

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 12, 1955

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

Prayer by the Rev. Mr. Haldon Arnold of Augusta.

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
Ought Not to Pass
Covered by Other Legislation**

Report of the Committee on Judiciary reporting "Ought not to pass" on Bill "An Act relating to Liens on Property for Inheritance Taxes" (S. P. 434) (L. D. 1193) as it is covered by other legislation.

Report of the Committee on Retirements and Pensions reporting same on Bill "An Act relating to Employees of Counties, Cities and Towns Entitled to Membership in State Employees' Retirement System" (S. P. 66) (L. D. 91) as it is covered by other legislation.

Report of same Committee reporting same on Bill "An Act Providing for Group Life Insurance for State Employees and Teachers" (S. P. 134) (L. D. 327) as it is covered by other legislation.

Report of same Committee reporting same on Bill "An Act relating to Occupational Death Benefit Under the Maine State Retirement System" (S. P. 379) (L. D. 1075) as it is covered by other legislation.

Came from the Senate read and accepted.

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

**Ought Not to Pass
Tabled**

Report of the Committee on Towns and Counties reporting "Ought not to pass" on Bill "An Act relating to the Salary of the Judge and the Recorder of the Portland Municipal Court" (S. P. 84) (L. D. 173)

Came from the Senate read and accepted.

In the House: The Report was read.

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

Mr. CHARLES: Mr. Speaker, under suspension of the rules, I would move that Items 6, 7 and 8 be laid on the table unassigned. Is that permissible?

The SPEAKER: The Chair would state that it might be preferable if the gentleman made his motion with respect to each item separately because some member might wish to differ on just one item.

Mr. CHARLES: All right, Mr. Speaker, I move that Item 6 be tabled unassigned.

The SPEAKER: The gentleman from Portland, Mr. Charles, moves that Item 6, Report of the Committee on Towns and Counties reporting "Ought not to pass" on Bill "An Act relating to the Salary of the Judge and the Recorder of the Portland Municipal Court", Senate Paper 84, Legislative Document 173, lie on the table unassigned. Is this the pleasure of the House?

The motion prevailed and the Report with accompanying papers was tabled pending acceptance in concurrence.

Tabled

Report of the Committee on Towns and Counties reporting "Ought not to pass" on Bill "An Act relating to the Salary of Register of Probate, Cumberland County" (S. P. 278) (L. D. 708)

Came from the Senate read and accepted.

In the House: The Report was read.

(On motion of Mr. Charles of Portland, the Report with accompanying papers was tabled pending acceptance in concurrence.)

Tabled

Report of the Committee on Towns and Counties reporting "Ought not to pass" on Bill "An Act relating to Clerk Hire in Office of Register of Probate of Cumberland County" (S. P. 279) (L. D. 709)

Came from the Senate read and accepted.

In the House: The Report was read.

(On motion of Mr. Charles of Portland, the Report with accompanying papers was tabled pending acceptance.)

Ought to Pass in New Draft

Report of the Committee on Public Utilities on Bill "An Act relating to Definition of Contract Carrier" (S. P. 114) (L. D. 274) reporting same in a new draft (S. P. 522) (L. D. 1427) under same title and that it "Ought to pass"

Report of same Committee on Bill "An Act relating to Certificates of Organization of Telephone Companies" (S. P. 271) (L. D. 702) reporting same in a new draft (S. P. 523) (L. D. 1428) under title of "An Act Repealing Certain Law Relating to Contents of Certificates of Organization of Telegraph, Telephone, Gas and Electric Companies" and that it "Ought to pass"

Report of the Committee on Retirements and Pensions on Bill "An Act Revising the Maine State Retirement System" (S. P. 67) (L. D. 92) reporting same in a new draft (S. P. 524) (L. D. 1402) under same title and that it "Ought to pass"

Report of same Committee on Bill "An Act Providing for Group Life Insurance for State Employees and Teachers" (S. P. 351) (L. D. 960) reporting same in a new draft (S. P. 525) (L. D. 1429) under same title and that it "Ought to pass"

Report of the Committee on Towns and Counties on Bill "An Act Increasing Salary of the Recorder of the Westbrook Municipal Court" (S. P. 358) (L. D. 967) reporting same in a new draft (S. P. 526) (L. D. 1430) under title of "An Act relating to Clerk Hire and Increasing Salary of the Recorder of the Westbrook Municipal Court" and that it "Ought to pass"

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

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

Ought to Pass

Report of the Committee on Towns and Counties reporting "Ought to pass" on Bill "An Act relating to Fee for Permits Granted by Board

of Harbor Commissioners for Harbor of Portland" (S. P. 82) (L. D. 171)

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 tomorrow assigned.

Ought to Pass with Committee Amendment

Report of the Committee on Public Utilities on Bill "An Act relating to Condemnation Proceedings by Water Districts" (S. P. 332) (L. D. 896) which was recommitted, 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. 332, L. D. 896, Bill "An Act relating to Condemnation Proceedings by Water Districts."

Amend said Bill by adding at the end thereof, a new section to read as follows:

"Sec. 3. R. S., c. 52, Sec. 25, amended. Sec. 25 of Chapter 52 of the revised statutes is hereby amended to read as follows:

"Sec. 25. Proceedings before Commissioners. The Commissioners shall fix a time for hearing, within the county where the property is situated, and give written notice thereof to the owner and to the district seeking to acquire said property. At the hearing all parties in interest shall be heard either in person or by attorney, and witnesses may be summoned by either party and attendance compelled as before other judicial tribunals; the burden of proof to show the necessity of the particular taking shall rest upon the party seeking to acquire the property. The decision of a majority of the Commissioners shall be final as to questions of fact. The prevailing party shall recover costs as in actions at

law in the Superior court and execution shall issue therefor.'"

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

Report of the Committee on Public Utilities on Bill "An Act relating to Regulation of Railroads by Public Utilities Commission" (S. P. 378) (L. D. 1074) 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. 378, L. D. 1074, Bill "An Act relating to Regulation of Railroads by Public Utilities Commission."

Amend said Bill by striking out all after the Enacting Clause and inserting in place thereof the following:

"Minimum Distance for Clearance.

Sec. 80. Minimum distance for clearance. The Public Utilities Commission shall have the right to prescribe a minimum distance for clearance of any structure, pole or other object over or beside any railroad track; provided, however, that the provisions of this section shall not apply to any structure, pole or other object in existence over or beside any railroad track on or before September 1, 1955.'"

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

Report of the Committee on Sea and Shore Fisheries on Resolve relating to Use of Seines in Medomak River, Lincoln County (S. P. 307) (L. D. 812) 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. 307, L. D. 812, Resolve relating to Use of Seines in Medomak River, Lincoln County.

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

'the Medomak River, Lincoln County, above a line drawn from Waltz's Point to Hollis Point, in Waldoboro, from the 1st day of May to the 30th day of June, annually.'

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

Ought Not to Pass Covered by Other Legislation Recommitted in Senate

Report of the Committee on Retirements and Pensions reporting "Ought not to pass" on Bill "An Act relating to Disability Retirement Benefits Under the Maine State Retirement System" (S. P. 380) (L. D. 1076) as it is covered by other legislation.

Came from the Senate with the Report and Bill recommitted to the Committee on Retirements and Pensions.

In the House: Report was read.

