

# MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*Ninety-Seventh Legislature*

OF THE

STATE OF MAINE

1955

DAILY KENNEBEC JOURNAL  
Augusta, Maine

## HOUSE

Tuesday, April 19, 1955

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

Prayer by the Rev. Fr. Omer Dumont of St. John's Parish, Brunswick.

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

The journal of the previous session was read and approved.

### Papers from the Senate Senate Reports of Committees Ought to Pass in New Draft

Report of the Committee on Towns and Counties on Bill "An Act Providing for Rental of Caribou Municipal Court" (S. P. 260) (L. D. 695) reporting same in a new draft (S. P. 538) (L. D. 1464) under title of "An Act Providing for Rental of Caribou Municipal Court and Presque Isle Municipal Court" and that it "Ought to pass".

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

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

The SPEAKER: At this time, the Chair is informed that there are in the balcony of the House sixty-seven pupils from the Eighth Grade of the Freeport School accompanied by their teachers, Mrs. Webber and Mr. Hanson, also by several parents, Mrs. Tyler Lowell, Mrs. Harriet Blackston, Mrs. Mabel Dodge and Mrs. Elizabeth Saunders.

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

### Ought to Pass

Report of the Committee on Claims reporting "Ought to pass" on Resolve in favor of A. Edwin Madden of Gardiner (S. P. 294) (L. D. 1442)

Report of the Committee on Judiciary reporting same on Bill "An Act relating to Fraudulent Practices in Operation of Motor Vehicles for Profit" (S. P. 111) (L. D. 272)

Report of same Committee reporting same on Resolve Requesting Judicial Council to Study Certain Problems (S. P. 298) (L. D. 806)

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

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

### Ought to Pass with Committee Amendment

Report of the Committee on Judiciary on Bill "An Act relating to Jurisdiction of Cases of Forcible Entry and Detainer of Recorders of Municipal Courts" (S. P. 220) (L. D. 561) which was recommitted, reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

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

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

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

COMMITTEE AMENDMENT "A" to S. P. 220, L. D. 561, Bill "An Act relating to Jurisdiction of Cases of Forcible Entry and Detainer of Recorders of Municipal Courts."

Amend said Bill by inserting after the word "interested" in the 8th line the underlined words '**and except in such cases in which such justices, judges or recorders are the plaintiffs**'

Further amend said Bill by adding at the end thereof the following underlined sentence '**Such cases in which such justices, judges or recorders are the plaintiffs may be made returnable before any other municipal court within their county.**'

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

Report of the Committee on Judiciary on Bill "An Act relating to Organization of Certain Corporations Without Capital Stock" (S. P.

482) (L. D. 1351) 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. 482, L. D. 1351, Bill "An Act relating to Organization of Certain Corporations Without Capital Stock."

Amend said Bill by inserting before the underlined word "a" in the 19th line the following underlined words and punctuation: 'as a chapter of the Disabled American Veterans; as a post of the American Veterans of World War II; as'

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

The SPEAKER: The Chair is also informed that there are in the balcony of the House this morning the Seventh and Eighth Grades from the Kings Mills Grammar School in Whitefield accompanied by Mrs. Neota Fowles Grady, their teacher, and Mrs. Edith Gilman, a parent.

To you, also, on behalf of the House, the Chair extends a hearty and cordial welcome and hopes that your stay will prove profitable for all you future citizens. (Applause)

Report of the Committee on Towns and Counties on Bill "An Act relating to Fees of Town Clerks in Recording Copies of Instruments" (S. P. 354) (L. D. 963) 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. 354, L. D. 963, Bill "An Act relating to Fees of Town Clerks in Recording Copies of Instruments."

Amend said Bill by indicating the striking out of the figure "25c" in the 8th line thereof by drawing a line through said figure and inserting immediately after said stricken out figure, the underlined figure '50c'.

Further amend said Bill by striking out all of the last 4 lines thereof and inserting in place thereof the following: 'excess of 500 words; provided, however, if the instrument to be recorded does not exceed in length 250 words, the fee for recording the same shall be 50c clerk is furnished a copy of the instrument, such copy to be suitable for filing in the town records, the fee therefor shall be \$1.'

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

### Divided Report

Majority Report of the Committee on Education on Bill "An Act relating to the Study of Maine History and Government in Secondary Schools" (S. P. 456) (L. D. 1288) reporting same in a new draft (S. P. 536) (L. D. 1462) under title of "An Act relating to the Teaching of the Industrial and Natural Resources of Maine" and that it "Ought to pass"

Report was signed by the following members;

Messrs. CRABTREE of Aroostook  
DOW of Lincoln  
FULLER of Oxford  
— of the Senate.  
Mrs. MANN of Paris  
Messrs. FULLER of South Portland  
ROUNDY of Portland  
— of the House.

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

Report was signed by the following members.

Mr. CARTER of Newport  
Miss CORMIER of Rumford  
Messrs. KNIGHT of Searsmont  
EVANS of Cornish  
— of the House.

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

In the House: Reports were read. (On motion of Mr. Fuller of South Portland, the Majority Report was accepted in concurrence, the Bill read twice and tomorrow assigned.)

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

#### **Non-Concurrent Matter Tabled and Assigned**

Bill "An Act Creating a State School Building Fund and Providing Moneys Therefor" (H. P. 1015) (L. D. 1167) which Bill and Reports were recommitted to the Committee on Taxation in the House on April 14.

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

In the House: On motion of Mr. Elwell of Brooks, the Reports and Bill were tabled pending further consideration and specially assigned for Tuesday, April 26.

#### **Orders**

On motion of Mr. Palmeter of Meddybemps, it was

ORDERED, that Rev. Preston W. Pennell of Solon be invited to officiate as Chaplain of the House on Wednesday, April 27, 1955.

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

Mr. MALENFANT: Mr. Speaker and Members of the House: I move that we reconsider our action whereby on April 15 the House voted to recede and concur with the Senate on L. D. 482, Bill "An Act Providing for the Appointment of a Civil Engineer of the City of Lewiston by the Department of Public Works."

The SPEAKER: The gentleman from Lewiston, Mr. Malenfant, moves that the House reconsider its action whereby on April 15 it voted to recede and concur with the Senate in accepting the "Ought not to pass" report on Bill "An Act Providing for the Appointment of a Civil Engineer of the City of Lew-

iston by the Department of Public Works", House Paper 436, Legislative Document 482.

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

Mr. MALENFANT: Mr. Speaker and Members of the House: Good soldiers do not give up the battlefield, but often in the big battle even a good soldier needs reinforcement. That is what I need today. (Laughter) The other day I was proud of this House when the members voted with me to pass my engineer bill. The people of Lewiston were proud that they received justice from this House but now they feel bad because the bill was killed somewhere. Last night at the finance board meeting, of which I happen to be the Chairman, when a member recommended some of his relations for City Engineer,—the affairs of the city of Lewiston, it is not a family affair. The Public Works feels bad and they have always been after me, and they cannot understand why that bill did not go through. They are waiting for an engineer. The Public Works has a right to hire a civil engineer. Inside of two days they will have one. But nobody knows when we are going to have one. Now there is no harm to try to ask for a committee of conference. The old story says, "Try, if you don't succeed, try again." That is what I am doing now. In order that I can tell the people of Lewiston that I received justice from this House again, I hope you all support my motion. Thank you.

The SPEAKER: The question before the House is on the motion of the gentleman from Lewiston, Mr. Malenfant, for reconsideration.

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

Mr. CHILDS: Mr. Speaker and Members of the House: I was of the opinion that this was thoroughly disposed of last week, but apparently it is not. Mr. Malenfant, the gentleman from Lewiston, was attempting to let you people believe that this bill is being favored by all the citizens of the City of Lewiston. I am not going to go into the merits of this bill again because I think they have been thoroughly discussed. I will read two letters that I received

in the mail this morning. I have received others before this.

One is from A. C. Paradis Company, which is appliances and furniture in the City of Lewiston: "Dear Sir: Having observed that our local Politicians are waging a real battle for the passage of the Couture and Malenfant bills to change our present City Charter. May we again plead with you to please do not allow these bills to pass. All of the proposed bills are obviously intended to subject the Citizens of Lewiston to the will of these would be Political Dictators. Please help defeat these bills in the Senate and House. Thanking you for your courteous attention and forbearance at the hearings."

I have another one that I received this morning from the office of Clifford & Clifford, attorneys and counselors at law: "Dear Brother Childs: I have noted in the papers recently that the so-called Lewiston Charter Bills are coming up on the floor of the House for action. You will recall that several Lewiston citizens appeared in opposition to the various Bills. I am writing this letter to repeat my opposition to the following Bills as now constituted: L. D. 483, 261, 481, 484, 671 and 671. I believe there are also a couple of other Bills relating to the Charter, one in effect giving the Aldermen a veto power over the Mayor's appointments. I also am opposed to that. My father, W. H. Clifford, and my cousin, John D. Clifford, III join me in opposition to these Bills. I hope that the action of the Committee in reporting these Bills 'Ought not to pass' will not be reversed."

So it should be quite obvious that all the people in Lewiston are not in favor of the changes in the Lewiston city charter. Now I certainly hope that this House will not go along sending these bills to a committee of conference, because if you send this one to a committee of conference you will be sending all of them to a committee of conference, and I hope that the motion of the gentleman from Lewiston, Mr. Malenfant, will not prevail.

