

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Eighty-Ninth Legislature

OF THE

STATE OF MAINE

1939

KENNEBEC JOURNAL COMPANY
AUGUSTA, MAINE

HOUSE

Friday, March 17, 1939.

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

Prayer by the Rev. Mr. Staples of Gardiner.

Journal of the previous session read and approved.

Papers from the Senate disposed of in concurrence.

Senate Bills and Resolve in First Reading

Bill "An Act Defining the Terms 'Dealer' and 'Securities'" (S. P. 312) (L. D. 582); new draft (S. P. 486) (L. D. 1023) under same title.

Resolve in favor of Harry F. Ward of Baldwin (S. P. 134); new draft (S. P. 487) (L. D. 1024) under same title.

Bill "An Act relating to Registration of Motor Vehicles" (S. P. 223) (L. D. 280); new draft (S. P. 488) (L. D. 1025) under same title.

The following remonstrances and petitions were received, and upon recommendation of the Committee on Reference of Bills were referred to the following committees:

Taxation

Remonstrance of Rexford W. Littlefield and 85 others of York and vicinity against any Tax on Tobacco (H. P. 1970) (Presented by Mr. Dow of Kennebunkport)

Remonstrance of Byron S. Anderson and 13 others of Limerick against same (H. P. 1971) (Presented by same gentleman)

Remonstrance of Clarence E. Foss and 354 others of Berwick against same (H. P. 1972) (Presented by Mr. Varney of Berwick)

Petition of Mrs. D. J. Conner and 62 others of Bangor in favor of L. D. 933, Bill "An Act relating to Licenses for Operation of Retail Stores" (H. P. 1973) (Presented by Mr. Churchill of Brewer)

Petition of Milo H. Crook and 41 others of Brewer in favor of same (H. P. 1974) (Presented by same gentleman)

Petition of Muriel Grant and 39 others of Brewer in favor of same (H. P. 1975) (Presented by Miss Clough of Bangor)

Petition of S. C. Glasten and 19 others of Bangor in favor of same

(H. P. 1976) (Presented by Mr. Eddy of Bangor)

Petition of Dana A. Robbins and 19 others of Bangor in favor of same (H. P. 1977) (Presented by same gentleman)

Petition of M. R. Kittredge and 20 others of Bangor in favor of same (H. P. 1978) (Presented by Mr. Townsend of Bangor)

Petition of Joseph J. Malone and 42 others of Bangor in favor of same (H. P. 1979) (Presented by Mr. Whitney of Bangor)

Sent up for concurrence.

Additional paper from the Senate, out of order and under suspension of the rules.

The following Order:

ORDERED, the House concurring, that when the Senate and House adjourn, they adjourn to meet on Tuesday, March 21st, 1939, at eleven o'clock in the forenoon (S. P. 501)

Comes from the Senate, read and passed.

In the House, read and passed in concurrence.

Orders

On motion by Mr. Burgess of Limestone, it was

ORDERED, that the Clerk of the House be directed to send flowers to Representative Albert A. Poulin of Rumford, and that he express to him the hope of the members for his speedy recovery.

On motion by Mr. Buzzell of Belfast, it was

ORDERED, that the Clerk of the House be directed to send flowers to Mr. Holden of Webster, and express to him the sincere hope of the members for his speedy recovery.

On motion by Mr. Winter of Kingfield, it was

ORDERED, that the use of the hall of the House be granted to the Forestry Department for the forenoon of Monday, April 3rd, for the purpose of holding examinations in tree surgery.

Reports of Committees Leave to Withdraw

Mr. Hincley from the Committee on Judiciary on Bill "An Act relating to the Introduction of Bills by Members of the Legislature" (H. P. 1614) (L. D. 704) reported leave to withdraw.

Mr. Thorne from same Committee reported same on Bill "An Act relating to the Election of Members of the Public Utilities Commission" (H. P. 1598) (L. D. 695)

Mr. McNamara from the Committee on Mercantile Affairs and Insurance reported same on Bill "An Act relating to Insurance Agents" (H. P. 1674) (L. D. 884)

Mr. Young from same Committee reported same on Bill "An Act relating to Licenses of Insurance Companies" (H. P. 1678) (L. D. 761)

Same gentleman from same Committee reported same on Bill "An Act relating to Foreign Insurance Companies" (H. P. 1677) (L. D. 760)

Same gentleman from same Committee reported same on Bill "An Act relating to Taxation of Insurance Companies" (H. P. 1680) (L. D. 886)

Same gentleman from same Committee reported same on Bill "An Act relating to Expenses Incurred by Insurance Commissioner" (H. P. 1679) (L. D. 762)

Same gentleman from same Committee reported same on Bill "An Act Amending the Law relating to Taxation of Insurance Companies" (H. P. 1676) (L. D. 759)

Mr. Holman from the Committee on Agriculture reported same on Bill "An Act relating to the Milk Control Board" (H. P. 1531) (L. D. 859)

Mr. Robie from the Committee on Education reported same on Bill "An Act relating to Use of Foreign Languages in Schools" (H. P. 1549) (L. D. 907)

Reports were read and accepted and sent up for concurrence.

