

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, April 5, 1955

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

Prayer by the Rev. Alice T. Hart of Cox Memorial Church of Hallowell.

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

The journal of the previous session was read and approved.

Papers from the Senate Senate Reports of Committees Leave to Withdraw

Report of the Committee on Claims on Resolve in favor of Page House of Bangor (S. P. 422) (L. D. 1168) reporting Leave to Withdraw.

Report of the Committee on Sea and Shore Fisheries reporting same on Bill "An Act relating to Size of Lobsters" (S. P. 459) (L. D. 1290)

Came from the Senate read and accepted.

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

Ought Not to Pass

Report of the Committee on Highways reporting "Ought not to pass" on Bill "An Act relating to Legal Services for the State Highway Commission" (S. P. 396) (L. D. 1110)

Report of the Committee on Public Health reporting same on Resolve relating to Admittance of Henry Bittues of Augusta, to Pownal State School (S. P. 329) (L. D. 894)

Report of the Committee on Taxation reporting same on Bill "An Act relating to Exemption of Volunteer Fire Departments from Sales Tax" (S. P. 116) (L. D. 277)

Came from the Senate read and accepted.

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

The SPEAKER: The Chair is informed that there are in the balcony of the House this morning forty students from the Junior Class in American History from Farmington High School, under the supervision of their teacher, Mr. Downes.

On behalf of the House, the Chair extends to each of you a hearty and

cordial welcome, and hopes your stay with us will increase your knowledge and be pleasant. (Applause)

Ought to Pass in New Draft

Report of the Committee on Appropriations and Financial Affairs on Resolve Reimbursing Certain Municipalities on Account of Property Tax Exemption of Veterans (S. P. 107) (L. D. 268) reporting same in a new draft (S. P. 513) (L. D. 1404) under same title and that it "Ought to pass"

Report of the Committee on Judiciary on Bill "An Act relating to Registration as Voters of Physically Disabled Persons" (S. P. 439) (L. D. 1209) reporting same in a new draft (S. P. 508) (L. D. 1397) under same title and that it "Ought to pass"

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

In the House, the Reports were read and accepted in concurrence, the Bill read twice, Resolve read once and tomorrow assigned.

Ought to Pass

Report of the Committee on Appropriations and Financial Affairs reporting "Ought to pass" on Bill "An Act relating to Support of Children at the State Military and Naval Children's Home" (S. P. 90) (L. D. 221)

Report of same Committee reporting same on Resolve Appropriating Funds for the Perambulation of the Maine-New Hampshire Boundary Line (S. P. 72) (L. D. 165)

Report of same Committee reporting same on Resolve providing for Emergency Repairs and Construction at Pownal State School (S. P. 175) (L. D. 427)

Report of same Committee reporting same on Resolve Extending Appropriation of Money to Improve the Approach to the Fish Way at Aroostook Falls (S. P. 213) (L. D. 554)

Report of the Committee on Welfare reporting same on Bill "An Act relating to Eligibility for Old Age Assistance" (S. P. 141) (L. D. 333)

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

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

Ought to Pass with Committee Amendment

Report of the Committee on Appropriations and Financial Affairs on Resolve in favor of the Maine Historical Society (S. P. 55) (L. D. 83) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

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

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

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

COMMITTEE AMENDMENT "A" to S. P. 55, L. D. 83, Resolve in favor of the Maine Historical Society.

Amend said Resolve by striking out in the 2nd line thereof the words "the unappropriated surplus of"

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

Divided Report

Majority Report of the Committee on Liquor Control on Bill "An Act relating to Definition of Tavern Under Liquor Laws" (S. P. 377) (L. D. 1073) reporting same in a new draft (S. P. 509) (L. D. 1398) under same title and that it "Ought to pass"

Report was signed by the following members:

Messrs. BOUCHER of Androscoggin
CARPENTER of Somerset
— of the Senate.

Messrs. PIERCE of Bucksport
CHARLES of Portland
COTE of Lewiston
DOSTIE of Winslow

— of the House.

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

Report was signed by the following members:

Mr. CRABTREE of Aroostook
— of the Senate.

Mrs. CHRISTIE of Presque Isle
Messrs. RICH of Charleston
ANTHOINE of Windham
— of the House.

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

In the House, the Reports were read.

On motion of Mr. Charles of Portland, the Majority Report was accepted in concurrence, the Bill read twice and tomorrow assigned.

Non-Concurrent Matter

Report of the Committee on Public Utilities reporting "Ought not to pass" on Bill "An Act relating to Condemnation Proceedings by Water Districts" (S. P. 332) (L. D. 896) which was read and accepted in non-concurrence in the House on March 29.

Came from the Senate with that body voting to insist on its former action whereby the Report and Bill were recommitted to the Committee on Public Utilities.

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

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.

Orders

On motion of Mr. Willey of Ellsworth, it was

ORDERED, that Rev. George Bovill of Congregational Church, Ellsworth, be invited to officiate as Chaplain of the House on Thursday, April 14, 1955.

On motion of Mr. Charles of Portland, it was

ORDERED, that Mr. Anthoine of Windham be excused from attendance during his illness.

House Reports of Committees Leave to Withdraw

Mr. Caswell from the Committee on Agriculture on Bill "An Act re-

lating to Commercial Slaughterhouse Requirements for Rabbits" (H. P. 1091) (L. D. 1274) reported Leave to Withdraw.

Mr. Briggs from the Committee on Inland Fisheries and Game reported same on Bill "An Act relating to Use of Outboard Motors in Merrymeeting Bay" (H. P. 893) (L. D. 1001)

Reports were read and accepted and sent up for concurrence.

Ought Not to Pass

Mr. Nadeau from the Committee on Highways reported "Ought not to pass" on Bill "An Act Providing for Fee for New Motor Vehicle Registration Plates" (H. P. 1123) (L. D. 1321)

Report was read and accepted and sent up for concurrence.

Tabled and Assigned

Mr. Pullen from the Committee on Highways reported "Ought not to pass" on Bill "An Act relating to the Administration of the Highway Commission" (H. P. 876) (L. D. 984)

Report was read.

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

Mr. Potter from the Committee on Inland Fisheries and Game reported "Ought not to pass" on Bill "An Act relating to Open Season on Raccoons in Waldo County" (H. P. 961) (L. D. 1087) as it is covered by other legislation.

Report was read and accepted and sent up for concurrence.

Tabled and Assigned

Mr. Potter from the Committee on Inland Fisheries and Game reported "Ought not to pass" on Resolve in favor of Flying Pond Improvement Association for Fish Screen (H. P. 906) (L. D. 1014)

Report was read.

(On motion of Mr. Wadleigh of Mount Vernon, the Report and Resolve were tabled pending acceptance of the Committee Report and specially assigned for Tuesday, April 12.)

Mr. Ross from the Committee on Inland Fisheries and Game reported "Ought not to pass" on Bill "An Act relating to Nonresident Fur Buyers" (H. P. 985) (L. D. 1133)

Mr. Earles from the Committee on Judiciary reported same on Bill "An Act relating to Validity of Acts of Selectmen" (H. P. 1067) (L. D. 1255)

Reports were read and accepted and sent up for concurrence.

The SPEAKER: At this time, the Chair requests the Sergeant-at-Arms to escort the gentleman from Medway, Mr. Potter, to the rostrum for the purpose of presiding as Speaker pro tem.

Thereupon, Mr. Potter assumed the Chair as Speaker pro tem amid the applause of the House and Speaker Trafton retired from the Hall.