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

Mr. COUTURE: Mr. Speaker and Members of the House: I certainly understand Mr. Paradis sending a letter to the Chairman of the Legal Affairs Committee on these bills. I certainly understand that very well because he was one of them to appear against it at the hearing. I also certainly understand Mr. Clifford of his letter to the Chairman. I also understand that neither one of them is nowhere around or nowhere near a representative of the City of Lewiston. The action that was taken in this House last week, I happened to be approached by a fairly large group of persons yesterday at five o'clock in the afternoon, I will not say all because I never said all of the citizens of the City of Lewiston, but quite a large group of business persons and very well interested in projects in the City of Lewiston. And also I have known of a good many projects that were delayed on account of the city engineer being under the Board of Finance. They asked me if anything could be done to keep this bill alive and see that the City of Lewiston will have fair play at that Maine Legislature. I told them that I will do everything that I can. I also told them that I could not see anybody else out of the City of Lewiston taking such a deep action against the City of Lewiston where they have their own representative in our House, that a representative of our House from that city should be the one to come up and find fault if any of our members in that delegation come up and say wrong statements about what we feel that our people should have.

I can assure you as I said last week that I went through a few elections and I went through these elections opposing this form of government and it should be remembered that I always came out in public statements of what should be changed in that city government. I always was elected. I always use it. I have also used it on my last election as a city councilor in this last election, which I do not want to pat myself on the back but all my statements and my preaching around the city on an end to this form of government, that it should be done, I happened to defeat my opponent a little more than two to

one. That is why I want to pat myself on the back. In the meantime, I hope it is well understood by the people of this House that if I was wrong and if I was working against the average class of people in the City of Lewiston, and the entire persons over there that I do not think that I would make my election that way. I do not think that I would have the nerve to come up here and make such a statement if it was not true because these things are published in the paper about the actions and the stand that the city representative of the City of Lewiston has taken on the floor of this House. I have worked with almost all of the members of the Board of Public Works on this. I also met a member of the Board of Finance yesterday in that celebration that we had down there. He said that he has not got any objection to seeing the city engineer under the Board of Public Works because he does belong there.

The only confusing parts in the City of Lewiston now under a city engineer I shall explain to you at this time. They say that he will take care of only the Department of Public Works and the other departments will be forgotten. This is the reason: Back in the early years, they used to have a city engineer that ran his own private business. When any department needed him, he had to be paid by that department which they had allowance in their budget to do so. They have changed this and they hired their own city engineer. And the trouble is we are confusing some of them at this time when they made statements at the hearing that when other departments wanted to use a city engineer they could not get him is this: Because he was in his own concern. He was not hired by the City of Lewiston. Now he is hired by the City of Lewiston. He is paid by the City of Lewiston. He is budgeted in the Board of Public Works budget. His appropriation is in that budget and that is where he belongs. I am asking this House to go along with the gentleman from Lewiston, Mr. Malenfant, on his motion for the sake of the people of the City of Lewiston.

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

Mr. COTE: Mr. Speaker and Members of the House: I rise reluctantly to prolong this debate but I rise in support of the motion of the gentleman from Lewiston, Mr. Malenfant, and also my seatmate, the gentleman from Lewiston, Mr. Couture. Yesterday I made inquiries and I have asked different members, two different members of the Board of Finance, whether it made any difference to them, whether they had the city engineer under them or whether they did not, and they said to them it did not make any difference. For that reason I rise in supporting this bill.

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

Mr. MALENFANT: Mr. Speaker and Members of the House: To answer the gentleman from Portland Mr. Childs, my friend from Portland, he says not all the people in Lewiston are in favor of the bill. A few might not be in favor of the bill because they happen to be against our old charter. At the election, a year ago at our city referendum, we asked the people, it was very plain on the ballot, "Are you satisfied with the present form of government?" 2646 voted yes, 7404 voted no. So that means more than the majority of Lewiston are against our present charter.

In my campaign for mayor, and you might say the same for this House, I campaigned on my bill. I told the citizens of Lewiston that I was going to present this bill to meet their demands on that referendum. I was elected. That must mean that the people of Lewiston are behind my bill. The letters that the gentleman from Portland, Mr. Childs, received, one of them, I doubt very much if he knows how many Aldermen there are in the City of Lewiston. The other one happened to deal with the committee that drafted the present charter, so, I do not blame him for sending the letter here. But look, two do not amount to much against 7,404. So I hope the House supports my motion.

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

Mr. BRAGDON: Mr. Speaker and Members of the House: I do not wish to prolong the debate on this motion either. I merely wish to say that the committee spent a whole afternoon considering the charter bills of the City of Lewiston, and they spent another afternoon in executive session. They felt at that time that this bill was not good for the people of the City of Lewiston and reported it out "Ought not to pass" as they did. They also felt that it did not have the unanimous or anywhere near the unanimous support of the people of Lewiston.

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

Mr. COUTURE: Mr. Speaker and Members of the House: I am not going to take more than a minute of your time. Why is it that these persons who send letters to the Chairman of our Legal Affairs Committee are so much afraid that it will go to a referendum? We claim that the majority of the people want it. There is a referendum on the bill and you have two men over there why are they so afraid that we are going to the people for. The Legal Affairs Committee, itself, I understand that they have spent a long time on this. I do not doubt that. It is a problem for them, but I feel regardless of their business, they have not met the people of the City of Lewiston. If we wanted to put this bill right through here without a referendum, I might go along with them, but we are going back to the people and the delegation is in here asking for the people of Lewiston to give it back to them and let them make their own decision. I think the Legal Affairs Committee is depriving the right of the people of the City of Lewiston to express their own opinions in the ballot box. I do not think that should exist.

The SPEAKER: The Chair would state that there is no referendum on Legislative Document 482.

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

Mr. CHILDS: Mr. Speaker and Members of the House: I think

there is one thing that should be pointed out. The gentleman from Lewiston, Mr. Malenfant, has made quite a few remarks with reference to the majority of the people of Lewiston favoring it because on a ballot two years ago, the question was proposed to the voters which was worded to this effect: Are you in favor of the present Lewiston City Charter? And that was the end of it. As everybody knows here a city charter is made up of numerous segments. Now, any person in the City of Lewiston who at any time during their fifteen, twenty, or thirty years in the city had any fault to find at all with the city, naturally would answer the question: No. That would even be if their streets were not cleaned off or their snow was not shoveled. They then would feel that they had a grudge with the present city charter.

Now, the committee was of the opinion that the question which was proposed to the voters of the City of Lewiston, was a very unfair one and certainly did not express any particular thing. I still believe that this should not go on referendum because the only things that you put on referendum are matters which you think are good in principle and I firmly believe that putting the engineer under one particular department is not good in principle, that an engineer should be under the Board of Finance which is impartial to all departments.

The SPEAKER: The Chair would state that the gentleman from Lewiston, Mr. Malenfant, has spoken twice as has the gentleman from Lewiston, Mr. Couture. If they wish to request unanimous consent perhaps the House will grant it.

Thereupon, Mr. Malenfant of Lewiston was granted unanimous consent to speak a third time.

Mr. MALENFANT: Mr. Speaker and Members of the House: It is not necessary to have a referendum on this bill. If you have a referendum on this bill, it will not be voted on until 1956. The people of Lewiston will be without an engineer, without streets and sidewalks, projects until 1956. Now, we can not leave the people without water, without sewers or let them walk in the mud another year. This



bill is too small but in one way too important to have a referendum on it. Now, all the letters received about the charter. Perhaps they mean some other part of the charter. I do not call that a charter bill. I call that a mistake that they made when they passed this amendment.

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

Mr. CIANCHETTE: Mr. Speaker and Members of the House: I certainly do not feel qualified to stand on this floor and oppose the thinking of one solid bloc of the Representatives from Lewiston. My understanding is that those Representatives from that city are in full agreement and I do not believe that I or anyone else outside of the City of Lewiston can feel the pulse of those people better than that group. If the group were divided, I might feel then that it was up to me to make a choice but with this present setup, with the group together, I think that they should be allowed to settle their own affairs in Lewiston, and I move the previous question.

The SPEAKER: The gentleman from Pittsfield, Mr. Cianchette, 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?

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

Mr. MALENFANT: Mr. Speaker, I ask for a division of the House, please.

The SPEAKER: The Chair will inquire if the gentleman wishes a division on the voting on the previous question or on the main question?

Mr. MALENFANT: On my motion, Mr. Speaker.

The SPEAKER: Is it the pleasure of the House that the main question be put now?

Thereupon, the main question was ordered.

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 on April 15 it voted to recede and concur with the Senate in accepting the "Ought not to pass" report on Bill "An Act Providing for the Appointment of a Civil Engineer of the City of Lewiston by the Department of Public Works", House Paper 436, Legislative Document 482.

As many as are in favor of reconsideration will kindly rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Sixty-two having voted in the affirmative and thirty-seven having voted in the negative, the motion prevailed.

Thereupon, on further motion of Mr. Malenfant of Lewiston, the House voted to adhere to its former action when on April 13 it passed the Bill to be engrossed and request a committee of conference.

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

Mr. STILPHEN: Mr. Speaker, may I inquire if Legislative Document 271 is in the possession of the House?

The SPEAKER: The Chair will state that the "Ought not to pass" report of the Committee is in the possession of the House.

Mr. STILPHEN: Mr. Speaker, I would like to move that we reconsider our former action on it.

The SPEAKER: The gentleman from Rockland, Mr. Stilphen, moves that the House reconsider its action whereby on April 15, it accepted in non-concurrence the "Ought not to pass" report of the Committee on Education on Bill "An Act relating to Instruction in High Schools on American Freedoms", Senate Paper 110, Legislative Document 271.

As many as are in favor of the motion for reconsideration will sig-

nify by saying aye; those opposed, no.

A viva voce vote being taken, the motion prevailed.