Ought Not to Pass

Mr. Crockett from the Committee on Indian Affairs reported "Ought not to pass" on Bill "An Act relating to Tuition for Indian Scholars in the Elementary Schools of Old Town" (H. P. 878) (L. D. 335) it being inexpedient as covered by present law.

Mr. Bird from the Committee on Judiciary reported "Ought not to pass" on Bill "An Act relating to Remedying and Elimination of Dwellings Unfit for Human Habitation" (H. P. 1414) (L. D. 617)

Same gentleman from same Committee reported same on Bill "An Act relating to the Practice of Law" (H. P. 1611) (L. D. 913)

Mr. Fellows from same Committee reported same on Bill "An Act

Authorizing the Creation of Housing Authorities in the Several Cities and Towns" (H. P. 1622) (L. D. 876)

Same gentleman from same Committee reported same on Bill "An Act Repealing the Law relating to Jury Commissioners" (H. P. 1418) (L. D. 553)

Mr. Hinckley from same Committee reported same on Bill "An Act relating to Jury Commissioners" (H. P. 1768) (L. D. 937)

Reports were read and accepted and sent up for concurrence.

Report Tabled

Mr. Thorne from the Committee on Judiciary reported "Ought not to pass" on Bill "An Act Permitting Signboards Under Certain Conditions" (H. P. 1789) (L. D. 957)

(On motion by Mr. Sleeper of Rockland, tabled pending acceptance of committee report)

Mr. Varney from the Committee on Judiciary reported "Ought not to pass" on Bill "An Act relating to Practice of Law by Judges" (H. P. 1624) (L. D. 670)

Report was read and accepted and sent up for concurrence.

Report Tabled

Mr. Weatherbee from the Committee on Judiciary reported "Ought not to pass" on Bill "An Act to Prohibit Commercial Advertising by Means of Bill Boards" (H. P. 1629) (L. D. 868)

(On motion by Mr. Cowan of Portland, tabled pending acceptance of committee report)

Mr. Weatherbee from the Committee on Judiciary reported "Ought not to pass" on Bill "An Act relating to Powers of Trial Justices" (H. P. 1610) (L. D. 703)

Mr. Winslow from the Committee on Mercantile Affairs and Insurance reported same on Bill "An Act relating to the Standard Form Insurance Policy" (H. P. 1672) (L. D. 758)

Reports were read and accepted and sent up for concurrence.

Report Tabled

Mr. Young from the Committee on Mercantile Affairs and Insurance reported "Ought not to pass" on Bill "An Act relating to Standard Fire Insurance Policies" (H. P. 1792) (L. D. 959)

(On motion by Mr. Mahon of Ellsworth, tabled pending acceptance of committee report)

Mr. Farrington from the Committee on Motor Vehicles reported "Ought not to pass" on Bill "An Act Regulating the Display of Signs relating to Prices of Internal Combustion Engine Fuel" (H. P. 1682) (L. D. 738)

Reports were read and accepted and sent up for concurrence.

Ought to Pass in New Draft Report Tabled

Mr. Paul from the Committee on State Lands and Forest Preservation on Resolve Authorizing the Forest Commissioner to Convey Certain Interest of the State in Land in Washington County to Mrs. Nina M. Daggett of Hallowell (H. P. 949) (L. D. 375) reported same in a new draft (H. P. 1760) under title of "Resolve Authorizing the Forest Commissioner to Convey Certain Interest of the State in Land in Washington County to Edith D. McKenney of Lincoln" and that it "Ought to pass".

