

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Ninety-Seventh Legislature

OF THE

STATE OF MAINE

1955

DAILY KENNEBEC JOURNAL
Augusta, Maine

HOUSE

Friday, April 15, 1955

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

Prayer by the Rev. Mr. Harvey F. Ammerman of Augusta.

The journal of the previous session was read and approved.

Papers from the Senate

From the Senate: The following Communication:

Communication from Dean Fisher, M.D., Secretary, Water Improvement Commission, submitting information and recommendations on Water Pollution Control in accordance with requirements of Chapter 29 of the Revised Statutes (S. P. 535)

(See Senate Journal of yesterday for complete communication)

Came from the Senate read and ordered placed on file.

In the House, the Communication was read and ordered placed on file in concurrence.

**Senate Reports of Committees
Leave to Withdraw**

Report of the Committee on Judiciary on Bill "An Act Repealing Law Granting Letters Testamentary to Executor of Will Pending Appeal" (S. P. 219) (L. D. 560) reporting Leave to Withdraw.

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

Report of the Committee on Welfare reporting same on Bill "An Act relating to Pauper Relief" (S. P. 199) (L. D. 449)

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 Inland Fisheries and Game reporting "Ought not to pass" on Resolve Regulating Fishing for White Perch in Washington County (S. P. 181) (L. D. 433)

Report of the Committee on Judiciary reporting same on Bill "An

Act relating to Killing Dogs Attacking Domestic Animals" (S. P. 267) (L. D. 698)

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

Report of the Committee on Taxation reporting same on Bill "An Act relating to Taxation of Poultry" (S. P. 273) (L. D. 703)

Came from the Senate read and accepted.

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

Ought to Pass

Report of the Committee on Liquor Control reporting "Ought to pass" on Bill "An Act Repealing the Position of Director of Licensing and Enforcement Under Liquor Commission" (S. P. 440) (L. D. 1210)

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

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

**Ought to Pass
with Committee Amendment**

Report of the Committee on Claims on Resolve in favor of Gerard Pomerleau of Portland (S. P. 77) (L. D. 176) 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. 77, L. D. 176, Resolve in favor of Gerard Pomerleau of Portland.

Amend said Resolve by striking out in second line in said Resolve the figure "\$398.54" and inserting in place thereof the figure "\$110.00".

Committee Amendment "A" was adopted in concurrence and the Re-

solve assigned for second reading the next legislative day.

Report of the Committee on Labor on Bill "An Act to Clarify the Employment Security Law" (S. P. 348) (L. D. 957) 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. 348, L. D. 957, Bill "An Act to Clarify the Employment Security Law."

Amend said Bill by striking out all of Sections 4 and 7 thereof.

Further amend said Bill by renumbering Sections 5, 6, 8, 9, 10, 11, 12, and 13 to be Sections 4, 5, 6, 7, 8, 9, 10 and 11, respectively.

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

Report of the Committee on Labor on Bill "An Act relating to Leather Poisoning as an Occupational Disease" (S. P. 466) (L. D. 1309) 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. 466, L. D. 1309, Bill "An Act relating to Leather Poisoning as an Occupational Disease."

Amend said Bill in the 9th and 10th lines by striking out the underlined words "in the process of manufacturing"

Committee Amendment "A" was adopted in concurrence and the Bill

assigned for third reading the next legislative day.

Divided Report

Majority Report of the Committee on Highways reporting "Ought to pass" on Resolve Providing for Motor Vehicle Registration Plates" (S. P. 44) (L. D. 33) which was recommended.

Report was signed by the following members:

Messrs. PARKER of Piscataquis
JAMIESON of Arostook
COLE of Waldo

— of the Senate.

Messrs. FERGUSON of Hanover
NADEAU of Biddeford
DENBOW of Lubec

— of the House.

Minority Report of same Committee on same Resolve reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was signed by the following members:

Messrs. HIGGINS of Scarborough
DUNN of Poland
CARTER of Etna
PULLEN of Oakland

— of the House.

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

In the House: Reports were read.

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

Mr. TOTMAN: Mr. Speaker and Members of the House: I wish to move in non-concurrence that we accept the minority report of this committee as amended by Committee Amendment "A" submitted therewith and I would like to speak to that motion.

The SPEAKER: The gentleman from Bangor, Mr. Totman, moves that the Minority Report "Ought to pass" as amended by Committee Amendment "A" be accepted in non-concurrence. Is this the pleasure of the House?

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

Mr. TOTMAN: Mr. Speaker and Members of the House: This is the emergency enactor bill which went through the House about a month ago with a price tag of \$296,000. It

does affect all motorists in the State. I think perhaps it deserves your consideration inasmuch as your decision on this matter will decide of course what automobile license plates we will be using for the next five or six years.

At the time that this bill was recalled from the emergency enact stage, I think I called your attention to the fact that there were those who felt that by issuing a steel plate versus a Scotch Lite aluminum plate, we might save a considerable amount of money. I promised the House that when the time came I would try to present the facts, be fair about it and let the House decide. I am going to follow through with that promise this morning and state that I think the only question left for you to decide as members of this House is: Do you want one or two aluminum Scotch Lite plates? Apparently the Committee on Highways and, if I do not speak correctly for the minority in this House who signed the minority report, they can certainly correct me. I think I speak for the minority in saying that apparently there is a saving in issuing what they call semi-permanent aluminum plates versus an annual steel plate. The fact that Maine and Connecticut are the only two states in the United States, which use a Scotch Lite plate for five or six years, it seemed to me a luxury at first. On the other hand, we are apparently saving some postage cost to the extent of, I believe, about \$9,000 over five or six years. Consequently, I will concern my remarks to my personal convictions solely to the argument as to whether or not it is judicious to have one or two plates. I leave it up to you because all of you drive cars and all of you see the results of our plates on the front of most cars and I think it has been commented on that many of our truck plates become mutilated, become difficult to read because, partly due to age and partly due to construction of bumpers, it is pretty difficult to keep new plates to continue to be legible once they have been hit by a car in front, particularly in parking.

Now, the saving that this State could effect by having but one plate is in excess of \$100,000. I really

wish that perhaps this bill had come along at the end of our discussion of the supplemental budget and we would certainly find out that items as small as five and ten thousand dollars look very, very big. But do not pass too lightly over saving \$100,000. I do not think that the majority of the committee will dispute that statement. I think you will find that the sole argument of the majority report of the committee is that the safety—I will retract that statement, that the identification assist to the State police is worth \$100,000 by having a front plate. I personally feel that there is a little bit of disagreement among the State police themselves. I have heard both sides of the story. Some say that a front plate is necessary; others say that certainly it is not worth \$100,000 and I would emphasize that when you are talking about saving a dollar in the highway fund you are talking about saving a potential two dollars because a State dollar can be matched by a federal dollar to give a maximum saving of possibly \$200,000.

I believe it is up to this House to decide and this other body whether or not it is sufficiently important to have a front plate to pass up saving a possible maximum of \$200,000.

I would move my previous motion that the minority report as amended by Committee Amendment "A" be accepted in non-concurrence.

The SPEAKER: The question before the House is on the motion of the gentleman from Bangor, Mr. Totman, that the Minority Report of the Committee "Ought to pass" as amended by Committee Amendment "A" be accepted.

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

Mr. MCGLAUFFLIN: Mr. Speaker and Members of the House: I think there is such a thing as foolish economy. I recall when I was in college I boarded myself for four years. At one time trying to be economical I cut my board expense and meal expense for five weeks to \$1.24 a week. Last night I paid for my dinner what would have run me two weeks at that time. Now I found that it did not pay and so I spent more thereafter. If I had not

I might not be here now. Now I want the privilege of having two chances to find what that number plate is if a man runs into my car when I am on the highway. I think that the additional advantages of having two plates is worth the \$100,000 that you think you are going to save. I am opposed to the motion made by the gentleman from Bangor, Mr. Totman.

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

Mr. DENBOW: Mr. Speaker and Members of the House: I would like to speak briefly on this as a member of the Highway Committee and a signer of the majority report. I do not think that \$100,000 is quite as vital as the gentleman from Bangor, Mr. Totman, expressed it. It is spread over a five year period and I think from the safety and law enforcement angle alone it is well worth the extra plate.

Another thing, in the past there have been many states that have gone back to one plate. At the present time, over the past few years, three years ago there were twenty-four that had one plate; the next year, there were twenty; this year there were fifteen and the trend must have some value so I hope that the motion of the gentleman from Bangor, Mr. Totman, does not prevail.

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

Mr. QUINN: Mr. Speaker and Ladies and Gentlemen of the House: I am all for economy in every way we can find economy but I think as the gentleman from Portland, Mr. McGlaufflin, has said there are some times that we may go too far in that direction. The purpose, as I understand it, of a plate is not only a revenue measure but it is also an identification measure. We have a great deal of leaving the scene of an accident after causing injury to persons or damage to property without making themselves known. About the only way you can apprehend that person is to be able to tell what his plate on his car was and frequently investigating the case and checking the owner of that car, you will find sufficient damage on

the car to give material evidence to convict the driver of the car for the particular offense.

Now, if you are a person crossing the highway and you suddenly see a car coming toward you, you are fixed at that scene and realize that you can not get out of the way and the chances are you may fix that number on your mind and you will remember it. After it hits you and goes along, you are not going to be able to see the rear number.

Now, that may be true also of a person driving a vehicle along the highway.

They can see a fellow on the wrong side of the road, perhaps driving drunk, they see the front of the car and they see the license number. They get it indelibly impressed in their minds. After he hits them and drives them in the ditch, they are not going to see that rear number. I think there is more to this case than dollars and cents.

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

Mr. CATES: Mr. Speaker and Members of the House: As one who put in sixteen years as a professional chauffeur throughout New England and New York State, I am definitely in favor of two plates and I hope that the gentleman's motion does not prevail.

The SPEAKER: The Chair recognizes the gentleman from Hallowell, Mr. Ferguson.

Mr. FERGUSON: Mr. Speaker and Members of the House: As you will notice from the report, I am one of the members who signed the majority "Ought to pass" report. I have given it a great deal of consideration. I think the matter has been well discussed by the gentleman from East Machias, Mr. Cates, and the gentleman from Portland, Mr. McGlaufflin, the safety element, I mean as far as law enforcement. It is easier for the State Police to go out and pick up cars for people getting hit by automobiles. We certainly, after giving it quite a lot of consideration, favor the two plate system. I hope that the motion of my friend, the gentleman from Bangor, Mr. Totman, does not prevail.

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

Mr. DUMAIS: Mr. Speaker and Members of the House: I do not believe in a lot of statements I have heard here. I have been hit and I have hit others and I wish to state now that if anybody is headed towards my way and they hit me regardless of whether I had a number plate right in my face, I do not believe I would remember it. We are talking about economy and I think it is about time that we should practice it. I do not believe that we should have more than one plate. I think that Massachusetts has gone on the one plate system. After your front plates are disfigured in this State now, if you reapply for another plate it will possibly take you two and three weeks and I believe that a one plate system is good enough. The average citizen, the way the front plates are hooked up on the front end of automobiles today will either get them marked or scarred or mashed up so badly that in six months if you drive into cities you can not recognize the numbers.

I do not believe that any talk of your being parked on the side of the road and an automobile heading at you that you are going to remember that plate if it hits you. As far as the hit and run driver, most of them are found not when they hit and they run but mostly when they are parked or go into a garage getting their cars repaired and so forth.

I am certainly with the gentleman from Bangor, Mr. Totman, on one plate.

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

Mr. BOWIE: Mr. Speaker, you would think to hear people talk here that all we have in the State of Maine is a bunch of drunken drivers and reckless drivers and so forth. We have also been hearing a lot at this session about economy. We have a chance right here to practice economy and if we want to toss it out to the tune of \$125,000, as my friend, the gentleman from Bangor says, it may be a case of \$200,000 or \$250,000 in the case of federal matching funds. I also no-

tice here that two of the minority members who signed this report are not here this morning. At this time, if it is acceptable to the House, I would like to table this matter until they are here and hear their side of the story.

The SPEAKER: The gentleman from Durham, Mr. Bowie, moves that the two Reports and Resolve lie on the table pending the motion of the gentleman from Bangor, Mr. Totman, that the minority report "Ought to pass" as amended by Committee Amendment "A" be accepted in non-concurrence. Is this the pleasure of the House?

All those in favor will indicate by saying aye; those opposed, no.

A viva voce vote being taken, the motion to table did not prevail.

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

Mr. ALLEN: Mr. Speaker and Members of the House: I think too much importance is being attached to the front number plate as identification. There are other means of identifying vehicles besides that front number plate. In the case of an accident or a hit and run, I think the first identification is probably the color of the car, the make and the model and things like that. If a car has hit someone and is running, certainly you are not going to see the front number plate and as a proponent of economy I certainly go along with the gentleman from Bangor, Mr. Totman.

The SPEAKER: The Chair recognizes the gentleman from Etna, Mr. Carter.

Mr. CARTER: Mr. Speaker, I would just like to clarify this as to the amount of safety. The actual saving under this bill is \$131,000. It is \$296,000 versus \$165,000 which the minority report carries. As I understand it, the safety angle, the best that we could find was less than ten per cent as two plates versus one plate. Now, we know that another large tourist state for years has had only one plate. They have a very much larger tourist population than the State of Maine ever had. They also have a larger permanent population. They get along on one plate. We are definitely in favor of the minority report. I hope

the motion of the gentleman from Bangor (Mr. Totman) prevails.

The SPEAKER: The Chair recognizes the gentleman from Dover-Foxcroft, Mr. Sanford.

Mr. SANFORD: Mr. Speaker and Members of the House: I am in favor of the two plates. I think it is a poor way to save money by using one plate. I can state a little experience that I have had personally. Yesterday, about three o'clock, Mrs. Sanford and myself took a trip down the river, I mean we were in a car, we were going down the road beside the river to see if we could find a few geese. Well, we found them, quite a lot of them. We met a couple of women. There was a curve just ahead of the women and I was about seven-eighths of the way over on the left - hand side of the road. We were talking to these two ladies about something, asking them a question. A car came around the corner and slowed up as they have to, passed me and while he was passing me he said: "Just because you are a legislator, don't think that you own the whole darned road," and he went on. Now, if I had only had one plate on he would not have known who I was until he had gotten by and I would not have known what he thought of me, and I am going to tell you right now that I certainly am in favor of two plates.

The SPEAKER: The question before the House is on the motion of the gentleman from Bangor, Mr. Totman, that the minority report "Ought to pass" as amended by Committee Amendment "A" on Resolve Providing for Motor Vehicle Registration Plates", Senate Paper 44, Legislative Document 33, be accepted in non-concurrence.

The Clerk will read Committee Amendment "A".

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

COMMITTEE AMENDMENT "A" to S. P. 44, L. D. 33, Resolve Providing for Motor Vehicle Registration Plates.

Amend said Resolve by striking out in the 14th line the figures "\$296,000" and inserting in place thereof the figures '\$165,000'

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

Mr. TOTMAN: Mr. Speaker, I kindly request a division.

The SPEAKER: The question before the House is on the motion of the gentleman from Bangor, Mr. Totman, that the Minority Report "Ought to pass" as amended by Committee Amendment "A" be accepted in non-concurrence.

The same gentleman has requested a division.

As many as are in favor of the acceptance of the Minority Report "Ought to pass" as amended by Committee Amendment "A" will kindly rise and remain standing until the monitors have made and returned the count.

A division of the House was had. Sixty-three having voted in the affirmative and forty-six having voted in the negative, the motion prevailed and the Minority Report "Ought to pass" as amended by Committee Amendment "A" was accepted in non-concurrence.

Thereupon, the Resolve was given its first reading.

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

The following paper from the Senate not on the advance journal:

From the Senate: The following Order:

ORDERED, the House concurring, that when the Senate and House adjourn, they adjourn to meet on Tuesday, April 19, 1955. (S. P. 539)

Came from the Senate read and passed.

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

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

Ought Not to Pass Bill Substituted in Senate

Report of the Committee on Education reporting "Ought not to pass" on Bill "An Act relating to Instruction in High Schools on American Freedoms" (S. P. 110) (L. D. 271)

Came from the Senate with the Bill substituted for the Report and passed to be engrossed.

In the House: Report was read.

On motion of Mr. Fuller of South Portland, the "Ought not to pass" Report of the Committee was accepted in non-concurrence and sent up for concurrence.

