

# MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*Ninety-Seventh Legislature*

OF THE

STATE OF MAINE

VOLUME II

1955

DAILY KENNEBEC JOURNAL  
AUGUSTA, MAINE

# HOUSE

Tuesday, April 26, 1955

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

Prayer by the Rev. Mr. Percy L. Vernon of Poland Community Church, Poland.

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

From the Senate: The following Order:

WHEREAS, the State has been richly benefited by the altruistic generosity of Honorable Percival P. Baxter, of Portland; and

WHEREAS, the Honorable Percival P. Baxter has given greatly of himself to his community and State; and

WHEREAS, he is now regarded as the senior statesman of the State of Maine and is loved and respected by the people of the State of Maine; and

WHEREAS, it is the legislative intent to honor him by an appropriate memorial so that he may personally know of the esteem and love in which the people of Maine hold him; now, therefore,

BE IT ORDERED, the House concurring, that a Commission composed of 2 members of the Senate, appointed by the President of the Senate, and 3 members of the House of Representatives, appointed by the Speaker of the House of Representatives, be and hereby is authorized and directed to study the ways and means of erecting a suitable memorial in appreciation by the people of the State of Maine for his service and generosity to the people of the State of Maine; and the Commission shall report to the 97th Legislature by May 1, 1955, the results of its study with recommendations as to the method and cost of carrying out the purposes of this order and is authorized to report an Act or Resolve to accomplish such purposes (S. P. 548)

Came from the Senate read and passed, with the following members appointed on its part:

Messrs. CHAPMAN of Cumberland  
COLLINS of Aroostook

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

The SPEAKER appointed the following members on the part of the House:

Mr. ROUNDY of Portland  
Mrs. FILES of Portland  
Mr. HENRY of North Yarmouth

## Tabled Until Later Today

From the Senate: The following Order:

ORDERED, the House concurring, that

WHEREAS, there have been referred to the Committee on Highways many Resolves providing for Highway Fund appropriations for State Aid and State Highway construction, and-or reconstruction,

WHEREAS, the final passage of any or all of these Resolves may create an inequality with respect to those members of this Legislature who did not offer road Resolves, be it therefore ordered as follows:

1. That each of the several county delegates be requested to submit to the Highway Committee or to any member of that Committee, not later than noon, May 3rd, such data as may indicate to the Committee the road resolves considered essential by the delegation.

2. That the Highway Committee, acting with benefit of such data as is possessed by the Planning Division of the Highway Department, determine whether or not a consolidated resolve shall be reported by the Committee, such consolidated resolve to reflect fairness and equity among the counties.

It is not the intent of this order to cover Resolves related to Federal Primary or Federal Secondary allocations from the construction allocation in the Highway allocation bill and the passage of this order expresses no more than a desire on the part of the Legislature that the Highway Committee present a fair and equitable tabulation of county highway needs (S. P. 547)

Came from the Senate read and passed.

In the House, the Order was read.

The SPEAKER: Is it the pleasure of the House that this Order receive passage?

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

Mr. PIERCE: Mr. Speaker, I am informed that another order may be presented during today's session along this general subject. With that in view, I move that this matter lie on the table to be considered later in today's session.

The SPEAKER: The gentleman from Bucksport, Mr. Pierce, moves that the Order lie on the table pending passage in concurrence and be taken up at the end of today's Calendar. Is this the pleasure of the House?

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

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

Report of the Committee on Judiciary on Bill "An Act relating to Private Detectives" (S. P. 403) (L. D. 1117) reporting Leave to Withdraw.

Came from the Senate with the Report read and accepted.

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

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

Report of the Committee on Judiciary reporting "Ought not to pass" on Bill "An Act Granting Powers to Federal Government Relative to Prospecting for Military Strategic Minerals" (S. P. 478) (L. D. 1347)

Came from the Senate read and accepted.

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

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

Report of the Committee on Public Health on Bill "An Act relating to Purposes of the Associated Hospital Service of Maine (Blue Cross, Blue Shield) (S. P. 518) (L. D. 1413) reporting same in a new draft (S. P. 541) (L. D. 1478) under same title and that it "Ought to pass"

Report of the Committee on Towns and Counties on Bill "An Act relating to Payment to Cumberland County Law Library" (S. P. 498) (L. D. 1381) reporting same in a new draft (S. P. 542) (L. D. 1479) under title of "An Act relating to

Preservation of Briefs in Law Court Cases" and that it "Ought to pass"

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

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

#### **Ought to Pass**

Report of the Committee on Judiciary reporting "Ought to pass" on Bill "An Act relating to the Uniform Civil Liability for Support Act" (S. P. 251) (L. D. 683)

Report of same Committee reporting same on Bill "An Act relating to Transfer of Prisoners at Maine State Prison to Federal Penal Institution" (S. P. 437) (L. D. 1196)

Report of the Committee on Towns and Counties reporting same on Bill "An Act Increasing the Salary of the County Attorney of Sagadahoc County" (S. P. 435) (L. D. 1194)

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

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

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

Report of the Committee on Judiciary on Bill "An Act relating to Records of Unattended Deaths and Injection of Embalming Fluids Under Medical Examiner's Law" (S. P. 399) (L. D. 1113) 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. 399, L. D. 1113, Bill "An Act relating to Records of Unattended Deaths and Injection of Embalming Fluids Under Medical Examiner's Law."

Amend said Bill by inserting after the underlined word "established"

at the end thereof, the underlined words **'or until an autopsy has been performed'**

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 Providing for the Uniform Trust Receipts Act" (S. P. 438) (L. D. 1211) 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. 438, L. D. 1211, Bill "An Act Providing for the Uniform Trust Receipts Act."

Amend said Bill in that part designated "Sec. 2 of Chapter 189" by adding at the end of the 16th line the underlined word **'or'**

Further amend said Bill in said "Sec. 2" by striking out the 17th and 18th lines thereof and inserting in place thereof the following underlined words:

**'C. The entruster gives new value in reliance upon the transfer by the trustee to such entruster of a security interest in goods or documents in possession of a trustee, and the possession of which is retained by the trustee;**

**provided that the delivery under paragraph A or the giving of new value under paragraph B or paragraph C either'**

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

Report of the Committee on Judiciary on Resolve Authorizing Kenneth H. Boyington and Ernestine Y. Boyington of South Portland to Sue the State of Maine (S. P. 527) (L. D. 1455) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Came from the Senate with the Report read and accepted and the

Resolve passed to be engrossed as amended by Committee Amendment "A".

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

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

COMMITTEE AMENDMENT "A" to S. P. 527, L. D. 1455, Resolve Authorizing Kenneth H. Boyington and Ernestine Y. Boyington of South Portland to Sue the State of Maine.

Amend said Resolve by striking out in the 9th line from the end thereof the words "suit shall not be in excess of" and inserting in place thereof the words "suits shall not be in excess of a total of"

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

Report of the Committee on Towns and Counties on Bill "An Act relating to Salary of Deputy Clerk of Courts in Hancock County" (S. P. 436) (L. D. 1195) 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. 436, L. D. 1195, Bill "An Act relating to Salary of Deputy Clerk of Courts in Hancock County."

Amend said Bill by striking out the Title and inserting in place thereof the following Title: **'An Act Relating to Salaries of Deputy Clerk of Courts and Register of Deeds in Hancock County.'**

Further amend said Bill by inserting at the beginning of the 1st line the underlined abbreviation and figure **'Sec. 1.'**

Further amend said Bill by adding at the end thereof the following section:

**"Sec. 2. R. S., c. 89, Sec. 215, amended.** That part of Section 215 of chapter 89 of the revised statutes, which relates to the salary of the

register of deeds in Hancock County, is hereby amended to read as follows:

'Hancock, \$2,100 \$2,500,' "

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

### Non-Concurrent Matter Tabled

Bill "An Act relating to Transportation of Fish, Game and Furbearing Animals by Aircraft" (H. P. 778) (L. D. 861) on which the House substituted the Bill for the "Ought not to pass" Report of the Committee on Inland Fisheries and Game, and passed the Bill to be engrossed on April 21.

Came from the Senate indefinitely postponed in non-concurrence.

In the House: On motion of Mr. Childs of Portland, tabled pending further consideration and unassigned.

### Orders

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

Mr. DENBOW: Mr. Speaker, I present an order and move its passage and I would like permission to speak briefly on the order.

The SPEAKER: The gentleman from Lubec, Mr. Denbow, presents an order and moves its passage. The Clerk will read the order.

The Order was read by the Clerk as follows:

The Senate concurring, that,

Whereas, there have been referred to the Committee on Highways many Resolves providing for Highway Fund appropriations for State Aid Highway construction or reconstruction, and

Whereas, the final passage of any or all of these Resolves may create an inequality with respect to those members of this Legislature who did not offer road Resolves, and

Whereas, there has become apparent an urgent need for state financing of the reconstruction of certain state aid highways, not in the federal road system, and of the construction of unimproved sections of such highways lying between improved sections, in instances where the public use and safety

require such construction or reconstruction and there would be hardship for the town or city involved to provide matching funds for the project,

Therefore, be it ordered that

(1) The State Highway Commission report as soon as may be to the legislative highway committee a list of the most urgently needed construction or reconstruction projects on state aid highways, not in the federal system; the state highway commission to take into account in preparing said list urgency of the project, hardship and ability of the town or city involved to provide matching funds, and equity between counties.

(2) The legislative highway committee is authorized and directed to present by a consolidated resolve a road program to care for such roads, involving an appropriation of not more than \$500,000 for each year of the biennium.

(3) Further the State Highway Commission is authorized and directed to prepare and submit such a report for the succeeding biennium to the 98th legislature. (H. P. 1216)

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

Mr. DENBOW: Mr. Speaker and Members of the House: This order is a little different from the one previously introduced by the Senate inasmuch as, in the first place, it puts a price tag on what the appropriation could be and it also directs the Highway Commission to identify these needy projects that are hardship cases, to see if it cannot speed up some action on them. For some time the Highway Commission has recognized that there are places in the State of Maine in the state aid, both improved and unimproved sections, which they cannot repair because their hands are tied in many ways. In other words, they have to meet the town appropriation and there are hardship cases that it just won't build fast enough.

As one example, you might notice the resolve that was entered a few days ago by the Representative from Baileyville, Mr. Brown. The Highway Commission recognizes that this is a particularly dangerous road and it needs repairs or being rebuilt

very badly but there is no provision to take care of it.

There are several others like that and it is the intent of this order to have the Highway Commission pick out the various hardship cases in roads, present them to the Highway Committee who then before drawing up the actual consolidated resolve will contact the heads of the various delegations from the counties for their approval.