Thereupon, on further motion of Mr. Stilphen of Rockland, the Report with accompanying papers was tabled pending acceptance of the Committee Report.

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

Mr. Denbow from the Committee on Highways on Resolve Designating Part of Green Lake Road as State Aid Highway (H. P. 588) (L. D. 644) reported Leave to Withdraw.

Report was read and accepted and sent up for concurrence.

#### **Ought Not to Pass Tabled and Assigned**

Mr. Dunn from the Committee on Highways reported "Ought not to pass" on Resolve relating to Anticipation of State Aid Funds by Town of Bremen (H. P. 775) (L. D. 858)

Report was read.

(On motion of Mr. Hilton of Bremen, the Report with accompanying papers was tabled pending acceptance and specially assigned for Tuesday, April 26.)

Mr. Ferguson from the Committee on Highways reported "Ought not to pass" on Bill "An Act relating to Maintenance of the Androscoggin Lake Dam" (H. P. 807) (L. D. 848)

Mr. Brown from the Committee on Labor reported same on Bill "An Act Amending the Maine Employment Security Law as to Weekly Benefits for Partial Unemployment" (H. P. 993) (L. D. 1141)

Mr. Jones from same Committee reported same on Bill "An Act relating to Benefits for Total Unemployment Under Employment Security Law" (H. P. 62) (L. D. 67) as it is covered by other legislation.

Mr. Ross from same Committee reported same on Bill "An Act Amending the Maine Employment Security Law as to Definition of Unemployment Total and Partial (H. P. 992) (L. D. 1140)

Mr. Walls from same Committee reported same on Bill "An Act Amending the Maine Employment Security Law as to Employer's Con-

tribution Rate" (H. P. 1130) (L. D. 1328)

Mr. Winchenpaw from same Committee reported same on Bill "An Act relating to Dependency Allowances Under Employment Security Law" (H. P. 303) (L. D. 314)

Reports were read and accepted and sent up for concurrence.

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

Mr. Ross from the Committee on Inland Fisheries and Game on Resolve Regulating Fishing for White Perch in Penobscot County (H. P. 266) (L. D. 250) which was recommended, reported same in a new draft (H. P. 1204) (L. D. 1470) under title of Resolve Regulating Fishing for White Perch in All Counties and Setting Daily Bag Limit in Franklin, Kennebec, Piscataquis and Somerset Counties and in Mattawamkeag Lake, Aroostook County and that it "Ought to pass"

Mr. Willey from the Committee on Taxation on Bill "An Act relating to Taxation of Telephone and Telegraph Companies" (H. P. 940) (L. D. 1043) reported same in a new draft (H. P. 1205) (L. D. 1471) under same title and that it "Ought to pass"

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

#### **Ought to Pass Printed Bills**

Mr. Earles from the Committee on Judiciary reported "Ought to pass" on Bill "An Act relating to Service of Process on Nonresidents Operating Aircraft" (H. P. 541) (L. D. 598)

Mr. Walls from the Committee on Labor reported same on Bill "An Act relating to Payments from Benefit Account of Maine Employment Security Commission" (H. P. 996) (L. D. 1144)

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

#### **Ought to Pass With Committee Amendment**

Mr. Denbow from the Committee on Highways on Bill "An Act relating to Bridges Built Under the

Works Program Flood Relief Program" (H. P. 646) (L. D. 723) 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. 646, L. D. 723, Bill "An Act relating to Bridges Built Under the Works Program Flood Relief Program."

Amend said Bill by inserting after the underlined words "all the" in the 8th line thereof, the underlined figure '22'

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

Mr. Call from the Committee on Labor on Bill "An Act relating to Employment of Minors" (H. P. 306) (L. D. 282) 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. 306, L. D. 282, Bill "An Act relating to Employment of Minors."

Amend said Bill in "Sec. 1." by adding at the end of that part designated "Sec. 23.", before the single quotation mark, the following underlined sentence:

**"The provisions of this section pertaining to theaters shall not apply to minors under 16 years of age who are employed or in training as theatrical actors."**

Further amend said Bill by striking out all of sections 2 and 3 thereof.

Further amend said Bill by renumbering section 4 to be section 2.

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

#### Divided Report Tabled

Majority Report of the Committee on Taxation reporting "Ought not to pass" on Bill "An Act Increasing

and Amending the Sales and Use Tax" (H. P. 1025) (L. D. 1164)

Report was signed by the following members:

Messrs. LOW of Knox  
CUMMINGS of Sagadahoc  
ALBEE of Cumberland  
— of the Senate.

Messrs. SANFORD of  
Dover-Foxcroft  
WILLEY of Ellsworth  
SEAWARD of Kittery  
REED of Fort Fairfield  
HANSON of Gardiner  
— of the House.

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

Report was signed by the following members:

Messrs. DUQUETTE of Biddeford  
WALSH of Brunswick  
— of the House.

Reports were read.

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

Mr. WALSH: Mr. Speaker, in firm belief that no cart should be placed too far in front of any animal or animals that may have to pull it later on, I now move that Item 15 lie on the table unassigned.

The SPEAKER: The gentleman from Brunswick, Mr. Walsh, moves that the two Reports with accompanying Bill lie on the table unassigned pending acceptance of either report. Is this the pleasure of the House?

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

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

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

#### Passed to Be Engrossed

Bill "An Act Repealing the Position of Director of Licensing and Enforcement Under Liquor Commission" (S. P. 440) (L. D. 1210)

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

**Third Reader  
Tabled**

Bill "An Act Repealing Licenses for Stores to Sell Milk" (H. P. 1) (L. D. 1)

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

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

Mr. BOWIE: Mr. Speaker, after this bill has had its third reading, I would like to table it unassigned. Thereupon, the Bill was given its third reading.

(On motion of Mr. Bowie of Durham, the Bill was tabled pending passage to be engrossed.)

Bill "An Act Repealing Expiration Date of Milk Tax" (H. P. 34) (L. D. 51)

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

**Third Reader  
Tabled and Assigned**

Bill "An Act to Amend the Bracket Schedule in the Sales and Use Tax Law" (H. P. 564) (L. D. 612)

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

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

Mr. WILLEY: Mr. Speaker, I would request that Item 4, L. D. 612, lie upon the table and be specially assigned for Tuesday next pending third reading.

The SPEAKER pro tem: The Chair might ask the gentleman from Ellsworth, Mr. Willey, if he minds the third reading of the bill.

Mr. WILLEY: I would like it pending third reading, Mr. Speaker.

The SPEAKER pro tem: The gentleman from Ellsworth, Mr. Willey, moves that the Bill lie on the table pending third reading and be specially assigned for Tuesday next, April 26. Is this the pleasure of the House?

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

Bill "An Act relating to the Rockland Municipal Court" (H. P. 616) (L. D. 624)

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

**Third Reader  
Tabled and Assigned**

Bill "An Act relating to Transportation of Fish, Game and Furbearing Animals by Aircraft" (H. P. 773) (L. D. 861)

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

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

Mr. POTTER: Mr. Speaker and Members of the House: I request that this bill lie on the table and be specially assigned for the next legislative session in order to prepare an amendment.

The SPEAKER pro tem: The gentleman from Medway, Mr. Potter, moves that this Bill lie on the table pending third reading and be specially assigned for tomorrow, April 20. Is this the pleasure of the House?

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

Bill "An Act Prohibiting the Taking and Use of Herring Under Four Inches in Length" (H. P. 1014) (L. D. 1155)

Bill "An Act relating to Definition and Duties of 'Owner' in Motor Vehicle Laws" (H. P. 1187) (L. D. 1450)

Bill "An Act Authorizing the Purchase of the Westport-Wiscasset Bridge" (H. P. 1200) (L. D. 1469)

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

**Third Reader  
Tabled**

Resolve Authorizing Study of Proposed Maine-Quebec Highway (H. P. 960) (L. D. 1086)

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

(On motion of Mr. Quinn of Bangor, tabled pending passage to be engrossed and unassigned.)

Resolve in favor of Allie Cota of Gray (H. P. 1175) (L. D. 1416)

Resolve Regulating Fishing for White Perch in Certain Counties and Waters (H. P. 1199) (L. D. 1468)

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

### Amended Bills

Bill "An Act relating to Salary of Judge of Probate in Cumberland County" (S. P. 277) (L. D. 707)

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.

### Third Reader Tabled and Assigned

Bill "An Act to Clarify the Employment Security Law" (S. P. 343) (L. D. 957)

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

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

Mr. ROSS: Mr. Speaker, with reference to Item 14, L. D. 957, there is a mistake in amendment filing 294 so as to clarify the law an additional amendment is necessary, so I move that this be placed on the table until one week from today, Tuesday, April 26.

The SPEAKER pro tem: The gentleman from Bath, Mr. Ross, moves that this Bill lie on the table pending passage to be engrossed and be specially assigned for Tuesday, April 26. Is this the pleasure of the House?

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

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

Bill "An Act to Amend the Charter of the Ogunquit Village Corporation" (H. P. 64) (L. D. 69)

Bill "An Act relating to Highway Drains" (H. P. 194) (L. D. 199)

Bill "An Act relating to Reports of Drivers of Vehicles Involved in Accidents" (H. P. 597) (L. D. 653)

Bill "An Act relating to Trespass on Certain Buildings" (H. P. 599) (L. D. 655)

Bill "An Act to Incorporate the Benton School District" (H. P. 1163) (L. D. 1392)

Resolve in favor of Gerard Pomerleau of Portland (S. P. 77) (L. D. 176)

Resolve in favor of the Town of Bingham (H. P. 581) (L. D. 641)

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

Bill "An Act relating to Construction of Entrances to Highways" (H. P. 253) (L. D. 238)

Bill "An Act relating to Payments by Town of York to York Beach Village Corporation" (H. P. 489) (L. D. 534)

Bill "An Act relating to the Board of Finance of the City of Lewiston" (H. P. 631) (L. D. 671)

Bill "An Act Creating a Commission to Survey Proposal for Portland - South Portland Bridge" (H. P. 1188) (L. D. 1451)

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

Bill "An Act to Revise the Inland Fish and Game Laws" (S. P. 184) (L. D. 436)

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" as amended by Senate Amendment "A" thereto in concurrence.

