

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

LEGISLATIVE RECORD

OF THE

*Ninety-Fourth Legislature*

OF THE

STATE OF MAINE

1949

DAILY KENNEBEC JOURNAL  
AUGUSTA, MAINE

## HOUSE

Saturday, April 30, 1949

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

Prayer by the Rev. Mr. Hickland of Gardiner.

The journal of the previous session was read and approved.

Mr. BUBAR (of Blaine): Mr. Speaker—

The SPEAKER: For what purpose does the gentleman rise?

Mr. BUBAR: Mr. Speaker and Members of the House: I rise because I wish to ask unanimous consent to address this House just for a moment on a very important matter. I promise you that—

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

Mr. BUBAR: Mr. Speaker, last night I heard a member of this House say and I consider that he is one of the most highly respected and intelligent, honest men that we have in this House, I heard him make this statement, it was half joking and half in earnest. He said: "I don't want this number plate designating that I am a member of this House on my car, because I do not want to go out and let the people know that I am a member of this futile Legislature."

Now, that made me feel so bad because of the fact that he is a high-grade man and yet I wondered, may that not be true?

Now, this is what I want to say in just a few moments: That we must do something in this House on this taxation question. We must have more money. First, we must have it for the schools of the State of Maine. Now, the schools of the State of Maine are down the line two-thirds of the way in educational effort and standing among the states. And yet we have on our number plate "Vacationland"

our number plate "Vacationland." Are we going to invite the nation or the States of the nation to come here and spend its vacation in a land where we are down the line three-quarters of the way in education, I think? I tell you that a boy or a girl that is ignorant and is not educated is a dangerous boy and a dangerous girl in the community. An uneducated man is a dangerous man in the State of Maine and the schools must have money in order to bring us up to a standard with the rest of the states and I believe, members, that we should either take "Vacationland" off our number plates or we should put on there a dunce with a fool's cap. We must do something and we can't do it without money.

I have been in that Educational Department again and again, and sometimes twice and three times a day and I have never seen such a busy office department as there is there. I haven't seen any of them around playing cards; I haven't seen any of them knitting; I haven't seen any of them crocheting; I haven't seen any of them eating chocolate bars or drinking a coke. They have been a busy crowd. I didn't go in there, if you please, to look at the beautiful girls. No, sir! You can't accuse me of that. I'm telling you that beauty is not skin deep, beauty is the outward expression of an inward character and that character is built, if you please, by the public schools, at least fifty percent of it, and I tell you that unless we give our public schools more money, it is an awful mistake.

Now, then, there is another reason, old age assistance. Now, the safety of the State of Maine and the happiness of the State of Maine lies in the fact that our citizens have self-respect and self-esteem and when you pauperize a man his head is down and he does not have any respect for himself and he is a subject for Communism. There are 15,000 in the State of Maine, today, who are on the very verge of pauperism, and they feel that they are pauperized. And those men and

women are subjects for Communism and we are sending billions of dollars of our money over to Europe to put Europe on an economic basis so we can keep them out of Communism and make them self-respecting. And yet, we are denying the old people of Maine that right of economic security and they are down and they are discouraged; they haven't their self-respect and they are a burden on our hands.

We must have more money for them. I am telling you of the situation up in Aroostook County. Back in the old days, in my own Town of Blaine, most of the farms were sold for taxes and all up and down the county farms were turned over because they were taxed beyond their ability to pay and our farmers went hither and yon. And, unless something is done to reduce the property tax that thing is going to happen again in my county and it cannot and it must not be.

And, again, the fire situation in Aroostook is deplorable. I have expected every day for the last three years to see a conflagration that would sweep Aroostook County and almost obliterate us. And we can do nothing about it unless we give this fire program what it wants. I feel bad about this thing.

Now, then, this is what I am going to suggest. I am not going to make a motion but I am going to suggest that we take our time until we cool off, until Monday, then I want, members, for this House to appoint a committee of seven and I mean House appointed, not any lobbyists or any paid help, but I mean the members of this House. Now, I'm telling you that I have been down here since 1898 and I have visited every Legislature and I tell you this Legislature is as intelligent and honest as any that has ever been in this House. Don't let anybody throw any rocks at us. I am going to suggest that the members of this House appoint a committee of seven to act as a committee, and three from the Senate, to act in conjunction with the Taxation Committee as a vacation com-

mittee and that this House adjourn and that we go home, and when this committee has found a taxation system we can accept then let the Governor call us together in special session. It isn't any disgrace to be called together in a special session. It won't cost as much as it is costing us now and the taxpayers will approve it. Now, members, I have been boiling over sometimes and I am wondering if you fellows thought I was going too far.