Non-Concurrent Matter

Majority Report of the Committee on Liquor Control reporting "Ought not to be adopted" on Joint Resolution Memorializing Congress to Pass Legislation Outlawing Alcoholic Beverage Advertising Over the Air (H. P. 837) (L. D. 1198) and Minority Report reporting "Ought to be adopted" on which the House accepted the Minority Report and adopted the Joint Resolution on April 13.

Came from the Senate with the Majority Report accepted in non-concurrence.

In the House:

The SPEAKER: The Chair recognizes the gentlewoman from Presque Isle, Mrs. Christie.

Mrs. CHRISTIE: Mr. Speaker, my apologies to the gentleman from Portland, Mr. Roundy, but it just came to me that a member of the other body said that he thought we should insist on our former action—

The SPEAKER: The Chair will state that the gentlewoman is out of order in referring to members of the other body.

Mrs. CHRISTIE: I am sorry, Mr. Speaker. I move that we insist on our former action and ask for a committee of conference.

The SPEAKER: The gentlewoman from Presque Isle, Mrs. Christie, moves that the House insist on its former action and ask for a committee of conference.

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

Mr. CHILDS: Mr. Speaker and Members of the House: I certainly do not like to stand here and go against the wishes of the very gracious lady, the gentlewoman from Presque Isle, Mrs. Christie, but I am of the opinion that a committee of conference without question is going to be a waste of time. As we have so many important things to do and we are going to be here so

long to take so many members of the House and some other members to have to have a committee of conference to discuss this matter, knowing what is going to happen, we would without question be wasting our very valuable time and I very reluctantly hope that the members of this House do not go along with the motion of the gentlewoman.

The SPEAKER: The question before the House is on the motion of the gentlewoman from Presque Isle, Mrs. Christie, that the House insist and request a committee of conference.

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

Mr. CHILDS: Mr. Speaker, I request a division.

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

As many as are in favor of the motion of the gentlewoman from Presque Isle, Mrs. Christie, that the House insist and request a committee of conference will kindly rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Forty-one having voted in the affirmative and fifty-three having voted in the negative, the motion did not prevail.

The SPEAKER: The Chair recognizes the gentleman from Portland, Mr. Childs. For what purpose does the gentleman rise?

Mr. CHILDS: Mr. Speaker, I now move that we recede and concur with the Senate.

The SPEAKER: The gentleman from Portland, Mr. Childs, moves that the House recede and concur with the Senate.

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

Mr. TOTMAN: Mr. Speaker, if I am in order, I would like to speak to that motion.

The SPEAKER: The gentleman is in order.

Mr. TOTMAN: Mr. Speaker and Members of the House: I realize that this may seem like a rather peculiar thing to argue over but there is a matter of parliamentary procedure whereby it would accomplish the same thing which I think our floor leader is after and at the

same time encourage those people who had enough fortitude and interest and conviction to stick by the minority report on this resolution and I think we in the House certainly admired them yesterday because we overwhelmingly supported them. I firmly believe that if you would vote to adhere, which means in effect that the measure will be killed immediately, but at least we remain steadfast in our conviction that we voted correctly yesterday. There is no committee of conference appointed. There is no more procrastination or waste of time. I think out of courtesy to those folks who did such an excellent job yesterday we should stick with them and go along with a motion to adhere rather than to recede and concur.

The SPEAKER: The question before the House is on the motion of the gentleman from Portland, Mr. Childs, that the House recede and concur with the Senate in the acceptance of the Majority Report of the Committee on Liquor Control reporting "Ought not to be adopted" on Joint Resolution Memorializing Congress to Pass Legislation Outlawing Alcoholic Beverage Advertising Over the Air, House Paper 837, Legislative Document 1198.

All those in favor of the motion will signify by saying aye; those opposed, no.

A viva voce vote being doubted,

A division of the House was had.

Twenty-six having voted in the affirmative and seventy-one having voted in the negative, the motion did not prevail.

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

Mr. TOTMAN: With sincere apologies to the Speaker of the House for attempting to perhaps doubt his decision but honestly feeling that the House would like to go along with the motion to adhere, I so move.

The SPEAKER: The gentleman from Bangor, Mr. Totman, moves that the House adhere. Is this the pleasure of the House?

The motion prevailed.

Non-Concurrent Matter

Bill "An Act Providing for the Appointment of a Civil Engineer of

the City of Lewiston by the Department of Public Works" (H. P. 436) (L. D. 482) on which the House substituted the Bill for the "Ought not to pass" Report of the Committee, and passed the Bill to be engrossed on April 13.

Came from the Senate with the Report read and accepted in non-concurrence.

In the House:

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

Mr. MALENFANT: Mr. Speaker and Members of the House: I move that the House insist and ask for a committee of conference.

The SPEAKER: The gentleman from Lewiston, Mr. Malenfant, moves that the House insist and ask for a committee of conference.

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

Mr. CHILDS: Mr. Speaker and Members of the House: I find it necessary to rise again with regard to asking for a committee of conference on a matter which is definitely against the principles of the Legal Affairs Committee. It came out of the Legal Affairs Committee unanimously "Ought not to pass" and I say again we are wasting our time appointing a committee of conference on a matter such as this and I hope we do not go along with the motion of the gentleman from Lewiston, Mr. Malenfant.

The SPEAKER: The Chair recognizes the gentleman from Bridgewater, Mr. Finemore.

Mr. FINEMORE: Mr. Speaker and Members of the House: I move for indefinite postponement of Item 16.

The SPEAKER: The gentleman from Bridgewater, Mr. Finemore, moves that this matter be indefinitely postponed.

The question before the House is on the motion of the gentleman from Lewiston, Mr. Malenfant, that the House insist and request a committee of conference.

As many as are in favor of the motion of the gentleman from Lewiston, Mr. Malenfant, will signify by saying aye; those opposed, no.

A viva voce vote being taken, the motion did not prevail.

The SPEAKER: The Chair recognizes the gentleman from Lewis-

ton, Mr. Malenfant. For what purpose does the gentleman rise?

Mr. MALENFANT: Mr. Speaker, I want to say that some of the members of the House did not understand the motion.

The SPEAKER: For what purpose does the gentleman rise?

Mr. MALENFANT: Mr. Speaker, to ask if it is possible to take another vote.

The SPEAKER: The Chair will state that the gentleman may always move reconsideration if he so chooses.

Mr. MALENFANT: Mr. Speaker, I move for reconsideration on that. May I say why?

The SPEAKER: The gentleman may debate a motion after it is stated.

The gentleman from Lewiston, Mr. Malenfant, moves that the House reconsider its action whereby it voted not to insist.

The gentleman may now debate if he wishes.

Mr. MALENFANT: Mr. Speaker and Members of the House: Many members of this House did not understand the motion. I, for one, did not understand the motion. I do not see why my friend the gentleman from Portland (Mr. Childs) is so hard against a Lewiston bill. We will have to have justice from both Houses. Because the Legal Affairs Committee made the mistake, because they showed poor judgment and lack of will power, that does not mean that the people of Lewiston are going to suffer for it. If I am in order, I would like to mention that I spoke to a good many members in the other House and they all agree with me that they knew nothing about the bill but they just voted for the motion of the Chairman of Legal Affairs. They admitted to me this morning that it was a good bill. That the City did not belong to the Public Works or to the Welfare Department or the School Department or the Finance Board.

I can not understand why the Legal Affairs Committee reported this bill out "Ought not to pass" or why the gentleman from Portland tried to interfere with my motion to have a committee of conference.

It seems to me, I was elected Mayor of Lewiston. I campaigned on those bills. They know that I was going to pass those bills. That is why they elected me was to try to pass those bills. Now, there is a member of the Legal Affairs Committee who seems to control the whole committee.

The SPEAKER: The Chair would remind the member from Lewiston that talking about members of the committee and their motives is out of order. The gentleman may proceed.

Mr. MALENFANT: Mr. Speaker, I hope the House votes to reconsider our vote that we have just taken.

The SPEAKER: The question before the House is on the motion of the gentleman from Lewiston, Mr. Malenfant, that the House reconsider its action whereby it voted not to insist.

The Chair recognizes the gentleman from Perham, Mr. Bragdon.

Mr. BRAGDON: Mr. Speaker, I only want to comment that this matter had very careful consideration in the Legal Affairs Committee and we listened carefully to the evidence. We found that there was no unanimity of thought among the people of Lewiston. I do not think that we wished to dictate their policies but we have carefully considered the matter and, as you know, the committee's report came out unanimously "Ought not to pass" and I hope that the motion of the gentleman from Lewiston, Mr. Malenfant, does not prevail.

The SPEAKER: The question before the House is on the motion of the gentleman from Lewiston, Mr. Malenfant, that the House reconsider its action whereby it voted not to insist.

As many as are in favor of the motion will say aye; those opposed will signify by saying no.

A viva voce vote being taken, the motion did not prevail.

Thereupon, on motion of Mr. Childs of Portland, the House voted to recede and concur with the Senate.

Orders

Mr. Edgar of Bar Harbor presented the following Order and moved its passage:

WHEREAS: In the Hall of Flags on the second floor of the State House there is maintained an exhibit of historic Maine battle flags, and

WHEREAS: this exhibit is viewed daily by visitors to the State House, including many groups of school pupils who are studying Maine history, and

WHEREAS: with few exceptions these flags do not bear any signs or other identifying and explanatory markings for the benefit and edification of the public, now therefore be it

ORDERED: the Senate concurring, that the Superintendent of Buildings be hereby requested to place on, or near, each flag a sign that will briefly inform the public as to the history of such flag. (H. P. 1202)

The Order received passage and was sent up for concurrence.

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

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

The SPEAKER pro tem: For what purpose does the gentleman from Bridgton, Mr. Haughn, rise?

Mr. HAUGHN: Mr. Speaker, just to say that I believe the gentlewoman from Anson, Mrs. Thomas, has a chore to do this morning instead of myself to keep in conformity with the well-groomed Clerk.

The SPEAKER pro tem: The Chair recognizes the gentlewoman from Anson, Mrs. Thomas.

Mrs. THOMAS: Mr. Speaker, may I approach the rostrum?

The SPEAKER pro tem: The gentlewoman may.

Mrs. THOMAS: Mr. Speaker, I am very sorry that this is not as beautiful a flower as the others have had but I did not know that I was going to do this.

The SPEAKER pro tem: Thank you very much. (Applause)

The House is proceeding under orders.

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

Thereupon, Mr. Quinn was granted unanimous consent to address the House.

Mr. QUINN: Mr. Speaker, I would like to ask unanimous consent to suspend the rules in order to present an act in behalf of the Town of Dedham, an enabling act, which has just come to my attention recently. It is an enabling act to enable the Town of Dedham to reimburse a community club which furnished money to complete a school at the time when the debt limit made it impossible to raise the money. May I have unanimous consent to present the bill at this time?

The SPEAKER pro tem: The gentleman from Bangor, Mr. Quinn, requests unanimous consent to introduce a bill. The Clerk will read the title.

The CLERK: Bill "An Act for an Enabling Act for the Town of Dedham, Hancock County".

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

Thereupon, on further motion of the same gentleman, the Bill (H. P. 1201) was referred to the Committee on Legal Affairs, ordered printed and sent up for concurrence.

On further motion of the same gentleman, by unanimous consent, it was ordered sent forthwith to the Senate.

House Reports of Committees Leave to Withdraw

Mr. Williams from the Committee on Natural Resources on Bill "An Act relating to Forest Fire Control for Certain Territory Under Maine Forestry District" (H. P. 1186) (L. D. 1449) reported Leave to Withdraw.

Mr. Duquette from the Committee on Taxation reported same on Bill "An Act relating to Sales Tax on Isolated Sales of Motor Vehicles" (H. P. 612) (L. D. 660)

Mr. Reed from same Committee reported same on Bill "An Act Pro-

viding for an Admission Tax" (H. P. 939) (L. D. 1042)

Mr. Sanford from same Committee reported same on Bill "An Act to Clarify and Amend the Sales and Use Tax Law as Respects Manufacturers" (H. P. 1049) (L. D. 1224)

Mr. Seaward from same Committee reported same on Bill "An Act relating to Sales Tax on Containers and Packaging Materials" (H. P. 943) (L. D. 1046)

Mr. Walsh from same Committee reported same on Bill "An Act relating to Markup on State Liquor" (H. P. 78) (L. D. 75)

Mr. Willey from same Committee reported same on Bill "An Act Repealing Exemption of Coal, Oil and Wood Under Sales and Use Tax Law" (H. P. 1082) (L. D. 1265)

Reports were read and accepted and sent up for concurrence.

Ought Not to Pass

Mr. Caswell from the Committee on Agriculture reported "Ought not to pass" on Bill "An Act relating to Licenses for Buyers and Sellers of Rabbits" (H. P. 1090) (L. D. 1273)

Mr. Foss from same Committee reported same on Bill "An Act relating to Packaging and Marketing of Rabbit Meat" (H. P. 1089) (L. D. 1272)

Mr. Gardner from the Committee on Inland Fisheries and Game reported same on Bill "An Act relating to Closed Time on Deer on Frye Island, Cumberland County" (H. P. 777) (L. D. 860)

Mr. Williams from the Committee on Natural Resources reported same on Bill "An Act Creating a Maine Rivers Authority" (H. P. 1096) (L. D. 1279)

Mr. Greenleaf from the Committee on Sea and Shore Fisheries reported same on Bill "An Act Clarifying Certain Sea and Shore Fisheries Laws on Quahogs" (H. P. 937) (L. D. 1040)

Mr. Sanford from the Committee on Taxation reported same on Bill "An Act Increasing Excise Taxes on Malt Liquors" (H. P. 766) (L. D. 842)

Reports were read and accepted and sent up for concurrence.

Ought to Pass in New Draft Printed Bill

Mr. Higgins from the Committee on Highways on Bill "An Act Authorizing the Purchase of the Westport-Wiscasset Bridge" (H. P. 410) (L. D. 457) which was recommitted, reported same in a new draft (H. P. 1200) (L. D. 1469) under same title and that it "Ought to pass"

Report was read and accepted, the Bill read twice and assigned the next legislative day.

Ought to Pass

Included in a Consolidated Resolve

Mr. Potter from the Committee on Inland Fisheries and Game on the following Resolves:

Resolve Regulating Fishing for White Perch in Knox County. (S. P. 311) (L. D. 850)

Resolve Regulating Fishing for White Perch in Hancock County. (H. P. 145) (L. D. 145)

Resolve Regulating Fishing for White Perch in Washington County (H. P. 258) (L. D. 242)

Resolve Regulating White Perch Fishing in Cochnewagon Pond. (H. P. 261) (L. D. 245)

Resolve Regulating White Perch Fishing in Cobbosseecontee Lake. (H. P. 262) (L. D. 246)

Resolve Regulating White Perch Fishing in Annabessacook Lake (H. P. 263) (L. D. 247)

Resolve Regulating White Perch Fishing in Wilson Pond. (H. P. 264) (L. D. 248)

Resolve Regulating White Perch Fishing in Maranacook Lake. (H. P. 265) (L. D. 249)

Resolve Regulating Fishing for White Perch in Unity Pond, Waldo County. (H. P. 781) (L. D. 864)

Resolve Regulating Fishing for White Perch in Androscoggin County (H. P. 783) (L. D. 866)

reported a Consolidated Resolve (H. P. 1199) (L. D. 1463) under title of Resolve Regulating Fishing for White Perch in Certain Counties and Waters and that it "Ought to pass"

Report was read and accepted, the Resolve read once and assigned the next legislative day.

Ought to Pass Printed Bills

Mr. Bowie from the Committee on Agriculture reported "Ought to pass" on Bill "An Act Repealing Licenses for Stores to Sell Milk" (H. P. 1) (L. D. 1)

Report was read and accepted and the Bill read twice.

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

Mr. BOWIE: Mr. Speaker, now that this bill has had its first and second readings, I would like to have it tabled unassigned for the time being.

The SPEAKER pro tem: Will the gentleman kindly approach the rostrum?

(Conference at rostrum)

The SPEAKER pro tem: The Chair understands that the gentleman from Durham, Mr. Bowie, withdraws his motion.

Thereupon, the Bill was assigned for third reading the next legislative day.