(On motion by Mr. Sylvia of Danforth, tabled pending acceptance of committee report and 500 copies of the new draft ordered printed)

Mr. Douglass from the Committee on State Lands and Forest Preservation on Resolve Authorizing the Forest Commissioner to Convey Certain Interest of the State in Land in Washington County to Mrs. Lillian Cummings of Hallowell (H. P. 1213) (L. D. 426) reported same in a new draft (H. P. 1987) under title of "Resolve Authorizing the Forest Commissioner to Convey Certain Interest of the State in Land in Washington County to Mrs. Jennie G. Lane of Calais" and that it "Ought to pass"

Report was read and accepted and the new draft ordered printed under the Joint Rules.

Report Tabled

Mr. Pratt from the Committee on Education on Bill "An Act Permitting Teachers to be Elected under Contract" (H. P. 28) (L. D. 21) reported same in a new draft (H. P. 1980) under same title and that it "Ought to pass"

(On motion by Mr. Stilphen of Dresden, tabled pending acceptance of committee report, and 500 copies of the new draft ordered printed)

Mr. Donahue from the Committee on Legal Affairs on Bill "An Act relating to Election of Commissioners of Police in Sanford" (H. P.

1181) (L. D. 497) reported same in a new draft (H. P. 1981) under same title and that it "Ought to pass"

Mr. Cowan from the Committee on Mercantile Affairs and Insurance on Bill "An Act Amending the Acts relating to the Prevention of Fires" (H. P. 1434) (L. D. 613) reported same in a new draft (H. P. 1982) under same title and that it "Ought to pass"

Mr. Farrington from the Committee on Motor Vehicles on Bill "An Act providing for the Disposition of Moneys from the Tax on Gasoline Purchased for Use in Internal Combustion Engines" (H. P. 1683) (L. D. 739) reported same in a new draft (H. P. 1983) under same title and that it "Ought to pass"

Mr. Emery from the Committee on Appropriations and Financial Affairs, pursuant to Joint Order, reported a Resolve under title of "Resolve Creating a Recess Committee to Consider Using the Facilities of the Eastern State Normal School for Other Educational Purposes" (H. P. 1984) and that it "Ought to pass"

Mr. Gyger from same Committee, pursuant to Joint Order, reported a Bill under title of Bill "An Act Providing for Clerical Employees for Legislative Joint Committees" (H. P. 1985) and that it "Ought to pass"

Mr. Hinman from same Committee, pursuant to Joint Order, reported a Bill under title of Bill "An Act Repealing the Bounty on Porcupines" (H. P. 1986) and that it "Ought to pass"

Reports were read and accepted and the new drafts ordered printed under the Joint Rules.

Ought to Pass With Committee Amendment Report Tabled

Mr. Robie from the Committee on Education on Bill "An Act to Provide Moral Instruction for Children in Connection with the Public Schools" (H. P. 1312) (L. D. 535) reported "Ought to pass" when amended by Committee Amendment "A" submitted therewith.

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

Committee Amendment "A" to H. P. 1312, L. D. 535, Bill "An Act to Provide Moral Instruction for Children in Connection with the Public Schools."

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

'Sec. 7. Intent of act. It is here-

by declared to be the intent of the legislature that this act shall be permissive, and not mandatory.'

(On motion by Mr. Burgess of Limestone, tabled pending acceptance of committee report.)

Ought to Pass

Report Tabled

Mr. Palmeter from the Committee on Indian Affairs reported "Ought to pass" on Bill "An Act relating to Selling or Giving Liquor to the Indians" (H. P. 1150) (L. D. 467)

(On motion by Mr. Howes of Charleston, tabled pending acceptance of committee report.)

The SPEAKER: The next item on the calendar, report of the Committee on Interior Waters, on Resolve Naming "Perley's Pond" has been withdrawn by the Committee for further consideration.

Mr. Dean from the Committee on Interior Waters reported "Ought to pass" on "Resolve Changing the Name of Fitzgerald Pond" (H. P. 896) (L. D. 353)

Same gentleman from same Committee reported same on "Resolve Permitting a Wharf and Boathouse to be Built on Pleasant Lake in Casco, Maine" (H. P. 897) (L. D. 354)

Same gentleman from same Committee reported same on Bill "An Act relating to Sports and Recreation Centers" (H. P. 1581) (L. D. 687)

Reports were read and accepted.

Report Tabled

Mr. Dean from the Committee on Interior Waters reported "Ought to pass" on Resolve Authorizing the town of East Machias to Close the West Outlet of Gardners Lake (H. P. 481) (L. D. 145)

(On motion by Mr. Palmeter, of Charlotte, tabled pending acceptance of committee report)

Mr. Bird from the Committee on Judiciary reported "Ought to pass" on Bill "An Act relating to the Recording of Personal Property Mortgages" (H. P. 899) (L. D. 314)

Mr. Cowan from the Committee on Mercantile Affairs and Insurance reported same on Bill "An Act to Provide for the Organization of Non-profit Hospital Service Organizations" (H. P. 1433) (L. D. 612) which was recommitted.

