

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

Wednesday, April 27, 1955

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

Prayer by the Rev. Mr. Preston W. Pennell of Solon.

The journal of the previous session was read and approved.

Papers from the Senate Senate Reports of Committees Ought Not to Pass

Report of the Committee on Judiciary reporting "Ought not to pass" on Bill "An Act relating to Commitment of Children Under 17 Years of Age" (S. P. 749) (L. D. 1348)

Came from the Senate read and accepted.

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

The SPEAKER: The Chair is informed that there are in the balcony of the House this morning forty - eight pupils from Winslow High School, Freshman Civics Class, accompanied by Mrs. Karl McKechnie and Mrs. Courchesne.

On behalf of the House, the Chair extends to you a hearty and cordial welcome and hopes you will find the debate interesting. (Applause)

From the Senate:

Resolve Providing for a Fish Screen at the Outlet of China Lake, in the Towns of China and Vassalboro, in the County of Kennebec (S. P. 549) (L. D. 1490)

Came from the Senate received by unanimous consent, given its several readings under suspension of the rules and passed to be engrossed without reference to any Committee.

In the House: Received by unanimous consent in concurrence, given its first reading under suspension of the rules without reference to any committee and assigned for second reading tomorrow.

Ought to Pass with Committee Amendment

Report of the Committee on Judiciary on Bill "An Act relating to Publication of Specimen Ballots" (S. P. 464) (L. D. 1308) 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. 464, L. D. 1308, Bill "An Act relating to Publication of Specimen Ballots."

Amend said Bill by striking out in the 6th line the underlined words "whether daily, weekly or monthly"

Further amend said bill by adding at the end thereof the following underlined sentence: **'Monthly newspapers may be used for this purpose when authorized by the Governor and Council.'**

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 Validating Joint Tenancy Deeds (S. P. 483) (L. D. 1352) 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. 483, L. D. 1352, Bill "An Act Validating Joint Tenancy Deeds."

Amend said Bill by striking out the last 2 lines and inserting in place thereof the following:

"Deeds in which two or more grantees are named as joint tenants shall be construed as vesting an estate in fee simple in such grantees with right of survivorship."

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

assigned for third reading tomorrow.

**Ought Not to Pass
Bill Substituted for Report
and Amended In Senate**

Report of the Committee on Towns and Counties reporting "Ought not to pass" on Bill "An Act Increasing Salary of Sheriff of Cumberland County" (S. P. 234) (L. D. 570)

Came from the Senate with the Bill substituted for the Report and passed to be engrossed as amended by Senate Amendment "A".

In the House: Report was read.

On motion of Mr. Childs of Portland, the House voted to concur with the Senate in substituting the Bill for the "Ought not to pass" Report of the Committee.

The Bill was then given its two several readings.

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

SENATE AMENDMENT "A" to S. P. 234, L. D. 570, Bill "An Act Increasing Salary of Sheriff of Cumberland County."

Amend said bill by striking out the underlined figure "\$6,000" in the 5th line thereof, and inserting in place thereof the underlined figure "\$5,500"

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

The SPEAKER: The Chair is informed that there are also in the balcony of the House this morning thirty Wenunga Camp Fire Girls from Gorham, Maine.

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

Non-Concurrent Matter

Bill "An Act relating to Sale of Malt Liquor in Nonreturnable Glass Containers" (H. P. 374) (L. D. 409) on which the House accepted the Minority "Ought to pass" Report of the Committee on Liquor Control and passed the Bill to be engrossed on April 22.

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

In the House:

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

Mr. OSBORNE: Mr. Speaker and Members of the House: I move that we insist and that a committee of conference be appointed. I have some little hope that by an amendment we might have some meeting of the minds in this matter.

The SPEAKER: The gentleman from Fairfield, Mr. Osborne, moves that the House insist and request a committee of conference. Is this the pleasure of the House?

The motion prevailed.

Orders

On motion of Mr. Allen of Chelsea, it was

ORDERED, that Rev. Benjamin Tibbetts of the Advent Christian Church of Waterville be invited to officiate as Chaplain of the House on Wednesday, May 4, 1955.

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

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

Mr. HAUGHN: Mr. Speaker, out of order, I would like to say that our Clerk at this time does not seem to be the well-dressed man as usual and if, at this time, the page will present this to him, I would like to see him be back in proper order.

The SPEAKER: Noting that the Sergeant-at-Arms is busy, the Chair will request the gentleman, unescorted, to approach the rostrum.

Mr. HAUGHN: Mr. Pease, I am very sorry that you are not fully dressed this morning and you being the well-groomed man, we would like to bring you back in shape again. (Applause)

(The Clerk was presented with a boutonniere)

The SPEAKER: The House may be at ease.

House at Ease

Called to order by the Speaker.

The SPEAKER: The Chair recognizes the gentleman from Portland,

Mr. Childs. For what purpose does the gentleman rise?

Thereupon, that gentleman was granted unanimous consent to address the House.

Mr. CHILDS: Mr. Speaker, I notice that the Sergeant-at-Arms and the numerous pages are passing out cigars to the gentlemen and chocolates to the ladies and I think before the gentlemen take it upon themselves to smoke the cigars and the ladies and gentlemen take it upon themselves to eat the chocolates that some explanation should be made from whence they cometh.

The SPEAKER: The gentleman from Portland, Mr. Childs, addresses a question apparently through the Chair to any member who has an explanation. Any member who has an explanation may answer if he chooses.

The Chair recognizes the gentleman from Wells, Mr. Brewster.

Mr. BREWSTER: Mr. Speaker and Members of the House: I think that Mrs. Brewster should take a bow. (Applause)

Last week, Wednesday, you perhaps noticed that we were getting kind of red in the face. I noticed a lot of members here getting their heads together and I was not in on the conversation so I thought it best to get out of here for a little while. So I took a trip down town and did a little shopping and came back here about noon time and about four o'clock in the afternoon, the gentleman from Portland, Mr. Roundy, came over to 84 Court Street, Mrs. Merrill's, and he united us in marriage and we had a little reception there afterwards and some of the members here were kind of bashful, they did not all come in but soon afterwards they all came in and kissed the bride and I have plenty of evidence that I can get a divorce at any time now because at least twelve or fifteen of them seemed to be very anxious to perform.

We wish to thank you, one and all, for the kind way in which you have used us since this time although for a couple of days we were getting confetti out of our suit cases, hats, clothes and car and everything else but we would not have had this take place in any other place for anything. Thank you again. (Applause)

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

Mr. ROUNDY: Mr. Speaker, may I report that nobody fainted and everything was done decently and in order. (Applause)

The SPEAKER: The Chair believes that the applause expresses the thanks of the House and their delight at welcoming a new member of the knitting gallery in the rear of the House.

The SPEAKER: The House is proceeding under orders.

House Reports of Committees Leave to Withdraw

Mrs. Thomas from the Committee on Legal Affairs on Bill "An Act relating to State Purchases of Maine Agricultural Products" (H. P. 1076) (L. D. 1259) reported Leave to Withdraw.

Report was read and accepted and sent up for concurrence.

Ought Not to Pass Tabled

Mr. Bean from the Committee on Appropriations and Financial Affairs reported "Ought not to pass" on Bill "An Act Providing for a Director of Recreation Under the State Park Commission" (H. P. 1121) (L. D. 1319)

Report was read.

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

Mr. Bean from the Committee on Appropriations and Financial Affairs reported "Ought not to pass" on Resolve in favor of the Several Academies, Institutes and Seminars (H. P. 516) (L. D. 579)

Mr. Cates from same Committee reported same on Bill "An Act relating to Additional Professional Work by Certified Teachers" (H. P. 812) (L. D. 904)

Mr. Edwards from same Committee reported same on Resolve Appropriating Monies for the Fiscal Years Ending June 30, 1956 and June 30, 1957 for the Development of Over-all Long Range Capital Improvement Programs for Agencies of the State Government (H. P. 463)

(L. D. 508) as it is covered by other legislation.

Mr. Henry from same Committee reported same on Bill "An Act relating to Service Offices Established by Division of Veterans Affairs" (H. P. 955) (L. D. 1082)

Same gentleman from same Committee reported same on Resolve Appropriating Funds for the University of Maine for Administration of Additional Educational Expenditures (H. P. 406) (L. D. 453)

Mr. Jacobs from same Committee reported same on Bill "An Act Increasing Old Age Assistance" (H. P. 813) (L. D. 905)

Same gentleman from same Committee reported same on Bill "An Act relating to Per Capita Aid to Academies" (H. P. 1027) (L. D. 1199)

Reports were read and accepted and sent up for concurrence.

Ought to Pass Printed Bill

Mr. Stanley from the Committee on Appropriations and Financial Affairs reported "Ought to pass" on Bill "An Act relating to an Aerial Timber Survey" (H. P. 770) (L. D. 855)

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

Ought to Pass with Committee Amendment

Mr. Gilmartin from the Committee on Public Utilities on Bill "An Act Creating a Sewer System for Town of Winthrop" (H. P. 155) (L. D. 155) 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. 155, L. D. 155, Bill "An Act Creating a Sewer System for Town of Winthrop."

Amend said Bill in the 5th and 8th lines thereof by striking out the underlined word "sewerage" and inserting in place thereof the underlined word 'sewerage'

Further amend said Bill by striking out the period and single quotation mark at the end of Section 1

and inserting in place thereof the following underlined words and punctuation 'and any acts additional thereto or amendatory thereof.'

Further amend said Bill in the next to last line of Section 2 by striking out the underlined word "sewage" and inserting in place thereof the underlined words 'water and sewerage'

Further amend said Bill in the 18th line of Section 5 by striking out the underlined word "sewage" and inserting in place thereof the underlined word 'sewerage'

Further amend said Bill in the 11th line of Section 6 by inserting before the underlined words "All persons" the following underlined sentence: 'Provided, however, that after said 3 - year period or within such further time as its trustees may grant, no owner or person in possession, having adequate septic tank or cesspool connections, shall be compelled to enter the facilities of said sewerage system for more than 2 structures for each calendar year.'

Further amend said Bill by striking out all of Section 7 thereof and the underlined abbreviation "Sec. 8." at the beginning of the Referendum.

Further amend said Bill by inserting after the 2nd word "district" in the 11th line of the Referendum the following words: 'and any additional individuals owning real estate within said district'

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

Mr. Finemore from the Committee on Transportation on Bill "An Act relating to the Printing of the Blood Type of the Operator on the Operator's License" (H. P. 403) (L. D. 420) 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. 403, L. D. 420, Bill "An Act relating to the Printing of the Blood Type of the Operator on the Operator's License."

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

'said Secretary shall deem necessary. **The application shall contain a space for the applicant to list his blood type if he so desires.'**

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

Mr. Madore from the Committee on Transportation on Bill "An Act relating to Lights on Rear of Trucks" (H. P. 1023) (L. D. 1163) 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. 1023, L. D. 1163, Bill "An Act relating to Lights on Rear of Trucks."

Amend said Bill by striking out, in the 19th line thereof, the underlined words "**one red tail lamp**" and inserting in place thereof the underlined words "**2 red tail lamps**"

Further amend said Bill by striking out, in the 20th line thereof, the underlined words and punctuation "**2 red clearance lamps, one at each side;**"

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

The SPEAKER: The Chair is informed that there is awaiting in the rear of the House the gentleman from Gouldsboro, John P. Tarbox, Representative-elect.

The Chair will request the Sergeant-at-Arms to escort the gentleman from Bucksport, Mr. Pierce, and Representative-elect Tarbox to the office of the Governor and Council for the purpose of taking and subscribing to the oaths of office.

The SPEAKER: The Chair is informed that there are in the balcony of the House Eighth Grade Students from the Jordan Small School of Raymond accompanied by their Principal, Elizabeth L. Gibbs, and by Lloyd Martin.