Mr. Soule from the Committee on Agriculture reported "Ought to pass" on Bill "An Act Repealing Expiration Date of Milk Tax" (H. P. 34) (L. D. 51)

Mr. Anderson from the Committee on Claims reported same on Resolve in favor of Allie Cota of Gray (H. P. 1175) (L. D. 1416)

Mr. Hancock from the Committee on Judiciary reported same on Bill "An Act relating to the Rockland Municipal Court" (H. P. 616) (L. D. 624)

Mr. Baird from the Committee on Sea and Shore Fisheries reported same on Bill "An Act Prohibiting the Taking and Use of Herring Under Four Inches in Length" (H. P. 1014) (L. D. 1155)

Mr. Seaward from the Committee on Taxation reported same on Bill "An Act to Amend the Bracket Schedule in the Sales and Use Tax Law" (H. P. 564) (L. D. 612)

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

Ought to Pass with Committee Amendment Tabled and Assigned

Mr. Roberts from the Committee on Agriculture on Bill "An Act to

Clarify Laws Relating to Bang's Disease" (H. P. 286) (L. D. 299) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted.

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

Mr. BROCKWAY: Mr. Speaker and Members of the House: There have been some matters brought to my attention this morning in regard to this bill that we have reported out "Ought to pass" and I would like to ask that this be tabled until Wednesday next pending acceptance of the report.

The SPEAKER pro tem: The Chair understands that the gentleman from Milo, Mr. Brockway, moves that the House reconsider its action whereby the report was accepted. Is this the pleasure of the House?

The motion prevailed.

Thereupon, on further motion of the same gentleman, the Report with accompanying papers was tabled pending acceptance and specially assigned for Wednesday, April 20.

Mr. Courtois from the Committee on Claims on Resolve in favor of the Town of Bingham (H. P. 581) (L. D. 641) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Resolve read once.

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

COMMITTEE AMENDMENT "A" to H. P. 581, L. D. 641, Resolve in favor of the Town of Bingham.

Amend said Resolve by striking out in second line in said Resolve the figure "\$500" and inserting in place thereof the figure "\$222.62".

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

Mr. Browne from the Committee on Judiciary on Bill "An Act relating to Highway Drains" (H. P. 194) (L. D. 199) which was recommitteed, 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. 194, L. D. 199, Bill "An Act relating to Highway Drains."

Amend said Bill by striking out in the 5th line the underlined figure "10" and inserting in place thereof the underlined figure '20'

Further amend said Bill by inserting after the underlined word "exist" in the last line the following: ', but only to the extent of the original flowage. This paragraph shall not apply in the cases protected by section 103 of chapter 46.'

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

Mr. Browne from the Committee on Judiciary on Bill "An Act relating to Trespass on Certain Buildings" (H. P. 599) (L. D. 655) 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. 599, L. D. 655, Bill "An Act relating to Trespass on Certain Buildings."

Amend said bill by inserting after the underlined word "other" in the 5th line the underlined word 'locked'

Further amend said bill by striking out in the 6th line the underlined words "in which valuable things are then and there kept"

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

Mr. McGlaulin from the Committee on Judiciary on Bill "An Act relating to Reports of Drivers of Vehicles Involved in Accidents" (H. P. 597) (L. D. 653) 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. 597, L. D. 653, Bill "An Act relating to Reports of Drivers of Vehicles Involved in Accidents."

Amend said Bill by striking out the last 11 lines of "Sec. 1." and inserting in place thereof the following:

"The driver of any vehicle involved in an accident resulting in injuries to or death of any person or property damage to the estimated amount of \$100 or more, or some person acting for him, or the owner of said vehicle having knowledge of the accident should the operator of same be unknown, shall, immediately by the quickest means of communication, give notice of the accident either to a state police officer, sheriff or other police official, or to the police department of the municipality wherein the accident occurred."

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

Mr. Childs from the Committee on Legal Affairs on Bill "An Act to Amend the Charter of the Ogunquit Village Corporation" (H. P. 64) (L. D. 69) 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. 64, L. D. 69, Bill "An Act to Amend the Charter of the Ogunquit Village Corporation."

Amend said Bill by striking out the underlined word "capital" in the 7th line before the Referendum and inserting in place thereof the underlined words 'permanent public'

Further amend said Bill by striking out the period and single quotation mark at the end of underlined paragraph "(4)" and inserting in place thereof the following underlined words and punctuation: " ; and to take by eminent domain such portions of the Marginal Way as are now in general use but not included in the Josiah Chase plan, where a right-of-way cannot be acquired by gift or purchase at a reasonable fee."

Further amend said Bill by striking out the word "capital" in the 14th line from the end and inserting in place thereof the words 'permanent public'

Further amend said Bill by striking out the question mark and double quotation mark at the end of the 10th line from the end and inserting in place thereof the following: "; and to take by eminent domain such portions of the Marginal Way as are now in general use but not included in the Josiah Chase plan, where a right-of-way cannot be acquired by gift or purchase at a reasonable fee?"

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

Mr. Lord from the Committee on Legal Affairs on Bill "An Act to Incorporate the Benton School District" (H. P. 1163) (L. D. 1392) 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. 1163, L. D. 1392, Bill "An Act to Incorporate the Benton School District." (Emergency)

Amend said Bill by striking out the figure "1" in the next to last line of Section 3 and inserting in place thereof the figure "25"

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

Divided Report Tabled

Report "A" of the Committee on Public Utilities reporting "Ought to pass" on Bill "An Act to Promote Safety on Common Carriers by Railroad" (H. P. 1150) (L. D. 1365)

Report was signed by the following members:

Mr. LESSARD of Androscoggin
— of the Senate.

Messrs. OSBORNE of Fairfield
HAUGHN of Bridgton
GILMARTIN of Portland
CYR of Fort Kent
— of the House.

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

Report was signed by the following members:

Messrs. MARTIN OF Kennebec
SILSBY of Hancock
— of the Senate.
Messrs. SKOLFIELD of Harpswell
COOK of Portage Lake
BERNIER of Waterville
— of the House.

Reports were read.

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

Mr. COOK: Mr. Speaker, I move we accept Report "B".

The SPEAKER pro tem: The gentleman from Portage Lake, Mr. Cook, moves that Report "B" "Ought not to pass" be accepted.

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

Mr. MCGLAUFLIN: Mr. Speaker and Members of the House: This bill, as I understand it, was a measure that the railroad men wanted passed for their own safety and for the safety of the public. I was informed by some of the railroad men that some of the freight cars are as many as 140 cars extending for a distance of more than a mile, and for such a train they have a flagman and a brakeman and they think they ought to have an extra man on such a train. To me that looks reasonable. The railroads are against this measure because they have to hire a few extra men. The railroads are represented by lobbyists who have lobbied this matter plenty and with the railroads against it and the lobbyists working for them the men themselves have no redress unless this Legislature sees fit to give it to them. I think they should have it. I therefore am in favor of Report A and against the adoption of Report B.

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

Mr. OSBORNE: Mr. Speaker and Members of the House: You will note that the Committee was quite evenly divided on this. I feel that I should support my stand on Report A. I do not feel that this is an un-

reasonable bill. It does call for some stated number of crewmen on trains for safety purposes. I think if you have seen them breaking up some of these trains at crossings where there is a long train and they have to take out one or two cars at a time, in that case you are fully aware of the fact it would be beneficial to have more men to work those break-ups. When there are long trains as there are often times with over 100 cars it is very obvious that with the length of a train of that nature it would also be beneficial to have enough crew to properly man that train. I have heard this bill referred to erroneously as a feather-bedding bill. If it is a feather-bedding bill there are not many feathers in the tick. If you examine it you will see the crews are relatively what they are at the present time, primarily it is desired that they be cut down no further. I hope the motion of the gentleman from Portage Lake, Mr. Cook, that Report B be accepted does not prevail.

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

Mr. COOK: Mr. Speaker, I should like to refer to the comments made by my colleague, Mr. Osborne, the gentleman from Fairfield. He stated that this is not a feather bed bill, and in that sense I quite agree with him. He said that these provisions were already taken care of and that it would not add to the crews, that is a point that I particularly want to stress. I should like to point out that the only excuse offered for this bill is the supposed safety factor. Despite reference to safety in the title of this bill, there has never been a single train accident in this State resulting from an insufficient number of crewmen. The number of crewmen on a train is presently, and always has been, a matter that has been covered by negotiation of work contracts. This matter is properly a subject for labor-management negotiation and not for legislation. I should like to further point out that the provisions of this bill are now in effect by rules that have been negotiated by the railroad brotherhoods and the railroads. If there should be a question in anybody's

mind that these rules could be abrogated or ignored, I should like to point out that the railroad that sought to do so would have to give 30 days notice, and that they would then be subject to a strike on the part of the railroad brotherhood, and the public has the added protection which is also a protection that the employee has, of statutes in Chapter 44 of the Revised Statutes of Maine. Section 42 of Chapter 44 provides the following: "Public Utilities Commission has the power to investigate and to make orders or recommendations as it wishes in cases of accident involving personal injury or damage to property." Section 17 provides: "Every public utility is required to furnish safe, reasonable and adequate facilities." Section 3 provides: "Public Utilities Commission may make all necessary rules and regulations and may employ such experts, professional and other assistance as is necessary in making investigations or in otherwise carrying out the provisions of this Chapter." Section 55: "Upon written complaint that any regulation, measurement, particular or act of said public utility is in any respect unreasonable, insufficient or unjustly discriminatory, or that any service is inadequate or cannot be obtained, the Public Utilities Commission can order a hearing and make an investigation." Section 89 provides: "public utility has authority to require gates, signals or flagmen at crossings where the public safety requires." A public utility not only has the authority to make these orders as a result of investigations, but they have the power to enforce them, which is provided in Sections 79 and 80. Also in 81 and 81 provides that if they should ignore such orders, each day that they violated would constitute a distinct offense. As we can see, this bill would not in any way be eliminating any hazard either to the employees or to the general public. I therefore now move the previous question.

The SPEAKER pro tem: The gentleman from Portage Lake, Mr. Cook, moves the previous question. In order for the Chair to entertain the motion for the previous question—

Mr. HAUGHN (of Bridgton): Mr. Speaker—

The SPEAKER pro tem: For what purpose does the gentleman rise?

Mr. HAUGHN: Mr. Speaker, to further discuss this question. I do not think that there has been ample time allowed at present to—

The SPEAKER pro tem: The Chair will state that the gentleman is out of order.

In order for the Chair to entertain the motion for the previous question, it requires the consent of one-third of the members present.

All those in favor of the Chair entertaining the motion for the previous question will rise and stand in their places until the monitors have made and returned the count.

An insufficient number arose.

The SPEAKER pro tem: Obviously less than one-third of the members present having arisen, the motion for the previous question is not entertained.

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

Mr. McGLAUFFLIN: Mr. Speaker, I am informed by the railroad men that they do have this provision in their contracts with the railroad, but the railroad utterly fails to live up to them, and they are helpless and they need this law for their own protection.

The SPEAKER pro tem: The Chair recognizes the gentleman from Bridgton, Mr. Haughn.

Mr. HAUGHN: Mr. Speaker, I want to offer my apologies to my colleague Mr. Cook, the gentleman from Portage Lake, and Mr. Bernier, the gentleman from Waterville, because I did not plan to speak on this question, but I want to defend my own position on this bill as I voted to bring it out "Ought to pass." A few remarks were made that I cannot help but comment upon, and a good many of the statements by the gentleman from Fairfield, Mr. Osborne, and the gentleman from Portage Lake, Mr. Cook, are very true. That depends on the intent of which it is meant or how it is understood. But after you receive this latest report which you people in the House are not aware of, of the Public Utilities on the accident east of the Kennebec Siding

in Vassalboro, it brings out a few points in it I do not believe all the Committee are fully informed on, and it seems within that there was one statement I would like to correct. The I.C.C. and the Public Utilities Commission do not have jurisdiction over certain points, and it is up to strictly legislation to correct those points, and there is now pending before the Committee — I may be letting the cat out of the bag in expressing this, that is all I will say in regards to that part, what action will be taken is not up to me to say, but I do say that because of the inadequacy in this particular accident in my opinion at the present time, there was not sufficient train crew to cope with the situation. Also some of the things that enter into the situation were not there and it is strictly up to this Legislature to accept or reject this whether it is needed. Therefore, I think on this particular point it needs further consideration, and that is why I definitely went along in favor of the "Ought to pass" report.

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

Mr. WADE: Mr. Speaker and Members of the House: Where this is an evenly divided report and I think that it is one that we need considerable information about and one question that occurs to me is possibly in connection with — the bill says "a train of over 50 cars" coming down from Boston on the Boston & Maine which comes through part of Massachusetts and New Hampshire and then comes into Maine, and it is under this bill, what changes in the crew would be involved in this if this is passed or not passed? I think some explanation along those lines would help some of us who do not have too much information about railroads.

The SPEAKER pro tem: The Chair recognizes the gentleman from Portland, Mr. McGlaufflin.

Mr. McGLAUFFLIN: Mr. Speaker, I am informed they want one extra man.

The SPEAKER pro tem: The Chair recognizes the gentleman from Waterville, Mr. Bernier.

Mr. BERNIER: Mr. Speaker and Ladies and Gentlemen of the House:

The gentleman from Bridgton, Mr. Haughn, mentioned the Kennebec Siding accident report which was submitted yesterday to the Public Utilities Committee by the Public Utilities Commission, and I inferred at least that he meant that a reading of this report would buttress the "Ought to pass" report. When this report was submitted to us, I do somewhat hesitate to quote a person whom I have not asked the permission to quote. However, when the report was submitted to us, Commissioner Pike stated that in essence the reason for the Kennebec Siding accident or the explanation for the Kennebec Siding accident was the fact that the railroad had had so few accidents that they were not in practice. Of course he is not in favor of accidents to keep them in practice as he stated later, he preferred dry runs. I would like to make another point. In 1935 a full crew bill was introduced in the Congress of the United States. As all of you recall there perhaps was not a more highly conscious labor Congress in the history of our United States than in 1935. This bill of course did not receive passage at that time.

The SPEAKER pro tem: The Chair recognizes the gentleman from Portland, Mrs. Files.

Mrs. FILES: Mr. Speaker, am I in order to ask that this be tabled so that some of us can become better informed?

The SPEAKER pro tem: The gentleman from Portland, Mrs. Files, moves that the two Reports with accompanying papers lie on the table pending the motion of the gentleman from Portage Lake, Mr. Cook, that Report "B" "Ought not to pass" of the Committee on Public Utilities on Bill "An Act to Promote Safety on Common Carriers by Railroad", House Paper 1150, Legislative Document 1365, be accepted. Is this the pleasure of the House?

All those in favor of the motion to table will please say aye; those opposed, no.

A viva voce vote being taken, the motion prevailed and the two Reports with accompanying papers were so tabled.

The SPEAKER pro tem: For what purpose does the gentleman from Bingham, Mr. Shaw, rise?

Mr. SHAW: Mr. Speaker, to ask whether or not there was a specific assignment of this particular bill.

The SPEAKER pro tem: The Chair will state that there was not.

Passed to Be Engrossed

Bill "An Act Excluding Outboard Motors from Jurisdiction of Public Utilities Commission" (S. P. 182) (L. D. 434)

Bill "An Act to Amend the Workmen's Compensation Act" (S. P. 221) (L. D. 562)

Bill "An Act relating to Rights and Stock Options of Stockholders" (S. P. 372) (L. D. 1068)

Bill "An Act relating to Registers of Probate Pro Tempore" (S. P. 430) (L. D. 1189)

Bill "An Act to Create a Central Register of Attorneys" (S. P. 484) (L. D. 1353)

Bill "An Act to Appropriate Monies for the Expenditures of State Government and for Other Purposes for the Fiscal Years Ending June 30, 1956 and June 30, 1957" (S. P. 529) (L. D. 1444)

Bill "An Act Amending the Charter of the Saco Sanitary District" (H. P. 929) (L. D. 1058)

Bill "An Act relating to Additional Contributions by Employers Under Employment Security Law" (H. P. 963) (L. D. 1089)

Bill "An Act relating to the Hunting of Wild Turkeys" (H. P. 1104) (L. D. 1295)

Bill "An Act relating to Advice of Public Utilities Commission to Towns Concerning Water and Sewerage Systems" (H. P. 1197) (L. D. 1466)

Resolve Closing Little Jim Pond in Franklin and Somerset Counties to Fishing Except Fly Fishing (H. P. 260) (L. D. 244)

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

Bill "An Act relating to Criminal Appeal Cases in Cumberland County" (S. P. 491) (L. D. 1358)

Was 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.