Mr. Winslow from same Committee reported same on Bill "An Act relating to Group Insurance" (H. P. 1673) (L. D. 883)

Same gentleman from same Committee reported same on Bill "An Act relative to the Powers of the Insurance Commissioner" (H. P. 1435) (L. D. 614)

Reports were read and accepted.

First Reading of Printed Bills

Bill "An Act relative to Trapping Season" (H. P. 378) (L. D. 99)

Bill "An Act to Grant a New Charter to the city of Bath" (H. P. 1164) (L. D. 483)

Bill "An Act relative to Safekeeping of Securities of Savings Banks" (H. P. 1407) (L. D. 602)

Bill "An Act relative to Fishing for Gain or Hire" (H. P. 1559) (L. D. 657)

Bill "An Act Regulating Fishing on Ponds Formed by Brooks, Streams and Rivers" (H. P. 1566) (L. D. 664)

Bill "An Act relating to Municipal Ordinances" (H. P. 1660) (L. D. 734)

Bill "An Act relative to Game Preserve in Caswell Plantation" (H. P. 1957) (L. D. 1042)

Bill "An Act Authorizing Towns to Employ a Town Manager or to Form Unions for the Purpose" (H. P. 1958) (L. D. 1043)

Bill "An Act relating to the Operation of Busses" (H. P. 1959) (L. D. 1044)

Bill "An Act relative to Motor Vehicles Carrying Passengers for Hire" (H. P. 1960) (L. D. 1045)

Bills were read twice and tomorrow assigned.

First Reading of Printed Bills With Committee Amendments

Bill "An Act to Provide a Town Council and Manager Form of Government for the town of Lisbon in the county of Androscoggin" (H. P. 918) (L. D. 358)

Bill had its two several readings. Committee Amendment "A" to H. P. 918, L. D. 358, Bill, "An Act to Provide a Town Council and Manager Form of Government for the Town of Lisbon in the County of Androscoggin."

Amend said Bill by striking out the first word "term" and insert in place thereof the word 'terms.'

Further amend said Bill by adding to Sec. 16 the following: 'premiums for said bonds may be paid by said town.'

Further amend said Bill by striking out all of Sec. 18 and inserting in place thereof the following:

'Sec. 18. Referendum. This act shall take effect 90 days after the adjournment of this legislature only for the purpose of permitting its acceptance or rejection by the legal voters of the town of Lisbon at any annual or special town meeting legally called and held before the 1st day of November 1939, an appropriate article being inserted in the call for such meeting.

If a majority of the qualified voters of the town, present and voting, vote in favor of the acceptance of this act, it shall become operative. The town clerk shall forthwith file with the secretary of state a certificate of the action of the town thereon.'

Thereupon, Committee Amendment "A" was adopted and the bill was assigned for third reading on the next legislative day.

Bill "An Act to Provide a Town Manager Form of Government for the town of Lincoln" (H. P. 1165) (L. D. 484)

Bill had its two several readings.

Committee Amendment "A" to H. P. 1165, L. D. 484, Bill, "An Act to Provide a Town Manager Form of Government for the Town of Lincoln."

Amend said Bill by striking out all of Sec. 19 and Sec. 20 and inserting in place thereof the following:

'Sec. 19. Referendum. This act shall take effect 90 days after the adjournment of this legislature only for the purpose of permitting its acceptance or rejection by the legal voters of the Town of Lincoln at any annual or special town meeting legally called and held before the 2nd day of April, 1942, an appropriate article being inserted in the call for such meeting.

If a majority of the qualified voters of the town, present and voting, vote in acceptance of this act, it shall become operative. The town clerk shall forthwith file with the secretary of state a certificate of the action of the town thereon.'

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

Bill "An Act to Incorporate the Town of Monticello School District" (H. P. 1170) (L. D. 489)

Bill had its two several readings. Committee Amendment "A" to H. P. 1170, L. D. 489, Bill, "An Act to Incorporate the Town of Monticello School District."

Amend said Bill by inserting after the word "The" in the first line of Sec. 1 the words 'territory within the', and by striking out the words "its territory" in the second line of same section.

