

# MAINE STATE LEGISLATURE

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**LEGISLATIVE RECORD**

**OF THE**

*Ninety-Sixth Legislature*

**OF THE**

**STATE OF MAINE**

**1953**

**DAILY KENNEBEC JOURNAL  
AUGUSTA, MAINE**

**HOUSE**

Wednesday, April 15, 1953

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

Prayer by the Rev. Mr. Marvin G. Palmerlee of Augusta.

The journal of the previous session was read and approved.

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

Report of the Committee on Judiciary reporting "Ought not to pass" on Bill "An Act relating to Number of Justices of Supreme Judicial Court" (S. P. 403) (L. D. 1116)

Came from the Senate read and accepted.

In the House, was read and accepted in concurrence.

**Tabled**

Report of the Committee on Legal Affairs reporting "Ought not to pass" on Bill "An Act relating to Displays of Fireworks" (S. P. 255) (L. D. 680)

Came from the Senate read and accepted.

In the House: Report was read. (On motion of Mrs. Christie of Presque Isle, the Report, with accompanying papers, was tabled pending acceptance of Committee Report in concurrence)

Report of the Committee on Legal Affairs reporting "Ought not to pass" on Bill "An Act Prohibiting Games of Beano on Sunday and Playing of Game by Minors" (S. P. 275) (L. D. 765)

Came from the Senate read and accepted.

In the House, was read and accepted in concurrence.

**Ought to Pass with Committee  
Amendment**

Report of the Committee on Liquor Control on Bill "An Act to Clarify the Liquor Laws" (S. P. 439) (L. D. 1207) 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. 439, L. D. 1207, Bill, "An Act to Clarify the Liquor Laws."

Amend said Bill by adding after section 2 thereof, the following section:

**"Sec. 2-A. R. S., c. 57, §7, amended.** Section 7 of chapter 57 of the revised statutes, as amended, is hereby further amended to read as follows:

**'Sec. 7. Non-compliance with rules and regulations.** No person shall purchase, import, transport, manufacture, possess or sell alcohol in this state unless in accordance with the rules and regulations made by the commission under authority granted by subsection II of the preceding section or pursuant to license under the provisions of section 13. Whoever violates any of such rules and regulations shall be punished by a fine of not more than \$200, or by imprisonment for not more than 6 months, or by both such fine and imprisonment.'

Further amend said Bill by striking out the underlined word "**nickel**" in the 15th line of that part designated "**Sec. 12.**" of section 3 and inserting in place thereof the underlined figure and word '**5 cents**'.

Further amend said Bill by adding after section 3 thereof, the following sections:

**"Sec. 3-A. R. S., c. 57, § 16, amended.** The 1st sentence of the 2nd paragraph of section 16 of chapter 57 of the revised statutes is hereby amended to read as follows: 'All manufacturers or foreign wholesalers to whom certificates of approval have been granted shall furnish the commission with a copy of every invoice sent to Maine wholesale licensees, with the licensee's name and purchase number thereon.'

**Sec. 3-B. R. S., c. 57, §17, amended.** Section 17 of chapter 57 of the revised statutes, as amended, is hereby further amended to read as follows:

**'Sec. 17. Illegal manufacture.** Any person not licensed by the commission who manufactures for

sale any liquor, and any person who sells any liquor so manufactured by him in this state, shall be punished by a fine of not less than \$100, nor more than \$1,000, and costs, and by imprisonment for not less than 2 months, nor more than 6 months, and in default of payment of fine and costs, by imprisonment for not less than 60 days, nor more than 6 months, additional.

**All equipment and materials of every kind used in illegal manufacturing shall be seized by any officers seizing the liquors manufactured, and shall be libeled as is provided for the labeling of liquors and the vessels in which they are contained."**

Further amend said Bill by adding after the words "retail store" in the 9th line of section 5 thereof, the underlined words "**within the state of Maine**".

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

#### Non-Concurrent Matter

Bill "An Act Permitting the University of Maine to Provide Additional Educational Opportunities" (S. P. 482) (L. D. 1341) on which the House accepted the "Ought not to pass" Report on April 10, in non-concurrence.

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

In the House:

The SPEAKER: The Chair recognizes the gentleman from Island Falls, Mr. Crabtree.

Mr. CRABTREE: Mr. Speaker, I would like to move that the House recede and concur on this matter, and I would like to say a few words about it.

I was not present in the House the other day when this matter came up but my impression was that the feeling was that there were a few thousand dollars that could be saved. This went over to the other body and I see that Senator Broggi, by amendment, deleted the price tag, so now it is only an enabling act, as I understand it.