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

Ought to Pass in New Draft Printed Bills

Mr. Edwards from the Committee on Appropriations and Financial Affairs on Bill "An Act relating to the Duties and Authority of the Commissioner of Finance and Administration" (H. P. 461) (L. D. 506) reported same in a new draft (H. P. 1218) (L. D. 1494) under same title and that it "Ought to pass"

Mr. Wade from the Committee on Business Legislation on Bill "An Act relating to Deception as to Retail Prices of Motor Fuel" (H. P. 1060) (L. D. 1248) reported same in a new draft (H. P. 1219) (L. D. 1495) under same title and that it "Ought to pass"

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

Tabled and Assigned

Mr. Potter from the Committee on Inland Fisheries and Game on Resolve to Simplify the Open Water Fishing Laws by Counties (H. P. 529) (L. D. 621) reported same in a new draft (H. P. 1220) (L. D. 1499) under same title and that it "Ought to pass"

Report was read and accepted.

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

Mr. POTTER: Mr. Speaker, as this is a very long and involved resolve and concerns nearly every county in the State, I would appreciate it very much if every member of this House would look the resolve over carefully and see if it requires any amendments. We would like to have the amendments put on before it is engrossed as it will probably cost around \$225 to engross this resolve. Therefore, I move that it be tabled pending first reading and specially assigned for the next legislative day.

The SPEAKER: The gentleman from Medway, Mr. Potter, moves that the Resolve with accompanying papers lie on the table pending first reading and be specially assigned for tomorrow.

The Chair will inquire for what purpose the gentleman from South Portland, Mr. Fuller, arises?

Mr. FULLER: Mr. Speaker, to ask the gentleman from Medway, Mr. Potter, a question on the tabling order.

The SPEAKER: The Chair will state that the question is out of order.

Mr. FULLER: Mr. Speaker, the tabling may be debated, the date of tabling?

The SPEAKER: The Chair will state that the time of assignment for tabling is debatable.

Mr. FULLER: Mr. Speaker, I would like to say that if the resolve were given its first reading at this time, we could put amendments on when it comes up for second reading and that might help the resolve along.

The SPEAKER: The Chair will request the gentleman from South Portland, Mr. Fuller, to approach the rostrum.

House at Ease

Called to order by the Speaker.

The SPEAKER: The question before the House is on the motion of the gentleman from Medway, Mr. Potter, that Resolve to Simplify the Open Water Fishing Laws by Counties, House Paper 1220, Legislative Document 1499, with accompanying papers lie on the table pending first reading of the resolve and be specially assigned for tomorrow, April 28. Is this the pleasure of the House?

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

Tabled and Assigned

Mr. Potter from the Committee on Inland Fisheries and Game on Resolve to Simplify the Ice Fishing Laws by Counties (H. P. 530) (L. D. 622) reported same in a new draft (H. P. 1221) (L. D. 1500) under same title and that it "Ought to pass"

Report was read and accepted.

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

Mr. POTTER: Mr. Speaker, for the same reason I ask that this resolve lie on the table pending first reading and be specially assigned for tomorrow.

The SPEAKER: The gentleman from Medway, Mr. Potter, moves that the Resolve with accompanying papers lie on the table pending first reading and be specially assigned for tomorrow, April 28. Is this the pleasure of the House?

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

Mr. Childs from the Committee on Legal Affairs on Bill "An Act relating to Pari Mutuel Pools at Gorham Raceways" (H. P. 1148) (L. D. 1363) reported same in a new draft (H. P. 1222) (L. D. 1496) under title of "An Act relating to Pari Mutuel Pools at Harness Horse Race Meets" and that it "Ought to pass"

Same gentleman from same Committee on Bill "An Act relating to Pari Mutuel Pools at Running Horse Race Meets" (H. P. 1149) (L. D. 1364) reported same in a new draft (H. P. 1223) (L. D. 1479) under title of "An Act relating to Records for Running Horse Race Meets" and that it "Ought to pass"

Mr. Allen from the Committee on Transportation on Bill "An Act relating to Splash Guards for Motor Vehicles" (H. P. 1085) (L. D. 1246) reported same in a new draft (H. P. 1224) (L. D. 1498) under same title and that it "Ought to pass"

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

The SPEAKER: On behalf of the House, the Chair would also welcome Girl Scout Troop 44 from Westbrook, Maine accompanied by Mrs. Clarence Skillings. (Applause)

Divided Report Tabled

Majority Report of the Committee on Legal Affairs reporting "Ought not to pass" on Bill "An Act relating to Greyhound Racing" (H. P. 1147) (L. D. 1362)

Report was signed by the following members:

Messrs. WOODCOCK of Penobscot
MARTIN of Kennebec
— of the Senate.
Messrs. BRAGDON of Perham
QUINN of Bangor

Mrs. THOMAS of Anson
Mr. LORD of Augusta
— of the House.

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

Report was signed by the following members:

Mr. LESSARD of Androscoggin
— of the Senate.

Messrs. FOSTER of Mechanic Falls
MARTIN of Eagle Lake
CHILDS of Portland
— of the House.

Reports were read.

The SPEAKER: The Chair recognizes the gentleman from South Berwick, Mr. Flynn.

Mr. FLYNN: Mr. Speaker, I move that this bill be laid on the table unassigned at this time.

The SPEAKER: The gentleman from South Berwick, Mr. Flynn, moves that the two Reports and Bill lie on the table pending acceptance of either Report. Is this the pleasure of the House?

(Cries of "No" and "Yes")

The SPEAKER: All those in favor of the motion to table will indicate by saying aye; those opposed, no.

A viva voce vote being doubted,

A division of the House was had.

Sixty-two having voted in the affirmative and forty-six having voted in the negative, the motion prevailed and the two Reports and Bill were so tabled.

Passed to Be Engrossed

Bill "An Act relating to the Uniform Civil Liability for Support Act" (S. P. 251) (L. D. 683)

Bill "An Act Increasing the Salary of the County Attorney of Sagadahoc County" (S. P. 435) (L. D. 1194)

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

Bill "An Act relating to Purposes of the Associated Hospital Service of Maine (Blue Cross, Blue Shield)" (S. P. 541) (L. D. 1478)

Bill "An Act relating to Preservation of Briefs in Law Court Cases" (S. P. 542) (L. D. 1479)

Bill "An Act relating to Collection of Excise Taxes in Unorganized Territory" (H. P. 1214) (L. D. 1491)

Bill "An Act relating to the Public Debt Amortization Fund in City of Waterville" (H. P. 1215) (L. D. 1492)

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

Amended Bills

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)

Bill "An Act relating to Salaries of Deputy Clerk of Courts and Register of Deeds in Hancock County" (S. P. 436) (L. D. 1195)

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

Bill "An Act Creating an Airfield Zoning Ordinance for the Unorganized Territory of Aroostook County" (H. P. 279) (L. D. 263)

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.

Third Reader

Tabled and Assigned

Bill "An Act relating to Salary of the Recorder of Waldo County Municipal Court" (H. P. 632) (L. D. 672)

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

(On motion of Mr. Knight of Searsmont, tabled pending passage to be engrossed and specially assigned for tomorrow, April 28.)

Bill "An Act relating to Kindling Out-of-Door Fires on Land" (H. P. 1079) (L. D. 1262)

Resolve Authorizing Kenneth H. Boyington and Ernestine Y. Boyington of South Portland to Sue the State of Maine (S. P. 527) (L. D. 1455)

Were reported by the Committee on Bills in the Third Reading, Bill read the third time, Resolve read the second time, passed to be engrossed as amended by Committee

Amendment "A" and sent to the Senate.

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

Mr. PIERCE: Mr. Speaker, I have performed the duty with which I was charged and am happy to inform the Chair and the members that the Honorable John P. Tarbox has taken and subscribed to the oaths of office and that he has been declared elected a member of this distinguished body.

The SPEAKER: The House hears the message and the Chair thanks the messenger.

The Chair will assign the gentleman from Gouldsboro, Mr. Tarbox, to Seat 92, formerly occupied by the late Honorable Allan M. Butler and would also appoint him to the Committee on Correctional Institutions, formerly held by that gentleman. (Applause)

Third Reader Tabled and Assigned

Bill "An Act relating to Sales of Milk by Producers to Dealers by Bulk Tank" (H. P. 862) (L. D. 974)

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

The SPEAKER: The Chair understands that the gentleman from Cumberland, Mr. Call, in the absence of the gentleman from Bowdoinham, Mr. Curtis, moves that the Bill lie on the table pending passage to be engrossed and be specially assigned for tomorrow. Is this the pleasure of the House?.

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

Finally Passed Constitutional Amendment

Resolve Proposing an Amendment to the Constitution Extending Pardon Powers of Governor and Council to Offenses of Juvenile Delinquency (S. P. 429) (L. D. 1188)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being a Constitutional Amendment and a two-thirds vote of the House being necessary, a division was had. 126 voted in favor of same and none against, and accordingly the Resolve

was finally passed, signed by the Speaker and sent to the Senate.

Passed to Be Enacted Emergency Measure

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

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. 129 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.

Emergency Measure

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

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. 128 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.

An Act relating to Execution for Attorney's Fees in Divorce Proceedings (S. P. 218) (L. D. 559)

An Act relating to Bounty on Bears (S. P. 245) (L. D. 678)

An Act relating to Possession of Firearms by Felons (S. P. 337) (L. D. 901)

An Act relating to Fees of Town Clerks in Recording Copies of Instruments (S. P. 354) (L. D. 963)

An Act relating to Assaults on Officers by Convicts (S. P. 370) (L. D. 1066)

An Act relating to Deductions from Municipal Employees' Salaries by Town Treasurers (S. P. 532) (L. D. 1446)

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

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

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

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

An Act relating to Service of Process on Nonresidents Operating Aircraft (H. P. 541) (L. D. 598)

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

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

Enactor Tabled

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

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

(On motion of Mr. Shaw of Bingham, tabled pending passage to be enacted and unassigned.)

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

An Act relating to Preference in State Purchases for Products Raised or Manufactured in State (H. P. 924) (L. D. 1032)

An Act relating to Payments from Benefit Account of Maine Employment Security Commission (H. P. 996) (L. D. 1144)

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

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

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

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

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

The SPEAKER: The Chair would call attention to the presence in the balcony of the House of eighty pu-

pils from the Field Allen Junior High School, Eighth Grade, of Windham, accompanied by their Principal, Mr. Bither, and by Mrs. Hodgdon.

On behalf of the House, the Chair extends to you a hearty and cordial welcome, and hopes that your stay with us will be profitable. (Applause)

Finally Passed

Resolve Reimbursing Certain Municipalities on Account of Property Tax Exemption of Veterans (S. P. 513) (L. D. 1404)

Resolve in favor of Raymond Butler of New Gloucester (H. P. 37) (L. D. 1422)

Resolve in favor of Harriett and George L. Christianson of Portland (H. P. 38) (L. D. 1426)

Resolve in favor of Cyril Swallow of South Paris (H. P. 95) (L. D. 1421)

Resolve in favor of Robert S. Robinson of Westbrook (H. P. 252) (L. D. 1423)

Resolve in favor of Philip Krisilos of Portland (H. P. 291) (L. D. 1424)

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

Resolve Authorizing Forest Commissioner to Convey Certain Land in Augusta to City of Augusta (H. P. 841) (L. D. 931)

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

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

Resolve Regulating Fishing for White Perch in All Counties and Setting Daily Bag Limit in Franklin, Kennebec, Piscataquis and Somerset Counties and in Mattawamkeag Lake, Aroostook County (H. P. 1204) (L. D. 1470)

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

Orders of the Day

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

Mr. CHILDS: Mr. Speaker, I would like to inquire of the Clerk if the House has in its possession Legislative Document 1483, Bill "An Act

relating to Overweight of Motor Vehicles”.

The SPEAKER: The Chair would state that Bill “An Act relating to Overweight of Motor Vehicles”, House Paper 1212, Legislative Document 1483, is in the possession of the House.

Mr. CHILDS: Mr. Speaker, may I ask what the status of the Legislative Document is?

The SPEAKER: The Legislative Document was passed to be engrossed in this body yesterday.

Mr. CHILDS: Mr. Speaker, I move then that we reconsider our action whereby this bill was passed to be engrossed yesterday.

The SPEAKER: The gentleman from Portland, Mr. Childs, moves that the House reconsider its action of yesterday, April 26, whereby it passed to be engrossed Bill “An Act relating to Overweight of Motor Vehicles”. Is this the pleasure of the House?

The motion prevailed.

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

Mr. CHILDS: Mr. Speaker, I now move that this matter lie upon the table for the purpose of presenting an amendment for clarification.

