIER of York  
SILSBY of Hancock  
— of the Senate.  
Messrs. COURTOIS of Saco  
JACK of Topsham  
ANDERSON of Greenville  
ALDEN of Gorham  
FULLER of China  
— of the House.

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

Report was signed by the following members:

Messrs. GETCHELL of Limestone  
COTE of Madison  
— of the House.

Reports were read.

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

Mr. CHILDS: Mr. Speaker, it comes to my attention that the gentleman from Madison, Mr. Cote, is not present this afternoon. He is one of the signers of the minority report. He may have a desire to ask that the minority report be accepted. I therefore think it might be a good idea for this to lie upon the table until next Tuesday.

(Off Record Remarks by the Speaker)

The SPEAKER: The gentleman from Portland, Mr. Childs, moves that the two Reports lie on the table pending acceptance of either report and be specially assigned for next Tuesday, April 5. Is this the pleasure of the House?

The motion prevailed and the two Reports were so tabled and assigned.

#### Passed to Be Engrossed

Bill "An Act relating to the Taking of Alewives in the Town of Columbia Falls" (S. P. 417) (L. D. 1178)

Bill "An Act relating to the Appointment of Conservators" (S. P. 503) (L. D. 1385)

Bill "An Act relating to Sum Paid Superintendents of Schools of Towns Having More Than Seventy-five Teachers" (H. P. 328) (L. D. 369)

Bill "An Act Appropriating Moneys for Anticipated Overdrafts in the Harness Racing Commission Due to Insufficient Appropriations" (H. P. 460) (L. D. 505)

Bill "An Act relating to Certain Funds Held by Colby College as Trustee" (H. P. 863) (L. D. 975)

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

#### Third Reader

##### Tabled and Assigned

Bill "An Act to Permit Counties to Use Surplus Funds" (H. P. 946) (L. D. 1049)

Was reported by the Committee on Bills in the Third Reading and read the third time.

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

Mr. COTE: Mr. Speaker and Members of the House: Item 6, Bill "An Act to Permit Counties to Use Surplus Funds" we in Androscoggin County having line budgeting, I do not know just how it affects us so I would like to confer with some members of the legal minds of the county delegation and I would like to table this until next Tuesday.

The SPEAKER: The gentleman from Lewiston, Mr. Cote, moves that Item 6 lie on the table pending passage to be engrossed and be specially assigned for Tuesday, April 5. Is this the pleasure of the House?

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

Bill "An Act relating to Qualifications and License Fees for Practical Nurses" (H. P. 1033) (L. D. 1205)

Bill "An Act relating to Funeral Directors and Embalmers" (H. P. 1046) (L. D. 1221)

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

#### Amended Bill

Bill "An Act relating to Land Taken by Municipalities for Parks, Playgrounds, etc." (H. P. 1056) (L. D. 1231)

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

Mr. Wadleigh of Mount Vernon then offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to H. P. 1056, L. D. 1231, Bill "An Act relating to Land Taken by Municipalities for Parks, Playgrounds, etc."

Amend said Bill by amending the Title to read as follows:

'An Act Relating to Land Taken by Municipalities for Recreational, Educational or Municipal Facilities.'

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

Bill "An Act relating to Apothecaries and the Sale of Poisons" (H. P. 1080) (L. D. 1263)

Resolve Appropriating Monies for Civil Defense Matching Funds (H. P. 772) (L. D. 857)

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

#### Amended Bills

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

Bill "An Act relating to Preference in State Employment to Mothers of Veterans" (S. P. 297) (L. D. 805)

Bill "An Act relating to Sales to and Consumption of Liquor by Minors" (S. P. 302) (L. D. 810)

Bill "An Act relating to Investment of Temporary State Funds" (H. P. 814) (L. D. 906)

Bill "An Act relating to Tuition Charges at the Maine School for the Deaf" (H. P. 971) (L. D. 1097)

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

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. 108 voted in favor of the same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

#### Enactor

##### Tabled and Assigned

An Act relating to Qualifications of Applicants for Registration as Licensed Physicians or Surgeons (S. P. 64) (L. D. 177)

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

(On motion of Mr. Anderson of Greenville, tabled pending passage to be enacted and specially assigned for Wednesday, April 6.)

#### Passed to Be Enacted

An Act to Revise Certain Election Laws (S. P. 94) (L. D. 225)

An Act relating to Destruction of County Records (S. P. 155) (L. D. 349)

An Act relating to Temporary License for Osteopathic Physicians (S. P. 270) (L. D. 701)

An Act relating to Continuous Credit for Excise Tax on Motor Vehicles (S. P. 275) (L. D. 705)

An Act relating to Inheritance Tax Bonds (S. P. 346) (L. D. 955)

An Act relating to Nonresident Owned Semi-Trailers (S. P. 385) (L. D. 1081)

An Act relating to the Duties of the Commissioner of Agriculture Re Sardine Canning Inspection Law (S. P. 386) (L. D. 1182)

An Act relating to Marking Certain Sardine Cans for Contents (S. P. 387) (L. D. 1101)

