

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Ninety-Fourth Legislature

OF THE

STATE OF MAINE

1949

DAILY KENNEBEC JOURNAL
AUGUSTA, MAINE

HOUSE

Monday, April 25, 1949

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

Prayer by the Rev. Mr. Reagan of Augusta.

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

The journal of the previous session was read and approved.

**Papers From the Senate
Senate Reports of Committees
Leave to Withdraw**

Report of the Committee on Federal Relations on Memorial to Congress re Tidelands Decision (S. P. 482) (L. D. 946) reporting leave to withdraw.

Came from the Senate read and accepted.

In the House, read and accepted in concurrence.

Ought to Pass in New Draft

Report of the Committee on Legal Affairs on Bill "An Act to Incorporate the Town of Skowhegan School District" (S. P. 579) (L. D. 1257) reporting same in a new draft (S. P. 672) (L. D. 1533) under title of "An Act to Incorporate the Skowhegan School District" and that it "Ought to pass"

Report of the Committee on Salaries and Fees reporting "Ought to pass" on Bill "An Act Relating to Clerk Hire in County Offices" (S. P. 362) (L. D. 579)

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

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

**Ought to Pass
With Committee Amendment**

Report of the Committee on Agriculture on Bill "An Act Relating to the Minor Elements in Fertilizer" (S. P. 283) (L. D. 484)

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, 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. 283, L. D. 484, Bill "An Act Relating to the Minor Elements in Fertilizer."

Amend said Bill by striking out the underlined word "**transport**" in the 2nd line of that part designated "Sec. 162" thereof and inserting in place thereof the underlined words '**cause to be transported**'

Further amend said Bill by striking out the underlined word "**transported**" in the 2nd line of that part designated "Sec. 164" thereof and inserting in place thereof the underlined words '**cause to be transported**'

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

Non-Concurrent Matter

Bill "An Act Providing for Bridges and Culverts on Certain Roads" (H. P. 606) (L. D. 187) which was passed to be engrossed in the House on April 19th.

Came from the Senate, passed to be engrossed as amended by Senate Amendment "A" in non-concurrence.

In the House: On motion by Mr. Boulter of Stacyville, the House voted to recede from its former action and concurred with the Senate in the adoption of Senate Amendment "A" and in the passage of the Bill to be engrossed as amended by Senate Amendment "A".

**Non-Concurrent Matter
Tabled**

Bill "An Act Relating to Hours of Sale of Liquor" (S. P. 529) (L. D. 1062) which was indefinitely

postponed in the House on April 21st.

Came from the Senate with that body insisting on its former action whereby the Bill was recommitted to the Committee on Temperance and asking for a Committee of Conference.

In the House:

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

Mr. MALENFANT: Mr. Speaker, I move that the House adhere to its former action whereby H. P. 529, L. D. 1062 was indefinitely postponed.

The SPEAKER: The gentleman from Lewiston, Mr. Malenfant, moves that the House do adhere to its former action whereby on April 21st the Bill was indefinitely postponed.

The Chair recognizes the gentleman from Madison, Mr. DeSanctis.

Mr. DeSANCTIS: Mr. Speaker and Members of the House: My understanding is that the only reason for recommitment of the bill was to change it somewhat and put a few teeth in the bill. I see no reason why the bill should not be recommitted. As I stated last week, there have been several bills recommitted to other committees for further consideration. Had I been recognized first, my motion would have been to recede and concur with the Senate.

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

Mr. MALENFANT: Mr. Speaker, it seems to me it is no use to give them a chance to send another bill to us. We have too much work to do. Besides, the bill that would come back to us would smell just as bad as the first one, so we might as well leave it there.

The SPEAKER: The question before the House is on the motion of the gentleman from Lewiston, Mr. Malenfant, that the House do adhere to its former action whereby the Bill was indefinitely postponed.

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

Mr. WIGHT: Mr. Speaker, do I understand that a motion to adhere comes ahead of the motion of the gentleman from Sanford, Mr. DeSanctis?

The SPEAKER: If the Chair understands the question correctly of the gentleman from Bangor, his inquiry is as to whether or not the motion of the gentleman from Lewiston, Mr. Malenfant, that the House do adhere, comes before the motion of the gentleman from Madison, Mr. DeSanctis. The Chair will state that the Chair does not understand that there is more than one motion before the House at this time.