The SPEAKER: The gentleman from Portland, Mr. Childs, moves that this Bill lie on the table pending passage to be engrossed. 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 first tabled and today assigned matter, House Divided Report, Majority “Ought not to pass” and Minority “Ought to pass” of the Committee on Judiciary on Resolve Proposing an Amendment to the Constitution Changing the Tenure of Office of Sheriffs to Four Year Terms, House Paper 834, Legislative Document 925, tabled on April 22 by the gentleman from Kennebunkport, Mr. Bibber, pending acceptance of either report.

The Chair recognizes the gentleman from South Portland, Mr. Earles.

Mr. EARLES: Mr. Speaker, I wish to thank the several gentlemen

who so kindly tabled this matter for me in my recent absence. I appreciate that. I have no intention of cauliflowering your ears or fracturing your ear drums on this subject matter but there are a few observations that I would like to make on this particular small item of sheriffs and the four-year term.

I recall a story that is told of a Nubian minister in southern Tennessee, in Shelby, Tennessee, who had been called into service for this particular pastorate. He had been there a short time and he was a tall, very impressive monolithic type of pastor and he was telling them of all that would befall them if they fell into the paths of danger and sinfulness and he thought that he was being very successful as he sonorously rolled on in his sermons. But the elders of the church were not so convinced so they called him in and he was quite aghast to find out that they were going to relieve him of his duties. And he said: “Well, I have been argufying, haven’t I? I have been magnifying and I have been glorifying, haven’t I?” One of the elders kind of looked up and he said: “Yes, you have been argufying, you have been magnifying and you have even been glorifying but what we want to know is ‘wherein’.”

So, I would like to give you a little bit of the wherein of the four year term for sheriff. Normally I would perhaps stand up with a certain amount of temerity but not on this occasion because I have had such steadfast support from the very start of this bill, from the very inception. I was told that it was a waste of time; that it would cost money and some people did not like the idea of tampering with the constitution. There was some gentleman who frequently rose on subject matter of that nature and then the committee they sort of very kindly would oblige me if I cared to withdraw the bill. So you can see why I feel so happy to arise in advocacy of this particular bill.

When I was asked to introduce this bill which, incidentally, was requested of me by the State of Maine Sheriffs Association. It is not a local thing. It is not because the sheriff in Cumberland County wishes a four-year term alone. It is

because the sheriffs of each of the sixteen counties and of necessity all the deputy sheriffs serving under those sixteen sheriffs are also interested. When I was asked to introduce the bill, I wondered whether this was a new phenomena. I found out that it had never been tried in the State of Maine and I checked and I found that there are a great many states that have the four-year term for sheriff. I rather hesitate to give numbers or to read states because statistics sometimes are used by a speaker almost like an intoxicated man uses a lamppost, for support rather than illumination. But nevertheless, I feel that this is more in the way of illumination because it illuminated me and may I presume to pass it on to you. These are some of the States: Alabama, California, Connecticut, Florida, Georgia, Illinois, Indiana, Kentucky, Louisiana, Maryland, Massachusetts, Minnesota, Mississippi, Missouri, Montana, Nevada, Nebraska, New Jersey, New York, North Carolina, Ohio, Oregon, Pennsylvania, South Carolina, Utah, Virginia, Washington, West Virginia, Wyoming. Twenty-nine states have a four-year term. In some instances, out of these twenty-nine there are a couple of them that actually have a six year term. So it is not something that is unheard of.

Of course, I want to realize that those that speak in opposition to my subsequent recommendation that the minority report be accepted will say—and this is the principal argument against it—that it is a purely political thing. Sheriffs historically have been used as the English landowners used their ground keepers to flush out pheasants in season so the landowners can shoot them. Well, the sheriffs are used to flush out the voters. Now this is not basically conclusively my own idea because a person on the committee was so kind as to expostulate, well if you did not have the sheriffs on the ballot every two years you would not have anyone to go out and get the votes. I think that that is rather unfortunate that you have to rely upon one elective official to do all the vote getting on the ticket. Of course, the representatives run for

office, the state senators run for office, the county commissioners and various other people and when we speak of county commissioners, incidentally, there are other county officials that have more than a two year term. The county commissioners normally have a six year term, your judge of probate has a four year term and there are various others that have terms in excess of two years. I realize that the concept perhaps is somewhat startling. They feel that it is well to have the sheriff remain in the two year bracket and have him run every two years. Some will say: Well, as a matter of practicality he runs for two and he gets another two. Of course, there are counties in which that does not always occur. Recently, the reverse of that did occur.

I think that actually a sheriff with the prospect or knowledge that he is going to spend four years, it is true that he may not have the interest in the second two year election but if he is looking forward to a subsequent term or if he is at all practical, he will give what attention he can. True, he may not do quite as much on that second term. But they had occasion recently in Cumberland and Androscoggin, a joint activity, where it was practically impossible for them to do any actual campaigning at all because of their work. They had a case of a young man, a young boy, who was killed. They did not know by whom or under what circumstances and they were searching for several months to determine those things and Sheriff McGraw of Androscoggin County and Sheriff Allen of Cumberland County both were heavily engrossed in this work and thus when it came time for campaigning they had very little time to do that. Now, I do not want to overburden you and have a lengthy discussion. I have made a few observations and there may be others that may care to. I thank you for your attention.

The SPEAKER: The Chair would state that there is no motion yet before the House.

Mr. EARLES: Mr. Speaker, I beg your pardon. I move the acceptance of the minority report.

The SPEAKER: The gentleman from South Portland, Mr. Earles, moves that the Minority "Ought to pass" Report on Resolve Proposing an Amendment to the Constitution Changing the Tenure of Office of Sheriffs to Four-Year Terms, House Paper 834, Legislative Document 925, be accepted.

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

Mr. MCGLAULIN: Mr. Speaker and Members of the House: With the exception of the gentleman from South Portland, Mr. Earles, the Judiciary Committee were unanimous against this change. The sheriff has deputies appointed in practically every town of the county which he presides over. It is possible for the sheriff to build up the strongest political machine in the state because when the sheriff has all these appointments, these deputies are all looking out for their own jobs, and no matter how poor officers the deputies may make, they are looking to hold their job by supporting the sheriff, so that if he wants to be reelected, as a rule he has no trouble whatever in being so. But occasionally occur instances where the people do not like that particular sheriff, they do not like the way he performs, and in such a case, two years is ample, and occasionally we turn a sheriff out of office even when he is campaigning for re-election because we think we have had him long enough. I object to the change of the present term because you are just starting piecemeal change of the constitution.

We have had this question up before, this very sheriff question, and the Judiciary Committee at the previous times unanimously turned it down. You start a four year term for Governor, you start them for sheriff, then they will want a four year term for the Senate and a four year term for the House, then a four year term for everything else that is now two. I am not at all impressed by the fact that some other states have four years or some longer term of office, because we base our government very largely on the two year term. Two year term for almost all, the Legislature, the Senate, for the Governor, for

the sheriffs, and so on. I do not know that I need to spend more time on this, but I will come to the point. I move the indefinite postponement of the bill.

The SPEAKER: The gentleman from Portland, Mr. McGlaulin, moves that the two Reports and Resolve be indefinitely postponed.

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

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

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

Mr. STANLEY: Mr. Speaker and Members of the House: I would like to rise in support of the point of the gentleman from South Portland, Mr. Earles, that I think the sheriff should have a four year term. A sheriff coming in new to his office is green, usually, on investigative matters, finger printing matters, photography matters. He brings in a whole new force of deputies, of which perhaps two are not trained. The first thing that he does is to get some of his deputies into a school, either the State Police school which runs, I believe, for six weeks or the school in the F.B.I. where they get technical training on investigating matters and the scientific ways of clearing up crime which we need now-a-days in all criminal work. If he has but two years and he is defeated in the next election the people of the county who support the schools for the various officers have lost all they have put in to the educating of those officers because they go back again as citizens and not as officers.

I believe that the sheriff should be given that opportunity to become more efficient in his investigative matters. Certainly four years is not too much time after you go to that expense of training the men. Otherwise, in two years time you may have a new sheriff and a whole new force of deputies and again the county goes to that extra expense.

I hope the motion of the gentleman from Portland, Mr. McGlauflin, does not prevail.

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

Mr. SANFORD: Mr. Speaker, I would like to present the Speaker pro tem with a little bouquet to make him look a little more dignified.

The SPEAKER pro tem: The Chair will request the Sergeant-at-Arms to escort the gentleman from Dover-Foxcroft, Mr. Sanford, to the rostrum, please.

Mr. SANFORD: Mr. Speaker pro tem, here is a little gift from the members of the House to make you look a little more dignified up here and put you on equal terms with the Clerk.

(Mr. Sanford presented the Speaker pro tem with a boutonniere)

The SPEAKER pro tem: The Chair thanks the gentleman. (Applause)

(Off Record Remarks)

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

Mr. MALENFANT: Mr. Speaker and Members of the House: I am very much opposed to the motion of the gentleman from South Portland, Mr. Earles. He mentioned that the sheriff of Androscoggin County was too busy to make a campaign because he was working on a murder case. He did not need to make a campaign because he had three hundred deputies from different courts in cities in Androscoggin County to make his campaign. When the people of certain counties make a mistake and elect the wrong man it is bad enough to keep him two years. We do not keep them four years. A few days ago we refused to pass a bill to elect the Governor for a four year term. Why pass a bill to elect a man in such a small office as sheriff for four years. I hope that the motion of the gentleman from South Portland, Mr. Earles, does not prevail.

The SPEAKER pro tem: The Chair recognizes the gentleman from Kennebunkport, Mr. Bibber.

Mr. BIBBER: Mr. Speaker and Members of the House: I would like to remind you that we should be consistent in our thinking. We have denied the Chief Executive a four year term for Governor. We should also do the same with this bill. I shall go along with the gentleman from Portland, Mr. McGlauflin, and I hope the remainder of the House will also.

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

Mr. FINEMORE: Mr. Speaker and Members of the House: Up in Aroostook County we have a very, very fine sheriff. He has only served about twenty-five years. Therefore, I would like to go along with the motion of the gentleman from Portland for the simple reason I believe that if he is a good sheriff he will have no trouble and little expense in being re-elected every two years.

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

Mr. EARLES: Mr. Speaker, may I simply request that when the vote is taken it be taken by division.

The SPEAKER pro tem: The question before the House is on the motion of the gentleman from Portland, Mr. McGlauflin, that the two Reports and Resolve Proposing an Amendment to the Constitution Changing the Tenure of Office of Sheriffs to Four-Year Terms, House Paper 834, Legislative Document 925, be indefinitely postponed.

The gentleman from South Portland, Mr. Earles, has requested a division.

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

Mr. QUINN: Mr. Speaker and Members of the House: We of Penobscot County are in the same enviable position as the gentleman from Aroostook County, Mr. Finemore. Our sheriff there has been there a very long time and we love him very much and the chances are just as long as his name appears on the ballot, he will continue to be there. But I do think that the gentlemen do have a

point in the case that if he should not be there and some man should come in who was not at all satisfactory we might decide before the two years were up that we might like to make a change. If we had this four year proposition, we would not be able to do that. I will go along with the motion to indefinitely postpone.

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

Mr. WADE: Mr. Speaker and Members of the House: I think that the continual development of our State Police force with its extended budget and with the schools that they run and all of those things is something of an indication that as far as law enforcement is concerned, the sheriffs department in the various counties is becoming somewhat archaic. Because this extension to a four year term would seem to me to have a tendency to increase the relative importance of the sheriffs department in this time when really the law enforcement work of the department is decreasing, I strongly support the motion of the gentleman from Portland, Mr. McGlaufflin.

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

Mr. JACK: Mr. Speaker and Members of the House: I am quite surprised to get some education here this morning regarding the sheriffs. I have been Chairman of the Republican County Committee in Topsham for twenty-eight years, I was County Chairman for eight years, Treasurer-County Chairman. In my district, my county, I have never known the sheriff to give even \$15 for a car, let alone having enormous support. I do not think that it is required in our section. We have had a sheriff down there, previous to the one we have at the present time, who died in his position, and the one we have at the present time, I do not think that he has the backing regardless.