An Act relating to Powers of State Fire Inspectors (H. P. 363) (L. D. 451)

An Act Ratifying a Proposed Compact Between the State of Maine and Certain Other States Providing for the Establishment of the New England Board of Higher Education (H. P. 409) (L. D. 456)

An Act relating to Disposal of Wild Animals (H. P. 415) (L. D. 462)

An Act relating to Nonresidents Kindling Fires in Unorganized Territory (H. P. 419) (L. D. 504)

An Act relating to Bows for Hunting Carried in Motor Vehicles (H. P. 532) (L. D. 589)

An Act relating to Hunting of Partridge and Pheasants (H. P. 533) (L. D. 590)

An Act relating to Taking, Having in Possession and Selling Oysters (H. P. 611) (L. D. 659)

An Act relating to Inheritance and Estate Tax Law (H. P. 687) (L. D. 755)

An Act relating to Trespass by Cattle and Other Domestic Animals (H. P. 708) (L. D. 776)

An Act Repealing 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)

An Act relating to Age of Apprenticeship in Practice of Hairdressing and Beauty Culture (H. P. 753) (L. D. 834)

An Act Permitting the Digging of Clams in Limits of Biddeford for Bait Only (H. P. 799) (L. D. 873)

An Act Repealing the Law Closing Certain Clam Flats in Lubec, Washington County (H. P. 848) (L. D. 934)

An Act relating to Surrender of Property by Academies (H. P. 909) (L. D. 1017)

An Act relating to Exemption of Registration Certificates Under Aviation Laws (H. P. 951) (L. D. 1054)

An Act Creating the Baileyville School District (H. P. 965) (L. D. 1091)

An Act relating to Permits for Towing Unregistered Motor Vehicles (H. P. 973) (L. D. 1099)

An Act relating to Investment of Municipal Trust Funds (H. P. 988) (L. D. 1136)

An Act relating to Bonds for Slum Clearance and Redevelopment Authority of Portland (H. P. 999) (L. D. 1147)

### Finally Passed

Resolve Defining Upper Dam Pool in Township 4, Range 1, Oxford County (H. P. 474) (L. D. 519)

Resolve relating to Taking of Smelts from Georges River, Knox County (H. P. 852) (L. D. 938)

Resolve Officially Naming Echo Lake, Penobscot County (H. P. 1005) (L. D. 1152)

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

### Orders of the Day

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 Inland Fisheries and Game on Resolve Regulating Fishing in Waters Between Fish Lake and Round

Pond, Aroostook County, House Paper 904, Legislative Document 1012, tabled on March 24 by the gentleman from Portage Lake, Mr. Cook, pending acceptance and the Chair recognizes that gentleman.

Thereupon, on motion of the same gentleman, 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 not to pass" of the Committee on Retirements and Pensions on Resolve Providing for State Pension for Kathleen Whitehouse of Weeks Mills, House Paper 215, tabled on March 24 by the gentleman from China, Mr. Fuller, pending acceptance, and the Chair recognizes that gentleman.

Mr. FULLER: Mr. Speaker, I contacted the distinguished gentleman who is chairman of the Committee on Retirements and Pensions and asked him if he would give me an explanation of why this resolve was turned down, and he said it did not fall within the right category. I have been wondering just what the right category is. It must be a very select affair because I have not seen very many people falling into that category. The same gentleman informed me that if this resolve went by the House that he would see that it did not get by the Senate, and if by chance it did—

The SPEAKER: The Chair would simply call attention to the rules that in the House one does not discuss possible actions in the other body here, sometimes called the unspeakable body.

Mr. FULLER: Thank you, Mr. Speaker. After contacting some of the members of this body, they feel a good deal the same as I do, that some of us are getting quite a shake-down on these pension resolves, and therefore, Mr. Speaker, I would like to have this resolve lie on the table again until one week from today.

The SPEAKER: The gentleman from China, Mr. Fuller, moves that the second tabled and today assigned matter be retabled pending acceptance of the Committee Report and be specially assigned for Friday, April 8. 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 third tabled and today assigned matter, 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 24 by the gentleman from Friendship, Mr. Winchenpaw, pending acceptance and the Chair recognizes that gentleman.

Thereupon, on motion of the same gentleman, 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 fourth tabled and today assigned matter, Resolve for the Laying of the County Taxes for the Years Nineteen Hundred Fifty-five and Nineteen Hundred Fifty-six, House Paper 1154, Legislative Document 1368, tabled on March 30 by the gentleman from Fairfield, Mr. Osborne, pending second reading and the Chair recognizes that gentleman.

Thereupon, on motion of the same gentleman the Resolve was given its second reading.

The SPEAKER: This Resolve having had its two several readings in the House and the Committee on Bills in the Third Reading having reported that no further verbal amendments are necessary, is it now the pleasure of the House that it be passed to be engrossed as amended by House Amendment "B", as amended by House Amendment "B" thereto, House Amendment "C", House Amendment "D" and House Amendment "A" under suspension of the rules without reference to a Joint Standing Committee?