Does that answer the question of the gentleman?

Mr. WIGHT: I think it does, Mr. Speaker.

The SPEAKER: The Chair recognizes the gentleman from Madison, Mr. DeSanctis.

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

The SPEAKER: The Chair now understands that the gentleman from Madison, Mr. DeSanctis, moves that the House do recede and concur with the Senate, thereby receding from its former action whereby it indefinitely postponed the Bill and concurring with the Senate in that the Bill be recommitted to the Committee on Temperance.

The question before the House is on the motion of the gentleman from Madison, Mr. DeSanctis, that the House do recede and concur. As many as are in favor of the motion that the House do recede and concur will say aye—

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

Mr. JOHNSON: Mr. Speaker, may I inquire if the gentleman who asked for indefinite postponement is present today or not?

The SPEAKER: In answer to the inquiry of the gentleman, the Clerk will ascertain. The House may be at ease pending the determination of the inquiry.

House at Ease

Called to Order by the Speaker.

The SPEAKER: The Clerk will read the Journal.

The CLERK (reading): From the Journal of Thursday, April 21st. Majority Report of the Committee on Temperance, reporting "Ought to pass" on Bill "An Act Relating to Hours of Sale of Liquor" (S. P. 529) (L. D. 1062). Majority Report signed by six members of the committee, and I will omit the reading of the names. Minority Report of the same committee reporting the Bill "Ought not to pass" and signed by three members of the committee.

The report came from the Senate recommitted to the Committee on Temperance. The report was read. Mr. DeSanctis of Madison moved to recommit in concurrence, which motion was lost on a division, 39 voting in favor of the motion and 55 against.

On motion of Mr. Maxwell of Wilton, was indefinitely postponed in non-concurrence and sent up for concurrence.

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

Mr. JOHNSON: Mr. Speaker, in view of the fact Mr. Maxwell is not present today, I think it would be in order for me to ask to table this Bill and give him an opportunity to have his say when he returns. I so move, if it is in order.

The SPEAKER: In order that the House may be fully informed upon the matter, the Chair will state that the motion to indefinitely postpone appears from the Journal to be made by the gentleman from Wilton, Mr. Maxwell and not by the gentleman from Orient, Mr. Maxwell.

Does the Chair understand that, under the circumstances, the gentleman from Gardiner, Mr. Johnson, wishes to continue his motion?

Mr. JOHNSON: No, Mr. Speaker, as long as the man who moved to indefinitely postpone is here.

The SPEAKER: The gentleman from Gardiner, Mr. Johnson, with-

draws his motion that the matter be laid upon the table.

The Chair recognizes the gentleman from Wilton, Mr. Maxwell.

Mr. MAXWELL: Mr. Speaker, I am quite certain I never moved the indefinite postponement of that Bill, but if anyone would like to have me do so I might do it. I am sure it was Mr. Maxwell. I move that it be tabled until he returns.

The SPEAKER: The gentleman from Wilton, Mr. Maxwell, moves that the Bill and accompanying papers lie upon the table pending the motion of the gentleman from Madison, Mr. DeSanctis, that the House do recede and concur. Is it the pleasure of the House that the matter lie upon the table?

The motion prevailed and the matter was so tabled.

Non-Concurrent Matter

Bill "An Act Relating to Certain Procedures in Inheritance Tax Law" (S. P. 625) (L. D. 1368), Original Bill (S. P. 273) (L. D. 446) on which the House accepted the Majority Report of the Committee on Judiciary and passed the new draft to be engrossed.

Came from the Senate with the Senate insisting upon its former action whereby the Minority Report of the Committee reporting "Ought not to pass" was accepted and asking for a Committee of Conference.

In the House: On motion by Mr. McGlaufflin of Portland, the House voted to recede from its former action whereby it passed the Bill to be engrossed; and on further motion by the same gentleman, the House voted to concur with the Senate in the acceptance of the Minority "Ought not to pass" Report of the Committee.

Non-Concurrent

Bill "An Act Relating to the Financial Responsibility Law" (H. P. 2027) (L. D. 1416) which was indefinitely postponed in the House on April 21st in non-concurrence.