Another thing, under Item number 3, having recognized the need for this for several sessions and having had several resolves that were absolutely needy and worthy that had to be kicked out because of lack of taking care of the finances, this order would also direct the Highway Commission to prepare such a hardship case statement for the next Legislature to eliminate some of the confusion and the necessity of entering so many resolves that are perhaps hopeless because of not having proper funds. I hope the passage of this order will go through. (H. P. 1216)

The SPEAKER: The question before the House is on the motion of the gentleman from Lubec, Mr. Denbow, that this order receive passage. Is this the pleasure of the House?

Thereupon, the Order received passage and was sent up for concurrence.

On motion of Mr. Carter of Etna, it was

ORDERED, that Rev. Edwin C. Meineker of Carmel Union Congregational Church be invited to officiate as Chaplain of the House on Tuesday, May 3, 1955.

Mr. Carter of Newport presented the following Order and moved its passage:

ORDERED, the Senate concurring, that Resolve, to Reimburse the Town of Stetson for Aid Extended to Carlton Johnson, H. P. 809, L. D. 846, and the "Ought Not to Pass" report of the Committee on Claims thereon be recalled from the Legislative files to the House for further consideration. (H. P. 1217)

The Order was read and passed and sent up for concurrence.

On motion of Mr. Cole of Sumner, it was

ORDERED, that Mr. Bean of Winterport be excused from attendance for the duration of his illness.

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

On motion of Mr. Seaward of Kittery, it was

ORDERED, that Mr. Dumais of Lewiston be excused from attendance Tuesday, Wednesday and Thursday because of business.

### House Reports of Committees

Mr. Palmeter from the House Committee on Elections on the Returns of Votes cast for Representative to the Legislature from the class towns of Amherst, Aurora, Eastbrook, Franklin, Gouldsboro, Mariaville, Otis, Sorrento, Sullivan, Waltham, Winter Harbor, Osborn Plantation and Plantation No. 33 at a special election held on April 15, 1955 to fill the vacancy caused by the death of Allan M. Butler of Franklin, reported the accompanying Resolution

RESOLVED, that John P. Tarbox, of Gouldsboro, having received a plurality of all the votes cast in a special election, is hereby declared the legally elected representative to the 97th Legislature from the class towns of Amherst, Aurora, Eastbrook, Franklin, Gouldsboro, Mariaville, Otis, Sorrento, Sullivan, Waltham, Winter Harbor, Osborn Plantation, and Plantation No. 33, in the place of the late Allan M. Butler.

Report was read and accepted and the Resolution read and adopted.

The SPEAKER: At this time, the Chair requests the Sergeant-at-Arms to escort the gentleman from Hampden, Mr. Stanley, to the rostrum.

Thereupon, Mr. Stanley was escorted to the rostrum amid the applause of the House.

The SPEAKER: The Chair appoints the gentleman from Hampden, Mr. Stanley, Speaker pro tem.

Thereupon, Speaker Trafton retired from the Hall.

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

Mr. BROWNE: Mr. Speaker, may I approach the rostrum?

The SPEAKER pro tem: The gentleman may.

Mr. BROWNE (at rostrum): Mr. Speaker, as an expression of the esteem in which you are held by your fellow Legislators, I have been requested to present in their behalf this flower.

(The Speaker pro tem presented with pussywillow sprigs)

The SPEAKER pro tem: The Chair thanks the gentleman from Bangor, Mr. Browne, for a beautiful bouquet.

For what purpose does the gentleman from Bridgton, Mr. Haughn, arise?

Mr. HAUGHN: Mr. Speaker, just to add a statement regarding what the gentleman from Bangor, Mr. Browne, just gave you. That came from the Governor's office.

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

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

Mr. Brockway from the Committee on Agriculture reported "Ought not to pass" on Bill "An Act to Place a Bounty on Porcupines" (H. P. 974) (L. D. 1122)

Report was read.

(On motion of Mr. Rich of Charleston, tabled pending acceptance of the Committee Report and unassigned.)

#### **Ought to Be Adopted**

Mr. Soule from the Committee on Agriculture reported "Ought to be adopted" on Memorial to Congress to Investigate and Regulate the Mercantile Exchange (H. P. 1145) (L. D. 1360)

Report was read and accepted, the Memorial adopted and sent up for concurrence.

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

Mr. Childs from the Committee on Legal Affairs on Bill "An Act

relating to the Public Debt Amortization Fund in City of Waterville" (H. P. 998) (L. D. 1146) reported same in a new draft (H. P. 1215) (L. D. 1492) under same title and that it "Ought to pass"

Mr. Woodworth from the Committee on Towns and Counties on Resolve Authorizing Aroostook County Commissioners to Compensate Tax Collector in Township 17, Range 5 (H. P. 690) (L. D. 758) which was recommitted, reported a Bill (H. P. 1214) (L. D. 1491) under title of "An Act relating to Collection of Excise Taxes in Unorganized Territory" 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 Bill Tabled**

Mr. Caswell from the Committee on Agriculture reported "Ought to pass" on Bill "An Act Providing for a Bounty on Porcupines" (H. P. 1158) (L. D. 1376)

Report was read.

(On motion of Mr. Briggs of Caribou, tabled pending acceptance of the Committee Report and unassigned.)

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

Mr. Hancock from the Committee on Judiciary on Bill "An Act relating to Political Caucuses" (H. P. 1146) (L. D. 1361) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read.

(On motion of Mr. Seaward of Kittery, tabled pending acceptance of the Committee Report and unassigned.)

Mr. Bragdon from the Committee on Legal Affairs on Bill "An Act Creating an Airfield Zoning Ordinance for the Unorganized Territory of Aroostook County" (H. P. 279) (L. D. 263) 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. 279, L. D. 263, Bill "An Act Creating an Airfield Zoning Ordinance for the Unorganized Territory of Aroostook County."

Amend said Bill by adding at the end of section 2 thereof the following definition:

"Airfield reference point" means a designated point on the airfield from which distances are measured. For the purpose of this ordinance the airfield reference point will be the existing control tower or a point upon which such a tower normally would be erected."

Further amend said bill by inserting in the 4th line of section 3 thereof after the word "point" the following: 'namely, Township of Connor, Township 11, Range 4, Township 10, Range 3.'

Further amend said Bill by adding the following sentences at the end of section 3: 'Airfield reference point at Loring Air Force Base, Maine is the control tower located at that airfield. Airfield reference point at Presque Isle Air Force Base is the control tower located at that airfield. Exact location of these points may be obtained by contacting the proper authorities on each Air Force Base concerned.'

Further amend said Bill by striking out all of section 4 thereof and inserting in place thereof the following:

**'Sec. 4. Height limit.** Except as otherwise provided in this ordinance, no structure or natural growth shall be erected, altered, allowed to grow or maintained in the height limiting zone described: with respect to Loring Air Force Base, Maine, not in excess of 1,245 feet above mean sea level; with respect to Presque Isle Air Force Base, Maine, not in excess of 1,034 feet above mean sea level. Within the area where 2 height limiting zones overlap and within 50,000 feet from established airfield reference point on each airfield, the height limitation shall be determined by the least height, namely, 1,034 feet above mean sea level.'

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

### Divided Report Tabled

Majority Report of the Committee on Agriculture reporting "Ought not to pass" on Bill "An Act relating to Milk Control" (H. P. 1101) (L. D. 1291)

Report was signed by the following members:

Messrs. DOW of Lincoln

FULLER of Oxford

JAMIESON of Aroostook

— of the Senate.

Messrs. CASWELL of New Sharon

ROBERTS of Dexter

SOULE of Merrill

BROCKWAY of Milo

— of the House.

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

Report was signed by the following members:

Messrs. BOWIE of Durham

FOSS of Chapman

ELWELL of Brooks

— of the House.

Reports were read.

The SPEAKER pro tem: The Chair recognizes the gentleman from Dexter, Mr. Roberts.

Mr. ROBERTS: Mr. Speaker and Members of the House: I move that we accept the majority "Ought not to pass" report of the committee.

The SPEAKER pro tem: The gentleman from Dexter, Mr. Roberts, moves that the Majority "Ought not to pass" Report of the Committee be accepted.

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

Mr. BOWIE: Mr. Speaker, due to the fact that there is other milk legislation before this House now, I move that this matter be tabled and unassigned.

The SPEAKER pro tem: The gentleman from Durham, Mr. Bowie, moves that the two Reports and Bill be tabled pending the motion of Mr. Roberts of Dexter that the Majority Report be accepted. Is this the pleasure of the House?

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

### Passed to Be Engrossed

Bill "An Act relating to Disability Retirement Benefits Under the

Maine State Retirement System" (S. P. 380) (L. D. 1076)

Bill "An Act relating to Registration Fees for Certain Motor Trucks" (H. P. 768) (L. D. 844)

Bill "An Act relating to Motor Trucks Hauling Wood, Pulpwood, and other Forest Products" (H. P. 952) (L. D. 1055)

Bill "An Act relating to Blinker Lights on Plowing and Sanding Units" (H. P. 1086) (L. D. 1247)

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

Bill "An Act to Supplement Loans by Maine School Building Authority" (H. P. 1209) (L. D. 1480)

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

(Subsequently tabled)

### Third Reader Indefinitely Postponed

Bill "An Act relating to Hunting Raccoons in Oxford, Somerset and Waldo Counties" (H. P. 1210) (L. D. 1481)

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

On motion of Mr. Stilphen of Rockland, the Bill was indefinitely postponed and sent up for concurrence.

The SPEAKER pro tem: The Chair recognizes the gentleman from Brooks, Mr. Elwell.

Mr. ELWELL: Mr. Speaker, I move reconsideration of Item 5, L. D. 1480.

The SPEAKER pro tem: The Chair is informed that the gentleman from Brooks, Mr. Elwell, does not need to make a motion for reconsideration.

Does the gentleman care to make another motion in regard to Item 5?

Mr. ELWELL: Mr. Speaker, inasmuch as there is another bill which is similar to this bill and would include what the material that is in the bill now on the table in the form of L. D. 1167, I move that this bill lie on the table unassigned.

The SPEAKER pro tem: The gentleman from Brooks, Mr. Elwell, moves that Item 5, Bill "An Act to Supplement Loans by Maine School Building Authority," House Paper 1209, Legislative Document 1480, lie on the table pending passage to be engrossed and be unassigned. Is this the pleasure of the House?

The motion prevailed and the Bill was so tabled.

Bill "An Act to Incorporate the Westbrook Sewerage District" (H. P. 1211) (L. D. 1482)

Bill "An Act relating to Overweight of Motor Vehicles" (H. P. 1212) (L. D. 1483)

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

Resolve in favor of George A. Bragdon of Lincoln (H. P. 157)

Resolve to Reimburse Town of Washington for Support of Certain State Paupers (H. P. 1192) (L. D. 1459)

Resolve Providing for Survey to Re-route the Maine Central Railroad in City of Portland (H. P. 1213) (L. D. 1484)

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 Clarifying Certain Sea and Shore Fisheries Laws" (H. P. 165) (L. D. 156)

Bill "An Act relating to Legal Investments of a Town's Sinking Fund" (H. P. 178) (L. D. 185)

Bill "An Act relating to Investment of Municipal Trust Funds" (H. P. 408) (L. D. 455)

Bill "An Act relating to Weekly Benefit for Partial Unemployment Under Employment Security Law" (H. P. 995) (L. D. 1143)

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

At this point, Speaker Traflet returned to the rostrum.