### Passed to Be Engrossed without Amendment

Resolve Providing for Motor Vehicle Registration Plates (S. P. 44) (L. D. 33)

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

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

Mr. CHILDS: Mr. Speaker, I move that we reconsider our action whereby this House previously adopted Committee Amendment "A" to Senate Paper 44, Legislative Document 33.

The SPEAKER pro tem: The gentleman from Portland, Mr. Childs, moves that the House reconsider its action of April 15 whereby it adopted Committee Amendment "A" on Legislative Document 33. Is this the pleasure of the House?

All those in favor will please say aye; those opposed, no.

A viva voce vote being taken, the motion prevailed.

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

Mr. CHILDS: Mr. Speaker, I now move that Committee Amendment "A" be indefinitely postponed.

The SPEAKER pro tem: The gentleman from Portland, Mr. Childs, moves that Committee Amendment "A" be indefinitely postponed.

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

Mr. TOTMAN: Mr. Speaker and Members of the House: I told the House when this resolve originally went through that my sole objective in having the resolve recommitted to the committee was in order to present certain facts and figures to the Highway Committee to see if a substantial amount of money could be saved. When this resolve came out, there were apparently those of the committee who felt that money could be saved. It is not my intention now or was it my intention then to obstruct the decision of the House in taking whatever course of action they desired. I sincerely feel that we took a fair vote last Friday. I feel that we spent considerable valuable time discussing this measure. I certainly am not opposed to the House changing its decision this morning. However, it seems to me that the more intelligent course would be to let the resolve continue and go to the other body and if the other body is not agreed, then a committee of conference could be appointed. However, I feel it is unfortunate to have so much discussion Friday and now reverse that decision.

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

Mr. SANFORD: Mr. Speaker and Members of the House: On my week end trip home I talked with a good many people and they were all quite disgusted that we voted in the House for one plate. They all told me that they would certainly be willing to pay more and have two plates. I even talked with State Police and they say that it really helps their cause a great deal by having two plates. I notice that Massachusetts had one plate last year and now they are having two plates this year. I was given to understand, I understood it anyway, that Massachusetts had one plate. On my trip home I met a number of Massachusetts cars and I noticed that they had two plates and I have found out since that they did bring back the two plates this year.

I talked with people and people called me on the phone from different towns in my county and they were really upset about this. They said that what we would save over a period of years, \$100,000 was stated, it only meant about \$20,000 per year over a period of five years, they said the advertising alone would be a great deal more than that to the State of Maine by having a plate on front. I agree with them. I know it is a great pleasure for Mrs. Sanford and myself driving through the country to see the two plates. We like to know whom we meet, it is interesting to read what is on the front of them. We have "Vacationland" on the front of our plates and after all when we are traveling through the country no one sees our rear plate, they see the front plate and I personally am in favor of two plates. And, as I said before, there was not a person that I talked with but what was in favor of two plates. They are willing to pay the extra price, and I do hope that we can have the two plates.

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

Mr. MCGLAUFLIN: Mr. Speaker, over the week end, I contacted quite a number of different men on this question of two plates. Every

single man I talked with favored the two plates.

The SPEAKER pro tem: The Chair recognizes the gentleman from Rangeley, Mr. Harnden.

Mr. HARNDEN: Mr. Speaker and Members of the House: I believe we are all interested in economy. I also believe that we want this economy to be consistent with good legislation. I do not believe that it is good legislation to eliminate one of the number plates. I believe that the advantages in having two plates far outweigh the money saved by having only one. For this reason, I would certainly be in favor of two plates.

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

Mr. MALENFANT: Mr. Speaker and Members of the House: In spite of the fact that I drive an old Chevrolet of 1937, I like to have two plates on my car. To prove that it is a good thing to have two plates, the other day on my way up here I was stuck with a red light. The man that was coming behind me, he hit the back of my car and dented his front plate. I got out and tried to see the number of the plate but the plate was so bent it was not possible to get the number. I walked in back of his car and took the number of the plate in the back of his car. So that proves to you that we ought to have two plates on our car.

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

Mr. CATES: Mr. Speaker and Members of the House: Already, since the first of January, I have been to the State Bureau of Vehicles and purchased two plates for my trucks at home. I think it is essential to have two plates particularly on trucks. There is not a year goes by but what I have to buy one or two and a good many times I have to wait two or three months before I can get that plate. In the meantime, my trucks are running around with one plate or a pasteboard plate and I do not think it is right, if you only have one plate and lost that, you would not have anything. I went on record last Friday

as favoring two plates and nothing over the week end has changed my opinion. Thank you.

The SPEAKER pro tem: The Chair recognizes the gentleman from Brewer, Mr. Lindsay.

Mr. LINDSAY: Mr. Speaker and Members of the House: I am speaking personally for myself and also for my constituents and we are all very much in favor of two plates.

The SPEAKER pro tem: The Chair recognizes the gentlewoman from Paris, Mrs. Mann.

Mrs. MANN: Mr. Speaker, I noticed that the women have not been very articulate on this subject and I want to just register my vote for two number plates. This may be a little personal probably but I am very proud of my legislative plate and I want everybody who sees me coming to know that I am a member of the Legislature. All joking aside, I really think that many people I have talked to have been very much disappointed when I told them that we had taken a vote for one plate the other day and I was too.

I certainly agree with my colleague, the gentleman from East Machias, Mr. Cates, if we lose one, we have lost them all in that case. If we have two, we still have one left. For many other reasons, I go on record for two number plates. Thank you.

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

Mr. FULLER: Mr. Speaker, I want to go on record as favoring two number plates. I think that the Highway Committee thought this thing through and have given it a lot of consideration and they have come out with this bill favoring two plates. I also think that a car looks better with two plates. You have a place for one on front and if you do not have a plate there, it looks unreal and I think that we should have two plates.

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

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

The SPEAKER pro tem: The gentleman from Portland, Mr. Childs, moves the previous question.

For what purpose does the gentleman from Bangor, Mr. Quinn, arise?

Mr. QUINN: To speak on the matter before the House, Mr. Speaker.

The SPEAKER pro tem: The gentleman from Portland, Mr. Childs, moves the previous question.

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

Mr. CHILDS: Mr. Speaker, I withdraw my motion for the previous question.

The SPEAKER pro tem: The gentleman from Portland, Mr. Childs, withdraws his motion for the previous question.

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

Mr. QUINN: Mr. Speaker, I want to excuse myself to the House and to the Speaker for not being here when the matter was debated but I was called out on another matter.

I spoke the other day on this bill and I am afraid I was not very strong in my arguments relative to the bill. I have had quite a lot of experience behind me and I consider it rather immodest to refer to those things but I do want to say that I have been Judge of the Bangor Municipal Court for four years and County Attorney for Penobscot County for five terms, or ten years, and I have had a lot of experience in the matter of evidence in prosecuting violations of the motor vehicle laws and this matter of identity is a most important thing to your enforcement authorities. Identity is much better with two plates than with one. A person can very readily say: It was a red car and I think it was a Plymouth. It might have been a Chevrolet but if they get the license number they are pinning the particular matter involved right down to the car involved in the matter and with two plates you have twice the chance of doing that than you would with one plate.

The SPEAKER pro tem: The question before the House is on the motion of the gentleman from Portland, Mr. Childs, that Committee Amendment "A" to Resolve Providing for Motor Vehicle Registration Plates, Senate Paper 44, Legislative

Document 33, be indefinitely postponed.

All those in favor of indefinite postponement of this amendment will say aye; those opposed, no.

A viva voce vote being taken, the motion prevailed and Committee Amendment "A" was indefinitely postponed.

The Resolve was then given its second reading, and passed to be engrossed without amendment in concurrence.

### Enactor

#### Tabled and Assigned

An Act Providing for Group Life Insurance for State Employees and Teachers (S. P. 525) (L. D. 1429)

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

The SPEAKER pro tem: The Chair recognizes the gentleman from Bingham, Mr. Shaw.

Mr. SHAW: Mr. Speaker, for the purpose of correcting a technical error and reconsidering our former action and further allow the members of this House to familiarize themselves with the proposed amendment which has been reproduced and distributed under filing number 312, I now move that this matter lie on the table and be specially assigned for tomorrow, April 20.

The SPEAKER pro tem: The gentleman from Bingham, Mr. Shaw, moves that this matter lie on the table pending passage to be enacted and be specially assigned for tomorrow, April 20. Is this the pleasure of the House?

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

### Orders of the Day

The SPEAKER pro tem: The Chair lays before the House the first tabled and today assigned matter, House Report "Ought to pass" as amended by Committee Amendment "A" of the Committee on Natural Resources on Resolve Authorizing Forest Commissioner to Convey Certain Land in Augusta to City of Augusta, House Paper 841, Legislative Document 931, tabled on April 7 by the gentleman from Caribou, Mr. Briggs, pending accept-



ance and the Chair recognizes that gentleman.

Mr. BRIGGS: Mr. Speaker, I now move that this gravel pit be taken off the table and be put back on the land. I move acceptance of the committee report.