Mr. Hancock from the Committee on Judiciary reported "Ought not to pass" on Bill "An Act relating to Penalty for Selling Deer" (H. P. 1105) (L. D. 1296)

Same gentleman from same Committee reported same on Bill "An Act relating to Penalty for Night Hunting for Deer" (H. P. 1106) (L. D. 1297)

Same gentleman from same Committee reported same on Bill "An Act relating to Expense of Transferring Prisoners from County Jails to State Prison" (H. P. 1127) (L. D. 1325)

Mr. McGlaflin from same Committee reported same on Bill "An Act relating to Nominations for State Senators from Androscoggin County" (H. P. 1041) (L. D. 1216)

Reports were read and accepted and sent up for concurrence.

Tabled and Assigned

Mr. McGlaflin from the Committee on Judiciary reported "Ought not to pass" on Resolve Proposing an Amendment to the Constitution Providing for Limited Annual Sessions (H. P. 990) (L. D. 1138)

Report was read.

(On motion of Mr. Greenleaf of Boothbay Harbor, the Report and Resolve were tabled pending acceptance of the Committee Report and

specially assigned for Tuesday, April 12.)

Mr. McGlaulin from the Committee on Judiciary reported "Ought not to pass" on Resolve Proposing an Amendment to the Constitution to Reapportion the House of Representatives by a Commission if the Legislature Fails to Act (H. P. 1069) (L. D. 1257)

Mr. Osborne from the Committee on Public Utilities reported same on Bill "An Act relating to Interrupted Electric Power Furnished by Public Utilities" (H. P. 1136) (L. D. 1334)

Reports were read and accepted and sent up for concurrence.

Ought to Pass in New Draft Printed Bills

Mr. Gardner from the Committee on Inland Fisheries and Game on Resolve Regulating Taking of Alewives from Dennysville River, Washington County (H. P. 905) (L. D. 1013) reported same in a new draft (H. P. 1172) (L. D. 1410) under same title and that it "Ought to pass"

Mr. Ross from the Committee on Labor on Bill "An Act relating to the Employment of Females" (H. P. 307) (L. D. 284) reported same in a new draft (H. P. 1173) (L. D. 1411) under same title and that it "Ought to pass"

Mr. Lamb from the Committee on Natural Resources on Resolve Authorizing Highway Commission to Cut Certain Growth on Route 117 (H. P. 714) (L. D. 782) reported same in a new draft (H. P. 1174) (L. D. 1412) under title of Resolve Authorizing the Forest Commissioner to Cut Growth on Route 17 and that it "Ought to pass"

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

Ought to Pass Printed Bills

Mr. Browne from the Committee on Judiciary reported "Ought to pass" on Bill "An Act relating to Standard Time" (H. P. 596) (L. D. 652)

Same gentleman from same Committee reported same on Bill "An Act relating to Service of Process

on Nonresidents in Motor Vehicle Laws" (H. P. 1042) (L. D. 1217)

Mr. Hancock from same Committee reported same on Bill "An Act relating to Procedure in Cruelty to Animals Laws" (H. P. 1030) (L. D. 1202)

Mr. McGlaulin from same Committee reported same on Bill "An Act relating to Election of Chairmen of State Committees of Political Parties" (H. P. 1128) (L. D. 1326)

Mr. Harnden from the Committee on Inland Fisheries and Game reported same on Bill "An Act relating to Bounty on Bear in Franklin County" (H. P. 57) (L. D. 63)

Same gentleman from same Committee reported same on Resolve Regulating Fishing in Chain of Ponds in Chain of Ponds Township, County of Franklin (H. P. 473) (L. D. 518)

Mr. Potter from same Committee reported same on Bill "An Act Defining Boundaries of Jefferson and Whitefield Game Preserve" (H. P. 740) (L. D. 821)

Same gentleman from same Committee reported same on Resolve Regulating Fishing in All River Tributaries at Sebago Lake (H. P. 743) (L. D. 824)

Mr. Reynolds from same Committee reported same on Bill "An Act relating to Open Season on Deer in Towns of Deer Isle and Stonington" (H. P. 897) (L. D. 1005)

Same gentleman from same Committee reported same on Resolve Closing Alewife Pond in Kennebunk to Ice Fishing (H. P. 536) (L. D. 593)

Mr. Haughn from the Committee on Public Utilities reported same on Bill "An Act Changing Name of Rumford and Mexico Water District to Rumford Water District" (H. P. 1047) (L. D. 1222)

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

Ought to Pass with Committee Amendment

Mr. Denbow from the Committee on Higaways on Bill "An Act relating to Special Mobile Equipment Under Motor Vehicle Laws" (H. P. 652) (L. D. 729) 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. 652, L. D. 729, Bill "An Act relating to Special Mobile Equipment Under Motor Vehicle Laws."

Amend said Bill by inserting after the underlined word "every" in the 4th line of Sec. 1 thereof, the underlined word **'self-propelled'**

Further amend said Bill by adding after the underlined words **"wood sawing equipment"** in the 10th line of Sec. 1 thereof, the underlined words, **'used for hire'**

Further amend said Bill by striking out the underlined words and punctuation **"and other machinery and equipment, any of"** in the 5th line of Sec. 2 thereof.

Further amend said Bill in said Sec. 2 by striking out the underlined word, **"are"** in the 6th line and inserting in place thereof the underlined word **'is'**

Further amend said Bill by striking out the underlined words **"and within any construction area designated by the Highway Commission"** in the 16th line of Sec. 2.

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

Mr. McGlaufflin from the Committee on Judiciary on Bill "An Act relating to Amending Declaration or Pleading Anew After Demurrer" (H. P. 360) (L. D. 398) 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. 360, L. D. 398, Bill "An Act relating to Amending Declaration or Pleading Anew After Demurrer."

Amend said Bill by striking out the last 4 lines thereof and inserting in place thereof the following **'the aggrieved party may except. The justice may allow the plaintiff to amend or the defendant to plead anew at any time.'**

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

Passed to Be Engrossed Amended Bill

Mr. Foster from the Committee on Legal Affairs on Bill "An Act to Increase the Borrowing Capacity of Community School District Number One in Fort Kent, Maine" (H. P. 434) (L. D. 480) 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. 434, L. D. 480, Bill "An Act to Increase the Borrowing Capacity of Community School District Number One in Fort Kent, Maine."

Amend said Bill by striking out the Emergency clause at the end and inserting in place thereof the following:

'Emergency clause; effective date; referendum. In view of the emergency cited in the preamble, this act shall take effect when approved only for the purpose of permitting its submission to the legal voters of the several towns and plantations embraced within the limits of said district, present and voting at a regular election or one especially called and held for the purpose in each respective town or plantation, by the municipal officers of the towns of Eagle Lake and Fort Kent, and the plantations of New Canada, St. Francis, St. John and Wallagrass, at the regular voting places in said towns and plantations; the date of holding said elections to be determined by the municipal officers of each respective town or plantation, but in no case shall it be more than 30 days after this act shall become effective. Each regular or special election shall be called, advertised and conducted according to the law relating to municipal elections; provided, however, that the municipal officers in the respective towns and plantations shall not be

required to prepare for posting, nor the clerks to post, a new list of voters, and for the purpose of registration of voters, said municipal officers shall be in session in their respective towns and plantations one hour preceding such elections. The clerk in each respective town and plantation shall reduce the subject matter of this act to the following question: "Shall 'An Act to Increase the Borrowing Capacity of Community School District Number One in Fort Kent, Maine,' passed by the 97th Legislature, be accepted?" and the voters shall indicate by secret ballot by the words "Yes" or "No" their opinion of the same. This act shall take effect immediately upon its acceptance by a majority of the legal voters in at least 5 of the said towns and plantations.