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

The SPEAKER: The Chair would like to thank the gentleman from Hampden, Mr. Stanley, for presiding so ably as Speaker pro tem.

#### **Passed to Be Enacted Emergency Measure**

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

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a division was had. 114 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

The SPEAKER: The Chair is informed that there are in the balcony of the House five Pioneer Girls from Portland accompanied by their guides, Mrs. Herbert E. Whitten and Mrs. Eva Garsae; also four students from the Junior High School and pupil from Deering High School in Portland, Maine.

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

#### **Orders of the Day**

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

Mr. EDWARDS: Mr. Speaker, I would like to make a motion for reconsideration.

The SPEAKER: The Chair will state that a motion to reconsider is in order.

Mr. EDWARDS: Mr. Speaker, I would like to move at this time that we reconsider our action whereby we voted to pass the joint order presented by the gentleman from Lubec, Mr. Denbow.

The SPEAKER: The gentleman from Raymond, Mr. Edwards, moves that the House reconsider its action whereby it passed earlier this morning House Joint Order,

House Paper 1216, relating to State Aid roads.

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

Mr. EDWARDS: Mr. Speaker, my only reason for doing this is to give us a little more time in which we may study this order introduced this morning. If you will give me this privilege, I will move to table it and specially assign it for tomorrow morning.

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

Mr. CHILDS: Mr. Speaker and Members of the House: I would like to state that this order was reproduced—

The SPEAKER: For what purpose does the gentleman rise?

Mr. CHILDS: Mr. Speaker, I rise for the purpose of debating the motion for reconsideration.

The SPEAKER: The gentleman may proceed.

Mr. CHILDS: Mr. Speaker, I would like to state that this order was reproduced, it was put on the desks of each member. The order was fully explained by the gentleman from Lubec, Mr. Denbow, who introduced the order, and I see no purpose for attempting to hold this matter up at this time. I hope that the motion of the gentleman from Raymond, Mr. Edwards, does not prevail.

The SPEAKER: The question before the House is on the motion of the gentleman from Raymond, Mr. Edwards, that the House reconsider its action whereby House Joint Order, House Paper 1216, received passage.

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

Mr. DENBOW: Mr. Speaker, I simply want to say that I hope that this motion does not prevail and I think it is quite important that it does go through and I think that the gentleman has had ample time to study it in between.

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

Mr. CHILDS: Mr. Speaker, when the vote is taken, I request a division.

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

Mr. ALLEN: Mr. Speaker, I would like to see this action reconsidered because there is a price here of about \$500,000, and the only place that I can see that coming from will be the construction fund, which is already quite short. I think that we should consider this quite a bit before we even think about taking \$500,000 out of our construction fund. I would like to see the motion to reconsider prevail.

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

Mr. COOK: Mr. Speaker, I cannot possibly see how it would do any harm if we did reconsider this with the idea in mind of tabling for one day. I do not think that one day can possibly hurt us.

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

Mr. SANFORD: Mr. Speaker, I also believe that we should take a little time on this matter.

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

Mr. FINEMORE: Mr. Speaker and Members of the House: I am heartily in favor of reconsideration on this because we were told that there would not be any special resolves and I would kind of like to have a little more time to look it over myself.

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

Mr. MCGLAULIN: Mr. Speaker, there was a resolve introduced by the Senate, passed the Senate, that was tabled. This House resolve, in my opinion, is a very much better resolve aimed at the same purpose. I am opposed to reconsideration.

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

Mr. DENBOW: Mr. Speaker, I would like to state that I am opposed to the tabling of this resolve for reconsideration for this reason. Although you will note that this has a price tag in it, you will also notice that this resolve will be drawn up later in a consolidated form and, at that time, you will be actually voting on the money to be

spent. So I see no object in holding it up and I think it is important that it go along, and I hope the motion does not prevail for that reason.

The SPEAKER: The Chair would state that also this morning in the balcony of the House are thirty-five pupils from Bangor High School accompanied by their teacher, Mrs. Dorothy Coiley. They are known as the future business leaders of America; also a group of forty students from Grade Eight of the Holy Cross School of South Portland under the supervision of Sister Amabilis.

To them also, the Chair extends on behalf of the House a hearty and cordial welcome. (Applause)

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

Mr. MARTIN: Mr. Speaker, in view of the fact that this order must pass through a quite complete winnowing process before we must consider it finally, it must be considered by the State Highway Commission and it must be considered by the Legislative Highway Committee. By passing this order we are not appropriating any money and we are not committing ourselves to anything. I can see no gain in tabling it. Time is short. We have a lot to do and why not pass this order now and then see what we get from it and decide at that time what we will do with it. I certainly hope that the motion to reconsider does not prevail.

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

Mr. STILPHEN: Mr. Speaker, I concur with my colleague, the gentleman from West Gardiner, Mr. Martin, that there can be no advantage in waiting on this order inasmuch as it is doing no harm in its present state and I hope that the motion does not prevail.

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

Mr. QUINN: Mr. Speaker and Ladies and Gentlemen of the House: I want to go along with what the last two gentlemen have stated rel-

ative to this matter and point out further that the very first paragraph requires the State Highway Commission to make a report for our consideration. Now, we are getting to the end of our term and we have not got too much more time. We want to get home and do our planting and I think if we go along and fail to accept the motion to reconsider we would be expediting our business in getting this report and getting more information on which to act intelligently later.

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

Mr. CURTIS: Mr. Speaker and Members of the House: When I first heard of this order from the Senate, I was much disturbed. I am much interested in our rural road funds and I know that we all are. So I took the afternoon off and made a further study and also last night until about midnight. Inasmuch as this new order from the House is so much different and seems to me to cover every angle which I was opposed to in the order from the other chamber, I see no good reason why we should postpone it. I think it is properly prepared and cared for and we will have plenty of opportunity from here on to dispose of it if we do not want it. In fact, I happen to be one of those members in the last Legislature who thought it was not too wise to get rid of road resolves because down in my area I do not know of any dollar that ever returned so many cents to construction as did the road resolve. I do not know how it happened in other places, but the road resolves that were handled in the towns which I represent usually the men who lived on those roads put on a truck of their own and worked a day or two themselves and we usually got about three dollars worth of work done for one dollar of resolve, and I do not think there is any harm in a road resolve if properly handled.

The SPEAKER: The question before the House is on the motion of the gentleman from Raymond, Mr. Edwards, that the House reconsider its action of earlier this morning whereby House Joint Order, House Paper 1216, referring to State Aid Highways received passage.

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

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

A division of the House was had.

Thirty-eight having voted in the affirmative and seventy-two having voted in the negative, the motion did did not prevail.

The SPEAKER: The Chair lays before the House the first item of unfinished business, House Report "Ought to pass" as amended by Committee Amendment "A" of the Committee on Natural Resources on Bill "An Act relating to Kindling Fires on Land", House Paper 1079, Legislative Document 1262, tabled on April 8 by the gentleman from Bridgewater, Mr. Finemore, pending acceptance and the Chair recognizes that gentleman.

Mr. FINEMORE: Mr. Speaker and Members of the House: I appreciate your waiting two weeks while I tabled this but I am very pleased that I tabled it, because two weeks ago I thought I opposed this bill but after spending two week ends on checking it up with not only land owners but with different fish and game clubs and sports I find that it meets with everyone's approval. Therefore, I move the acceptance of the report.

The SPEAKER: The gentleman from Bridgewater, Mr. Finemore, moves that the Committee Report be accepted. Is this the pleasure of the House?

The motion prevailed and the Bill was then given its two several readings.

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

COMMITTEE AMENDMENT "A" to H. P. 1079, L. D. 1262, Bill "An Act relating to Kindling Fires on Land."

Amend said Bill, in the Title, by adding after the word "Kindling", the words "Out-of-Door"

Further amend said Bill by striking out all of the 2nd paragraph thereof and inserting in place thereof the following underlined paragraph:

**Kindling out-of-door fires.**

Sec. 94-A. Kindling out-of-door fires. No person shall kindle or use fires on land of another without permission of the owner, except at public camp sites and lunch grounds maintained or authorized by the Forestry Department, or when the ground is covered with snow. Out-of-door fires include the use of sterno, gasoline, charcoal or other fuel fires in or out of tents and collapsible shelters, but such fuels may be used at state highway picnic areas. The provisions of this section shall not apply to the authority of State Forest Fire Wardens to set backfires to control a going forest fire.'

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

The SPEAKER: The Chair lays before the House the second item of unfinished business, Bill "An Act relating to Salary of the Recorder and to Clerk Hire in Waldo County Municipal Court", House Paper 632, Legislative Document 672, tabled on April 14 by the gentleman from Searsmont, Mr. Knight, pending assignment for third reading, and the Chair recognizes that gentleman.

Thereupon, on motion of that gentleman the Bill was assigned for third reading tomorrow.

The SPEAKER: The Chair lays before the House the third item of unfinished business, House Divided Report, Majority "Ought not to pass" and Minority "Ought to pass" of the Committee on Legal Affairs on Bill "An Act Providing for a Change of Ward Lines in the City of Waterville", House Paper 919, Legislative Document 1027, tabled on April 21 by the gentleman from Winslow, Mr. Dostie, pending the motion of the gentleman from Portland, Mr. Childs, that the Majority Report be accepted.

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

Mr. BERNIER: Mr. Speaker, I move that this item lie on the table unassigned.

The SPEAKER: The gentleman from Waterville, Mr. Bernier, moves that the two Reports and Bill lie on the table pending the motion of the

gentleman from Portland, Mr. Childs, that the Majority Report be accepted.

For what purpose does the gentleman from Portland, Mr. Childs, rise?

Mr. CHILDS: Mr. Speaker, I would like to inquire from the Clerk if the Divided Report, it is stated on the calendar that the majority report is "Ought to pass" and the minority is "Ought not to pass".

The SPEAKER: The Chair would state that the majority report is "Ought not to pass" and the printed calendar is incorrect.

The question before the House is on the motion of the gentleman from Waterville, Mr. Bernier, that this matter lie on the table pending the motion of the gentleman from Portland, Mr. Childs, that the Majority Report be accepted. Is this the pleasure of the House?

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

The SPEAKER: The Chair lays before the House the fourth item of unfinished business, An Act Providing for Group Life Insurance for State Employees and Teachers, Senate Paper 525, Legislative Document 1429, tabled on April 21 by the gentleman from Rumford, Miss Cormier, pending passage to be enacted.

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

Mr. SHAW: Mr. Speaker, I move that we reconsider our action whereby we passed L. D. 1429 to be engrossed on April 13 for the purpose of presenting an amendment.