Further amend said Bill by striking out all of Sec. 7 and inserting in place thereof the following:

'Sec. 7. Referendum. This act shall take effect 90 days after the adjournment of this legislature only for the purpose of permitting its acceptance or rejection by the legal voters of the Town of Monticello at any annual or special town meeting legally called and held before the 2nd day of April, 1941, an appropriate article being inserted in the call for such meeting.

If a majority of the qualified voters of the town, present and voting, vote in acceptance of this act, it shall become operative. The town clerk shall forthwith file with the secretary of state a certificate of the action of the town thereon.'

Thereupon, Committee Amendment "A" was adopted and the bill was assigned for third reading on the next legislative day.

Bill "An Act relating to the Collection of Personal Property Taxes" (H. P. 1651) (L. D. 710)

Bill had its two several readings.

Committee Amendment "A" to H. P. 1651, L. D. 710, Bill, "An Act relating to the Collection of Personal Property Taxes."

Amend said Bill by striking out the words "cost of administration of expenses" in the 8th line of Sec. 21-A and inserting in place thereof the following: 'reasonable expense of administration.'

Further amend said Bill by inserting before the word "satisfied" in the 10th line of Sec. 21-A the following: 'paid the funeral expenses and'.

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

Bill "An Act relating to Municipal Ordinances" (H. P. 1659) (L. D. 733)

Bill had its two several readings. Committee Amendment "A" to H.

P. 1659, L. D. 733, Bill, "An Act Relating to Municipal Ordinances."

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

"The ordinance may be amended and its regulations, zoning boundaries and zone classifications changed in accordance with provisions set up in the ordinance or by-law, but no such amendment or change shall be made until after public hearing thereon, notice of which hearing shall be published once a week for 3 successive weeks before the hearing, the third notice to be within 10 days of the date of hearing, in a newspaper published in the city, town, or village corporation, if a newspaper is published in said city, town or village corporation, but, if no newspaper is published in the city, town or village corporation, then in a newspaper that is published in the county in which said city, town or village corporation is located. If amendments or changes in the ordinance are submitted to the voters, the question shall be submitted in this form: "Shall the proposed amendment to the zoning ordinance be accepted?"

Thereupon, Committee Amendment "A" was adopted and the bill was assigned for third reading on the next legislative day.

Bill "An Act relating to Marriage Licenses (H. P. 1661) (L. D. 735)

Bill had its two several readings.

Committee Amendment "A" to H. P. 1661, L. D. 735, Bill "An Act Relating to Marriage Licenses."

Amend said Bill by striking out the words "6 months" in the 19th line of Sec. 5, and inserting in place thereof the words "1 year".

Further amend said Bill by striking out the 4th paragraph of Sec. 62-A.

Further amend said Bill by changing the title of form on page 3 to read 'MARRIAGE LICENSE' instead of "CERTIFICATE OF MARRIAGE".

Further amend said Bill by striking out the words, "six months after", in the last line and inserting in place thereof the words '1 year from.'

The SPEAKER: Is it the pleasure of the House to adopt Committee Amendment "A"? The Chair recognizes the gentleman from Portland, Mr. Payson.

Mr. PAYSON: Mr. Speaker, I move the indefinite postponement of Committee Amendment "A". In explanation, I may say that the member of the committee who reported the bill also drafted the amendment, and he did it so ineffectively that it does not represent the committee's intention. He has now had a new amendment drafted by a good lawyer and will present it after this motion.

The SPEAKER: The question before the House is on the motion of the gentleman from Portland, Mr. Payson, that Committee Amendment "A" be indefinitely postponed. Is this the pleasure of the House?

The motion prevailed and Committee Amendment "A" was indefinitely postponed.

Mr. Payson thereupon offered House Amendment "A" and moved its adoption.

House Amendment "A" to H. P. 1661, L. D. 735, Bill, "An Act Relating to Marriage Licenses."

Amend said Bill by striking out in the 1st section thereof wherever they occur the words "6 months" and inserting in place thereof the words '1 year'.

Further amend said Bill by striking out the 5th paragraph of section 3 thereof.

Further amend said Bill by striking out the headnote of the form in the 7th paragraph of section 3 "Certificate of Marriage" and inserting in place thereof 'Marriage License'.

Further amend said Bill by striking out in the last line thereof the words "6 months of" and inserting in place thereof '1 year from'.

Thereupon, House Amendment "A" was adopted and the bill was assigned for third reading on the next legislative day.

Bill "An Act Creating the Limestone Water and Sewer District" (H. P. 1785) (L. D. 948)

Bill was given its two several readings.