The results in said towns and plantations shall be declared by the municipal officers of the towns of Eagle Lake and Fort Kent and of the plantations of New Canada, St. Francis, St. John and Wallagrass and returns filed with the Secretary of State.

Committee Amendment "A" was adopted.

The SPEAKER pro tem: The Chair recognizes the gentleman from Fort Kent, Mr. Cyr.

Mr. CYR: Mr. Speaker, this being an emergency measure, I request suspension of the rules and that this measure be given its third reading at this time and be passed to be engrossed.

The SPEAKER pro tem: The gentleman from Fort Kent, Mr. Cyr, moves that under suspension of the rules the Bill be given its third reading at this time. Is this the pleasure of the House?

The motion prevailed and under suspension of the rules, the Bill was given its third reading.

The SPEAKER pro tem: This Bill having had its three several readings in the House, is it now the pleasure of the House that it be passed to be engrossed?

Thereupon, the Bill was passed to be engrossed as amended by Committee Amendment "A" and sent to the Senate.

Ought to Pass with Committee Amendment Tabled and Assigned

Mr. Bernier from the Committee on Public Utilities on Bill "An Act relating to the Appointment of Trustees for the Kennebec Water District" (H. P. 1007) (L. D. 1154) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read.

(On motion of Mr. Bernier of Waterville, the Report and Bill were tabled pending acceptance of the Committee Report and specially assigned for Tuesday, April 12.)

Mr. Osborne from the Committee on Public Health on Bill "An Act Creating the Pittsfield Utilities District" (H. P. 499) (L. D. 550) 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. 499, L. D. 550, Bill "An Act Creating the Pittsfield Utilities District."

Amend said Bill by striking out all of section 3 thereof and inserting in place thereof, the following:

'Sec. 3. May use certain waters as water supply. The said district for the purposes of its incorporation is hereby authorized to take, hold, divert, use and distribute water from any river, stream or brook lying in whole or in part in the town of Pittsfield, from any lake or pond lying in whole in the town of Pittsfield, from any lake, pond, river, stream or brook lying in whole or in part in the towns of Hartland and Palmyra if consent is obtained therefor from the municipal officers of the towns of Hartland and Palmyra, and from any underground brook, spring, well, vein or underground sources of water in said town of Pittsfield; provided, however, nothing herein contained shall authorize such use of water from any source of supply now used by any quasi-municipal corporation or water company for the purpose of furnishing water to the public, without the consent of such quasi-municipal corporation or other corporation.'

Further amend said bill by striking out in the 43rd line of section 7 the following words 'are being made'

Further amend said bill by inserting after the word 'banks' in the 13th line of section 16 the following words:

'in the State of Maine'

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

Passed to Be Engrossed

Bill "An Act relating to Public Hearings for Public Utilities" (S. P. 506) (L. D. 1396)

Bill "An Act relating to Trial Terms in Knox and Oxford Counties" (S. P. 512) (L. D. 1400)

Bill "An Act relating to Restrictions on Turnpikes" (H. P. 752) (L. D. 833)

Bill "An Act Exempting Foreign Charitable Corporations from Certain Fees" (H. P. 855) (L. D. 941)

Bill "An Act relating to Payments to Knox County Law Library" (H. P. 858) (L. D. 944)

Bill "An Act relative to the Number of Employees Under Group Accident and Sickness Insurance Policies" (H. P. 868) (L. D. 980)

Bill "An Act relating to Bonds to Towns for License to Build Fish Weirs" (H. P. 938) (L. D. 1041)

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

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

(On motion of Mr. Fuller of South Portland, tabled pending third reading and specially assigned for Thursday, April 14.)

Bill "An Act relating to Merger of Domestic Mutual Insurance Companies" (H. P. 1028) (L. D. 1200)

Bill "An Act Increasing the Salary of the Judge of Western Oxford Municipal Court" (H. P. 1051) (L. D. 1226)

Bill "An Act Increasing the Salary of the Judge of the Rumford Municipal Court" (H. P. 1052) (L. D. 1227)

Bill "An Act Increasing the Salary of the Judge of the Norway Municipal Court" (H. P. 1053) (L. D. 1228)

Bill "An Act to Grant a Charter to the Town of Brunswick" (H. P. 1075) (L. D. 1270)

Bill "An Act relating to Number of Employees under Group Life Insurance Policies" (H. P. 1094) (L. D. 1277)

Resolve in favor of Eugene F. Young of South Portland (S. P. 265) (L. D. 1395)

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

Amended Bills

Third Reader

Tabled and Assigned

Bill "An Act relating to Education in Unorganized Territory" (S. P. 151) (L. D. 345)

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

(On motion of Miss Cormier of Rumford, tabled pending third reading and specially assigned for Thursday, April 7.)

Bill "An Act relating to Excise Tax on Aircraft" (H. P. 123) (L. D. 126)

Bill "An Act relating to Payment of Expenses and Increasing Salary of Judge of Lisbon Municipal Court" (H. P. 696) (L. D. 762)

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

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

Bill "An Act relating to Digging Clams in Kennebunkport, York County" (H. P. 968) (L. D. 1094)

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.

Tabled and Assigned

Bill "An Act relating to Vocational Rehabilitation" (H. P. 978) (L. D. 1126)

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

(On motion of Mr. Fuller of South Portland, tabled pending third reading and specially assigned for Thursday, April 14.)

Bill "An Act relating to Salary of the Recorder and Clerk Hire of the Lewiston Municipal Court" (H. P. 1022) (L. D. 1162)

Bill "An Act relating to Salary of Judge of the Lewiston Municipal Court" (H. P. 1026) (L. D. 1165)

Bill "An Act Increasing Salaries of the Judge and Recorder of the Bath Municipal Court" (H. P. 1035) (L. D. 1207)

Bill "An Act Amending the Charter of the City of Calais" (H. P. 1071) (L. D. 1266)

Bill "An Act Amending the Laws on Registration of Podiatrists" (H. P. 1135) (L. D. 1333)

Resolve in favor of Dudley Carter of Newport (H. P. 641) (L. D. 718)

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

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

At this point, Speaker Trafton returned to the rostrum.

Thereupon, the Sergeant-at-Arms conducted the gentleman from Medway, Mr. Potter, to his seat on the floor, amid the applause of the House, and Speaker Trafton resumed the Chair.

The SPEAKER: The Chair wishes to thank the gentleman from Medway, Mr. Potter, for taking over this morning.

Bill "An Act relating to Payments of Beneficiary Societies of Children" (S. P. 511) (L. D. 1401)

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

House Order Out of Order

Mrs. Files of Portland presented the following Order out of order and moved its passage:

WHEREAS, the members of the House have learned with profound sorrow of the death of Miss D. Marceline Letourneau, daughter of the Representative from Sanford, on April 1, 1955;

BE IT ORDERED, that the sympathy of the Members of the House of Representatives be extended to Mr. Letourneau of Sanford in the loss of his daughter;

AND BE IT FURTHER ORDERED, that the Clerk of the House be directed to send an attested copy of this Order to him.

Thereupon, the Order was received out of order by unanimous consent, read and passed.

Enactor Emergency Measure Tabled and Assigned

An Act Providing for Reappointment of Active Retired Justices (S. P. 157) (L. D. 351)

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

The SPEAKER: This bill having had its three several readings in the House and having been passed to be engrossed and having had its two several readings in the Senate and having been passed to be engrossed and the Committee on Engrossed Bills having reported that it is truly and strictly engrossed, is it now the pleasure of the House that it be passed to be enacted?