The SPEAKER pro tem: The gentleman from Caribou, Mr. Briggs, moves that the "Ought to pass" Report of the Committee be accepted. Is this the pleasure of the House?

The motion prevailed.

Thereupon, the Resolve was given its first reading.

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

COMMITTEE AMENDMENT "A" to H. P. 841, L. D. 931, Resolve Authorizing Forest Commissioner to Convey Certain Land in Augusta to City of Augusta.

Amend said Resolve by striking out the word "northwesterly" in the 17th line thereof, and inserting in place thereof the word 'northeasterly'

Further amend said Resolve by adding at the end thereof the following:

'and be it further

Resolved: That the City of Augusta shall maintain a one (1) and one-half ( $\frac{1}{2}$ ) to one (1) slope on all excavations; and be it further

Resolved: That the City of Augusta in case of a future extension of the airport shall furnish a reasonable amount of gravel borrow and common borrow for such extension.'

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

The SPEAKER pro tem: The Chair lays before the House the second tabled and today assigned matter, Bill "An Act relating to Pensions for Dependents of Deceased Policemen of City of Lewiston", Senate Paper 163, Legislative Document 357, tabled on April 12 by the gentleman from Lewiston, Mr. Cote, pending first reading.

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

Mr. COUTURE: Mr. Speaker and Members of the House: The gentleman from Lewiston, Mr. Cote, tabled this last week because it

might be a matter of a little financing in the City of Lewiston. I was asked last Friday to take the bill down to the Board of Finance and the Board of Aldermen and they are now working on it. They have not made up their minds. I am supposed to have an answer as quick as possible whether they will go along on this. I move that this be retabled until next Tuesday, April 26.

The SPEAKER pro tem: The gentleman from Lewiston, Mr. Couture, moves that this Bill be retabled pending first reading and specially assigned for Tuesday, April 26. Is this the pleasure of the House?

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

The SPEAKER pro tem: The Chair lays before the House the third tabled and today assigned matter, Senate Report "Ought to pass" of the Committee on Legal Affairs on Bill "An Act relating to Pensions for Dependents of Deceased Firemen of City of Lewiston", Senate Paper 413, Legislative Document 1176, tabled on April 12 by the gentleman from Lewiston, Mr. Cote, pending acceptance.

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

Mr. COUTURE: Mr. Speaker and Members of the House: This is a similar bill for a different department. They are also working on this one and I move that this be retabled until April 26.

The SPEAKER pro tem: The gentleman from Lewiston, Mr. Couture, moves that the Report with accompanying papers lie on the table pending acceptance and be specially assigned for Tuesday, April 26. Is this the pleasure of the House?

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

The SPEAKER pro tem: The Chairs lays before the House the fourth tabled and today assigned matter, House Report "Ought not to pass" of the Committee on Retirement and Pensions on Resolve Providing for an Increase in State Pension for Maggie Caird of Dexter, House Paper 1012, tabled on April 12 by the gentleman from Dexter,

Mr. Roberts, pending acceptance and the Chair recognizes that gentleman.

Mr. ROBERTS: Mr. Speaker and Members of the House: As I have been unable to get the information I would like, I would like to retable this unassigned.

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

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

At this point, Speaker Trafton returned to the rostrum.

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

(Off Record Remarks by Speaker)

The SPEAKER: The Chair lays before the House the fifth tabled and today assigned matter, House Report "Ought not to pass", of the Committee on Labor on Bill "An Act relating to the Payment of Benefits for Total Unemployment under Employment Security Law", House Paper 964, Legislative Document 1090, tabled on April 13 by the gentlewoman from Rumford, Miss Cormier, pending acceptance and the Chair recognizes that gentlewoman.

Miss CORMIER: Mr. Speaker and Members of the House: Since there are still many of these bills which have not come out of committee, I would ask the indulgence of the House to lay this matter on the table.

The SPEAKER: The gentlewoman from Rumford, Miss Cormier, moves that the Report with accompanying papers lie on the table pending acceptance and be unassigned. Is this the pleasure of the House?

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

The SPEAKER: The Chair lays before the House the sixth tabled

and today assigned matter, Senate Report, Majority "Ought to pass" and Minority "Ought not to pass" of the Committee on Inland Fisheries and Game on Bill "An Act relating to Bounty on Bears", Senate Paper 245, Legislative Document 678, tabled on April 14 by the gentleman from Medway, Mr. Potter, pending acceptance of either report.

The Chair recognizes the gentleman from Caribou, Mr. Briggs.

Mr. BRIGGS: Mr. Speaker and Members of the House: I know that you folks are going to at least partly sympathize with the position that we are taking in regard to this matter. Every once in a while it is necessary I think for all of us to take a stand which is not particularly a popular one, but which we feel for purely reasonable and proper purposes, it is necessary for us to do. Now I tried to do a little studying on the subject in my very limited time during this past week and about the only thing I can tell you that I concluded is that the difference between the bear and elephant is that the bear of course only has one tail, and more often than not, the bear tail is about as long as a piece of string.

Now we know that in all probability there is not much purpose in our taking this stand on this matter except for the purpose of enlightening the members as to the reason why the stand was taken. I would like to submit for your information that the three persons who signed the minority report, comprised of the gentleman from Medway, Mr. Potter, who is a man that most of you know, with a very fine education, a vast amount of experience in forestry, and a fellow who has done a good deal of trapping and knows quite a lot about about the habits of the subject in question. The other gentleman from Hartland, Mr. Gardner, is a man who has had long experience in the forests of our State as a game warden in the State service of our Inland Fish and Game Department. For my part I am just a young fellow who has happened to decide to dedicate part of his life work to the preservation and conservation of the natural resources of our State. Now

we do not feel that a bounty on bear can honestly be justified. One reason for this position is that we know that in practically all sections of the State that the bear, from the point of view of a game animal, is being sold by trappers to frozen food lockers who pay all the way from \$25.00 to \$45.00 apiece to take them into their lockers and keep them on ice so to speak, until the season when some of the nonresident sports come here and then in turn sell them for prices up to \$100.00. This is all right with us. However, we doubt very much, in fact we are convinced, that the \$15.00 additional bounty which comes out of some of the taxes of the citizens of our State does not contribute to the control of the predatory population in this case. I do not think there is any question in our minds but what the bear do some damage, in fact, in some areas considerable damage to crops and particularly perhaps to orchards. However, our position is that the bounty is not a good instrument and will not control the bear predatory population. Thank you.

The SPEAKER: The Chair recognizes the gentleman from Rangeley, Mr. Harnden.

Mr. HARNDEN: Mr. Speaker, as long as I signed the "Ought to pass" report, I would like to state my reason for doing so. I think there are quite a number of areas in the State of Maine where people feel very strongly about a bounty on bear. I do not think that we can disregard the wishes of these people, and that is the reason I signed the "Ought to pass".

The SPEAKER: The Chair would state that there is no motion for acceptance of either report before the House at this time.

The Chair recognizes the gentleman from Rangeley, Mr. Harnden.

Mr. HARNDEN: Mr. Speaker: I would move the acceptance of the "Ought to pass" report of the Committee.

The SPEAKER: The gentleman from Rangeley, Mr. Harnden, moves the acceptance of the majority "Ought to pass" Report of the Committee.

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

Mr. POTTER: Mr. Speaker and Members of the House: This bear problem comes up every two years. It seems to be as regular as the sessions of the Legislature. Two years ago the biologists were asked by the Fish and Game Committee to make a two-year study of the bear problem in the State. You all found laying on your desks earlier in the session this report. This report shows that the bear during most of the year feed on a very high per cent of vegetable matter. It has been said that he kills lamb deer, and yet there were very few signs of any deer hair remaining in the stomachs of nearly 800 bear which the biologists examined. The purpose of this study was to determine whether or not we needed a bounty on bear, and the study reported that the bounty was doing no good, that we did not need it, that in only a few cases it was one particular bear that killed sheep, and after that bear had been taken care of there was no further trouble. It did not recommend any closed season or making bear a game animal, but it did recommend the removing of the bounty.

I have here a copy of figures paid by the department on bear bounties which shows in the last several years we have paid \$173,374 in bear bounties. A short time ago we were debating a much smaller sum than that in regard to car plates, yet we go along with the bounty every year which apparently does no good. There are very few states in the Union which have a bounty on bears. Most states welcome the bear as a game animal, and I have here a letter from a man in Oxford County which was handed to me by one of the Representatives here and I would like to read a few excerpts from it: "A sight I witnessed not long ago at Andover where we had a farm since 1918 made a very indelible impression on me. It was a mother bear with three little cubs, all having been killed early that morning for the bounty of \$60.00. I think the ridiculous policy of paying people to kill off bears, which should be one of our biggest attractions in Maine to attract people up here who will spend their money, should be stopped. The fact that

bears are harmless should be publicized. Mrs. Poor and I have been to the west coast probably twenty odd times in the last twenty-five years. One of the big attractions in these mountain resorts are the bears. Signs are posted warning people to avoid touching bear cubs because of the danger from the mother bear which is often nearby though out of sight. The argument that bears kill sheep I know is true. I personally think dogs hurt the flocks of sheep as much and maybe more than bear. As for bear hurting apple trees I know that is true. We pastured a lot of sheep many years ago in what was called the back pasture. We lost at most one or two sheep. There was an old orchard there, I know of no one with a commercial orchard in Oxford County, I know extremely few sheep are killed. I am more afraid of losing sheep to dogs and two legged animals than to bear. A very dangerous situation has come to light, a boy who helps on our farm this summer, Teddy Reed, who is fourteen years old, is boasting how he and his pal got his dad to go in the woods with them and these two kids got a bear or two. You and I both know that if something moving and quiet like children playing hide and seek could easily be shot by these trigger-happy kids hearing something moving, especially if one of them had seen a bear track. I would like to see bear treated exactly the same as deer, one each season, as well as protected out of season. Hoping the forthcoming Legislature this can be handled. Thank you very much, I am, Sincerely, Sam Poor". That seems to be the sentiment of a good many people all through the State of Maine. These people, however, do not appear at the hearings. I would like to bring up one more argument against the bounty on bear. We put a bounty on bear because they damage apple trees, damage some other crops, damage oats. I wonder if we should not amend this bill if we are going to pay a bounty on everything that damages crops, to pay a bounty on potato bugs and army worms and coddling moths, and so forth.