Came from the Senate with that body insisting on its former action

whereby the Bill was passed to be engrossed and asking for a Committee of Conference.

In the House:

The SPEAKER: The Chair recognizes the gentleman from Paris, Mr. Eastman.

Mr. EASTMAN: Mr. Speaker, I now move that the House do adhere to its former action on Item 18, Bill "An Act Relating to the Financial Responsibility Law" (H. P. 2027) (L. D. 1416) which was indefinitely postponed in the House on April 21st in non-concurrence.

The SPEAKER: The gentleman from Paris, Mr. Eastman, moves that the House do now adhere to its former action, taken on April 21st, whereby the Bill was indefinitely postponed. Is this the pleasure of the House?

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

Mr. MCGLAUFLIN: Mr. Speaker, I understood, in a conversation with the gentleman from Paris, Mr. Eastman, that he was willing for this to go, so that we could raise the limit for an accident amount from fifty dollars to a hundred dollars. Would the gentleman withdraw his motion?

Mr. EASTMAN: Mr. Speaker, I will withdraw that motion, and move that the House concur with the Senate and ask for a Committee of Conference.

The SPEAKER: The Chair understands that the gentleman from Paris, Mr. Eastman, withdraws his original motion which was to adhere, and moves now that the House do insist on its former action and join in a Committee of Conference. Is this the pleasure of the House?

The motion prevailed.

Mr. Knapp of Yarmouth, was granted unanimous consent to address the House.

Mr. KNAPP: Mr. Speaker, I ask unanimous consent to introduce a Bill, Bill "An Act Relating to the North Yarmouth School District." The purpose of this Bill is merely to correct a technical defect in An

Act Approving the North Yarmouth School District, which has been earlier in this session, and under the emergency clause and signed by the Governor, and without any reference to any committee.

The SPEAKER: The gentleman from Yarmouth, Mr. Knapp, presents a Bill and requests unanimous consent for its introduction. The Clerk will read the title.

The CLERK: (reading) Bill "An Act Relating to the Town of North Yarmouth School District."

The SPEAKER: Is there objection to the reception of the Bill? The Chair hears none and the Bill has been received by unanimous consent.

The gentleman from Yarmouth, Mr. Knapp, moves that the Bill be referred to the Committee on Legal Affairs, ordered printed and sent up for concurrence. Is this the pleasure of the House?

The motion prevailed.

Orders

The SPEAKER: The Chair recognizes the gentleman from Limestons, Mr. Burgess.

Mr. BURGESS: Mr. Speaker, I present an order, and I ask unanimous consent that it be made the special order of the day for tomorrow, April 26th.

The SPEAKER: The Clerk will read the order.

ORDERED, that all matters tabled shall be assigned for consideration not later than the third day thereafter, Saturdays and Sundays excepted.

The SPEAKER: The gentleman from Limestone, Mr. Burgess, presents an order and asks unanimous consent that it be made a special matter of business for tomorrow, April 26th. Is this the pleasure of the House?

The motion prevailed.

House Reports of Committees Divided Report Tabled

Majority Report of the Committee on Judiciary on Bill "An Act Relating to Housing and Redevelop-

ment" (H. P. 575) (L. D. 173) and New Draft of same (H. P. 2020) (L. D. 1406) under title of "An Act to Authorize the Creation of Public Bodies to be Known as Housing Authorities" which were recommit- ted reporting a second new draft under title of "An Act to Create Public Bodies to be Known as Housing Authorities" (H. P. 2089) (L. D. 1561)

Report was signed by the fol- lowing members:

Messrs. BARNES of Aroostook
WARD of Penobscot
—of the Senate
PAYSON of Union
SILSBY of Aurora
BURGESS of Rockland
MUSKIE of Waterville
WOODWORTH of Fair-
field

—of the House

Minority report of same Commit- tee reporting "Ought not to pass" on the same Bills

Report was signed by the follow- ing members:

Messrs. ELA of Somerset
—of the Senate
WILLIAMS of Auburn
McGLAUPLIN of Port-
land

—of the House

(On motion by Mr. Burgess of Rockland, the two Reports, with accompanying papers, were tabled pending acceptance of either Re- port)