On motion of Mr. Childs of Portland, the House voted to concur with the Senate.

Non-Concurrent Matter

Report of the Committee on Judiciary reporting "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) which was accepted in the House on April 5.

Came from the Senate with the Report and Resolve recommitted to the Committee on Judiciary in non-concurrence.

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

On motion of the gentlewoman from Presque Isle, Mrs. Christie, House Rule 25 was suspended for

the remainder of today's session in order to permit smoking.

Non-Concurrent Matter Tabled

Bill "An Act relating to Bounty on Bear in Franklin County" (H. P. 57) (L. D. 63) which was passed to be engrossed in the House on April 6.

Came from the Senate indefinitely postponed in non-concurrence.

In the House:

The SPEAKER: The Chair recognizes the gentleman from Strong, Mr. Jennings.

Mr. JENNINGS: Mr. Speaker and Members of the House: This being my bill, I want to say just a few words on it. It is my understanding that this bill is going to be incorporated in another bill that will come later. In the meantime, I would like to table this bill unassigned. It is my wish to get out of the State House as soon as we can. Therefore, I will promise you that as far as I am concerned, I will hurry this off the table.

The SPEAKER: The gentleman from Strong, Mr. Jennings, moves that Item 20, Bill "An Act relating to Bounty on Bear in Franklin County", House Paper 57, Legislative Document 63, lie on the table pending further consideration and be unassigned. Is this the pleasure of the House?

The motion prevailed and the Bill was so tabled.

Non-Concurrent Matter

An Act relating to Tuition of Students Living on Chebeague Island, Cumberland County (H. P. 527) (L. D. 586) which was passed to be enacted in the House on April 7 and passed to be engrossed on March 31.

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

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

Orders

On motion of Mr. Wadleigh of Mount Vernon, it was

ORDERED, that Rev. George S. Graffam, Pastor of the Methodist Church of Readfield, be invited to officiate as Chaplain of the House on Thursday, April 28, 1955.

The SPEAKER: The Chair is informed that there are in the balcony of the House this morning thirty-five students from the Social Studies Classes from Dean Junior High School, Leeds, accompanied by their teachers, Mrs. Mildred Parker and Mrs. Mabel Watson, and their Principal, Donald Tripp.

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

The SPEAKER: The Chair requests the Sergeant-at-Arms to escort the gentleman from Friendship, Mr. Winchenpaw, to the rostrum for the purpose of presiding as Speaker pro tem.

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

House Reports of Committees Leave to Withdraw

Mr. Fuller from the Committee on Claims on Resolve in favor of Herschel P. Bugbee of Washburn (H. P. 180) (L. D. 187) reported Leave to Withdraw.

Mrs. Thomas from the Committee on Legal Affairs reported same on Bill "An Act relating to Conveyance of Elementary School Children" (H. P. 915) (L. D. 1023)

Reports were read and accepted and sent up for concurrence.

Ought Not to Pass Tabled and Assigned

Mr. Carter from the Committee on Highways reported "Ought not to pass" on Bill "An Act Designating Federal Aid Secondary Routes as State Highways" (H. P. 737) (L. D. 818)

Report was read.

The SPEAKER pro tem: The Chair recognizes the gentleman from Chelsea, Mr. Allen.

Mr. ALLEN: Mr. Speaker and Members of the House: I understand that there are several other bills along this same line that do

not have as broad a coverage as this bill. Therefore, I would like to have this bill tabled until Wednesday, April 20, hoping that these other bills will be out at that time.

The SPEAKER pro tem: The gentleman from Chelsea, Mr. Allen, moves that the Report with accompanying papers be tabled pending acceptance and be specially assigned for Wednesday, April 20. Is this the pleasure of the House?

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

Mr. Dudley from the Committee on Inland Fisheries and Game reported "Ought not to pass" on Bill "An Act Providing Free Hunting, Trapping and Fishing Licenses to Indians on Census List" (H. P. 1095) (L. D. 1278)

Mr. Harnden from same Committee reported same on Bill "An Act relating to Open Season on Muskrats in Oxford County" (H. P. 294) (L. D. 306) which was recommitted.

Same gentleman from same Committee reported same on Bill "An Act Establishing the Durham Game Preserve" (H. P. 776) (L. D. 859)

Same gentleman from same Committee reported same on Resolve Regulating Ice Fishing in Androscoggin Lake (H. P. 662) (L. D. 738)

Same gentleman from same Committee reported same on Resolve relating to Daily Trout Limit in Shagg Pond, Oxford County (H. P. 742) (L. D. 823) as it is covered by other legislation.

Same gentleman from same Committee reported same on Resolve Closing Certain Part of Fish River, Aroostook County, to Fishing (H. P. 902) (L. D. 1010)

Reports were 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 Bill "An Act relating to Transportation of Fish, Game and Fur-bearing Animals by Aircraft" (H. P. 778) (L. D. 861)

Report was read.

(On motion of Mr. Maxwell of Winthrop, the Report with accompanying papers was tabled pending

acceptance and specially assigned for Thursday, April 14.)

Mr. Potter from the Committee on Inland Fisheries and Game reported "Ought not to pass" on Bill "An Act relating to Penalty for Transporting Live Fish in Certain Counties" (H. P. 1065) (L. D. 1253)

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 Bill "An Act relating to Bounty on Bobcats" (H. P. 1065) (L. D. 1254)

Report was read.

(On motion of Mr. Cook of Portage Lake, the Report with accompanying papers was tabled pending acceptance and specially assigned for tomorrow, April 13.)

Tabled and Assigned

Mr. Potter from the Committee on Inland Fisheries and Game reported "Ought not to pass" on Resolve relating to Daily Bag Limit in Red Fiver Area, Aroostook County (H. P. 901) (L. D. 1009) as it is covered by other legislation.

Report was read.

(On motion of Mr. Cook of Portage Lake, the Report with accompanying papers was tabled pending acceptance and specially assigned for tomorrow, April 13.)

Mr. Ross from the Committee on Inland Fisheries and Game reported "Ought not to pass" on Bill "An Act Pertaining to the Construction, Maintenance and Operation of Fishways" (H. P. 892) (L. D. 1000)

Same gentleman from same Committee reported same on Resolve Regulating Fishing in Kennebec County (H. P. 539) (L. D. 596)

Mr. Browne from the Committee on Judiciary reported same on Resolve Proposing an Amendment to the Constitution Providing for Two State Senators from Each County (H. P. 747) (L. D. 828)

Mr. Hancock from same Committee reported same on Bill "An Act relating to Penalty for Overweight of Commercial Vehicles" (H. P. 907) (L. D. 1015)

Reports were read and accepted and sent up for concurrence.

**Ought to Pass
in New Draft
Printed Bills**

Mr. Dunn from the Committee on Highways on Bill "An Act to Authorize Construction of a Bridge Across the Passagassawaukeag River" (H. P. 822) (L. D. 914) reported same in a Resolve (H. P. 1190) (L. D. 1453) under title of "Resolve Authorizing State Highway Commission to Study Desirability of a Bridge Across the Passagassawaukeag River" and that it "Ought to pass"

Report was read and accepted, the Resolve read once and tomorrow assigned.