I know that there are those here today who are boiling over and they are not capable of taking a vote. If we will just wait until Monday we can pass this order; it is my constitutional right and this House can do what it pleases to do. Let's cool off a little until then. I thank you kindly for this opportunity.

One word more, please. Listen to me. Back when the old Continental Congress was in session there came a time when they were stalled; they couldn't do a single solitary thing. And old Ben Franklin stood up and said—and I won't read it to you, he said: "We are not getting anywhere. We are going to ruin the whole thing and we won't have any Constitution. Therefore, I move that this Assembly call, from now on, on the Almighty God for guidance," and they passed the order and then, you will remember, they came back into session just like clockwork, just like the old Solomon's temple that went together without saw or hammer and they framed the Constitution of the United States. Members, let's go home and cool off and let's do something worthwhile for the people of Maine.

#### Papers from the Senate

At this time, the following additional paper from the Senate, not on the House Advance Journal, was taken up.

From the Senate: The following Order:

ORDERED, the House concurring, that when the Senate and House adjourn, they adjourn to meet on Monday, May 2, 1949, at 9 o'clock

in the morning, Eastern Standard Time. (S. P. 690)

Came from the Senate, read and passed.

In the House, read and passed in concurrence.

#### **Senate Reports of Committees Ought Not to Pass**

Report of the Committee on Aeronautics reporting "Ought not to pass" on Bill "An Act Relating to the Aeronautical Fund" (S. P. 414) (L. D. 772)

Report of the Committee on Judiciary reporting same on Resolve Proposing an Amendment to the Constitution to Limit the Indebtedness on Municipalities by Public or Quasi-Municipal Corporations to Fifteen Per Cent of the Last Regular Valuation of a City or Town" (S. P. 307) (L. D. 500)

Report of the Committee on Sea and Shore Fisheries reporting same on Bill "An Act Relating to the Shipment of Shellfish" (S. P. 555) (L. D. 1178)

Report of same Committee reporting same on Bill "An Act Relating to Interstate Transportation of Shellfish" (S. P. 490) (L. D. 950)

Report of same Committee reporting same on Bill "An Act Relating to Fish Weirs" (S. P. 250) (L. D. 358) as it is covered by other Legislation.

Came from the Senate read and accepted.

In the House, read and accepted in concurrence.

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

Report of the Committee on Judiciary on Bill "An Act Relating to Punishment of Violations of Public Utility Laws" (S. P. 545) (L. D. 1166) reporting same in a new draft (S. P. 669) (L. D. 1521) under same title and that it "Ought to pass" as amended by Senate Amendment "A".

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

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

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

**SENATE AMENDMENT "A" to S. P. 669, L. D. 1521, Bill "An Act Relating to Punishment of Violations of Public Utility Laws."**

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

**'If any such person as above specified, after being ordered to appear in court to answer any violation of this chapter, fails to appear in court on the day specified, either in person or by counsel, the court shall notify the secretary of state, who shall, at the expiration of 7 days after mailing such person by registered mail, postage prepaid, a notice of his intention to do so, suspend or revoke his license to operate trucks, tractors or semi-trailers, if licensed in this state, or suspend or revoke his right to operate trucks, tractors or semi-trailers in this state, if a non-resident and not licensed to operate motor vehicles in this state, and also suspend or annul the registration of the motor vehicle operated by such person so ordered to appear, if said motor vehicle is registered in this state, and such suspension, annulment or revocation shall continue in effect until such person so appears in court as ordered.'**

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

#### **Consolidated Resolve Amended Tabled and Assigned**

Report of the Committee on Pensions on the following Resolves:

S. P. 104, Resolve Providing for State Pension for James A. Coombs, of West Bath.

S. P. 117, Resolve Providing for State Pension for Lucy Leigh Fish, of Jonesboro.

S. P. 118, Resolve Providing for State Pension for Elizabeth Fish, 2nd, of Jonesboro.

S. P. 142, Resolve Providing for State Pension for Mrs. Essie Cotton, of Norway.

S. P. 143, Resolve Providing for State Pension for Bertha F. Foster, of Norway.

S. P. 174, Resolve Providing for State Pension for Cleaveland P. Holbrook, Bath.

S. P. 357, Resolve Providing for State Pension for Dana Earl Grant, of Dover-Foxcroft.

S. P. 358, Resolve Providing for State Pension for Chester Simpson, of Monson.

S. P. 359, Resolve Providing for State Pension for Carl W. Brasier, of Monson.

S. P. 360, Resolve Providing for State Pension for Mary Alice Grant, of Dover-Foxcroft.

S. P. 361, Resolve Providing for State Pension for Rev. Basil C. Gleason, of Brewer.

S. P. 437, Resolve Providing for State Pension for Roscoe Knight, of Northport.

S. P. 487, Resolve Providing for State Pension for Gertrude Lamont, of Bath.

S. P. 488, Resolve Providing for State Pension for William Fraser, of Bath.

S. P. 507, Resolve Providing for State Pension for Gladys Guimond, of Auburn.

S. P. 633, Resolve Providing for State Pension for Margarite Hilda Reed, of Bath.

Reporting same in a Consolidated Resolve (S. P. 683) (L. L. 1582) under title of Resolve Providing Pensions for Soldiers and Sailors and Dependents and Other Needy Persons and that it "Ought to pass"

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

In the House:

Report was read.

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

Mr. JACOBS: Mr. Speaker, with reference to Item 7, Consolidated Resolve Amended, I would like to move that this be laid on the table

until Tuesday morning. A lot of people are not here, today, who perhaps should be but I will take it off the table Tuesday morning.

A viva voce vote being taken, the motion prevailed and the matter was tabled pending acceptance of the report of the committee and was specially assigned for Tuesday, May 3rd.

#### Non-Concurrent Matter

Bill "An Act Relating to Night Harness Horse Racing" (H. P. 2006) (L. D. 1388) which was passed to be engrossed in the House on April 14th

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

In the House:

The SPEAKER: Is it the pleasure of the House to recede from its action of April 14th whereby the Bill was passed to be engrossed?

The Chair recognizes the gentleman from Falmouth, Mr. Dow.

Mr. Dow, having requested a division, a division of the House was had.

Sixty-four having voted in the affirmative and two having voted in the negative, the motion to recede prevails.

Thereupon, the gentleman from Aurora, Mr. Silsby, moved that the House concur with the Senate in the acceptance of Senate Amendment "C" and passage of the Bill to be engrossed as amended.

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

Mr. SILSBY: Mr. Speaker, might I inquire if it is in order at this time to explain the Senate Amendment "C"?

The SPEAKER: In answer to the question, the Chair will state that the matter is, of course, debatable. On the other hand, the Chair would suggest, if the gentleman would be willing that it be done, that the Clerk read Senate Amendment "C" and that the gentleman may give his explanation.

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

SENATE AMENDMENT "C" to H. P. 2006, L. D. 1388, Bill "An Act Relating to Night Harness Horse Racing."

Amend said Bill by striking out the 3rd sentence of that part of section 3 designated "Sec. 9" and inserting in place thereof the following sentence:

'No meeting shall be allowed for more than 6 days in any 28-day period, except night harness racing as hereinafter defined and except day harness racing as provided in the last paragraph of section 12, except that between the 1st day of July and the 1st Monday of August, a meeting may be allowed for not exceeding 18 days on mile tracks.'

Further amend said Bill by striking out the last underlined paragraph of section 5 of said Bill and inserting in place thereof the following underlined paragraph:

'During the remaining time of the period, if any, between June 15th and October 15th, the commission may grant to a track or tracks a license to operate day or night harness racing for no more than 2 weeks in any 4-week period without necessarily meeting the specifications set forth in the preceding paragraph.'

Further amend said Bill by striking out the underlined sentence at the end of section 6 of said Bill and inserting in place thereof the following underlined sentence:

'A sum equal to ½% of such total contributions shall be paid to the treasurer of state to be credited to the "stipend" fund provided by section 16 of chapter 27 as amended.'

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

Mr. SILSBY: Mr. Speaker and Members of the House: As sponsor of this bill, I feel that very briefly I would like to explain the amendment as presented by the Senate.

As you all know, many minds on any particular bill are better than the sponsor's mind. Now, when this bill was drafted, undoubtedly by error or otherwise, we did not make it clear in the last paragraph that

racing might be held during a two week period, not exceeding two weeks, and any four week period from July 15th to October 15th and that, although it is not clear as you will note on the bill, L. D. 1388, it says "operating night harness racing".

Now, this amendment clarifies and says, as you will note, "day or night harness racing" and I think this amendment is justified and should be adopted.

Now, the next amendment is the stipend of the one-half percent to the fairs and, in the original draft, the stipend was paid to the fairs which were running concurrently with night harness racing. After discussing this matter generally with the representatives from the Fair Association, we feel that the stipend should be payable to all fairs regardless of whether they are running concurrently or in conflict with night harness racing.