The SPEAKER: The gentleman from Bingham, Mr. Shaw, moves that under suspension of the rules the House reconsider its action taken on April 13 whereby it passed this Bill to be engrossed. Is this the pleasure of the House?

The motion prevailed.

Thereupon, Mr. Shaw of Bingham offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to S. P. 525, L. D. 1429, Bill "An Act Providing for Group Life Insurance for State Employees and Teachers."

Amend said Bill in that part designated "Sec. 24" by striking out the 1st paragraph of subsection II and inserting in place thereof the following underlined paragraph:

**'II. Each eligible state employee or teacher to whom this section applies shall be eligible to be insured for an amount of group life insurance approximating his annual compensation and an equal amount of group accidental death and dismemberment insurance in accordance with the following schedule. The Board of Trustees may, upon recommendation of the Advisory Council, permit certain classifications to purchase up to double the amounts shown in Table A; provided, however, that the total number permitted such additional coverage shall be limited to not more than 3% of all persons covered by this group insurance policy.'**

Further amend said Bill in that part designated "Sec. 24" by striking out all of subsections IV and V and inserting in place thereof the following underlined subsections:

**'IV. All employees eligible under the terms of this section will be automatically insured for the maximum amounts applicable thereunder, commencing on the date they first become so eligible; provided that any employee desiring not to be insured shall, on appropriate form, give written notice to his employing officer that he desires not to be insured. If such notice is received before the employee shall have become insured under such policy, he shall not be so insured; if it is received after he shall have become insured, his insurance under the policy will cease, effective with the end of the pay period during which the notice is received by the employing office. Any person who desires not to be insured may subsequently apply for insurance, but may be required to produce evidence of insurability at his own expense and in accordance with the requirements of the Board of Trustees.**

**V. An employee insured under this policy shall be automatically covered for any change in such maximum due to a change in annual compensation. Such change in coverage shall coincide with the ef-**

**fective date of the change in annual compensation rate.'**

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

The SPEAKER: The Chair lays before the House the fifth item of unfinished business, Bill "An Act relating to School Age in Public Schools", House Paper 1207, Legislative Document 1476, tabled on April 22 by the gentleman from Cornish, Mr. Evans, pending third reading.

Thereupon, on motion of Mr. Cianchette of Pittsfield, the Bill was given its third reading.

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

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

**HOUSE AMENDMENT "A" to H. P. 1207, L. D. 1476, Bill "An Act relating to School Age in Public Schools."**

Amend said Bill in that part of Section 1 designated "Sec. 44" by striking out the single quotation mark at the end thereof.

Further amend said Bill by adding at the end of said "Sec. 44" an underlined paragraph to read as follows:

**"Provided, however, that any child who displays sufficient maturity shall be admitted to school at an earlier age by the superintendent of schools under such rules and regulations as the Commissioner of Education shall establish."**

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

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

Mr. FINEMORE: Mr. Speaker and Members of the House: I would doubt very much, I know we have some superintendents of schools in here and I was kind of hoping that they would say something. I doubt very much if you would find a school board or a superintendent of schools who would be willing to say what children should come under this amendment. I would like to ask through the Chair from the

gentleman from South Portland, Mr. Fuller, if he would care to answer it, how he feels on this amendment.

The SPEAKER: The gentleman from Bridgewater, Mr. Finemore, addresses a question through the Chair to the gentleman from South Portland, Mr. Fuller, who may answer if he so chooses.

Mr. FULLER: Mr. Speaker and Members of the House: I can see no harm in this amendment because as it reads the superintendent of schools under such rules and regulations as the Commissioner of Education shall establish. In other words, the Commissioner of Education may establish the law as it now stands or he may establish other regulations.

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

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

Mr. CIANCHETTE: Mr. Speaker, I believe that this amendment in towns whereby they have no primary or sub-primary grades there are cases where children are matured at the age of six. Under the bill as it stands now, children who do not become six years of age before October 15 are barred from having that year of school. The Department of Education realizes and will tell you that any child at the age of six should be receiving some sort of formal training. In the towns that do not provide that, this will admit children who perhaps have had training at home or perhaps in private kindergartens which some are able to attend and if those children are capable of reaching the first grade at that age, perhaps if their birth date should fall between October 15 and the first of the year, some borderline cases, under the rules and regulations that may be prescribed those children might be admitted. It does not provide that they shall be or must be but they may be admitted and I think it is only fair to those children who reach maturity at a younger age than others and I hope the amendment will be adopted.

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

Mr. CURTIS: Mr. Speaker and Members of the House: When I first read this amendment, the thought came to me that I would not hardly dare as a milkman to enter the houses where the children are around six years old and their mothers had been turned down on having them go to school because I figure that she would throw the rolling pin at the first guy who stuck his head in, and I feel the same now.

I do not know of anything that could be more controversial or kick up more fuss for nothing than passing this amendment. We do have in our small area towns, a great deal of interest in our schools by the parents and by all and whenever anything comes up for an argument it does not take too much and I can see that this would be 100 per cent trouble to the schools and the parents, who have children whom they thought ought to go and who were turned down by some authority. It would just be dynamite to my section.

The SPEAKER: The question before the House is on the motion of the gentleman from Pittsfield, Mr. Cianchette, that House Amendment "A" be adopted.

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

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

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

The SPEAKER: The Chair lays before the House the first tabled and today assigned matter, Bill "An Act Creating a State School Building Fund and Providing Moneys Therefor", House Paper 1015, Legislative Document 1167, tabled on April 19 by the gentleman from Brooks, Mr. Elwell, pending further consideration.

In the House, the Bill was recommended to the Committee on Appropriations and Financial Affairs. In the Senate, the Majority Report "Ought not to pass" was accepted.

The Chair recognizes the gentleman from Brooks, Mr. Elwell.



Mr. ELWELL: Mr. Speaker and Members of the House: This bill was tabled pending acceptance by the House of a tax measure. That measure has not yet been forthcoming. At the time one was accepted I had intended to amend this bill to conform with it. I now move you that this bill be retabled unassigned.

The SPEAKER: The gentleman from Brooks, Mr. Elwell, moves that the Bill lie on the table pending further consideration. Is this the pleasure of the House?

The motion prevailed and the Bill was so tabled.

The SPEAKER: The Chair lays before the House the second tabled and today assigned matter, Bill "An Act to Amend the Bracket Schedule in the Sales and Use Tax Law", House Paper 564, Legislative Document 612, tabled on April 19 by the gentleman from Ellsworth, Mr. Willey, pending third reading and the Chair recognizes that gentleman.

Thereupon, on motion of that gentleman, the Bill was given its third reading, passed to be engrossed and sent to the Senate.

The SPEAKER: The Chair lays before the House the third tabled and today assigned matter, Bill "An Act to Clarify the Employment Security Law", Senate Paper 348, Legislative Document 957, tabled on April 19 by the gentleman from Bath, Mr. Ross, pending passage to be engrossed and the Chair recognizes that gentleman.

Mr. ROSS: Mr. Speaker, I move that we reconsider our action whereby the House adopted Committee Amendment "A" and I move that for the purpose of offering a House Amendment.

The SPEAKER: The gentleman from Bath, Mr. Ross, moves that, under suspension of the rules, the House reconsider its action whereby Committee Amendment "A" was adopted on April 15. Is this the pleasure of the House?

The motion prevailed.

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

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

Mr. ROSS: Mr. Speaker, this bill is a department bill and it clarifies certain sections of the Employment Security Law. In the first amendment, there was a typographical error. In the first sentence thereof it said to strike out sections 4 and 7 and that should have been sections 4 and 9. Section 4 was covered by other legislation and 9 was considered unnecessary so I now offer House Amendment "A" and move its adoption.

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

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

HOUSE AMENDMENT "A" to S. P. 348, L. D. 957, Bill "An Act to Clarify the Employment Security Law."

Amend said Bill by striking out all of sections 4 and 9 thereof.

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

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

The SPEAKER: The Chair lays before the House the fourth 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 19 by the gentleman from Lewiston, Mr. Couture, pending first reading and the Chair recognizes that gentleman.

Mr. COUTURE: Mr. Speaker and Members of the House: We met with the Board of Finance last night and we are meeting with the City Council tonight at 7:30 on these two bills. I would like to lay them on the table and specially assign them for tomorrow.

The SPEAKER: The gentleman from Lewiston, Mr. Couture, moves that the Bill lie on the table pending

first reading and be specially assigned for tomorrow, April 27. Is this the pleasure of the House?

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

The SPEAKER: The Chair lays before the House the fifth 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 19 by the gentleman from Lewiston, Mr. Couture, pending acceptance.

The Chair understands that the gentleman from Lewiston, Mr. Couture, moves that the fifth today assigned matter be retabled pending acceptance of the Committee Report and be specially assigned for tomorrow. Is this the pleasure of the House?

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

The SPEAKER: The Chair lays before the House the sixth tabled and today assigned matter, House Report "Ought not to pass" of the Committee on Highways on Resolve relating to Anticipation of State Aid Funds by Town of Bremen, House Paper 775, Legislative Document 858, tabled on April 19 by the gentleman from Bremen, Mr. Hilton, pending acceptance and the Chair recognizes that gentleman.

Mr. HILTON: Mr. Speaker and Members of the House: I would like to substitute the Resolve for the Report and speak on the motion.

The SPEAKER: The gentleman from Bremen, Mr. Hilton, moves that the Resolve be substituted for the "Ought not to pass" Report of the Committee on Highways.

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

Mr. HILTON: Mr. Speaker and Members of the House: This resolve was put in because last year in building our state aid road, we had about 75 feet more to go to finish the job. We had the machinery and all the equipment there to do the job and I told the foreman to go ahead and finish the job, supposing,

of course, that I could anticipate on this year's funds. After we had the job finished, I found out that the Highway Commission had made a ruling to prohibit the anticipation of these funds. We overdrew an account of \$509.08. In this road, we built a third of a mile for something like \$5300. In our town, it is a small town, about 400 population, we have no industries. The men get their tax money by hard work.

As Chairman of the Selectmen of the town, I have tried to see to it that we get every dollar we can for our tax money.

This road has been built under state aid supervisors and been accepted by the State. It is just simply an issue with me. I am not going to stand up here and say that the town is going bankrupt if this does not go through. Our tax rate last year was 84 mills. This year, due to increased school costs, it will go up to 92 and for every \$250 money we raise, the tax rate increases a mill. If we do not get this, it will be two more mills, or 94 mills. I can see no harm in this. There have been twenty - three towns in the State that have anticipated for a year. It is just simply an issue of whether you people want to go along with the towns that are trying to get every dollar they can, what I mean, every dollar's worth of work they can for what money they have or whether you want to go along with the State Highway Commission and get perhaps \$900 for a recommended 1500 miles of road on that accelerated highway program. I think we have tried to build a road and get every dollar we can out of this money and I move that this resolve pass. I would like a division.