The SPEAKER pro tem: The question before the House is on the motion of the gentleman from Portland, Mr. McGlaufflin, that the two Reports and Resolve Proposing an Amendment to the Constitution Changing the Tenure of Office of

Sheriffs to Four-Year Terms, House Paper 834, Legislative Document 925, be indefinitely postponed.

The gentleman from South Portland, Mr. Earles, has requested a division.

All those in favor of the two Reports and Resolve being indefinitely postponed will kindly rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Ninety-one having voted in the affirmative and twenty - two having voted in the negative, the motion prevailed and the two Reports and Resolve were indefinitely postponed and sent up for concurrence.

The SPEAKER pro tem: The Chair lays before the House the second tabled and today assigned matter, Bill "An Act relating to Pensions for Dependents of Deceased Policemen of City of Lewiston", Senate Paper 163, Legislative Document 357, tabled on April 26 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: I move that Legislative Document 357, Bill "An Act relating to Pensions for Dependents of Deceased Policemen of City of Lewiston" be referred to the 98th session of the legislature and I will state my reasons for such a motion and the same reasons will pertain to the following bill Legislative Document 1176, Bill "An Act relating to Pensions for Dependents of Deceased Firemen of City of Lewiston."

The City of Lewiston's employees have an organization called the Lewiston Municipal Administrative Association, covering all departments, departmental heads, and a majority of the city employees.

Without going into lengthy details concerning this and the next tabled matter, I would like to bring out the fact that these two acts cover only two of our city's departments.

These acts simply would give protection, and no doubt justifiably so, to the widows and orphans of those employees under these two departments, who would be killed in the line of duty. It leaves all other de-

partments particularly the public works department without any protection whatever.

It is to be noted that the records will show that a number of violent deaths have occurred in the line of duty within the Lewiston Public Works Department.

The referring to the next legislative session of these two pieces of legislation, would allow the L. M. A. A. of Lewiston to make a thorough study of these proposals and submit at the next session a sound program.

It would also give that protection to the taxpayers of our community, and they pay the freight, an opportunity to be heard on the proposals without disregard to their feelings on the matter.

For those reasons I ask that this measure and the following one be referred to the 98th Legislative Session.

The SPEAKER pro tem: The gentleman from Lewiston, Mr. Couture, moves that Bill "An Act relating to Pensions for Dependents of Deceased Policemen of City of Lewiston", Senate Paper 163, Legislative Document 357, be referred to the Ninety - eighth Legislature. Is this the pleasure of the House?

The motion prevailed and the Bill was referred to the Ninety-eighth Legislature in non-concurrence and sent up for concurrence.

The SPEAKER pro tem: The Chair lays before the House the third tabled and today assigned matter, Senate Report "Ought to pass" of the Committee on Legal Affairs on Bill "An Act relating to Pensions for Dependents of Deceased Firemen of City of Lewiston", Senate Paper 413, Legislative Document 1176, tabled on April 26 by the gentleman from Lewiston, Mr. Couture, pending acceptance and the Chair recognizes that gentleman.

Mr. COUTURE: Mr. Speaker, that bill comes under the same that I referred to the first one, that it be referred to the next session of the Legislature.

The SPEAKER pro tem: The gentleman from Lewiston, Mr. Couture, moves that the Report and Bill be referred to the Ninety-eighth Legis-

lature. Is this the pleasure of the House?

The motion prevailed and the Report and Bill were referred to the Ninety - eighth Legislature in non-concurrence and sent up for concurrence.

The SPEAKER pro tem: The Chair lays before the House the fourth 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 26 by the Speaker pro tem, pending the motion of the gentleman from Bremen, Mr. Hilton, to substitute the Resolve for the Report.

Is it the pleasure of the House to substitute the Resolve for the Report?

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

The Resolve was then given its first reading and assigned for second reading tomorrow.

The SPEAKER pro tem: The Chair lays before the House the fifth tabled and today assigned matter, Bill "An Act relating to Fees for Motor Vehicle Inspections", Senate Paper 235, Legislative Document 571, tabled on April 26 by the gentleman from Fairfield, Mr. Osborne, pending his motion to reconsider adoption of House Amendment "E" and the Chair recognizes that gentleman.

Mr. OSBORNE: Mr. Speaker and Members of the House: I wish to withdraw my motion for reconsideration of House Amendment "E".

The SPEAKER pro tem: The gentleman from Fairfield, Mr. Osborne, requests that his motion be withdrawn.

All those in favor of the gentleman withdrawing his motion will kindly say aye; those opposed will say no.

A viva voce vote being taken, the motion was withdrawn.

The SPEAKER pro tem: The gentleman may proceed.

Mr. OSBORNE: Mr. Speaker, I now offer amendment "G" which

has been reproduced as filing number 367 and I would like to speak on the measure.

The SPEAKER pro tem: The gentleman may proceed.

Mr. OSBORNE: In substance, as this bill has now been amended, the total inspection fee will be seventy-five cents. The bill already calls for the inspection sticker to be ten cents. This amendment in no way alters the ten cent or seventy-five cent price tag. I also would call your attention to the fact that the amount of money requested for State Police allocation here has been reduced from \$35,000 to \$30,000 so that it could live within the amount of additional revenue obtained by the bill's request for an increase in the inspection sticker cost from five to ten cents. In other words, the additional five cents will, the State Department tells me, more than cover the cost of this \$30,000 requested for State Policemen.

Now, when I say that these will be additional State Policemen, and I will add that they will be unable to hire probably more than five men now under this price, I do not mean that they are going to go out and pick up someone necessarily that is new to the organization, what they intend to do is to comb their present organization to obtain five men who are particularly skilled in this particular duty, and they will make sort of specialists and school them further on it as to the provisions of the law and they will primarily be confined in their duties to the checking of inspection stations and instructing inspection stations as to wherein they have been lax. In other words, it is in a sense a cooperative schooling idea to try to help the inspection stations; some of them who have been in error without any intent. It will require additional State Policemen, I do not want to be misleading in the matter, but they probably will replace the five men that they select from their present organization by new officers from the list of applicants that they have on hand. I feel that quite a bit can be accomplished by this. I sincerely believe that our present inspection has reached a stage where something should be done to either make it a real inspection or have some sort of an overhauling of the pres-

ent set-up. I want you to be assured that the State Police Department and Colonel Marx did not request this allotment, they did not request this set-up. I myself and others went to them, approached them, and requested it, and they have agreed. Chief Marx this morning by telephone assured me that even with five men he would be terribly disappointed if he could not make a real showing if they were properly trained on the enforcement of the existing or future regulations which are promulgated by the State Department. I want to assure you that the Secretary of State's office is much in favor of this amendment. I hope that you will see fit to adopt Amendment "G" to L. D. 571.

The SPEAKER pro tem: The gentleman from Fairfield, Mr. Osborne, offers House Amendment "G" and moves its adoption. The Clerk will read the amendment.

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

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

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

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

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

Further amend said Bill by re-numbering Section 2 to be Section 3.

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

"Sec. 4. Appropriation. There is hereby appropriated from the general highway fund the sum of \$30,000 for the fiscal year ending June 30, 1956 and the sum of \$30,000 for the fiscal year ending June 30, 1957 to carry out the provisions of this act relating to the inspection of of-

ficial inspection stations by the State Police.'

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

Mr. WILLIAMS: Mr. Speaker and Members of the House: I hope no House member will think we are going to get any better inspection for sixty-five cents than we did for forty-five cents. It looks to me that this is more or less of a further tax on an already over-taxed motorist. State Police are now required by law to do the job. If we need more State Police let us go to the Appropriations Committee and ask for money to pay some more members. I now move the indefinite postponement of this bill and its amendment.

The SPEAKER pro tem: The Chair will advise the gentleman from Hodgdon, Mr. Williams, that his motion at this time will be for the indefinite postponement of House Amendment "G". If the gentleman is successful there, he may at that time move the indefinite postponement of the Bill.

Mr. WILLIAMS: Thank you, Mr. Speaker.

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

Mr. OSBORNE: Mr. Speaker, I have no quarrel with the one statement of the gentleman from Hodgdon, Mr. Williams, that you will get no better inspection for sixty-five cents than you are getting now. That is why I am asking that some of the additional ten cents be provided in such a manner that we will get a better inspection.

The SPEAKER pro tem: The question before the House is on the motion of the gentleman from Hodgdon, Mr. Williams, that House Amendment "G" be indefinitely postponed.

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

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

Thereupon, on further motion of Mr. Williams, of Hodgdon, on a viva voce vote the Bill with accompanying papers was indefinitely postponed in non-concurrence and sent up for concurrence.

The SPEAKER pro tem: The Chair lays before the House the sixth tabled and today assigned matter, House Report "Ought not to pass" of the Committee on Business Legislation on Bill "An Act Defining and Regulating the Collection Agency Business and the Budget Planning Business", House Paper 1157, Legislative Document 1375, tabled on April 26 by the gentleman from Bangor, Mr. Browne, pending acceptance and the Chair recognizes that gentleman.

Mr. BROWNE: Mr. Speaker and Members of the House: I now move the substitution of the bill for the report. In discussing this matter I should like to request that the members of the House take the printed bills which were distributed to their desks this morning. The first article appearing thereon is entitled "House Amendment A". If my motion is to prevail I shall then offer the House Amendment for its adoption, and therefore in discussing this problem, I should like you to follow along with the proposed amendments. The bill as written was presented to me shortly before cloture date and I introduced it with some reservation as to the terminology there employed, and also I frankly believed there were some inequities present. There was not an opportunity to re-draft it prior to the cloture date and therefore I introduced it knowing full well that I would redraft it prior to the date of hearing, which I did. Now if I may, a little bit of the history leading up to the development of this present proposed piece of legislation. Some time after the printed bill became available, I was sought out by representatives of the agencies to be affected hereby and we spent some time discussing the theory and any and all ramifications of such legislation, and somewhat to my surprise at that time, they evidenced enthusiasm for some sort of a standard by which they might police and elevate their own profession and as a result of this meeting I suggested to them that they take this bill as a form or a guide and tear it apart, throwing out those portions which were particularly obnoxious to them, revising, deleting and adding to, and

then let us get together again and see what, if possible, we might salvage from the bill. This they did, and in the meantime I had acquired certain laws from other jurisdictions governing similar problems, and after having the suggested amendments from the agencies before me, I further re-drafted the bill, and then later I completely redrafted the bill. Again we got together and found ourselves in complete unanimity on the re-draft. At the hearing there was no objection, and there were agencies present at the hearing — I say no objection, there was one minor objection which we will discuss briefly later, and there were agencies present and what is more they had gone on record as being opposed to any type of legislation regardless. And yet, at the hearing, they came out in favor of the re - draft. Now I think there is an explanation for this. First of all the principle involved here is above reproach, it is impossible to make a logical objection to it. Secondly, the manner in which the bill is drawn as re-drafted, can work no hardship, it can only add to standardization of the profession with the resulting profit to the debtors and creditors alike in using it. It will also result as a benefit to the profession generally in eliminating the possibility of those who would be "fly-by-night" concerns, those who would come in here and collect funds and then make themselves scarce, and further it would create the general reputation and assurance that when one wished to do business with an agency in our state, they could know that they were doing business with a duly licensed and bonded firm who recognized and upheld reasonably high standards, and therefore I say there was no objection. Now if you will take these proposed amendments before you, you will note that the first section devotes itself to the definitions of the various terms as they will be used in this bill. You will note also that we not only attempt to regulate collection agencies or the activities of the collection agencies in collecting funds for creditors, but we also attempt to regulate the so-called budget planning. Now budget planning is