The amendment clarifies the law and I think that it should be adopted and I now move, Mr. Speaker, that the House concur with the Senate amendment.

The SPEAKER: The Chair recognizes the gentleman from Randolph, Mr. Kent.

Mr. KENT: Mr. Speaker, I now offer House Amendment "A" to Senate Amendment "C".

In explanation of this amendment, I would like to say that this doesn't change the bill at all as far as the racing on half mile tracks goes; it remains the same. House Amendment "A" to Senate Amendment "C" will merely give mile tracks the same privilege in qualifying for night racing meets as any other half mile track.

The way the bill is drawn now, any half mile track in the State of Maine can qualify for an eight week night race meet providing they fix up their tracks to meet the qualifications but there is no provision in this for the mile track and I think it is just as fair for the mile track to have the privilege of qualifying for the night race meet as it is for the half mile

tracks. So, I present House Amendment "A" to Senate Amendment "C" and move its adoption.

The SPEAKER: The Chair will state that the question before the House is on the motion of the gentleman from Aurora, Mr. Silsby, that the House do concur in the adoption of Senate Amendment "C" and the passage of the Bill to be engrossed. Therefore, at this time, presentation of House Amendment "A" to Senate Amendment "C" is not in order.

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

Mr. CHASE: Mr. Speaker, I was advised a few moments ago by one of my constituents that the effect of this amendment might be disastrous upon him. He said he had an important legal opinion to sustain his contention. I have not had an opportunity to inform myself upon the matter. Therefore, I move that the motion now pending be tabled and specially assigned for Monday.

(Cries of "No")

The SPEAKER: The question before the House is on the motion of the gentleman from Cape Elizabeth, Mr. Chase, that Bill "An Act Relating to Night Harness Horse Racing" (H. P. 2006) (L. D. 1388) lie upon the table pending the motion of the gentleman from Aurora, Mr. Silsby, that the House do concur with the Senate.

Mr. SILSBY: Mr. Speaker—

The SPEAKER: The Chair will have to state that the motion to lay upon the table is not debatable.

Mr. SILSBY: I would just like to say, Mr. Speaker, that I hope the motion does not prevail. (Laughter)

The SPEAKER: The question before the House is on the motion of the gentleman from Cape Elizabeth, Mr. Chase, that the Bill lie upon the table pending the motion of the gentleman from Aurora, Mr. Silsby, that the House do concur with the Senate in the adoption of Senate Amendment "C" and the passage of the Bill to be engrossed.

and that the matter be specially assigned for Monday, May 2nd.

Mr. Chase moves that when the vote is taken, it be taken by division.

Thereupon, a division of the House was had.

Thirty-seven having voted in the affirmative and fifty-four having voted in the negative, the motion to table did not prevail.

The SPEAKER: The pending motion now before the House is on the motion of the gentleman from Aurora, Mr. Silsby, that the House do concur in the adoption of Senate Amendment "C" and the passage of the Bill to be engrossed.

Before presenting the motion to the House, the Chair will state for information only that in the event the motion now before the House does carry, it will preclude the offering of the motion of the gentleman from Randolph, Mr. Kent. In the event, that it does not carry, then that motion can be placed before the House.

The Chair recognizes the gentleman from Randolph, Mr. Kent.

Mr. KENT: Mr. Speaker, I hope that we don't recede and concur with the Senate until I have had a chance to offer this amendment.

The SPEAKER: The question before the House is on the motion of the gentleman from Aurora, Mr. Silsby, that the House do concur in the adoption of Senate Amendment "C" and the passage of the Bill to be engrossed.

Mr. McClure of Bath requested that the vote be taken by division.

Thereupon, a division of the House was had.

Fifty-six having voted in the affirmative and thirty-one having voted in the negative, the motion to concur in the adoption of Senate Amendment "C" and the passage of the Bill to be engrossed as amended prevailed.

Senate Amendment "C", having been read, was adopted, and the Bill was passed to be engrossed as amended in 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.

#### Non-Concurrent Matter

Bill "An Act Relating to Overtaking and Passing School Busses" (H. P. 2025) (L. D. 1414) which was passed to be engrossed in the House on April 4th.

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

In the House, the House voted to reconsider its action of April 4th whereby it passed the Bill to be engrossed.

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

SENATE AMENDMENT "B" to H. P. 2025, L. D. 1414, Bill "An Act Relating to Overtaking and Passing School Buses."

