

# 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**

Tuesday, April 26, 1949

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

Prayer by the Rev. Joseph Purdue of Bath.

The journal of the previous session was read and approved.

**Papers from the Senate  
Senate Reports of Committees  
Senate Divided Report**

Majority Report of the Committee on Salaries and Fees reporting "Ought not to pass" on Bill "An Act Relating to Fees of Deputy Sheriffs" (S. P. 121) (L. D. 142)

Report was signed by the following members:

Messrs. COLLINS of Aroostook  
HASKELL of Penobscot  
SLEEPER of Knox  
—of the Senate  
CAMPBELL of Garland  
BROWN of Durham  
BENNETT of Raymond  
CLAPP of Brooklin  
KENT of Randolph  
MARTIN of Eagle Lake  
—of the House

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

Report was signed by the following member:

Mr. LITTLEFIELD of Kennebunk  
—of the House

Came from the Senate with the Majority Report accepted.

In the House: The House voted to accept the Majority "Ought not to pass" Report of the Committee in concurrence.

**Senate Divided Report  
Tabled**

Majority Report of the Committee on Salaries and Fees on Resolve Appropriating Moneys to Continue the Cost of Living Increases of State Employees (S. P. 382) (L. D. 647) reporting same in a new draft "A" (S. P. 674) (L. D. 1546) under title of "An Act to Appropriate Moneys to Continue the Cost

of Living Increases of State Employees" and that it "Ought to pass"

Report was signed by the following members:

Messrs. COLLINS of Aroostook  
HASKELL of Penobscot  
SLEEPER of Knox  
—of the Senate  
KENT of Randolph  
CLAPP of Brooklin  
BENNETT of Raymond  
—of the House

Minority Report of same Committee on the same Bill reporting same in a new draft "B" (S. P. 675) (L. D. 1547) under title of "An Act to Appropriate Moneys to Continue the Cost of Living Increases of State Employees" and that it "Ought to pass"

Report was signed by the following members:

Messrs. CAMPBELL of Garland  
BROWN of Durham  
LITTLEFIELD of Kennebunk  
MARTIN of Eagle Lake  
—of the House

Came from the Senate with the Majority Report accepted and the new draft "A" passed to be engrossed.

In the House:

The SPEAKER: The Chair recognizes the gentleman from Garland, Mr. Campbell.

Mr. CAMPBELL: Mr. Speaker and Members of the House: Due to the fact that both of these Bills require quite a sum of money which is not included in the Appropriation Bill, I move that the two Reports, with accompanying papers, lie upon the table.

The SPEAKER: The gentleman from Garland, Mr. Campbell, moves that the two Reports, with accompanying papers, lie upon the table pending acceptance of either Report of the committee. Is this the pleasure of the House?

The motion prevailed.

**Ought to Pass with Committee  
Amendment**

Report of the Committee on Claims on Resolve in Favor of York

Electrical Company (S. P. 570) (L. D. 1545) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

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

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

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

COMMITTEE AMENDMENT "A" to S. P. 570, L. D. 1545, Resolve in Favor of York Electrical Company.

Amend said Resolve by striking out the following words after the word 'the' in the second line thereof,

"unappropriated surplus of the general fund", and insert the following words therein, 'state police appropriation'.

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

Report of the Committee on Federal Relations on Bill "An Act to Effect Certain Changes in Procedure Under the Unemployment Compensation Law" (S. P. 515) (L. D. 1046) 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, Report was read and accepted in concurrence, and the Bill read twice.

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

COMMITTEE AMENDMENT "A" to S. P. 515, L. D. 1046, Bill "An Act to Effect Certain Changes in Procedure Under the Unemployment Compensation Law."

Amend said Bill by inserting before the period at the end of section 1 the following words"

**' , and whenever the decision of a deputy is predicated upon a claimant's knowingly accepting benefits**

**to which he is not entitled, the appeal tribunal shall, after opportunity for fair hearing, affirm, modify or set aside the decision of the deputy and if it is found that the claimant did in fact knowingly accept a benefit to which he was not entitled, the claimant shall be ineligible to receive any further benefits for a period not to exceed 1 year from the week for which he first knowingly received such benefit. Appeals from the decision of the appeal tribunal may be taken in the same manner as is provided in section 6 of chapter 24 of the revised statutes of 1944 as amended'**

Further amend said Bill by inserting after the underlined word "subsequent", in the 13th line of section 8, the underlined word 'material'

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

Report of the Committee on Judiciary on Bill "An Act Relating to Fees of and Examinations by Board of Dental Examiners" (S. P. 87) (L. D. 114) 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, 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. 87, L. D. 114, Bill "An Act Relating to Fees of and Examinations by Board of Dental Examiners."

Amend said Bill in the 10th line thereof by inserting after the underlined word "in" the underlined words 'this state or in'

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

Report of the Committee on Claims on Resolve in Favor of Myrtle Keefe, of Fryeburg (S. P. 248) (L. D. 1548) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

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

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

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

COMMITTEE AMENDMENT "A" to S. P. 248, L. D. 1548, Resolve in Favor of Myrtle Keefe, of Fryeburg.

Amend said Resolve by striking out the figures in the second line thereof, "\$415.47" and inserting the figures therein, '\$323.65'.

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

The following paper from the Senate not on the Advance Calendar, was taken up:

From the Senate: The following Order:

ORDERED, the House concurring, that a Joint Select Committee of ten—three from the Senate and seven from the House—be appointed forthwith, to confer on the matter of allocating as appropriations such sums as may be available from any tax measures that may be considered by the two branches. The members of such Committee shall report the recommendations of the Committee to their respective branches.

Came from the Senate read and passed.

In the House: The Order received a passage in concurrence.

The SPEAKER: The Chair will appoint, as members on the part of the House, on the Joint Select Committee on Supplemental Appropriations: The gentleman from Unity, Mr. Brown, the gentleman from Ad-

dison, Mr. Lackee, the gentleman from Monmouth, Mr. Marsans, the gentleman from Freeport, Mr. Paterson, the gentleman from Smyrna, Mr. Bean, the gentleman from Fort Fairfield, Mr. Dorsey, and the gentleman from Waterville, Mr. Muskie.

### Orders

The SPEAKER: The Chair recognizes the gentleman from Cape Elizabeth, Mr. Chase.

Mr. CHASE: Mr. Speaker, I rise to appoint a personal privilege.

The SPEAKER: The gentleman may state his point.

Mr. CHASE: Mr. Speaker, I make this point of personal privilege not only on my own behalf but at the request of a number of the members of the Cumberland Delegation of which I am chairman.

In the latest issue of the Portland Sunday Telegram, under the heading "Maine Politics" and under the signature of Edward D. Talberth, there appeared the following item:

### "THE DANGER ZONE"

From at least three different sources word is forthcoming that one legislator is heading into the Danger Zone because of his open solicitation of tangible favors from the lobbyists on the Augusta scene. Frequently, during the course of a legislative session, charges are filed, oftentimes without basis of fact, that certain lobbyists are well heeled with money or other tokens. It is, therefore, contended that votes on some bills actually are purchased. But now comes a strange report, that of a legislator in Cumberland County who is seeking out lobbyists and promising his vote and any others he can deliver in return for a consideration, not necessarily financial. The report of which I write is rather wide-spread in legislative circles, which augurs not at all well for the individual concerned. It is to be hoped that the reported practice will cease because, if not, names might be called and that could be embarrassing. Legislators, themselves, by and large, are an

honest lot, and are disgusted with this individual whose operations are known to them." This is the end of the quotation.

Mr. Speaker, this accusation, made against an unnamed member of the Cumberland delegation, constitutes an insinuation which reflects upon every member of the delegation, and in order that the facts of the matter may become known, I make the following motion, which is in writing:

Motion: "That the said charge made by Edward D. Talberth against an unnamed member of the Cumberland County Delegation be made the subject of an inquiry by the House Committee on Elections; that said Committee be empowered to summon witnesses and administer oaths for the purpose of ascertaining the truth or falsity of the accusation; and that said Committee be instructed to report its findings to the House, together with its recommendation of appropriate action."

The SPEAKER: The gentleman from Cape Elizabeth, Mr. Chase, moves that the matter of a certain charge be made the subject on an inquiry by the House Committee on Elections, that the committee be empowered to summon witnesses, administer oaths for the purpose of ascertaining the truth or falsity of the accusation, and that said committee be instructed to report its findings to the House, together with its recommendation of appropriate action.

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

Mr. WOODWORTH: Mr. Speaker, I read the article in the paper and I suppose everybody else did, and I, personally, do not think that there is anything so serious about it that requires a legislative investigation at this late date. I understood the gentleman from Cape Elizabeth (Mr. Chase) to say that he had conferred with several members of his delegation with respect to the article. It seems to me that before the House is to undertake so elaborate an investigation as this

motion calls for, that the Cumberland Delegation should have a meeting all of its own and decide whether it really wants to put on such an investigation as this. I do not understand that any criminal charges were made, and it seems to me, while we are trying to get the work done here within the next two weeks, this investigation might prolong the session, and I certainly hope that will not happen.

The SPEAKER: The question before the House is on the motion of the gentleman from Cape Elizabeth, Mr. Chase, that the matter be made one of inquiry by the Committee on Elections. As many as are in favor of the motion of the gentleman from Cape Elizabeth will say aye; those opposed no.

A viva voce vote being taken, the motion prevailed.

#### House Reports of Committees Leave to Withdraw

Mr. Martin from the Committee on Claims on Resolve in Favor of Dr. H. C. Knowlton, of Bangor (H. P. 1446) reported leave to withdraw.

Mr. Payson from the Committee on Federal Relations on Bill "An Act To Amend the Unemployment Compensation Law to Provide for the Imposition of Administrative Penalties for Misrepresentation in Obtaining Benefits" (H. P. 1576) (L. D. 899) reported leave to withdraw as it is covered by other legislation.

Reports were read and accepted and sent up for concurrence.

#### Ought Not to Pass

Mr. DeSanctis from the Committee on Claims reported "Ought not to pass" on Resolve in Favor of the Town of Carmel (H. P. 1962)

Same gentleman from same Committee reported same on Resolve to Reimburse the Town of Perham for Aid Extended to Weston Blackstone (H. P. 1382)

Same gentleman from same Committee reported same on Resolve to Reimburse the Town of Canton for Support of Paupers (H. P. 1683)

Same gentleman from same Committee reported same on Resolve in Favor of Frank D. Miller, of Orland (H. P. 454) (L. D. 1349)

Mr. Hall from same Committee reported same on Resolve in Favor of General Ice Cream Corporation, of Rockland (H. P. 898)

Same gentleman from same Committee reported same on Resolve to Reimburse the Town of Clinton (H. P. 1275)

Same gentleman from same Committee reported same on Resolve in Favor of Gayland Redman, of Bucksport (H. P. 1284)

Reports were read and accepted and sent up for concurrence.

Mr. Hall from the Committee on Claims reported "Ought not to pass" on Resolve to Reimburse the Clyde Smith Memorial Hospital for Hospitalization and Medical Aid for Anthony Robinson (H. P. 1691)

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

Mr. DeSANCTIS: Mr. Speaker and Members of the House: I move that Item 10, Resolve to Reimburse the Clyde Smith Memorial Hospital for Hospitalization and Medical Aid for Anthony Robinson, H. P. 1691, be recommitted. We had two hospital Bills from that town, and this was the one that should have come out "Ought to pass", but it came out the other way. I would like to have the Resolve recommitted.

The SPEAKER: The gentleman from Madison, Mr. DeSanctis, moves that Item 10, Resolve to Reimburse the Clyde Smith Memorial Hospital for Hospitalization and Medical Aid for Anthony Robinson, House Paper 1691, be recommitted to the Committee on Claims. Is this the pleasure of the House?

The motion prevailed, and the Resolve was recommitted to the Committee on Claims and sent up for concurrence.

Mr. Knapp from the Committee on Claims reported "Ought not to pass" on Resolve in Favor of Clyde

E. Gould, of East Livermore (H. P. 327)

Same gentleman from same Committee reported same on Resolve in Favor of C. C. Smith Company, Inc. (H. P. 1381)

Reports were read and accepted and sent up for concurrence.

#### Tabled

Mr. Knapp from the Committee on Claims reported "Ought not to pass" on Resolve in Favor of Brunswick Hospital (H. P. 1377)

(On motion by Mr. Lacharite of Brunswick, tabled pending acceptance of Committee Report)

#### Tabled

Mr. Martin from the Committee on Claims reported "Ought not to pass" on Resolve in Favor of Dr. A. L. Gould, of Freeport (H. P. 1376)

(On motion by Mr. Lacharite of Brunswick, tabled pending acceptance of Committee Report)

Mr. Atherton from the Committee on Legal Affairs reported "Ought not to pass" on Bill "An Act to Incorporate the Augusta School District" (H. P. 1251) (L. D. 622)

Mr. Spear from the Committee on Ways and Bridges reported same on Bill "An Act Relating to Fines in Motor Vehicle Violation Cases" (H. P. 1964) (L. D. 1347)

Same gentleman from same Committee reported same on Resolve Proposing an Amendment to the Constitution for Authorization of Bond Issue in Favor of Bangor-Brewer Bridge (H. P. 1354) (L. D. 703)

Reports were read and accepted and sent up for concurrence.

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

#### Ought to Pass in New Draft

Mr. Boulier from the Committee on Ways and Bridges on Bill "An

Act to Authorize the Construction of a Bridge Across the Penobscot River" (H. P. 1674) (L. D. 959) reported same in a new draft (H. P. 2090) (L. D. 1562) under title of Resolve Authorizing State Highway Commission to Study Desirability of a Bridge Across the Penobscot River and that it "Ought to pass"

Report was read and accepted and the Resolve, having already been printed, was read once under suspension of the rules and tomorrow assigned.

#### Ought to Pass Printed Bills

Mr. Boulier from the Committee on Ways and Bridges on the recommitted Bill "An Act Freeing the Richmond-Dresden Bridge of Tolls" (H. P. 1014) (L. D. 441) reported that it "Ought to pass."

Mr. Lackee from Committee on Ways and Bridges reported "Ought to pass" on Resolve in Favor of the Town of Columbia (H. P. 1016) (L. D. 1566)

Reports were read and accepted and the Bill and Resolve having already been printed, the Bill was read twice under suspension of the rules, the Resolve read once and tomorrow assigned.

#### Divided Report

Majority Report of the Committee on Inland Fisheries and Game on Resolve Providing for a Dam and Fish Screen at Outlet of Chain-of-Ponds, in the County of Franklin (H. P. 1481) (L. D. 881) reporting same in a new draft "A" under title of Resolve Providing for a Dam and Fish Screen at Chain-of-Ponds, in the County of Franklin (H. P. 2093) (L. D. 1565) and that it "Ought to pass"

Report was signed by the following members.