something which is making its way into the State of Maine within recent months and within possibly the last year or so, and to point out some of the problems that have been encountered with this, not necessarily in Maine as yet, but in the United States in general, I should like to quote to you certain portions of an article entitled Debt Adjustment Abuses, written by Allan Backman who is Executive Vice-President of the National Better Business Bureaus, and he commences his article as follows: "The operations of pro-raters or debt adjusters" and these are your budget planners, "also known as credit counsellors and debt 'poolers', 'consolidators' or 'liquidators' are well on the way to becoming a national scandal. This type of company has functioned in some cities for up to two decades but, within the past year or two, their number has multiplied and the geographic scope of their operations has increased at a prodigious rate. Whether there is a need or economic justification for the existence of the pro-rater is a question which this article will not attempt to answer. There are pro-raters who have operated in some communities for many years free of justified criticism or complaint to the Better Business Bureau. It would be unfair to criticize a newcomer to the field solely on the grounds of newness. Nevertheless, in a vocation which offers an individual the opportunity to handle other peoples' money without regard to his reputation, financial responsibility, experience and other qualifications, and without regulation by or accountability to any public agency, the potentiality for evil is great." Now as a result of the numerous complaints received by the Better Business Bureau, a survey was made in some forty cities throughout the United States, and the results of the experience the Better Business Bureaus found on the stories of the budget planners was on the whole unfavorable. The complaints have increased so rapidly within the past year as to create serious problems. In St. Louis Missouri the Better Business Bureau located there sent out questionnaires to the members of their organiza-

tion. The answers received were made up of some sixty per cent of the retail merchants and some forty per cent from banks, loan agencies and others. The questions and answers are as follows: "Do Debt Adjusters Serve a Useful Purpose?" and here the answer was "No" in ninety per cent of the cases. Secondly: "Do You Accept Agreements from Debt Adjusters?" and here the answer was "No" in seventy per cent of the cases. Now this particular point is a very important point and I am going to request that you make a mental note of this because we will discuss it briefly in a moment, but the problem here is of course whether or not the creditor himself enters into or acquiesces in any manner or form with the agreement which is made by and between the debtor and the pro-rater so to speak. Of course if the creditor does not enter into any such agreement, there is absolutely no protection for the debtor. The third question is: "Do Debt Adjusters Pay Promptly?" and here the answer was "No" in 87½ per cent. Fourthly: "Do Debt Adjusters Usually Pay Off the Entire Amount?" and here the answer was "No" in 100 per cent of the cases. Fifth: "Are Clients Excessively Debt Ridden?" and here the answer was "Yes" in 67 per cent of the instances, and this of course is whether or not the debtor when he presents his problem to the pro-rater, is he completely over his head in debt and the answer is "Yes" in 67 per cent of the cases. Certainly this tabulation does not justify confidence in the use of the pro-rater so to speak. Now one of the large areas of complaint is the problem of misleading advertisements. "Many complaints have their inception in printed or broadcast advertising which leads debtors to believe that they can get a loan or credit which the pro-rater will use to pay off all their debts." Of course the pro-rater performs no such function, and this of course is sometimes learned after the debtor has entered into an agreement and paid his money. The second area of complaints, and this is the important area that I mentioned earlier as to whether or not the creditors

shall enter into these contracts, and here: "Other complaints arise from sales representation in advertising and at interviews calculated to lead the debtor to believe that all of the sales credit organizations, banks, loan companies and others to whom he is indebted will automatically agree to whatever plan for payment the pro-rater may devise. Creditors are under no requirement to soften the contractual obligations of their debtors." And of course as this St. Louis and other tests have shown, like in Baton Rouge, for instance, less than ten per cent of the creditors will enter into any such agreement. Now what is the type of relationship of the debtor and the pro-rater. This is supposed to be a voluntary relationship where the debtor can withdraw at any time he sees fit, but what are the circumstances if he sees fit to withdraw? "If he seeks to withdraw from a pro-rating plan, he frequently finds that he can do so only at the sacrifice of most if not all of the funds that he has paid in. There is no uniformity in the amount of fees charged by debt adjustment companies or in the method of their exaction. In nearly all cases, however, the pro-rater is entitled to the full amount of fees contemplated by the entire agreement regardless of how long it may be in effect. Generally, the fee is based on a percentage of the client's total indebtedness which may be augmented by 'bookkeeping charges'" or what have you depending upon the number of accounts involved. Now the article goes on to say that the need for some sort of control is urgent: "Some short-lived debt adjustment companies have closed their doors after paying only a fraction of the amount collected to creditors, leaving their clients in worse financial straits than before. The Rochester Better Business Bureau reports a typical case where a now defunct pro-rating company made a lone payment of but \$38.00 to a single creditor out of \$214.00 collected from the debtor. Since these operators are not bonded and leave no assets behind them, there is little that can be done for the victims in these cases. Except in Pennsylva-

nia, where pro-raters are apparently barred from operation under existing law, and Minnesota, and Wisconsin where licensing laws are in effect," Mr. Barton says that he knows of no state where any individual, however ill - qualified, may not set himself up in business as a pro - rater without any restrictions or regulations whatever. "In California, Ohio, Missouri, Tennessee, and several other states, remedial legislation is reported to be under consideration. If the flagrant abuses of which many pro-raters are guilty continue to spread, demands for their abolition, as in Pennsylvania, or their regulation, as in Wisconsin may well become both universal and irresistible." I think, ladies and gentlemen, that points up somewhat the necessity of some regulatory legislation in this field.

Let us continue now if you will with the proposed amendments. How do we attempt to regulate them and what are our requirements. First of all, they must obtain a license, a license in the amount of \$25.00 a year. Secondly, they must be bonded in the amount of \$2,000. The application for the license of course must set out fully the names and addresses of the various individuals involved and also provides if there are changes in the membership of the agency or a change in the address of the members of the agency, of course the Banking Commissioner is to be notified. There is a provision for the examination of the business by the Banking Commissioner if a complaint is made, only if a complaint is made he may then have access to the books and records of the agency. And if upon complaint made and after notice and a hearing it is decided that the provisions of this act have been violated he may then revoke the license. He also has discretion to grant a second license to any licensee providing he feels that the circumstances have changed and the individual warrants a second chance. Now the manner in which the funds and records are to be kept. Now here we require that the licensee must make a permanent record of all monies received and all monies dispensed. This may seem to you obvious and

probably unnecessary, but it is done in all instances at the present time. Secondly, the licensee shall not commingle the money of his customers with his own, but shall maintain a separate account, and this I think is obvious as well and certainly no hardship is involved. The licensee must report within 30 days after the close of every calendar month, he must report and pay to his customers the net proceeds of all collections made during that calendar month. I believe this to be no hardship. At the close of any particular calendar month the agency has 30 days in order to get their records in order and dispense any monies they may have received. Now we come to the problem of fees as related to budget planning, and here I believe it to be wise to limit the fee to a fifteen per cent charge based upon the actual amount of money handled by the budget planning bureau, rather than any flat fee based upon the total indebtedness. This fifteen per cent was suggested by the agencies which will be affected by this act. Now the fees for the collection agency, we have not seen fit to limit the fees for collection agencies except that in so far as they post with the Banking Commissioner the schedule of rates or fees which they elect to charge, and these may be changed by them at any time provided that they inform the Banking Commissioner at least 30 days prior to the time the new schedule of fees is to become effective. Now there are several reasons why we did not see fit to line up a schedule of fees for them here because there are many complications involved in collections, and it could be that hardships would result if we attempted to limit them arbitrarily. If that is so, then why do we attempt to limit them in any manner by requiring them to post their fees. Here it is my belief that the reason we have not, for instance, there are other reasons why we have not, is because I think the competition will keep the rates somewhat even. The agency is now doing business with the creditors who know and appreciate the consequences of the act. But we do require them to post their notices

primarily because of this, and I have here a form letter which is presently used by a collection agency and is as I say in present use, and here on the reverse side of each and every form letter, regardless of whether it is A, B, C or D in a series of form letters which they send out, appears this important notice, and bear in mind that these charges which I am about to read are in addition to any agreement entered into by the collection agency, and the creditor, in whose behalf he is collecting these accounts. It says here: "Failure to comply with the demand for payment will result in the following charges being added: \$2.00 for each letter sent; \$2.00 for each payment default notice; \$1.00 for each telephone call; ten cents for each mile traveled to investigate plus \$4.00 an hour for investigator." Also, any other charges caused by failure of debtor to comply with a demand for payment. Now these are excessive charges which are added on to the poor debtor, and I say they are completely ridiculous. As soon as a man finds himself in debt he falls prey to any and all who would wish to jump on him and punish him and abuse him in any manner they see fit, and I think these are ridiculous and I say that no reasonable individual or agency would clutter the Banking Commissioner's records with or record for public inspection any such absurd and ridiculous charges as appear here.

Now we have a provision if excessive fees are charged then they are to be void. This brings us to the last portion of the bill and one which has raised some objection and it is the minor objection which I referred to earlier, and that is the position of attorneys with reference to collection agencies, and here the collection agencies — in one instance, the objection was raised only once, they believe that the attorney should be included under this bill just as a collection agency. My answer to them is briefly that an attorney is not a collection agency. There are many rules and regulations on the Statute books which the attorney must live up to and abide by, and the acts are not synony-

mous, the collection agency can only go so far, and the attorney if there was any legal process to be instituted, of course, an attorney has to be employed. The only area in which I could see there would be competition was if the attorney himself was actually soliciting accounts, and this of course he is prevented from doing anyway by bar rules, that if they are directly or indirectly in any manner soliciting accounts for collection, then this bill provides that they too as well as all others shall be included and shall have to abide by all the provisions, by the licensing and by bonding as any collection agency under this bill. Another instance, a personal experience which points up I believe the necessity for having some sort of regulations with reference to collection agencies. Last fall a boy stationed at the Dow Air Force Base in Bangor called my office and wanted to know what he had to do to enter into the collection agency, what did he have to do to qualify as a collection agency, and I told him there was absolutely nothing. I checked the Statute and that is true, there is nothing, there is no license, there is absolutely no rules or regulations. Now this boy wanted to collect bills on a part-time basis. We all know and appreciate that these boys are stationed at the bases at the pleasure of Uncle Sam, and there is nothing in this world to prevent Uncle Sam from saying today or tomorrow or the following day that "Young man you are now needed in Peru, South Africa, New Zealand" or what have you, and if the man is so disposed he can return any funds that he may have collected that he may have on his person or in his possession at the time he is so moved, but if he is not so disposed, I say to you there is absolutely nothing as a practical matter that you could do to get the funds back from him. Now I think that this certainly is an area which needs some regulation and some protection set up for all who would deal with them. I feel rather strongly on this point, and with that, my problem which has been my problem for some time now, now becomes your problem, and I should pleased to rely upon whatever your

decision and your judgment may be. Thank you.

The SPEAKER pro tem: The gentleman from Bangor, Mr. Browne, moves that the Bill be substituted for the Report.

The Chair recognizes the gentleman from Auburn, Mr. Wade.

Mr. WADE: Mr. Speaker and Members of the House: As House Chairman of the Business Legislation Committee, I would like to list some of the things which the Business Legislation Committee used as a basis for returning the "Ought not to pass" report on this bill. First, bills of this general kind have been before Maine Legislatures from time to time over quite a long period, and in each instance they have been reported "Ought not to pass" or at least there has been no action taken. Second, the hearing produced no indication that there was widespread public demand for such legislation in Maine. Third, the individual members of the Business Legislation Committee were not conscious of cases of hardship resulting from improper operation of the existing collection agencies. Fourth, there seemed to be some evidence that the introduction of this bill was prompted by a situation in one community of the State. Perhaps a temporary situation, and it was not felt that it warranted state-wide legislation to correct it. Fifth, this bill also makes reference to a new business activity as the gentleman from Bangor, Mr. Browne, has explained, and that is budget planning. There is still some question as to the standing of this activity. The Committee did not want to establish or codify this business by perhaps dignifying it with legislation while its ultimate status is still in doubt in Maine. For these reasons, the Committee decided that legislation defining and regulating the collection agency business and the budget planning business was not urgently needed at this time, and it was accordingly reported out "Ought not to pass." I therefore hope that the motion of the gentleman from Bangor, Mr. Browne, does not prevail.

The SPEAKER pro tem: The Chair recognizes the gentleman from Waterford, Mr. Pike.