Committee Amendment "A" to H. P. 1785, L. D. 948, Bill "An Act Creating the Limestone Water and Sewer District."

Amend said Bill by striking out the words "shall be legal investments for the savings banks of the state, and" in the 15th line of Section 10 of said Bill.

Thereupon, Committee Amendment "A" was adopted.

Committee Amendment "B" to H. P. 1785, L. D. 948, Bill, "An Act Creating the Limestone Water and Sewer District."

Amend said Bill by striking out the words "and provide for such extensions and renewals as may become necessary" in the 7th line of Section 14 of said Bill.

Thereupon, Committee Amendment "B" was adopted and the bill was assigned for third reading on the next legislative day.

Passed to be Engrossed

Bill "An Act relating to Penalties for Removing Identification Marks from Motor Vehicles" (S. P. 384) (L. D. 787)

Bill "An Act Enlarging the Discretionary Powers of the Liquor Commission" (S. P. 429) (L. D. 974)

Bill "An Act relating to Insurance Agents and Brokers" (S. P. 473) (L. D. 1007)

Bill "An Act relating to Trapping and Hunting Fur-bearing Animals" (H. P. 1315) (L. D. 499)

Sent up for concurrence.

Bill Tabled

Bill "An Act Regulating the Sale of Malt" (H. P. 1744) (L. D. 847)

(On motion by Mr. Merrifield of Lebanon, tabled pending third reading.)

Passed to be Engrossed (Continued)

Bill "An Act relating to Taxation of Charitable and Benevolent Corporations" (H. P. 1955) (L. D. 1034)

Sent up for concurrence.

Amended Bills

Bill "An Act to Amend an Act relating to Unemployment Compensation" (S. P. 141) (L. D. 122)

Bill "An Act relating to Bonds on Mesne Process and Disclosures After Judgment" (S. P. 368) (L. D. 800)

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

Passed to be Enacted

An Act relating to Enforcement Support Decrees (S. P. 137) (L. D. 116)

An Act relating to Foreign Corporations (S. P. 140) (L. D. 121)

An Act to Conserve the Supply of Herring on the Coast of Maine (H. P. 1862) (L. D. 1014)

An Act Providing for the Payment of a Filing Fee for Statements of Foreign Insurance Companies (H. P. 1864) (L. D. 1011)

An Act relating to Insurance Policy Forms and Endorsements (H. P. 1865) (L. D. 1012)

Resolve in favor of Mrs. Alfred Lausier of Frenchville (H. P. 1866) (L. D. 1013)

Resolve to Reimburse the town of Bethel for the Fighting of Fire in Unorganized Township of Albany (H. P. 1867) (L. D. 1010)

Orders of the Day

The Chair lays before the House the first tabled and today assigned matter, House Report "Ought not to pass" of the Committee of Judiciary on Bill "An Act Relating to Filing of Certificates of Nomination and Nomination Papers" (H. P. 502) (L. D. 156), tabled on March 15th by Mr. Bird of Rockland, pending acceptance. The Chair recognizes the gentleman from Fairfield, Mr. Ellis.

Mr. ELLIS: Mr. Speaker, I would move the acceptance of the committee report, and in doing so, I would like to say just a word why I tabled this and the following matter. I was interested somewhat in the bill, and was not able to attend the hearing, and I wished to get the reasons for the report from the committee. As I get it from them, they considered there was not any demand for the change, or not very much, and they thought it was all right as it was. I think that is a very good reason and I think it is a reason that we should follow more than we do.

In regard to the next matter, I will just say that I am perfectly satisfied with their explanation of the report "Ought not to pass."

The SPEAKER: Is it the pleasure of the House to accept the "Ought not to pass" report of the Committee on Judiciary on Bill "An Act Relating to Filing of Certificates of Nomination and Nomination Papers" (H. P. 502) (L. D. 156)

The motion prevailed, the "Ought not to pass" report was accepted, and sent up for concurrence.

The Chair lays before the House the second tabled and today assigned matter, House Report "Ought not to pass" of the Committee on Judiciary on Bill "An Act Relating to the Absent Voting Law" (H. P. 501) (L. D. 155) tabled on March 15th by Mr. Bird of Rockland, pending acceptance. The Chair recognizes the gentleman from Fairfield, Mr. Ellis.

On motion by Mr. Ellis, the "Ought not to pass" report was accepted, and sent up for concurrence.