Tabled and Assigned

Mr. Browne from the Committee on Judiciary on Bill "An Act relating to the Definition and Duties of 'Owner' in Motor Vehicle Laws" (H. P. 1126) (L. D. 1324) reported same in a new draft (H. P. 1187) (L. D. 1450) under same title and that it "Ought to pass"

Report was read.

(On motion of Mr. Childs of Portland, the Report with accompanying papers was tabled pending acceptance and specially assigned for tomorrow, April 13.)

Tabled and Assigned

Mr. Earles from the Committee on Judiciary on Bill "An Act Creating the Portland-South Portland Bridge Authority" (H. P. 830) (L. D. 946) reported same in a new draft (H. P. 1188) (L. D. 1451) under title of "An Act Creating a Commission to Survey Proposal for Portland-South Portland Bridge" and that it "Ought to pass"

Report was read and accepted.

(On motion of Mr. Ferguson of Hanover, the Bill with accompanying papers was tabled pending first reading and specially assigned for Friday, April 15.)

Tabled and Assigned

Mr. Ross from the Committee on Labor on Bill "An Act relating to Weekly Benefits for Total Unemployment Under Employment Security Law" (H. P. 1070) (L. D. 1258) reported same in a new draft (H. P.

1189) (L. D. 1452) under same title and that it "Ought to pass"

Report was read.

(On motion of Mr. Couture of Bath, the Report with accompanying papers was tabled pending acceptance and specially assigned for Friday, April 15.)

Mr. Winchenpaw from the Committee on Labor on Bill "An Act relating to Records of Time Worked by Male Employees Sixteen Years of Age or Over" (H. P. 305) (L. D. 283) which was recommitted, reported same in a new draft (H. P. 1191) (L. D. 1454) under title of "An Act relating to Records of Time Worked" and that it "Ought to pass"

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

**Ought to Pass
Printed Bills**

Mr. Ferguson from the Committee on Highways reported "Ought to pass" on Resolve Designating Part of Route 9 as State Highway (H. P. 883) (L. D. 991)

Mr. Briggs from the Committee on Inland Fisheries and Game reported same on Bill "An Act relating to Construction of Fishways" (H. P. 654) (L. D. 731)

Same gentleman from same Committee reported same on Bill "An Act relating to the Wells and York Game Preserve" (H. P. 739) (L. D. 820)

Mr. Dudley from same Committee reported same on Resolve Regulating Fishing in Johnson Pond in Knox County (H. P. 660) (L. D. 736)

Mr. Gardner from same Committee reported same on Resolve Regulating Ice Fishing for Trout in St. Croix Lake, Aroostook County (H. P. 661) (L. D. 737)

Mr. Harnden from same Committee reported same on Resolve Regulating Fishing in Rattlesnake (Pequawket) Pond, Oxford County (H. P. 189) (L. D. 194)

Same gentleman from same Committee reported same on Resolve Regulating Fishing in Cobbosseecontee Stream in Kennebec County (H. P. 357) (L. D. 395)

Mr. Potter from same Committee reported same on Resolve Regulating Fishing in Kewayden Lake and

Virginia Lake in Oxford County (H. P. 357) (L. D. 395)

Same gentleman from same Committee reported same on Resolve Closing Spring Pond in Piscataquis County to Fishing Except Fly Fishing (H. P. 470) (L. D. 515)

Same gentleman from same Committee reported same on Resolve Regulating Fishing for Black Bass in Androscoggin County (H. P. 825) (L. D. 917)

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

Tabled and Assigned

Mr. Reynolds from the Committee on Inland Fisheries and Game reported "Ought to pass" on Bill "An Act Repealing Prohibition to Hunt Muskrats in Lake Alamoosook and Dead River" (H. P. 896) (L. D. 1004)

Report was read.

The SPEAKER pro tem: The Chair recognizes the gentleman from Ellsworth, Mr. Willey.

Mr. WILLEY: Mr. Speaker, at the request of my colleague, the gentleman from Bucksport, Mr. Pierce, I request that Item 33 lie on the table and be specially assigned for Friday, April 15, pending acceptance of the committee report.

The SPEAKER pro tem: The gentleman from Ellsworth, Mr. Willey, moves that Item 33 lie on the table pending acceptance of the committee report and be specially assigned for Friday, April 15. Is this the pleasure of the House?

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

Mr. Reynolds from the Committee on Inland Fisheries and Game reported "Ought to pass" on Resolve Regulating Fishing in Second Gardner's Lake in Marion Township, Washington County (H. P. 657) (L. D. 734)

Mr. Ross from same Committee reported same on Resolve Regulating White Perch, Bass and Pickerel Fishing in Lake Anasagunticook (H. P. 741) (L. D. 822)

Mr. Browne from the Committee on Judiciary reported same on Bill "An Act relating to Powers and Duties of Special Administrators" (H. P. 664) (L. D. 740)

Same gentleman from same Committee reported same on Bill "An Act to Ratify and Make Valid the Incorporation of the Sebago Lake Congregational Church" (H. P. 784) (L. D. 867)

Mr. Hancock from same Committee reported same on Bill "An Act relating to Unlicensed Dogs" (H. P. 595) (L. D. 651)

Mr. McGlaufflin from same Committee reported same on Bill "An Act relating to the Fifth Maine Regiment Memorial Society" (H. P. 831) (L. D. 922)

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

Ought to Pass with Committee Amendment

Mr. Earles from the Committee on Judiciary on Bill "An Act relating to Power to Hold Property by Corporations Without Capital Stock" (H. P. 593) (L. D. 649) 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. 593, L. D. 649, Bill "An Act relating to Power to Hold Property by Corporations Without Capital Stock."

Amend said Bill by inserting after the underlined word "valuation" the following underlined words and punctuation, whichever is lower

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

Mr. Earles from the Committee on Judiciary on Bill "An Act relating to Bar Harbor Property Owners Corporation" (H. P. 829) (L. D. 921) 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. 829, L. D. 921, Bill "An Act relating to Bar Harbor Property Owners Corporation."

Amend said Bill by inserting after the word "all" in the 6th line the word 'personal'

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

Tabled and Assigned

Mr. Jones from the Committee on Labor on Bill "An Act relating to Weekly Benefit for Partial Unemployment Under Employment Security Law" (H. P. 995) (L. D. 1143) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted.

(On motion of Mr. Ferguson of Hanover, the Bill with accompanying papers was tabled pending first reading and specially assigned for Thursday, April 21.)

Passed to Be Engrossed

Bill "An Act relating to Moving Motor Vehicles Seized on Attachment" (S. P. 432) (L. D. 1191)

Bill "An Act Increasing the Compensation of Aldermen of the City of Lewiston" (H. P. 922) (L. D. 1030)

Bill "An Act to Incorporate the Memorial School District in Belfast" (H. P. 1118) (L. D. 1284)

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

Tabled

Bill "An Act relating to Registration for Barbers and Apprentice Barbers" (H. P. 1184) (L. D. 1439)

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

(On motion of Mr. Stilphen of Rockland, tabled pending passage to be engrossed.)

Resolve in favor of John C. Bonnell of Portland (H. P. 53) (L. D. 1435)

Resolve in favor of Frederick Standley of South Windham (H. P. 340) (L. D. 1436)

Resolve in favor of Abigail D. Flynn, of Waldoboro (H. P. 735) (L. D. 817)

Resolve in favor of Harold B. Gross, of Waldoboro (H. P. 736) (L. D. 1437)

Resolve in favor of Stockton Springs (H. P. 773) (L. D. 879)

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

At this point, Speaker Trafton returned to the rostrum.