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

Mr. STANLEY: Mr. Speaker and Members of the House: I feel that this is one of those matters which labels us as poor legislators if we pass this bill as an emergency measure. The public has a right to criticize us for making such legislation. How serious can we be when we say that this is an emergency? Do you believe that as the amendment states in Filing 137 and I will read: "Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immedi-

ately necessary for the preservation of the public peace, health and safety."

Now, this bill is meant for one man only, presently. Do you believe that the public peace, health and safety depends upon the appointment of this one man? I do not. I do not feel that there is any indispensable man in this State. God recognized that fact when he allowed Christ to die over two thousand years ago.

Now, this man is a competent and learned justice at his age and there will be others coming along who, when they reach that age, may not be competent. I feel that we are placing the Governor in a very embarrassing position at some time or other if we pass this bill.

Now, in our court set-up, as I understand it, justices are appointed for seven years. They are to retire at 70 and when they reach 71 they must retire. The Legislature has seen fit in the past to pass laws which gave them seven more years, making them 78 when they would retire.

Now, this particular matter, if we pass this bill, we will be giving them seven more years, which means that after reaching the age of 70, we say: "You can have fourteen more years." If their dockets are crowded, I think that in order to get them cleared they need younger justices to clear those dockets. We are not placing a hardship upon any of these justices by defeating this bill because they are now presently retired on better than \$7,000 a year. Whether this bill passes or not, they will continue getting that better than \$7,000. I feel that it is poor legislation for us as legislators. If a real emergency exists, we should act, but this is not a real emergency and we are simply being made the goats. We are telling our people something that is not true. I may be alone in my thinking on this bill but if any of you think as I do, as this bill is now ready to be voted upon, it requires a two-thirds vote, all you have to do is sit in your seats. Thank you.

The SPEAKER: Is it the pleasure of the House that this bill be passed to be enacted?

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

Mr. TOTMAN: Mr. Speaker and Members of the House: I certainly

admire the gentleman from Hampden, Mr. Stanley, for pointing out to the House that apparently there is a measure going through this House that requests the imagination of the members to be stretched to call an emergency. However, I feel somewhat handicapped not being in the legal profession to pass judgment on the bill. I sometimes feel that if a bill gets to the enacting stage and we suddenly decide to kill it, perhaps the least we can do is to make some inquiry. Inasmuch as I, offhand, go along with the gentleman from Hampden, Mr. Stanley, in his thinking, I would move that this bill be tabled and be specially assigned for tomorrow.

The SPEAKER: The gentleman from Bangor, Mr. Totman, moves that An Act Providing for Reappointment of Active Retired Justices, Senate Paper 157, Legislative Document 351, lie on the table pending passage to be enacted and be specially assigned for tomorrow, April 6. Is this the pleasure of the House?

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

Passed to Be Enacted

An Act relating to Countersignature on Insurance Policies by Resident Agents (S. P. 321) (L. D. 887)

An Act Increasing Salaries of the Judge and Recorder of the Town of Lincoln Municipal Court (S. P. 360) (L. D. 969)

An Act relating to Record of Prisoner and Warrant of Commitment Delivered to Warden of State Prison (S. P. 401) (L. D. 1115)

An Act relating to Sums Furnished Convict on Discharge from State Prison (S. P. 402) (L. D. 1116)

An Act relating to the Reporter of Decisions (H. P. 826) (L. D. 918)

An Act to Incorporate Maine Oil and Heating Equipment Dealers' Association (H. P. 913) (L. D. 1021)

An Act to Amend the Act Providing for the Board of Commissioners of Police for the City of Augusta (H. P. 916) (L. D. 1024)

Finally Passed

Resolve Authorizing Arthur W. Bushey of Waterville, John Tibbetts, Archie Leeman and Oscar Bradstreet, all of Palermo, to Sue the

State of Maine (H. P. 914) (L. D. 1022)

Were reported by the Committee on Engrossed Bills as truly and strictly engrossed, Bills passed to be enacted, Resolve finally passed, all 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 tabled and today assigned matter, House Report "Ought not to pass" of the Committee on Inland Fisheries and Game on Resolve Regulating Ice Fishing in Portage Lake, Aroostook County, House Paper 903, Legislative Document 1011, tabled on March 24 by the gentleman from Portage Lake, Mr. Cook, pending acceptance of the Committee Report 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 second tabled and today assigned matter, Bill "An Act relating to Open Season on Otter and Fisher," House Paper 1161, Legislative Document 1387, tabled on March 29 by the gentleman from Warren, Mr. McCluskey, pending third reading and the Chair recognizes that gentleman.

Thereupon, on motion of the same gentleman, 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 third tabled and today assigned matter, Bill "An Act relating to Checking Speed of Motor Vehicles by Electrical Devices," House Paper 109, Legislative Document 117, tabled on March 29 by the gentleman from Lewiston, Mr. Dumais, pending first reading, and the Chair recognizes that gentleman.

Mr. DUMAIS: Mr. Speaker and Members of the House: I move that this be taken from the table and I would like to speak on the bill—

The SPEAKER: The Chair will state that the gentleman is in order to make his remarks at this time.

Mr. DUMAIS: Mr. Speaker and Ladies and Gentlemen of the House: The reason I tabled the bill, I did not believe the bill was a very good one for the citizens of the State of Maine, because we do not know, and nobody seems to know, just what the price tag will be. I am just afraid that it is another one of these things that we had in the special session when we started off with sixty or seventy thousand dollars on this weighing station. I am afraid that even with the amendments that have been put on this bill, I do think that the Judiciary Committee on its first report of this bill when it reported "Ought not to pass," I think it should have been sufficient, but it was recommitted, and apparently pressure was applied somewhere somehow that this bill then came back "Ought to pass," and there is a feeling among the members of this House that there is something wrong with this bill and I certainly feel that way myself. For one reason, I think that the price would be exorbitant on this thing, stating from my radar experience that I had in the armed forces, and I think that they are a very complicated thing and you would require technicians to operate these things, and furthermore, there are so many things that can go wrong with it. Secondly, I do not think that you are giving the motorists a chance when they are being stopped with this mechanical device. Their word really in court does not amount to very much. I know that there are some members here that are opposed to this and therefore I will not take any longer to talk on this matter. Thank you.

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

Mr. TOTMAN: Mr. Speaker and Members of the House: Inasmuch as the gentleman from Lewiston, Mr. Dumais, did not make a motion, I would like to make a motion that this "Ought to pass" report of the Committee be given its first reading, and I would like to make a few brief comments as to why I believe the position of the Committee is justified.

I really enjoy getting up and speaking on bills when the opposition

suggests that there are black, dark reasons that the bill was reported out a certain way. I enjoy refuting people who suggest that there is something insidious and bad about a bill because I love nothing better than to bring facts out on the table. The bill was introduced by myself at the request of the State Police. That is pure and simple. It is a department bill. The bill was admittedly objectionable to the Committee because it originally had a clause authorizing the use of electrical devices in addition to radar. The Committee did not go along with the electrical devices and it was stricken from the bill. Furthermore, the Committee did not go along with certain arresting authority that was in the original bill, that clause was stricken from the bill. Consequently, the bill, with no pressure that I know of, certainly not from me, and I doubt very much whether the State Police consider this a matter of major, monumental legislation and exerted pressure. The Committee reported out in its more presentable form "Ought to pass". As far as any run-away price tag is going to cost a fantastic sum, may I make it perfectly clear that a committee of three was appointed from the Committee on Highways to visit the State of Connecticut and investigate the cost of purchasing two units which the police would use in implementing this radar program. The total cost of those two units, speaking generously and modestly, I say modestly in the sense that we have added a hundred or two hundred dollars extra to be sure we do not underestimate the cost, is a distinct \$2500, period. An amendment to limit the expense on this bill of \$2500 will be presented at a later time if the House decides to go along with the bill.