**Passed to be Engrossed
Tabled**

Bill "An Act Increasing the Amount Available for Expenses of the Justices of the Supreme Judicial Court" (S. P. 318) (L. D. 511)

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

(On motion by Mr. Campbell of Garland, tabled pending passage to be engrossed)

Bill "An Act Relating to the Sal- ary of Register of Deeds and Clerk Hire in Offices of Register of Deeds and Register of Probate in Lincoln County" (H. P. 2087) (L. D. 1555)

Resolve in Favor of the Town of Princeton (S. P. 456) (L. D. 1520)

Were reported by the Commit- tee on Bills in the Third Reading, Bill read the third time, Resolve read the second time, both passed to be engrossed and sent to the Senate.

Tabled

Resolve Authorizing the Deer Isle-Sedgwick Bridge to Release Certain Rights to Eunice Winslow of Rockland (S. P. 667) (L. D. 1503)

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

(On motion by Mr. Lackee of Ad- dison, tabled pending passage to be engrossed.)

Resolve Proposing an Amendment to the Constitution to Authorize the Issuing of Bonds to be Used for the Purpose of Building Highway or Combination Bridges Authorized by the Legislature (S. P. 670) (L. D. 1522)

Was reported by the Committee on Bills in the Third Reading, read the second time, passed to be en- grossed and sent to the Senate.

Amended Bills

Bill "An Act Relating to Number of Medical Examiners in Aroostook County" (S. P. 421) (L. D. 778)

Bill "An Act to Incorporate the Town of Norway School District" (S. P. 311) (L. D. 504)

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

Tabled

Bill "An Act Creating the Town of Wiscasset School District" (H. P. 1056) (L. D. 531)

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

(On motion by Mr. Campbell of Augusta, tabled pending passage to be engrossed.)

Bill "An Act to Incorporate the Town of Hermon School District" (H. P. 1058) (L. D. 472)

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

Tabled

Bill "An Act to Control the Payment of Benefits During Vacation Periods Under the Unemployment Compensation Law" (H. P. 1575) (L. D. 898)

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

(On motion by Mr. Jennings of Strong, tabled pending passage to be engrossed.)

Tabled

Bill "An Act to Incorporate the North Kennebunkport School District" (H. P. 1838) (L. D. 1162)

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

(On motion by Mr. Campbell of Augusta, tabled pending passage to be engrossed.)

Bill "An Act to Create the Town of Palmyra School District" (H. P. 1844) (L. D. 1202)

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

Orders of the Day

On motion by Mr. White of Auburn, the House voted to take from the table the 83rd tabled and unassigned matter, House Report "Ought to pass in New Draft" (H. P. 2066) (L. D. 1500) of the Committee on Mercantile Affairs and Insurance on Bill "An Act Relating to the Inspection of Buildings and the Approval of Certain Articles Containing Natural or Synthetic Components" (H. P. 1654) (L. D. 962) tabled on April 18 by the gentleman from Auburn, Mr. White, pending acceptance of the Committee Report. On further motion by the same gentleman the "Ought to

pass in New Draft" report of the Committee was accepted. The New Draft having been printed, the Bill was given its two several readings under suspension of the rules.

Mr. White of Auburn offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to H. P. 2066, L. D. 1500, Bill "An Act Relating to the Inspection of Buildings and the Approval of Certain Articles Containing Natural or Synthetic Components."

Amend said Bill by striking out the 1st 3 underlined words of the 2nd sentence of the 2nd paragraph of that part designated "Sec. 22" and inserting in place thereof the following underlined words: **'He may by preliminary order prohibit'**

Further amend said Bill by adding at the end thereof, before the period, the following underlined words:

'; provided, however, that any preliminary order issued under the provisions of the 2nd paragraph of section 22 shall be vacated if the department of industrial cooperation of the University of Maine shall not report its determination upon the article or articles submitted to it and covered by such preliminary order within 60 days after such submission to it'

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

On motion by Mr. Campbell of Augusta, the House voted to take from the table the 95th tabled and unassigned matter, Bill "An Act to Incorporate the Town of Dexter School District" (H. P. 1052) (L. D. 468) tabled on April 19th by that gentleman pending adoption of Committee Amendment "A".