Messrs. SMART of Hancock  
BOWKER of Cumberland  
—of the Senate  
WIGHT of Bangor  
HILL of Bingham  
BEARCE of Caribou  
PLUMMER of Lisbon

CAMPBELL of Guilford  
CARVILLE of Stratton

—of the House

Minority Report of same Committee reporting same in a new draft "B" under title of Resolve Providing for a Dam and Fish Screen at Chain-of-Ponds, in the County of Franklin (H. P. 2092) (L. D. 1564) and that it "Ought to pass"

Report was signed by the following members:

Messrs. ELA of Somerset  
—of the Senate

HAYWARD of Machias  
—of the House

On motion by Mr. Carville of Stratton, the House voted to accept the Majority Report "Ought to pass in New Draft "A".

New Draft "A" having already been printed, the rules were suspended and the Resolve had it first reading and was assigned for second reading tomorrow morning.

#### Divided Report

##### Tabled and Assigned

Majority Report of the Committee on Public Health on Bill "An Act Relating to Hairdressers and Beauty Culture" (H. P. 1954) (L. D. 1327) reporting "Ought to pass" as amended by Committee Amendment "A"

Report was signed by the following members:

Messrs. LEAVITT of Cumberland  
COBB of Oxford

—of the Senate

Miss LONGSTAFF of Crystal  
Messrs. BATES of Orono  
BERRY of South Portland  
McCLURE of Bath  
WEBBER of Bangor

Mrs. FAY of Portland  
—of the House

Minority Report of same Committee on same Bill reporting "Ought to pass" as amended by Committee Amendment "B"

Report was signed by the following members:

Messrs. ELA of Somerset  
—of the Senate

MAXWELL of Wilton  
—of the House



(On motion by Mr. Bates of Orono, the two Reports, with accompanying papers, were tabled pending acceptance of either Report and specially assigned for Wednesday, April 27th.)

(At this point the gentleman from Limestone, Mr. Burgess, assumed the Chair, and Speaker Haskell retired)

**Passed to be Engrossed**

Bill "An Act Relating to Clerk Hire in County Offices" (S. P. 362) (L. D. 579)

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

Bill "An Act to Incorporate the Skowhegan School District" (S. P. 672) (L. D. 1533)

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

Mr. Lessard of Skowhegan, offered House Amendment "A" and moved its adoption.

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

**HOUSE AMENDMENT "A" to S. P. 672, L. D. 1533, Bill "An Act to Incorporate the Skowhegan School District."**

Amend said Bill by striking out all of section 9 thereof and inserting in place thereof the following section:

**'Sec. 9. Referendum; effective date.** This act shall take effect 90 days after the adjournment of the legislature, only for the purpose of permitting its submission to the legal voters of the territory embraced within the limits of said district, present and voting at the next annual town meeting of the town of Skowhegan, and appropriate article being inserted in the call for such meeting. The town clerk shall prepare the required ballots on which he shall reduce the subject matter of this act to the following question:

"Shall 'An Act to Incorporate the Skowhegan School District,' passed by the 94th legislature, be accepted?"

and the voters shall indicate by a cross or check mark placed against the words "Yes" or "No" their opinion of the same. The result of the vote shall be declared by the municipal officers of the town of Skowhegan and due certificate thereof filed by the town clerk with the secretary of state. This act shall take effect for all the purposes hereof immediately upon its acceptance by a majority of the voters voting at said meeting; 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.'

The **SPEAKER** pro tem: The Chair recognizes the gentleman from Dixfield, Mr. Marble.

Mr. **MARBLE**: Mr. Speaker and Members of the House: I rise in opposition to the adoption of this amendment. Your Legal Affairs Committee has drafted and re-drafted, amended and reamended, many of these school district bills, as you well know, in an attempt to give the towns just about what they want, and also to eliminate any legal difficulties, and to preserve the debt position of the towns insofar as possible.

At the time of the hearing on this bill — and there was a great deal of support for the school district bill—it was emphasized that they wanted it to come up for referendum at a special town meeting. This amendment would change it to an annual town meeting. I have checked with the sponsor of the bill this morning and they still want it at a special town meeting.

I would like to call your attention to a clause in the referendum provision in the bill, the 20% clause, which assures a large turnout at a special town meeting. I hope that you will not adopt this amendment. Thank you.

The **SPEAKER** pro tem: The question before the House is on the motion of the gentleman from Skowhegan, Mr. Lessard, on the adoption of House Amendment "A"

to Bill "An Act to Incorporate the Skowhegan School District," L. D. 1533. Is the House ready for the question?

Is it the pleasure of the House that House Amendment "A" be adopted? All those in favor of the adoption of the amendment will please signify by saying aye; those opposed no.

A viva voce vote being doubted, A division of the House was had. Two having voted in the affirmative and fifty having voted in the negative, the motion did not prevail.

Thereupon, the Bill was given its third reading, passed to be engrossed, and sent to the Senate.

Bill "An Act Relating to Eligibility of Certain Fraternal Organizations for Liquor Licenses" (H. P. 1920) (L. D. 1282)

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

The SPEAKER pro tem: The Chair recognizes the gentleman from Orient, Mr. Maxell.

Mr. MAXELL: Mr. Speaker and Members of the House: This bill, to me, has the earmarks and the smell of class legislation. To my thinking, you are giving to one class of people here something that you are denying another, also the individuals of the State. It also, to me, opens up simply another avenue of dispensing liquors in our State, and it seems to me we are blessed with a sufficient number today. So, Mr. Speaker and Members of this House, I move the indefinite postponement of this bill.

The SPEAKER pro tem: The gentleman from Orient, Mr. Maxell, moves the indefinite postponement of Item 3, Bill "An Act Relating to the Eligibility of Certain Fraternal Organizations for Liquor Licenses," H. P. 1920, L. D. 1282.

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

Mr. WOODWORTH: Mr. Speaker, I move that the matter be laid on the table until later in the day

because of the absence of Mr. De-Sanctis, the Chairman of the Temperance Committee.

The SPEAKER pro tem: The gentleman from Fairfield, Mr. Woodworth, moves that Item 3 lie upon the table until later in today's session. Is this the pleasure of the House?

The motion prevailed, and the Bill was so tabled.

#### Amended Bills and Resolve

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

Bill "An Act Relating to the Use of Barrels for Food" (S. P. 443) (L. D. 795)

Resolve in Favor of George L. Varney, of New Gloucester (H. P. 22) (L. D. 10)

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

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

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

Bill "An Act to Incorporate the Town of Dexter School District" (H. P. 1052) (L. D. 468)

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

#### Passed to be Enacted Emergency Measure

An Act to Authorize the County Commissioners of Cumberland Coun-

ty to Issue Bonds for Bridge Repairs (S. P. 640) (L. D. 1411)

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. 125 voted in favor of the same and none against, and accordingly, the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

#### Passed to be Enacted

An Act Relating to the Salary of the Clerk of Courts of Knox County (S. P. 178) (L. D. 236)

An Act to Promote the Topographic Mapping of Maine in Cooperation with the United States Geological Survey (S. P. 235) (L. D. 349)

An Act Relating to the Salary of the Judge of the Western Somerset Municipal Court (S. P. 316) (L. D. 509)

An Act Relating to Clerk Hire in County Offices in Somerset County (S. P. 317) (L. D. 510)

An Act Relating to State Aid for Academies (S. P. 345) (L. D. 571)

An Act Relating to Branding of Potatoes (S. P. 395) (L. D. 733)

An Act Relating to Investments of Savings Banks in Certain Mortgages (S. P. 398) (L. D. 736)

An Act Relating to the Salary of the Judge of the Lewiston Municipal Court (S. P. 466) (L. D. 917)

An Act Relating to the Salary of the Clerk and Clerk Hire of the Lewiston Municipal Court (S. P. 467) (L. D. 916)

An Act Eliminating Special Primary Elections in Certain Cases (S. P. 539) (L. D. 1102)

An Act Relating to Fire Escapes on Buildings (S. P. 578) (L. D. 1241)

An Act Relating to Pensions for Officers and Employees of Domestic Insurance Companies (S. P. 582) (L. D. 1250)

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.

#### Tabled

An Act to Create the Waterville Sewerage District (S. P. 584) (L. D. 1258)

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

(On motion by Mr. Castonguay of Waterville, tabled pending passage to be enacted)

An Act Amending the Atlantic States Marine Fisheries Compact (S. P. 634) (L. D. 1391)

An Act Relating to the Approved Listing of Certain Appliances (S. P. 657) (L. D. 1469)

An Act Relating to the Brewer Water District (S. P. 668) (L. D. 1502)

An Act to Repeal the Incorporation of Bridgton Centre Village Fire Corporation and Bridgton Centre Village Corporation (H. P. 361) (L. D. 124)

An Act Relating to Increase of Salaries of Certain County Officials of Knox County (H. P. 759) (L. D. 361)

An Act Relating to Salary of the Judge of the Rockland Municipal Court (H. P. 856) (L. D. 337)

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.

#### Tabled

An Act Relating to Aid to Dependent Children (H. P. 1009) (L. D. 440)

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

(On motion by Mrs. Fay of Portland, tabled pending passage to be enacted)

An Act Relating to Smelt Fishing in the Tidewaters of the Penobscot River and Its Tributaries (H. P. 1320) (L. D. 689)

Was 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.

**Tabled**

An Act Relating to Sale of Malt Liquor and Vinous Liquor in Restaurants (H. P. 1547) (L. D. 824)

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

(On motion by Mr. DeSanctis of Madison, tabled pending passage to be enacted)

An Act to Provide for a Police Commissioner for the City of Waterville (H. P. 1638) (L. D. 991)

An Act Relating to Salary and Bond of Recorder of the Rockland Municipal Court (H. P. 1704) (L. D. 1024)

An Act Relating to the Support of Dependent Wives, Children and Poor Relatives (H. P. 1718) (L. D. 1075)

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.

**Placed on Special Calendar**

An Act to Increase the Salary of the County Attorney of Knox County (H. P. 1797) (L. D. 1139)

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

(On motion by Mr. Brown of Unity, he being a member of the Committee on Appropriations and Financial Affairs, placed on Special Calendar)

An Act Relating to the Taking of Clams, Quahogs, Mussels and Worms in the Town of Islesboro (H. P. 1799) (L. D. 1141)

An Act Relating to the Salaries of the Judge and the Clerk of the Auburn Municipal Court (H. P. 1849) (L. D. 1187)

An Act to Incorporate the Blue-hill Water District (H. P. 1885) (L. D. 1256)

An Act to Create the Mount Desert Island Secondary Community School District (H. P. 1911) (L. D. 1274)

An Act Relating to the Digging of Clams in the Towns of Bristol and South Bristol (H. P. 1943) (L. D. 1315)

An Act to Amend the Charter of the City of Auburn to Provide for Two Councilmen at Large (H. P. 1999) (L. D. 1382)

An Act Relating to the Establishment of a Civil Defense Agency and a Public Safety Council (H. P. 2013) (L. D. 1398)

An Act Amending the Unemployment Compensation Law as to Payment of Benefits (H. P. 2031) (L. D. 1438)

An Act Relating to Employment of Women and Minors (H. P. 2040) (L. D. 1463)

An Act to Amend the Charter of the City of Waterville to Provide for the Appointment of One Full-time Assessor (H. P. 2053) (L. D. 1482)

An Act Relating to the Sale or Packing of Herring (H. P. 2057) (L. D. 1486)

An Act Relating to the Salary of the Judge of Probate in Knox County (H. P. 2059) (L. D. 1488)

An Act Relating to Salaries of Deputy Register of Deeds and Clerks in the Office of Register of Deeds, in the County of Cumberland (H. P. 2060) (L. D. 1489)

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.

**Tabled**

An Act Relating to Jurisdiction of Divorce Actions by Justice of Superior Court in Vacation (H. P. 2062) (L. D. 1491)

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

(On motion by Mr. Burgess of Rockland, tabled pending passage to be enacted)

An Act to Provide for the Election of Trustees of the Canaan School District (H. P. 2071)

Was 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.

#### Placed on Special Calendar

Resolve in Favor of Mrs. Charles Boyce of Cumberland Mills (H. P. 165) (L. D. 53)

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

(On motion by Mr. Brown of Unity, he being a member of the Committee on Appropriations and Financial Affairs, placed on Special Calendar)

#### Finally Passed

Resolve Regulating Smelt Fishing in Union River, Hancock County (H. P. 603) (L. D. 241)

Resolve Relative to Catching Lobsters Near Monhegan (H. P. 674) (L. D. 220)

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

#### Placed on Special Calendar

Resolve Relating to Construction of Airports (H. P. 1444) (L. D. 802)

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

(On motion by Mr. Brown of Unity, he being a member of the Committee on Appropriations and Financial Affairs, placed on special Calendar)

#### Placed on Special Calendar

Resolve to Provide for a Refund of Contributions to Certain Teachers (H. P. 1500) (L. D. 855)

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

(On motion by Mr. Brown of Unity, he being a member of the Committee on Appropriations and Financial Affairs, placed on Special Calendar.

Resolve Relating to Use of Seines in Medomak River, Lincoln County (H. P. 1803) (L. D. 1145)

Resolve Relative to Sale of Hatcheries and Feeding Station Property Authorized (H. P. 2056) (L. D. 1485)

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 pro tem: Under Orders of the Day the Chair lays before the House the Special Order for the Day, House Order relative to Assigning Tabled Matters. 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 order was presented yesterday by the gentleman from Limestone, Mr. Burgess, and by unanimous consent was made a Special Order of the Day for today.

The SPEAKER pro tem: Is it the pleasure of the House that the order receive a passage?

Thereupon, the order received a passage.

The SPEAKER pro tem: The Chair lays before the House the second tabled and assigned matter of today, being House Report "Ought not to pass" of the Committee on Welfare, on Bill "An Act Relating to Chiropractic Services under the Aid to Dependent Children and Dependents of Veterans' Law", being H. P. 1755, L. D. 1128, tabled on April 19th by the gentleman from Blaine, Mr. Bubar, pending acceptance of report; and the Chair recognizes the gentleman from Blaine, Mr. Bubar.

Mr. BUBAR: Mr. Speaker, I now move that the report of the committee be accepted.

The SPEAKER pro tem: The gentleman from Blaine, Mr. Bubar, now moves the acceptance of the report of the committee. Is that the pleasure of the House?

The motion prevailed.