Bill "An Act relating to Real Estate Brokers and Salesmen" (H. P. 179) (L. D. 186)

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

On motion of Mr. Fuller of South Portland, the House voted to reconsider its action whereby Committee Amendment "A" was adopted.

On further motion of the same gentleman, Committee Amendment "A" was indefinitely postponed.

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

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

HOUSE AMENDMENT "A" to H. P. 179, L. D. 186, Bill "An Act relating to Real Estate Brokers and Salesmen."

Amend said Bill by striking out, in the last line thereof, the underlined word "otherwise" and inserting in place thereof the underlined words 'other valuable consideration'

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

Bill "An Act to Incorporate the New Gloucester Water District" (H. P. 930) (L. D. 1059)

Bill "An Act Creating the Eagle Lake Water and Sewer District" (H. P. 1111) (L. D. 1302)

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

Passed to Be Enacted

An Act relating to Fee for Permits Granted by Board of Harbor Commissioners for Harbor of Portland (S. P. 82) (L. D. 171)

An Act relating to Condemnation Proceedings by Water Districts (S. P. 332) (L. D. 896)

An Act relating to Regulation of Railroads by Public Utilities Commission (S. P. 378) (L. D. 1074)

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

An Act Repealing Certain Law Relating to Contents of Certificates of Organization of Telegraph, Telephone, Gas and Electric Companies (S. P. 523) (L. D. 1428)

An Act relating to Clerk Hire and Increasing Salary of the Recorder of the Westbrook Municipal Court (S. P. 526) (L. D. 1430)

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

At this point, Speaker Trafton returned to the rostrum.

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

The SPEAKER: The Chair would like to thank the gentleman from Warren, Mr. McCluskey, for doing such a fine job of presiding as Speaker pro tem.

An Act to Increase the Salary of the Recorder of the Northern Aroostook Municipal Court (H. P. 458) (L. D. 493)

An Act Increasing Clerk Hire and Salary of the Judge of the Franklin Municipal Court (H. P. 628) (L. D. 668)

An Act to Increase the Salary of the Judge of the Northern Cumberland Municipal Court (H. P. 630) (L. D. 670)

An Act Increasing Clerk Hire for Office of Register of Probate in Knox County (H. P. 689) (L. D. 757)

An Act Displaying Names of Owners and Lessees on Truck Tractors (H. P. 972) (L. D. 1098)

An Act Increasing Salary of Judge of Probate of Knox County (H. P. 1055) (L. D. 1230)

Finally Passed

Resolve relating to Use of Seines in Medomak River, Lincoln County (S. P. 307) (L. D. 812)

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 lays before the House the first item of unfinished business, 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 5 by the gentleman from Raymond, Mr. Edwards, pending acceptance of either report.

The Chair recognizes the gentleman from Merrill, Mr. Soule.

Thereupon, on motion of that gentleman, the two Reports with accompanying papers were tabled pending acceptance of either report and unassigned.

The SPEAKER: The Chair lays before the House the second item of unfinished business, House Report "Ought not to pass" of the Committee on Highways on Bill "An Act relating to Permits to Haul Farm Products Over Certain Highways," House Paper 351, Legislative Document 389, tabled on April 7 by the gentleman from Augusta, Mr. Albert, 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 item of unfinished business, House Report "Ought not to pass" of the Committee on Public Utilities on Bill "An Act relating to Regulation of Motor Carriers," House Paper 931, Legislative Document 1037, tabled on April 7 by the gentleman from Bremen, Mr. Hilton, pending acceptance and the Chair recognizes that gentleman.

Mr. HILTON: Mr. Speaker, I move that we substitute the bill for the report and I would like to speak on it.

The SPEAKER: The gentleman from Bremen, Mr. Hilton, moves that the Bill be substituted for the "Ought not to pass" report of the Committee.

The Chair recognizes the same gentleman.

Mr. HILTON: Mr. Speaker and Members of the House: I feel that with all due respect to the committee, on which I have many friends, that they misunderstood this bill. This bill cuts down the number of miles that would allow the man with public utility plates to haul milk. Under the present law within an area of 25 miles from the distributor, he has to have public utility plates beyond the 25 mile limit. Anybody else within the 25 mile limit can haul without them. He can even come right up to his next-door neighbor and haul without public utility plates. This cuts down the 25 miles to 10 and would enable the little fellow who is hauling milk for his neighbors to haul more milk as we know that a farmer hauling milk it costs him quite a lot of money and if someone else can haul it for him he can do other things.

It was brought up in the committee hearing. There were distributors there at the hearing; there were dealers there at the hearing and no one opposed the bill. I talked with the Public Utilities before I brought this bill out and they saw no wrong in it. It was brought out to me by some members of the committee that a member of the Public Utilities was in the executive session, and said that it would bar any farmer from hauling his own products to market. Now, far be it from me or probably any member of this Legislature that would put a bill in to prohibit any farmer from hauling his own products. I immediately went up to the Public Utilities office and contacted that man or tried to. I found out that he had been in Washington two weeks and had not been near the committee.

It was brought out in the committee, I understand, that by only one person hauling milk he could be able to raise his prices to the farmers. Now, such is not the case because Public Utilities sets the price for hauling this milk.

It was brought out that there were some big milk companies behind this and I assure you people that the man in my district who asked me to put this bill in is one of the smallest haulers of milk probably

in the State of Maine. It would help him.

I called him up over the week end and told him what the reasons were and he just could not see it. I know that this would help the small fellow, enable him to help the farmers. I am sure that none of us in the Legislature would want to do anything that would hurt the farmers as we know that our very existence depends on the sustenance that we get from the farmers. If we feel that the mileage on this is cut down too far and you will go along with me in substituting the bill for the report, I would like to add an amendment to increase the ten that I have in the bill up to fifteen, which would be sort of a compromise. Thank you.

The SPEAKER: The Chair recognizes the gentleman from Bridgton, Mr. HAUGHN.

Mr. HAUGHN: Mr. Speaker, I do not see our House Chairman here at the present time. I will say that this came out as a unanimous "Ought not to pass" report and we extended the courtesy to the gentleman from Bremen, Mr. Hilton, but there is only one statement that I would like to correct in regard to the person from the Utilities Commission whom we contacted, the Public Utilities, I should say, not the Commission, but that gentleman did appear before us. He was not in Washington for two weeks. He appeared before us and gave his definition to clarify a point in the committee's mind and the impression after allowing the gentleman from Bremen, Mr. Hilton, to appear before us the second time to clarify the point, it still came out a unanimous "Ought not to pass" report and with all due respect to the request of the gentleman from Bremen, Mr. Hilton, I will say that it infringes on the right of a small independent man and if you want to hurt the rural man, free enterprise, and force upon him to have to accept delivery by a gentleman who has P.U.C. plates, then you will accept this report. If you do not, then I hope that his motion does not prevail.

The SPEAKER: The question before the House is on the motion of the gentleman from Bremen, Mr. Hilton, that the Bill be substituted for the "Ought not to pass" Report

of the Committee on Public Utilities on Bill "An Act relating to Regulation of Motor Carriers", House Paper 931, Legislative Document 1037.

As many as are in favor of substituting the Bill for the Report will say aye; those opposed, no.

A viva voce vote being taken, 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 item of unfinished business, House Divided Report, Majority "Ought to pass" and Minority "Ought not to pass" of the Committee on Highways on Resolve Authorizing Study of Proposed Maine - Quebec Highway, House Paper 960, Legislative Document 1086, tabled on April 7 by the gentleman from Rockland, Mr. Stilphen, pending the motion of the gentleman from Fort Fairfield, Mr. Reed, to accept the Majority Report.

The question before the House is on the motion of the gentleman from Fort Fairfield, Mr. Reed, that the Majority "Ought to pass" Report be accepted. Is this the pleasure of the House?

The motion prevailed.

The Resolve was then given its first reading and assigned for second reading the next legislative day.

The SPEAKER: The Chair lays before the House the fifth item of unfinished business, Bill "An Act Amending the Mining Law," Senate Paper 494, Legislative Document 1371, tabled on April 8 by the gentleman from Bangor, Mr. Browne, pending third reading and the Chair recognizes that gentleman.

Mr. BROWNE: Mr. Speaker and Members of the House: This bill names the Executive Director of the Maine Development Commission as one of the members of the five-man board of the Maine Bureau of Mining. Now, whereas we are presently considering the advisability of making some change in the Maine Development Commission and if we do make a change it would necessitate that we offer an amendment to this bill, I therefore move that this matter be placed up-

on the table unassigned until such time as we can make known our thinking with reference to any change in the Maine Development Commission.

The SPEAKER: The gentleman from Bangor, Mr. Browne, moves that this Bill lie on the table pending third reading and be unassigned. Is this the pleasure of the House?

The motion prevailed and the Bill was so tabled.

The SPEAKER: The Chair lays before the House the sixth item of unfinished business, An Act Providing for Reappointment of Active Retired Justices, Senate Paper 157, Legislative Document 351, tabled on April 8 by the gentleman from Bridgewater, Mr. Finemore, pending passage to be enacted.

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

Mr. CHILDS: Mr. Speaker, I move that we reconsider our action whereby this matter was passed to be engrossed under suspension of the rules.

The SPEAKER: The gentleman from Portland, Mr. Childs, moves that under suspension of the rules the House reconsider its action whereby it passed to be engrossed on March 29, 1955, this bill as amended by Committee Amendment "A". Is this the pleasure of the House?

The motion prevailed.

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

Mr. CHILDS: Mr. Speaker, I now move that Committee Amendment "A" which was previously adopted in this House be indefinitely postponed.

The SPEAKER: The gentleman from Portland, Mr. Childs, moves that under suspension of the rules the House reconsider its action whereby it adopted Committee Amendment "A".

The Clerk will read Committee Amendment "A".

Committee Amendment "A" (Filing No. 137) was read by the Clerk.

Thereupon, the motion prevailed and the House voted to reconsider its action whereby it adopted Committee Amendment "A".

On further motion of Mr. Childs of Portland, Committee Amendment "A" was indefinitely postponed.

The SPEAKER: Is it the pleasure of the House that this Bill "An Act Providing for Reappointment of Active Retired Justices," Senate Paper 157, Legislative Document 351, be passed to be engrossed without amendment in non-concurrence with the Senate?

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

Mr. TOTMAN: Mr. Speaker and Members of the House: I think it might be worthwhile to take a look at this bill L. D. 351 because it contains ten words which change the present bill. I think the House before it passes a measure to be enacted should realize fully what the bill intends to do. At the present moment, a Supreme Court Justice may be appointed for seven years beyond the time of his retirement which means that he may reach the age of 77 or 78. The other day you heard the gentleman from Hampden, Mr. Stanley, explain that he was opposed to the bill on the basis of the emergency enactor. Since this bill was called to our attention, it occurs to me that as a matter of general principle it is perhaps not in the best interest of the State to encourage Justices to continue until they are in effect 85 years of age. I believe that the Courts in the State of Maine are presently being manned by men of younger age brackets. I sincerely believe that we should not pass legislation written for one individual, although I would definitely state that I do not care at this moment to discuss the pros and cons of the individual concerned in this bill. However, we heard a day or so ago that many in the House were opposed to legislation passed for one man. I do not think that anyone would disagree that this bill was introduced particularly in behalf of one individual. I repeat, I have no particular comment at this time regarding that individual, but I do say as a matter of general principles, I think that it is a very serious mistake to place a Governor in a position where he would be asked to reappoint a man for another seven years until the man would

reach an age of 85. I realize that there are people interested in this bill who will tell you that our present Superior Court allows Judges to continue until they are 85. I frankly do not think that simply because one Court allows a certain extended age that that makes a second Court necessarily right in doing the same thing. I would certainly emphasize that if Mr. Winston Churchill at the age of 80 felt that he had reached a point in life where it was time to step down from public office, perhaps we as a Maine Legislature should decide whether we feel it is wise to encourage men to go beyond the age of 80 until they are 85. Consequently, I would move that this act be indefinitely postponed.

The SPEAKER: The gentleman from Bangor, Mr. Totman, moves that this Bill be indefinitely postponed in non-concurrence.

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

Mr. QUINN: Mr. Speaker, being a freshman here, I am not quite familiar with my standing. May I argue on the bill at this time or is that motion going to close me out from any statement?

The SPEAKER: The Chair will state if the motion for indefinite postponement prevails, the bill would no longer be before the House for consideration.

Mr. QUINN: Well, Mr. Speaker, may I talk on the bill at this time?

The SPEAKER: The gentleman may discuss the bill in his effort to save it from indefinite postponement.

Mr. QUINN: Mr. Speaker, I would like to acquaint the distinguished members of this House with some facts upon which they can make a proper determination, because it is my realization from my association with the members of this House that they seek to act for the benefit of the State of Maine. In order to act properly and give themselves the background with which to determine this matter in the proper manner, they should have some information about what it is all about. In the thirty years in which I have practiced law in the State of Maine, it has been my privilege to make the acquaintance

of many distinguished members of our Courts, both Superior and Supreme. Those gentlemen have all been appointed by the Governor of our State at the time, with the approval of the Governor's Council, and I can stand here and say now that in all of that time that I have known the gentlemen who have graced our Courts and meted out justice in the State of Maine, they have all been men of distinction, learning and character.

Now if it please the Legislature, this particular bill was sponsored and introduced by a prominent and distinguished member of the Kennebec County Bar and a member of the Maine Bar Association, a man whom we all hold in great respect, the Honorable James Reid of Kennebec. Now James Reid of Kennebec has been practicing law in Maine a long time, and he knows the members of our Bench and he knows the members of our Bar, and he says that this is a good enough bill for him to put his name on and sponsor. This bill was presented to the Judiciary Committee which is composed of ten of our distinguished lawyers of the Legislature. That Committee considered the facts of the bill and unanimously passed the bill to be enacted into our law. Now those are people that know the law, they know the Judges and they know the requirements and they know the character of the people that sit on our Bench. This is one of the few bills that have come to our attention that there is no price tag on. The laws of the State of Maine provide that when a Justice has served on Superior or the Supreme Court for seven years and reaches the age of 70 and asks for retirement within one year after that that he can be retired on a three-quarters salary of the salary he is getting at the time he retires, whether or not he continues to be an active Justice. So that any Justice who serves half of that time is serving because he loves the law, he loves jurisprudence, he loves his State and he wants to render further service. Those that do not feel that way take their retirement pay and go back in the country somewhere. Now this bill is making that type

of a person available to our State and our people for further service without any additional expense to the State of Maine. Now as I said before, a man in order to qualify, must have been on for seven years, most of them have been on a great deal longer than that, and most of them have served on both the Superior Court and the Supreme Court. So that having qualified to retire and having been retired and received one retirement term, this bill would allow a Supreme Court Justice to be reappointed for an additional term of seven years without any additional compensation. Now this is only doing for the Supreme Court of the State of Maine what the Legislature of 1947 did for the Superior Court. At that time the Superior Court had one term that a Justice might be an active Justice after retirement. In 1947 they gave the Justices of that Court who desired, the opportunity to render further service.

Now the gentlemen who arrive at this state in life are gentlemen who have had a lot of experience, they have had a lot of training in the law, they have had a lot of experience as jurists, they have had a lot of experience of studying and knowing people that they deal with in our courts, and therefore, with that background they are in a better position to do the job and do it right.

Now it is interesting to know—perhaps some of the lay folks in the Legislature do not know, that in the Federal Courts, in the Federal Courts system a Judge is appointed for life and can only be removed because of ill behavior, and it is of interest to know and the lawyers know who have studied law and have reviewed some of the cases that some of these distinguished men have ruled on, that they grow to quite an advanced age in the Federal Court, particularly the Supreme Court of the United States. They know that Oliver Wendell Holmes continued right on until he was 94, and some of his decisions are milestones in the law; that John Marshall, another leading and prominent and well-known and well-studied Justice was 80 years old. Roger B. Taney was 87, John Jay was 84,

Stephen Field was 83, William Strong was 87, Joseph McKenna was 82, and Louis D. Brandeis was 83, and they were all looked up to and are looked up to as being outstanding gentlemen of honor, character and learning.