On further motion by the same gentleman, the House voted under suspension of the rules to reconsider its former action taken on March 2nd whereby Committee Amendment "A" was adopted (be-

fore recommitting to the Committee on Legal Affairs).

Mr. Campbell then offered House Amendment "A" to Committee Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to H. P. 1052, L. D. 468, Bill "An Act to Incorporate the Town of Dexter School District."

Amend said Amendment by striking out at the end thereof the figure "\$500,000" and inserting in place thereof the figure "\$275,000"

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

'Further amend said Bill by inserting after the word "meeting" in the next to the last sentence of Sec. 9 thereof the following:

“; provided that the total number of votes cast for and against the acceptance of this act at said meeting equals or exceeds 20% of the total vote for all candidates for governor in said town at the next previous gubernatorial election’

House Amendment "A" to Committee Amendment "A" was adopted.

Thereupon, Committee Amendment "A" as amended by House Amendment "A" was adopted.

On further motion by Mr. Campbell, Committee Amendment "B" was indefinitely postponed.

Thereupon, the Bill, having already been printed, was given its two several readings under suspension of the rules and assigned for third reading tomorrow morning.

On motion by Mr. Campbell of Augusta, the House voted to take from the table the 96th tabled and unassigned matter, Bill "An Act to Incorporate the Town of Otisfield School District" (H. P. 1169) (L. D. 625) tabled on April 19th by that gentleman pending passage to be engrossed.

Thereupon, the House voted, under suspension of the rules, to re-

consider its action whereby it adopted Committee Amendment "A".

Mr. Campbell of Augusta then presented House Amendment "A" to Committee Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to H. P. 1169, L. D. 625, Bill "An Act to Incorporate the Town of Otisfield School District."

Amend said Amendment by striking out in the 4th line of the second paragraph thereof the word "or" and inserting in place thereof the word 'and'.

House Amendment "A" to Committee Amendment "A" was adopted.

On further motion by Mr. Campbell of Augusta, Committee Amendment "A" as amended by House Amendment "A" was adopted and the bill was passed to be engrossed as amended.

On motion by Mr. Campbell of Augusta, the House voted to take from the table the 97th tabled and unassigned matter, "Bill "An Act to Incorporate the City of Westbrook School District" (H. P. 1758) (L. D. 1030) tabled on April 19 by that gentleman pending passage to be engrossed.

On further motion by the same gentleman, the House voted under suspension of the rules to reconsider its action whereby Committee Amendment "A" was adopted.

Mr. Campbell of Augusta then offered House Amendment "A" to Committee Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to H. P. 1758, L. D. 1030, Bill "An Act to Incorporate the City of Westbrook School District."

Amend said Amendment by striking out in the 4th line thereof the

word "or" and inserting in place thereof the word 'and'.

House Amendment "A" to Committee Amendment "A" was adopted.

On further motion by Mr. Campbell, Committee Amendment "A" as amended by House Amendment "A" was adopted and the Bill was passed to be engrossed as amended and sent up for concurrence.

On motion by Mr. Campbell of Augusta, the House voted to take from the table the 98th tabled and unassigned matter, Bill "An Act to Incorporate the Town of Sidney School District" (H. P. 1877) (L. D. 1255) tabled by that gentleman on April 19th pending passage to be engrossed.

On further motion by the same gentleman, the House voted to reconsider its action whereby Committee Amendment "A" was adopted.

Mr. Campbell of Augusta then offered House Amendment "A" to Committee Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to H. P. 1877, L. D. 1255, Bill "An Act to Incorporate the Town of Sidney School District."

Amend said Amendment by striking out in the 4th line of the last paragraph thereof the word "or" and inserting in place thereof the word 'and'.

Thereupon, House Amendment "A" to Committee Amendment "A" was adopted.

On further motion by Mr. Campbell, Committee Amendment "A" as amended by House Amendment "A" was adopted and the Bill was passed to be engrossed as amended and sent up for concurrence.

On motion by Mr. Campbell of Augusta, the House voted to take from the table the 99th tabled and unassigned matter, Bill "An Act to Incorporate the Town of Machias School District" (H. P. 1900) (L. D.