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

Mr. McGLAUFLIN: Mr. Speaker, if I remember correctly, the majority—

The SPEAKER pro tem: The Chair would inquire of the gentleman from Portland Mr. McGlaufflin, for what purpose does the gentleman rise?

Mr. McGLAUFLIN: I want to speak on this chiropractic bill, Mr. Speaker.

The SPEAKER pro tem: Does the Chair understand that the gentleman from Portland, Mr. McGlaufflin, moves to reconsider our action whereby the committee report was accepted?

Mr. McGLAUFLIN: Yes, Mr. Speaker.

The SPEAKER pro tem: The gentleman from Portland, Mr. McGlaufflin, moves that the House reconsider its action whereby the House accepted the report of the committee on House Paper 1755, Legislative Document 1128, being Bill "An Act Relating to Chiropractic Services under the Aid to Dependent Children and Dependents of Veterans' Law". Is it the pleasure of the House to reconsider its action?

The motion prevailed.

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

Mr. McGLAUFLIN: Mr. Speaker and Ladies and Gentlemen of the House: The report of the committee, as I understand it, is adverse to having a chiropractor employed by this Veterans' Service.

Some seventeen years ago I drove from the State of New York to Portland, that day traveling three hundred and sixty miles, and I got one of the worst stiff necks that I ever had in my life. My secretary asked me why I didn't go to a chiropractor. I didn't know anything about chiropractors, but I was ready to try anything once.

I went to a chiropractor. He had me strip off my coat and vest and shirt, and laid me down on a table, and tried to break my backbone, it

seemed to me, but I got rid of that stiff neck in one treatment. That was such a relief that I would have been willing to give twenty-five dollars for the good that that treatment did me. Since that time I have had many chiropractic treatments.

Now you may call them quacks or anything you please, but when it comes to a question of adjusting a spine, I had rather have a chiropractor than any other doctor I know.

Now it isn't merely a question of being fair to the chiropractors. I am speaking in behalf of the soldiers that ought to have the privilege of having a chiropractor if it relates to some spinal matter. These chiropractors merely adjust the spine. So far as I know, that is all they do, but they are of incalculable value sometimes, and the men that have voted against this I feel it is due to the fact that they are prejudiced and that the probability is that they don't know anything about it. I do. I have had many treatments and that is one reason I am in such good condition today.

I move that we accept the minority report "Ought to pass".

The SPEAKER pro tem: The gentleman from Portland, Mr. McGlaufflin, moves that the House accept the minority "Ought to pass" report of the committee.

The Chair recognizes the gentleman from Millinocket, Mr. Gates.

Mr. GATES: Mr. Speaker and Members of the House: I am a member of the Welfare Committee, and the gentleman from Portland, Mr. McGlaufflin, has attributed to us something that was not in our minds. We do not object to chiropractic treatment for veterans or for ADC treatment. When this bill came up, we discussed it, and there is a bill, Legislative Document No. 440, which repeals that part of the law, I think it is Section 1, Article 230, that repeals that part of it; it says "In addition to the limits that are set" there shall be allowed dental and surgical and medical

treatment, and this bill was amended by adding the word "chiropractic", but due to the fact that this bill 440 repealed that provision, there was no reason for passing out this bill "Ought to pass" because there was nothing to change or to amend. The bill 440 has taken that out of the law.

So far as chiropractic treatment for the aid to veterans is concerned, that we questioned at the time of the committee hearing. Mr. Rowell, who is the head of the Department of World War Relief, informed your committee that there was no distinction or no discrimination shown between chiropractic and medical and dental and surgical treatment. As a matter of fact, any bill that was contracted by a recipient of this World War Relief was approved and paid to a chiropractor, if he were the man who gave the service. So we felt that there was no need of passing this bill.

The SPEAKER: The Chair would state that there was no divided report on this bill. The report of the committee was unanimous "Ought not to pass", therefore the Chair will rule that there is no motion before the House.

The Chair recognizes the gentleman from Blaine, Mr. Bubar.

Mr. BUBAR: Mr. Speaker, I have had this bill on the table, waiting for the Fay bill to go through, which covers this bill, and since the Fay bill is on the way and will be enacted, I see no need of this bill.

Now when it comes to chiropractors, I was the first chiropractor in Maine, believe it or not. That was back in the old days when it was called "mechanical physio-therapy" and McFadden declared that Palmer stole it from him and gave it a new name, so I know about this business; but this bill seems to be covered by the Fay bill. That is the reason I have taken it from the table and let it float along. Thank you.

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

Mr. McGLAUFFLIN: Mr. Speaker, I wish to move to retable this bill until we know what we are talking about.

The SPEAKER pro tem: The Chair would ask the gentleman from Portland, Mr. McGlauffin, if he would assign a time for reconsideration, according to the order passed this morning.

Mr. McGLAUFFLIN: Thursday, Mr. Speaker.

The SPEAKER pro tem: The gentleman from Portland, Mr. McGlauffin, moves that Bill "An Act Relating to Chiropractic Services under the Aid to Dependent Children and Dependents of Veterans' Law" being House Paper No. 1755, Legislative Document 1128, be tabled and specially assigned for Thursday, April 28th. Is that the pleasure of the House?

Calls of "No".

The SPEAKER pro tem: All those in favor of the motion of the gentleman from Portland, Mr. McGlauffin, will say aye; those opposed no.

A viva voce vote being doubted,

A division of the House was had.

Fifty-five having voted in the affirmative and twenty-eight having voted in the negative, the motion prevailed, and the Bill was so tabled and so assigned.

The SPEAKER pro tem: The Chair would state that due to an error in printing on the calendar, the Chair would now lay before the House the first tabled and today assigned matter, House Report "Ought not to pass" of the Committee on Taxation on Bill "An Act Relating to Taxation of Boats" being H. P. 1743, L. D. 1096, tabled on April 25th by the gentleman from Bangor, Mr. Wight, pending a motion of the gentleman from Manchester, Mr. Jewett, to substitute the Bill for the report. The Chair recognizes the gentleman from Manchester, Mr. Jewett.

Mr. JEWETT: Mr. Speaker and Members of the House, after having talked with the Tax Committee yesterday, and having received their

approval and consent, I would like to have this bill retabled and specially assigned for Friday, April 29th.

The SPEAKER pro tem: The gentleman from Manchester, Mr. Jewett, moves that this item, Bill "An Act Relating to Taxation of Boats" be retabled and specially assigned for Friday, April 29th. Is that the pleasure of the House?

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

(At this point, Speaker Haskell resumed the Chair, and Mr. Burgess retired to his seat on the floor of the House)

The SPEAKER: The Chair will state that the printed calendar, being incorrect this morning, the Chair will now lay before the House the third tabled and specially assigned matter, Senate Report "Ought not to pass" of the Committee on Judiciary on Bill "An Act Relating to Interest Rates of Small Loan Agencies" (S. P. 169) (L. D. 228), which was tabled on April 20th by the gentleman from Bangor, Mr. Atherton, pending acceptance of the report of the committee; and the Chair recognizes the gentleman from Bangor, Mr. Atherton.

I am going to move to substitute the bill for the report, not because I advocate the passage of the bill in its present form but merely to have the opportunity to present an amendment, which is House Amendment "A", which has been distributed to you under Filing No. 142.

The original bill calls for a reduction in the rate of interest of small loan agencies from three percent per month on the unpaid balance of any loan in excess of \$150 to one and one-half percent per month and from two and a half percent to one percent per month on the remainder.

The amendment which I have prepared and which I am interested in and am speaking for reduces the rate from three percent to two and a half percent on those

loans in excess of \$150 and from two and a half percent to two percent per month on the remainder. In other words, the amendment provides for the reduction of only one-half of one percent per month on the unpaid balance, and I hope that this House will permit the adoption of this amendment in order that the bill may be passed along and be given further consideration by that unmentionable body at the other end of the Hall.

I feel that the committee report on this bill is justified since the reduction called for in the bill is quite drastic, while the reduction called for in the amendment is much less and, I feel, worthy of consideration.

After my graduation from college, I was employed by one of these small loan companies as an assistant manager for a period of about two years, and, therefore, I am somewhat familiar with the practices and operation of the small loan business. It is evident that the gross profit received by these companies on loans outstanding should range from thirty to thirty-six percent per year less, of course, any losses they may suffer. It has always been my understanding that the actual loss of a small loan company over a long period of time would not exceed three percent of the loans outstanding. In addition to that, I understand that they do, or else have the opportunity, of insuring themselves against loss with the Russell Sage Foundation of New York. I recall one office in which I worked that the net profit for one month amounted to approximately \$2,000. That, of course, multiplied by twelve, would be \$24,000 per year. The outstanding loans at that time were approximately \$100,000 which would mean a net return of approximately twenty-four percent. That profit which they received did not stay in the State of Maine but was sent to the home office of the company some distance from this State.

I understand that the report of the committee is largely based on the letter which they received fol-



lowing the public hearing held on this bill and that the proponents of the bill had no opportunity to rebut. Therefore, I would like to take this opportunity to make a few comments upon it.

The letter was written on the letterhead of the Public Loan Corporation, 31 Milk Street, Boston, Massachusetts, and was signed by an official of that corporation, who apparently is not a citizen of the State of Maine. I do not feel that this letter is representative of the small loan business for the following reasons. First, because the Public Loan Corporation is fairly new in the State of Maine. I do not believe they have been in business in this State for more than two years, approximately that time. It is the practice of these loan companies when they open a new office to make loans almost indiscriminately to nearly everybody and anybody in order to build up outstanding loans. As a result, their expenses are high and the losses are much larger than they would be ordinarily or they are with a company which has been in business for a longer period of time. I notice the figure in the statement submitted by this particular company that they set aside a reserve for bad debts of a little better than ten percent. As I previously stated, it has always been my understanding that the actual loss would not amount to more than three percent and that many of them do, or else have the opportunity, of insuring themselves against such losses. This company also says that they have to travel as much as fifty or sixty miles from their office. In my experience with these companies, I do not know of any of these companies that exceeded a radius of thirty-five miles from that particular branch office they had in a certain locality. Except in one instance, I know a company which did go as much as approximately eighty miles from Bangor to the Town of Millinocket where they did a great deal of business.

It is readily evident from the statements by this company that their expenses are greatly in excess of those shown on the report of the Banking Commissioner. This report has been distributed to all members of the Legislature, at the beginning of the session, and is based on figures submitted to the Banking Commissioner by, I think, about eighty-five percent of the small loan companies operating in this State. Also, the percent of net earnings given by this company in their letter is considerably less than the amount shown on the Banking Commissioner's report for eighty-five percent of these companies.

For these reasons, I feel that this letter is not truly representative of the operation of the small loan business in the State of Maine, and, therefore, not worthy of consideration. I do not feel adoption of this amendment would hurt anyone, that is, anyone within the State of Maine, since employees within the State are not too well paid. They would not go out of business and could surely operate and receive a very substantial profit with the reduction of one-half of one percent. I might, of course, require them to lower the salaries of some of their officials outside the State of Maine, who now, I believe, draw fairly large salaries. But it would provide relief for poor people who are those who feel that they are obliged to go to these companies for loans and, of course, they are the ones who are least able to pay the high rates of interest.

Therefore, Mr. Speaker, I move to substitute the bill for the report and, if my motion prevails, I will offer House Amendment "A".

The SPEAKER: The gentleman from Bangor, Mr. Atherton, moves to substitute the bill for the "Ought not to pass" report of the committee.

The Chair recognizes the gentleman from Sanford, Mr. Gauthier.

Mr. GAUTHIER: Mr. Speaker and Members of the House: Ap-

parently, the proponent of this amendment believes that the small loan companies are making exorbitant profits. The report of the Banking Department for 1947 shows that the net interest earnings of the small loan companies is approximately seven percent net, at the present rates of interest. Do you feel that these are exorbitant profits? Apparently not. To give you an idea, an example, the Morris Plan Bank, which operates in the State of Maine, who have better mortgages and better paying people than the small loan companies have are, at the present time, charging eight percent interest and they have a bill in this House, which I understand has been approved by the committee, asking for an increase of four percent, which is twelve percent. The Banking Department and the banks of this State are very much in favor of these small loan companies. They go so far as to state that they are an asset. In talking with an official of the banking department, I was told that due to competition among those companies at this time it would be much better if the interest rate were left alone.

I understand that the Household Finance Corporation has just received a license from the banking department and they have set their rates, if I am not mistaken, at two and one-half percent. The Banking Department has informed me that it would be much better to leave them to take care of competition and these rates be cut by said competition of these small loan companies.

Therefore, I move indefinite postponement of this amendment and move to accept the "Ought not to pass" committee report.

The SPEAKER: The question before the House is on the motion of the gentleman from Bangor, Mr. Atherton, that the Bill be substituted for the "Ought not to pass" report of the committee.

The Chair recognizes the gentleman from Aurora, Mr. Silsby.

Mr. SILSBY: Mr. Speaker and Members of the House: I hesitate

to rise and take issue on this bill in the first instance by reason of the fact that Mr. Atherton is one of my brother attorneys but, nevertheless, as a member of the Judiciary Committee, I think I ought to relay to you some of the information which we received at that hearing.

I do not believe that we had a bill before us that we devoted more time to than we did this particular bill under consideration and I will admit that, in my humble opinion, when I first saw the bill, I thought it was a good bill and I thought it should have favorable consideration. But, as I studied the bill and heard the evidence, I found that I was in error, that this change of interest rate was too drastic and it has already been admitted this morning on the floor of this House that the interest rate change is too drastic, but I say to you, the proponents of this bill never came to our committee and offered any amendments for any reduction and this bill has been on the table for a long time. Now, it would seem to me that under the circumstances obtaining in this Legislature at this time, we should begin to accept committee reports. That we should make every effort to solve the issue, and that's about what they ask for, one-half of one percent, and I think it is time that we considered the good fishing that is about to begin and try to make every effort to get out of here unless it is a matter which demands a lot of consideration, and I don't think this does at the present time; and I ask, Mr. Speaker, if it would not be in order to make a motion to concur with the Senate at this time?

The SPEAKER: The Chair understands that the gentleman from Aurora, Mr. Silsby, moves to recede and concur with the Senate?

Mr. SILSBY: It would be my motion that we concur with the Senate, Mr. Speaker. As I understand it, the Senate has accepted the "Ought not to pass" report of the committee.

The SPEAKER: The Chair will state it is the opinion of the Chair that the motion would be in order.

Mr. SILSBY: Mr. Speaker and Members of the House: I so move.

The SPEAKER: The gentleman from Aurora, Mr. Silsby, moves that the House do concur in the acceptance of the majority "Ought not to pass" report of the committee.