Thereupon, the Sergeant-at-Arms conducted the gentleman from Friendship, Mr. Winchenpaw, 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 Friendship, Mr. Winchenpaw, for doing such a fine job.

The SPEAKER: The House is continuing with Bills in the Third Reading.

Resolve in favor of Gunnar Sandstrom of Sinclair (H. P. 873) (L. D. 1441)

Resolve in favor of Town of Brooksville, Hancock County (H. P. 890) (L. D. 998)

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

Amended Bills

Bill "An Act to Create the Bath Parking District" (H. P. 65) (L. D. 70)

Bill "An Act relating to Zoning in Village Corporations" (H. P. 310) (L. D. 287)

Bill "An Act to Create the Augusta Sewerage District" (H. P. 498) (L. D. 549)

Bill "An Act relating to Sale and Use of Electric Fences" (H. P. 729) (L. D. 791)

Bill "An Act relating to Use of Photostatic Reproductions" (H. P. 832) (L. D. 923)

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.

Amendment Reconsidered

Bill "An Act Increasing Salaries of Certain County Officials of Franklin County" (H. P. 856) (L. D. 942)

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

The SPEAKER: The Chair recognizes the gentleman from Strong, Mr. Jennings.

Mr. JENNINGS: Mr. Speaker and Members of the House: I wish to speak on Item 17, the amendment. This has to do with increasing Salaries of certain county officials in Franklin County. Over the week end, I was in touch with the County Commissioners and, in setting up their budget, they have money set aside so that they can pay their employees as of January 1.

Therefore, I move that the House reconsider its action whereby it accepted filing number 251 on this.

The SPEAKER: The gentleman from Strong, Mr. Jennings, moves that the House reconsider its action whereby it adopted Committee Amendment "A" on April 8. Is this the pleasure of the House?

The motion prevailed.

Thereupon, on further motion of the same gentleman, Committee Amendment "A" was indefinitely postponed, the Bill was given its third reading, passed to be engrossed without amendment and sent to the Senate.

Bill "An Act Increasing the Salary of the Recorder of the Van Buren Municipal Court" (H. P. 950) (L. D. 1053)

Bill "An Act Amending the Charter of the City of Ellsworth" (H. P. 1001) (L. D. 1166)

Bill "An Act relating to Public Camp Sites and Lunch Grounds Maintained by Forestry Department" (H. P. 1078) (L. D. 1261)

Resolve in favor of the Town of Milo (H. P. 32) (L. D. 49)

Resolve in favor of Henry Michaud, of South Berwick (H. P. 248) (L. D. 236)

Resolve in favor of the Town of Bowdoin (H. P. 251) (L. D. 367)

Resolve in favor of West Shore Hotel Company (H. P. 522) (L. D. 585)

Resolve to Reimburse Roscoe Morse of Rockland for Damage by Escaped Prisoner of State Prison (H. P. 870) (L. D. 982)

Resolve in favor of Francis Coyne of Westbrook for Damage by Escapees from Reformatory for Men (H. P. 958) (L. D. 1438)

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.

Passed to Be Enacted

An Act relating to Terms of the Superior Court in York County (H. P. 667) (L. D. 743)

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

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

An Act relating to Digging Clams in Kennebunkport, York County (H. P. 963) (L. D. 1094)

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

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

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

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

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

Finally Passed

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

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.

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

Mr. STILPHEN: Mr. Speaker, a point of information on Item 1, does this bill include Knox County too? Was that the one—

The SPEAKER: The Chair will request the gentleman to kindly approach the rostrum.

The House may be at ease.

House at Ease

Called to order by the Speaker.

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 to pass" as amended by Committee Amendment "A" of the Committee on Public Utilities on Bill "An Act relating to the Appointment of Trustees for the Kennebec Water District", House Paper 1007, Legislative Document 1154, tabled on April 5 by the gentleman from Waterville, Mr. Bernier, pending acceptance and the Chair recognizes that gentleman.

Mr. BERNIER: Mr. Speaker, with the approval of the Public Utilities Commission and at the suggestion of the Senate Chairman of the same committee, I move the substitution of the original bill for the report.

The SPEAKER: The gentleman from Waterville, Mr. Bernier, moves that the Bill be substituted for the Report. Is this the pleasure of the House?

The motion prevailed and the Bill was substituted for the Report, given its two several readings and assigned for third reading tomorrow.

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 Inland Fisheries and Game on Resolve in favor of Flying Pond Improvement Association for Fish Screen, House Paper 906, Legislative Document 1014, tabled on April 5 by the gentleman from Mount Vernon, Mr. Wadleigh, pending acceptance and the Chair recognizes that gentleman.

Thereupon, on motion of that gentleman, the "Ought not to pass" report was accepted and sent up for concurrence.

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 Judiciary on Resolve Proposing an Amendment to the

Constitution Providing for Limited Annual Sessions, House Paper 990, Legislative Document 1138, tabled on April 5 by the gentleman from Boothbay Harbor, Mr. Greenleaf, pending acceptance and the Chair recognizes that gentleman.

Mr. GREENLEAF: Mr. Speaker and Members of the House: I fully realize that the Judiciary Committee reported that this "Ought not to pass", and I have much respect for our committee system in the Legislature and firmly believe in it. But at the same time I believe that nobody or no group is infallible. While I respect their opinions on this matter, I believe in it firmly enough myself to attempt to get the bill accepted anyway. Possibly the Committee was a little bit conservative on this because I feel that although there are many opponents at this time, even the opponents realize that eventually we will have annual sessions. The trend is toward annual sessions. It will not be too far in the future we will inevitably have them and I was just hoping that Maine could be in the forefront this time and not wait until forty-seven other states adopt this. I will not attempt to talk too long on this because I realize that too many words in debate many times defeat a cause rather than help it. I believe one thing, that the State Government today is too complex and things change too fast for us to plan ahead for two years. I realize that the State of Maine does not have as large a budget as many of the larger states, but we still I believe the last time appropriated something like \$66,000,000 and undoubtedly we will spend more this time. I do not believe there is anybody in this Legislature that is intelligent enough to wisely spend that amount of money two years in advance foreseeing all eventual happenings.

Line budgeting has been approved and to fully carry this out I think that you need annual sessions. Going back to the towns which is our purest form of democracy, people do their own legislating, and they feel that they must meet annually, and many towns in this state will appropriate well, a matter of less — I know towns that appropriate less than we will say twenty thousand

dollars, and if you suggested that they meet every two years you would be run out of town, yet we feel we can appropriate millions on a two-year basis. After all, all we are doing up here is doing the legislating for the people which they are unable to do for themselves. If we met annually the people would have more direct control over their government. I have no personal axe to grind on this. I firmly believe in it and I would like to see it passed.

From 1942 to 1952 forty states in the United States held 206 special sessions, and we all realize special sessions usually do not bring out the best legislation possible. You do not have the time for slow deliberation that we have in our regular sessions, and even now there is a possibility that we may meet in a special session, and I would not even minimize that because it is possible with the highway problem such as it is. For example, if we should meet annually, the problems that come up we will say ten months from now and a department might run out of funds, well if they were going to meet again next January it would not be so pressing that they could not wait a matter of months, but if something like that should happen and we were going to meet a year or more away we would have to call an annual session as we saw last fall. As I said before the people at home do their own legislating on a yearly basis.