1225) tabled by that gentleman on April 19th pending passage to be engrossed.

On further motion by the same gentleman, under suspension of the rules, the House voted to reconsider its action whereby Committee Amendment "A" was adopted.

Mr. Campbell of Augusta then offered House Amendment "A" to Committee Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to H. P. 1900, L. D. 1225, Bill "An Act to Incorporate the Town of Machias School District."

Amend said Amendment by striking out in the 3rd line of the last paragraph thereof the word "or" and inserting in place thereof the word 'and'.

House Amendment "A" to Committee Amendment "A" was adopted.

On further motion by Mr. Campbell, Committee Amendment "A" as amended by House Amendment "A" was adopted, and the Bill was passed to be engrossed as amended and sent up for concurrence.

On motion by Mr. Lacharite of Brunswick, the House voted to take from the table the 121st tabled and unassigned matter, Bill "An Act Permitting Counties to Raise Money for Airport Construction" (H. P. 1470) (L. D. 803) tabled by that gentleman on April 21st pending passage to be engrossed.

Thereupon, the Bill, having had its three several readings, was passed to be engrossed and sent up for concurrence.

On motion by Mr. Lacharite of Brunswick, the House voted to take from the table the 104th tabled and unassigned matter, House Report "Ought not to pass" of the Committee on Claims on Resolve in Favor of Mrs. W. H. Kyle of Scarsdale, New York (H. P. 1122) tabled by that gentleman on April 20th pending acceptance of the Report;

And, on further motion by the same gentleman, the "Ought not to pass" report of the Committee was accepted and sent up for concurrence.

On motion by Mr. Lacharite of Brunswick, the House voted to take from the table the 78th tabled and unassigned matter, Bill "An Act Relating to Wild Bees" (H. P. 1025) (L. D. 457) tabled by that gentleman on April 15th pending passage to be engrossed.

On further motion by the same gentleman, the House voted to reconsider its action whereby Committee Amendment "A" was adopted.

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

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

HOUSE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to H. P. 1025, L. D. 457, Bill "An Act Relating to Wild Bees."

Amend said Amendment by adding after the underlined word "cultivating" in the last line thereof the underlined words 'or self-protection from'

House Amendment "A" to Committee Amendment "A" was adopted.

Thereupon, Committee Amendment "A" as amended by House Amendment "A" was read by the Clerk as follows:

COMMITTEE AMENDMENT "A" to H. P. 1025, L. D. 457, Bill "An Act Relating to Wild Bees."

Amend said Bill by adding at the end of the 5th line, after the underlined word "shall", the underlined word 'wilfully'

Further amend said Bill by inserting at the end of the 7th line, after the underlined word "same", the underlined words 'except for purposes of cultivating the bees'

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

On motion by Mr. Lacharite of Brunswick, the House voted to take from the table the 75th tabled and unassigned matter, House Divided Report of the Committee on Temperance on Bill "An Act Relating to Eligibility of Certain Fraternal Organizations for Liquor Licenses" (H. P. 1920) (L. D. 1282), Majority Report "Ought not to pass", Minority Report "Ought to pass" tabled by that gentleman on April 15th pending acceptance of either report.

Thereupon, the Bill, having already been printed, was given its two several readings under suspension of the rules.

Mr. Lacharite of Brunswick then moved that the Bill be given its third reading under suspension of the rules. Whereupon, the gentleman from Cape Elizabeth, Mr. Chase, requested a division.

A division of the House was had.

Thirteen having voted in the affirmative and forty-seven having voted in the negative, a two-thirds voted being necessary, the motion for third reading did not prevail.

Thereupon, the Bill was assigned for third reading tomorrow morning.

On motion by Mr. Bennett of Raymond, the House voted to take from the table the 114th tabled and unassigned matter, House Report "Ought to pass" as amended by Committee Amendment "A" of the Committee on Claims on Resolve in Favor of George L. Varney of New Gloucester (H. P. 22) (L. D. 10) tabled by that gentleman on April 21st pending acceptance of the report.

On further motion by the same gentleman, the report of the committee was accepted.

The Resolve, having already been printed, was given its first reading under suspension of the rules.