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

On motion by Mr. Noyes of Franklin, the House voted to reconsider its action taken earlier in today's session whereby it accepted the "Ought not to pass" report of the Committee on Mercantile Affairs and Insurance on Bill "An Act relating to the Standard Form Insurance Policy" (H. P. 1672) (L. D. 758); and on further motion by the same gentleman the report, together with the bill, was tabled, pending acceptance of the committee report.

On motion by Mr. Dwinal of Camden, the House voted to take from the table the seventeenth tabled and unassigned matter Bill "An Act Relating to Toy Pistols" (H. P. 1705) (L. D. 872) tabled on March 16th by that gentleman, pending adoption of House Amendment "A"; and on further motion by the same gentleman, House Amendment "A" was adopted, the bill was given its third reading, passed to be engrossed as amended by House Amendment "A", and sent up for concurrence.

On motion by Mr. Cowan of Portland, the House voted to take from the table the twelfth tabled and unassigned matter, Majority Report "Ought to pass" and Minority Report "Ought not to pass" of the Committee on Judiciary on Bill "An Act Relative to Court Proceedings in Relation to the Enforcement of the Inland Fish and Game Laws" (S. P. 215) (L. D. 287), which reports came from the Senate, the Majority Report read and accepted and the bill passed to be engrossed as amended by Senate Amendment "A," tabled on March 16th by that gentleman pending acceptance of either report. The Chair recognizes the gentleman from Berwick, Mr. Varney.

Mr. VARNEY: Mr. Speaker, I move the acceptance of the minority report "Ought not to pass," and I wish to make a statement as to my reason for signing the minority report.

This measure was designed to pre-

vent an officer in the Fish and Game Department arresting an individual and taking him a long distance, or even a short distance, to some trial justice whom that officer felt would be pretty sure to find this individual guilty. I heartily approve of any legislation which would do away with that evil, but my reason for signing the minority report, "Ought not to pass" is that I simply do not believe that the bill actually does what it was intended to do but rather makes the law very uncertain, so that the officer, if this bill becomes a law, could not take an individual anywhere where he could be assured of conviction.

As the bill is now amended, it reads that the arresting officer must take the individual before any municipal court having jurisdiction thereof, and with that provision I have no quarrel, because that is already in the law — "or before the nearest trial justice court in the county where the offense is committed."

Now I submit that there is no such thing as the location of a trial justice court. As I understand the law, a trial justice can hold court in any place in the county, and I assume that that would be the location of his trial justice court. For example: Should an officer arrest an offender in my town of South Berwick, the first thing he would have to determine is where he would take him. If there is a trial justice in the neighboring town of York and a trial justice in the neighboring town of Kittery, how can the officer decide which is the nearest trial justice? If he makes a wrong selection and takes him to the trial justice in York, and the respondent takes an appeal and the case gets into the Superior Court and he raises the question of jurisdiction that the complaint was brought before a trial justice who did not have jurisdiction because it was not brought before the nearest trial justice, the case will be thrown out.

I trust that I have made my explanation clear. It is not that I do not agree with the idea of the proponents of this bill, but I cannot see that the bill would do anything except make it so uncertain that an officer could not select any trial justice to which he could take an offender after he had arrested him with any degree of safety; in other words, he could not determine which

trial justice had jurisdiction. Therefore, I hope that the minority report "Ought not to pass" will be accepted.

Mr. BIRD of Rockland: Mr. Speaker, I move that the bill lie on the table.

The SPEAKER: The gentleman from Rockland, Mr. Bird, moves that the two reports and accompanying bill lie on the table pending the motion of the gentleman from Berwick, Mr. Varney, that the minority report be accepted. Is this the pleasure of the House?

The motion prevailed and the bill was so tabled.

On motion by Mr. Gyger of Cumberland, the House voted to take from the table the tenth unassigned matter, Bill "An Act Relating to Children" (H. P. 1933) (L. D. 1032) tabled on March 15th by that gentleman pending second reading; and on further motion by the same gentleman the bill was given its second reading and assigned for third reading on the next legislative day.

The SPEAKER: Are there any other matters that can be taken from the table?

The Chair recognizes the gentleman from Calais, Mr. Murchie.

Mr. MURCHIE: Mr. Speaker, I would like to ask unanimous consent to address the House.

The SPEAKER: The gentleman from Calais, Mr. Murchie, asks unanimous consent to address the House. Is there objection? The Chair hears none and the gentleman may proceed.

Mr. MURCHIE: Mr. Speaker and ladies and gentlemen of the Legislature: My thought in presenting myself at this time is that I do not want the legislative group to go home this week without perhaps a word in explanation of what may seem to some to be more or less of a delay on the part of the Committee on Appropriations and Financial Affairs.