I believe I have said enough, I have done enough talking on this bill, but now I will move that we accept the resolve instead of the Committee report, at the same time respecting the committee's judgment in disagreeing with me, and if this bill is accepted I will offer an amendment removing the March 20 deadline so in effect this will not be a limited session.

The SPEAKER: The gentleman from Boothbay Harbor, Mr. Greenleaf, moves that the resolve be substituted for the "Ought not to pass" Report of the Committee.

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

Mr. MCGLAUFLIN: Mr. Speaker and Members of the House: Your Committee gave this matter careful

consideration. They could find no need of this at this time, and they did not think it either advisable or practical. Under the provisions of this bill, you could not hold sessions later than March 20. Now we might be pretty well through with our work on March 20, but under this bill you would have to stop on the 20th of March and let that wait until the next session of the Legislature, nothing could be passed regularly at the single term. For sixty-five years we had annual sessions in this state and then it was decided that that was not advisable. I am opposed to the motion of the gentleman from Boothbay Harbor, Mr. Greenleaf.

The SPEAKER: The Chair recognizes the gentleman from Cumberland, Mr. Call.

Mr. CALL: Mr. Speaker and Members of the House: I would like to ask a question of any member of that Committee, did they carefully weigh what the gentleman from Boothbay Harbor, Mr. Greenleaf, said in regard to annual sessions, disregarding the fact of the limited time which was set as March 20? Did they consider at that time the possibilities of one annual session just taking up appropriations and money matters and allowing no other bills to be introduced or resolves, and then the following year take up the other matters and leave out your appropriations? I would like to ask that question through the Chair because I am very ignorant of that matter.

The SPEAKER: The gentleman from Cumberland, Mr. Call, addresses a question through the Chair to any member of the Committee on Judiciary. Any member may answer if he so chooses.

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

Mr. MCGLAUFLIN: Mr. Speaker, that matter was not brought to the attention of the Committee at all.

The SPEAKER: The question before the House is on the motion of the gentleman from Boothbay Harbor, Mr. Greenleaf, that the resolve be substituted for the report.

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

Mr. BROWNE: Mr. Speaker and Members of the House: May I re-

state in my own mind what I understood Mr. Call, the gentleman from Cumberland, to request, was that money matters were to be discussed in one session and that your other items would be discussed in the second session. I think that if you were to limit yourselves to that type of a schedule you might be defeating the whole purpose of the yearly session because the logic for the annual session would be to be available each January. There are many things such as your problems with relation to money which must be anticipated and which must be investigated on the long range program. It is almost impossible to plan something from year to year. You must be looking ahead and with that you make your request with that idea in mind. I would think that if you attempted to limit what you are going to do in any particular session, you would be defeating the whole reason for the annual sessions. I also think that because the bill attempted to limit us to March 20 I believe it was in each year that there again you would be defeating the purpose.

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

Mr. JACOBS: Mr. Speaker and Members of the House: I oppose this on account of the expense to the State and the taxpayers of the State. The figures of a session like this one, or next year if it is limited it would be a little less expense, but the whole expense is \$360,000 for this session. Broken down the Senate expense, Secretary, Asst. Secretary and employees \$23,698. House expense, Clerk, Asst. Clerk and employees \$31,961. Joint Committee Clerks \$13,386.40. Legislature, the members and the Council \$191,000. Printing \$85,000. Miscellaneous \$15,000, making a total of \$360,000 for this session. Now next session may be about the same, if it was any less the price would be a little less. All considered, I think we are going along pretty well having biennial sessions, and I am opposed to this resolve.

The SPEAKER: The Chair recognizes the gentleman from Boothbay Harbor, Mr. Greenleaf.

Mr. GREENLEAF: Mr. Speaker, if it is in order I would like to answer a couple of these things that have been brought up.

The SPEAKER: The gentleman may proceed.

Mr. GREENLEAF: Mr. Speaker and Members of the House: In regard to economy, as many of you know that know me, I very firmly believe in economy, and I do not want to see a cent spent that is not necessary, but this is still a very small part of the budget. At the present time we spend something like one per cent of our State budget, and even if you doubled this, I think it is a very poor place to economize on something that affects the lives of so many people. Another thing I would like to bring out, it seems as though the Committee put a lot of stress on this March 20. This March 20 deadline maybe it is too short. I firmly believe in the resolve, and as I mentioned before, I have offered if the resolve should be accepted filing No. 258, an amendment that takes out the March 20 deadline and also takes out "Limited" in the title of the bill, so that should remove some of the objections of the Committee.

The SPEAKER: The Chair recognizes the gentleman from Portage Lake, Mr. Cook.

Mr. COOK: Mr. Speaker and Members of the House: I simply would like to go on record as supporting the gentleman from Boothbay Harbor, Mr. Greenleaf, in his motion to substitute the resolve for the report. Recently we are having more states go into the annual session and I think we have perhaps had it pointed up to us as greatly as could be in this session the need for annual sessions.

The SPEAKER: The Chair recognizes the gentleman from Cumberland, Mr. Call.

Mr. CALL: Mr. Speaker and Members of the House: As the gentleman from Auburn, Mr. Jacobs, says economy and the cost of an annual session is exorbitant, I just recently here read in this House that five million dollars interest for a thirty million dollar loan, of course that there would not be economy because we get the money but we have got to spend five. I would just like to go on record in favor of the

bill of the gentleman from Boothbay Harbor, Mr. Greenleaf, and I ask for a division.

The SPEAKER: The question before the House is on the motion of the gentleman from Boothbay Harbor, Mr. Greenleaf, that Resolve Proposing an Amendment to the Constitution Providing for Limited Annual Sessions, House Paper 990, Legislative Document 1138, be substituted for the Report. The gentleman from Cumberland, Mr. Call, requests a division.

As many as are in favor of the motion to substitute the resolve for the report will kindly rise and remain standing in their places until the monitors have made and returned the count.

A division of the House was had.

Fifty-five having voted in the affirmative and fifty-eight having voted in the negative, the motion did not prevail.

Thereupon, the "Ought not to pass" Report was accepted and sent up for concurrence.

The SPEAKER: The Chair lays before the House the fourth tabled and today assigned matter, Bill "An Act relating to Insects and Diseases of Trees," Senate Paper 515, Legislative Document 1408, tabled on April 6 by the gentleman from West Gardiner, Mr. Martin, pending first reading and the Chair recognizes that gentleman.

Mr. MARTIN: Mr. Speaker, I move that this Bill have its two several readings, after which I would like to introduce an amendment.

Thereupon, the Bill was given its two several readings.

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

Mr. MARTIN: Mr. Speaker, I move the adoption of House Amendment "A" which has the full approval of the Natural Resources Committee.

The SPEAKER: The gentleman from West Gardiner, Mr. Martin, offers House Amendment "A" and moves its adoption. The Clerk will read House Amendment "A".

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

HOUSE AMENDMENT "A" to S. P. 515, L. D. 1408, Bill "An Act

relating to Insects and Diseases of Trees."

Amend said Bill by striking out all of the last underlined paragraph of that part designated "Sec. 2"

House Amendment "A" was adopted in non-concurrence.