The SPEAKER: The question before the House is on the motion of the gentleman from Bremen, Mr. Hilton, that Resolve relating to Anticipation of State Aid Funds by Town of Bremen, House Paper 775, Legislative Document 858, be substituted for the "Ought not to pass" Report of the Committee on Highways. Is this the pleasure of the House?

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

Mr. CHILDS: Mr. Speaker and Members of the House: I notice that the gentleman from Hanover, Mr. Ferguson, is ill and he is not here this morning. He is the Chairman of the Highway Committee. This came out of committee unanimously "Ought not to pass". I am not rising to oppose the gentleman's motion but I do believe that the members of the House should know what the reasoning was behind the Highway Committee on the unanimous "Ought not to pass" report. I therefore move that this lie upon the table until tomorrow. At that time, the gentleman from Hanover, Mr. Ferguson, will have returned.

The SPEAKER: The gentleman from Portland, Mr. Childs, moves that the Report and Resolve lie on the table pending the motion of the gentleman from Bremen, Mr. Hilton, that the Resolve be substituted for the "Ought not to pass" Report and be specially assigned for tomorrow, April 27. Is this the pleasure of the House?

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

The SPEAKER: The Chair lays before the House the seventh tabled and today assigned matter, House Divided Report, Majority "Ought not to pass" and Minority "Ought to pass" as amended by Committee Amendment "A" of the Committee on Agriculture on Bill "An Act relating to Sales of Milk by Producers to Dealers by Bulk Tank", House Paper 862, Legislative Document 974, tabled on April 20 by the gentleman from Bowdoinham, Mr. Curtis, pending acceptance of either report and the Chair recognizes that gentleman.

Mr. CURTIS: Mr. Speaker and Ladies and Gentlemen: I move you, Mr. Speaker, that the "Ought to pass" report be accepted and I wish to speak thereto.

The SPEAKER: The gentleman from Bowdoinham, Mr. Curtis, moves that the minority "Ought to pass" Report be accepted.

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

Mr. CURTIS: Mr. Speaker and Ladies and Gentlemen: In present-

ing this bill for your consideration I was and am now actuated solely in the interests of fair play to all and especially for a considerable number of our Maine citizens who because of circumstances are unable to hinder the exploitation of themselves by those who virtually control their livelihood. I will say that personally the failure to pass this bill will not so affect me, only to the extent that it will affect you and all of the citizens of Maine. In fact, I might have considerable to gain by its non-passage since I am engaged in the transportation of milk and would under the circumstances, which need not be discussed here at this time, probably increase my transporting area.

Now this is the situation as it exists. Some of the large milk distributors have and are now compelling the milk producers to discard their very satisfactory milk cooling and storage systems and install bulk milk cooling tanks. It is claimed by the distributors that this is being done to make a better quart of milk. I have a great deal of evidence from leading research college laboratories that this is, to say the least, extremely doubtful. But, as I have heard, why this bill received its unfavorable report from the Agricultural Committee was because of the amount of evidence offered in support of this contention that the bulk tank system did not improve the quality of the milk.

The only evidence I will offer is the fact that the Department of Agriculture has always in the past ruled and enforced the rule: First, that warm milk as it comes from the cow must not be mixed with cold milk. Second, that milk must be taken from the producer's farm and delivered to the processing plant every day. The bulk tank completely violates both of these rules, in fact, it completely ignores them, and to operate must do so.

The average cost to the farmer in the present system of a suitable farm dairy building and electrical cooling system, plus cans for a twelve to fifteen cow dairy farm, is around \$800, with the bulk tank system it would be around \$2000. If the farmer does not have hot running water in his present setup, which few have now since the cans are

all washed and sterilized at the dealer's plant, it will cost considerably more than \$2000 if he has to put in this hot water heating system.

Now why do the dealers want this bulk tank system? Since they are aware of its many disadvantages to do any better or perhaps as well in producing a low bacteria count quart of milk as the present system? The answer is the same old answer to many questions arising in the capitalistic profit system. Of course, I am not opposed to the capitalistic profit system. I believe it is the greatest economic system ever devised by man. Yet like all man-made schemes it must needs be operated in fairness to all parties engaged in a certain enterprise. Why is it the bulk tank system fails to do this?

This is the situation there: Milk processing plants using the forty quart can method of transportation have to maintain an elaborate system of equipment and men to handle this load of milk. The truck driver backs his truck up to an escalator, which costs about \$5000, on which he places the loaded cans. This escalator carries them to two men and an elaborate amount of equipment where the milk is dumped, weighed, samples for test taken, and then pumped into a holding tank. The empty can is then given to a man who places it in a washing and sterilizing machine where, after it is properly processed, it is placed on the returning side of the escalator to the truck driver.

Now in the bulk tank method the truck driver, who is paid by the farm producers themselves, does all the testing, sampling, weighing at the dealer's plant there is no escalator, no weighing machine, pumps, washing machines, sterilizers or any of the machinery, which cost thousand of dollars to buy and to maintain. There are no men for the dealer to pay. The farmer paid the truck driver to pump the milk from the bulk tank to the holding tank and then when his tank is empty he has to himself wash and sterilize his own tank.

Don't you see what an immense saving in dollars and cents to the dealer in this method of bulk milk

tanks? If this was all there was to it, I would call it progress, Yankee ingenuity. But what has it done for and to the farmer? First he has had to scrap all his \$800 worth of equipment. Second, he has had to buy at least \$2,000 worth of new equipment. And last but not least as serious, the adoption of the bulk tank system to date where so adopted has driven about twenty-five per cent of the small ten to fifteen cow farm dairies out of existence.

These small farm operators are usually men well advanced in years, and rather than to take this added burden of indebtedness to finance the new bulk tank installation they simply quit, and I do not know and they do not know what they are going to do to make a living.

Now I have checked the situation over carefully and I believe the dealer, who is making an immense amount of profit from this method, should share this profit with the farmer whom it is costing so much. Someone has said that no trade is a bargain unless both parties are benefited. Now if the "Ought not to pass" report is accepted, I want to leave for your consideration the indefinite postponement of Committee Amendment "A", which cuts the price that was put in the bill from fifty cents to twenty-five cents. And then I would like to table it to prepare an amendment which would read then: The minimum price established on sales of milk by producers to dealers shall if such sales are made by bulk tank be increased such an amount per hundred weight as the Milk Commission after due consideration may establish. That seems to be fair for everyone concerned.

The SPEAKER: The Chair would inquire of the gentleman from Bowdoinham, Mr. Curtis, whether the Chair correctly understood his motion. Is it to accept the minority "Ought to pass" as amended by Committee Amendment "A" report or the majority "Ought not to pass" report?

Mr. CURTIS: Mr. Speaker, the minority "Ought to pass" report.

The SPEAKER: The question before the House is on the motion of the gentleman from Bowdoinham,

Mr. Curtis, that the Minority "Ought to pass" as amended by Committee Amendment "A" Report on Bill "An Act relating to Sales of Milk by Producers to Dealers by Bulk Tank", House Paper 862, Legislative Document 974, be accepted. Is this the pleasure of the House?

The motion prevailed and the Minority "Ought to pass" Report was accepted.

Thereupon, the Bill was given its two several readings.

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

COMMITTEE AMENDMENT "A" to H. P. 862, L. D. 974, Bill "An Act relating to Sales of Milk by Producers to Dealers by Bulk Tank."

Amend said Bill by striking out in the last line the underlined figures "50c" and inserting in place thereof the underlined figures "25c"

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

The motion prevailed.

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

Mr. CURTIS: Mr. Speaker, I wish to table this until tomorrow to prepare an amendment.

The SPEAKER: The Chair would state that the Bill will be assigned for third reading tomorrow. Would the amendment be ready by that time?

Mr. CURTIS: Yes, Mr. Speaker.

Thereupon, the Bill was assigned for third reading tomorrow.

#### House at Ease

Called to order by the Speaker.

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

Mr. BRIGGS: Mr. Speaker, perhaps I am too soon. I wanted to retable Item 8. The gentleman from Mount Desert, Mr. Reynolds, who tabled it originally is not here. It is my bill.

The SPEAKER: The Chair will note the gentleman's desires.

The SPEAKER: The Chair lays before the House the eighth tabled and today assigned matter, Bill "An Act relating to Right of Officer to Kill Dogs", House Paper 411, Legislative Document 458, tabled on April 21 by the gentleman from Mt. Desert, Mr. Reynolds, pending third reading.

The Chair understands that the gentleman from Caribou, Mr. Briggs, moves that the Bill lie on the table pending third reading. Is this the pleasure of the House?

The motion prevailed and the Bill was so tabled.

The SPEAKER: The Chair lays before the House the ninth tabled and today assigned matter, Senate Report "Ought to pass" of the Committee on Labor on Bill "An Act relating to Chiropractic Treatment Under Workmen's Compensation Law", Senate Paper 373, Legislative Document 1069, tabled on April 21 by the gentleman from Houlton, Mr. Rogerson, pending the motion of the gentleman from Friendship, Mr. Winchenpaw, to accept the report.

The Chair recognizes the gentleman from Camden, Mr. Libby.

Mr. LIBBY: Mr. Speaker, I move for indefinite postponement at this time of L. D. 1069.

The SPEAKER: The gentleman from Camden, Mr. Libby, moves that the Report and Bill be indefinitely postponed.