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

Mr. ATHERTON: Mr. Speaker and Members of the House: I do not want it understood that I am necessarily opposed to small loan companies. As I realize and readily admit, they do perform a service in the State of Maine. However, I think perhaps it is also well known that at least part of that service has been taken over in late years by many of our banks as well as the small loan agencies. And there are some companies which do a great service to the people. I am thinking particularly of the Household Finance Corporation, which I know distributes a great deal of literature on economy in the home. As a matter of fact, they had a very fine exhibit at the New York World's Fair in 1939 advertising economy. Today, I understand, they recently opened two offices in the State of Maine, one in Portland and one in Bangor. They are, at the present time, advertising in the Bangor Daily News and the Portland Press Herald that they are making all loans at the reduced rate of two and one-half percent per month, which is the rate called for in the amendment which I wish to offer.

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

The SPEAKER: The gentleman from Aurora, Mr. Silsby, moves that the House do concur in the acceptance of the majority "Ought not to pass" report of the committee. The gentleman from Bangor, Mr. Atherton, has requested that when the vote is taken, it be by division. Is the House ready for the question?

The question before the House is on the motion of the gentleman

from Aurora, Mr. Silsby, that the House do concur and accept the majority "Ought not to pass" report of the committee. As many as are in favor of the motion will kindly rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Fifty-seven having voted in the affirmative and thirty-six having voted in the negative, the motion to concur in the acceptance of the "Ought not to pass" report of the committee prevailed.

The SPEAKER: The Chair now lays before the House a matter which was tabled earlier in today's session on Bill "An Act Relating to Eligibility of Certain Fraternal Organizations for Liquor Licenses" (H. P. 1920) (L. D. 1282) which was tabled earlier in today's session pending the motion of the gentleman from Orient, Mr. Maxell, that the Bill be indefinitely postponed.

The question before the House is on the motion of the gentleman from Orient, Mr. Maxell, that the Bill be indefinitely postponed.

The Chair recognizes the gentleman from Brunswick, Mr. Lacharite.

Mr. LACHARITE: Mr. Speaker and Members of the House: It was stated here, today, by the previous speaker on this bill that it would open another avenue in regard to the dispensing of liquor. In order to show you that it does not open a new avenue, I would like to explain the bill briefly.

The purpose of Section 1, Chapter 57, of the Revised Statutes is to prevent certain groups of individuals from getting organized to operate a club for pecuniary gain and, by the same token, to protect social and patriotic organizations who operate under a charter and in a bona fide manner. It also requires that a club be organized and incorporated for at least two years prior to the date of application for a license. Two years ago, this act was amended to exempt from the two-year requirement any veterans' organization in the State having a charter from a national veterans' organization provided, however,

that it had been established for at least three months. It is quite obvious that the parties interested in this amendment, two years ago, had very good motives but unintentionally forgot that we had other fraternal organizations which should be given some consideration. In many of our towns and cities, we have fraternal organizations, either of social or patriotic nature, and they are usually an asset to the community in which they are established. Most of them have to start from nothing and have to depend on their continued membership enrollment to carry on. They have to keep their expenses at a minimum, and many cannot afford to be incorporated for two or three years after being organized.

We also know that these organizations are not fly-by-night affairs and that they are here to stay. So, the purpose of this bill is to give these fraternal organizations with charters from national organizations exemption from the two year requirement providing, however, that they also be established for at least three months. Now, I believe that there was some misunderstanding in the committee in regard to the report that was handed to the House. I have since contacted the Chairman of the Committee and he has told me that he had no opposition to the bill's receiving a passage.

Mr. Speaker, I hope that the motion to indefinitely postpone the bill will not prevail.

The SPEAKER: The question before the House is upon the motion of the gentleman from Orient, Mr. Maxell, that the Bill be indefinitely postponed.

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

Mr. ATHERTON: Mr. Speaker and Members of the House: As a member of the Temperance Committee, I feel it would be well to explain to the House the situation on this bill. The majority of the committee reported that the bill "Ought not to pass", myself being one of the signers of the majority report.

At least seven members of the committee signed the "Ought not to pass" report and three signed the "Ought to pass" report.

It is also my understanding that the passage of this bill will apply to only one fraternal organization within the State and would, therefore, be class legislation. I also understand that this provision in the statute, briefly, was put there to provide for a number of new American Legion Posts which were being organized two or three years ago, because of the return of a large number of World War II veterans, who were joining these posts or were organizing new ones, and it was thought that it was only fair that the two year period requirement be waived in their cases. I do not believe that there are many fraternal organizations, or rather that most of the fraternal organizations have been in existence here in this State for a long period of time and probably most of them at the present time are eligible for liquor licenses. Therefore, I don't recall now what the motion is before the House, but I am speaking in favor of the "Ought not to pass" report of the committee.

The SPEAKER: The Chair will state that the motion is for the indefinite postponement of the Bill.

The Chair recognizes the gentleman from Greene, Mr. Sanderson.

Mr. SANDERSON: Mr. Speaker and Members of the House: As one of the members of the Committee on Temperance, who signed the majority report, I will explain briefly why I signed this report.

It has already been quoted that the third line of Article 1, Chapter 57, includes this clause: "not for pecuniary gain". And it would seem to me that if any organization desired to be allowed to secure a liquor license after a three month period rather than waiting the two year period, the object would be for pecuniary gain and would therefore conflict somewhat with the stated purpose of this law.

I think the statement was made, or perhaps the question was raised, at the committee hearing regard-

ing the adoption of this present section favoring the veterans' organizations that it was an oversight that the fraternal organizations were left out but as I understood it, this was designed simply as an opportunity for the veterans' organizations, not to give a blanket coverage to fraternal organizations.

It would seem to me fairly reasonable that the waiting period should be two years rather than the brief period of three months and I would also support the opinion of the gentleman from Orient, Mr. Maxell, in his statement that this bill would seem to be designed to open up an increased number of outlets which I think the general opinion would be that they are already numerous enough.

With this brief explanation, I think it would be wise that the motion of the gentleman from Orient, Mr. Maxell of indefinite postponement in accord with the majority report of this committee should receive a passage.

The SPEAKER: The question before the House is upon the motion of the gentleman from Orient, Mr. Maxell, that Bill "An Act Relating to Eligibility of Certain Fraternal Organizations for Liquor Licenses" be indefinitely postponed.

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

Mr. JALBERT: Mr. Speaker and Members of the House: As a signer of the minority report "Ought to pass" of the Temperance Committee, I was not aware that the bill involved one fraternal organization only even though that could be the case, although it would leave the road open for others, even though that would be the case. If my memory serves me correctly, four years ago, there was legislation passed for a country club in some locality in the State to have a special license after the town where that country club was located had gone dry. If my memory does serve me correctly, the vote was unanimous. That was my primary reason for signing the report "Ought to pass". One of the licensees, if the only one that this

would involve, is a very reputable national fraternal organization. If it were to open up a cheap so-called beer joint, I would have signed the report "Ought not to pass," but in view of this reputable national fraternal organization, I signed the report "Ought to pass".

The SPEAKER: The question before the House is on the motion of the gentleman from Orient, Mr. Maxell, that the bill be indefinitely postponed. Is the House ready for the question?

The Chair recognizes the gentleman from Brunswick, Mr. Lacharite.

Mr. LACHARITE: Mr. Speaker and Members of the House: I would just like to clear up one point on this bill and that is that it is not class legislation. It does not apply to clubs in dry towns and it may apply to any fraternal organization provided they have a charter from a national organization.

The SPEAKER: The Chair recognizes the gentleman from Greene, Mr. Sanderson.

Mr. SANDERSON: Mr. Speaker, I would request a division.

The SPEAKER: The question before the House is on the motion of the gentleman from Orient, Mr. Maxell, that Bill "An Act Relating to Eligibility of Certain Fraternal Organizations for Liquor Licenses" (H. P. 1920) (L. D. 1282) be indefinitely postponed. The gentleman from Greene, Mr. Sanderson, has requested that when the vote is taken, it be by division.

As many as are in favor of the motion of the gentleman from Orient, Mr. Maxell, that the bill be indefinitely postponed will kindly rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Seventy-two having voted in the affirmative and twenty-one having voted in the negative, the motion to indefinitely postpone prevailed.

On motion by Mrs. Fay of Portland, the House voted to take from the table An Act Relating to Aid to Dependent Children (H. P. 1009)

(L. D. 440) which was tabled earlier in today's session pending passage to be enacted. On further motion by the same gentlewoman, the House voted, under suspension of the rules, to reconsider its action of April 15th whereby it passed the Bill to be engrossed.

Thereupon, the same gentlewoman offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to H. P. 1009, L. D. 440, Bill "An Act Relating to Aid to Dependent Children."

Amend said Bill by inserting before the headnote in the 1st line the underlined abbreviation and figure 'Sec. 1.'

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

'Sec. 2. P. L., 1949, c. 60, § 3, repealed; limitation. Section 3 of chapter 60 of the public laws of 1949, heretofore passed by this Legislature, amending section 230 of chapter 22 of the revised statutes, is hereby repealed and shall not be printed as part of the session laws of 1949.'

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

On motion by the gentlewoman from Portland, Mrs. Fay, the House voted to take from the table the 97th tabled and unassigned matter, House Report "Ought to pass in New Draft" (H. P. 2084) (L. D. 1543) of the Committee on Labor on Bill "An Act to Amend the Workmen's Compensation Act as to Waiting Period and Compensation Benefits" (H. P. 1490) (L. D. 804) tabled on April 21st by that gentlewoman pending acceptance of report.

On further motion by the same gentlewoman, the "Ought to pass in New Draft" report of the committee was accepted. The new draft having been printed, under

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

Mrs. Fay presented House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to H. P. 2084, L. D. 1543, Bill "An Act to Amend the Workmen's Compensation Act as to Waiting Period and Compensation Benefits."

Amend said Bill by striking out the underlined words and punctuation "except medical benefits," in the 2nd line of that part designated "Sec. 10" of section 1 thereof and inserting in place thereof the underlined words 'for incapacity to work'

Further amend said Bill by striking out the underlined figure "14" in the last line of section 1 and inserting in place thereof the underlined figure '28'

Further amend said Bill by striking out the underlined figure "9" in the 6th line of section 2 and inserting in place thereof the underlined figure '12'

Further amend said Bill by adding at the end thereof a new section to read as follows:

'Sec. 5. Effective date. This act shall become effective on November 30, 1949.'

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

On motion by Mr. Lackee of Addison, the House voted to take from the table the 114th tabled and unassigned matter, Resolve Authorizing the Deer Isle-Sedgwick Bridge to Release Certain Rights to Eunice Winslow of Rockland (S. P. 667) (L. D. 1503) tabled on April 25th by that gentleman pending passage to be engrossed.

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

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

HOUSE AMENDMENT "A" to S. P. 667, L. D. 1503, Resolve Authorizing the Deer Isle-Sedgwick Bridge to Release Certain Rights to Eunice Winslow of Rockland.

Amend the title of said Resolve by inserting after the word "Bridge" the word 'District'

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

On motion by Mr. Gates of Millinocket, the House voted to take from the table the 60th tabled and unassigned matter, Bill "An Act Relating to Requisites for Old Age Assistance" (H. P. 1552) (L. D. 870) tabled by that gentleman on April 13th pending passage to be engrossed.

Mr. Lackee of Addison offered House Amendment "A" and moved its adoption.

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

**HOUSE AMENDMENT "A" to H. P. 1552, L. D. 870, Bill "An Act Relating to Requisites for Old Age Assistance."**

Amend said Bill by inserting after the title and before the enacting clause the following emergency preamble:

**'Emergency preamble.** Whereas, in order for old age assistance to be granted, the applicant therefor must have no spouse or children anywhere able to support such applicant; and

Whereas, because of such requisites many deserving people of Maine are unable to receive assistance; and

Whereas, it is vitally necessary to limit such requirements to those able to support who reside in Maine so that many of our aged people will not be penalized by hardship and suffering; and

Whereas, in the judgment of the legislature, these facts constitute an emergency within the meaning of the constitution of Maine and require the following legislation as immediately necessary to the preservation of the public peace, health and safety; now, therefore,'

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

**'Emergency clause.** In view of the emergency cited in the preamble, this act shall take effect when approved.'

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

On motion by Mr. Jennings of Strong, the House voted to take from the table the 116th tabled and unassigned matter, Bill "An Act to Control the Payment of Benefits During Vacation Periods Under the Unemployment Compensation Law" (H. P. 1575) (L. D. 898) tabled on April 25th by that gentleman pending passage to be engrossed.

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

Mr. JENNINGS: Mr. Speaker and Members of the House: My reason for my motion to table this bill yesterday was merely in order to clarify the intent of the Federal Relations Committee. The meaning was not clear enough to cover all parts, so, in order to clarify it, I now make a motion that the House reconsider its action whereby it adopted Committee Amendment "A".

Thereupon, under suspension of the rules, the House voted to reconsider its action whereby it adopted Committee Amendment "A".

On further motion by Mr. Jennings, Committee Amendment "A" was indefinitely postponed.

Mr. Jennings then presented House Amendment "A" and moved its adoption.

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

**HOUSE AMENDMENT "A" to H. P. 1575, L. D. 898, Bill "An Act to Control the Payment of Benefits During Vacation Periods Under the Unemployment Compensation Law."**

Amend said Bill by inserting before the period at the end thereof the following underlined words:

**'; except that an individual who is not entitled to pay during the vacation period may qualify for benefits or credit for his waiting period if he is available for work and**

**complies with the other conditions of eligibility'**

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

On motion by Mr. Silsby of Aurora, the House voted to take from the table the 90th tabled and unassigned matter, House Report "Ought not to pass" of the Committee on Inland Fisheries and Game on Resolve Providing for a Fish Screen at Outlet of Upper Sabao Lake in County of Hancock (H. P. 1150) (L. D. 550) tabled on April 20th by that gentleman pending acceptance of report.

On further motion by the same gentleman, the report of the committee was accepted and sent up for concurrence.

On motion by Mr. Bearce of Caribou, the House voted to take from the table the 14th tabled and unassigned matter, Resolve Regulating Fishing in Long and Square Lakes, in the County of Aroostook (H. P. 571) (L. D. 1401) tabled on March 28th by that gentleman pending assignment for second reading.

The SPEAKER: The Chair recognizes the gentleman from Caribou, Mr. Bearce.

Mr. BEARCE: Mr. Speaker, I move the indefinite postponement of Committee Amendment "A" as this amendment has the wrong town and the wrong lake, and I guess about everything else is wrong with the bill.