Now when a man gets to that age in the main he is just as outstanding and learned as those on the Supreme Court of the United States. Now I have heard some rumor around the House to this effect, that if you reappoint this man you cannot get a younger man on the bench. Well now that is all poppycock, because there is no vacancy in our Court system. We have set up a Court in the Superior Court of so many Justices; it was increased the last term by one more Justice. We have so many Justices on the Supreme Court, and when these gentlemen have served up to their seventieth year and retire, that is the time there is a vacancy, and that is the time that the vacancy is filled, so this does not affect—the passage of this act does not affect that situation. If you fail to pass this act and any of the retired Justices are not appointed that does not mean there is going to be a vacancy where a young lawyer can be appointed onto the Court. All this bill does is make available to the Chief Justice of our Supreme Court a man whom you might call a utility judge that might be assigned to certain specific duties under the act. I will read just a few words of the act: "except that he shall act only in such cases and matters and hold court only at such terms and times as he may be directed and assigned to by the Chief Justice of the Supreme Judicial Court, and said Chief Justice is empowered and authorized to so assign and designate any such active retired justice of the Supreme Judicial Court as to his services and may direct as to which term of the law court he shall attend." It makes a man available for the Chief Justice to fill an assignment either on the law court or some special legal activity that the Chief Justice has before him. It is a good bill. The Chief Justice is the controlling factor. He does the assigning, he does the referring. If anyone on the

bench should get along to an advanced age and there is anything wrong physically or mentally you can be assured the Chief Justice will not make any further assignments of that man, but just as long as that man is mentally and physically capable of performing the duties as a Jurist, he should be made available to the Chief Justice if he desires to continue and serve his State, and that is all this bill does without one cent of additional cost.

Now there are a number of our Justices on our Supreme Court that are not too well. As people get along in years, I know I do, I have ill spells and I do not feel as good as I do on other days, and if I happened to be on one of the Courts, the Law Court, and there was a session of the Law Court coming and that Justice could not attend, and the Chief Justice wanted a full bench, he has a man available here, a utility man he can assign to do that work if we make it possible.

At the present time there is just one man that meets the qualifications, and he is a very honorable man, I respect him highly. I have tried cases before him, I know him personally, and he is a fine gentleman, and that man is the Honorable Arthur Chapman of Portland. He is the only man at the present time that has served his one term of retirement and could be reappointed under this act. There will be others as time goes on, but I feel that this is a very important thing for the State of Maine, it has sufficient control in the hands of the Chief Justice, and it renders something to the State of Maine that we should continue to use, the brains of our Judicial system. I thank you for your attention.

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

Mr. MCGLAUFLIN: Mr. Speaker and Members of the House: I heartily concur with all that the gentleman from Bangor, Mr. Quinn, has just said. I am somewhat amused at the attitude taken by Mr. Totman, the gentleman from Bangor, that the man because he is going to become 80 is out of the picture. That hit home. I am 82; I hope to

live many more years. Perhaps you have discovered that I have failed mentally, but I have not.

(Applause)

Now this reappointment, as stated by the gentleman from Bangor, Mr. Quinn, does not cost the State a cent. The man if he retires gets three-quarters of his salary for a pension. When a man is so appointed he serves practically for nothing because he does not have to work at all if he wants to retire. But the gentleman that the Judiciary Committee had in mind to reappoint at this time was a man who is outstandingly keen mentally and is well physically, and there is no reason under Heaven why he should not continue to serve as long as he cares to. The appointment of such an Active Retired Justice is important to the Court. We recently lost Judge Fisher who was an Active Retired Justice. We have six men on the Supreme Bench. There are two of those men who have not reached retirement age—or one, one has and one has not, who are well capable of serving on the Court when the Law Court is in session, and if one of them happens to be sick or otherwise incapacitated, this Active Retired Justice can serve on the Court in the place of the one unable to act.

Another reason why this bill should be given passage is the fact that these Justices having served for a long period of time are fully familiar with the Law Court work which a new Justice has no knowledge of whatsoever. This matter came before the Judiciary Committee and was unanimously passed without any question at all, and this matter of a man being too old to serve strikes me as utterly ridiculous. We had a man in Portland named Knowlton who was active in the practice of law until he was 92, and I have heard him try cases ably at the age of 92. There must be some prejudice on the part of the gentleman from Bangor, Mr. Totman, that causes him to put up such what I call an absolutely foolish argument. I hope his motion does not prevail.

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

Mr. STANLEY: Mr. Speaker and Ladies and Gentlemen of the House: I no doubt will provide more amusement for the gentleman from Portland. That, however, is not my intent.

Although I am a relatively young man, a long time ago I came to the conclusion that if you would sell an idea to people, you must, if you hope to be successful, appeal to the interest of those people rather than to the reason or logic behind your idea. However, today, even though I feel strongly enough about this piece of legislation before us to employ every bit to selling tactics at my disposal to influence your final decision, I am going to confine my remarks to those points which I believe, sincerely, to be the particular and serious points of the issue. There may be some small risk in my following this course, but that risk I am willing to take. I know all of you people to be reasonable adult citizens who have accepted the challenge to continue this experiment in self-government. You have a sincere desire to achieve the best possible legislation before you by basing your decision on fact rather than on a personality or the noble art of winning friends and influencing people.

The facts of the matter, it is in my belief that L. D. 351 is an act to make it possible for the Governor and Council to reappoint, for a seven year period, Justices of the Supreme Court of our state who have served a seven year term as an active retired justice. The statutes now read in effect that a Supreme Court Justice may retire at age 70, he must retire at age 71. He may be appointed to the active retired list for a seven year period at his option, I believe. At the end of those seven years there is no authority in our statutes for his reappointment.

This fact, then, I presume, is what primarily prompted this piece of legislation. The fact that a former supreme court justice who now is on the active retired list and whose term runs out sometime before legislation, in its normal course of events, could become a law to make it possible to be again appointed for a seven year term. I

feel that I should state here that there is only one such justice who would come in that category and he is from my home town. But I hasten to add that this particular individual has no bearing whatsoever, in my opinion, on whether this piece of legislation should become law or not. I know the gentleman by sight and I have the normal respect for his office. I have no opinion, one way or another, as to his qualifications for the office he holds. I do not know what the requirements for this office are except that the gentleman be an attorney and approved by the Governor and Council. As I firmly believe that government should be of laws rather than of men, I have no intention whatsoever to bring in personalities in the discussion of this legislation. I have made mention of an individual only because this particular piece of legislation, which bearing originally an emergency clause, refers to only one person as of this day. My only objection to this bill, originally, was the fact that it carried an emergency clause. Upon study I have found others.

At the present time our statutes state, as I have mentioned before, that a Supreme Court Justice may retire at 70, but he must retire at 71. If he chooses he may be appointed for seven years to the active retired list by the Governor and Council. He cannot, however, be appointed to the active retired list for a second term. So, under our present laws a Supreme Court Justice must retire at the age of 71, still in the prime of life. He may serve another seven years which would take him into his 78th or perhaps his 79th year when he is still sound of mind and body. I feel there is a great deal of merit in this present statute. An attorney, well versed in the legal practices, is honored by an appointment to the bench. He serves well and faithfully until he is 71 when he may retire on a salary of approximately \$7,000 per year. Upon his retirement, he still is sound of body and mind, wishes to stay active, so he is appointed to the active retired list for seven more years of service.

A fine honor and an appropriate gesture from our State to one who

has served his state well. He cannot by statute receive another appointment, therefore, he knows that on his 78th birthday he will be retired for good. Neither he nor any other active retired Supreme Court Justice can be appointed for a second seven year term. This I believe to be in his best interest and in the best interest of our state. If a judge has served his State on the Supreme Court bench, at the age of 71 he is rightfully honored by an appointment to the Active Retired List for seven more years, he should be retired with honor while he still has an unknown number of years left of physical and mental strength. It would be a sad mistake, I believe, for this body to enact a law which would permit one person who has held such a responsible and high office as a Supreme Court Justice in our state to become disgraced in his last years through a lapse of his mental faculties.

To the best of my ability, I have presented the facts of this case as I see them. I presume the age of 70 and 71 was selected as a retirement date for good reason. I know there are several good reasons for the idea of active retirement after 71. I fail to see any logical reason why we should extend the age of active retirement.

Now that I have stated my case, I feel that I must digress from my course, as much as I dislike to, to give expression to some items which have been expounded on this issue that may have a bearing on the final decision of this issue but which are not essentially generic to the logical solution of this issue.

I will say, at the outset, that I have been lobbied on this bill as I am sure all of you have. I have not considered it necessary to find out whether the lobbyists were registered or not. The arguments given me in favor of this bill I will enumerate.

(1) Our court dockets are so crowded now that it is necessary that we keep our retired justices on an active status. That point I question. On checking with men in the legal profession in whom I have great confidence, I feel certain that my question is a valid one.

Further than that, it would be my opinion, if their argument is true, that we are attacking the problem on the wrong flank to cure the situation. If our dockets are so crowded that we must keep our retired justices active, we should look to legislation that would provide an adequate number of justices to take care of the work load.

The second argument is—At the present time Superior Court Justices may be appointed to the active retired list after retirement for two seven year terms. The inference here is, of course, that if we have seen fit to reappoint an active retired Superior Court Justice for a second term, then we should do likewise for the active retired Supreme Court Justices. The authority to reappoint the Superior Court Justices was given in 1947 when the court dockets were, apparently, over crowded. To correct that situation the legislature amended our statutes so that an active retired Superior Court Justice could be reappointed and take some of the load from the then Superior Court Justices. Again, I say, that they attacked the problem from the wrong end. The real cause for the dockets being clogged was that we did not have an adequate number of Superior Court Justices. In order to solve a problem, we should strike at the cause of it. Since 1947 the legislature has increased the number of Superior Court Justices from 7 to 8. At the present time that appears to be a sufficient number.

The amendment to our statutes to allow active retired Superior Court Justices is, in my opinion, poor legislation. The proponents of this bill before us to make a similar amendment to the statutes for active retired Supreme Court Justices, claim that both groups should be treated in the same manner. On that point, I agree with them. We should treat them equally by striking out the present amendment as regards Superior Court Justices. I have never felt that we could correct one wrong by giving birth to another wrong.

The third argument is — It would be a slap in the face to a man who has served his State so ably and well. I fail, here, to follow their

reasoning. This particular individual has known for several years that there would come a time when he must retire. He knew also that he could be appointed as an active retired justice for one term only. I do not quite see how a slap in the face can be administered by denying something to a person who is not, by statute, entitled to that something. If this particular justice feels any slap in the face by not being reappointed, I personally regret that fact. I would, however, submit that many of our previous Active Retired Supreme Court Justices might too, feel a slight slap in the face if we should, at this time, attempt to ward off a slap in the face for one particular Justice when no similar attempt was made for them.

The fourth argument is—That the Courts of Justice in Penobscot County will be hamstrung if our Justice is not reappointed because there are so many cases, heard before him, now pending. I am sure that some other Justice can be acquired within a reasonable length of time to give due consideration to each of these cases. We would be in the same position as they contend now exists should any of the Justices be taken by death.

One item which has been mentioned by the lobbyists on this bill is, and I hesitate to speak of it here, that both my brother and I are opposed to this bill because we want to exact revenge on Justice Murray for an incident which purportedly happened between Murray and my father when he was a deputy sheriff. Apparently, the proponents of this bill are a little uncertain of the merits of this bill if they must defend it by questioning the motives of those who oppose it. Neither my brother nor I had any knowledge of the incident mentioned until I questioned my mother on it this past week end. She told me that some such incident did occur several years ago but she was not at all certain as to the details or as to the people involved outside of my father. During my talk with her, she mirthfully related that my father, at one time, became involved in an altercation with the late John L. Sullivan. I have always felt, and I guess the preced-

ing remark bears out my faith, that my father was very capable of taking care of himself, that he would not need, nor would he want, his family to avenge him.

Finally I am completely convinced that the majority of the people in my area are opposed to this bill, and I suspect that a number of the legal profession concur. It is highly depressing to me to find from one of our profession that they generally are opposed to this bill, but they have a certain fear of opposing it if it should be passed. This, to my mind, is a sad commentary on the impartiality of one of our good Justices.

We have looked, with great distaste, on the recent version of "Brain Washings" used by the communists and prior attempts by the Nazis in controlling the thoughts of men. In the Jefferson memorial at Washington D. C. there is inscribed on the shrine to Thomas Jefferson these words, "I HAVE SWORN ON THE ALTAR OF GOD ETERNAL HOSTILITY TO ALL FORMS OF TYRANNY OVER THE MINDS OF MEN." I have always felt those shrines in Washington were erected not so much to remind us of the great men of this country, but more to remind us of the great truths which they promulgated. Perhaps Thomas Jefferson was thinking, when he made the above statement, of this tyranny of fear which compels men to vote against their conscience. If we have in our midst some influence which causes a form of tyranny over the minds of our people, I do not feel that we should legislate the continuance of that influence. I would hope that the motion of the gentleman from Bangor, Mr. Totman, would prevail.

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

Mr. COTE: Mr. Speaker and Members of the House: If this man involved in this piece of legislation is as keen as the gentleman from Portland, Mr. McGlaufflin, and the gentleman from Auburn, Mr. Jacobs, and as capable as these two gentlemen, and I understand he is, I for one hope that the motion of the gentleman from Bangor, Mr. Totman, does not prevail, and that

we pass this bill for final enactment.

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

Mr. MCGLAUFLIN: Mr. Speaker and Members of the House: The gentleman from Bangor, Mr. Stanley, seems to place a great deal of stress on the present law and it might interest you to know how that present law came about. During Plaisted's administration if I remember correctly, when the Democrats were in control, William Pattangall who was a very astute politician and who was also a Democrat, managed to get this law through so that it would compel certain Republicans to retire and give Plaisted an opportunity to appoint Democrats on the bench, so that 71 years is not sacred in my view at all.

The SPEAKER: The Chair recognizes the gentleman from Brunswick, Mr. Walsh.

Mr. WALSH: Mr. Speaker and Members of the House: I am not a lawyer, neither am I 80 years old, but I would like to believe that I still possess a little of the good common sense that the good Lord blessed and endowed me with. I do not want a ten page report, I am speaking from the cuff, and I maintain when we attempt to pass a bit of legislation or throw a bit of legislation out of this House that will give the State of Maine more men of the caliber and the stature in the things that they have done for the State of Maine such as Judge Chapman, we are not worthy of maintaining and holding a seat in this House. If there was ever a place that experience and knowledge was needed, it is in our Courts.

Furthermore, I would like the opponents of this measure and the ones who are wishing for indefinite postponement to get a dictionary and look at two words, "may" and "shall". They may be reappointed. It does not say that the Governor, as was inferred by someone earlier, that they shall be reappointed or must be reappointed. It is only good common sense that men of experience such as the gentleman from Bangor, Mr. Quinn, stood up and told you, that the United States Su-

preme Court, 80, 82, 83, 85, 87 and so on and so forth. Where is experience needed more than there? May the good Lord let me live in a State that has men like Judge Chapman and may the good Lord let me live to be his age and a good many years older, and may this motion for indefinite postponement not prevail.

The SPEAKER: The Chair recognizes the gentleman from Bridgewater, Mr. Finemore.

Mr. FINEMORE: Mr. Speaker and Members of the House: I just rise to—some have wondered why I tabled this. I do not want either side to think I am for or against this, I want to give my stand. I tabled this as the gentleman from Bangor, Mr. Quinn, said he could not be here, so I do not want you to think I am taking sides on this, because I am not a lawyer and not qualified to talk on it. Thank you.

The SPEAKER: The Chair recognizes the gentleman from Waterville, Mr. Bernier.

Mr. BERNIER: Mr. Speaker and Ladies and Gentlemen of the House: The charge has recurred throughout the course of the debate of this matter that this bill was introduced for the benefit of one man. I was somewhat shocked at the charge, since the man to whom reference is made is a man highly esteemed in the legal profession here in Maine. I therefore felt that at the time the bill was tabled and at the time the charge was first made I should make a few inquiries especially of attorneys residing in the area from which the Judge or the Justice referred to resides. There was some conflict of opinion. However, by and large the consensus was that this bill was not the result of an attempt to benefit one man but the result of the situation, crowded, congested dockets. The bill, as previously explained, would to some degree relieve this situation. Objections to the passage of this bill are allegedly based on principle, but they hit directly at the personality of one man. The matter of personalities now threatens to overshadow the merits of this bill. I think the personal attack on the part of the opponents of this bill explains the personal response on the part of we, the proponents of this bill. The bill

should of course stand on its merits. However, we cannot stand by idly while the character and reputation of this highly esteemed Justice is attacked. As a member of the Maine Bar, I trust that the motion of the gentleman from Bangor, Mr. Totman, for indefinite postponement does not prevail.