Amend said Bill by adding at the end thereof the following underlined sentence:

**'Each motor vehicle, carrying the designation "School Bus," shall conceal or remove such designation when such motor vehicle is used for any purpose other than transportation of pupils.'**

Thereupon, Senate Amendment "B" was adopted and the Bill as amended was passed to be engrossed in concurrence.

#### Non-Concurrent Matter

Bill "An Act Authorizing Cities and Towns to Assess a Charge for the Maintenance of Sewers" (H. P. 1787) (L. D. 1126) on which the House accepted the Minority Report of the Committee on Legal Affairs reporting "Ought not to pass".

Came from the Senate with the Majority Report of the Committee reporting a new draft (H. P. 2034) (L. D. 1448) accepted in non-concurrence and the new draft passed to be engrossed.

In the House:

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

Mr. PAINE: Mr. Speaker and Members of the House: Due to the fact that Mr. Atherton of Bangor, the sole signer of the minority "Ought not to pass" report of the committee is absent, I will now move that we insist on our former action and ask for a committee of conference.

The SPEAKER: The gentleman from Portland, Mr. Paine, moves that the House insist on its former action whereby the House accepted the minority "Ought not to pass" report of the committee and request a conference committee. Is it the pleasure of the House to insist on its former action and ask for a committee of conference?

The motion prevailed.

The gentleman from Falmouth, Mr. Dow, was granted unanimous consent to address the House.

Mr. DOW: Mr. Speaker, I hope the members will not continue in other matters here the action taken on the night horse racing bill, which came back to us with two amendments which might materially change the whole effect of the bill. I don't say they would but it should have been allowed to be tabled in order to consider that matter. It is a dangerous precedent when you refuse permission to table a bill which comes in here in a new draft with several amendments. Thank you.

#### Non-Concurrent Matter

Bill "An Act Authorizing Cities and Towns to Assess a Charge for the Collection and Disposal of Garbage, Rubbish and Refuse" (H. P. 2035) (L. D. 1449) which was indefinitely postponed in the House on April 28th.

Came from the Senate with the Majority Report of the Committee on Legal Affairs reporting a new draft (H. P. 2035) (L. D. 1449) accepted and the new draft passed to be engrossed in non-concurrence.

In the House:

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

Mr. PAINE: Mr. Speaker and Members of the House: For the same reason that I moved to insist and ask for a committee of conference on Item No. 10, I so move for Item No. 11.

The SPEAKER: The gentleman from Portland, Mr. Paine, moves that the House do insist on its former action of April 28th, whereby it indefinitely postponed Bill "An Act Authorizing Cities and Towns to Assess a Charge for the Collection and Disposal of Garbage, Rubbish and Refuse" (H. P. 2035) (L. D. 1449) and ask for a committee of conference.

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

Mr. JOHNSON: Mr. Speaker, in view of the fact that Mr. Atherton is not present today, I move that we table this bill until Tuesday, May 3rd.

The SPEAKER: The gentleman from Gardiner, Mr. Johnson, moves that the bill and accompanying papers lie upon the table and be specially assigned for Tuesday, May 3rd, pending the motion of the gentleman from Portland, Mr. Paine, that the House insist and ask for a committee of conference.

The gentleman from Portland, Mr. Paine, requested that the vote be taken by division.

Thereupon, a division of the House was had.

Twelve having voted in the affirmative and fifty-three having voted in the negative, the motion to table did not prevail.

The SPEAKER: The question before the House is on the motion of the gentleman from Portland, Mr. Paine, that the House do insist on its action taken on the 28th of April whereby the Bill was indefinitely postponed and ask for a committee of conference. Is this the pleasure of the House?

(Cries of "No")

Thereupon, a viva voce vote was taken and the motion prevailed.

#### Non-Concurrent Matter

Bill "An Act Relating to the Salary of the Judge of the Portland Municipal Court" (H. P. 2077) (L. D.

1530) on which the House voted on April 28th to insist on its action of April 21st whereby the Bill was passed to be engrossed.

Came from the Senate with that body voting to insist on its former action whereby the Bill was passed to be engrossed as amended by Senate Amendment "A" and asking for a committee of conference.

In the House:

The SPEAKER: Is it the pleasure of the House to join in conference?

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

Mr. CHAPMAN: Mr. Speaker, I move that the House recede and concur with the Senate in its action.

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

Mr. CAMPBELL: Mr. Speaker, I don't know just what kind of a motion to make here now but I ask that we concur with the Senate and have a committee of conference if that motion is in order.