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

The motion prevailed.

Mr. Bearce 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. 571, L. D. 1401, Resolve Regulating Fishing in Long and Square Lakes in the County of Aroostook.

Amend said Resolve by striking out the last 3 lines thereof and inserting in place thereof the following:

'Closing Long lake, in Saint Agatha and T. 17, R. 3 and 4, W. E. L. S. and Square lake, in T. 15 and 16, R. 5, W. E. L. S., in the county of Aroostook from July 15th to September 1st, both days inclusive, to only plug or still fishing in more than 25 feet of water.'

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

On motion by Mr. Atherton of Bangor, the House voted to reconsider its action of yesterday whereby Bill "An Act Relating to the Town of North Yarmouth School District" (H. P. 2091) (L. D. 5363) was referred to the Committee on Legal Affairs.

On further motion by the same gentleman, under suspension of the rules, the Bill was given its three several readings without reference to a committee and was tabled pending passage to be engrossed and specially assigned for Wednesday, April 27th.

On motion by Mr. Campbell of Garland, the House voted to take from the table the 113th tabled and unassigned matter, Bill "An Act Increasing the Amount Available for Expenses of the Justices of the Supreme Judicial Court" (S. P. 318) (L. D. 511) tabled on April 25th by that gentleman pending passage to be engrossed; and on further motion by the same gentleman the Bill was passed to be engrossed in concurrence.

On motion by Mr. Campbell of Garland, the House voted to take from the table the 52nd tabled and unassigned matter, Senate Report "Ought to pass" of the Committee on Salaries and Fees on Bill "An Act Relating to the Salary of the Forest Commissioner" (S. P. 215) (L. D. 277) tabled on April 13th by that gentleman pending motion of



Mr. Maxwell of Wilton to indefinitely postpone.

The SPEAKER: The Chair recognizes the gentleman from Garland, Mr. Campbell.

Mr. CAMPBELL: Mr. Speaker and Members of the House: I simply want to state the position which the committee took on this bill. This was a bill to increase the salary of the Forest Commissioner \$2000, and this was to be paid by the land owners out of the Forestry District funds. It does not require any money from the general fund. We had no objections to the land owners paying it, and they were all for it; they seemed to want to increase his salary and they were willing to pay for it. That is the position that the committee took, that we had no objection to their increasing his salary out of Forestry District funds.

The way it is set up now, the State pays \$3000 and the Forestry District pays \$3000. This would increase his salary to \$8000.

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

Mr. MAXWELL: Mr. Speaker and Members of the House: I would like to make known my position on this matter. I moved to indefinitely postpone, more than anything else, to get a discussion, in that this was an increase of \$2000, and I felt at this time that that might be excessive. I now know the situation, that at least the Forestry District will pay the lion's share of his salary, in other words, five-eighths of his salary.

I have only one thing to say in that regard, and that is this: It seems now that the Forest Commissioner has really two jobs, that of administering the Forestry District and that of being a forester for the State of Maine.

Now if we go along with the plan that they should pay the lion's share, I wonder—possibly Mr. Nutting will give the State its due share of his time—but possibly later on we might have some other Commissioner who did not see fit

to do that and he might see fit to give the lion's share of his labor to that Forestry District which is nothing more or less than a fire prevention scheme.

Now outside of that I have nothing, except that a good many members of the House have also come to me and said that it does not matter to them who pays the bill, that they think this is setting a precedent that we should not set, and that the increase is higher than it should be. I also have been reminded of the fact that the Forestry District does now owe the general fund quite some considerable amount of money. If that is true, they might well pay that back before they increase his pay. So I will let my motion ride, and after hearing the story you may support it or not.

The SPEAKER: The question before the House is on the motion of the gentleman from Wilton, Mr. Maxwell, that the Bill be indefinitely postponed.

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

Mr. WEBBER: Mr. Speaker and Members of the House: I rise in support of the passage of this bill to increase the salary of the Forest Commissioner.

As has already been brought out, this increase in salary of \$2000 a year would not be borne by the State of Maine, but would be paid by the Forestry District. The land owners who pay taxes to the District are willing that this increase be granted. At the present time before this Legislature there are three very important and vital fire control bills which, if passed, and I hope they may have passage, will greatly increase the duties and responsibilities of the Forest Commissioner.

I also would like to point out and emphasize that about eighty per cent of the land area of the State of Maine is comprised of forests and about thirty per cent of those gainfully employed receive their money from forest products. I would like to see this bill passed.

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

Mr. HILL: Mr. Speaker, it would appear to me that the increase in salary of the Forest Commissioner would be services well paid for. I strongly support the passage of this bill.

The SPEAKER: The Chair recognizes the gentleman from Garland, Mr. Campbell.

Mr. CAMPBELL: Mr. Speaker, in regard to the fact that the Forestry District is indebted to the general fund, I would like to state that the land owners voluntarily asked that their tax be increased from two and one-eighth mills to eight mills. I think that was to pay this money back to the general fund. And they also wanted the salary of the Commissioner increased. This is something that they asked for themselves.

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

Mr. WILLIAMS: Mr. Speaker and Members of the House: I object to the land owners paying more than one-half of the salary of the Forest Commissioner. That is the way it was two years ago and it did not work out well in the Forestry Department for the Forest Commissioner seemed to favor the land owners rather than work for the State. I think we should keep it so the state is paying at least half of the salary of the Forest Commissioner.

The SPEAKER: The question before the House is on the motion of the gentleman from Wilton, Mr. Maxwell, that Bill "An Act Relating to the Salary of the Forest Commissioner" (S. P. 215) (L. D. 277) be indefinitely postponed.

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

Mr. WEBBER: Mr. Speaker, when the vote is taken I request that it be taken by a division.

The SPEAKER: The gentleman from Bangor, Mr. Webber, requests that when the vote is taken it be taken by a division. It the House ready for the question?

As many as are in favor of the motion of the gentleman from Wilton, Mr. Maxwell, that the Bill be indefinitely postponed will kindly rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

The SPEAKER: Nine having voted in the affirmative and sixty-four having voted in the negative, the motion that the Bill be indefinitely postponed does not prevail.

Is it now the pleasure of the House to accept the "Ought to pass" report of the committee?

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

This being a printed Bill, under suspension of the rules, it was given its two several readings and assigned for third reading on the next legislative day.

On motion by Mr. Maxwell of Wilton, the House voted to take from the table the 91st tabled and unassigned matter, House Report "Ought to pass" of the Committee on Inland Fisheries and Game on Bill "An Act Relative to Payment of Damage Caused by Collision Between Motor Vehicle and Deer" (H. P. 1271) (L. D. 751) tabled on April 20th by that gentleman pending acceptance of report.

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

Mr. MAXWELL: Mr. Speaker, I will move to indefinitely postpone this bill. This bill provides, as the title indicates, that no more payments shall be made by any State agency for damages done by collision of deer with motor vehicles. It seems to me, in that we protect the deer and we receive some million dollars in license fees and so forth for the hunting of these deer, that it is only right that we pay damages; in other words, that we are responsible for their actions, you might say. So, for that reason, I feel that this particular bill would be a grave mistake on the part of the State and would actually bring about a great injustice to anyone

who might happen to have such an accident, because it could involve more than simply a fender; it might be a personal injury as well as a crumpled fender.

The SPEAKER: The question before the House is on the motion of the gentleman from Wilton, Mr. Maxwell, that the Bill be indefinitely postponed.

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

Mr. HILL: Mr. Speaker and Members of the House: I would like to point out to the House, in the first place, that the State of Maine is the only state in New England that pays any deer damage claims. If my figures are correct, the last few years these deer damage claims, resulting from collision between deer and automobiles, amounted to about \$70,000 a year. If the economy-minded people in the House want to take advantage of something, here is a chance to save yourselves \$70,000 a year. I hope that the motion of the gentleman from Wilton (Mr. Maxwell) does not prevail.

The SPEAKER: The question before the House is on the motion of the gentleman from Wilton, Mr. Maxwell, that the Bill be indefinitely postponed. Is the House ready for the question? The Bill under consideration, for which the motion is for indefinite postponement, is Bill "An Act Relative to Payment of Damage Caused by Collision Between Motor Vehicle and Deer" (H. P. 1271) (L. D. 751). The pending motion before the House is that of the gentleman from Wilton, Mr. Maxwell, that the Bill be indefinitely postponed.

The Chair recognizes the gentleman from Brewer, Mr. Thompson.

Mr. THOMPSON: Mr. Speaker, I ask that when the vote is taken it be taken by a division.

The SPEAKER: The gentleman from Brewer, Mr. Thompson, asks that the vote be taken by a division.

As many as are in favor of the motion of the gentleman from Wilton, Mr. Maxwell, that the Bill be indefinitely postponed will kindly rise and remain standing until

the monitors have made and returned the count.

A division of the House was had.

The SPEAKER: Forty-six having voted in the affirmative and forty-eight having voted in the negative, the motion does not prevail.

Thereupon, the House voted to accept the "Ought to pass" report of the committee. This being a printed Bill, under suspension of the rules, it was given its two several readings and tomorrow assigned for third reading.

The SPEAKER: At this time the Chair wishes to announce the members on the part of the House on the Committee of Conference on the disagreeing action between the two branches of the Legislature on "An Act Relating to the Financial Responsibility Law" H. P. 2027, L. D. 1416. The members on the part of the House are as follows:

The gentleman from Bucksport, Mr. Sargent,

The gentleman from Sebago, Mr. Fitch,

The gentleman from Sanford, Mr. Gauthier.

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

Mr. BURGESS: Mr. Speaker and Members of the House: Due to the necessity again today for executive sessions, I want to now move that the House recess until 2:00 P. M. today, Eastern Standard Time, 3:00 o'clock Daylight Saving Time.

The SPEAKER: The Clerk will read the notices.

The motion prevailed and the House recessed until 2:00 P. M., E. S. T.

#### After Recess

The House reconvened at 2:00 P. M., Eastern Standard Time, and was called to order by the Speaker.

At this time, the following communication from the Senate was taken up out of order and under suspension of the rules.

From the Senate: The following communication:

STATE OF MAINE  
SENATE CHAMBER

April 26, 1949

Hon. Harvey R. Pease,  
Clerk of the  
House of Representatives,  
Augusta, Maine

Dear Sir:

The President of the Senate today appointed the following members, on the part of the Senate, on the Committee created by Joint Order, S. P. 681, to confer on the matter of allocating appropriations:

Senators: Savage of Somerset  
Collins of Aroostook  
Haskell of Penobscot

Respectfully yours,  
(Signed) Chester T. Winslow,  
Secretary of the Senate

In the House, the communication was read and placed on file.

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

On motion by Mr. Williams of Auburn, the House voted to take from the table the 101st tabled and unassigned matter, Bill "An Act Relating to Compensation of Justices of the Supreme Judicial and the Superior Courts Upon Retirement" (S. P. 662) (L. D. 1493) 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. 662, L. D. 1493, Bill "An Act Relating to Compensation of Justices of the Supreme Judicial and the Superior Courts Upon Retirement."**

Amend said Bill by striking out, in the 17th, 18th, 19th and 20th lines of section 1, the underlined words **'provided, however, that such justice shall terminate his service before his 72nd birthday. Any justice who continues to serve until or after his 72nd birthday shall waive'** and inserting in place thereof the underlined words: **'provided, how-**

**ever, that such justice shall terminate his service before his 71st birthday, unless he be a justice who has attained or thereafter shall attain the age of 70 years during his continuance in office as such justice under an appointment made prior to 90 days after the adjournment of the 94th legislature in regular session, in which case to be entitled to compensation as aforesaid he shall terminate his service before his 72nd birthday. Any justice who continues to serve until or after the birthday applicable to the termination of his service, as aforesaid, shall waive'**

Further amend said Bill by striking out, in the 15th, 16th, 17th and 18th lines of section 2, the underlined words **"provided, however, that such justice shall terminate his service before his 72nd birthday. Any justice who continues to serve until or after his 72nd birthday shall waive"** and inserting in place thereof the underlined words **'provided, however, that such justice shall terminate his service before his 71st birthday unless he be a justice who has attained or hereafter shall attain the age of 70 years during his continuance in office as such justice under an appointment made prior to 90 days after the adjournment of the 94th legislature in regular session, in which case to be entitled to compensation as aforesaid he shall terminate his service before his 72nd birthday. Any justice who continues to serve until or after the birthday applicable to the termination of his service, as aforesaid, shall waive'**

Further amend said Bill by adding at the end thereof 2 new sections to read as follows:

**'Sec. 3, P. L. 1949, c. 139, §1, repealed; limitation.** Section 1 of chapter 139 of the public laws of 1949, heretofore passed by this legislature, amending section 5 of chapter 91 of the revised statutes, is hereby repealed and shall not be printed as part of the session laws of 1949.

**Sec. 4, P. L. 1949, c. 139, §3, repealed; limitation.** Section 3 of

chapter 139 of the public laws of 1949, heretofore passed by this legislature, amending section 3 of chapter 94 of the revised statutes, is hereby repealed and shall not be printed as part of the session laws of 1949.'

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

On motion by Mr. Williams of Auburn, the House voted to take from the table the 35th tabled and unassigned matter, House Divided Report of the Committee on Judiciary on Resolve Authorizing Donald S. Porter of Lowell to Sue the State of Maine (H. P. 1305) (L. D. 685), Majority Report "Ought not to pass", Minority Report "Ought to pass" as amended by Committee Amendment "A", tabled by that gentleman on March 31st pending acceptance of either report.

The same gentleman moved the acceptance of the Majority "Ought not to pass" report of the committee.

The SPEAKER: The Chair recognizes the gentleman from Lincoln, Mr. House.

Mr. HOUSE: Mr. Speaker and Members of the House: This resolve to authorize Donald S. Porter of Lowell to sue the State of Maine came before the Judiciary Committee from which I got a divided report—six against him and four in his favor.

This case is the result of an automobile accident. I will try to explain it as best I can and if there is anybody who has any questions to ask, I will do my best to answer them.

On the afternoon of October 31, 1946, Mr. Donald S. Porter was riding in an automobile owned and operated by a Mr. Curtis from the town of Burlington and upon which his car carried no insurance and neither has Mr. Porter any property in his name. This is a much traveled State highway as the Atlas Plywood Company of Howland

hauls a great part of their loads over this road and most of the output of the pulp and paper mill of that town. On this road, there is a curve of about 150 feet and an embankment of about 15 feet, and for a guard rail there is an inch and a half iron pipe. I have had occasion to travel over this road several times as it is in my legislative class. I have often wondered what protection a person would have if they were forced off the highway going over this curve. Mr. Allen Fleming of the Highway Department of the State of Maine, who lives in the Town of Howland and has care of those roads, looks after the building of them, states that this pipe guard rail was constructed thirty-five years ago and that it was broken in several places but held together. He also states that it served no protection to the public. This is a matter of record.