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

Mr. MARTIN: Mr. Speaker, there is another amendment on the way and, at the request of another member of this House who is preparing the amendment, I would like to lay this on the table unassigned.

The SPEAKER: The Chair will inquire if it is possible that that amendment would be prepared by tomorrow morning. If so, the Chair would suggest that it could be offered in the regular course.

Mr. MARTIN: Mr. Speaker, I am afraid it would not be ready tomorrow morning.

The SPEAKER: The gentleman from West Gardiner, Mr. Martin, moves that Bill "An Act relating to Insects and Diseases of Trees", Senate Paper 515, Legislative Document 1408, lie on the table pending assignment for third reading. Is this the pleasure of the House?

The motion prevailed and the Bill was so tabled.

The SPEAKER: The Chair is informed that there are in the balcony of the House a group of twenty students from the 6th, 7th and 8th Grades from Sweden accompanied by their teachers, Mrs. Blake and Mrs. Eanfill.

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

The SPEAKER: The Chair lays before the House the fifth tabled and today assigned matter, Bill "An Act relating to Pensions for Dependents of Deceased Policemen of City of Lewiston", Senate Paper 163, Legislative Document 357, tabled on April 6 by the gentleman from Lewiston, Mr. Dumais, pending first reading.

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

Mr. COTE: Mr. Speaker and Members of the House: As I understand this bill, it would probably involve quite an expense to the City

of Lewiston. We have in the House, two members of the Board of Aldermen and the Mayor. I understand that at its next meeting, next Thursday night, these bills, Items 5 and 6, will be discussed at that meeting. In the absence of the gentleman from Lewiston, Mr. Dumais, I now move that this bill be tabled and specially assigned for next Tuesday.

The SPEAKER: The gentleman from Lewiston, Mr. Cote, moves that this Bill "An Act relating to Pensions for Dependents of Deceased Policemen of City of Lewiston", Senate Paper 163, Legislative Document 357, lie on the table pending first reading and be specially assigned for Tuesday, April 19. 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 sixth tabled and today assigned matter, Senate Report "Ought not to pass" of the Committee on Legal Affairs on Bill "An Act relating to Pensions for Dependents of Deceased Firemen of City of Lewiston", Senate Paper 413, Legislative Document 1176, tabled on April 6 by the gentleman from Lewiston, Mr. Dumais, pending acceptance.

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

Mr. COTE: Mr. Speaker and Members of the House: For the same reason just outlined on the previous bill, I now move that this bill be tabled until next Tuesday, April 19.

The SPEAKER: The gentleman from Lewiston, Mr. Cote, moves that the Report and accompanying papers be tabled pending acceptance and be specially assigned for Tuesday, April 19. Is this the pleasure of the House?

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

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 Retirements and Pensions on Bill "An Act Amending the Law Permitting Municipal Employees to Receive Federal Social Security Benefits", House Paper 1112, Leg-

islative Document 1303, tabled on April 6 by the gentleman from Hanover, Mr. Ferguson, pending acceptance and the Chair recognizes that gentleman.

Mr. FERGUSON: Mr. Speaker and Members of the House: As there are other bills coming out of this committee relating to retirement and pension plans, I move that this bill, L. D. 1303, lie on the table unassigned.

The SPEAKER: The gentleman from Hanover, Mr. Ferguson, moves that the Report with accompanying papers lie on the table pending acceptance and be unassigned. Is this the pleasure of the House?

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

The SPEAKER: The Chair lays before the House the eighth 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 Josephine Tregembo, of Hallowell, House Paper 720, tabled on April 6 by the gentleman from West Gardiner, Mr. Martin, pending acceptance and the Chair recognizes that gentleman.

Mr. MARTIN: Mr. Speaker, faith and today it is many troubles I have by japes and by gorry. It would help amazingly if you would only table this again until tomorrow.

The SPEAKER: The gentleman from West Gardiner, Mr. Martin, moves that the Report with accompanying papers lie on the table pending acceptance and be specially assigned for tomorrow, April 13. Is this the pleasure of the House?

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

The SPEAKER: The Chair lays before the House the ninth tabled and today assigned matter, House Report "Ought not to pass" of the Committee on Retirements and Pensions on Resolve Providing for an Increase in State Pension for Maggie Caird of Dexter, House Paper 1012, tabled on April 6 by the gentleman from Dexter, Mr. Roberts, pending acceptance and the Chair recognizes that gentleman.

Thereupon, on motion of that gentleman, the Report with accompanying papers was tabled pending acceptance and specially assigned for Tuesday, April 19.

The SPEAKER: The Chair lays before the House the tenth tabled and today assigned matter, House Report "Ought to pass" in New Draft, House Paper 1181, Legislative Document 1431, of the Committee on Highways on Bill "An Act Permitting Towns to Appropriate Money in Anticipation of State Highway Appropriations," House Paper 980, Legislative Document 1128, tabled on April 7 by the gentleman from Brooks, Mr. Elwell, pending acceptance and the Chair recognizes that gentleman.

Mr. ELWELL: Mr. Speaker and Members of the House: L. D. 1431 is a redraft of L. D. 1128. It is an act relating to anticipation of state aid funds by towns. It involves a problem of an interpretation of the law relating to highway policy rather than the law itself. I presented this bill to clarify the present law and to spell out the intentions of the Legislature. The law was passed in 1947 and followed as written for six years. The then Chairman of the Highway Committee has assured me that it was administered exactly as the committee intended that it should be. Dozens of towns took advantage of the law and benefited by it. I have yet to hear of a town that was injured by it. In 1953, however, without any change in the statutes, the Commission issued an arbitrary ruling whereby towns could no longer anticipate their funds beyond the biennium involved. This reversal of policy has contributed to the curtailment of nearly a half a million dollars worth of state aid road construction in the first fifteen months that it was in effect.

There is a question in my mind as to whether or not this redraft would restrict the towns even further than under the present law. I would hate to be in the position of sponsoring a bill that would do that. It was my intention in tabling this bill to secure more information from the Attorney General. However, he has been out of town dur-

ing the last week and I have been unable to secure it.

I therefore request the privilege of retabbling this bill unassigned pending acceptance.

The SPEAKER: The gentleman from Brooks, Mr. Elwell, moves that the Report with accompanying papers lie on the table pending acceptance. Is this the pleasure of the House?

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

The SPEAKER: The Chair lays before the House the eleventh tabled and today assigned matter, Bill "An Act relating to Approval of Dog Shelters," Senate Paper 469, Legislative Document 1312, tabled on April 7 by the gentleman from Milo, Mr. Brockway, pending third reading and the Chair recognizes that gentleman.

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

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

HOUSE AMENDMENT "A" to S. P. 469, L. D. 1312, Bill "An Act relating to Approval of Dog Shelters."

Amend said Bill by striking out the underlined words "and such shelter shall be" in the 6th line and inserting in place thereof the underlined words "providing such shelter has been"

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

The SPEAKER: The Chair lays before the House the twelfth tabled and today assigned matter, Resolve Providing for Payment of Certain Pauper Claims, House Paper 1180, Legislative Document 1420, tabled on April 7 by the gentleman from Newport, Mr. Carter, pending passage to be engrossed and the Chair recognizes that gentleman.

Thereupon, on motion of that gentleman, the 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 were

necessary, was passed to be engrossed and sent to the Senate.