I might say in closing that there are those who take the same attitude on radar as perhaps other people take on fluoridation and so forth, it is just one of those new gadgets that people are opposed to. I will say, however, that the record speaks somewhat for itself. If you have occasion to drive up and down the east coast you will see that the States of Maryland, Delaware, New Jersey, particularly the New Jersey turnpike, and other states, do employ

radar, they are manned by state police, not special technicians, and I do not believe frankly that the state police are requesting this bill as much with the intention of spending their time manning the radar machines as quite frankly, and this is the chief reason for the bill, quite frankly being given the authority to post at our state borders signs that you see in other states stating that speeds may be checked with radar devices. It is a psychological factor that the state police are far more interested in than going out and spending their time with two radar machines trying to pick people up. And as the gentleman from Lewiston, Mr. Dumais, said, he is one hundred per cent correct, if you go 75, the radar machine says you are going 75. I move, as I did previously, that the "Ought to pass" report of the Committee be accepted.

The SPEAKER: The Chair would state the "Ought to pass" report of the Committee has been accepted and it is in order for first reading.

The Chair understands that the gentleman from Bangor, Mr. Totman, moves that the Bill be given its first reading.

The Chair recognizes the gentleman from Hanover, Mr. Ferguson.

Mr. FERGUSON: Mr. Speaker and Members of the House: I am interested in this bill to the extent that I did see radar in operation in Connecticut. I was one of the members of the Highway Committee that spent two days in Connecticut. I certainly can speak well of the equipment which we saw in operation in Connecticut. I think the thing is one of the things that we should have in this State where it will relieve some of your state police and to me one set of radar, one set so-called, would be equal to six or eight police officers doing like duty on the highways. It is not the purpose of this radar that we hope to get into our system here to go out and have people arrested and pull them into court. Like the gentleman from Bangor, Mr. Totman, pointed out, it is the psychological effect that it will have, people will have a tendency to slow down and be a little bit more careful with their driving, and make it safer for all of us to be on the highways. The cost, I might say, is a surprising figure, it only costs

around \$1200 for each one of those sets. I did want three sets. I would like to see three sets in operation in this state. I think with a large state they could do a better job with three sets rather than two, but I am willing to go along at this time with two sets and I hope that the House will go along with this bill. I do not know what the motion of the gentleman from Lewiston, Mr. Dumais, was, but again getting back to the bill as amended. I spoke to one gentleman who was very much opposed to the bill in the original form. And he suggested this amendment which took all of the objections out of the bill, and he is willing to go along with it. He told me so in the Hall of the House this morning.

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

Mr. BROWNE: Mr. Speaker, Ladies and Gentlemen of the House: May I say for the record only, that the bill as originally pointed out in the Judiciary Committee was reported out because it required several amendments, as Mr. Totman, the gentleman from Bangor, mentioned, and not only that, it was the thinking of the Committee that evidence obtained in that manner might be admissible in court even without this law. However, when it was recommended to the Committee by consent and after we were properly appraised of the psychological factor involved, it was the feeling of the Committee that this was a good bill, that the psychological factor which could very easily deter prospective speeders, and if as a result of that lives were saved, I think that any money involved would be well spent.

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

Mr. FOSTER: Mr. Speaker and Ladies and Gentlemen of the House: There is an inquiry I would like to make rather than anything else. It was suggested to me this morning that this mechanism would require the use of two plates. Now I do not know. There was some talk earlier in the session about saving \$131,000 by the elimination of one plate. If there is anybody here that is familiar with that enough so they could advance the information, I for one would like to hear it.

The SPEAKER: The gentleman from Mechanic Falls, Mr. Foster, addresses a question through the Chair to anyone who would care to answer. The gentleman from Bangor, Mr. Totman, may answer if he so chooses.

Mr. TOTMAN: Mr. Speaker and Members of the House: I certainly am not an authority on how other states operate with their radar. However, I can state from personal experience, not that I was taken to court, but from observation on the New Jersey turnpike where I have occasion to drive from time to time, that the procedure in checking radar is to have a machine on a tripod at an angle to the road and a state trooper mans that machine. Further down the road another officer is in another patrol car with his radio on and if a person goes by the radar machine at an excessive speed, and that very definitely is the purpose of the machine, excessive speed, the number of that car is usually determined once the machine has passed by the radar machine and necessarily must usually be the number on the rear of the car although frankly, the chief identification is the color and make of the car and usually the other trooper is close enough to the radar machine that he can see the car that is being discussed on the radio in question. I would submit that other states who have radar do presently have one plate only; therefore, I do not think the question of two plates enters in too strongly.

The SPEAKER: The Chair recognizes the gentleman from Oakland, Mr. Pullen.

Mr. PULLEN: Mr. Speaker and Members of the House: We were told on the Highway Committee the other day that in order to use this radar you had to have two plates; therefore, we held up the plate bill until we were sure. If you want to save \$131,000 you can do it with one plate, but the way we understood it you couldn't have one plate and use this radar.

The SPEAKER: The Chair recognizes the gentleman from Bremen, Mr. Hilton.

Mr. HILTON: Mr. Speaker, I can see no reason at this time why the State of Maine should go along with this bill. It has been mentioned

other states have utilized it, yet we must remember that in the other states, even in various and many cities alone there is more population than in the whole State of Maine. It has been mentioned that it would create a psychological effect on the people by having this, and I say that there is nothing that will create a more psychological effect on the lawbreakers on the roads than to have the state police riding in their cars along the roads as a preventive unit to this. This would tie, up as has been mentioned, two of the state troopers and their cars and as I understand the bill and I wish to be corrected if I am wrong, there have to be signs and surely no one who sees that sign first will speed through it. As I say, I can see no reason why the people of the State of Maine should be subject at this time to this bill, and I move indefinite postponement of the bill and its accompanying papers.

The SPEAKER: The gentleman from Bremen, Mr. Hilton, moves that this bill be indefinitely postponed from further consideration.

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

Mr. CHILDS: Mr. Speaker and Members of the House: I believe before we dispose of the bill in any way, we should all agree on what the facts are. Now we have heard two stories on whether there is one plate needed or two plates needed to put this operation in an efficient manner, so I suggest that we put this on the table for one day and either the gentleman from Bangor, Mr. Totman, or the gentleman from Oakland, Mr. Pullen, can come back to this House and agree on what the facts are as far as plates are concerned. We certainly do not want to pass this out as "Ought to pass" and then later on in the session pass a resolve which is going to mean one plate and then find out we cannot put the thing in operation anyway and have that money allotted. Therefore, I move this lie upon the table specially assigned for tomorrow and hope tomorrow we can come to an agreement on what the facts are.

The SPEAKER: The gentleman from Portland, Mr. Childs, moves that Bill "An Act relating to Checking Speed of Motor Vehicles by Elec-

trical Devices," House Paper 109, Legislative Document 117, be tabled pending consideration of the motion of the gentleman from Bremen, Mr. Hilton, that the Bill be indefinitely postponed and be specially assigned for tomorrow. 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 Claims on Resolve to Reimburse George H. Morong of Portland, House Paper 520, Legislative Document 583, tabled on March 30 by the gentleman from Portland, Mr. McGlaufflin, pending acceptance of the Committee Report and the Chair recognizes that gentleman.

Mr. McGLAUFFLIN: Mr. Speaker, inasmuch as the Committee has asked to have that returned for further consideration, I move that it be recommitted to the Committee on Claims.

The SPEAKER: The gentleman from Portland, Mr. McGlaufflin, moves that this Resolve to Reimburse George H. Morong of Portland be recommitted to the Committee on Claims. Is this the pleasure of the House?