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

COMMITTEE AMENDMENT "A" to H. P. 22, L. D. 10, Resolve in Favor of George L. Varney, of New Gloucester.

Amend said Resolve by striking out the figures "\$5,117." in the second line thereof and inserting the figures '\$2,500.'

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

On motion by Mr. Littlefield of Kennebunk, the House voted to take from the table the 17th tabled and unassigned matter, Resolve Changing the Opening Date for Fishing in Streams in Cumberland and York Counties (H. P. 2017) (L. D. 1404) tabled by that gentleman on March 29th pending second reading.

On further motion by the same gentleman, the Resolve was given its second reading, passed to be engrossed and sent to the Senate.

On motion by Mr. Littlefield of Kennebunk, the House voted to take from the table the 102nd tabled and unassigned matter, An Act Permitting the Digging of Clams in Kennebunk River and its Tributaries for Bait Only (H. P. 1800) (L. D. 1142) tabled by that gentleman on April 19th pending passage to be enacted.

On further motion by the same gentleman, the House voted, under suspension of the rules, to reconsider its action of April 6, 1949 whereby the Bill was passed to be engrossed as amended by Committee Amendment "A".

Mr. Littlefield of Kennebunk then offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to H. P. 1800, L. D. 1142, Bill "An Act Permitting the Digging of Clams in Kennebunk River for Bait Only."

Amend said Bill by inserting in the Title thereof, after word "Clams", the punctuation and words ' , Quahogs and Mussels'

Further amend said Bill by inserting after the underlined word "clams" in the headnote, the underlined punctuation and words ' , quahogs and mussels'

Further amend said Bill by inserting after the word "clams" in the 2nd line thereof the punctuation and words ' , quahogs and mussels'

Further amend said Bill by inserting after the word "clams" in the 3rd line thereof the punctuation and words ' , quahogs and mussels'

Further amend said Bill by inserting after the word "bushel" in the last line thereof the punctuation and words ' , whether clams, quahogs or mussels,'

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

On motion by Mr. Burgess of Rockland, the House voted to take from the table the 112th tabled and unassigned matter, Senate Report "Ought to pass" as amended by Committee Amendment "A" of the Committee on Sea and Shore Fisheries on Bill "An Act Relating to the Re-Use of Barrels for Food" (S. P. 443) (L. D. 795) tabled on April 21st by that gentleman pending acceptance in concurrence; and on further motion by the same gentleman, the "Ought to pass" as amended by Committee Amendment "A" report was accepted in concurrence.

Under suspension of the rules, the Bill was given its two several readings.

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

COMMITTEE AMENDMENT "A" to S. P. 443, L. D. 795, Bill "An Act Relating to the Re-Use of Barrels for Food."

Amend said Bill by striking out in the 10th line thereof the underlined word "and" and inserting in place thereof the underlined word 'or'

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

On motion by Mr. Bearce of Caribou, the House voted to take from the table the 35th tabled and unassigned matter, House Report "Ought not to pass" of the Committee on Taxation on Bill "An Act Amending the Gasoline Tax Law" (H. P. 1956) (L. D. 1329) tabled by that gentleman on April 6th, pending acceptance of report; and on further motion by the same gentleman the "Ought not to pass" report of the committee was accepted and sent up for concurrence.

On motion by Mr. Atherton of Bangor, the House voted to take from the table the 119th tabled and unassigned matter, Bill "An Act Relating to Elevators" (S. P. 664) (L. D. 1495) tabled by that gentleman on April 21st pending passage to be engrossed.

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

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

HOUSE AMENDMENT "A" to S. P. 664, L. D. 1495, Bill "An Act Relating to Elevators."

Amend said Bill by striking out the 1st sentence of that part designated "Sec. 99-H" thereof and inserting in place thereof the following underlined sentence:

'Each elevator proposed to be used within this state shall be thoroughly inspected by either the supervising inspector, a state elevator inspector or an authorized elevator inspector, and if found to conform to the rules of the board, upon payment of the inspection fee where required and a registration fee of \$1 per year by the owner or user of such elevator to the inspector, the latter shall issue to such owner or user an inspection certificate.'