The SPEAKER: The Chair lays before the House the thirteenth tabled and today assigned matter, Bill "An Act relating to Fees for Motor Vehicle Inspections", Senate Paper 235, Legislative Document 571, tabled on April 7 by the gentleman from Portage Lake, Mr. Cook, pending adoption of House Amendment "B" and the Chair recognizes that gentleman.

Mr. COOK: Mr. Speaker, out of respect to a request by my colleague, the gentleman from Bridgewater, Mr. Finemore, and a request from my colleague, the gentleman from Fairfield, Mr. Osborne, I should like to table this until Friday of this week.

The SPEAKER: The gentleman from Portage Lake, Mr. Cook, moves that this Bill with accompanying papers lie on the table pending adoption of House Amendment "B" and be specially assigned for Friday, April 15. 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 fourteenth tabled and today assigned matter, Senate Report "Ought not to pass" of the Committee on Public Utilities on Bill "An Act relating to Definition of 'Contract Carrier'", Senate Paper 487, Legislative Document 1356, tabled on April 8 by the gentleman from Bridgton, Mr. Haughn, pending acceptance and the Chair recognizes that gentleman.

Thereupon, on motion of that gentleman the "Ought not to pass" Report was accepted in concurrence.

The SPEAKER: The Chair lays before the House the fifteenth tabled and today assigned matter, House Report "Ought to pass" in New Draft title of "An Act relating to Fees for Jurors and Witnesses", House Paper 1185, Legislative Document 1440, of the Committee on Towns and Counties on Bill "An Act relating to Fees for Jurors", House Paper 168, Legislative Document 159, tabled on April 8 by the gentleman from Pittsfield, Mr. Cian-

chette, pending acceptance and the Chair recognizes that gentleman.

Thereupon, on motion of that gentleman, the "Ought to pass" in New Draft Report was accepted, the Bill read twice and tomorrow assigned.

The SPEAKER: The Chair lays before the House the sixteenth tabled and today assigned matter, Resolve Regulating Ice Fishing in Twitchell Pond, Oxford County, Senate Paper 283, Legislative Document 795, tabled on April 8 by the gentleman from Brownfield, Mr. Olpe, pending passage to be engrossed and the Chair recognizes that gentleman.

Thereupon, on motion of that gentleman, the Resolve was passed to be engrossed as amended by Committee Amendment "A" and sent to the Senate.

The SPEAKER: The Chair lays before the House the seventeenth tabled and today assigned matter, Resolve Proposing an Amendment to the Constitution to Change the Qualifications of Citizenship of the Governor, House Paper 432, Legislative Document 478, tabled on April 8 by the gentleman from Bangor, Mr. Totman, pending final passage and the Chair recognizes that gentleman.

Thereupon, that gentleman moved that the Resolve be finally passed.

This being a Constitutional Amendment and a two-thirds vote of the House being necessary, a division was had. 113 voted in favor of same and none against, and accordingly the Resolve was finally passed, signed by the Speaker and sent to the Senate.

The SPEAKER: The Chair would state that there is a correction in the addendum of the Calendar today. The first item should state specially assigned for Thursday, April 21 instead of Tuesday, April 12.

The House is proceeding under Orders of the Day.

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

Mr. MCCLUSKEY: Mr. Speaker, I respectfully request unanimous consent to introduce a resolve.

The SPEAKER: The gentleman from Warren, Mr. McCluskey, requests unanimous consent to introduce a resolve notwithstanding the cloture order. The Clerk will read the title of the Resolve.

The CLERK: Resolve to Reimburse the Town of Washington for Support of Certain State Paupers.

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. 1192) was referred to the Committee on Claims, ordered printed and sent up for concurrence.

The SPEAKER: The Chair recognizes the gentleman from Bath, Mr. Ross.

Mr. ROSS: Mr. Speaker, a lot of bills have been retabled and I would like to take off the table an unassigned bill.

The SPEAKER: The gentleman may take an unassigned bill from the table at this time.

Mr. ROSS: Mr. Speaker, I would like to take the bill off and speak briefly and present an amendment, please.

Thereupon, the motion prevailed and the House voted to take from the table the first tabled and unassigned matter, Bill "An Act relating to Exceptions from Outdoor Advertising Law", House Paper 184, Legislative Document 189, tabled on February 16 by that gentleman pending passage to be engrossed.

The SPEAKER: The Chair recognizes the gentleman from Bath, Mr. Ross.

Mr. ROSS: Mr. Speaker, I tabled this item because it applied to the same section of the law as L. D. 538, which was ultimately withdrawn. This latter measure would have eased up on certain restrictions under the law relative to areas lying between two compact sections. The restrictions under the advertising law, as many people know, are very severe and many persons have contacted me to see what could be worked out in relaxing these. The law is administered by the Highway Department and they did not sanction the suggestion of the compact

areas being admitted but they were willing to discuss and work out a compromise. The situation has been discussed at some length both with the Highway Department and with members of this House who were interested and this amendment, filing number 253, relaxes certain qualifying provisions and has the whole-hearted approval of the Highway Commission and appears to satisfy the other interested persons so I now present amendment filing number 253 and move its adoption.

The SPEAKER: The gentleman from Bath, Mr. Ross, offers House Amendment "A" and moves its adoption. The Clerk will read House Amendment "A".

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

HOUSE AMENDMENT "A" to H. P. 184, L. D. 189, Bill "An Act relating to Exceptions from Outdoor Advertising Law"

Amend said Bill by adding thereto a new section to read as follows:

Sec. 3. R. S. c. 23, § 138, amended. Section 138 of chapter 23 of the revised statutes is hereby amended to read as follows:

Sec. 138. Permits. No person, firm or corporation shall erect or maintain upon real property any outdoor advertising structure, device, or display, including those now or hereafter existing, until a permit for the erection or maintenance of such structure, device, or display shall have been obtained from the commission. The provisions of this section shall not apply to outdoor advertising structures, devices, or displays upon the property whereon the goods so advertised are manufactured or sold or the business or profession so advertised is carried on or practiced, or which advertise the real property upon which the same may be for sale or for rent, provided that such structures, devices, or displays shall not exceed 10 in number or a total area of 250 square feet and provided that such structures, devices, or displays shall be within 300 1000 feet of the building wherein the goods advertised are manufactured or sold or the business or profession advertised is carried on or practiced, except that if such building is not adjacent to a public way designated by state or federal highway route numbers,

said structures, devices, or displays shall be within 300 feet from the junction of the nearest such highway, and the travelled way, public or private, constituting the approach to said building, and such signs shall not exceed 2 in number or 200 square feet in total area and provided further, that none of such signs shall be of an area greater than 100 square feet or shall endanger the safety of persons using the highways.

House Amendment "A" was adopted and the Bill, having had its three several readings in the House and the Committee on Bills in the Third Reading having reported that no further verbal amendments were necessary, was passed to be engrossed as amended by House Amendment "A" and sent to the Senate.

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

Mr. MALENFANT: Mr. Speaker, I wish to remove from the table unassigned matter, item 20.

The SPEAKER: The gentleman from Lewiston, Mr. Malenfant, moves that the House take from the table the twentieth tabled and unassigned matter, House Report "Ought not to pass" of the Committee on Legal Affairs on Bill "An Act Providing for the Appointment of a Civil Engineer of the City of Lewiston by the Department of Public Works", House Paper 436, Legislative Document 482.