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

The SPEAKER: The Chair lays before the House the fifth tabled and today assigned matter, Bill "An Act relating to Time of Preserving Ballots and Check Lists as Public Records, Senate Paper 400, Legislative Document 1114, tabled on March 30 by the gentleman from Rumford, Miss Cormier, pending third reading and the Chair recognizes that gentlewoman.

Thereupon, on motion of the same gentlewoman, 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 sixth tabled and today assigned matter, House Divided Report, Majority "Ought not to pass" and Minority "Ought

to pass" of the Committees on Highways and Taxation jointly 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," Senate Paper 263, Legislative Document 691, tabled on April 1 by the gentleman from East Machias, Mr. Cates, pending acceptance of either report.

The Chair recognizes the gentleman from Lubec, Mr. Denbow.

Mr. DENBOW: Mr. Speaker and Members of the House: I now move that this bill be retabled unassigned pending acceptance of either report and I would ask for a division of the House on this vote and I would like to speak briefly on the bill at this time.

The SPEAKER: The Chair would state that the motion to table is not debatable. The motion before the House is the motion of the gentleman from Lubec, Mr. Denbow, that this matter be tabled pending acceptance of either committee report.

The Chair would suppose that the gentleman may withdraw his motion and request unanimous consent to address the House if he so chooses.

Mr. DENBOW: Mr. Speaker, I now withdraw the motion then and request unanimous consent to address the House briefly.

The SPEAKER: The gentleman from Lubec, Mr. Denbow, withdraws his motion to table. The gentleman may proceed. Unanimous consent is not necessary although so stated by the Chair because the matter is in order for discussion.

Mr. DENBOW: Mr. Speaker, I am very much interested in this bill and I am interested for these reasons and these reasons alone, and I am not speaking for any other member of the committee when I say these things. I have no political reason involved but as a member of the Highway Committee, we have laying in committee at the present time, if somebody cares to total it, some seven million dollars worth of resolves and bills. Up to the present time, they are held in committee, many of them I feel needlessly, perhaps I am wrong. I have requested from the committee, the Senate Chairman, that a list of these resolves and the price tag on

all of them, be put on the desks of every member. I have requested this twice. Up to the present time I have not got the list. I think I will.

Also, up to the present time, at no time has it been shown to me that there is any money available or sufficient money available to take care of any, I would say any major part, of these bills and resolves and I do not feel that we should close the door on the possible need of a bond issue. I would say this but when it comes to vote I, very frankly, would not vote for a fifteen million dollar bond issue, because I believe in a partial, at least, program of pay as you go. I do not like to close the door completely however and I think so many things could happen between now and the end of the session that it should be left open.

These resolves and bills are very major resolves and bills and they affect almost every section in the State of Maine. They affect such sections as the railroad survey in Portland, the purchase of the Wiscasset-Westport Bridge, the Quebec trail and many, many others that are very important and until it has been shown to me where the money is coming from I would very much like to make the motion, if it is permissible now,—

The SPEAKER: The Chair will state that the motion is in order at any time the gentleman wishes to make it.

Mr. DENBOW (continuing): — that this bill be tabled unassigned pending acceptance of either report and I think it is only fair to the people who presented these resolves to leave it until such time as the matter is decided. Thank you.

The SPEAKER: The gentleman from Lubec, Mr. Denbow, moves that House Divided Report, Majority "Ought not to pass" and Minority "Ought to pass" of the Committees on Highways and Taxation jointly 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," Senate Paper 263, Legislative Document 691, lie on the table pending acceptance of either committee report.

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

Mr. CHILDS: Mr. Speaker, I understand that I am not able to debate this matter as to its being asked to be unassigned but through the Chair may I request the gentleman to assign it to a day certain, say a week, and if his situation can not be taken care of in a week, possibly he can ask to have it put back on the table.

I would ask him to specially assign it because I consider it a very important matter.

The SPEAKER: The gentleman from Portland, Mr. Childs, addresses a question through the Chair to the gentleman from Lubec, Mr. Denbow. The gentleman from Lubec, Mr. Denbow, may answer if he chooses.

Mr. DENBOW: Mr. Speaker, I hesitate to ask that this be assigned to a special date because I do not think that anybody is qualified at the present time to even think when the date might be and I think it has a very broad bearing on the two bills coming up.

The SPEAKER: The question before the House is on the motion of the gentleman from Lubec, Mr. Denbow, that this matter lie on the table unassigned pending acceptance of either committee report. Is this the pleasure of the House?

All those in favor of this matter lying on the table will indicate by saying "aye"; those opposed, "no".

A viva voce vote being taken, the motion prevailed and the two Reports were tabled pending acceptance of either Report and unassigned.

The SPEAKER: The Chair lays before the House the seventh tabled and today assigned matter, House Report "Ought not to pass" of the Committee on Taxation on Bill "An Act Exempting Certain Materials Used by Commercial Fishermen from the Sales Tax," House Paper 17, Legislative Document 16, tabled on April 1 by the gentleman from Rockland, Mr. Stilphen, pending acceptance of the Committee Report.

The Chair recognizes the gentleman from North Haven, Mr. Baird.

Mr. BAIRD: Mr. Speaker, is it in order for me to make a few remarks?

The SPEAKER: The Chair will state that remarks are certainly in order.

Mr. BAIRD: Mr. Speaker, the same arguments which justify the exemptions granted to farmers apply also to this bill. I realize, however, that they also apply to many other bills before the Taxation Committee. Probably we will have to continue with many of the unfair phases of the present sales tax law as it is now written. I could name several in addition to the one I have attempted to correct such as the tax on bottled gas and no tax on a ton of coal. However, in view of the committee's action, I move the acceptance of the report.

The SPEAKER: The gentleman from North Haven, Mr. Baird, moves that the Committee Report "Ought not to pass" be accepted. Is this the pleasure of the House?

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

The SPEAKER: The Chair lays before the House the eighth tabled and today assigned matter, House Divided Report, Majority "Ought not to pass" and Minority "Ought to pass" of the Committee on Claims on Resolve in favor of Dr. John D. Denison of Patten, House Paper 526, tabled on April 1 by the gentleman from Portland, Mr. Childs, pending acceptance of either report and the Chair recognizes that gentleman.

Mr. CHILDS: Mr. Speaker, I tabled this last week because I noticed the gentleman from Madison, Mr. Cote, was absent and he was a member who signed the minority report. I would like to ask the Chair if the Chair has knowledge whether the gentleman is still ill or not.

The SPEAKER: The Chair will state that it has no information but if any member of the House does have such information, they are at liberty to answer the question of the gentleman from Portland, Mr. Childs.

The Chair recognizes the gentleman from Raymond, Mr. Edwards.

Mr. EDWARDS: Mr. Speaker, word has just come to me that the gentleman from Madison, Mr. Cote, is still sick.

The SPEAKER: The Chair will inquire if the gentleman cares to make a motion?

Mr. EDWARDS: Mr. Speaker, I make a motion that this be laid on the table until next Wednesday, April 13.

The SPEAKER: The gentleman from Raymond, Mr. Edwards, moves that this matter lie on the table pending acceptance of either report and be specially assigned for Wednesday, April 13. Is this the pleasure of the House?

The motion prevailed and the two Reports were tabled pending acceptance of either Report and specially assigned for Wednesday, April 13.

The SPEAKER: The Chair lays before the House the ninth tabled and today assigned matter, Bill "An Act to Permit Counties to Use Surplus Funds," House Paper 946, Legislative Document 1049, tabled on April 1 by the gentleman from Lewiston, Mr. Cote, pending passage to be engrossed and the Chair recognizes that gentleman.