Further amend said Bill by striking out the underlined words "the conveyance for which it was issued may not be continued to be operated without menace to the public safety and when" in the 2nd, 3rd and 4th lines of the 3rd para-

graph of that part designated "Sec. 99-H" thereof.

Further amend said Bill by striking out the 1st underlined sentence of the 3rd paragraph of that part designated "Sec. 99-K" and inserting in place thereof the following underlined sentence: **'Elevator inspectors shall give receipts for all fees and all sums received.'**

Further amend said Bill by striking out the underlined word "He" where it appears as the first word in the 2nd sentence of the 3rd paragraph of that part designated "Sec. 99-K" and inserting in place thereof the underlined word "They" House Amendment "A" was adopted; and on further motion by Mr. Atherton the Bill was passed to be engrossed as amended in non-concurrence and sent up for concurrence.

On motion by Mr. Grant of South Portland, the House voted to take from the table the 71st tabled and unassigned matter, Bill "An Act Relating to Automobile Travel by State Employees" (H. P. 2042) (L. D. 1465) tabled by that gentleman on April 14th pending passage to be engrossed.

Mr. GRANT: Mr. Speaker, I now move that this Bill be passed to be engrossed as amended.

The SPEAKER: The Chair recognizes the gentleman from Limestone, Mr. Burgess.

Mr. BURGESS: Mr. Speaker, it is perhaps entirely my fault, but I did not know that House Amendment "A" had been offered. Will the Clerk read House Amendment "A"?

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

HOUSE AMENDMENT "A" to H. P. 1971, L. D. 477, Bill "An Act Relating to Automobile Travel by State Employees".

Amend said Bill by striking out the underlined figure "6c" in the 9th line thereof and inserting in place thereof the underlined figure "5c"

The CLERK: The Amendment was presented by the gentleman

from Brooklin, Mr. Clapp, and was read and adopted on April 13th.

The SPEAKER: The question before the House is on the motion by the gentleman from South Portland, Mr. Grant, that the Bill be now passed to be engrossed as amended by House Amendment "A". Is this the pleasure of the House?

The motion prevailed and the Bill was passed to be engrossed as amended by House Amendment "A" and sent up for concurrence.

On motion by Mr. Jewett of Manchester, the House voted to take from the table the 59th tabled and unassigned matter, House Report "Ought not to pass" of the Committee on Taxation on Bill "An Act Relating to Taxation of Boats" (H. P. 1743) (L. D. 1096) tabled by that gentleman on April 13th pending acceptance of report.

The SPEAKER: The Chair recognizes the gentleman from Manchester, Mr. Jewett.

Mr. JEWETT: Mr. Speaker, the report of the committee reported this "Ought not to pass as covered by other Legislation." This was covered by other legislation, L. D. 820, which was reported out in the same manner. Therefore, I would like to move to substitute the Bill for the report of the committee.

The SPEAKER: The gentleman from Manchester, Mr. Jewett, moves that Bill "An Act Relating to Taxation of Boats" (H. P. 1743) (L. D. 1096) be substituted for the "Ought not to pass" report of the committee. Is this the pleasure of the House?

As many as are in favor of the motion of the gentleman from Man-

chester, Mr. Jewett, that the House do substitute the Bill for the "Ought not to pass" report of the committee—

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

Mr. WIGHT: Mr. Speaker, is it in order for me to ask that this Bill be retabled?

The SPEAKER: The gentleman may so move if he desires.

On motion by Mr. Wight of Bangor, the Bill and Report were tabled pending the motion of the gentleman from Manchester, Mr. Jewett, that the Bill be substituted for the "Ought not to pass" report of the committee, and specially assigned for Tuesday, April 26th.

On motion by Mr. Maxwell, of Wilton, the House voted to take from the table the 31st tabled and unassigned matter, House Report "Ought not to pass" of the Committee on Mines and Mining on Bill "An Act Relating to Mining" (H. P. 487) (L. D. 162) tabled by that gentleman on April 5th pending acceptance of report; and on further motion by the same gentleman, the matter was retabled and specially assigned for Thursday, April 28th, pending acceptance of report of the committee.

The SPEAKER: The Clerk will read the notices.

On motion by Mr. Berry of South Portland,

Adjourned until 9:00 o'clock, E. S. T., tomorrow morning.