Is this the pleasure of the House? The motion prevailed.

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

Mr. MALENFANT: Mr. Speaker, I now move the substitution of the bill for the "Ought not to pass" report of the Committee.

The SPEAKER: The gentleman from Lewiston, Mr. Malenfant, moves that Bill "An Act Providing for the Appointment of a Civil Engineer of the City of Lewiston by the Department of Public Works be substituted for the "Ought not to pass" report of the Committee.

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

Mr. MALENFANT: Mr. Speaker and Members of the House: This

bill was reported "Ought not to pass" I think by mistake, with all respect for the Legal Affairs Committee, just because one of the members on that Committee does not like my looks, it is not the reason to hurt the entire city of Lewiston. In the past the city engineer was appointed by the Public Works, he works for the Public Works, he keeps his office at the Public Works building. He was appointed by the Public Works until four years ago. Four years ago the so-called Finance Board that tried to take all the power away from the Aldermen and from everybody, asked one of the members of the other House to pass an amendment to our charter and it is a hard thing for a man to pass an amendment to a charter that destroys a charter. So he passed an amendment to transfer that City Engineer to the Finance Board. The Finance Board is interested in finance only and I do not see why the city engineer is going to be under them. Now at the present time our city engineer has resigned. The Public Works Department has been after me for a couple of weeks for the city engineer. The Finance Board meets only every week for one or one and a half hours, sometimes every two weeks. They do not care what is going on, they do not care if the Public Works is going to have the services of the city engineer.

Now the taxpayers of Lewiston are waiting for many projects, the Public Works Department is waiting for an engineer to start the summer projects. Now the only thing to do is to transfer the appointment of the city engineer back to the Public Works. Now, you take a state engineer here. He is hired by the Highway Department not by the Finance Committee. I can not understand why one member of the Legal Affairs Committee is going to hurt the taxpayers of Lewiston for certain personal reasons. The people of Lewiston put enough confidence in me to elect me Mayor, to elect me a member of this House. They want me to ask this House to give them justice today. It is not a pleasure for me to suffer the embarrassment to beg this House to support my bill but as long as the

people of Lewiston put so much confidence in me I am willing to suffer almost any humiliation to get justice for them. If I can not find enough in this House to support this bill, I am going to be ashamed to go back to Lewiston tonight and face the taxpayers and also face the Public Works Board.

Now, last night the Finance Board had a meeting. I happen to be Chairman of that Finance Board but they do not care about the Chairman. The Chairman does not vote except in case of a tie. The Public Works begged the Finance Board for a city engineer. They made the mistake of hiring the old city engineer who resigned two weeks ago at so much an hour to do the work until they decided to hire an engineer. What is going to happen? Our city engineer might ruin the city. What is supposed to take one day or two days to take care of a certain project, he might take one week and bill the city for it.

Now, I hope that the members of this House will support my bill so that the people of Lewiston can receive justice. I told the people of Lewiston that it was a pleasure for me to serve in this House. Now, if I can not receive enough support for this bill, I am going to be ashamed to repeat that again.

The SPEAKER: The question before the House is on the motion of the gentleman from Lewiston, Mr. Malenfant, that Bill "An Act Providing for the Appointment of a Civil Engineer of the City of Lewiston by the Department of Public Works," House Paper 436, Legislative Document 482, be substituted for the report of the committee.

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

Mr. CHILDS: Mr. Speaker and Members of the House: Apparently the gentleman from Lewiston, Mr. Malenfant, inferred that the Legal Affairs Committee disposed of this bill in a beauty contest rather than on the merits of it. I certainly have to disagree with him. I admit it is a local matter and possibly it is something the legislature should have nothing to do with. As far as I know, Lewiston is going to conduct their own government. The Le-

gal Affairs Committee was opposed to this measure on a matter of principle. The principle being this: Under the present set-up, the civil engineer is employed by the Finance Board. The Finance Board is supposed to be an impartial group who would treat all departments in the same manner. Their proposition now is to take the civil engineer and have him appointed by the Department of Public Works, I believe it was. In that manner, if you have a director in the Department of Public Works who does not get along with the administrators or directors of the other departments and they need a civil engineer in another department, they might find it rather difficult to have him there at that time.

Another thing which makes it rather confusing is that the civil engineer also receives more compensation than the director of Public Works, which could very easily lead to bad feelings between the two.

Where all departments need a civil engineer, I see no reason in the world why he should be under the control of one particular department and I think that the situation should remain as it is.

Now, as I said before, I realize it is a local matter and all the members of the Lewiston delegation are in favor of this bill. I am opposed to it in principle only and if the rest of the House feels that they want to go along with the Lewiston delegation, it really would not be hurting my feelings.

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

Mr. COUTURE: Mr. Speaker, as a member of the City Council of the City of Lewiston, I too have taken it up with the Board of Public Works and the Director of Public Works and they also feel that it should be under Public Works for this reason: Ninety to ninety-five per cent of the work of our city engineer is done under the Board of Public Works and a good many times the city engineer is really needed by the Public Works on construction of sidewalks and streets and so on and then there would be a demand from schools and other departments and the Board of Finance in the past has usually pulled the city engineer out of there and sent him to the schools

or other departments there in the City of Lewiston and held back these projects. At the time they were held back, it was proven that it made it awfully expensive to the City of Lewiston while they were waiting for that city engineer to be present.

I also have brought it out to the City Council at our last meeting and I understand that they favor it to be under the Public Works, including the members of the Public Works, themselves, the Director of Public Works. Now, I hope that the motion of the gentleman from Lewiston, Mr. Malenfant, will prevail.

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

Mr. MALENFANT: Mr. Speaker, to answer my friend, the gentleman from Portland, Mr. Childs, when he says if they transfer that appointment to the Public Works, the city engineer might not serve all departments. The city engineer under the Public Works Department in the past always gave good service to any department. He says it is only a Lewiston bill. He does not seem to care what is going to happen to that bill. Well, any one of you who brings up a bill here for your town or city, if it is a good bill, I will support your bill and I hope that you will do the same thing for me today.

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

Mr. CHILDS: Mr. Speaker, I think the gentleman from Lewiston (Mr. Malenfant) misunderstood me. I did not say that such a situation existed. I said that you are creating a situation by having the civil en-

gineer under a particular department instead of having him under a commission which is impartial to all departments. I do not say that that situation exists because I know that it does not exist now but you are creating that situation.

I request a division.

The SPEAKER: The question before the House is on the motion of the gentleman from Lewiston, Mr. Malenfant, that Bill "An Act Providing for the Appointment of a Civil Engineer of the City of Lewiston by the Department of Public Works", House Paper 436, Legislative Document 482, be substituted for the "Ought not to pass" Report of the Committee on Legal Affairs.

The gentleman from Portland, Mr. Childs, has requested a division.

As many as are in favor of the Bill being substituted for the Report will kindly rise and remain standing in their places until the monitors have made and returned the count.

A division of the House was had.

Seventy-seven having voted in the affirmative and six having voted in the negative, the motion prevailed, and the Bill was substituted for the Report.

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

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

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

On motion of Mr. Jennings of Strong,

Adjourned until ten o'clock tomorrow morning.