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

Mr. WILLIAMS: Mr. Speaker and Members of the House: I have several farmers in my town that are very much interested in the bear bounty and would like to have it continued.

The SPEAKER: The Chair recognizes the gentleman from Sherman Mr. Storm.

Mr. STORM: Mr. Speaker and Ladies and Gentlemen of the House: I was interested in my friend, the gentleman from Medway, Mr. Potter, reading a letter from down in Oxford County. I might suggest that if he contacted some of the people in his own area he might get a different slant on the bear question. In the edge of the area he represents and also in the area I represent, the bears are a real problem, and the people are very much interested in having this bear bounty continued, and I have found no sentiment for removing it, and I sincerely hope that the majority report prevails. Thank you.

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

Mr. JENNINGS: Mr. Speaker and Members of the House: First I want to state that I go on record as seconding the motion of the gentleman from Rangeley, Mr. Harneden. This issue, I feel, is very important to many of our residents in these counties. Therefore, I feel that we should continue having the bounty in the counties mentioned.

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

Mr. FINEMORE: Mr. Speaker and Members of the House: I suppose I ought to say a few words in favor of the bear bounty as probably my district, including 20 miles west of Bridgewater, is where probably the most bear are killed for bounty of any district in the State of Maine. I have had the opportunity of going into fields last year to look at a field of oats where there was possibly a quarter of an acre of oats taken and some of them were carried as far as a quarter of a mile back in the woods. I have also gone to see flocks of sheep where there would be eight or nine sheep killed and there was no doubt at all what killed them, and I again

will agree we have gone in where we would find dog tracks, but in most cases most sheep are killed by bear. In this previous summer I had the opportunity of going to look at a calf that weighed 185 pounds as near as we could tell by weighing it after it had been chewed considerably by the bear, and that calf had been killed and carried some thousand yards back into the woods and the bear was caught, and much to my amusement the bear itself only weighed 178 pounds, so you can see how much damage a bear will do. And to mention this matter regarding freezing plants I will agree with my good friend the gentleman from Caribou, Mr. Briggs, that is true, but they only pay eight cents a pound, and I think in mentioning the amount paid, if they were a little more familiar with it, they will find that an average bear they only receive about \$10.00 for. Also, Mr. Potter, the gentleman from Medway, stated that over a period of years they had paid \$173,000 bounty, but I wonder what he calls a few years. That is some twenty years. The average bounty I understand is only about \$8,000 a year and I believe if the bounty was taken off in my district alone, and I do not believe I am exaggerating too much, in my district alone, that the damage done by bear would be \$8,000 a year easily in my district alone. You notice on the map that you received earlier in the session showing where the bear had been killed, you will notice that around the territory of Bridgewater, Blaine, Mars Hill or in other words, between Houlton and Presque Isle, and west of there as far as the Ashland Branch, probably has the most dots of bear being killed of any district in the State, and about the only thing I can speak of is my own district, and I know in my own district we are very much in favor of the bounty on bear, and I hope the motion for the acceptance of the "Ought to pass" report will pass.

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

Mr. SOULE: Mr. Speaker, I want to go on record as favoring the bear bounty.

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

Mr. FERGUSON: Mr. Speaker and Members of the House: I have a bill before the Fish and Game Committee to eliminate payment of bounty in Oxford County. This would certainly help out state-wide. I did not want to go into this matter on a state-wide basis, but I feel that if the bear are causing damage as they are sometimes, that there will be more money available to pay damages if we did eliminate the bounty. I had a bill which got killed in both the House and the Senate which eliminated trapping of bear, but that did not go over too well. I had some of my people from Oxford County come down before the Committee and they certainly did not want that, but there was one man who trapped and killed 15 bear last year, but as far as the bounty went, he is not in favor of the bounty, he says that he did very well on selling the bear. Some of them he sold for as high as a hundred dollars. Now it does not seem to me that paying bounty to some of the nonresidents who come in here and they pay \$20.00 for a license and then returning \$15.00 to them for a bounty, we are not getting ahead very fast. I certainly hope that the motion of my friend the gentleman from Rangeley, Mr. Harnden, does not prevail that we accept the majority report.

The SPEAKER: The Chair recognizes the gentleman from Topsham, Mr. Jack.

Mr. JACK: Mr. Speaker and Members of the House: I think I expressed my opinion last week about bounty on bear. Let us keep them as a game animal where they belong. I think the previous speaker is correct on the bounty per year. It would figure out about \$8,000, besides the investigation which cost about \$640 more. I do hope that we keep the bounty off from bear and let us have them as a game animal as they should be, as they are in other states. They are one of the keenest animals we have got, and as far as killing sheep, I was born and brought up on a farm myself, we lost 24 sheep in one night with the dogs. It would take a lot of

bear to clean them up in that length of time.

The SPEAKER: The Chair recognizes the gentleman from Warren, Mr. McCluskey.

Mr. McCLUSKEY: Mr. Speaker and Members of the House: The only thing I know about bears is I have a Newfoundland dog that looks just like one. I move the previous question.

The SPEAKER: The gentleman from Warren, Mr. McCluskey, 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 Rangeley, Mr. Harnden, that the Majority Report "Ought to pass" on Bill "An Act relating to Bounty on Bears", Senate Paper 245, Legislative Document 678, be accepted.

For what purpose does the gentleman from Strong, Mr. Jennings, rise?

Mr. JENNINGS: To ask for a division, Mr. Speaker.

The SPEAKER: The gentleman from Strong, Mr. Jennings, has requested a division.

As many as are in favor of the motion of the gentleman from Rangeley, Mr. Harnden, that the Majority Report "Ought to pass" be accepted will kindly rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Fifty-six having voted in the Affirmative and fifty-three having voted in the negative, the motion prevailed and the Majority Report

"Ought to pass" was accepted in concurrence.

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

The SPEAKER: The Chair lays before the House the seventh tabled and today assigned matter, House Report "Ought not to pass" of the Committee on Taxation on Bill "An Act Providing for a State Income Tax", House Paper 1151, Legislative Document 1366, tabled on April 14 by the gentleman from Winslow, Mr. Dostie, pending acceptance.

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

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

The SPEAKER: The Chair lays before the House the eighth tabled and today assigned matter, House Divided Report, Majority "Ought to pass" in New Draft under title of Bill "An Act to Create the Department of Development of Industry and Commerce", House Paper 1196, Legislative Document 1465, and Minority Report "Ought not to pass" of the Committee on Appropriations and Financial Affairs on Bill "An Act to Create the Department of Industry and Commerce and to Amend the Laws relating to the Department of Labor and Industry and Maine Development Commission to Conform Thereto," House Paper 514, Legislative Document 620, tabled on April 14 by the gentleman from Portland, Mr. Childs, pending the motion of the gentleman from Bucksport, Mr. Pierce, to accept the minority report.

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

Thereupon, on motion of that gentleman the two Reports with accompanying papers were retabled pending the motion of the gentleman from Bucksport, Mr. Pierce, to accept the minority report and tomorrow assigned.

The SPEAKER: The Chair lays before the House the ninth tabled and today assigned matter, Bill "An Act relating to Installations Within

Highway Limits", Senate Paper 93, Legislative Document 223, tabled on April 15 by the gentleman from Oakland, Mr. Pullen, pending third reading, and the Chair recognizes that gentleman.

Thereupon, on motion of that gentleman, the House voted, under suspension of the rules, to reconsider its action whereby it adopted Committee Amendment "A" on April 7.

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

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

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

HOUSE AMENDMENT "B" to S. P. 93, L. D. 223, Bill "An Act relating to Installations Within Highway Limits."

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

"R. S., c. 23, § 89, amended. The first paragraph of Section 89 of chapter 23 of the revised statutes is hereby repealed and replaced to read as follows:

**'No person shall install, erect or construct, or cause to be installed, erected or constructed any such installations as buildings, gasoline pumps or other fixtures, excepting only the installations or other property devoted to the public use of any public utility or district or to underground pipe lines, in, upon or near any state or state aid highway, located as follows:**

**I. Within the full width of the right of way of a state or state aid highway as laid out by the State, the county or the town or within 33 feet of the center line of said highway. This provision shall not apply to installations or other property in existence on August 6, 1949; or**

**II. Within the full width of the right of way of a state or state aid highway as laid out by the State, the county or town, or within 20 feet from the outside edge of the paved portion of any state or state aid highway having more than 2 travel lanes**

**and having a total paved portion in excess of 24 feet in width. This provision shall not apply to installations or other property in existence on September 1, 1955.'**

The SPEAKER: Is it the pleasure of the House to adopt House Amendment "B"?