Mr. PIKE: Mr. Speaker and Ladies and Gentlemen of the House: I suppose I am still a freshman. I was told soon after I was elected, by a veteran of this House, that a first-year member should keep quiet and listen, and I have tried to do this thing almost in every case. I had no personal interest in this bill whatever except the fact that I was on the Business Legislation Committee, and that this was coming before our Committee. I tried to learn all I could about this bill as well as all the other bills that were to come before us. I learned that a bill almost exactly like this was presented to the 87th Legislature just twenty years ago, and that it was reported out of Committee "Ought not to pass" and since then there have been several times that a similar bill has been presented. Now these bills have in every case been presented out of Committee "Ought not to pass". I found at the hearing twenty years ago and at times since then, that the proponents have nearly always mentioned that California had such a law. Imagine my amusement when the gentleman from Bangor, Mr. Browne, at our hearing said in almost the first thing in favor of this bill, "California has such a law." I almost laughed out at meeting. My only uncle was born in Maine and lived here during his younger years and later went west, and in time he owned a very prosperous orange ranch in southern California. At his death I was appointed executor of his estate, and I settled it, and I want to tell you that I sincerely believe that the State of California has been passing financial laws ever since the gold rush days that the State of Maine would not consider fit to plug a rat hole. I like my brother, the gentleman from Bangor, Mr. Browne, very much, and I believe honestly that his intent on this bill was very good, and perhaps we should have something along this line, but there are so many bad features that your Business Legislation Committee could not see any possible way to build it over so that it would be acceptable, and we voted "Ought not to pass".

Fellows members of the House, I hope you will not vote to let the bill be substituted for the report. I

hope you will stand by your Legislative Committee. Mr. Speaker, I ask for the question now and that we have a division.

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

The Chair will state that the correct motion should have been the "previous question".

Mr. EDGAR: Mr. Speaker, may I ask, are further remarks prohibited by the motion of the gentleman from Waterford, Mr. Pike?

The SPEAKER pro tem: The Chair will state that they are not. The gentleman may proceed.

Mr. EDGAR: Mr. Speaker and Ladies and Gentlemen of the House: I guess I am about to commit treason. I am a member of the Business Legislation Committee and I signed the "Ought not to pass" report on this bill, but you have heard the arguments presented in behalf of the Committee and you have heard the arguments presented by the gentleman from Bangor, Mr. Browne, the sponsor of the bill. I also heard the arguments presented by the proponents at the hearing and there was only one opponent at the hearing. On the basis of the arguments that you have heard here this morning, I am going to reverse my stand and support the motion of the gentleman from Bangor, Mr. Browne, that the bill be substituted for the report.

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

Mr. QUINN: Mr. Speaker and Ladies and Gentlemen of the House: I again find myself on my feet, not planning to be so, but I do want to bring these facts to the attention of the House. People who practice law are in a position where people who have difficulties in paying their bills come to them for consultation and advice. The people that this bill that the gentleman from Bangor, Mr. Browne, has to protect, are the citizens of our state, in most instances, who live by the rewards of their labor, the poor people of Maine, and I believe this is a good bill to give them some protection. In most instances these people work for a daily wage and have their loved ones trying to maintain a home. They find themselves suddenly overbut-

dened by debt because of the high cost of living for themselves and their loved ones. They may be the most industrious, the most sincere people in the world, they may not be deadbeats like a small percentage of the people are, but they may be anxious and seek to pay their honest debts. They have difficulty keeping a budget. They finally find themselves face to face with the disgrace of going through bankruptcy, and many of them do not want to go through bankruptcy. When they see an ad in a newspaper urging them to come in and consult about their obligations and the gentleman from Bangor, Mr. Browne, has referred to the means of contacting those people by such agencies as these. Now we have them in Maine, they have been in Maine for a few years now, and I have had people come to me and complain about the kind of an activity they are carrying on, and without regulation of any kind, and property by the dollars they get from these poor unfortunate people, who in the long run finally find themselves in the position where they have to go through bankruptcy to save themselves from being incarcerated in our jails as poor debtors. Now as I said before, they do not want to go through bankruptcy, so they see this ad in the newspaper about coming in and consolidating their debts, and they go in there and consult with these people. They are good salesmen and they sell them a bill of goods, they have a big questionnaire they fill out about the debts they owe, whom they owe them to and how much, and sign a contract to pay this agency a stipulated sum each week out of their wages, and then they have got to try to live on what is left. As the gentleman from Bangor, Mr. Browne, pointed out to you, the back of the letter they send out as to the different charges they have over and above the fees, they squeeze and squeeze and squeeze the last dollar out of these poor people without regulation of law, and as I said before, the poor unfortunate fellow is finally driven into bankruptcy to save himself. I do believe that this type of thing needs regulating, and it needs regulating to protect the poor citizens of our state whom we are here representing. Now this

matter has been — is so bad that in the corridors of this Legislature since I have been over here, a gentleman of the Banking Commission — no, he is not of the Commission, he works as an inspector in the Banking Commission, brought it to my attention and I told him I had already heard about it. He said this situation is bad, it ought to be put under our control so we can follow it and check on it and see that things are being done properly, and I notice this bill does that same thing. Now there is nothing about this bill that is bad. There is plenty about it that is good, and it is good because it is going to protect a class of our people that need protection when they need the protection and it is up to us that we give it to them. I move that we go along with the motion of the gentleman from Bangor, Mr. Browne.

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

Mr. BROWNE: Mr. Speaker and Members of the House: I would like to make some sort of reply to the questions which have been raised here by the opponents. First of all, my colleague, the gentleman from Auburn, Mr. Wade, suggests that the bill has been introduced before and was denied passage, and the gentleman from Waterford, Mr. Pike, says that it was some twenty years ago, and that is what my information is that some twenty years ago it has been presented, I do not know when it may have been presented more recently than that. Certainly, regardless of the form any legislation might have taken some twenty years ago cannot be interpreted as a test of its merit today. Another statement made was that there was evidence presented at the Committee hearing which would lead them to believe that it was primarily directed to one person. If you have one instance or several instances, regardless, you cannot legislate for a particular isolated set of circumstances but must make something broad enough to regulate the complete program, and it is unwise to attempt to legislate for isolated instances or several isolated instances. If the one individual or several individuals who are the subject of accusation here boast that

they are the largest collection agency in the State of Maine, the effect of them is not concentrated in one local area. They had objection to codifying a new business. My answer to that is if the evidence presented warrants some sort of regulatory action being taken, that we should not wait until the horse has been stolen before we lock the barn. Another objection was that it was cited that California has a similar type of legislation. I mentioned this at the hearing, I did not attempt to mention all the other states that have similar legislation, but the law in California is looked to as somewhat of a model in this area of legislation. I do not offer the California nor did I offer it as the law that we should adopt or did I suggest that the fact that another state may have a similar law that we should go along with it. I merely offered it as a guide and as an experience which we might profit by. I discussed this bill step by step and all its measures. An accusation was later made that it was bad, but no attempt was made to point out in what areas it was bad, and I say to attack something in generalities is not sufficient in a matter such as this. Thank you.

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

Mr. GREENLEAF: Mr. Speaker and Members of the House: I think we have discussed this pretty thoroughly, so I move the previous question.

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

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

A sufficient number arose.

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

The question now before the House is: Shall the main question be put now?

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

Mr. BROWNE: Mr. Speaker, to ask for a division when the main question is put.

The SPEAKER pro tem: 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 pro tem: The question before the House now is on the motion of the gentleman from Bangor, Mr. Browne, that Bill "An Act Defining and Regulating the Collection Agency Business and the Budget Planning Business", House Paper 1157, Legislative Document 1375, be substituted for the "Ought not to pass" Report of the Committee.

The gentleman from Waterford, Mr. Pike, has requested a division.

All those in favor of the Bill being substituted for the Report will kindly rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Seventy-eight having voted in the affirmative and three having voted in the negative, the motion prevailed and the Bill was substituted for the "Ought not to pass" Report of the Committee.

Thereupon, the Bill was given its two several readings.

Mr. Browne of Bangor then offered House Amendment "A" and moved its adoption.

House Amendment "A" which was printed as Legislative Document 1493 was read by the Clerk.

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

On motion of Mr. Bibber of Kennebunkport, the House recessed until one o'clock in the afternoon, Eastern Standard Time.

After Recess
1:00 P.M., E.S.T.

The Speaker resumed the Chair and called the House to order.

(Off Record Remarks by the Speaker)

On motion of Mr. Anderson of Greenville, the House voted to take from the table the fifteenth tabled and unassigned matter, Bill "An Act to Clarify the Liquor Laws", Senate Paper 254, Legislative Document 685, tabled on April 8 by that gentleman pending further consideration.

Thereupon, on further motion of the same gentleman, the House voted to insist and request a Committee of Conference.

The Speaker appointed the following members to the Committee of Conference:

Mr. PIERCE of Bucksport
Mrs. CHRISTIE of Presque Isle
Mr. RICH of Charleston

The SPEAKER: The Chair will request the Sergeant-at-Arms at this time to please escort the gentleman from Houlton, Mr. Rogerson, to the rostrum for the purpose of presiding as Speaker pro tem.

The House may be at ease.

House at Ease

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

On motion of Mr. Dudley of Enfield, the House voted to take from the table the twenty-eighth tabled and unassigned matter, Bill "An Act relating to Protected Birds", House Paper 898, Legislative Document 1006, tabled on April 14 by that gentleman, pending adoption of Committee Amendment "A".

On further motion of the same gentleman Committee Amendment "A" was adopted and the Bill was assigned for third reading tomorrow.

On motion of the gentleman from Merrill, Mr. Soule, the House voted to take from the table the thirty-fourth tabled and unassigned matter, Majority "Ought not to pass" and Minority "Ought to pass" of the Committee on Claims on Resolve in favor of Dr. John D. Denison of

Patten, House Paper 526 tabled on April 15 by that gentleman pending acceptance of either report.

The SPEAKER pro tem: The Chair recognizes the gentleman from Madison, Mr. Cote. For what purpose does the gentleman rise?

Mr. COTE: Mr. Speaker, to speak on House Paper 526.

The SPEAKER pro tem: The gentleman may proceed.

Mr. COTE: Mr. Speaker pro tem and Ladies and Gentlemen: My purpose for speaking at this time is because I signed the minority report on House Paper 526 and this involves the amount of \$25. As a point of information, I would like to say that at this particular hearing before our committee, four of them were absent, two of them being our regular Chairmen.

I would like to read the Statement of Facts on this: The doctor in this bill "Dr. Denison helped Dr. Swett on this case. He thought Dr. Swett collected the whole amount. Therefore, he did not bill the town until it was too late for the town of Oakfield to get reimbursed from the State."

Now, on the report from the Department of Health here is what they had to say: "No doubt if a claim had been received representing services rendered and duly authorized by the town involved reimbursement would have gone forward."

Now, I would like to state that I do not know the doctor but I do feel that he performed a service and that because he did not turn the bill in on time there is no reason why he should not be paid. We would not be opening the door to anything new because we have been doing that on our committee all this term. Therefore, I now move that the minority report be accepted.

The SPEAKER pro tem: The gentleman from Madison, Mr. Cote, moves that the minority "Ought to pass" report be accepted. Is this the pleasure of the House?

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

The Resolve was then given its first reading under suspension of the rules, ordered printed, and assigned for second reading tomorrow.

On motion of Mr. Couture of Bath, the House voted to take from the fifty-ninth tabled and unassigned matter, Bill "An Act Increasing Salaries of Members of Board of Registration of Voters of the City of Bath", House Paper 1198, Legislative Document 1467, tabled on April 21 for reproduction of House Amendment "A" under the rules.

Thereupon, on motion of the same gentleman, House Amendment "A" was adopted and the Bill was assigned for third reading tomorrow.

On motion of Mr. Sanford of Dover-Foxcroft, the House voted to take from the table the forty-eighth tabled and unassigned matter, Bill "An Act relating to Taxation of Telephone and Telegraph Companies", House Paper 1205, Legislative Document 1471, tabled on April 20 by that gentleman pending third reading.

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

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

HOUSE AMENDMENT "A" to H. P. 1205, L. D. 1471, Bill "An Act relating to Taxation of Telephone and Telegraph Companies."

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

Sec. 1. R.S., c. 16, Sec. 125, amended. The last sentence of section 125 of chapter 16 of the revised statutes is hereby amended to read as follows:

"Such corporation, association or person shall also annually, between the 1st and 15th days of April, return to the State Tax Assessor, signed by its treasurer or its chief accounting officer if a corporation, or by the owner or owners, or by the members of an association or one of them, if a person or association, a statement of the gross receipts **total gross operating revenues** of such corporation, association or person **collected from its or his operations** within this State on account of its telephone and telegraph business during the preceding year ending December 31st."