Mr. COTE: Mr. Speaker and Members of the House: Having conferred with some of the legal minds of the county and also the gentleman from Hanover, Mr. Ferguson, we found that it did affect line budgeting in Androscoggin County. Therefore, with the permission of the gentleman from Hanover, Mr. Ferguson, I would like to offer House Amendment "A" and move its adoption.

The SPEAKER: The Chair would state that House Amendment "A" has been reproduced under the signature of the gentleman from Hanover, Mr. Ferguson, so the Chair would inquire whether the gentleman from Hanover, Mr. Ferguson, would care to offer House Amendment "A"?

Thereupon, Mr. Ferguson of Hanover offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to H. P. 946, L. D. 1049, Bill "An Act to Permit Counties to Use Surplus Funds."

Amend said bill by striking out in the 3rd, 4th, and 5th line of the second paragraph the underlined words "supplement of its current annual appropriation, as the county

commissioners may direct" and inserting in place thereof the following underlined words 'non-capital purposes' as well as in capital purposes'

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

The SPEAKER: The Chair lays before the House the tenth tabled and today assigned matter, Bill "An Act to Clarify the Liquor Laws," Senate Paper 254, Legislative Document 685, tabled on April 1 by the gentleman from Portland, Mr. Charles, pending adoption of House Amendment "A".

The Clerk will read House Amendment "A".

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

HOUSE AMENDMENT "A" to S. P. 254, L. D. 685, Bill "An Act to Clarify the Liquor Laws."

Amend said Bill in "Sec. 10" by adding at the end thereof the following underlined sentence:

'No merchandise shall be considered to be reasonably compatible with a stock of malt liquor, for the purpose of licensing a retail store, which consists of gasoline and oil; used or new cars, parts or accessories; clothing; hardware; paints or building materials; electric appliances or equipment; or household furniture or furnishings.'

House Amendment "A" was then adopted.

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

COMMITTEE AMENDMENT "A" to S. P. 254, L. D. 685, Bill "An Act to Clarify the Liquor Laws."

Amend said Bill by inserting after Section 4 thereof a new section to read as follows:

"Sec. 4-A. R. S., c. 61, Sec. 27, amended. Section 27 of chapter 61 of the revised statutes is hereby amended by adding at the end of the 1st paragraph a new sentence to read as follows: 'Any person, except an officer in performance of his duties, who purchases liquor on Sunday, in any retail store, shall be guilty of a misdemeanor and shall be subject to the same penalty pro-

vided in this section for Sunday sale of liquor.’”

Further amend said Bill by inserting after the underlined word “keep” in the 4th line of “Sec. 12” the underlined words ‘for 2 years’

Further amend said Bill by inserting after the underlined word “kept” in the 11th line of “Sec. 12” the underlined words ‘for 2 years’

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

Mr. Edwards of Raymond was granted unanimous consent to address the House.

Mr. EDWARDS: Mr. Speaker and Members of the House: Allie Cota, an employee of the Pownal State School, called on me last Saturday morning and told me that on the night of July 3, 1953, two inmates of the Pownal State School set fire and burned his house trailer while he was at work. This was a complete loss including clothing, dishes, oil, and so forth. He took this matter up with his attorney who promised to look after it for him. He has just learned that his attorney has been sick this winter and had done nothing about it, and now requests me to present a resolve in his favor, and I ask unanimous consent to present this resolve.

The SPEAKER: The gentleman from Raymond, Mr. Edwards requests unanimous consent to introduce a resolve. The Clerk will read the title.

The CLERK: Resolve in favor of Allie Cota of Gray.

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

Thereupon, on motion of the same gentleman the Resolve (H. P. 1175) was referred to the Committee on Claims, ordered printed and sent up for concurrence.

Mr. Brown of Baileyville was granted unanimous consent to address the House.

Mr. BROWN: Mr. Speaker and Members of the House: I would like unanimous consent to present a resolve notwithstanding the cloture order. This resolve I have asked consent to introduce is really the fault of this Legislature. It is an orphan I inherited through reapportionment which was the reason for it being so late. This resolve is to eliminate a hazardous condition. This hill is on the Air-line so-called, a much travelled road, the most direct route from Bangor and the central part of the state to the eastern part of the state and the maritime provinces. It is in the town of Alexander, a sparsely settled town, absolutely unable to raise money to build over the hill. The people in this town, Alexander, Cooper and Crawford work both in Calais and Woodland, and when there is a little snow they are absolutely unable to return home over the hill until the hill has been sanded which usually is very late. This hill is very steep, approximately a half a mile long, three bad curves, two of which you are unable to see over seventy-five feet. There have been five bad accidents, fortunately none of them fatal. On Wednesday, March 30, two carloads from the town of Alexander and Crawford came up here, it is a trip of 400 miles, and they did not know there was any such thing as a cloture order, and they came to see if something couldn't be done to eliminate this hazard. We had a talk with the Highway Commission, and after discussing the project the Chairman informed us that under present law they could not legally use money to eliminate a hazard on a road of this class, and in order to make it legal there would have to be a resolve in the Legislature. That is why I am asking unanimous consent to introduce this resolve. Thank you.

The SPEAKER: The gentleman from Baileyville, Mr. Brown, requests unanimous consent to introduce a resolve. The Clerk will read the title.

The CLERK: Resolve to Construct a Certain Road in Alexander, Washington County.

The SPEAKER: Does the Chair hear objection to the reception of this resolve notwithstanding the clo-

ture order? The Chair hears none and the resolve is received.

Thereupon, on motion of the same gentleman the Resolve (H. P. 1176) was referred to the Committee on Highways and sent up for concurrence.

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

Mr. QUINN: Mr. Speaker, I would like to inquire of the Clerk whether or not L. D. 543, Bill "An Act Exempting Funeral Services from Sales Tax" is still in possession of the House?

The SPEAKER: The Chair would state that at the present time it is not in the possession of the House.

Mr. QUINN: Mr. Speaker, is it possible to have it returned to the House?

The SPEAKER: The Chair will state that an effort will be made to ascertain that fact. In the meantime, the House may be at ease.

House at Ease

Called to order by the Speaker.

The SPEAKER: The Chair would state that at the present time it is not possible to obtain possession of the paper requested. It may be possible tomorrow by formal request to obtain that document.

On motion of the gentleman from Portland, Mr. Charles, the House voted to take from the table the fifteenth tabled and unassigned matter, Bill "An Act relating to Excise Tax on Seven-Ounce Bottles of Malt Liquor", House Paper 672, Legislative Document 748, tabled on April 1 by that gentleman pending passage to be engrossed.

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

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

HOUSE AMENDMENT "B" to H. P. 672, L. D. 748, Bill "An Act relating to Excise Tax on Seven-Ounce Bottles of Malt Liquor."

Amend the Title of said Bill by striking out the words "Seven-Ounce Bottles of"

House Amendment "B" was then adopted and the Bill was passed to be engrossed as amended by House

Amendment "A" and House Amendment "B" and sent to the Senate.

Mr. Shaw of Bingham was granted unanimous consent to address the House.

Mr. SHAW: Mr. Speaker, I present an order and move its passage and I would request permission to briefly elaborate on it after the reading.

The SPEAKER: The gentleman from Bingham, Mr. Shaw, presents an order out of order and moves its passage. Does the Chair hear objection to the presentation of the order out of order at this time? The Chair hears none and the Clerk will read the order.