The SPEAKER: The Chair understands that presently there are two motions before the House, the motion of the gentleman from Portland, Mr. Chapman, that the House do recede and concur and the motion of the gentleman from Garland, Mr. Campbell, that the House join in a committee of conference. The first motion is the motion before the House on which action shall have to be taken first. In the event that favorable action is not given to that motion then the motion of the gentleman from Garland, Mr. Campbell, to join in a conference is in order.

The motion now before the House is that of the gentleman from Portland, Mr. Chapman, that the House do recede and concur with the Senate.

A viva voce being doubted.

A division of the House was had.

Thirty-four having voted in the affirmative and thirty-one having voted in the negative, the motion to recede and concur prevailed.

SENATE AMENDMENT "A" to H. P. 2077, L. D. 1530, Bill "An Act

Relating to the Salary of the Judge of the Portland Municipal Court."

Amend said Bill by striking out the underlined figure "\$3,300" in the 7th line thereof, and inserting in place thereof the underlined figure '\$3,500'

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

Mr. CAMPBELL: Mr. Speaker, is the motion in order now to indefinitely postpone Senate Amendment "A"?

The SPEAKER: The Chair will state that the only manner of proceeding at the moment would be to move to reconsider either the passage of the Bill to be engrossed as amended by Senate Amendment "A" or reconsideration of the vote just taken that the House recede and concur with the Senate, in which event, if reconsideration is granted, the motion to indefinitely postpone would be in order. Does the gentleman care to make a motion to reconsider?

Mr. CAMPBELL: Yes, Mr. Speaker.

The SPEAKER: If so, will the gentleman state which one of the two propositions he would like to have reconsidered?

Mr. CAMPBELL: Mr. Speaker, what I would move would be to indefinitely postpone Senate Amendment "A".

The SPEAKER: Would the gentleman care to move reconsideration of the action of the House in the passage of the Bill to be engrossed as amended by Senate Amendment "A"?

Mr. CAMPBELL: Mr. Speaker, I move that the House reconsider its action whereby it passed the Bill to be engrossed as amended by Senate Amendment "A".

A viva voce vote being doubted,

A division of the House was had.

Twenty-two having voted in the affirmative and thirty-seven having voted in the negative, the motion to reconsider did not prevail.

### Orders

Mr. Jalbert of Lewiston was granted unanimous consent to address the House.

Mr. JALBERT: Mr. Speaker and Members of the House: Two years ago as the minority leader of the 93rd Legislature I was honored by being Speaker pro tem. I believe you will go along with me that I do not at any time intend to be impolite, yet I have not got the reputation of being too nervous or too bashful; but when I was ushered down by the Sergeant-at-Arms my knees were knocking. I told Mrs. Jalbert so that evening, and she as yet does not believe me.

One thing that impressed me was that I found, for the first time in my life I had to really buckle down and not have my mind flying around in left field while someone was on first base; I had to really pay strict attention every second that I was on the rostrum.

Yesterday I was sitting here for two or three hours frankly awaiting our Speaker, literally, to "blow his top." He smiled at all times; he answered all questions, both verbal and in writing; he conducted himself in such a manner that it behooved me to write him a note during the procedure.

I would like at this time to commend him very highly for his behaviour not only during the session but particularly yesterday, and last evening at the hotel many people and many of you present did comment on the beautiful manner in which our Speaker handled himself. At this time I think it would be in order for us to rise and give our able Speaker a rousing hand. (Applause, members rising)

The SPEAKER: The Chair thanks the gentleman from Lewiston, Mr. Jalbert, and thanks all the members of the House for the consideration shown, not only this morning, not only yesterday, but throughout all the days of the session. The Chair appreciates it. (Applause)

### House Reports of Committees Ought to Pass in New Draft Tabled and Assigned

Mr. Boothby from the Committee on Agriculture on Bill "An Act Relative to Licensing Dealers in Livestock" (H. P. 971) (L. D. 413) reported same in a new draft (H. P. 2106) under same title and that it "Ought to pass"

Report was read.

The SPEAKER: The Chair recognizes the gentleman from Livermore, Mr. Boothby.

Mr. BOOTHBY: Mr. Speaker, I rise to say that this Item 1, Bill "An Act Relative to Licensing Dealers in Livestock" (H. P. 971) (L. D. 413) reported in a new draft, as I couldn't see any new draft printed here on our desks, I have been requested by some here that they would like to have an opportunity to read the new draft before we pass on this. I would, therefore, like to make the motion to table until Monday to give them an opportunity to study.