It is so ordered and it will be sent to the Senate.

The SPEAKER: The Chair lays before the House the fifth tabled and today assigned matter, Senate Report "Ought to pass" as amended by Committee Amendment "A" of the Committee on Liquor Control on Bill "An Act to Clarify the Liquor Laws", Senate Paper 254, Legislative Docu-

ment 685, tabled on March 31 by the gentleman from Portland, Mr. Charles, pending adoption of House Amendment "A", and the Chair recognizes that gentleman.

Mr. CHARLES: Mr. Speaker and Members of the House: This is an amendment presented to the House by the gentlewoman from Presque Isle, Mrs. Christie, who is not present here today. Had she been present, I would have removed it from the table and asked for the adoption of the amendment. However, I request that this be retabled to Tuesday, April 5, in order that the gentlewoman from Presque Isle (Mrs. Christie) may be present.

The SPEAKER: The gentleman from Portland, Mr. Charles, moves that this matter be retabled pending adoption of House Amendment "A" and be specially assigned for Tuesday, April 5. Is this the pleasure of the House?

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

The SPEAKER: The Chair lays before the House the sixth tabled and today assigned matter, House Report "Ought to pass" as amended by Committee Amendment "A" of the Committee on Appropriations and Financial Affairs on Resolve relating to Construction of a Road and Terminal in City of Rockland, House Paper 518, Legislative Document 581, tabled on March 31 by the gentleman from Rockland, Mr. Stilphen, pending adoption of Committee Amendment "A", and the Chair recognizes that gentleman.

Mr. STILPHEN: Mr. Speaker, I would like to have this placed back on the table until April 7, next Thursday, as the purpose for which I tabled it has not been accomplished yet.

The SPEAKER: The gentleman from Rockland, Mr. Stilphen, moves that this matter lie on the table pending adoption of Committee Amendment "A" and be specially assigned for Thursday, April 7. 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 seventh tabled and today assigned matter, Bill "An Act relating to Excise Tax on Seven-Ounce Bottles of Malt Liquor", House Paper 672, Legislative Document 748, tabled on March 31 by the gentleman from Portland, Mr. Charles, pending adoption of House Amendment "A", and the Chair recognizes that gentleman.

Mr. CHARLES: Mr. Speaker, I had a conference with the gentleman from Presque Isle, Mrs. Christie, and she said that it would be all right if I took this off the table today in her absence.

I move the adoption of House Amendment "A".

The SPEAKER: The gentleman from Portland, Mr. Charles, moves that House Amendment "A" be adopted.

House Amendment "A" has been twice read to the House.

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

Mr. CHARLES: Mr. Speaker and Members of the House: This matter was tabled by me yesterday to afford a further investigation of facts relative to the amount of inequity involved in the application of excise taxes relative to the 7 ounce size malt liquor, at the request of the gentleman from Portage Lake, Mr. Cook.

I also wish to say that I have been given the full assurance of the gentleman from Presque Isle, Mrs. Christie, that it will be all right with her that this matter be taken from the table today in view of her absence.

Yesterday, upon information given the gentleman from Presque Isle, Mrs. Christie, by a liquor official, it was reported the total loss in excise taxes on the 7 ounce bottle malt liquor under this bill would be between \$15,000 and \$25,000.

Upon my investigation this morning, I contacted Mr. Frank H. Robie, Administrative Assistant in the Maine Liquor Commission Office, and requested the following information:

What is the actual excise tax collected upon 7 ounce sizes of malt beverage in 1954? He qualified his

reply by including both the 7 ounce and 8 ounce sizes with a total tax collection of \$4,345.56 and that the difference in collection under this bill would have resulted in \$1,772.70. The \$15,000 and \$25,000 loss figure was not explainable under terms of actual current experience. The purpose of this bill is to tax 7 ounce or any other odd sizes of malt liquor on the same gallonage basis as other sizes.

This bill was reported a unanimous "Ought to pass" report by our Liquor Committee. May I move now for the third reading?

The SPEAKER: The Chair will state that the motion before the House first is the adoption of House Amendment "A". Is it the pleasure of the House that House Amendment "A" be adopted?

Thereupon, House Amendment "A" was adopted and the Bill was given its third reading.

The SPEAKER: The Chair understands that the gentleman from Portland, Mr. Charles, moves that Bill "An Act relating to Excise Tax on Seven-Ounce Bottles of Malt Liquor", House Paper 672, Legislative Document 748, with accompanying papers lie on the table unassigned for the purpose of amendment. Is this the pleasure of the House?

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

The SPEAKER: The House is proceeding under Orders of the Day and has gone through the today assigned matters.

#### (Off Record Remarks)

The SPEAKER: The Chair will inquire if there is any further business to come before the House.

The Chair is informed that there are no notices today.

If there is no further business to come before the House, a motion to adjourn is in order.

On motion of Mr. Jennings of Strong,

Adjourned until Tuesday, April 5, at ten o'clock in the morning.