Now, on this afternoon of October 31st, Mr. Porter and Mr. Curtis were driving in a northerly direction in the direction towards the town of Enfield. Coming around this sharp curve, they met another car coming in the opposite direction and in the center of the road and at a high rate of speed. Mr. Curtis swung to the right as fast as he could and as far as he could until he came near this iron pipe guard rail. This iron pipe guard rail, so Mr. Porter says, was broken and a piece of this pipe went through the windshield, struck Mr. Porter in the face, fractured his jaw and tore off the greater part of the flesh from one side of his cheek, broke his nose in several places, practically removed one eye from its socket and cracked his skull into thirty-two different distinct parts.

Mr. Porter was rushed in an ambulance to the Eastern Maine General Hospital in Bangor, where his eye was removed, his jaw set and the pieces of his skull were put in proper place to protect his brain. He was then taken to Togus and stayed there some time; from there, he was taken to White River Junc-

tion, Vermont, where thirteen different plastic surgical operations were performed, one of which was to tie his arm to the side of his face and leave it there until the flesh of his arm grew to the side of his face. The flesh of his arm was then cut off and that is what Mr. Porter has, today, for a face. He was then moved to a veterans' hospital in Massachusetts and stayed there some time where a plastic eye was made and fitted into the orbit and now, of course, these thirteen plastic operations have improved his looks to a certain extent, but to what extent I leave to your imagination.

Now, let me tell you the other side of the story. They sent to Lincoln, a distance of twelve miles, and the only person they could find there was a deputy sheriff. He went over there and made an examination, came back but made no report. They then found a State Highway Policeman who lives in Lincoln. He went over there but when he got there, everything was removed so all he knew about the case was what other people told him.

Now, I don't know as Mr. Porter has a case at all, but the Judiciary Committee have made an amendment to this resolve, which if an award is found, Mr. Porter can not receive more than \$4,000 and it further states that the Chief Justice of the Supreme Court of the United States shall appoint two associate justices and one justice from the Superior Court who shall serve as judge and jury, and Mr. Porter can go before them and present his case and leave it in their hands. Now, I think you will agree with me that if there is one department in the State of Maine that could stand a loss of from \$1,000 to \$4,000, it is the Highway Department for this reason: They have the benefit of a six cent gas tax and millions of dollars to spend in the way of highways and bridges, and I want to say further that when World War II started, Mr. Porter was good enough to offer his services to the

State of Maine. He was good enough to say goodbye to his family, his home and loved ones and for twenty-one months risked his life on the battlefield of a foreign soil. He was good enough to risk his life that you and I might enjoy the peace, the comfort and prosperity that is ours today.

Now, I am going to make this motion that you accept the minority "Ought to pass" report of the committee and when the vote is taken, I would like to have it by a division. Thank you.

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

Mr. McGLAUFFIN: Mr. Speaker and Members of the House: I wish to explain my position on this matter for I was one that voted this "Ought not to pass".

There are two reasons. One, it is not considered a good precedent to authorize people to sue the State of Maine if there is any other channel open. I cannot see why this isn't a perfectly good claim to set up before the Claims Committee in this Legislature rather than having them sue the State of Maine on what is a very doubtful outcome. I have no personal feelings in the matter; if your sympathy carries you away with Mr. House's suggestion, it is all right with me.

The SPEAKER: The question before the House is on the motion of the gentleman from Auburn, Mr. Williams, that the House accept the majority "Ought not to pass" report of the committee.

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

Mr. WILLIAMS: Mr. Speaker and Members of the House: I am sorry to have to disagree with the gentleman from Lincoln, Mr. House. However, I am on the majority report which was signed by six members of our Judiciary Committee. We considered this matter very carefully. Mr. Porter appeared in person before the committee. There is a lengthy statement of fact in our legislative documents which will substantiate those presented to you by Mr. House. There is no ques-

tion but what this man received a very serious injury. If he had a case of liability and the defendant had means, he would obviously recover a substantial verdict.

However, in this particular case, there are two or three points that I think should be brought to your attention in explanation of why your Judiciary Committee or the majority of it took the viewpoint that we should not permit Mr. Porter to sue the State of Maine. First, there is statutory authority provided for bringing suits against the town provided the steps are properly taken. That was not done in this case. As the matter was presented to our committee, it was stated that there was a loose piece of pipe lying in the highway and at no time did the automobile leave the highway. We were also told that neither occupant of the automobile saw any pipe or any obstruction in the highway. In this connection we have to bear in mind that any plaintiff bringing suit must establish that he was in the exercise of due care. If there was a piece of pipe on the highway, one should have seen it, and, further, it was difficult for any of us to understand how a piece of pipe lying on the highway could possibly be hit in any such fashion that it would go through the windshield.

We have the State Police report which shows that, as stated, Mr. Porter was a passenger; they started into a curve and had just met another car. Apparently the operator pulled too far to the right off from the black part of the highway, striking the shoulder of the road and going through the fence so that the wheels hung over the embankment. This fence was, as stated, a pipe fence and in going through, a piece of this pipe came up over the hood and through the windshield, striking Mr. Porter.

It seems to me at least on the committee that this report was more consistent with the facts of what happened than the story that was presented by the proponents of the bill at the hearing. It was stated by the proponents that all

medical expenses and expenses of Mr. Porter had been paid by the Veterans Administration. This would permit, if he were able to establish a case, some recovery for pain and suffering and loss of earning capacity. However, based upon the facts which I have outlined, those of us who signed the majority report felt that first, there was no legal basis or reason for allowing the suit; second, that if we did allow suit to be brought, there could be no recovery. We are sympathetic; we realize this man's predicament but do not feel that we should allow him to recover. If one allowed sympathy and this man's service record to influence them, the proper procedure would seem to me to be to allow a claim or award a pension. It seems to me that this particular procedure would be of no avail and therefore I believe that the "Ought not to pass" report should be accepted.

The SPEAKER: The Chair recognizes the gentleman from Aurora, Mr. Silsby.

Mr. SILSBY: Mr. Speaker and Members of the House: I am a member of the Judiciary Committee who signed the "Ought to pass" report. My purpose for signing the "Ought to pass" report was in view of the conflicting evidence which we have heard in our committee hearing. Now, there are many self-serving statements, if I may call them that. There were some reports from the State on the one hand that the man was negligent who was injured, or the driver of the car, and there was also evidence on the other hand that the State, through its servants, agents or employees, was negligent in permitting the pipe to be in the highway.

It was so conflicting that I was fearful that there might be a miscarriage of justice and I felt that if anyone was competent to analyze and cull the evidence and arrive at a verdict, which in my conception is the true word, it would be a member of our Supreme Ju-

dicial Court and two justices of our Superior Court, and I can't see where it would cost the State of Maine any money to be heard in that particular.

In the matter of suing the town, it would seem to me that that is rather subterfuging the issue, because this is a State House and the State highway is under the supervision of our State employees and I feel that the towns should not be subjected to a suit of this nature and then possibly look around among the taxpayers to pay a judgment over something they have no control whatever. And that's my reason for thinking that they might get to the real meat of this issue and get to the persons who are responsible or not responsible and that is why I feel that it should be heard. Now, this man received a very serious injury. If I remember correctly, bear in mind I am trying to divorce sympathy from my mind; he had twenty-seven operations. This piece of pipe, I believe, after going through the windshield, as he states, and being present himself, rather hard to look at, I admit, and went up through the top of his head, partially removed his left eye. He was obliged to undergo twenty-seven operations and I believe after the fourteenth operation he was immune to any anesthetic and he suffered untold agonies. Now, the expense of this situation in so far as he was obliged to pay it, is not a material factor. The real issue is how much conscious suffering has he had; should he be compensated for it and if the State of Maine, and I am repeating myself, through its agents, servants or employees by any negligence or carelessness in removing this piece of pipe from the road was the cause of that man's untold agonies and disfigurements for the rest of his life, he should be entitled to something for his conscious suffering, and I don't see how we can, as members of this House, in any way preclude this man from that right under the circumstances and I hope the mo-

tion of the gentleman from Auburn (Mr. Williams) does not prevail. I thank you.

The SPEAKER: The question before the House is on the motion of the gentleman from Auburn, Mr. Williams, that the House do accept the majority "Ought not to pass" report of the committee. The gentleman from Lincoln, Mr. House, has requested that when the vote is taken it be by division. Is the House ready for the question? As many as are in favor of the motion of the gentleman from Auburn, Mr. Williams, that the House accept the majority "Ought not to pass" report of the committee will kindly rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Six having voted in the affirmative and seventy-seven having voted in the negative, the motion to accept the "Ought not to pass" report did not prevail.

Thereupon, the House voted to accept the minority "Ought to pass" report of the committee. This being a printed Resolve, the rules were suspended and the Resolve was given its first reading.

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

COMMITTEE AMENDMENT "A" to H. P. 1305, L. D. 685, Resolve Authorizing Donald S. Porter of Lowell to Sue the State of Maine.

Amend said Resolve by adding at the end thereof the following sentences:

'Any recovery in such suit shall not be in excess of \$4,000. Hearing thereon shall be before 2 justices of the supreme judicial court and 1 justice of the superior court, without a jury, said justices to be assigned by the chief justice.'

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

On motion by the gentleman from Bucksport, Mr. Sargent, the House voted to take from the table the 6th tabled and unassigned matter, House Report "Ought not to pass"



of the Committee on Sea and Shore Fisheries on Bill "An Act Relating to Regulations for Atlantic Sea Run Salmon in Penobscot Bay Areas" (H. P. 68) (L. D. 27) tabled by that gentleman on March 9th pending acceptance of the committee report; and the Chair recognizes the same gentleman.

Mr. SARGENT: Mr. Speaker, before making a motion to substitute the bill for the report, I would like to ask your indulgence for a brief explanation of this matter which is more or less local and I would appreciate it.

In the Legislature, a general revision of the Sea and Shore Fisheries laws was made and in this revision was included a section creating and defining the duties of the Atlantic Sea Run Salmon Commission. This provided for their appointment and the duties and powers that the commission was to have. That you may understand what this was, I will read a part of the law creating the commission: "There shall be created a commission to be known as the 'Atlantic Sea Run Salmon Commission,' which shall consist of 3 persons as follows: the commissioner of inland fisheries and game and the commissioner of sea and shore fisheries as ex officio members, and a 3rd member who shall be a citizen of Maine and who shall be appointed by the governor and council . . . ."

"The Atlantic Sea Run Salmon Commission, hereinafter in this section designated as 'the commission,' shall have authority to promulgate rules and regulations providing for the times, number and manner in which Atlantic sea run salmon may be taken in all waters of the state . . . . ." "Whenever any existing conditions adversely affect Atlantic sea run salmon within the territorial limits of the state the commission" (I wish you would note this particular) "the commission, after notice and hearing, shall make such regulations as may be deemed necessary."

It further goes on to say: "Notice of the hearings to be held and the

time and place thereof shall be published once a week for 2 successive weeks prior to the hearing in a newspaper published in the county where said hearing is to be held," and after the hearing, the commission may issue any rules which they see fit.

Now, what happened, as nearly as I have been able to find out, under this law which requires notice and hearing regarding any proposed change was this: One member of the commission had groups of wardens meet with him and after talking with them, he drew up some regulations which were submitted to the commissioner and after they were approved by the commission, they were published as the law of the land, entirely disregarding the procedure given in the law requiring that there should be a hearing after due notice. The first that the public, in fact, knew of this regulation, or any regulation by the commission, was when they were published as the approved law.

Now, as affecting the Penobscot Bay area, these regulations prohibiting the building of any weirs north of a certain line which is near the mouth of the river where it enters the bay and includes within the area all of the section in which weirs have previously been built.

In the towns of Verona and Bucksport, there have been for years several weirs and where I know very few fish were caught for a number of years, the owners of those weir privileges did not feel that their rights should be infringed upon without due process. Where these weirs have been built, the river is wide and they in no way restrict the free passage of fish up the river to the spawning grounds. The commission has justified these rules as a conservation measure hoping, it is claimed, to restore the run of salmon in this river.

Now, I am very sure that if it were known that only six fish would come up that river this year, there would be at least that number of fishermen waiting for them at the salmon pool in Bangor and many of

these men would be those who are talking most loudly about conservation.

I was interested to listen to a radio report the morning the salmon pool opened this month. The announcer had a conversation with several of the fishermen and the first one that he reported was the conversation with the third member of the commission who was waiting there for any salmon which might have gotten up river after he had done all he could to see that they were not caught before they got to the pool.

Now, it seems to us who are interested in the commercial side of the salmon industry that the act of the commission in shutting off all weir fishing and allowing the salmon pool fishing to go on as in previous years, with some restrictions I will admit, has been unjustly discriminatory against the weir fishermen. As the commission has refused, not seen fit at least, to make any change in the regulations which I would consider they unlawfully put in force, it seemed the only thing to do was to introduce some measure which would so limit the original law that it would be impossible for the commission to make any discriminatory regulations and, with this in mind, the bill was introduced.

The salmon fishermen, who are the commercial fishermen, would be glad to have a closed time for five or ten years, or any number of years, if it would restore the salmon to the river, but they believe that any restriction of that kind should apply to all fishing the whole length of the river.

I would now move that the bill be substituted for the report of the committee.

The SPEAKER: The question before the House is on the motion of the gentleman from Bucksport, Mr. Sargent, that the Bill be substituted for the "Ought not to pass" report of the committee.

The Chair recognizes the gentleman from Harpswell, Mr. Prince.

Mr. PRINCE: Mr. Speaker, as House Chairman of Sea and Shore

Fisheries, at this time I am not too conversant on this measure. However, conservation is the principal reason why the committee turned this measure down.

I understand that the commission has a great many plans to conserve the salmon and they consider that weir fishing would have a tendency to destroy what they are after.

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

Mr. SARGENT: Mr. Speaker, as a matter of conservation, there are many other things that need to be done much more than restricting the weirs. For instance, the river is polluted by a great deal of sewage and mill waste and, unless that is corrected in some way, it is going to be very difficult to ever restore the salmon run. I don't think that any of the proponents of this measure expect that there will be a big run of salmon for a number of years at least until this condition is corrected.