Thereupon, the Order was read by the Clerk as follows:

House Order

Out of Order

Tabled and Assigned

ORDERED, that the Speaker of the House appoint a Committee to investigate and determine the activities of the Employment Security Commission relative to their functioning as a medium for the advertising of minimum hourly wage and acting as an agency for furthering information of the establishment of a predetermined hourly wage as it may pertain to the logging and lumbering industry of the State of Maine; and be it further

ORDERED, that such Committee ascertain the activities of the Department of Health and Welfare relative to the inspection of facilities provided for the housing and feeding of employees, by employers who provide such facilities and make a charge therefor, determining whether or not there is a schedule of inspection whereby any and all camps, providing food and shelter for employees of the logging and lumbering industry, are inspected and that minimum standards of sanitation are met with as provided by statute; and be it further

ORDERED, that such Committee be composed of an impartial group of 5 Representatives who have no direct interest in any employer or employees relative to the logging and lumbering industry and that such Committee report their findings to this Legislature in time for the preparation and issuance of further

joint directives during the current legislative session, if their findings should indicate that such action is necessary.

The SPEAKER: The House has heard the order.

The Chair recognizes the gentleman from Bingham, Mr. Shaw.

Mr. SHAW: Mr. Speaker and Members of the House: Many of my constituents contend that the present method of determining the prevailing wage is unfair inasmuch as a representative group of employers assemble and submit their offers for the various classifications of labor, then the offers of the various employers are submitted to the Employment Security Commission and from this hodge-podge of figures without a mathematical approach the Commission advertises a prevailing rate for the various classifications of labor. Thereafter, when an employer makes application to the Employment Security Commission for labor he must comply with the rate as determined from the offers of the employer as promulgated for them by the Employment Security Commission. When this minimum applicable wage is established it is unreasonable to expect that the employer will offer in excess of this published rate. There are instances where the employer has requested labor from the Employment Security Commission at the minimum rate with the knowledge that it would be difficult to obtain local labor at that rate, then the alternative of employment of foreign labor raises it head which presents every indication of being to the liking of many of the employers.

I feel that an impartial survey is warranted, and it would seem reasonable that a prevailing wage should be based on the actual wage paid rather than the offers submitted if a wage is to be promulgated at all. There are many instances of flagrant violation of rules of sanitation as it pertains to the housing and feeding of employees and certainly it will be well worth while to determine the activity of the Department of Health and Welfare in relation to their past surveys of such situations. I believe that a petition bearing 400 names relative

to this issue deserves the attention of this Legislature and I hope that you members of the House will assist me in the passage of this order.

The SPEAKER: The Chair will state that this order is of rather a complicated nature and has not been reproduced so that each member of the House may study it. The Chair wonders whether the gentleman would care to table it for consideration at a date soon hereafter?

Mr. SHAW: I would then move, Mr. Speaker, in order that the other members of the House might be enlightened on this subject, that the matter be tabled and taken up on Friday of this week.

The SPEAKER: The gentleman from Bingham, Mr. Shaw moves that this order lie on the table pending his motion that it receive passage and be specially assigned for Friday of this week, April 8. Is this the pleasure of the House?

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

Mr. Greenleaf of Boothbay Harbor was granted unanimous consent to address the House.

Mr. GREENLEAF: Mr. Speaker, The reason I am taking this time today is that I have something on my chest I feel I should get off. I hope you will excuse me for reading these notes.

I know that many members of the House were offended as I was at reading comments from a newspaper column made by a member of the other body from Franklin County in reference to three members of the Maine Development Commission.

The inference was clear that this gentleman expects State department heads to place party politics above honest opinions. I, for one, believe that State officials owe a duty to all the citizens of the State, not merely to one political party. I further believe that these officials should never fail to speak out their honest opinions, for Legislators should have the benefit of their views.

A matter as vital as industrial development of our State must never be made a partisan issue.

I happen to believe we need a change in the Maine Development

Commission, but regardless of whether or not we share the opinion of these three gentlemen, we should encourage such expressions of opinion. To impugn the motives of department heads voicing their thoughts is to discourage the truth from ever being heard.

I rise specifically in protest against the inference against Sea & Shore Fisheries Commissioner, Stanley R. Tupper of Boothbay Harbor, a former member of this House and from my district, which makes me feel I should defend him in particular. Mr. Tupper has been an active member of the Republican Party. He is a member of the Boothbay Harbor Republican Town Committee and the Lincoln County Young Republican Club. In 1952 he was Lincoln County Chairman of the Youth for Eisenhower Committee, and the Cross for Governor Club. During the last election his loyalty to the man who appointed him was unquestioned, and need I point out that Lincoln County gave the Republican nominee for Governor his largest majority.

I cite these things only to point out that Stan Tupper has worked for the Republican Party vigorously. Nevertheless, on an issue on which he believed the Democratic Chief Executive was right, he did not hesitate to say so. Any sincere man would have done the same.

Commissioner Tupper is contributing much in the administration of one of our key departments, and has made many friends among the men who make their living from the sea and shore.

This unjust attack on him and two other members of the Maine Development Commission should be deplored by thinking members of both parties.

To quote a famous saying, "We may not all agree with what they say, but we should all defend to the death their right to say it."

Thank you.

The SPEAKER: Is there any further business to come before the House at this time?

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

Thereupon, on motion of that gentleman the House voted to take from the table the fourth tabled and un-

assigned matter, Senate Report "Ought not to pass" of the Committee on Legal Affairs on Bill "An Act relating to Compensation of Boards of Registration in Cities of 39,000 Inhabitants or More," Senate Paper 349, Legislative Document 958, tabled on March 23 by the same gentleman pending acceptance of the Committee Report.

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

Mr. COTE: Mr. Speaker and Members of the House: After conferring with the Chairman of the Committee on Legal Affairs and finding that we have a mutual understanding on this bill in regard to our individual cities, I now move that this bill be recommitted to the Committee on Legal Affairs.

The SPEAKER: The gentleman from Lewiston, Mr. Cote, moves that the Bill with accompanying papers be recommitted to the Committee on Legal Affairs. Is this the pleasure of the House?

The motion prevailed and the Bill with accompanying papers was re-committed to the Committee on Legal Affairs in non-concurrence and sent up for concurrence.

On motion of the gentleman from Bremen, Mr. Hilton, the House voted to take from the table the second tabled and unassigned matter, 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 by that gentleman on March 22 pending acceptance of the Committee Report.

The SPEAKER: The Chair recognizes the gentleman from Bremen, Mr. Hilton.

Mr. HILTON: Mr. Speaker and Members of the House: In view of the fact that it has been impossible for this lady to fill out the questionnaire which in my estimation would tax even many members of this House to fill out properly, it has more or less placed her under a nervous strain and I think in this questionnaire in lots of instances they have the very same things down here at the Health and Welfare Department that this question-

naire requires to be filled out. It has even been requested that people fill out these questionnaires, people who even can not read and write, which to me is an impossibility for those people to fill out. We all know that these poor people through unforeseen circumstances of their own have perhaps fallen into distress and perhaps are too proud to come to the towns to ask for help and are deserving of help. Nevertheless, I believe that this thing should be looked into, this questionnaire, which I believe is outrageous for the poor people whose minds perhaps are not as keen as some of those who put the questions on the questionnaire.

In view of the fact that perhaps by looking into this matter, by sac-

rificing one we may be able to help the rest, I move for the acceptance of the report.

The SPEAKER: The gentleman from Bremen, Mr. Hilton, moves that the "Ought not to pass" report of the Committee be accepted. Is this the pleasure of the House?

The motion prevailed and the Report was accepted and sent up for concurrence.

The SPEAKER: If there is no further business to come before the House at this time, the Clerk will read the notices.

On motion of Mr. Childs of Portland,

Adjourned until nine-thirty o'clock tomorrow morning.