The SPEAKER: The gentleman from Livermore, Mr. Boothby, moves that Item 1, Bill "An Act Relative to Licensing Dealers in Livestock" (H. P. 971) (L. D. 413) reported in new draft (H. P. 2106), that the Bill with accompanying papers lie upon the table pending acceptance of the report of the committee, that the new draft be ordered printed and that the matter be assigned for Monday, May 2nd.

The motion prevailed.

### Ought to Pass in New Draft

Mr. Boothby from the Committee on Agriculture on Bill "An Act Relating to the Bee Industry" (H. P. 1361) (L. D. 714) which was recommitteed, reported same in a new draft (H. P. 2107) under same title and that it "Ought to pass"

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

### Ought to Pass with Committee Amendment

Mr. Campbell from the Committee on Agriculture on Bill "An

Act Relating to Bounty on Porcupines" (H. P. 352) (L. D. 148) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted, and the Bill, having already been printed, was read twice under suspension of the rules.

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

COMMITTEE AMENDMENT "A" to H. P. 352, L. D. 148, Bill "An Act Relating to Bounty on Porcupines."

Amend said Bill by striking out the underlined figures "50c" in the 4th line thereof and inserting in place thereof the underlined figures "25c"

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

### Passed to be Engrossed

Bill "An Act Relating to Towns Regulating the Taking of Shellfish" (H. P. 1801) (L. D. 1143)

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

### Amended Bills

Bill "An Act to Incorporate the Town of Lubec School District" (H. P. 1050) (L. D. 466)

Bill "An Act Forbidding Employers to Charge a Fee for a Medical Examination as a Condition of Employment" (H. P. 1306) (L. D. 633)

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

Bill "An Act Amending the Charter of the City of Lewiston" (H. P. 2068) (L. D. 1504)

Bill "An Act Relating to Training and Field Trials for Beagles and Other Rabbit Hounds" (H. P. 2094) (L. D. 1579)

Were 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 Topsham School District" (H. P. 1309) (L. D. 686)

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

#### Orders of the Day

The SPEAKER: The Chair lays before the House the first tabled and today assigned matter, Bill "An Act Relating to Wild Bees" (H. P. 1025) (L. D. 457) tabled on April 29th by Mr. McClure of Bath, pending further consideration; and the Chair recognizes that gentleman.

Mr. McCLURE: Mr. Speaker and Members of the House: I understand now that this is not a controversial matter, but I do feel that where the goats have had their day in court we should also allow the bees to have theirs. Now this should be a sweet morsel for debate and there should be a few stings in it. I therefore respectfully request that my good friend, the gentleman from Cape Elizabeth, Mr. Chase, be allowed to give us a discourse on bees, and I trust it will be as good as the one he gave us on goats. If he finds, with all his many duties, he is unable to do that, I would then request that my other good friend, the gentleman from Livermore, Mr. Boothby, be allowed to take his place. I know that our genial Clerk, Harvey Pease, will furnish them with Sears, Roebuck catalogues and other books that they might find necessary in the study of these wild bees.

I would therefore move that this be specially assigned for Tuesday.

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

Mr. CHASE: Mr. Speaker, I appreciate the gentleman's confidence in my judgment on these minor matters. (Laughter) On this particular invitation, however, I shall fall back on my constitutional

rights. The constitutional right of freedom of speech, I would remind the gentleman, also includes the freedom to remain silent, so that I shall not speak on Tuesday on the subject of bees, nor, I think at any other time. (Laughter)

The SPEAKER: The gentleman from Bath, Mr. McClure, moves that Bill "An Act Relating to Wild Bees" lie upon the table pending further consideration and be specially assigned for Tuesday, May 3rd. Is this the pleasure of the House?

As many as are in favor of the motion of the gentleman from Bath, Mr. McClure, that Bill "An Act Relating to Wild Bees" lie upon the table and be specially assigned for further consideration on Tuesday, May 3rd will kindly rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

The SPEAKER: Five having voted in the affirmative and sixty-four having voted in the negative, the motion to table does not prevail.

Is it the pleasure of the House to recede from its former action whereby the Bill was passed to be engrossed?

The motion prevailed.

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

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

Amend said Bill by adding at the end of the 1st underlined paragraph thereof before the period, the following underlined punctuation and words:

' except that an owner of an apiary may destroy wild bees' nests within a distance of 2 miles of his apiary for the purpose of protecting his bees from disease'

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

Mr. BURGESS: Mr. Speaker and Members of the House: I know that everyone here is very anxious that matters progress as rapidly as possible, and had there been no discussion, or opportunity for discus-

sion with respect to a change in the bill, I would not be up; but Mr. Ludwig, the proponent of this measure, is not present this morning, and I hope the House will grant the courtesy of tabling this until Mr. Ludwig is able to be here to properly attend to the matter.