Made up as it is of men and women of many diverse personal interests, this 89th Legislature must depend for its place in the sun upon the fidelity and sincerity of those whom it invites to interpret its responsibility. What I mean by that is that I have reference to the various standing and other committees of the Legislature, not only the

Chairman but every member of each committee. Its success and committee activity depends upon the amount of loyalty and cooperation which the Chairmen have at their command in working out policies and coming to conclusions.

Now I am giving you the assurance that the Appropriations and Finance Committee are doing their darndest downstairs to try and come to some conclusion. My thought was two days ago, and I think I voiced it to some members here this morning: We would try to have something tangible and definite we might submit before this week was out, but I have been convinced by my colleagues that I was all wrong, owing to the activities of the so-called economy committee created by this Legislature, which committee I haven't any patience with because I feel sure it is going to delay the doings of the Legislature at least two weeks.

We hear that they are delving into the Agricultural Department and we hear that they are going to revolutionize the Health and Welfare Department, and we hear various stories about their activities. For that reason I became convinced that our committee could not report until a report has been given to us of the findings of this economy committee.

Now you have seen here for the last day or two various bills put in under that joint order, and while some of them will not meet your approval, I am sure they were put in with the best intentions in the world.

The bill, if it is presented, and I doubt if it is, having to do with the increase in the fees for hunting and fishing licenses and those things, is purely an attempt on the part of our committee to make the Department of Inland Fisheries and Game self-supporting, which this would do, and thereby use for other purposes—meaning old age assistance—the full appropriation of that department, which involves \$125,000 to \$150,000.

The bill having to do with county attorneys is along the same lines. It hits each county in a very small way, but it would give us \$20,000.

We are searching hard for money. I have explained what I thought was the delay and I hope that you will appreciate it. All I want to say: If you decide to go along with

our ideas, we are grateful; if you do not go along with our ideas and have other notions, we assure you and I assure you that we want to go along with you. (Applause)

The SPEAKER: The House is proceeding under Orders of the Day. Are there any other matters that can be taken from the table?

On motion by Mr. Gyger of Cumberland, the House voted to take from the table the fifteenth unassigned matter, House Report, "Ought to pass" of the Committee on Appropriations and Financial Affairs on Bill "An Act Relating to Additional Industrial and Vocational Training in State Institutions" (H. P. 1969) (L. D. 1038) tabled on March 16th by that gentleman, pending acceptance.

Mr. GYGER: Mr. Speaker, I move that the report be accepted.

In explanation thereof, I might say that this bill combines two previous bills that carried with them a total appropriation of \$15,000 the first year and \$10,000 for the second year. The members of the Appropriations Committee are much in sympathy with the establishment of educational courses at these two schools, the Boys School at South Portland and the Reform School at South Windham, but we feel that the regular appropriation for those schools and the program can be so adjusted that the work can be taken care of in the next two years without additional appropriations.

The SPEAKER: Is it the pleasure of the House to accept the report of the committee?

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

Mr. HINMAN of Skowhegan: Mr. Speaker, in the absence of the gentleman from Bangor, Mr. Whitney, I move that we take from the table the fourteenth unassigned matter.

The SPEAKER: The gentleman from Skowhegan, Mr. Hinman, moves that the House now take from the table the 14th unassigned matter, House Report, "Ought to pass" of the Committee on Appropriations and Financial Affairs on Bill "An Act Amending an Act Relating to Compensation of County Attorneys" (H. P. 1969) (L. D. 1037) tabled on March 16th by Mr. Whitney of Bangor, pending acceptance. Is this the pleasure of the House?

The motion prevailed, and on further motion by Mr. Hinman the "Ought to pass" report of the committee was accepted.

On motion by Mr. Gyger of Cumberland, the House voted to take from the table the 13th unassigned matter, House Report, "Ought to pass" of the Committee on Appropriations and Financial Affairs on Bill "An Act Relating to Travel Expense of State Employees" (H. P. 1967) (L. D. 1036) tabled on March 16th by that gentleman pending acceptance; and on further motion by the same gentleman the "Ought to pass" report of the committee was accepted.

The SPEAKER: Are there any other matters that can be taken from the table? Is there any other business to come before the House under Orders of the Day? If not, the Clerk will read the notices.

On motion by Mr. Holman of Dixfield,

Adjourned until Tuesday, March 21st at eleven o'clock in the forenoon.