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

Mr. FOSTER: Mr. Speaker, as of late I have taken an interest in this subject matter which now confronts us, partially perhaps because of personal experience with chiropractic treatments some thirty-one years ago, and partially because of the apparent misconception and confusion that exists in the minds of at least some members of this House. Now the act as we see it and as it was printed seems to be simple enough and it apparently was regarded and accepted as such until some of us at least started getting letters. Now the letters were just as much confusing as any talk that you have heard as to what this bill purports to do, and what it expects to accomplish

if it is passed. I refer to it as a bill, it is an amendment of course to a law that already exists, and it has to do with adding the chiropractic treatment to what the Workmen's Compensation Act has already provided for in other methods and manners of treatment. Now I would like to read the law as it purports to be amended, and I am taking it from the Statutes that we each own at the generosity of the State of Maine, and it reads as follows: This is Section 9 of the Workmen's Compensation Act and that is Chapter 31 of the Revised Statutes of 1954. Section 9 says: "Employee entitled to limited medical services; selection of own physician; cost. . . . During the first 30 days after an injury aforesaid the employee shall be entitled to reasonable and proper medical, surgical, and hospital services, nursing, medicines" and there is where the amendment would insert "chiropractic treatment", and to continue on it provides: "and mechanical surgical aids when they are needed. The amount of such services and aids shall not exceed \$100 unless a longer period or a greater sum is allowed by the commission, which in its discretion it may allow when the nature of the injury or the process of recovery requires it. Upon knowledge or notice of such injury the employer shall promptly furnish to the employee the services and aids aforesaid. In case however the employer fails to furnish any of said services or aids, or in case of emergency or other justifiable cause, the employee may procure said services or aids and the commission may order the employer to pay for the same provided that they were necessary and adequate, and the charges therefor are reasonable. In every case where any of said services or aids are procured by the employee, it shall be his duty to see that the employer is given prompt notice thereof. The commission in its discretion may also require the employer to furnish to the injured employee . . . ." well, that goes on to artificial limbs and does not apply in our particular instance, and I will now turn you to

another section of this same Workmen's Compensation Act which I think each and every one of us should be familiar with before we make that decision which might mean the enactment of this Amendment. This is Section 22 of that same Workmen's Compensation Act, and in the same Revised Statutes, and it is as follows: "Employee may be examined by employer's physician or impartial examiner: to accept proper medical treatment. Every employee shall after an injury, at all reasonable times during the continuance of the disability if so requested by his employer, submit himself to an examination by a physician or surgeon authorized to practice as such under the laws of this state, to be selected and paid by the employer. The employee shall have the right to have a physician or surgeon selected and paid by himself present at such examination, of which right the employer shall give him notice when requesting such examination." Then the next paragraph has to do with the powers of the commission: "The Commission or any commissioner may at any time after the injury appoint a competent and impartial physician or surgeon to act as medical examiner, the reasonable fees of whom shall be fixed and paid by the commission. Such medical examiner, after being furnished with such information in regard to the matter as may be deemed essential for the purpose, shall thereupon and as often as the commission or the said commissioner may direct, examine such injured employee in order to determine the nature, extent, and probable duration of the injury, or the percentage of permanent impairment. He shall file in the office of the commission a report of every such examination, and a copy thereof shall be sent to each of the interested parties, who upon request therefor shall be given the opportunity at a hearing, before decree is rendered, to question said impartial examiner as to any matter included in such report." Now this I wish you would try to understand and see its application to the amendment in question: "If any employee refuses or

neglects to submit himself to any reasonable examination provided for in this act, or in any way obstructs any such examination, or if he declines proper medical or surgical treatment offered by the employer, upon petition of said employer such employee's rights to compensation shall be suspended, and his compensation during such period of suspension shall be forfeited." Now that has its application to the Workmen's Compensation Act which we know is administered wholly and impartially we know from experience by the Industrial Accident Commission. This Commission is comprised of five members, one is the Insurance Commissioner, one is the Commissioner of Labor, and then the Governor by the advice and consent of Council appoints three members of the legal profession to administer, and they have and have had since the passage of this act full control. Now we are getting down to what we have to consider and that is the definition of a chiropractor, and this incidentally is Chapter 72 and it is Section 12, and was passed, I guess the original Chapter was passed way back in 1923 wherein it recognized chiropractic treatment and prescribed methods of examination, and definitely and specifically and thoroughly described what they can do. Now this is the definition as the Legislators in their wisdom many years ago have set up for a chiropractor: "The system, method or science commonly known as chiropractic, or the practice of chiropractic, is defined to be the science of palpating and adjusting the segments and articulations of the human spinal column by hand and locating and correcting interference with nerve transmission and expression by hand or by electrical treatments, hydrotherapy and diet without the use of drugs or surgery, and any and all other methods are declared not to be chiropractic, and chiropractic is defined not to be the practice of medicine, surgery, dentistry or osteopathy." Now having the benefit of the Workmen's Compensation Act, and the definition of chiropractor, I think that we will

all agree that many of the things that have been said in letters and otherwise are inconsistent with what the act purports to do. Now first of all we start with the proposition that this thing was thoroughly aired, and it was by some experts, before the Labor Committee, and we know by this report that that Labor Committee was unanimous, there is no dissention there. We also know by referring to our calendar it has passed through the other branch of the House and is before us for enactment. Now with the thought in mind and if we do study this and thoroughly understand it, we know that this law is not to enlarge or to increase the scope of practice of a chiropractor. We know that it remains the same. We know that as far as its industrial application it is under the absolute control of the Industrial Accident Commission. Having that in mind, what could the object be in permitting a person if they wanted this treatment not involving drugs or not involving surgery, what is wrong about them to get the treatment of a chiropractor? Now 31 years ago I had my first experience with chiropractors, and it was secondary to my experience with one of the leading orthopedic surgeons in the State of Maine and at that time he was recognized as one of the leading ones in New England. I was taken violently ill as a Freshman in high school, and our family physician was called in and I had this serious trouble with the right side of my right leg, and our family physician had no diagnosis to offer that was very convincing, he did diagnose it as being rheumatism of the sciatic nerve, and after a continuation of it, this orthopedic surgeon was engaged, and at that time he was a leading surgeon for a clinic that was being then operated by the Shriners, and he called it infantile paralysis, at that time we had never heard of polio, and I went to this famous physician, and incidentally he is still alive and practicing today, God love him, and he diagnosed my case as infantile paralysis, and he says, now the only prescribed treatment for you my son is that that leg shall be put into a cast, and you probably will have to remain

in bed some three months. Well, having only about three or four months to go to complete my Freshman year in high school, I rebelled, and as an alternative he suggested well, we will try and keep you on your leg but it certainly will have to be put in iron braces. Iron braces were obtained and I had them to my hip and I wore them some few days to school when neighbors and friends were sympathetic and I guess somewhat in a pitying frame of mind and they urged upon my family to see a chiropractor. I did, and incidentally that man is still practicing chiropractics and he asked me if I would do as he told me. He said it is going to be embarrassing for you, you are going to be falling around if you go to school without this brace, you will have to go with the aid of a crutch or a cane, and I wholeheartedly went for it. Well, after some three or four months, the leg that had received a death penalty, was showing life again and reviving, and I in a matter of six months walked on that leg without a crutch, and I am still on it and I am thankful for it. Now that is my experience with it. Now I can tell you how others have felt about it. I have made a few lists of other people that have obtained the benefits from chiropractics and among other things we have these patriotic organizations and I will read just a few of them to you. It is the American Legion, the Veterans of Foreign Wars, United States Disabled American Veterans and the Catholic War Veterans have endorsed chiropractic care for veterans in instances where chiropractic would be helpful. Now bear in mind there nobody that supports this amendment would suggest that chiropractic treatment would be asked for or received unless it was under circumstances that would be helpful. We have Representative Edith Nourse Rogers of Massachusetts, not too long ago introduced in the legislature and Congress to authorize the appointment of doctors of chiropractic in the Veterans Administration. I believe this matter is still pending, and I am not sure of the exact status. At that hearing we had well known to the veterans at least Colonel George Ijams, Director of Re-

habilitation of Veterans of Foreign Wars and for twenty-seven years a top administrator in the Veterans Administration Hospital program endorsed the bill. He personally endorsed that bill. He who is more concerned with the welfare of veterans, a representative of our great patriotic and veterans organization, and I could go on with others listed down there. I could tell you about the labor organizations. I could tell you about some individuals I know of, magazines that carried, Rockefeller and Henry Ford Sr., and Herbert Brownell of Princeton does now, and many of those leading people, but the whole thing resolves to this, why should we arbitrarily deny a person that has use and need for chiropractic treatment the right to have it under the Workmen's Compensation. Now we know of course who the people are that are opposing it, and I have read every letter sent me, and I have analyzed it and I have not seen a sensible reason, to say nothing about excuse. Some of them the letters will say they cannot go into a hospital and practice chiropractic, well they do not want to go into hospitals unless they have a patient there that needs treatment that the chiropractor can do for them. They do not practice medicine, they are not administering drugs, and they are not doing any operating or surgery, they do not want to, but they do say this, and I am speaking some for the chiropractor and a lot for the people that might need them as I have in the past and do occasionally now, I say this, why deny them the right to have a chiropractor just because they were injured in some industry. Now if they are injured in an automobile accident, I myself in the practice of law have submitted bills to insurance companies and they never fail but to endorse them, because in many instances it puts the man back on his job, he recovers sooner, and any damages would be less. They do that voluntarily in the case of an automobile accident, and yet why do we say if you are injured in some factory that you cannot have the aid of a chiropractor. You are not going to have him to set a bone or you are not going to have him to sew up a cut or you are



not going to have him do any such a thing, but in cases where his services are necessary and needed, why deny him that right. I say give the chiropractor that right today with our vote. Thank you.

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

Mr. MCGLAULIN: Mr. Speaker and Members of the House: I wish to say a word or two in favor of the chiropractors. Some twenty-one years ago I drove from White Plains, New York to Portland in a somewhat roundabout way so that I covered 360 miles that day and I found that I had a stiff neck that pained me terribly. My Secretary said, why do you not go to a chiropractor? I said a chiropractor? I never saw one or heard of one. She said, I have been to a chiropractor who helped me and she named the one. I went to that chiropractor and in one treatment he took all the pain out of my neck, and I felt at the time that that one treatment to me was worth \$25.00. After that I went to chiropractors many times. Sometimes when I did not need to, but they kept me feeling in good shape. At another time I was having some trouble with the end of my spine near my neck. I went to a chiropractor and before he would give me any treatment he took an x-ray of my spine. After he developed it, he says I want to show you what the trouble is, he said one of these little vertebrae is out of place, he showed me a skeleton and he said here is a skeleton as it should be. It was straight in line. He showed me the picture that he had taken of the top of my spine and you could readily see that one of the vertebrae was out of place. He gave me a simple treatment, snapped that back into place, and I had no further trouble. Now I have been to physicians and to chiropractors and to osteopaths, I never had a great deal of sickness in my life, but I have had bursitis and rheumatism or arthritis or some other thing that is full of pain and I have had many treatments from all three, medical men, osteopaths and chiropractors. Now there are certain things especially which

relate to the spine that I would rather have a chiropractor than any other type of physician, and I cannot see any reason why a workman if he sees fit to engage a chiropractor should not have that privilege. I am against the indefinite postponement of this bill.

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

Mr. SHAW: Mr. Speaker and Members of the House: It is not my intent to make an attack on the chiropractic practitioners, as such, but I do feel in this instance that it is necessary to suppress their activities if they would attempt to elevate themselves, in the eyes of the citizens of this state, through such legislation as we now have before us.

I think that you might agree that it is to the best interest of the employer, who complies with the Workmen's Compensation Act, as well as the employee, that a speedy recovery be made from injuries sustained in the course of employment. Primarily from the standpoint of the employee as to the alleviation of his suffering and restoration to full earning capacity. Secondly from an employer's standpoint, it is a well known fact that one who works as part of a production team far exceeds the ability of replacement labor, which would indicate that early restoration to duty is of vital importance to the employer. I think that industry, and those complying with the Workmen's Compensation Act, are interested in making available every known, and universally recognized, method of medical and surgical treatment.

I think that the veterans of this legislative body are fully aware of the excellent treatment afforded the wounded and injured in the various branches of the armed services. It is a commonly known fact that no greater facilities have been provided by any nation and I am sure that you all know that there is no provision for practicing chiropractors in their table of organization.