Sec. 2. R.S., c. 16, Sec. 128, amended. Section 128 of chapter 16 of the revised statutes is hereby amended to read as follows:

'Sec. 128. Computation of tax. The amount of the annual excise tax on telephone and telegraph companies shall be ascertained as follows: when the gross receipts **total gross operating revenues** of such corporation, association or person collected from its or his operations within this State on account of its telephone or telegraph business during the calendar year preceding the year for which the tax is assessed on such corporation, association or person exceed \$1,000 and do not exceed \$5,000, the tax shall be $1\frac{1}{4}\%$ of such gross receipts **total gross operating revenues**; when such gross receipts **total gross operating revenues** exceed \$5,000 and do not exceed \$10,000, the tax shall be $1\frac{1}{2}\%$ of such gross receipts **total gross operating revenues**; when such gross receipts **total gross operating revenues** exceed \$10,000 and do not exceed \$20,000, the tax shall be $1\frac{3}{4}\%$ of such gross receipts **total gross operating revenues**; when such gross receipts **total gross operating revenues** exceed \$20,000 and do not exceed \$40,000, the tax shall be 2% of such gross receipts **total gross operating revenues**; and so on, increasing the rate of tax $\frac{1}{4}\%$ of 1% for each additional \$20,000 or fractional part thereof, of such gross receipts **total gross operating revenues**, provided that the rate shall in no event exceed 6% of such gross receipts **total gross operating revenues**.'

House Amendment "A" was adopted.

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

On motion of Mr. Jennings of Strong, the House voted to take from the table the twenty-third tabled and unassigned matter, Bill "An Act relating to Bounty on Bear in Franklin County", House Paper 57, Legislative Document 63, tabled on April 12 by that gentleman pending further consideration.

On further motion of the same gentleman, the House voted to con-

cur with the Senate in the indefinite postponement of the Bill.

On motion of Mr. Haughn of Bridgton, the House voted to take from the table the twenty-sixth tabled and unassigned matter, House Report "Ought not to pass" of the Committee on Business Legislation on Bill "An Act relating to the Establishment of a Fund for Fire Fighters", House Paper 867, Legislative Document 979, tabled by that gentleman on April 13, pending acceptance.

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

Mr. HAUGHN: Mr. Speaker, I would now like to substitute the bill for the report and speak briefly on the bill.

The SPEAKER pro tem: The gentleman from Bridgton, Mr. Haughn, moves that the Bill be substituted for the "Ought not to pass" Report of the Committee.

The Chair recognizes the same gentleman.

Mr. HAUGHN: Mr. Speaker and Members of the House: This particular bill was one that has really run into a snag. It is one that considers not the full phase of what it is intended for. For example, the rural fire fighters have no way of protection from any hazards during the fighting of fires, which they receive no compensation for, also which is self-supported by the people of rural communities. Through a little Beano, suppers, card parties and so forth, they raise sufficient funds to maintain these small fire departments at no expense to the municipality or the State or to other people. These fire fighters have no protection during the time of a fire in case of a hazard or danger to them.

In this particular bill, it was requested one-eighth of one per cent of the fire insurance policies which were issued, which would be a very small figure as far as the expenditure went to the fire insurance companies. Also, you must realize that in cities and municipally operated fire departments, they are covered under law and the rural and volunteer fire departments are not. So, therefore, I do not believe that they are unjust in

asking for this small amount of money which is no expense to the State or the people in general for the amount involved because we do have at the present time a State Fire Arson Department the expenditures of which are paid by a percentage of the fire insurance policies of the State and I am sure that if they can maintain that in the small amount of one-eighth of one per cent of those premiums paid it is not asking too much and I believe that there are others in this House who would like to speak on this bill and I will speak again a little later.

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

Mr. WADE: Mr. Speaker and Members of the House: I rise again as House Chairman of the Business Legislation Committee to set forth the position of the committee with reference to this bill and to justify the "Ought not to pass" report.

In the first place, it was felt by the committee that the remedy for this is available at the local level. As has been said, the fire departments are maintained at the local level. It was also felt that Section 60-b, which provides the money for the fund for fire fighters is discriminatory in that it makes a charge of one-eighth of one per cent against every dollar of insurance premium, regardless of whether the risk is in a community that has already taken care of its fire fighters. Furthermore, the Insurance Department is very strongly opposed to this measure because it does disrupt the carefully figured fire rates. As of now, fire insurance rates are established to pay the cost of claims and of operating the fire insurance companies. The inclusion of even one-eighth of one per cent, which first-off sounds like a small amount, but the inclusion of this charge, which is essentially a welfare charge, introduces an entirely new element into the rate making.

For these reasons, the Business Legislation Committee determined that an "Ought not to pass" report was justified on this bill.

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

Mr. CURTIS: Mr. Speaker and Ladies and Gentlemen: As a fire

insurance underwriter, writing for several companies, I do not represent the companies. I represent my own thinking. From my experience, I think this is a very good bill and I do not have the fears that my good friend, the gentleman from Auburn, (Mr. Wade) has that it will disrupt in any way the take that the insurance companies have from the policyholders. I have many things that I could present here where it shows it is a benefit and will be a benefit because of the extra protection that we get. In my town, the only thing we were able to save was usually the cellar up until about 1947 or '48. Then we organized a fire company. Now, these are all volunteer firemen. The town did not feel that they were in shape to buy the new equipment needed so these men, some twenty-five, in this company banded themselves together and the town paid them so much per hour in fighting fires and they in turn turned around and put this money into equipment and we do have today one of the finest volunteer fire outfits in the State. In fact, we have had our rate reduced from "F" to "E", which means twenty cents per hundred, and that is a saving. Since 1948, we have not lost a set of buildings.

I am very sure that the fire companies have been the gainer many, many times and one-eighth of one per cent would no where near come to the amount of money that has been saved in that one town by this fire fighting group. It only seems fair and reasonable to me that if they are hurt they should be in some way compensated. I think that this is a good bill and I trust that it will be finally passed.

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

Mr. FULLER: Mr. Speaker, I have no interest in this bill but there is one question that has been brought up and I would like to ask some member of the Committee on Business Legislation to answer it if they see fit.

As I understand it, this is only for organized fire companies and I was told that there are only a few of the very largest cities that have organized fire companies and that this would not be beneficial in any

way to the smaller towns. I would like to know whether or not that is true.

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

Mr. WADE: Mr. Speaker, in the committee hearing, I am sorry there was not any discussion of what fire companies were included but I assumed that practically any fire fighter if he was a member of any department was organized. As the bill is written, it does not seem to cover a man who is fighting a fire in his own back yard.

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

Mr. ALLEN: Mr. Speaker, I have some questions that I would like to ask anybody that might care to answer them. One question is: How much money is expected to be collected for this fund? How much money is expected to be paid out? If they have any figures on how many injuries we have had in the past to base this on? What about the inequities where one town might already be paying insurance premiums to cover this very thing in order to pay their injured firemen? Another question would be: For instance, in our town, we have a volunteer fire department but most of the fire fighters that would appear at the scene of the fire might not even be members of that fire department. What about those cases?

The SPEAKER pro tem: The gentleman from Chelsea, Mr. Allen, has requested information through the Chair.

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

Mr. HAUGHN: Mr. Speaker, in answer to the gentleman from Chelsea, Mr. Allen, I might say that the accumulated sum of estimated figures given at the present time one-eighth of one per cent would run roughly to twenty or thirty thousand dollars per year and that is to be supervised by a commission set up of three which consists of one from the Insurance Commission, one from the insurance company and one from the fire fighters, which consists of the committee and this fund will be built up to the point where they feel in that commission they

have sufficient funds to start payments on injuries.

As far as the insurance coverages go, I might say this: We know insurance companies have three pockets from which they do business. One is for the company which stays intact at all times. The second one is to pay out different coverages, and the third one is to pay claims only, and when they deplete the third pocket which is the one that pays the claims they never go into the other two, but they increase their rates, and I will say once again that the efficient service rendered by these departments certainly is saving far in excess of that on the filing of claim payments to these insurance companies. I do not want to abuse my second right to speak but I just want to reply to these questions asked.

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

Mr. STORM: Mr. Speaker and Members of the House: We also have a small town fire department and part of our town budget is allocated to their support and to purchasing equipment for them, and there is a small part of our budget allocated toward buying insurance to protect them for just this sort of thing, and it seems to me that it would be unfair to assess us a second time on fire insurance policies for protection of these firemen which we are already paying for through group insurance.

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

Mr. MCCLUSKEY: Mr. Speaker and Members of the House: I come from a small town that has a volunteer fire department. The town covers them with insurance which any town can, they are very well satisfied with the setup, and I do not think this is necessary, this bill that is before us now.

The SPEAKER pro tem: The question before the House is on the motion of the gentleman from Bridgton, Mr. Haughn, that Bill "An Act relating to the Establishment of a Fund for Fire Fighters", House Paper 867, Legislative Document 979, be substituted for the "Ought not to pass" Report of the Committee.

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

Mr. HAUGHN: Mr. Speaker, I would request a vote by division.

The SPEAKER pro tem: For what purpose does the gentleman from Searsmont, Mr. Knight, arise?

Mr. KNIGHT: To debate the issue, Mr. Speaker.

The SPEAKER pro tem: The Chair recognizes the gentleman from Searsmont, Mr. Knight.

Mr. KNIGHT: Mr. Speaker and Members of the House: Having been a rural fire fighter for nineteen years, having organized one fire department and having organized a county organization of twenty-six fire departments comprising the rural areas practically of Waldo County, we in the small towns are paying the excessive rate, the big rate, because of the fact that our small town departments can not qualify under the rating bureau to afford to protect our people with a lower rate due to the expense of buying expensive equipment which would be necessary to come under the rating bureau's lower classification of insurance rates. The small town volunteer departments are doing an excellent job in the protection of life and property but they are not being recognized by the insurance companies in being given relief from the high premium rates. These rates, I understand, are based on a ten year period and savings which might have been made in the last few years will not be reflected until the end of the ten year period. I want to go on record as favoring the motion of the gentleman from Bridgton, Mr. Haughn.

The SPEAKER pro tem: The question before the House is on the motion of the gentleman from Bridgton, Mr. Haughn, that Bill "An Act relating to the Establishment of a Fund for Fire Fighters", House Paper 867, Legislative Document 979, be substituted for the "Ought not to pass" Report of the Committee.

All those in favor will kindly rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Thirty-seven having voted in the affirmative and sixty-eight having

voted in the negative, the motion did not prevail.

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

On motion of Mr. Quinn of Bangor, the House voted to take from the table the forty-seventh tabled and unassigned matter, Bill "An Act relating to Installations Within Highway Limits", Senate Paper 93, Legislative Document 223, tabled by that gentleman on April 19 pending adoption of House Amendment "B".

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

Mr. QUINN: Mr. Speaker, that matter was tabled in order to give it a little examination and it seemed that certain provisions of it needed clarification. I now offer House Amendment "D", filing number 363, and move its adoption.

The SPEAKER pro tem: The Chair understands that the gentleman from Bangor, Mr. Quinn, moves that House Amendment "B" be indefinitely postponed. Is this the pleasure of the House?

The motion prevailed and House Amendment "B" was indefinitely postponed.

Thereupon, Mr. Quinn of Bangor, offered House Amendment "D" and moved its adoption.

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

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

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

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

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

I. Within the full width of the right of way of any state or state aid highway as laid out by the State, the county or the town; or

II. Within 33 feet of the center line of any such highway. This provision shall not apply to installations or other property in existence on August 6, 1949; or

III. Within 20 feet from the outside edge of any of the paved portion of any such highway having more than 2 travel lanes and having a total paved portion in excess of 24 feet in width. This provision shall not apply to installations or other property in existence on September 1, 1955.' "

House Amendment "D" was adopted.

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

On motion of Mr. Malenfant of Lewiston, the House voted to take from the table the seventeenth tabled and unassigned matter, House Report "Ought not to pass" of the Committee on Legal Affairs on Bill "An Act Amending the Charter of the City of Lewiston re Elections, Election of Mayor, Aldermen, Warden and Ward Clerk", House Paper 437, Legislative Document 483, tabled on April 8 by that gentleman pending acceptance.