Mr. Speaker, if it is now in order, I would move that the bill and accompanying papers lie upon the table and be specially assigned until Monday, for the benefit of Mr. Ludwig.

The SPEAKER: The gentleman from Limestone, Mr. Burgess, moves that the Bill, being Bill "An Act Relating to Wild Bees", and accompanying papers, lie upon the table pending the adoption of Senate Amendment "A" and be specially assigned for Monday, May 2nd. Is this the pleasure of the House?

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

The SPEAKER: The Chair lays before the House the 2nd tabled and today assigned matter, House Amendment "A" to Bill "An Act Relating to the Duties of the Insurance Commissioner and State Fire Inspectors" (H. P. 1788) (L. D. 1227) tabled on April 29th by the gentleman from Rockland, Mr. Burgess, pending adoption.

The Clerk will read House Amendment "A".

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

HOUSE AMENDMENT "A" to H. P. 1788, L. D. 1127, Bill "An Act Relating to the Duties of the Insurance Commissioner and State Fire Inspectors."

Amend said Bill by striking out in the 8th line thereof the underlined punctuation and word "appoint" and inserting in place thereof the underlined words 'and appoint a director of state fire prevention and'

Further amend said Bill by inserting before the underlined word "state" in the 12th line thereof the underlined words 'director of state fire prevention and'

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

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

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

Mr. CHAPMAN: Mr. Speaker and Members of the House: I want to address myself to the matter of the bill which was taken up on the calendar this morning, Item 12 under non-concurrent matters, Page 3, Bill "An Act Relating to the Salary of the Judge of the Portland Municipal Court" (H. P. 2077) (L. D. 1530)

The SPEAKER: Does the gentleman request unanimous consent to address the House? The Chair so understands. The Chair hears no objection and the gentleman may proceed.

Mr. CHAPMAN: I thank you, Mr. Speaker.

At the time I made the motion to recede and concur with the Senate my thinking was motivated by the fact that probably we did not want the appointment of a committee of conference to discuss the matter of a change of \$200 in a salary bill where the bill related to funds payable by my own particular county, and the motion was made sincerely, in order to expedite the general business. Upon discussion, however, with the House Chairman of the Salaries and Fees Committee, he does feel that perhaps the committee's judgment has been prejudiced, thereby, and, in full fairness to him, if I am in order, I should like to move, under suspension of the rules, that we do reconsider the action whereby we receded and concurred with the Senate action, and if that motion is carried, I would myself like to put the motion to insist and join in a committee of conference.

The SPEAKER: The gentleman from Portland, Mr. Chapman, moves that the rules be suspended and that the House reconsider its

action taken earlier today on Item 12 of the calendar on Bill "An Act Relating to the Salary of the Judge of the Portland Municipal Court" (H. P. 2077) (L. D. 1530) whereby at that time the House voted to recede and concur with the Senate. Is it the pleasure of the House to reconsider its action taken?

The motion prevailed.

On further motion by Mr. Chapman, the House voted to insist on its former action and join in a committee of conference.

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

The Chair recognizes the gentleman from Livermore, Mr. Boothby.

Mr. BOOTHBY: Mr. Speaker, in regard to the 16th item, I happen to note that it says that it was tabled by myself on April 29th. I think that must be a mistake because I do not think I tabled that bill, and I do not know anything about it.

The SPEAKER: The Chair understands that the gentleman refers to the 16th tabled and specially assigned matter. In answer

to the gentleman's remarks, the Chair will state that the Chair now understands that the gentleman who tabled the 16th specially assigned matter was not the gentleman from Livermore, Mr. Boothby, but the gentleman from Topsham, Mr. Williams, which action was taken on the 29th of April, and the printer will correct the error.

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

Mr. BURGESS: Mr. Speaker, I move that the House adjourn.

The SPEAKER: In view of the fact that the Clerk has no notices to read, the Chair, before putting the motion to adjourn, will simply call the attention of the members to the fact that today's calendar has seventy-one unassigned matters for consideration, and that the faster they are taken off the closer we are to final adjournment.

The gentleman from Limestone, Mr. Burgess, moves that the House adjourn until 9:00 A. M., E. S. T., Monday, May 2nd. Is this the pleasure of the House?

The motion prevailed and the House so adjourned.