Prevailing legislation sets forth the limitations of these practitioners as the gentleman from Mechanic Falls, Mr. Foster has related to

you, and I would like to reiterate and quote a section of the Statute: "Chiropractic is declared not to be the practice of medicine, surgery, dentistry or osteopathy." Now if they do not come under any of these headings, how are they classified? They are classified as cultist practitioners who have a singular theory in their approach to the cures of the ills of mankind.

I would now refer to form 15, of the Industrial Accident Commission, which must be completed by the attending physician and returned to the commission when an employee is injured. Question 10 requests that the person representing himself as the consultant, for the injured, the person to whom he has resorted for aid, "Give an accurate description of the nature and extent of the injury." Are you convinced that a chiropractor can set forth an accurate description of the nature and the extent of the injury? That is a pretty broad statement. Do you feel, in your own mind, that this individual is capable and qualified to describe the treatment, which is the next question on that form for completion?

This bill is not new to the Maine Legislature for it has been presented at every session for the past ten years and in every instance it has met with total defeat.

In only five states do workmen's compensation laws specifically name chiropractors as authorized to treat injured employees, under their provisions. In the State of Wisconsin they are specifically named, but it is to specifically bar them from treating workmen who have been injured in industry. In five states chiropractors are not even licensed in any capacity and in two of these states, Massachusetts and New York, I am sure that you all well know that they take great pride in example legislation.

I am concerned as to the progress of this bill thus far and I cannot make myself believe that it is the intent of this legislature to place a cultist practitioner on equal footing with the members of the medical profession who presently treat injured under the terms of the Workmen's Compensation Act.

May I close by saying, "I am sure that your family doctor will

be vitally interested in how you vote on this measure and your vote, in my opinion, for I am aware of your integrity and ability to act in the best interests of your fellow men, will be an expression of faith in the long period of preparation of your family physician and the service that he has rendered to you, and I now want to heartily concur with the gentleman from Rockland, Mr. Libby, and endorse the indefinite postponement of this bill and all accompanying papers. Thank you.

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

Mr. WALSH: Mr. Speaker and Members of the House: I do not believe it is the purpose for all of us to stand up and talk about our ills and ailments. I studied a year of anatomy and a year of kinesiology at Yale Medical School five years after finishing mechanical engineering at Notre Dame. I too was treated by a chiropractor for six months, then went to an orthopedic to find out that I had two herniated discs in my spinal column which no chiropractor could cure, but let us leave that where it may be. Any of us can go to a chiropractor or to an osteopath, they are specialists, any time we so desire, but this bit of legislation would allow a chiropractor's evidence in Court to be on the same equal basis as a physician and a surgeon. This bit of legislation would allow a chiropractor to treat anyone for any ailment, real or imaginary. The purpose of the legislation that was passed in this Legislature in 1923 was to confine the chiropractic field to the confines to which it belonged. The purpose of this legislation in my opinion is merely a cute device to give legal recognition to the chiropractors and allow them to roam at large. I certainly want to go along with the motion of the gentleman from Camden, Mr. Libby, for indefinite postponement of this bill.

The SPEAKER: The Chair recognizes the gentleman from Rumford, Mr. MacDonald.

Mr. MacDonald: Mr. Speaker and Members of the House: I am not unmindful of the fact that the medical doctors are considerably

opposed to chiropractic treatment. When I injured my back some years ago, and my then family doctor treated it for some time, and then suggested that I have chiropractic treatment, which I did, and I was cured of that in a very short time and went back into circulation. On this bill I notice that it is unanimously "Ought to pass". It seems to me that we ought to give some consideration to that. They heard the evidence before them and I assume that the medical profession had some opposition to it, I do not know, I was not there and did not attend the meeting, yet you got the report of "Ought to pass". It would seem to me very wrong if a man is injured in industry and he needed chiropractic treatment, he would have to go and get that treatment and yet he would have to pay that out of his own pocket, whereas if he went to other doctors he would get it paid for under the Workmen's Compensation Act. I do not believe that we should indefinitely postpone this bill.

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

Mr. ROSS: Mr. Speaker and Ladies and Gentlemen of the House: I have been asked to explain briefly the reasoning of the Labor Committee in reporting unanimously "Ought to pass" on this bill. Chiropractors as has already been told you are now recognized by state law and authorized thereby to perform certain types of treatment, but they cannot be reimbursed under the Workmen's Compensation Act. Now since the state has already recognized them by law, and since their practices are limited, the Committee saw no reason that they should be discriminated against, but since that time many reasons have been pointed out that this is not just discrimination. Those who looked into the matter very carefully realize that there are certain dangers. I believe that these dangers are over-emphasized by the medical profession and the law itself has certain safeguards, and I am not here certainly to criticize chiropractors. After the Committee hearing they were criticized very, very severely. I think too much so

for the Committee. We have heard of several examples of successful treatments by chiropractors and I will admit that they do have certain value, but there are many examples of our industrial accidents that they should not be allowed to treat, and I maintain if there are any dangers, we should certainly proceed most carefully. There may be at the present time some members of that Committee who do not agree with the unanimity that they showed in the Committee report. For instance, I, for one, now favor the indefinite postponement of the bill.

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

Mr. CALL: Mr. Speaker and Members of the House: Being a member of the Committee I wish to bring to light that we gave very careful consideration to this bill at two or three different executive sessions. We finally did come to the conclusion after the law was read to us out of the book as the gentleman from Mechanic Falls, Mr. Foster, read to you this morning, and if you were listening to him very carefully to the law, it does not have anything to do about the medical profession, it is just for the purpose of further treatment. Now everything was brought up at the Labor hearing which was well attended and this bill was well opposed. Naturally it would be. Since the hearing I have received approximately forty letters from the medical profession whom I owe my life to and twice within one year, recently within two years I was operated on twice so I cannot say anything against the medical profession. A late friend of mine said to me one time, if you have any faith in them at all and you think they will do you any good, go to them. Now you heard the gentleman over here speak about how disturbed the medical profession was about them, of course I am a much older man than he is, I remember when the osteopath was considered not much better than a chiropractor. Some of you older fellows will remember that, but they have established their name today and they are surgeons and they have

their own hospitals. I am not going to take any time about this, but I want you to know that the Committee gave careful consideration and this morning I am just like the gentleman from Bath, Mr. Ross, I do not know whether to ask for indefinite postponement or to go along with the bill, so I am just leaving it up to the House at the present time.

The SPEAKER: The Chair recognizes the gentleman from Friendship, Mr. Winchenpaw.

Mr. WINCHENPAW: Mr. Speaker, I just want to take a minute to further explain what happened in the Committee, and I think I can truthfully say that the more we listened to the opposition the more we favored the bill, and I have a bunch of letters here that I took the trouble to answer a couple of weeks ago, and if you read them they would all say "I am opposed to this bill, I am opposed to that bill" but since I answered them and sent the gentlemen that wrote them copies of the two bills that they oppose, I have heard no further comments, and I hope that the motion made by the gentleman from Camden, Mr. Libby, does not prevail.

The SPEAKER: The Chair recognizes the gentleman from Bar Harbor, Mr. Edgar.

Mr. EDGAR: Mr. Speaker and Members of the House: I do not believe any of us question the competency of chiropractors to treat those ailments which require chiropractic treatment, but there is just one question in connection with this bill that does bother me and which will compel me to go along with the motion for indefinite postponement, and that question is simply this: If an employee suffers an injury which is in the stage requiring diagnosis, and if he should elect to choose the services of a chiropractor, the question in my mind is, is that chiropractor by training and experience fully qualified to attempt diagnosis? Now I do not question his ability to treat something that requires chiropractic treatment, but when it comes to a matter of diagnosis I think I am quite safe in saying that a physician is far better trained for that purpose.

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

Mr. MCCLUSKEY: Mr. Speaker, 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 kindly rise and remain standing 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 signify by saying 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 Camden, Mr. Libby, that the Report and Bill "An Act relating to Chiropractic Treatment Under Workmen's Compensation Law", Senate Paper 373, Legislative Document 1069, be indefinitely postponed in non-concurrence.

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

A division of the House was had.

Seventy having voted in the affirmative and thirty-six having voted in the negative, the motion prevailed and the Report and Bill were indefinitely postponed in non-concurrence and sent up for concurrence.

The SPEAKER: The Chair lays before the House the tenth tabled and today assigned matter, Bill "An Act relating to Interstate Water Pollution Control", Senate Paper 450, Legislative Document 1242, tabled on April 22 by the gentleman from Eastport, Mr. Lamb, pending third reading and the Chair recognizes that gentleman.

Thereupon, that gentleman offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to S. P. 450, L. D. 1242, Bill "An Act relating to Interstate Water Pollution Control."

1. Amend said Bill by striking out where they appear in Sec. 5 thereof the underlined words **an agency acting for fisheries or conservation** and substituting therefor the underlined words **the public generally**.

2. Amend said Bill by adding thereto a new section to be designated as section 7, as follows:

**Sec. 7. Reservations and Limitations.** Notwithstanding any contrary provisions hereinbefore contained, it is hereby specifically provided that

I. The members representing the State of Maine on the New England Interstate Water Pollution Control Commission shall have no authority to vote in favor of or to commit said State of Maine or any administrative agency thereof or any municipal corporation or administrative agency thereof, or any person, firm or corporation therein

(a) to any classification of the interstate waters of the State of Maine or to any standards of water quality appertaining to any such classification, which in any aspect shall impose a higher classification or higher water quality than are established by the laws of the State of Maine for such waters, or

(b) to any classification and pertinent standards of water quality in respect to such interstate waters of the State of Maine as have not been assigned a classification under the laws of the State of Maine.

II. No classification of waters or standards of water quality thereto appertaining which shall have been approved by the New England Water Pollution Control Commission prior to the effective date of this Act, as established in section 4 hereof, shall be binding upon the State of Maine or any administrative agency thereof or any municipal corporation or administrative agency thereof, or any person, firm or corporation therein, with relation to any interstate waters of the State of Maine.

House Amendment "A" was adopted.

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

The SPEAKER: The Chair lays before the House the eleventh tabled and today assigned matter, Bill "An Act relating to Fees for Motor Vehicle Inspections", Senate Paper 235, Legislative Document 571, tabled on April 22 by the gentleman from Cornish, Mr. Evans, pending his motion to indefinitely postpone, and the Chair recognizes that gentleman.

Mr. EVANS: Mr. Speaker, I would like to withdraw my motion to indefinitely postpone L. D. 571.

The SPEAKER: The gentleman from Cornish, Mr. Evans, withdraws his motion for indefinite postponement.

Is it the pleasure of the House that this Bill, which has had its three several readings in the House and on which the Committee on Bills in the Third Reading has reported no further verbal amendments are necessary, be passed to be engrossed as amended in non-concurrence.

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

Mr. OSBORNE: Mr. Speaker, someone here the other day proposed another amendment. I had an amendment that was killed. The gentleman from Portland, Mr. Childs, had an amendment that was killed. And there was another amendment which was proposed which I certainly would be in favor of under the circumstances. I would like now to hear from the party that suggested that amendment.