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

Mr. MALENFANT: Mr. Speaker and Members of the House: I move to substitute the bill for the "Ought not to pass" report of the committee.

The SPEAKER pro tem: The gentleman from Lewiston, Mr. Malenfant, moves that the Bill be substituted for the "Ought not to pass" report of the committee.

The Chair recognizes the same gentleman.

Mr. MALENFANT: Mr. Speaker and Members of the House: At the present time, the Mayor of Lewiston, the Aldermen and the Warden and Ward Clerk are elected by the people for one term. That costs the City of Lewiston between \$3,500 and \$4,000 every year. My bill, I present this bill for the Mayor of Lewiston

to be elected for two years like Auburn and many other cities. The Mayor of Auburn is elected for two years and the aldermen for two years. The people are very well satisfied.

If my bill goes through, the City of Lewiston will save about \$4,000 every two years and there will be less trouble for the voters and less expense for the candidate. Now, every campaign at least on one of the campaigns, I wore out two pairs of shoes in my campaign and I spent \$25 for aspirin tablets for headaches. If you support my bill, if my bill becomes law, perhaps I will be able to save at least one pair of shoes. All the people in the City of Lewiston are in favor of this bill. I campaigned on those bills and I was elected mayor and I was elected up here. Now, the people of Lewiston were kind enough to elect me to public office for eleven years. I do not want to be traitor enough to come up here and present a bill that the people of my city do not want. I know that they want this bill. As I said, it will save the City of Lewiston about \$4,000. Now, we have got two elections every year. We have got what we call that foolish run-off election. I think that Lewiston is the only city with that kind of system and at the run-off election, it is very hard for the two candidates because I have been through five run-off elections so far. One of the candidates, they put enough candidates against me to be sure to push me into a run-off election. They said to themselves, if we can not beat him, we are going to make him work hard and spend money, so there is a referendum on this bill.

Now, this House was kind enough so far to support two of my bills. Why didn't I agree with my friend, the gentleman from South Portland, Mr. Earles, this morning for a four year term for the sheriff? I hope that he does not hold any hard feelings against me. My bill asks for a two year term. Now, I have got two other bills besides that but I am going to remove only one today. Now, I am going to ask you, members of the House, to be kind enough to support my bill. There is a referendum on it. So I can go back to Lew-

iston and say to the people who sent me up here: The House of Representatives where I serve they are intelligent people. They give you a fair deal and justice. I know what is going to happen to my bill after my bill leaves this House, but still I want to have the satisfaction to say that I serve in the Hall where the people are very intelligent. Now please support my bill. The people are behind me, the people of Lewiston are behind my bill. Thank you. (Applause and laughter)

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

Mr. EARLES: Mr. Speaker and Members of the House: I appreciate very much the reference of the gentleman from Lewiston, Mr. Malenfant, to a previous vote this morning. I think perhaps I would hesitate to support Mr. Malenfant not for the occurrence this morning, but my mind recalls a certain hearing earlier in the year in which Mr. Malenfant referred to a gentleman by the name of Martin and observed that Mr. Martin must be in trouble if he should have a lawyer, so being a lawyer I feel perhaps it would be inappropriate to support Mr. Malenfant.

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

Mr. COTE: Mr. Speaker and Members of the House: I rise in support of this bill. I feel that it is an economy measure for the City of Lewiston. It has a referendum clause and it is going back to the people, and I feel strongly that the people of the City of Lewiston should have a voice whether they want to accept this bill or not. I think that in the long run that the people of Lewiston will feel that it is an economy measure and will support this bill. For that reason I am very happy to support the Mayor of the City of Lewiston, the gentleman from Lewiston, Mr. Malenfant.

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

Mr. COUTURE: Mr. Speaker and Members of the House: A couple of days ago the gentleman from Lewiston, Mr. Malenfant, stated that if we did not support him he

could not very well go back to Lewiston and face his people. So in all respect to the good people of Lewiston I think we should support him so he will go back; I do not think he wants to stay up here.

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

Mr. MARTIN: Mr. Speaker and Members of the House: I rise only to keep the record straight. It was mentioned upon this floor three speakers ago that a certain Mr. Martin was in trouble and had to hire a lawyer. I would just say that this Martin always is in trouble, but so far has never been in such serious trouble that he had to hire a lawyer.

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

Mr. COUTURE: Mr. Speaker and Members of the House: I rise in favor of this bill, not in sympathy with my good friend, the gentleman from Lewiston, Mr. Malenfant, because he has to wear out two or three pairs of shoes during his campaign, but I rise in favor of this bill for the great amount of money that will be saved in the City of Lewiston by having this election every two years which he has told you we have on record now some expenses of between \$3,500 to \$4,000 on this and certainly the people will prefer to have this election every two years instead of keeping on having it yearly.

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

Mr. CALL: Mr. Speaker, I move the question and ask for a division.

The SPEAKER pro tem: The question before the House is on the motion of the gentleman from Lewiston, Mr. Malenfant, that Bill "An Act Amending the Charter of the City of Lewiston re Elections, Election of Mayor, Aldermen, Warden and Ward Clerk", House Paper 437, Legislative Document 483, be substituted for the "Ought not to pass" Report of the Committee.

All those in favor of substituting the Bill for the Report will kindly rise and remain standing until the

monitors have made and returned the count.

A division of the House was had. One hundred having voted in the affirmative and three having voted in the negative, the motion prevailed and the Bill was substituted for the Report.

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

On motion of Mr. Charles of Portland, the House voted to take from the table the twentieth tabled and unassigned matter, Senate Report, "Ought not to pass" of the Committee on Towns and Counties on Bill "An Act relating to the Salary of the Judge and the Recorder of the Portland Municipal Court", Senate Paper 84, Legislative Document 173, tabled by that gentleman on April 12 pending acceptance.

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

Mr. CHARLES: Mr. Speaker and Members of the House: The action I wish to take on Item 20 also goes for Items 21 and 22. I wish at this time to recommit this particular bill to the Towns and Counties Committee and I do that following a conference with the Committee Chairman and also with the County delegation and members of the County Commissioners and after a thorough investigation of the facts presented, I wish to conclude the entire discussion by a recommitment to the committee for further consideration.

The SPEAKER pro tem: The gentleman from Portland, Mr. Charles, moves that the Report and Bill be recommitment to the Committee on Towns and Counties. Is this the pleasure of the House?

The motion prevailed and the Report and Bill were recommitment to the Committee on Towns and Counties in non-concurrence and sent up for concurrence.

On motion of Mr. Charles of Portland, the House voted to take from the table the twenty-first tabled and unassigned matter, Senate Report "Ought not to pass" of the Committee on Towns and Counties on Bill "An Act relating to the Salary of

Register of Probate, Cumberland County", Senate Paper 278, Legislative Document 708, tabled on April 12 by that gentleman pending acceptance.

On further motion of the same gentleman, the Report and Bill were recommitment to the Committee on Towns and Counties in non-concurrence and sent up for concurrence.

On motion of Mr. Charles of Portland, the House voted to take from the table the twenty-second tabled and unassigned matter, Senate Report "Ought not to pass" of the Committee on Towns and Counties on Bill "An Act relating to Clerk Hire in Office of Register of Probate of Cumberland County", Senate Paper 279, Legislative Document 709, tabled on April 12 by that gentleman pending acceptance.

On further motion of the same gentleman the Report and Bill were recommitment to the Committee on Towns and Counties in non-concurrence and sent up for concurrence.

On motion of Mr. Haughn of Bridgton, the House voted to take from the table the fifty-first tabled and unassigned matter, House Report "Ought not to pass" of the Committee on Retirements and Pensions on Resolve Granting a Pension to Katherine M. Rolfe of Bridgton, House Paper 388, tabled on April 21 by that gentleman pending acceptance.

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

Mr. HAUGHN: Mr. Speaker and Members of the House: As you will recall last Friday we had a similar situation prevail here whereas the gentleman from South Portland, Mr. Fuller, had a similar resolve which pertained to the academies which were excluded from public teaching service and this one pertains to the same matter. I would like to substitute the resolve for the report and I would like to speak on it a little more at a little later time because I believe someone else would like to speak on it now.

The SPEAKER pro tem: The gentleman from Bridgton, Mr. Haughn, moves that the Resolve be substituted for the "Ought not to

pass" Report of the Committee. Is this the pleasure of the House?

The motion prevailed and the Resolve was substituted for the Report.

Thereupon, the Resolve was ordered printed under the Joint Rules.

On motion of Mr. Seaward of Kittery, the House voted to take from the table the sixty-seventh tabled and unassigned matter, House Report "Ought to pass" as amended by Committee Amendment "A" of the Committee on Judiciary on Bill "An Act relating to Political Caucuses", House Paper 1146, Legislative Document 1361, tabled on April 26 by that gentleman pending acceptance.

On further motion of the same gentleman, the "Ought to pass" Report was accepted.

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. 1146, L. D. 1361, Bill "An Act relating to Political Caucuses."

Amend said Bill by striking out all of that part designated "Sec. 12" and inserting in place thereof the following:

"Sec. 12. Exceptions. The provisions of the § preceding sections shall not apply to towns of less than 2,000 inhabitants, nor to or cities wherein the calling and holding of caucuses is regulated by special law."

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

On motion of Mr. Hancock of York, the House voted to take from the table the fifty-fourth tabled and unassigned matter, House Report "Ought not to pass" of the Committee on Towns and Counties on Bill "An Act Amending the Charter of the Yorkshire Municipal Court," House Paper 767, Legislative Document 843, tabled by that gentleman on April 21 pending acceptance.

The SPEAKER pro tem: The Chair recognizes the gentleman from York, Mr. Hancock.

Mr. HANCOCK: Mr. Speaker, I have talked with the House Chairman of the Committee on Towns

and Counties and I now would like to have this Bill recommitted to that committee.

The SPEAKER pro tem: The gentleman from York, Mr. Hancock, moves that the Report and Bill be recommitted to the Committee on Towns and Counties. Is this the pleasure of the House?

The motion prevailed and the Report and Bill were recommitted to the Committee on Towns and Counties and sent up for concurrence.

On motion of Mr. Bowie of Durham, the House voted to take from the table the forty-third tabled and unassigned matter, Bill "An Act Repealing Licenses for Stores to Sell Milk", House Paper 1, Legislative Document 1, tabled on April 19 by that gentleman pending passage to be engrossed.

On further motion of the same gentleman, the Bill was passed to be engrossed and sent to the Senate.

The SPEAKER pro tem: The Chair recognizes the gentleman from Caribou, Mr. Briggs.

Mr. BRIGGS: Mr. Speaker, I would like to take item seventy-two from the table at this time. I tabled it the other day in the absence of the gentleman from Mount Desert, Mr. Reynolds, and I would like to give him the floor.

The SPEAKER pro tem: The gentleman from Caribou, Mr. Briggs, moves that the seventy-second tabled and unassigned matter, Bill "An Act relating to Right of Officer to Kill Dogs", House Paper 411, Legislative Document 458, tabled on April 26 by that gentleman pending third reading be now taken from the table. Is this the pleasure of the House?

The motion prevailed.

The SPEAKER pro tem: The Chair recognizes the gentleman from Mount Desert, Mr. Reynolds.

Mr. REYNOLDS: Mr. Speaker, I move adoption of amendment, filing number 317.

The SPEAKER pro tem: The Chair will advise the gentleman from Mount Desert, Mr. Reynolds, that the amendment has already been adopted. The bill is ready for third reading.

Mr. REYNOLDS: I so move, Mr. Speaker.

The SPEAKER pro tem: The Chair will request the gentleman from Mount Desert, Mr. Reynolds, to please approach the rostrum.

(Conference at Rostrum)

Thereupon, on motion of Mr. Reynolds of Mount Desert, the Bill was given its third reading, passed to be engrossed as amended by

Committee Amendment "A" and sent to the Senate.

The SPEAKER pro tem: The Clerk has two notices, which, without objection, he will read at this time.

On motion of Mr. Childs of Portland,

Adjourned until eight-thirty o'clock tomorrow morning, Eastern Standard Time.