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

Mr. QUINN: Mr. Speaker and Ladies and Gentlemen of the House: I refer you to the amendment and I respectfully refer you to paragraph 1. In my opinion there is a phrase there that makes that paragraph unfair, unjust, inequitable and I suspect unconstitutional. It says there that any building that existed within the highway limits as of August 6, 1949 will be a legal structure, and any building that was erected there since that time is an illegal structure. That would mean any building that was erected there, existing before that date and on that date is all right, in spite of the fact that someone last year may have legally constructed a structure on their property but within the limits. That building would now be illegal by this particular amendment. In other words, that goes back it will be six years next August 6, so that any building built within that area during that period of time might be required to be removed without recompense to the person owning that property. The next paragraph provides and I think properly so, that the existence will be as of September 1, 1955, anything existing before that is all right, and the change will become effective so that anything built after that date will have to conform to the law. But as you see in paragraph 1, those things have already been constructed, and it would require their removal if we adopted that first paragraph.

The SPEAKER: The Chair would request the gentleman from Bangor, Mr. Quinn, to kindly approach the rostrum. The House may be at ease.

(Conference at the rostrum)

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House at Ease

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Called to order by the Speaker.

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

Mr. QUINN: Mr. Speaker, I now move that this matter be tabled unassigned.

The SPEAKER: The gentleman from Bangor, Mr. Quinn, moves that Bill "An Act relating to Installations Within Highway Limits", Senate Paper 93, Legislative Document 223, with accompanying papers be tabled pending adoption of House Amendment "B" and be unassigned. Is this the pleasure of the House?

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

The SPEAKER: The Chair lays before the House the tenth 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 15 by the gentleman from Portland, Mr. Childs, pending acceptance.

The Chair recognizes the gentleman from Bucksport, Mr. Pierce.

Mr. PIERCE: Mr. Speaker and Members of the House: On the afternoon of the hearing on this particular item, I was in the rostrum conducting a hearing of my own committee. We did recess very briefly and I did attend for a matter of a minute or so the hearing before the Inland Fish and Game to express the objections to this particular item. Obviously, and I sincerely apologize to the members of the Inland Fish and Game Committee, I did not properly express the opinions and the objections raised to this particular bill by the people who live on this particular lake, to the objections of the Bucksport Water Company and to the objections of the St. Regis Paper Company who do pump 15,000,000 gallons of water a day from this particular lake. I have since discussed the matter individually with the members of the Inland Fish and Game Committee. I greatly apologize to them for my faulty presentation at the time of the hearing, but I am

assured that they will go along with me on the motion which I now make to indefinitely postpone this particular bill.

The SPEAKER: The gentleman from Bucksport, Mr. Pierce, moves that the Report and Bill be indefinitely postponed. Is this the pleasure of the House?

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

The SPEAKER: The Chair now lays before the House the eleventh tabled and today assigned matter, An Act relating to Fees for Motor Vehicle Inspections, Senate Paper 235, Legislative Document 571, tabled on April 15, by the gentleman from Portage Lake, Mr. Cook, pending adoption of House Amendment "B", and the Chair recognizes that gentleman.

Mr. COOK: Mr. Speaker and Members of the House: This bill as it is written up provides for an increase from fifty cents to a dollar for the fee on inspection stickers. It would increase the amount from five cents to ten cents that would be paid to the Department of State for the stickers. When I first saw this bill I was somewhat concerned because I believed at the time that these stations and licenses that different service stations and garages had, I believed them to be a good business proposition for these licensees. I did not feel that there was any hardship being worked on them from the standpoint of the amount of the fee that they were collecting. I therefore tabled this bill at that time and went down to the Secretary of State to inquire if there had ever been anyone surrender one of these licenses or fail to renew one of these licenses, other than the fact that they might be going out of business, but simply from the standpoint that they were not getting enough return or some such thing as that or that it was not satisfactory for them. I found that in the recollection of the Secretary of State and those that were handling this job that there had never been any time in their recollection anybody either surrender one of those licenses or fail to renew one for those purposes.



This seemed to point up to me the fact that there is not any hardship being worked on these licensees. I then thought that I would look into the matter a little further and find out if I could a typical example of just how this was working for some of these stations. I went to one licensee in my district, this was a week ago Friday, and at that time he had made 46 inspections. Of those 46, 17 were done for the Great Northern Paper Company who have their own garage, and they merely bring their vehicles over, have them inspected and if they fail to pass inspection they take them back to their own garage and do the work that is necessary and then bring it back to get the inspection. So that left out of 46, 29 inspections on which he could possibly get some revenue. Of those 29, he sold one muffler at \$25.00, he sold eight mufflers at \$8.00, three king pin jobs, one of them for \$20, and two for \$12.00, two brake relining jobs at \$20.00 each, three windshields, these curved windshields that had been cracked, at \$55.00 apiece, and other miscellaneous items of \$100, the total being \$465 that he managed to sell as a result of these inspections. Now it does seem to me that probably the case would be even if these stations were performing this inspection for nothing, and getting no fee for it, that it would still be a very good business proposition for them. It is a made to order business-getter for them. Twice a year over 300,000 vehicles are forced to go into these stations. I know that there would be many other retail businesses that would be tickled to death to find some way to do that and be very glad to pay for having such a thing done for them.

I propose an amendment, this amendment B, which would provide, seeing as there seems to be an inclination to increase the fee on this inspection, that possibly I thought it was a good opportunity for the State to pick up some additional money. We are in the position of looking for more financing, and so I proposed an amendment of increasing the fee instead of from fifty cents to a dollar, from fifty cents to seventy-five cents, and of that increase, giving twenty cents

of that to the State. Now this would amount to something over \$120,000 a year or close to a quarter of a million dollars for the biennium. I would simply like to have this amendment before you for your consideration and I move its adoption.

The SPEAKER: The gentleman from Portage Lake, Mr. Cook, has on a previous day offered House Amendment "B" and it has been read. The Chair will inquire if any member would like House Amendment "B" reread.

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

Mr. OSBORNE: Mr. Speaker and Members of the House: The gentleman from Portage Lake, Mr. Cook, has very kindly retailed this once before so that we could discuss it between ourselves further because I also have an amendment to offer, number 313 as reproduced.

The SPEAKER: The pending question is on the motion of the gentleman from Portage Lake, Mr. Cook, that House Amendment "B" be adopted.

Mr. OSBORNE: That is right, Mr. Speaker.

Mr. Speaker and Members of the House: I feel that there are some deficiencies in the amendment of the gentleman from Portage Lake, Mr. Cook, in all due fairness to him. I realize that we are all anxious to increase the revenues of the State. However, I feel that if we are going to have automobile inspections, there ought to be something tied into it that will make this inspection more rigid, and make the inspection stations more law abiding. I do not find that in the amendment of the gentleman from Portage Lake, Mr. Cook. Now I do not believe, regardless of the fact that he has shown the figures from one station, that these inspection stations on the whole have any gold mine in inspecting cars if they do what the law provides. Now if they are going to sell stickers as they no doubt have at times by the handful, and if, as garages tell me now, garage owners, that they say that the inspection has reached an all-time low because of lack of inspection of the inspection stations, and that they have found it almost useless to re-

port in a car as not passing inspection because there is no check-up on it later on. Then I feel that we should leave the law alone as it stands because what will we gain by the amendment of the gentleman from Portage Lake, Mr. Cook? I hope that the Amendment "B" offered by the gentleman from Portage Lake, Mr. Cook, does not prevail.

The SPEAKER: The Chair would state that if Amendment "B" offered by the gentleman from Portage Lake, Mr. Cook, is adopted, the offer of House Amendment "D" by the gentleman from Fairfield, Mr. Osborne, would not be in order.

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

Mr. FINEMORE: Mr. Speaker and Members of the House: I am speaking as a member of the Transportation Committee, and we handled this item and went over it a considerable amount of times and we feel, as you will notice on the bill, that rather than lose the bill or even if we cannot reach an agreement on the different amendments that we go back to the original of fifty cents rather than make too much of an issue out of it. Also, I might add that this would be rather a steep tax taking the amendment of the gentleman from Portage Lake, Mr. Cook, into consideration, when you are reaching in your pocket and digging out about twenty-five per cent of what you pay and pay it for a tax. He said twenty cents, but it would be twenty-five cents of the one dollar or twenty-five per cent of the total amount paid would be going to the State, which seems like rather a large amount, and as the gentleman from Fairfield, Mr. Osborne, just said, it is the lack of the inspection of the inspection stations. That is true probably, but we of the Committee felt that lack of inspection was lack of the station in inspecting the motor vehicles, and we felt that some clause should be put in whereby the State Police would have to have a check-up following the month of inspection to find out how many cars were properly inspected. I personally am not going to stand up here and argue whether the stations are receiving enough or not enough, but I do ques-

tion a one dollar fee when twenty-five cents of it is taken right directly as a state tax which would come to about \$175,000 every two years, that seems quite a tax to come out of the people who operate automobiles just for an inspection. I will make a motion that—excuse me, but I might say that some of the higher class garages the same as one I talked to over the week end, I mentioned to him: "Well, how is the inspection business", I did it purposely to find out, and he said "We will not inspect cars, only our own." He said "Of course if a good customer comes in and insists, we do it, but we would much rather not have the inspection at all", and I checked over another one yesterday morning who had inspected some eighty-odd cars, and about 46 of them if I remember right, it might have been 46 or 47, that he had not done anything on other than the initial fifty cent fee, and he happened to be one who I believe was giving an exceptionally good inspection for fifty cents. I would like to make a motion at this time, if it has not been made, I might have misunderstood the gentleman from Fairfield, Mr. Osborne, but if not, I make a motion for indefinite postponement of House Amendment "B" to Senate Paper 235 and L. D. 571.

The SPEAKER: The gentleman from Bridgewater, Mr. Finemore, moves that House Amendment "B" offered by the gentleman from Portage Lake, Mr. Cook, be indefinitely postponed, which is the pending motion.