The SPEAKER: The Chair recognizes the gentleman from Hodgdon, Mr. Williams.

Mr. WILLIAMS: Mr. Speaker, I move the previous question.

The SPEAKER: The gentleman from Hodgdon, Mr. Williams, moves the previous question. In order for the Chair to entertain the motion for the previous question, it requires the consent of one-third of the members present.

All those in favor of the Chair entertaining the motion for the previous question will kindly rise and stand in their places until the monitors have made and returned the count.

A sufficient number arose.

The SPEAKER: Obviously more than one-third of the members present having arisen, the motion for the previous question is entertained.

The question now before the House is: Shall the main question be put now? That question is debatable but only as to whether it shall be put now, not as to the merits of the main question.

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

Mr. TOTMAN: Mr. Speaker, I rise to debate the question of putting the main question now.

The SPEAKER: The gentleman may proceed.

Mr. TOTMAN: Mr. Speaker, I rise only because I feel a request on my part to rise to a point of personal privilege should be heard before this question is put.

The SPEAKER: The gentleman from Bangor, Mr. Totman, raises a point of personal privilege which is in order at any time. He may state his point of personal privilege.

Mr. TOTMAN: Mr. Speaker and Members of the House: It has been a great privilege and honor for me, and I do not say that just because those words are used so often, to serve in this House for three terms. I am more or less 99.9 per cent certain that this will be my last term

in any political activity in this State. I am rising to a point of personal privilege because I feel that the remark of one of the gentlemen who just preceded me that anyone who would make a motion to indefinitely postpone is attacking the character of one man and does not deserve to occupy a seat in this Legislature, or words to that effect.

Ladies and gentlemen of the House, my experience in politics has not been limited this House, but also to serving my City. My only point in making that comment is that although I am young in years and certainly not opposed to older men as such, and I think it is very unfortunate that point has been raised by several members here in the House, I do want to state that sometimes measures come before town bodies, city bodies, legislative bodies, wherein there is a story behind the story. I said earlier very advisedly that I did not wish to get into personalities at that time. I do not wish to now. However, I feel that the sincerity of my motion has been questioned. I feel that I have been accused of possibly making a smear attack upon some individual. I wish to bring no smear attacks upon any person anywhere. I do, however, go on record, and I always have gone on record, both in city politics and in state politics, as resenting pressure lobbying. I certainly do resent the suggestion that the only reason I made the motion to indefinitely postpone was for an ulterior personal prejudice. If you want to know the real reason I made the motion, it is because I became somewhat incensed at the thought that if I should speak on this measure in opposition, there would be against one of my fellow representatives not only political but possible economic retaliation. That makes me see red. And consequently, ladies and gentlemen, my motion to indefinitely postpone was not any comment upon the person involved, it was a matter of principle. I believe we have the right to oppose legislation without being faced with either an economic, political or personal threat.

The SPEAKER: The Chair believes that the gentleman has made his point of personal privilege.

The question before the House is: Shall the main question be put now? All those in favor will say aye; those opposed, no.

A viva voce vote being taken, the main question was ordered.

The SPEAKER: The Chair recognizes the gentleman from Caribou, Mr. Briggs. For what purpose does the gentleman rise?

Mr. BRIGGS: Mr. Speaker, I rise to request a division.

The SPEAKER: The question before the House is on the motion of the gentleman from Bangor, Mr. Totman, that Bill "An Act Providing for Reappointment of Active Retired Justices", Senate Paper 157, Legislative Document 351, be indefinitely postponed in non-concurrence.

The gentleman from Caribou, Mr. Briggs, has requested a division.

As many as are in favor of the indefinite postponement of this Bill in non-concurrence will kindly rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Fifteen having voted in the affirmative and seventy-two having voted in the negative, the motion to indefinitely postpone did not prevail.

Thereupon, on motion of Mr. Childs of Portland, the Bill was passed to be engrossed without amendment in non-concurrence and was sent up for concurrence.

The SPEAKER: The Chair lays before the House the seventh item of unfinished business, House Report "Ought not to pass" of the Committee on Inland Fisheries and Game on Bill "An Act relating to Bounty on Bobcats," House Paper 1066, Legislative Document 1254, tabled on April 12 by the gentleman from Portage Lake, Mr. Cook, 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 eighth item of unfinished business, House Report "Ought not to pass" of the Committee on Inland Fisheries and Game on Resolve relating to Daily Bag

Limit in Red River Area, Aroostook County, House Paper 901, Legislative Document 1009, tabled on April 12 by the gentleman from Portage Lake, Mr. Cook, pending acceptance and the Chair recognizes that gentleman.

Mr. COOK: Mr. Speaker, I should like to retable this measure as there is a bill now in committee that could refer to this same situation and I should like to table this unassigned.

The SPEAKER: Does the Chair understand that the gentleman makes that as a motion?

Mr. COOK: Yes, Mr. Speaker.

The SPEAKER: The gentleman from Portage Lake, Mr. Cook, moves that this matter lie on the table pending acceptance of the Committee Report. Is this the pleasure of the House?

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

The SPEAKER: The Chair lays before the House the ninth item of unfinished business, House Report "Ought to pass" in New Draft, House Paper 1187, Legislative Document 1450, of the Committee on Judiciary on Bill "An Act relating to Definition and Duties of 'Owner' in Motor Vehicle Laws", House Paper 1126, Legislative Document 1324, tabled on April 13 by the gentleman from Portland, Mr. Childs, 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 was then given its two several readings and assigned for third reading the next legislative day.

The SPEAKER: The Chair lays before the House the tenth item of unfinished business, Bill "An Act relating to Local Option for Sale of Malt Liquor by Part-time Hotels", House Paper 441, Legislative Document 487, tabled on March 31 by the gentleman from Bucksport, Mr. Pierce, pending passage to be engrossed.

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

The SPEAKER: The Chair lays before the House the eleventh item of unfinished business, House Report "Ought not to pass" of the Committee on Taxation on Bill "An Act Exempting Agricultural Sprays and Dusts from Sales and Use Tax", House Paper 764, Legislative Document 840, tabled on April 1 by the gentleman from Milo, Mr. Brockway, pending acceptance and the Chair recognizes that gentleman.

Thereupon, on motion of that gentleman, the Report with accompanying papers was tabled pending acceptance and unassigned.

The SPEAKER: The Chair lays before the House the twelfth item of unfinished business, Bill "An Act relating to Determination of Physical Disability by Department of Education", House Paper 979, Legislative Document 1127, tabled on April 5 by the gentleman from South Portland, Mr. Fuller, pending third reading and the Chair recognizes that gentleman.

Mr. FULLER: Mr. Speaker, I ask unanimous consent to address the House very briefly.

The SPEAKER: The Chair would state that discussion of this bill is in order at this time.

Mr. FULLER: Mr. Speaker, I just want to say that the reason I tabled this bill and the one following is that these bills are both government subsidized and the federal office has informed us that they need further amendments. As yet, we have not received those amendments. So now, Mr. Speaker, I move that this bill be retabled until next Thursday hoping that we may receive these amendments in that time, and that also applies to the next matter.

The SPEAKER: The gentleman from South Portland, Mr. Fuller, moves that this Bill lie on the table pending third reading and be specially assigned for next Thursday, April 21. 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 thirteenth item of unfinished business, Bill "An Act relating to Vocational Rehabilitation", House Paper 978, Legislative Document 1126, tabled on April 5 by the gentleman from South Portland, Mr. Fuller, pending third reading.

Thereupon, on motion of that gentleman, the Bill was tabled pending third reading and specially assigned for Thursday, April 21.

The SPEAKER: The Chair lays before the House the fourteenth item of unfinished business, Bill "An Act relating to Standard Time," House Paper 596, Legislative Document 652, tabled on April 6 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: Many House members are interested in this bill and I understand now that the Director of Legislative Research is preparing an amendment to be presented. I now move that this bill be retabled until Friday, April 22.

The SPEAKER: The Chair would state that there has been difficulty at times lately by tabling and specially assigning and it is not fair to members to take up matters specially assigned ahead of time because they may be absent and be relying on a special assignment.

Does the gentleman wish it specially assigned or unassigned?

Mr. COTE: Unassigned, Mr. Speaker.

The SPEAKER: The gentleman from Lewiston, Mr. Cote, moves that this Bill be tabled pending passage to be engrossed and be unassigned. Is this the pleasure of the House?

The motion prevailed and the Bill was so tabled.

The SPEAKER: The Chair lays before the House the fifteenth item of unfinished business, House Report "Ought not to pass" of the Committee on Towns and Counties on Bill "An Act Increasing Salary of Register of Deeds of Northern Registry, Aroostook County," House

Paper 566, Legislative Document 614, tabled on April 7 by the gentleman from Fort Kent, Mr. Cyr, 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 sixteenth item of unfinished business, House Report "Ought to pass" of the Committee on Highways on Bill "An Act relating to Construction of Entrances to Highways," House Paper 253, Legislative Document 238, tabled on April 8 by the gentleman from Oakland, Mr. Pullen, pending acceptance and the Chair recognizes that gentleman.

Mr. PULLEN: Mr. Speaker and Members of the House: I offer House Amendment "A" to L. D. 238, and move its adoption.

The SPEAKER: The Chair would state that the committee report acceptance is the matter in order at this time. Is it the pleasure of the House that the "Ought to pass" Report of the Committee be accepted?

Thereupon, the "Ought to pass" Report was accepted and the Bill was given its two several readings.

Mr. Pullen of Oakland then offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to H. P. 253, L. D. 238, Bill "An Act relating to Construction of Entrances to Highways."

Amend said Bill by striking out all of said Bill after the enacting clause and inserting in place thereof the following:

R. S. c. 23, sec. 36 amended. The first paragraph of section 36 of chapter 23 of the revised statutes is hereby amended by adding a new sentence at the end thereof to read as follows:

'If any existing driveway, entrance or approach is changed in degree or kind of use a permit shall be required.'

House Amendment "A" was adopted and the Bill assigned for

third reading the next legislative day.

The SPEAKER: The Chair lays before the House the seventeenth item of unfinished business, House Report "Ought to pass" as amended by Committee Amendment "A" of the Committee on Legal Affairs on Bill "An Act relating to Payments by Town of York to York Beach Village Corporation," House Paper 489, Legislative Document 534, tabled on April 8 by the gentleman from York, Mr. Hancock, pending acceptance.

Thereupon, the Report of the Committee was accepted and the Bill was given its two several readings.

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

COMMITTEE AMENDMENT "A" to H. P. 489, L. D. 534, Bill "An Act relating to Payments by Town of York to York Beach Village Corporation."

Amend said bill by striking out the underlined figure "44%" and inserting in place thereof the underlined figure "38%" in line 10 of the underlined section 4.

Further amend said Bill by adding at the end thereof, before the single quotation mark, the following underlined sentence: **'All the authority and duties of the selectmen or road commissioner within said corporation shall be exercised by said assessors, or they may appoint an agent to perform the duties of road commissioner.'**

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

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

Mr. HANCOCK: Mr. Speaker and Members of the House: With the concurrence of the Legal Affairs Committee, and after discussion with the York Beach assessors yesterday, a compromise was reached and I would now move to indefinitely postpone Committee Amendment "A" and I will offer an amendment of my own.

The SPEAKER: The gentleman from York, Mr. Hancock, moves that Committee Amendment "A" be indefinitely postponed. Is this the pleasure of the House?

The motion prevailed.

Mr. Hancock of York then offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to H. P. 489, L. D. 534, Bill "An Act relating to Payments by Town of York to York Beach Village Corporation."

Amend said Bill by striking out the underlined figure "44%" and inserting in place thereof the underlined figure '35%' in line 10 of the underlined section 4.

Further amend said Bill by adding at the end thereof, before the single quotation mark, the following underlined sentence: 'All the authority and duties of the selectmen or road commissioner within said corporation shall be exercised by said assessors, or they may appoint an agent to perform the duties of road commissioner.'

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

The SPEAKER: The Chair lays before the House the eighteenth item of unfinished business, Bill "An Act relating to Installations Within Highway Limits", Senate Paper 93, Legislative Document 223, tabled on April 9 by the gentleman from Oakland, Mr. Pullen, pending third reading and the Chair recognizes that gentleman.

Mr. PULLEN: Mr. Speaker, I understand that there is another amendment that did not get printed so I will ask to have this tabled and specially assigned for next Tuesday.

The SPEAKER: The gentleman from Oakland, Mr. Pullen, moves that this Bill lie on the table pending third reading and be specially assigned for Tuesday next, 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 nineteenth item of unfinished business, 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 12 by the gentleman from West Gardiner, Mr. Martin, pending acceptance.

Is it the pleasure of the House that the "Ought not to pass" Report of the Committee be accepted?

Thereupon, 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 twentieth item of unfinished business, House Report "Ought not to pass" of the Committee on Inland Fisheries and Game on Bill "An Act relating to Transportation of Fish, Game and Fur-bearing Animals by Aircraft", House Paper 778, Legislative Document 661, tabled on April 12 by the gentleman from Winthrop, Mr. Maxwell, pending acceptance.

The Chair recognizes the gentleman from Chelsea, Mr. Allen.

Mr. ALLEN: Mr. Speaker and Members of the House: I notice that the gentleman from Winthrop, Mr. Maxwell, is not here right now. I would like to speak briefly on this. This bill merely states that a pilot may have his license suspended not shall, for transporting fish, game or fur-bearing animals. I think that the law is discriminatory and that this bill should pass. I hold a pilot's license and I would hate to lose it because somebody who was riding in my plane happened to have a short fish or something like that. That is what this bill would do so I would substitute the bill for the report.

The SPEAKER: The gentleman from Chelsea, Mr. Allen, moves that the Bill be substituted for the "Ought not to pass" Report of the Committee. Is this the pleasure of the House?

The motion prevailed and the Bill was substituted for the "Ought not to pass" Report of the Committee.

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

The SPEAKER: The Chair lays before the House the twenty-first item of unfinished business, Bill "An Act relating to Definition of

Contract Carrier", Senate Paper 522, Legislative Document 1427, tabled on April 13 by the gentleman from Fairfield, Mr. Osborne, pending third reading.

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

The SPEAKER: The Chair lays before the House the first tabled and today assigned matter, House Report "Ought not to pass" of the Committee on Claims on Resolve in favor of Phyllis Libby of Nobleboro, House Paper 774, tabled on April 8 by the gentleman from Bremen, Mr. Hilton, pending acceptance.

Thereupon, 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, House Report "Ought not to pass" of the Committee on Legal Affairs on Bill "An Act relating to the Board of Finance of the City of Lewiston," House Paper 631, Legislative Document 671, tabled on the 8th day of April by the gentleman from Lewiston, Mr. Couture, pending acceptance and the Chair recognizes that gentleman.

Mr. COUTURE: Mr. Speaker and Members of the House: In order that I might present an amendment that will satisfy those concerned, I move that the bill be substituted for the report.

The SPEAKER: The gentleman from Lewiston, Mr. Couture, moves that the Bill be substituted for the Report.

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

Mr. QUINN: Mr. Speaker and Members of the House: For the Committee on Legal Affairs it might be well for me to enlighten the House as to why the Committee reported "Ought not to pass" on the bill. If you will note this has to do with the selection of the Board of Finance of our second largest city in the State, and the Committee felt that if that particular thing was thrown open to the electorate at large, you would be very apt not to have the proper selection of the

people with the most ability to do the work, and we felt that it would be much better for the city if it remained as is, by appointment rather than by an open election by the people at large. That is an explanation of the action of the Committee on Legal Affairs.