Now, there is one other thing I would like to say of a general nature. At the hearing on this bill before the Sea and Shore Fisheries Committee no one appeared in opposition. It seems to me that that is just one of several instances which have been noted this winter, that bills affecting some department have come up and the department has not appeared at the open hearing to voice any objection which they had so that the proponents of the bill might answer them in some way. All of the objections to this bill were apparently presented at some executive session and I think that is a very poor practice, not alone in connection with this bill, but with all bills. That the departments should not lobby; I do not mean that but I mean that it is apparent that when some bill affects them adversely in their opinion they should come out in the open at the hearings and say so.

The SPEAKER: The question before the House is that the Bill

"An Act Relating to Regulations for Atlantic Sea Run Salmon in Penobscot Bay Areas" (H. P. 68) (L.D. 27) be substituted for the "Ought not to pass" report of the committee. As many as are in favor that the Bill be substituted for the "Ought not to pass" report of the committee will say aye; those opposed, no.

A viva voce vote being doubted,

A division of the House was had. Twenty-nine having voted in the affirmative and nineteen having voted in the negative, the Bill was substituted for the "Ought not to pass" report of the committee.

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

On motion by Mr. Hill of Bingham, the House voted to take from the table the 104th tabled and unassigned matter, Bill "An Act Relating to Salaries of Somerset County Officers" (S. P. 663) (L. D. 1494) tabled on April 21st by that gentleman, pending passage to be engrossed.

The SPEAKER: The Chair recognizes the gentleman from Anson, Mr. Sharpe.

Mr. SHARPE: Mr. Speaker, at the conclusion of my remarks I shall offer House Amendment "A" to this bill. Earlier in the session I introduced a bill to increase the salary of the Somerset County Sheriff from \$2,000 to \$2,500 a year. I found that the salary of the Sheriff of Somerset County did not compare at all with the Sheriffs' salaries in other counties of approximately the same population, and that the office of which involved about the same amount of work.

After my bill was introduced, there was introduced a blanket bill, this salary bill here, asking for raises for quite a few of the officers of Somerset County. It included the Clerk of Courts, Register of Deeds, and the Judge of the Municipal Court, and the Judge of

the Probate Court. It also included the Sheriffs' salaries.

Now I feel that our Committee on Salaries and Fees have done a fine job at this session. I know that they have had a great deal of work to do, and I am not complaining at all about the actions of the committee. I feel, however, that they have made an error in this particular item here, pertaining to the salary of the Sheriff of Somerset County.

Now this bill raises his salary from \$2,000 to \$2,200, and the amendment which I offer raises it to \$2,400. That is only about \$200 a month, approximately \$50 a week. Now the Sheriff of Somerset County, like most all sheriffs, is on duty continuously; he is on call all of the time; and this particular county is a hard county for the sheriff's office to cover. We have one area which is up on the northwest border of the State, bordering, or near the border, at least, of Quebec, and it is almost inaccessible. Very frequently a sheriff has to go up there. His duties call him there. He either has to go by plane or else go on up through Jackman and across to Armstrong and up the border and then through the woods, to reach that area, and that area is quite well populated with lumber camps, lumbermen.

Another thing that is going to add very much to the Somerset County Sheriff's duties is the Dead River Dam, which construction will be started this year up at Dead River. I don't feel that it is asking anything unreasonable at all to ask for a raise of \$400 on his salary, bringing it to \$2,400 a year, \$200 a month, approximately \$50 a week, and I offer House Amendment "A" and move its adoption.

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

HOUSE AMENDMENT "A" to S. P. 663, L. D. 1494, Bill "An Act Relating to Salaries of Somerset County Officers."

Amend said Bill by striking out the underlined figure '\$2,200' in the last line of section 4 thereof and inserting in place thereof the underlined figure '\$2,400'

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

On motion by Mr. Hill of Bingham, the House voted to take from the table the 62nd tabled and unassigned matter, House Report "Ought not to pass" of the Committee on Salaries and Fees on Bill "An Act Relating to Salaries of Inland Fish and Game Wardens and Deputy Commissioner" (H. P. 1072) (L. D. 478) tabled on April 14th by that gentleman pending acceptance of the report of the committee; and on further motion by the same gentleman the "Ought not to pass" report was accepted and sent up for concurrence.

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

The Chair recognizes the gentleman from Rumford, Miss Cormier.

On motion by Miss Cormier, the House voted to take from the table the 85th tabled and unassigned matter, House Report "Ought not to pass" of the Committee on Ways and Bridges on Bill "An Act Relating to Signs Designating U. S. Highway No. 1 and Maine Turnpike" (H. P. 1753) (L. D. 1097) tabled on April 19th by that gentleman, pending acceptance of committee report; and on further motion by Miss Cormier, the "Ought not to pass" report was accepted and sent up for concurrence.

On motion by the gentlewoman from Rumford, Miss Cormier, the House voted to take from the table the 84th tabled and unassigned matter, House Report "Ought not to pass" of the Committee on Claims on Resolve in Favor of Lawrence Thibodeau of Rumford (H.

P. 1768) tabled on April 19th by that gentlewoman pending acceptance of report; and on further motion by the same gentlewoman, the "Ought not to pass" report was accepted and sent up for concurrence.

On motion by the gentleman from Auburn, Mr. Jacobs, the House voted to take from the table the 66th tabled and unassigned matter, Bill "An Act Amending the Charter of the City of Auburn" (H. P. 2000) (L. D. 1383) tabled on April 14th by that gentleman pending passage to be engrossed.

The SPEAKER: The Chair recognizes the gentleman from Auburn, Mr. Jacobs.

Mr. JACOBS: Mr. Speaker, as I have no amendment to offer, I move the Bill now be passed to be engrossed.

Thereupon, the Bill was passed to be engrossed and sent to the Senate.

The SPEAKER: The Chair recognizes the gentleman from Sebago, Mr. Fitch.

Mr. FITCH: Mr. Speaker, I wish to take from the table the 102nd tabled and unassigned matter, Bill "An Act Relating to Road Tax on Motor Carriers" (H. P. 318) (L. D. 98)

The SPEAKER: The gentleman from Sebago, Mr. Fitch, moves to take from the table the 102nd tabled and unassigned matter, Bill "An Act Relating to Road Tax on Motor Carriers" (H. P. 318) (L. D. 98) which was tabled on the 21st of April by that gentleman pending passage to be engrossed. Is it now the pleasure of the House that the item be taken from the table?

The motion prevailed.

The SPEAKER: The Chair recognizes the same gentleman.

Mr. FITCH: Mr. Speaker, I now present House Amendment "A" and move its adoption; but before the amendment is read I would like to explain briefly the purpose of both the bill and the amendment.

Under the motor carrier tax law passed during the last session of

the Legislature not only are our out-of-state carriers, required to file quarterly reports of their mileage both within and without the State of Maine, but Maine carriers who are engaged in interstate commerce are required to file the same reports even though they purchase all of their gasoline requirements within the State of Maine. This provision applies not only to common and contract carriers but also to the man who may be transporting pulp, logs, food stuffs, farm produce or heating oils.

At the request of a number of men in my section of the State I introduced this bill, L. D. 98, which provides that motor carriers using only motor fuel purchased within the State during any quarterly period may, subject to the approval of the State Tax Assessor, in lieu of filing the quarterly report of mileage travelled, be required by this law to file a signed statement certifying that no motor fuel used in its operations was purchased without the State during that quarter. As there are a great many carriers, both private and public, not only in the border towns but in the several counties which adjoin New Hampshire, who daily cross the border into our sister state but who purchase all of their gasoline requirements in the State of Maine, it was felt that requiring them to file these rather complicated mileage reports, when no tax was due the State of Maine, was not only unnecessary but a distinct hardship. This bill received the unanimous approval of the Taxation Committee.

However, since this bill was introduced the State of New Hampshire has taken retaliatory action against the State of Maine in the form of House Bill 100, which reads in part as follows:

"When under the laws of any other state any taxes, fines, penalties, licenses, fees, deposits or other obligations or prohibitions, additional to any imposed by this state upon any class of private or public motor vehicles not registered in

such state are imposed upon any class of private or public motor vehicles registered in this state and their owners and operators traveling upon the public highways of such state, the same taxes, fines, penalties, licenses, fees, deposits, or other obligations or prohibitions shall be imposed upon all similar classes of private or public motor vehicles registered in such state and traveling upon the public highways of this state so long as such laws shall remain in force."

This bill has already been enacted by the House in New Hampshire, has been reported favorably by the Senate Committee and now awaits final enactment in the Senate.

You will note that this bill applies only to carriers from the State of Maine as Maine is the only state which has a motor carrier tax law in effect. This bill was introduced in the New Hampshire Legislature because of the number of New Hampshire trucks which have been held up at the Maine border and unless some action is taken by the Maine Legislature to relieve the situation the Maine-New Hampshire border will become an armed camp with State police officers stopping vehicles on both sides of the border and both states requiring reports from the inhabitants of the other, with probably little or no tax money changing hands.

A study has shown that very little heavy interstate traffic originates in New Hampshire and probably far more Maine trucks go into and through New Hampshire than New Hampshire trucks come into Maine. It is felt that New Hampshire trucks could be exempted from the provisions of the Maine law without affecting in any way the money which we presently receive for our highways from the gasoline tax. The amendment which I am offering would exempt from the provisions of our law motor carriers residents in any adjoining state and maintaining a regular and established place of business therein, provided such adjoining state grants

equivalent exemptions to residents of this State.

What would be the practical effect of this bill and the amendment if they are enacted? First, New Hampshire truckers would not be required to file reports with the State of Maine and under the provisions of the New Hampshire bill, Maine truckers would not be required to file reports with the State of New Hampshire. In addition to this, Maine carriers who purchase all of their gasoline requirements in the State of Maine would be relieved of filing these reports with our own Tax Assessor upon the filing of a statement.

One additional reason also occurs to me pointing to the desirability of this amendment. As soon as the New Hampshire law becomes effective, Maine carriers will then be required to pay to the State of New Hampshire a tax of 6 cents per gallon on every gallon of gasoline consumed in New Hampshire but purchased in Maine, and under our law these carriers can then apply to the State Tax Assessor for a refund of the 6 cent tax which they have paid to the State of Maine in the amount which they have been required to pay to the State of New Hampshire as a penalty. As a great many Maine carriers have already built up substantial credits with our own Tax Department they will, naturally, apply for these refunds which will, in turn, reduce the amount of money available for our own highway program. All of this will mean additional computation, additional reports and additional time and expense, not only to the carriers but to the State of Maine as well.

Therefore, not only for the purpose of reestablishing our pleasant relations with our neighboring state but to save a great many of our citizens time, money and trouble, I urge the adoption of this amendment.

The SPEAKER: The gentleman from Sebago, Mr. Fitch, presents House Amendment "A" and moves its adoption.

The Clerk will read House Amendment "A".

HOUSE AMENDMENT "A" to H. P. 318, L. D. 98, Bill "An Act Relating to Road Tax on Motor Carriers."

Amend said Bill by adding after the enacting clause and before the headnote "Sec. 1"

Further amend said Bill by adding at the end thereof a new section to be numbered Section 2, to read as follows:

"Sec. 2. R. S., c. 14, sec. 246-A, **additional.** Chapter 14, of the revised statutes as amended is hereby amended by adding a new section to be numbered 246-A, to read as follows:

**"Sec. 246-A. Exemptions. Motor carriers resident in any adjoining state and maintaining a regular and established place of business therein are exempt from the provisions of section 244 to 256, inclusive, providing such adjoining state grants equivalent exemptions to residents of this state. The state tax assessor shall determine whether equivalent exemptions are granted by such adjoining states."**

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

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

Mr. WIGHT: Mr. Speaker and Members of the House: As you know, the Taxation Committee approved L. D. 98 which provides that Motor Carriers can file a statement every three months providing they have not bought gasoline out of the State of Maine. I think that relieves them of a lot of bookkeeping, and it was entirely satisfactory to the Taxation Committee.

It seems that the New Hampshire law has nothing whatever to do with the Maine law, and this is simply an attempt to get the foot in the door and destroy our gasoline tax law which provides the State of Maine with a good revenue. It compels the truckers to buy their gas in the State of Maine or pay the tax to the State. They paid penalties the past year of approximately \$39,000, and in addition to that, there was

involved, I am told by the Tax Commissioner, something like \$340,000 more, which was collected by the State because the carriers bought their gasoline in the State of Maine instead of outside of the State.

One point that I want to clear up is this: That the truckers do not pay the whole six cents on gasoline they buy outside of the State. If they buy it in New Hampshire, they pay two cents; in Massachusetts they pay three cents.

I just want to mention the fact that interstate permits have increased very much since 1944. You can see how the trucking industry has increased. In 1944 there were 186 permits issued to truckers; 1945, 207; 1946, 245; 1947, 269; 1948, 300.

Now the vehicles covered by those permits: In 1944 there were 1229 vehicles covered by those permits; in 1945, 1547; in 1946, 2292; in 1947, 3555; in 1948, 3943 vehicles were covered by those permits. All of those trucks use our highways, they wear out our roads, and it seems as though they should pay the tax on the gasoline for the mileage which they run on Maine roads. Our gasoline road tax provides that this tax shall be paid by those trucking organizations. It seems that this amendment is simply one way of breaking down this law, and I hope the amendment will not be adopted.

The SPEAKER: The question before the House is on the motion of the gentleman from Sebago, Mr. Fitch, that the House adopt House Amendment "A". As many as are in favor of the motion will say aye; those opposed no.

A viva voce vote being doubted, A division of the House was had.

Twenty-seven having voted in the affirmative and forty-eight having voted in the negative, House Amendment "A" failed of adoption.

The SPEAKER: Is it now the pleasure of the House that the Bill pass to be engrossed?

The Chair recognizes the gentleman from Sebago, Mr. Fitch.

Mr. FITCH: Mr. Speaker, I move that the bill lie upon the table and be specially assigned for Friday.

The SPEAKER: The gentleman from Sebago, Mr. Fitch, moves that Bill "An Act Relating to Road Tax on Motor Carriers" (H. P. 318) (L. D. 98) lie upon the table pending passage to be engrossed, and be specially assigned for Friday, April 29th. Is this the pleasure of the House?

As many as are in favor of the motion that the Bill lie upon the table pending passage to be engrossed and be specially assigned for Friday, April 29th, will say aye; those opposed no.

A viva voce vote being doubted, A division of the House was had.

Twenty-five having voted in the affirmative and forty-six having voted in the negative, the motion did not prevail.

The SPEAKER: Is it now the pleasure of the House that the Bill pass to be engrossed?

The Chair recognizes the gentleman from Sebago, Mr. Fitch.