As many as are in favor of the indefinite postponement of House Amendment "B" will signify by saying aye; those opposed, no.

A viva voce vote being taken, the motion prevailed and House Amendment "B" was indefinitely postponed.

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

Mr. OSBORNE: Mr. Speaker, I now offer House Amendment "D", which has been reproduced, as I said before, with filing number 313.

The SPEAKER: The gentleman from Fairfield, Mr. Osborne, offers House Amendment "D" and moves its adoption. The Clerk will read House Amendment "D".

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

HOUSE AMENDMENT "D" to S. P. 235, L. D. 571, Bill "An Act relating to Fees for Motor Vehicle Inspections."

Amend said Bill by striking out, in the 4th line of the 4th paragraph, the underlined amount "10c" and inserting in place thereof the underlined amount '15c'

Further amend said Bill by adding after Section 1 thereof, the following section:

"Sec. 2. R. S., c. 22, Sec. 46, amended. Section 46 of chapter 22 of the revised statutes is hereby amended by adding after the 3rd paragraph thereof, the following paragraph:

**'The State Police shall periodically inspect all such stations licensed under this section for the purpose of determining if the statutes and rules and regulations promulgated by the Secretary of State with reference to inspection of motor vehicles are being complied with.'**"

Further amend said Bill by renumbering Section 2 to be Section 3.

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

**'Sec. 4. Appropriation.** There is hereby appropriated from the general highway fund the sum of \$35,000 for the fiscal year ending June 30, 1956 and the sum of \$35,000 for the fiscal year ending June 30, 1957 to carry out the provisions of this act relating to the inspection of official inspection stations by the State Police.'

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

Mr. OSBORNE: Mr. Speaker, I would first like to call attention to a typographical error in the first underlined paragraph, the first word of the last line should be "complied" and not "compiled". I would then like to call your attention to the fact, Members of the House, that this \$35,000 is nothing to get excited about because at the present time the fee is five cents for the stickers. I checked with the Secretary of State and that brought in in the last year about \$33,000. If this is increased to fifteen cents as I pro-

pose, the amount going to the general highway fund which is where it went before, will not only be as much as it was before, it will be a little more, and the \$35,000 Chief Marx says will take care of approximately six officers who can confine their efforts to see that the law regarding inspection of automobiles is complied with, which it has not been, he admits, because of lack of force. Now that does not mean that these men will not have the authority to stop a car on the road because they are primarily engaged in inspecting inspection stations. On the contrary, it would mean that they could stop cars on the road to find out where they were inspected if they were faulty. I talked to a garage man who I feel is very honest and fair about this, over the week end, and he stated that he is quite discouraged with the inspection business, he said that unless there is better inspection of the inspection stations including his own, he feels that the fee should stay what it is because he said the point has arrived where there is very little checking now. He said that when the law was first passed and the police force was not as burdened down, they did inspect periodically at rare intervals. This provision he felt would be beneficial because he said it will put probably quite a few inspection stations that are not inspection stations out of business. It will give the State Police an opportunity to find out who are those who are not doing the job for which they are paid, and it will also give them an opportunity to weed out those who are not meeting the provisions of outstanding laws. I feel that this is a fair and just amendment. I might say that the gentleman from the other branch who presented the bill I have discussed this with him and he is very much sold on this amendment. He feels that it would be beneficial. I have talked to the Secretary of State and in fact drew this up with his cooperation. I have talked with the Chief of Police, he is very much in favor of this amendment. I therefore hope that you will see fit to adopt this amendment to L. D. 571.

The SPEAKER: Is it the pleasure of the House to adopt House Amendment "D"?

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

Mr. McGLAUFFLIN: Mr. Speaker, I would like to ask the gentleman from Fairfield, Mr. Osborne, what the inspector will get out of the bill if his amendment is adopted.

The SPEAKER: The gentleman from Portland, Mr. McGlaufflin, addresses a question through the Chair to the gentleman from Fairfield, Mr. Osborne, who may answer if he so chooses.

Mr. OSBORNE: Mr. Speaker, I would say that under my amendment the garage or inspection station which is properly authorized will receive eighty-five cents in comparison to the forty-five that they at present receive. However, I feel that inasmuch as they have never had any increase in the amount which they have received for this inspection that we should consider the position that they are in with costs having more than doubled and I feel that possibly there is a little thought given in my amendment to the fact that the garages if they are going to have to toe the mark are going to have to do a better job than they have in the past. This does not change the provision in the original bill which calls for one dollar, it only takes fifteen cents away from the dollar instead of five.

The SPEAKER: The Chair recognizes the gentleman from Warren, Mr. McCluskey.

Mr. McCLUSKEY: Mr. Speaker, I rise to ask the gentleman from Fairfield, Mr. Osborne, a question through the Chair if he would care to answer it. It is just how these new employees are going to inspect the inspection station, just what are they going to do?

The SPEAKER: The gentleman from Warren, Mr. McCluskey, addresses a question through the Chair to the gentleman from Fairfield, Mr. Osborne, who may answer if he so chooses.

Mr. OSBORNE: Mr. Speaker, it is the intent of Colonel Marx to employ five or six, probably six, additional officers who will be regular State Policemen but who will be particularly qualified to see that the provisions of the law regarding inspection of automobiles and inspection stations are complied with.

It is his intent to divide the State into either five or six districts providing whether he is able to hire five or six under this allotted fund. Those men are to be schooled, they will be regular State Policemen but their primary duty will be to inspect the inspection stations and the inspection station laws as I have stated before.

The SPEAKER: The Chair recognizes the gentleman from Bowdoinham, Mr. Curtis.

Mr. CURTIS: Mr. Speaker and Ladies and Gentlemen of the House: When this bill first came in on the calendar I was opposed to it. It was on the floor in the last session and it was defeated there, but I did not know but what times had changed so I went back to quite a number of the garages in my territory and discussed it with them and looked over their records, and I have somewhat changed my opinion. These members and managers of the public garages who participate in this automobile semi-annual inspection program, have a feeling that they are entitled to a little more fee, and I think as has been mentioned here, because of the increase in the cost that they should have something more, although as the gentleman from Portage Lake, Mr. Cook, has stated, they do get considerable for the work that they do. In looking over some of the records I find that most garages in repair work do not make too much money. In fact if they do not sell something their labor costs are so high that they really do not make anything unless they can sell something and get the profit on the sale, so I think they are entitled to something, but their greatest gripe was, and I talked with the better garages, was that the fact that the inspection did not mean anything in a great many places. They said they had turned down someone who had a cracked windshield or something and they would go right over to another place in that town or another place and come back and would be real put out, they said we could not get our ticket here but we went down there and got it, and that sometimes they lost business because they felt disgruntled because they would not, and several

of them said to me if the State would really set up something whereby the State Police would entirely take over and inspect, well, I see they could not entirely do that, but that is what a great many of them wanted them to do, so I think this idea of having the State Police really assigned to these places and see that these other places that are not inspecting but just putting on a sticker for the fifty cents, I think it would be a fine thing, and I wish to go along with the amendment.

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

Mr. TOTMAN: Mr. Speaker and Members of the House: Like the gentleman from Bridgewater, Mr. Finemore, I wish to speak as a member of the Transportation Committee. It was the intent of the Transportation Committee that this bill come out presented to you to be voted on the merits of whether or not you wanted to go along with increasing the inspection fee to a dollar without these various amendments which are more or less knocking holes in the bill. I would say this and call it to your attention, normally when a department wishes additional personnel the customary channels is to go before the Appropriations Committee. I feel, frankly, that this is somewhat of a going in the back door method of getting an increased appropriation and personnel for the State Highway Police. No one is more interested in highway safety than I am and have proved by the record. I personally feel that as they do in Aroostook County at least, the chief place to catch offenders of the inspection stations is not to try and assign a man to stand there and watch the inspections which I feel is rather useless. The best place to catch these offenders after the car has been inspected is to have your periodic road block checks as we used to have, and I personally feel that this amendment is not for the best interests of the bill and consequently I move that it be indefinitely postponed, hoping that you will vote on the bill as presented by the Committee.

The SPEAKER: The gentleman from Bangor, Mr. Totman, moves that House Amendment "D" be indefinitely postponed.

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

Mr. OSBORNE: Mr. Speaker and Members of the House: With all due regard to the comments of the gentleman from Bangor, Mr. Totman, I would like to point out that five or six men are not going to stand around watching all the inspections being performed in this State. They could hardly cover that area and be only watching one inspection at a time and cover very many. They intend, I believe, to have road blocks if they are found desirable. In other words, anything they can use that will enforce the present provisions of the law which are not now being properly enforced because of lack of force. I also wish with due regard to Colonel Marx that he did not request this. It has been my belief and I believe the belief of many others in this body and in the other branch, that if we are going to have inspection of automobiles we ought to have it as is provided by the law.

The SPEAKER: The Chair recognizes the gentleman from Bowdoinham, Mr. Curtis.

Mr. CURTIS: Mr. Speaker; there seems to be considerable confusion and I think we could do better if we tabled this until tomorrow and I so move.

The SPEAKER: The gentleman from Bowdoinham, Mr. Curtis, moves that Bill "An Act relating to Fees for Motor Vehicle Inspections", Senate Paper 235, Legislative Document 571 with accompanying papers be tabled pending the motion of the gentleman from Bangor, Mr. Totman, that House Amendment "D" be indefinitely postponed and be specially assigned for tomorrow, April 20. Is this the pleasure of the House?

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

On motion of Mr. Bibber of Kennebunkport,

Adjourned until nine-thirty o'clock tomorrow morning.