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

Mr. COUTURE: Mr. Speaker and Members of the House: This bill was introduced here under the recommendations of the people of the City of Lewiston. I, as an elected body in the City of Lewiston on the City Council serving my third term at this time, have always made my campaign for election against the Board of Finance itself and against the Charter of the City of Lewiston from one end to the other. I understand the Legal Affairs took their stand that this bill came out "Ought not to pass." Ever since that came out on our calendar I spoke to a good many people of the City of Lewiston and they are very well upset over this. I have asked to substitute the report for an amendment which all the members have on their desks at this time, and it has proven in our last elections that we have a referendum to feel out the people of the City of Lewiston what they want on a referendum that they voted seven to one for the change. After the vote was taken I as a member of the City Council of the City of Lewiston that met quite a few of them, that they spoke directly to me that they are opposed to the Board of Finance with the power that they have at this time under this present form of government. Now there are a good many members in this House that are of course not in the line of the power of our Board of Finance in the City of Lewiston under this present form of government. I will come out and point out to the members of this House at this time that we elect the Mayor, we have the election for the Mayor yearly. The Mayor elected appoints a member of the Board of Finance for a period of five years, and an outgoing member yearly, so the citizens of the City of Lewiston feel that they do vote for that man as Mayor of the City of Lewiston under this

form of government, but they do not feel that it is right for the Mayor to appoint a man there for five years with that control, which have the control of all the expenditure in the City of Lewiston, everything has to be approved by them; have the control of setting all the salaries of all the employees of the City of Lewiston. There are the items that the City Council will put in their budget which they have the final say of it that the money can be spent, and of course it can be complete without the approval of the Board of Finance. Although pending before you here a few days ago you had a bill here that was defeated in the other body, and they had full control of the City Engineer. As it is now we have a member of the Board of Aldermen with nothing to do but sign and approve city ordinance over there, set up the budget, take the responsibility of the tax hikes and the tax rate in the City of Lewiston. You have a Mayor who is the Chairman of the Board of Finance over there but nothing to say unless it comes to a tie, and they always make sure it never breaks to a tie before the meeting. You have a Board of City Councils over there that want to attend their meetings to find out where the expenditure of money goes, they are thrown out of their office and they hold everything behind doors and the Aldermen cannot even get a line on what they are doing. They give you the report after a citizen contracts and bids are given, and then we cannot touch it any more. Now I feel that we are the second largest city in the State of Maine, that the taxpayers themselves in that city should at least have control to elect a man to see that he spends their money as he sees fit to have control over them. If you elect the Board of Finance this is what comes into it, and it does not limit the charter to cut down the Board of Finance from five to three members elected at large in the City of Lewiston. Of course it is elected at large in the City of Lewiston, I think the Board of Finance is spending the money of the taxpayer at large in the City of Lewiston too, and if it does happen that they do elect the member of the Board of Finance and it is not satisfactory

to them, and it is a member that should not be on there, at least they will have the pleasure to go to the polls and vote against him which they have not got today. It came out in different elections in campaigns for Mayor so when there was an outgoing member he would throw in his power and any of the rest of them that he has beside him to elect a certain Mayor so he can be reappointed and take full control of the taxpayers' money in the City of Lewiston for ten years to come and be reappointed by that man, so the minute he is appointed he goes in there again. What can the citizens of the City of Lewiston do to that member of the Board of Finance that is appointed by the Mayor? You are electing two men in two elections in a row, he had put two men in full power of all the expenditures, and in full power of all the salaries of the employees of the City of Lewiston, in full power of accepting all bids for construction, full power of the City Engineer that comes under the Public Works. Full power to hold closed door meetings with them and decide just what they are going to do and they throw the Council out of the way, and then the poor man who is elected for two years by the people of the City of Lewiston is used like a football by the Board of Finance, also the elected Board of Aldermen is used like a football by that Board of Finance, and then you and I go in for two elections and elect a mayor for two years, he has put two men in power for five years in a row. So you see by two elections what you did, put two men in power. The third one comes in, that is the same thing. So I think it is a continuing affair, and it is an injustice to the people, because the people go to the polls to vote for their Mayor and their Council and they depend on them for the success of the City of Lewiston but they are definitely controlled by the Board of Finance. Now this is my reason for it. I certainly will not stand here on the floor of the House as one of the representatives of the Legislature and try to put the bill across by myself on this floor, I told you that I had an amendment here that is distributed to you and if you would only look at it you will

see that I do not want to take the responsibility of changing that because I just do not like the Board of Finance. The amendment is before you now and all I want to do with this amendment is so the people in the City of Lewiston will have their say whether they do want that change or whether they do not want that change. When it comes back to them if they feel they are satisfied with this Board of Finance as it is now if you give them the chance to vote on it this next election, and if they do not defeat that Board of Finance, if elected back here on this floor of the House, I will take a stand that I have to apologize to all the members because I did not tell them the truth. I do know what I am talking about. I am on my third term in this House, and my third term in the City Council of the City of Lewiston, and I have always made my campaign against that present form of government and against the Board of Finance. Now if the people of that City did not have it in their minds that they are opposed to similar things, do you suppose in your mind right now that I would be reelected to this House, or be reelected on the City Council? This is the reason why I am begging the members here to go along and give a fair break to the people of the City of Lewiston on this bill which I will introduce an amendment on so they will have that privilege.

The SPEAKER: The question before the House is on the motion of the gentleman from Lewiston, Mr. Couture, to substitute the Bill for the Report.

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

Mr. QUINN: Mr. Speaker, I move a division on the question of substituting the bill for the committee report.

The SPEAKER: The gentleman from Bangor, Mr. Quinn, requests a division.

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

Mr. CHILDS: Mr. Speaker, through the Chair, I would like to ask the gentleman from Lewiston, Mr. Malenfant, if he is of the opinion that the opposition would now be in favor of this bill with the proposed House Amendment.

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

Mr. MALENFANT: Mr. Speaker, I am sure that the people of Lewiston are going to be in favor of this bill, and I am sure if you give a chance to the people of Lewiston to vote on that bill the Finance Board is going to disappear, they will never know they have been on the Finance Board before. Now as it is now, the Mayor as the gentleman from Lewiston, Mr. Couture, said, the Mayor appoints a man on the Finance Board every year for a term of five years. As soon as he is appointed he knows the same Mayor might not be there for five years. They just do that to the Mayor. They just do not care for the Mayor. I have made many appointments, I served my fourth term, and I have made many appointments, and they promised me they would support me knowing that I would be all right, but I cannot be wrong all the time. If I was wrong all the time the people of Lewiston would not keep me eleven years in public office, but they double-cross me, my appointments double-cross me every time. The Finance Board takes all the power in their hands, they do not even listen to the Mayor when he gives them good advice. They take the power that does not belong to them. They laugh at the Board of Aldermen. The Board of Aldermen are the highest Board, but the Board of Finance thinks they are the highest Board. The Board of Finance makes many appointments: tax collector, controller, tax assessor, city auditor, and the poor city engineer that my bill was killed by the other House, and only those that have been appointed by them can receive big increases every year. The poor man with the pick and shovel cannot even get a penny increase.

I hope that the motion of the gentleman from Lewiston, Mr. Couture, prevails. I have another bill a little different than Mr. Couture's bill, but I am going to support his bill and I hope Mr. Couture supports my bill.

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

Mr. DUMAIS: Mr. Speaker and Members of the House: As a taxpayer and a sizeable one in the City of Lewiston, I certainly hope that the motion of the gentleman from Lewiston, Mr. Couture, will prevail, for the simple reason that the facts that have been brought out here are without a doubt the most flabbergasting things I ever heard that happen in Lewiston. I hate to say this because it is my City, but the people of Lewiston love to go out and they love to vote, and as it is going now the interest is going down, we are getting fewer votes and the power that this Board of Finance holds in itself, they have formed a point of dictatorship. Now you have heard the Mayor state here, and I will stand with the Mayor when he says that, that when he has made an appointment, they will turn around and right away toss him out of the office if he goes to come in. He has no vote, he has no power, they spend as they see fit, they patronize their friends and things like that. I believe the Legal Affairs Committee when they have heard this thing really in the midst of a political campaign, and I truthfully believe that some of these reports probably were influenced by some of the members, but now I believe that the City of Lewiston is willing itself, a few years ago, two years ago to be exact, when it voted seven to one to do away with this present form of thirty-five nominees nominated by the Mayor who right away desert him as soon as he has nominated them. This Charter was established so that no one Mayor would stack boards, but the former Mayor has had a chance to repeatedly stack board because they have resigned by the dozen. It does not mean too very much. I do believe that the citizens of the City believe enough in coming out to vote that they would elect good members to the Board of Finance and that we would be proud of them. Therefore, I believe that the motion of the gentleman from Lewiston, Mr. Couture, should prevail.

The SPEAKER: The question before the House is on the motion of the gentleman from Lewiston, Mr. Couture, that Bill "An Act relating to the Board of Finance of the City of Lewiston", House Paper 631, Legislative Document 671, be substituted for the "Ought not to pass" Report of the Committee.

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

Mr. JACQUES: Mr. Speaker and Members of the House: As a member of the City Council of the City of Lewiston, I would like very much to say that I am in favor of this bill.

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

Mr. COTE: Mr. Speaker and Members of the House: I am afraid I would be remiss in my duties as a Legislator if I did not put a little weight into this thing myself. I would like to go on record as favoring this bill with the amendment clause. It shall go back to the people and I can assure you this that the newspapers, whether it is our French newspaper or our English newspapers in the City of Lewiston, will air out this matter and air it out completely, and when the people go to the polls, whether they accept this bill or reject it, then we will know how the City of Lewiston stands with its Finance Board. Thank you.

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

Mr. CHILDS: Mr. Speaker, as a matter of principle I am opposed to this particular form of government and what they want to do now, but if they want to put it on referendum I think I will probably go along with them, because I feel quite sure the thing will be voted down in the City anyway. I move the previous question.

The SPEAKER: The gentleman from Portland, Mr. Childs, moves the previous question. In order for the Chair to entertain the motion for the previous question, it requires the consent of one-third of the members present.

All those in favor of the Chair entertaining the motion for the previous question will rise and stand in

their places until the monitors have made and returned the count.

A sufficient number arose.

The SPEAKER: Obviously more than one-third of the members present having arisen, the motion for the previous question is entertained.

The question now before the House is: Shall the main question be put now? All those in favor will say aye; those opposed, no.

A viva voce vote being taken, the main question was ordered.

The SPEAKER: The question before the House is on the motion of the gentleman from Lewiston, Mr. Couture, that Bill "An Act relating to the Board of Finance of the City of Lewiston", House Paper 631, Legislative Document 671, be substituted for the "Ought not to pass" Report of the Committee.

The gentleman from Bangor, Mr. Quinn, has requested a division.

As many as are in favor of the Bill being substituted for the "Ought not to pass" 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 five 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.

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

HOUSE AMENDMENT "A" to H. P. 631, L. D. 671, Bill "An Act relating to the Board of Finance of the City of Lewiston."

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

Referendum; effective date; certificate to Secretary of State. This act shall take effect 90 days after adjournment of the Legislature, only for the purpose of permitting its submission to the legal voters of the city of Lewiston at any regular or special election held within 1 year of the effective date of this act. Such special election shall be called, advertised and conducted according to the law relating to municipal elections; provided, however, that the board of registration in said city of Lewiston shall not be required to prepare for posting, nor

the city clerk to post, a new list of voters, and for the purpose of registration of voters, said board shall be in session the 3 secular days preceding such election, the first 2 days thereof to be devoted to the registration of voters and the last day to enable the board to verify the corrections of said lists and to complete and close up their records of said sessions.

The city clerk shall prepare the required ballots, on which he shall reduce the subject matter of this act to the following question: "Shall 'An Act Relating to the Board of Finance of the City of Lewiston,' passed by the 97th Legislature, be accepted?" And the voters shall indicate by a cross or check mark placed against the words "Yes" or "No" their opinion of the same.

This act shall take effect for all the purposes hereof immediately upon its acceptance by a majority of the legal voters at said election, provided that the number of votes cast for and against the acceptance of this act equaled or exceeded 20% of the total vote for all candidates for Governor in said city at the next previous gubernatorial election.

The result of the vote shall be declared by the municipal officers of the city of Lewiston and due certificate thereof filed by the city clerk with the Secretary of State.

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

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

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 Legal Affairs on Bill "An Act relating to Appointment of Corporation Counsel and all Board Members in City of Lewiston", House Paper 1072, Legislative Document 1267, tabled on April 8 by the gentleman from Lewiston, Mr. Cote, pending acceptance and the Chair recognizes that gentleman.

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

The SPEAKER: The Chair lays before the House the fourth tabled and today assigned matter, Bill "An Act relating to Legislative Research Committee", Senate Paper 446, Legislative Document 1238, tabled on April 8 by the gentleman from Chelsea, Mr. Allen, pending passage to be engrossed and the Chair recognizes that gentleman.

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

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

HOUSE AMENDMENT "A" to S. P. 446, L. D. 1238, Bill "An Act relating to Legislative Research Committee."

Amend said Bill by striking out the underlined figure "7" in the 4th line and inserting in place thereof the underlined figure "5"

Further amend said Bill by indicating the striking out of the figure "7" in the 5th line by drawing a line through said figure "7" and inserting after said stricken out figure "7" the underlined figure "9"

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

The SPEAKER: The Chair lays before the House the fifth tabled and today assigned matter, House Order relative to Appointment of Committee to Investigate and Determine the Activities of the Employment Security Commission and to Ascertain the Activities of the Health and Welfare Department in regard to Employees in the Logging Industry, tabled on April 8 by the gentleman from Bingham, Mr. Shaw, pending passage and the Chair recognizes that gentleman.

Mr. SHAW: Mr. Speaker and Members of the House: I have been advised that there is a more feasible way of handling this matter so I will now move withdrawal of the Order.

The SPEAKER: The gentleman from Bingham, Mr. Shaw, withdraws his order.

The SPEAKER: The Chair lays before the House the sixth tabled and today assigned matter, Bill "An

Act Creating a Commission to Survey Proposal for Portland-South Portland Bridge", House Paper 1188, Legislative Document 1451, tabled on April 12 by the gentleman from Hanover, Mr. Ferguson, pending first reading and the Chair recognizes that gentleman.

Thereupon, on motion of that gentleman the Bill was given its two several readings.

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

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

HOUSE AMENDMENT "A" to H. P. 1183, L. D. 1451, Bill "An Act Creating a Commission to Survey Proposal for Portland-South Portland Bridge."

Amend said Bill by adding at the end thereof a new section 5 to read as follows:

"Sec. 5 Allocation of expenses of the survey.

The state highway commission, the county of Cumberland, the city of Portland and the city of South Portland shall share equally the expenses incurred for the survey herein authorized."

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

The SPEAKER: The Chair lays before the House the seventh tabled and today assigned matter, House Report "Ought to pass" in new draft, House Paper 1189, Legislative Document 1452, of the Committee on Labor on Bill "An Act relating to Weekly Benefits for Total Unemployment Under Employment Security Law", House Paper 1070, Legislative Document 1258, tabled on April 12 by the gentleman from Bath, Mr. Couture, pending acceptance.

The SPEAKER: Is it the pleasure of the House to accept the "Ought to pass" in new draft report of the Committee?

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

Mr. DENBOW: Mr. Speaker, if it is the proper time, I would like to offer an amendment.

The SPEAKER: The Chair will state that it is not in order yet.

Thereupon, the "Ought to pass" in new draft Report of the Commit-

tee was accepted and the Bill was given its two several readings.

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

Mr. COUTURE: Mr. Speaker, I move that the rules be suspended and the bill be given its third reading at this time.

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

Thereupon, the Bill was given its third reading under suspension of the rules.

Mr. Denbow of Lubec then offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to H. P. 1189, L. D. 1452, Bill "An Act relating to Weekly Benefits for Total Unemployment Under Employment Security Law."

Amend said Bill by striking out all of the underlined Columns A, B, C and D and inserting in place thereof the following:

Column A	Column B
1. \$ 0.0	up to \$ 299.99
2. 300.00	up to 399.99
3. 400.00	up to 499.99
4. 500.00	up to 599.99
5. 600.00	up to 699.99
6. 700.00	up to 799.99
7. 800.00	up to 899.99
8. 900.00	up to 999.99
9. 1000.00	up to 1099.99
10. 1100.00	up to 1199.99
11. 1200.00	up to 1299.99
12. 1300.00	up to 1399.99
13. 1400.00	up to 1499.99
14. 1500.00	up to 1599.99
15. 1600.00	up to 1699.99
16. 1700.00	up to 1849.99
17. 1850.00	up to 1999.99
18. 2000.00	up to 2149.99
19. 2150.00	up to 2299.99
20. 2300.00	up to 2449.99
21. 2450.00	up to 2599.99
22. 2600.00	up to 2749.99
23. 2750.00	up to 2899.99
24. 2900.00	and over
Column C	Column D
None	None
\$ 6.00	\$138.00
9.00	207.00

Column C	Column D
10.00	230.00
11.00	253.00
12.00	276.00
13.00	299.00
14.00	322.00
15.00	345.00
16.00	368.00
17.00	391.00
18.00	414.00
19.00	437.00
20.00	460.00
21.00	483.00
22.00	506.00
23.00	529.00
24.00	552.00
25.00	575.00
26.00	598.00
27.00	621.00
28.00	644.00
29.00	667.00
30.00	690.00

The SPEAKER: The gentleman from Lubec, Mr. Denbow, has moved that House Amendment "A" be adopted.