Mr. FITCH: Mr. Speaker and Members of the House: With the law passed, as apparently it is going to be in Massachusetts, these records are going to have to be kept for the State of Massachusetts. The bill, as it stands now, is of no value; it will definitely clutter up the books, and I move indefinite postponement.

The SPEAKER: The gentleman from Sebago, Mr. Fitch, now moves that Bill "An Act Relating to Road Tax on Motor Carriers" (H. P. 318) (L. D. 98) be indefinitely postponed. As many as are in favor of the motion of the gentleman from Sebago, Mr. Fitch, that the bill be indefinitely postponed will say aye; those opposed no.

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

Thereupon, the Bill was passed to be engrossed and sent to the Senate.

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

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

On motion by Mr. Paine of Portland, the House voted to take from the table the 67th tabled and un-

assigned matter, House Report "Ought not to pass" of the Committee on Legal Affairs on Bill "An Act to Revise the Charter of the City of Westbrook" (H. P. 1984) (L. D. 1365) tabled on April 14th by that gentleman pending acceptance of the report of the committee.

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

Mr. PAINE: Mr. Speaker, before I move to substitute the bill for the report, I want to say that I was asked to table this measure, "An Act to Revise the Charter of the City of Westbrook" along with the 65th unassigned matter, "An Act to Provide for a Council-Manager Form of Government for the City of Westbrook."

This 67th unassigned matter came out of the Legal Affairs Committee with a unanimous "Ought not to pass" report. However, since then substantial citizens of Westbrook have got in touch with their representatives, Mr. Larrabee and Mr. Spring, and requested that this bill along with the bill for Council-Manager form of government be sent back to the people of Westbrook so that they could choose one or the other.

Reading from a letter addressed to the Committee on Legal Affairs by Representatives Larrabee and Spring from Westbrook, they state that "the bill to revise the City Charter of the City of Westbrook as presented by Mr. Spring, on which the Legal Affairs Committee reported unanimously "Ought not to pass" be taken up in the House and Senate and given final passage."

I talked with all the members of the Legal Affairs Committee and they said it would be easier to do it rather than recommitting the bill at this time.

I now move to substitute the bill for the committee report.

The SPEAKER: The gentleman from Portland, Mr. Paine, moves to substitute the bill, being "An Act to Revise the Charter of the

City of Westbrook" (H. P. 1984) (L. D. 1365) for the "Ought not to pass" report of the committee.

As many as are in favor of the motion of the gentleman from Portland, Mr. Paine, to substitute the Bill for the "Ought not to pass" report of the committee will say aye; those opposed will say no.

A viva voce vote being taken, the motion prevailed.

This being a printed Bill, under suspension of the rules, it was given its two several readings and tomorrow assigned for third reading.

On motion by Mr. Paine of Portland, the House voted to take from the table the 65th tabled and unassigned matter, Bill "An Act to Provide for a Council-Manager Form of Government for the City of Westbrook" (H. P. 1983) (L. D. 1364) tabled on April 14th by that gentleman 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 it adopted Committee Amendment "A".

On further motion by the same gentleman, Committee Amendment "A" was indefinitely postponed.

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

On motion by Mr. Maxwell of Wilton, the House voted to take from the table the 111th tabled and unassigned matter, Bill "An Act Relating to Hours of Sale of Liquor" (S. P. 529) (L. D. 1062) tabled on April 25th by that gentleman pending motion by Mr. DeSanctis of Madison to recede and concur with Senate in recommitting to Committee on Temperance.

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

Mr. MAXELL: Mr. Speaker and Members of the House: I cannot see for the life of me anything that will be gained by recommitting this bill to the Temperance Com-



mittee, because as a matter of fact, if I know anything about that committee, the only report that you will get will be a divided report which will be the same old 7 and 3. It seems to me that this bill can be settled now rather than being recommitted and then coming again before you in another week's time and having to do this same thing again. So if we are all interested in getting home at least as early as Labor Day, I think the best thing we can do is to cut corners and go after these things as fast as we can and maybe we will be able to make it by Labor Day, providing they set ahead Labor Day ten days in accordance with the bill which was a short time ago before us. So I hope the motion to recommit this bill does not prevail.

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

Mr. DeSANCTIS: Mr. Speaker and Members of the House: If this bill is recommitted and it comes back from the committee and you are not satisfied with the way it comes back, you still have a chance to indefinitely postpone it.

As far as cutting corners, it is a little late to talk about cutting corners. I still think we will be home before the 4th of July if this bill is recommitted.

The **SPEAKER**: The question before the House is on the motion of the gentleman from Madison, Mr. DeSanctis, that the House recede from its former action and concur with the Senate in recommitting the bill to the Committee on Temperance.

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

Mr. MALENFANT: Mr. Speaker and Members of the House: I believe with Mr. Maxell, that it is no use to give the bill back to the Temperance Committee. What are they going to do? They are going to wash up the bill and send it back to us. The bill is going to smell just as bad as the one that was

killed last week. You did a good job last week and killed the bill. I hope you will let the bill lie in its grave. I hope that the motion of the gentleman from Madison, Mr. DeSanctis, does not prevail.

The **SPEAKER**: The question before the House is on the motion of the gentleman from Madison, Mr. DeSanctis, that the House recede and concur with the Senate in recommitting the bill to the Committee on Temperance. Is the House ready for the question?

As many as are in favor of the motion of the gentleman from Madison, Mr. DeSanctis, that the House do recede and concur in recommitting the bill to the Committee on Temperance will say aye; those opposed will say no.

A viva voce vote being doubted, A division of the House was had.

The **SPEAKER**: Eighteen having voted in the affirmative and fifty-seven having voted in the negative, the motion to recede and concur in recommitment of the bill does not prevail.

The question now 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.

Is this the pleasure of the House? The motion prevailed.

On motion by Mr. Eastman of Paris, the House voted to take from the table the 109th tabled and unassigned matter, House Amendment "A" to Bill "An Act Relating to Abandoned Wells as Nuisances" (H. P. 2044) (L. D. 1470) tabled on April 22 by that gentleman pending adoption.

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

Mr. EASTMAN: Mr. Speaker and Members of the House: On the advice of the Attorney General and with the consent of the gentleman from Winslow, Mr. Dostie, I now move for indefinite postponement of House Amendment "A", and, if the motion prevails, I will introduce House Amendment "B".

The SPEAKER: The gentleman from Paris, Mr. Eastman, moves that House Amendment "A" be indefinitely postponed.

As many as are in favor of the motion will say aye; those opposed no.

A viva voce vote being taken, the motion prevailed.

Mr. Dostie of Winslow then offered House Amendment "B" and moved its adoption.

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

HOUSE AMENDMENT "B" to H. P. 2044, L. D. 1470, Bill "An Act Relating to Abandoned Wells as Nuisances."

Amend said Bill by inserting in the Title thereof, after the word "Wells" the words 'or Tin Mining Shafts'

Further amend said Bill by inserting after the underlined word "wells" in the 6th line of that part designated "Sec. 7", the underlined words 'or tin mining shafts'

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

Mr. BURGESS: Mr. Speaker, I don not intend to delay the progress of this measure or any other measure, but we have in Knox County a tremendous number of abandoned quarries, some of which are a mile deep. I want to make perfectly sure that this amendment will cover that, and I therefore move to table this amendment until tomorrow morning.

The SPEAKER: The gentleman from Rockland, Mr. Burgess, moves that House Amendment "B" lie upon the table pending adoption and be specially assigned for Wednesday morning, April 27th. Is this the pleasure of the House?

Mr. EASTMAN of Paris: Mr. Speaker—

The SPEAKER: For what purpose does the gentleman rise?

Mr. EASTMAN: I just wanted to explain my position in that I intended to have taken care of that situation—

The SPEAKER: The Chair will state that the gentleman may pro-

perly debate the time for tabling of the motion.

Is it the pleasure of the House that House Amendment "B" lie upon the table pending adoption and be specially assigned for Wednesday morning, April 27th?

The motion prevailed and the amendment was so tabled.

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

Mr. DeSANCTIS: Mr. Speaker, I move to take from the table Item 10, on this morning's calendar, tabled by me earlier in the session, Resolve to Reimburse the Clyde Smith Memorial Hospital for Hospitalization and Medical Aid for Anthony Robinson (H. P. 1691).

The SPEAKER: The Chair will state that Item 10 is not presently upon the table.

Mr. DeSANCTIS: Mr. Speaker, I just happened to think. It was re-committed. Mr. Speaker, I move that the House reconsider the action taken, whereby the House voted to recommit the bill.

The SPEAKER: The gentleman is in order. The Chair understands that the gentleman from Madison, Mr. DeSanctis, now moves that the House do reconsider its action taken earlier in today's session, whereby Item 10 on the Advance Journal, being the "Ought not to pass" report of the Committee on Claims on Resolve to Reimburse the Clyde Smith Memorial Hospital for Hospitalization and Medical Aid for Anthony Robinson (H. P. 1691), the action taken earlier in the morning being to recommit the bill to the Committee on Claims. Is it the pleasure of the House to reconsider its action whereby it recommitted the bill to the Committee on Claims?

The motion prevailed.

The SPEAKER: The Chair now recognizes the same gentleman.

Mr. DeSANCTIS: Mr. Speaker, as I stated earlier this morning, we have two bills on the Clyde Smith Memorial Hospital, and this is the wrong one so I move to accept the "Ought not to pass" report.

The SPEAKER: The gentleman from Madison, Mr. DeSanctis, now moves that the House do accept the "Ought not to pass" report of the Committee on Claims on Resolve to Reimburse the Clyde Smith Memorial Hospital for Hospitalization and Medical Aid for Anthony Robinson, being House Paper 1691. Is it the pleasure of the House to now accept the "Ought not to pass" report of the committee?

Thereupon, the motion prevailed and 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. Chapman of Portland, the House voted to take from the table the thirtieth tabled and unassigned matter, Resolve in Favor of Lillis B. Goodwin, of East Corinth (H. P. 936) (L. D. 1427) tabled on April 5th by that gentleman pending passage to be engrossed.

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

Mr. CHAPMAN: Mr. Speaker, having been informed by the resolve's sponsor, the gentleman from Hudson, Mr. Chaples, who is present right now in the assembly, that the proposed recipient of this claim resolve is now dead, I now move to postpone the resolve indefinitely.

The SPEAKER: The gentleman from Portland, Mr. Chapman, moves that Resolve in Favor of Lillis B. Goodwin, of East Corinth, (H. P. 936) (L. D. 1427), be indefinitely postponed. Is this the pleasure of the House?

The motion prevailed, and the Resolve was indefinitely postponed and sent up for concurrence.

On motion by Mr. Gauthier of Sanford, the House voted to take from the table the 79th tabled and unassigned matter, Senate Report "Ought to pass in New Draft" (S. P. 652) (L. D. 1451) on Bill "An Act Providing for a Standard of

Electrical Installations" (S. P. 619) (L. D. 1336) tabled on April 19th by that gentleman pending acceptance in concurrence; and on further motion by the same gentleman the "Ought to pass in New Draft" report was accepted.

Thereupon, the new draft, having already been printed, was read twice under suspension of the rules and assigned for third reading tomorrow morning.

On motion by Mr. Chapman of Portland, the House voted to take from the table the thirty-second tabled and unassigned matter, House Report "Leave to Withdraw" of the Committee on Legal Affairs on Bill "An Act Providing for Veterans Bonus Fund for World War II Veterans and to Provide Moneys Therefor by Running Horse Races" (H. P. 1579) (L. D. 902) tabled on April 6th by that gentleman pending acceptance.

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

Mr. CHAPMAN: Mr. Speaker, I am going to move to recommit this bill to the committee, and I think I should perhaps make a brief explanation of why I am doing it. It is not for the purpose of re-hearing or getting this bill enacted; it is simply a matter that has been discussed with the sponsor of the bill and the House Chairman of the Military Affairs Committee, and it is desired to have the bill and use part of it to go on the bill which the committee is now working on for Veterans' Benefit legislation. I therefore move that the bill be re-committed to the Committee on Military Affairs.

The SPEAKER: The Chair would state that the question before the House is on the report of the Committee on Legal Affairs, the report being "Leave to Withdraw." The Chair would inquire if the gentleman wishes to move to substitute the Bill for the report of that committee.

Mr. CHAPMAN: Mr. Speaker, I wish to move to substitute the bill

for the report of the committee, and then move that it be recommitted to the Committee on Military Affairs.

The SPEAKER: The gentleman from Portland, Mr. Chapman, moves that the Bill be substituted for the "Leave to Withdraw" report of the committee. As many as are in favor of the motion of the gentleman from Portland, Mr. Chapman, that Bill "An Act Providing for Veterans Bonus Fund for World War II Veterans and to Provide Moneys Therefor by Running Horse Races" be substituted for the "Leave to Withdraw" report of the Committee on Legal Affairs will say aye; those opposed will say no.

A viva voce vote being taken, the motion prevailed.

On further motion by Mr. Chapman, the Bill was referred to the Committee on Military Affairs and sent up for concurrence.

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

Mr. BURGESS: Mr. Speaker, I now move reconsideration of H. P. 2044, L. D. 1470 whereby I tabled House Amendment "B" until tomorrow morning.

The SPEAKER: Does the gentleman from Rockland request unanimous consent that the matter be taken up now, it having been specially assigned for tomorrow morning?

Mr. BURGESS: Mr. Speaker, the matter is very simple—

The SPEAKER: Before putting the motion of the gentleman from Rockland, Mr. Burgess, his motion being that he asks unanimous consent to reconsider a matter which has already been specially assigned

by the House for tomorrow morning, the Chair feels obliged to call the attention of the members to the fact that a special assignment having been made it may be possible that some member who may be interested has already left the hall of the House in the belief that the matter will be taken up tomorrow morning, it having been so specially assigned.

Mr. BURGESS: Mr. Speaker, I would be glad to withdraw my motion. I do not want to cause any confusion.

The SPEAKER: The Chair understands that the gentleman from Rockland, Mr. Burgess, now withdraws his motion.

The House is proceeding under Orders of the Day.

If there be no further items of business to come before the House, the Clerk will read the notices.

The SPEAKER: The Chair at this time would like to read from the appointment of the Standing Committee on Elections of the House, in order that there may be no confusion on that point:

The gentleman from Portland, Mr. McGlauffin,

The gentleman from Auburn, Mr. Williams,

The gentleman from Winterport, Mr. Foley,

The gentleman from Smyrna, Mr. Benn,

The gentleman from Rockland, Mr. Bird,

The gentleman from Garland, Mr. Campbell,

The gentleman from Aurora, Mr. Silsby.

On motion by Mr. Tyler of Farmington,

Adjourned until 9:00 A. M., E. S. T. tomorrow.