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

Mr. CHILDS: Mr. Speaker, I rise to a point of order. It was my opinion that my amendment was adopted.

The SPEAKER: The Chair will state that House Amendment "E" was adopted. The Clerk will state which amendments have been adopted.

Committee Amendment "A" and House Amendment "E" have been adopted.

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

Mr. OSBORNE: Mr. Speaker, I would like to inquire the filing number on House Amendment "E".

The SPEAKER: It is filing number 319. The Clerk will read House Amendment "E".

House Amendment "E" was read by the Clerk.

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

Mr. OSBORNE: Mr. Speaker, I would call your attention to the fact that this amendment will leave you with the same old inspection without any improvement in the inspections of the inspection and increase the price therefor. I will say the bill besides that has some more or less inconsequential items that are worthwhile, however, the big item in here will be the price. It was not my opinion the other day that Amendment "E" was adopted, and I am sorry to find that I am in error. At the time that the gentleman from Portland, Mr. Childs, and I discussed this, it was his intention, my understanding at least, that it was his intention to include in his amendment the provision which I had asked for which would allocate a certain sum so that the State Police could adequately inspect and enforce the provisions of the inspection laws. Under the circumstances I do not know just what should be the proper procedure, but if we are only to get the same old inspection which is very inadequate at the present time as you most all will agree with me I feel, and that this matter of abiding by the laws is not to be enforced, I feel that we are paying enough at the present time to the garages for this inspection that they are giving. I would therefore ask reconsideration at this time of Amendment "E".

The SPEAKER: The gentleman from Fairfield, Mr. Osborne, moves that the House reconsider its action taken on April 22, last Friday, whereby it adopted House Amendment "E".

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

Mr. CURTIS: Mr. Speaker and Ladies and Gentlemen of the House: I have the greatest esteem for my good friend the gentleman from Fairfield, Mr. Osborne, and I just cannot understand his reasoning that the State Police have got to be coaxed in by a certain amount of money to do their duty that has already been established by law. If they are not getting enough money to do it why they should apply to the Appropriations Committee it would seem to me rather than through this channel. The law as set up specifically states what their duties are, and it is their duty to see that the proper inspection is made, and why we have to go down in our pocket and dig out twenty-five cents more or any matter to coax them to do their duty is just a little beyond what I can understand.

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

Mr. CHILDS: Mr. Speaker and Members of the House: I would like to point out that the bill does not only clarify what the original law is as far as inspection is concerned, it also now states that the inspection operators will now pay ten cents per sticker instead of five cents per sticker. I certainly do not know what the correct amount should be for an inspection. At the present time it means they will be getting sixty-five cents for every car they inspect because they will be paying ten cents to the state. I was of the opinion that a dollar was too much money which would have been ninety cents for inspecting a car. I can only go by my own experiences. I am of the opinion it takes between ten and fifteen minutes to inspect an automobile. What they should be compensated for that time I do not know. I thought a reasonable amount was sixty-five cents. I definitely think a dollar is too much. I think that forty cents is too little. Under the present bill if this amendment is postponed it would now mean that these filling station operators inspection stations would be getting forty cents for inspecting an automobile. I am of the opinion that is not enough. Apparently the Clerk is scowling. I am of the opinion that the bill calls that

they will be paying ten cents for the sticker to the state.

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

Mr. FINEMORE: Mr. Speaker and Members of the House: I just rise on a correction of what the gentleman from Portland, Mr. Childs, has said, that if this amendment is indefinitely postponed, it would leave the bill to read one dollar for inspection and ten cents for a sticker, and if this comes to pass, there is another amendment all written up and already to be presented, but I personally favor this seventy-five cents, ten cents for the state which gives the state additional income of \$35,000 from the extra five cents, and it also gives the inspection station sixty-five cents for inspecting. I would also like to go along with the gentleman from Bowdoinham, Mr. Curtis, that the State Police already are supposed to enforce this law, but evidently they feel they have not the possible force to do it with, but the law is there nevertheless.

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

Mr. OSBORNE: Mr. Speaker and Members of the House: I certainly am opposed to cutting down the amount that the garages would receive for their inspection. I agree that I had overlooked the fact that this is increasing the fee paid to the state by doubling it to ten cents. However, I base my remarks about the inspection we are receiving and as to whether we would get any better inspection on talking with garage men who are actually in the business of inspecting cars, honest garage men. One of them told me the other day, he said: "I still have a little conscience left, and I would hate to see the fee increased without any better inspection of the automobiles by the garages as a whole because a lot of these so-called inspection stations which are nothing more than a filling station will be anxious to get the business because they can make more turning out cars wholesale than they can selling gasoline." Now it was my opinion that if we reconsidered this amendment, that another

amendment would be suggested. However, if it is the feeling of the people here that they do not want another amendment or further consideration, I shall be glad to concede and go along with the majority of the members.

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

Mr. CHILDS: Mr. Speaker, I would like to point out to the gentleman from Fairfield, Mr. Osborne, that my amendment can still stay alive because I am of the opinion that seventy-five cents is a correct amount that the public should pay. He has in mind an amendment in regard to enforcement, and I think that could be done without postponing my amendment.

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

Mr. OSBORNE: Mr. Speaker, I would like to table this bill until tomorrow.

The SPEAKER: The gentleman from Fairfield, Mr. Osborne, moves that Bill "An Act relating to Fees for Motor Vehicle Inspections", Senate Paper 233, Legislative Document 571, lie on the table pending his motion for reconsideration of the adoption of House Amendment "E" and be specially assigned for tomorrow, April 27. Is this the pleasure of the House?

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

The SPEAKER: The Chair lays before the House the twelfth tabled and today assigned matter, House Report "Ought not to pass" of the Committee on Business Legislation on Bill "An Act Defining the Collection Agency Business and the Budget Planning Business", House Paper 1157, Legislative Document 1375, tabled on April 22 by the gentleman from Bangor, Mr. Browne, pending acceptance and the Chair recognizes that gentleman.

Mr. BROWNE: Mr. Speaker and Ladies and Gentlemen: Whereas the amendments which I wished to have on the desks of the Members of the House at the time we discuss this are now in the Clerk's office for re-

production, I move that this be tabled until tomorrow.

The SPEAKER: The gentleman from Bangor, Mr. Browne, moves that the Report and Bill be retabled pending acceptance of the Committee Report and be specially assigned for tomorrow, Wednesday, April 27. Is this the pleasure of the House?

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

The SPEAKER: The Chair lays before the House the thirteenth tabled and today assigned matter, Joint Resolution Memorializing Congress to Pass Joint Resolution Designating the Fourth Saturday in August of Each Year as "Children's Day in Sports", House Paper 1203, Legislative Document 1473, tabled on April 22 by the gentleman from Portland, Mr. Charles, pending the motion of the gentleman from Portland, Mr. McGlaulin, to indefinitely postpone.

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

Mr. CHARLES: Mr. Speaker and Members of the House: This particular memorial has not met with the approval of the gentleman from Portland, Mr. McGlaulin, but having discussed the matter with him I understand that he is not against the bill in general but is opposed for the purpose of sending a memorial to Washington. We can defeat all efforts by adopting the motion of indefinite postponement. However, my purpose in rising is to keep the memorial alive and to help its adoption. I might add that the only effort and procedure that would be necessary should this pass would be in sending five letters to our Maine Congressional delegation and one letter each to the United States Senate and House.

The adoption of this bill will help our children understand the meaning of clean sportsmanship, early understanding of the meaning of good competition in facing their future purpose in life, to face defeat with courage and enjoy victory in a spirit of pleasure.

I might also add that if the House will adopt this measure it is going to give an excellent opportunity to all of our civic clubs in all of our cities and towns to recognize this

fourth Saturday in August as Children's Day in Sports and to promote any and all such activities that would interest them in athletic activities.

I know what it means to be in sports. I have engaged in them all my life. It has helped me in my high school days, my prep school days and college days, and if someone had not come to me like the Y.M.C.A. and the Boy Scouts and said: "Come on, Arthur, try out for the team and let's have some fun", I do not think that I would have enjoyed being here with you today to understand what it would mean to face clean competition and to know what it feels like to be in defeat and also in victory. We meet all of these situations right here in the House so all of you members who have kids or who enjoy the kids in your neighborhood and if you want them to be good citizens of our State in the future, then I certainly hope that the motion of the gentleman from Portland, Mr. McGlaulin, will not prevail.

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

Mr. HAUGHN: Mr. Speaker and Members of the House: I now move that we reconsider the indefinite postponement so that we can recede and concur with the Senate.

The SPEAKER: The Chair would state that the pending motion is the motion for indefinite postponement. It has not yet been voted so it can not be reconsidered.

Mr. HAUGHN: Well, Mr. Speaker, I move that the House recede and concur with the Senate if that is in order.

The SPEAKER: The Chair will state that the pending question is on the motion of the gentleman from Portland, Mr. McGlaulin, for indefinite postponement.

The House may be at ease.

#### House at Ease

Called to order by the Speaker.

The SPEAKER: The question before the House is on the motion of the gentleman from Portland, Mr. McGlaulin, to indefinitely postpone Joint Resolution Memorializing Congress to Pass Joint Resolution Designating the Fourth Saturday in August as Children's Day in Sports and to promote any and all such activities that would interest them in athletic activities.



nating the Fourth Saturday in August of Each Year as "Children's Day in Sports", House Paper 1203, Legislative Document 1473. Is this the pleasure of the House?

As many as are in favor of indefinitely postponing the Resolution will signify by saying aye; those opposed, no.

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

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

The SPEAKER: The Chair lays before the House the Senate Joint Order, Senate Paper 547, previously tabled and assigned for the end of today's calendar, relative to consolidated resolve for highway fund appropriations.

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

Mr. PIERCE: Mr. Speaker, in view of the action which we took earlier in today's session in adopting the order introduced by the gentleman from Lubec, Mr. Denbow, I now move that Senate Paper 547 be indefinitely postponed.

The SPEAKER: The gentleman from Bucksport, Mr. Pierce, moves

that Senate Paper 547 be indefinitely postponed in non-concurrence. Is this the pleasure of the House?

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

The SPEAKER: The Clerk will read any notices not on the notice sheet.

The SPEAKER: The Chair would inquire for what purpose the gentleman from Bangor, Mr. Quinn, arises?

Mr. QUINN: Mr. Speaker, I wanted to take one of the unassigned items off the unassigned list.

The SPEAKER: The Chair will state that it is the plan to have sessions both morning and afternoon tomorrow. There are committee meetings at 1:30 today. Would the gentleman be willing to defer until tomorrow?

Mr. QUINN: Yes, Mr. Speaker.

On motion of Mr. Childs of Portland,

Adjourned until nine o'clock tomorrow morning, Eastern Standard Time.