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

Mr. ROSS: Mr. Speaker and Members of the House: I have no desire to delay proceedings today, but these labor bills, and especially the ones on workmen's compensation and unemployment compensation are so complicated, and since they affect a great many thousand of our working people in the State, I have been asked if I would briefly explain the purpose of this bill and exactly what it does do.

Now unemployment compensation is administered by an organization called the Employment Security Commission, and under unemployment employers who employ eight or more persons contribute toward a fund, and they give an amount not to exceed three per cent of the total taxable income of all their employees, this taxable income is up to the first \$3,000 a year that a man makes. The employees themselves give nothing. Now three-tenths of one per cent of this money goes to the Federal Government for the administering of this fund, and from .9 to 2.7 per cent goes toward our State fund which we have invested in Washington. At the present time we have there an amount equal to some \$42,000,000. Now that may sound like a lot of money, and last year we did

get \$1,000,000 in interest on that fund, but we cannot go beserk and give all sorts of increases because things will happen. For instance, last year with the situation in Sanford and many others there was a very heavy drain on this fund. As a matter of fact the fund was depleted by \$3,000,000. If this fund should get down to \$35,000,000 then all of the employer's rates would go up to the maximum. At the present time they are pro-rated according to an experience rating. Before the Labor Committee this year we had eighteen mills that affected the Employment Security Commission rulings, and eight of them affected the section of the law that you are looking at now. Some of them lowered the minimums, some of them raised the maximums and raised the totals and raised the number of weeks and lowered restrictions. We studied them all and we tried to be fair both from the management side and the labor side. At the present time if a man earns \$400 a year for his past year's work, he is entitled to unemployment compensation one week after he is unemployed. As I say, right now the low is \$400 a year and he will get for that if he is totally unemployed \$9.00 a week for twenty weeks. The maximum payments are \$27.00 a week for twenty weeks. The bill which we amended in a new draft was bill L. D. 1258, the bill of the gentleman from Bath, Mr. Couture. Now that bill recommended that the maximum be raised from \$27.00 to \$30.00 and that the number of weeks be raised from twenty to twenty-six. The re-drafted bill which we presented, L. D. 1452, we went along with that maximum of \$30.00 per week, but we did not go quite as far as the twenty-six weeks, we called that twenty - three weeks. Now the amendment that has been presented this morning goes just one step further and that lowers the minimum amount that a man has to make before he becomes eligible. That amendment says that a man only has to make \$300 instead of \$400. If you will look at the amendment you will see four listings there. Column A is just a numerical listing of wage classes. Column B is wages earned. Column C is maximum weekly benefits, and Column

D is the maximum totals. Nowhere in there do you see a number of weeks. We said twenty-three. The figure twenty-three is arrived at by dividing Column C into Column D. The Committee has met since this amendment was suggested, we have reviewed that carefully along with the entire program, and I am confident that all members of the Committee now approve the bill with the addition of this further amendment.

The SPEAKER: The question before the House is on the motion of the gentleman from Lubec, Mr. Denbow, that House Amendment "A" be adopted. Is this the pleasure of the House?

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

Thereupon, under suspension of the rules, 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 eighth tabled and today assigned matter, House Report "Ought to pass" of the Committee on Inland Fisheries and Game on Bill "An Act Repealing Prohibition to Hunt Muskrats in Lake Alamoosook and Dead River", House Paper 896, Legislative Document 1004, tabled on April 12 by the gentleman from Ellsworth, Mr. Willey, pending acceptance.

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

Mr. CHILDS: Mr. Speaker, the gentleman from Bucksport, Mr. Pierce, said he wanted to speak on this bill and he asked me if I would see if it could be put on the table until next Tuesday. I therefore move that this lie on the table until next Tuesday.

The SPEAKER: The gentleman from Portland, Mr. Childs, moves that the Report with accompanying papers lie on the table 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 ninth tabled and today assigned matter, An Act relating to Fees for Motor Vehicle

Inspections, Senate Paper 235, Legislative Document 571, tabled on April 12 by the gentleman from Portage Lake, Mr. Cook, pending adoption of House Amendment "B" and the Chair recognizes that gentleman.

Mr. COOK: Mr. Speaker, I should like to have this retabled until Tuesday because of the possibility of another amendment.

The SPEAKER: The gentleman from Portage Lake, Mr. Cook, moves that this matter lie on the table pending adoption of House Amendment "B" and specially assigned for Tuesday next, 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 tenth tabled and today assigned matter, Bill "An Act to Revise the Inland Fish and Game Laws," Senate Paper 184, Legislative Document 436, tabled on April 13 by the gentleman from Durham, Mr. Bowie, pending first reading.

Thereupon, the Bill was given its two several readings.

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

COMMITTEE AMENDMENT "A" to S. P. 184, L. D. 436, Bill "An Act to Revise the Inland Fish and Game Laws."

Amend said Bill by adding after section 7 thereof, 2 new sections to be numbered 7-A and 7-B, as follows:

"Sec. 7-A. R. S., c. 37, Sec. 39, sub-sec. II, III, amended. Subsections II and III of section 39 of chapter 37 of the revised statutes are hereby amended to read as follows:

"II. Each resident of Maine and each nonresident shall purchase a fishing license, which shall be kept upon the person while fishing or transporting fish, and shall be exhibited upon request to any warden, guide or employee of this Department. A resident shall apply and obtain a license from the clerk of or agent in the town in which he has a residence, but if the applicant is a resident of the State and is domiciled in an unorganized territory, then the clerk of or agent in the

town nearest to the unorganized place may issue a license. The Commissioner may appoint agents in unorganized towns for the purpose of issuing resident fishing licenses to the residents domiciled in that unorganized town.

III. The clerks of all municipalities are authorized agents for the issuance of all fishing licenses. The commissioner may designate additional agents and shall determine the period during which they shall act. For the purpose of issuing licenses, the Commissioner may appoint clerks of towns or such other agents as he deems necessary, and shall determine the period during which they shall act. The license shall be issued upon payment of \$2.25, and the clerk or agent shall retain 25c from the fee. The license shall be valid for the calendar year in which it was issued. All licenses shall expire on midnight of December 31st of the year of issue. No license shall be willfully issued to any person not a resident of the municipality in which said license is issued, and the penalty of any violation of this provision shall be \$10 and costs."

Sec. 7-B. R. S., c. 37, Sec. 39, sub-sec. XII, amended. The 2nd paragraph of subsection XII of section 39 of chapter 37 of the revised statutes is hereby amended to read as follows:

"Licenses shall may be issued by the clerk of or agent in the town in which said military or naval post, station or base is situated."

Further amend said Bill by adding at the end of that part designated "VII" of Section 13, before the period, the following underlined words: 'or created by an act of the Legislature'

Further amend said Bill by adding after section 15 thereof a new section to be numbered 15-A, as follows:

"Sec. 15-A. R. S., c. 37, Sec. 73, sub-sec. III, amended. Subsection III of section 73 of chapter 37 of the revised statutes is hereby amended to read as follows:

"III. For the purpose of issuing licenses, the clerks of all towns are authorized agents. The Commissioner may appoint additional agents clerks of towns or such other agents

as he deems necessary and shall determine the period during which they shall act.

The License shall ~~may~~ be issued to a resident by the clerk of ~~or agent~~ in the town in which the applicant resides, or if domiciled in an unorganized territory, then by the clerk of ~~or agent~~ in the nearest town, upon payment of a fee of \$2.25, of which 25c shall be retained by the town clerk ~~or agent~~. The Commissioner may appoint agents in unorganized towns for the purpose of issuing resident hunting licenses to the residents domiciled in that unorganized town.

A combination of hunting and fishing license may be issued on payment of \$4.25, 25c to be retained by the town clerk ~~or agent~~.

Each agent shall forward to the Commissioner on the 1st day of each calendar month all of the funds collected by him during the previous calendar month, together with a list of the persons and the kind of licenses issued to them. The funds received by the Commissioner shall be deposited in the State Treasury. Each agent shall be entitled to retain the sum of 25c for each license issued."

Further amend said Bill by adding at the end thereof a new section to be numbered 23, as follows:

"Sec. 23. R. S., c. 140, Sec. 3, **amended**. The last sentence of section 3 of chapter 140 of the revised statutes is hereby amended to read as follows:

"Nothing in this section prohibits the shooting of wild game in its wild state or the shooting of birds at field trials under the supervision of the Department of Inland Fisheries and Game in accordance with the provisions of section 151 117-A of Chapter 37."

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

SENATE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to S. P. 184, L. D. 436, Bill "An Act to Revise the Inland Fish and Game Laws."

Amend said Amendment in the 24th line thereof by indicating the striking out of the figure "\$2.25" by drawing a line through said figure and inserting the underlined figure

'\$2.75' immediately after said stricken out figure.

Further amend said Amendment in the 23rd line from the end thereof by indicating the striking out of the figure "\$2.25" by drawing a line through said figure and inserting the underlined figure '\$2.75' immediately after said stricken out figure.

Further amend said Amendment in the 17th line from the end thereof by indicating the striking out of the figure "\$4.25" by drawing a line through said figure and inserting the underlined figure '\$5.25' immediately after said stricken out figure.

Senate Amendment "A" to Committee Amendment "A" was adopted in concurrence.

Committee Amendment "A" as amended by Senate Amendment "A" thereto was adopted and the Bill assigned for third reading the next legislative day.

The SPEAKER: The Chair lays before the House the eleventh tabled and today assigned matter, House Report "Ought not to pass" of the Committee on Business Legislation on Bill "An Act relating to Fire Alarms for Certain Buildings", House Paper 407, Legislative Document 454, tabled on April 13 by the gentleman from Bar Harbor, Mr. Edgar, pending acceptance and the Chair recognizes that gentleman.

Thereupon, on motion of that 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 twelfth tabled and today assigned matter, An Act relating to Election of Chairmen of State Committees of Political Parties, House Paper 1128, Legislative Document 1326, tabled on April 14 by the gentleman from Portland, Mr. Childs, pending passage to be enacted.

The Chair recognizes the gentleman from Anson, Mrs. Thomas.

Thereupon, on motion of that gentlewoman, the Bill was tabled pending passage to be enacted and unassigned.

The SPEAKER: The Chair lays before the House the thirteenth ta-

bled and today assigned matter, Resolve Regulating Fishing in All River Tributaries at Sebago Lake, House Paper 743, Legislative Document 824, tabled on April 14 by the gentleman from Raymond, Mr. Edwards, pending final passage, and the Chair recognizes that gentleman.

Thereupon, on motion of that gentleman, the Resolve was tabled pending final passage and unassigned.

The SPEAKER: The Chair lays before the House the fourteenth 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 April 14 by the gentleman from Fairfield, Mr. Osborne, pending the motion of the gentleman from Bremen, Mr. Hilton, to indefinitely postpone.

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

Mr. TOTMAN: Mr. Speaker and Members of the House: That team of the gentleman from Bangor, Mr. Quinn, and the gentleman from Brunswick, Mr. Walsh, hit me so hard that I do not care to be slaughtered again, I might not get back to Bangor this afternoon, so I move that we go along with the motion of the gentleman from Bremen, Mr. Hilton, to indefinitely postpone the bill. I might say I am partly doing that because I appreciate the vote of the House this morning on the bill to restrict the license plates to one and you have heard that it would partially cripple the radar bill to have one plate. So you can't have your cake and eat it too, and I second the motion of the gentleman from Bremen, Mr. Hilton.

The SPEAKER: The question before the House is on the motion of the gentleman from Bremen, Mr. Hilton, that Bill "An Act relating to Checking Speed of Motor Vehicles by Electrical Devices", House Paper 109, Legislative Document 117, be indefinitely postponed. Is this the pleasure of the House?

The motion prevailed and the Bill was indefinitely postponed and sent up for concurrence.

On motion of the gentleman from West Gardiner, Mr. Martin, the House voted to take from the table the twenty-fifth tabled and unassigned matter, Bill "An Act relating to Insects and Diseases of Trees", Senate Paper 515, Legislative Document 1408, tabled by that gentleman on April 12 pending assignment for third reading.

On further motion of the same gentleman, under suspension of the rules, 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.

On motion of the gentleman from Portland, Mr. Charles, the House voted to take from the table the twenty-eighth tabled and unassigned matter, Bill "An Act relating to Salary of Judge of Probate in Cumberland County," Senate Paper 277, Legislative Document 707, tabled by that gentleman on April 13, pending adoption of Committee Amendment "A".

The same gentleman moved that Committee Amendment "A" be adopted.

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

COMMITTEE AMENDMENT "A" to S. P. 277, L. D. 707, Bill "An Act relating to Salary of Judge of Probate in Cumberland County."

Amend said Bill by striking out in the last line thereof the underlined figure "\$8,000" and inserting in place thereof the underlined figure "\$6,500"

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

On motion of the gentleman from Greenville, Mr. Anderson, the House voted to take from the table the twenty-ninth tabled and unassigned matter, Resolve in favor of Leroy Foster of Amherst, Senate Paper 427, Legislative Document 1443, tabled on April 13 by that gentleman pending assignment for second reading.

The SPEAKER: The Chair recognizes the gentleman from Greenville, Mr. Anderson.

Mr. ANDERSON: Mr. Speaker, I think we can dispose of this very quickly. The Department is going to pay this bill without the resolve. Therefore, I move the indefinite postponement of this resolve.

The SPEAKER: The gentleman from Greenville, Mr. Anderson, moves that this Resolve be indefinitely postponed. Is this the pleasure of the House?

The motion prevailed and the Resolve was indefinitely postponed in non-concurrence and sent up for concurrence.

Mr. Haughn of Bridgton was granted unanimous consent to address the House.

Mr. HAUGHN: Mr. Speaker, as a request was made for a Children's Day of Sports and was proclaimed by Governor Frederick Payne in 1949, 1950, 1951 and 1952, also proclaimed by Governor Burton M. Cross in 1953 and 1954, and will now be proclaimed by Governor Muskie on August 27 as Children's Sports Day in the State of Maine, our Congressman from the First District, Congressman Hale, has introduced a joint resolution in Congress asking that it be observed as a National Holiday. So, without saying anything more, out of order and under suspension of the rules, I ask unanimous consent to introduce a memorial. If that courtesy is extended to me I would further move that it be referred to the Committee on Judiciary, be printed and sent up for concurrence.

The SPEAKER: The gentleman from Bridgton, Mr. Haughn, requests unanimous consent to introduce a Joint Resolution. The Clerk will read the title.

The CLERK: Joint Resolution Memorializing Congress to Pass Joint Resolution Designating the Fourth Saturday in August of Each Year as "Children's Day in Sports".

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

Thereupon, on motion of the same gentleman, the Joint Resolution was

referred to the Committee on Judiciary, ordered printed and sent up for concurrence.

On motion of the gentleman from Rockland, Mr. Stilphen, the House voted to take from the table the twenty-fourth tabled and unassigned matter, Bill "An Act relating to Registration for Barbers and Apprentice Barbers", House Paper 1184, Legislative Document 1439, tabled by that gentleman on April 12 pending passage to be engrossed.

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

Mr. STILPHEN: Mr. Speaker, as a member of the Public Health Committee I would like to report that the Committee has requested that this be sent back to be recommitted and I so move.

The SPEAKER: The gentleman from Rockland, Mr. Stilphen, moves that this Bill be recommitted to the Committee on Public Health.

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

Mr. HANSON: Mr. Speaker and Ladies and Gentlemen of the House: I would like to have this bill retabled until next Wednesday morning, if possible, for further information before it goes back to committee because it possibly would not be necessary.

The SPEAKER: The Chair will state that the motion to table has priority. The gentleman from Gardiner, Mr. Hanson, moves that this bill lie on the table pending the motion of the gentleman from Rockland, Mr. Stilphen, that it be recommitted to the Committee on Public Health and be specially assigned for Wednesday, next, April 20. Is this the pleasure of the House?

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

The SPEAKER: The Chair would welcome a motion for adjournment.

Thereupon, on motion of Mr. Storm of Sherman,

Adjourned until Tuesday, April 19, at ten o'clock in the morning.