It seems to me there is considerable value to this bill and at the moment no cost. There are students, I am sure, at the university,

our own university, who would like to go on to study medicine or perhaps dentistry or to become veterinarians and so on, and we are not equipped to serve them with those courses there. It means that they could have an exchange agreement among land-grant universities, and I see considerable value in it.

The other matter which seems worthy of our consideration is that there is apparently an association of land-grant universities, of which our own Dr. Hauck is President, and they arranged for this exchange of students, and now it is a little bit embarrassing, I would think, that our own Dr. Hauck, who is the President of the land-grant association, cannot go along with the proposal which at least he acceded to. I hope that the House, under these circumstances, now that there is no cost, will recede and concur with the Senate. Thank you.

The SPEAKER: The gentleman from Island Falls, Mr. Crabtree, moves that the House recede and concur in substituting the bill for the report. Is this the pleasure of the House?

(Calls of "No" and "Yes")

As many as are in favor of the motion of the gentleman from Island Falls, Mr. Crabtree, that, the House recede and concur in substituting the bill for the report will say aye; those opposed will say no.

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

Seventy-two having voted in the affirmative and nine having voted in the negative, the motion prevailed and the House voted to recede and concur with the Senate in substituting the bill for the report of the committee.

Thereupon, the bill was given its two several readings.

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

**SENATE AMENDMENT "A" to S. P. 482, L. D. 1341, Bill "An Act Permitting the University of Maine to Provide Additional Educational Opportunities."**

Amend said Bill by striking out at the beginning of the 1st line the underlined abbreviation and figure "**Sec. 1.**"

Further amend said Bill by striking out all of section 2 thereof.

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

#### Non-Concurrent Matter

Report of the Committee on Judiciary reporting "Ought to pass" on Bill "An Act relating to Rights and Stock Options of Stockholders" (H. P. 339) (L. D. 355) which was read and accepted and the Bill passed to be engrossed in the House on March 31.

Came from the Senate with the Report and Bill indefinitely postponed in non-concurrence.

In the House:

The House voted to recede and concur with the Senate.

#### Non-Concurrent Matter

Report of the Committee on Liquor Control reporting "Ought to pass" on Bill "An Act relating to Excise Taxes on Malt Liquor" (H. P. 1140) (L. D. 1274) which was read and accepted and the Bill passed to be engrossed in the House on April 7.

Came from the Senate with the Report and Bill indefinitely postponed in non-concurrence.

In the House:

The House voted to recede and concur with the Senate.

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

Thereupon, the Sergeant-at-Arms conducted Mr. Hand to the rostrum, where he assumed the Chair, amid the applause of the House, the members rising, and Speaker Bates retired.

On motion of Mrs. Christie of Presque Isle, House Rule 25 was suspended for the remainder of today's session, in order to permit smoking.

#### Orders

The gentlewoman from Rumford, Miss Cormier, presented the following Order and moved its passage:

ORDERED, the Senate concurring, that Resolve in favor of Edward Carrier of Rumford, H. P.

494, be recalled from the Legislative files to the House for further consideration. (H. P. 1245)

Thereupon, the Order received passage and was sent up for concurrence.

#### House Reports of Committees Leave to Withdraw

Mr. Boston from the Committee on Highways on Bill "An Act relating to Discontinuance of State or State Aid Highways" (H. P. 964) (L. D. 1052) reported leave to withdraw.

Mr. Ludwig from same Committee reported same on Bill "An Act relating to Highways Maintained by the State" (H. P. 1085) (L. D. 1220)

Mr. Harnden from the Committee on Inland Fisheries and Game reported same on Bill "An Act relating to Salaries of Inland Fish and Game Wardens" (H. P. 727) (L. D. 773)

Mr. Fuller from the Committee on Judiciary reported same on Bill "An Act relating to the Adoption of Persons" (H. P. 45) (L. D. 46)

Mr. Trafton from same Committee reported same on Bill "An Act relating to Adoption of Persons" (H. P. 71) (L. D. 67)

Mr. Small from the Committee on Labor reported same on Bill "An Act relating to Compensation for Total Incapacity Under Workmen's Compensation Law" (H. P. 48) (L. D. 49) as it is covered by other legislation.

Reports were read and accepted and sent up for concurrence.

#### Ought Not to Pass Tabled

Mr. Burgess from the Committee on Appropriations and Financial Affairs reported "Ought not to pass" on Resolve in favor of Addition to Chemical Engineering Building at University of Maine (H. P. 88) (L. D. 92)

Report was read.

The SPEAKER pro tem: The Chair recognizes the gentleman from Westbrook, Mr. Travis.

Mr. TRAVIS: Mr. Speaker, this is an item for which I had hoped the funds could be found as I feel that this building is vitally needed.

In order that we may consider the financial picture as it unfolds

at a little later date, I ask that the report be tabled pending acceptance and unassigned.

The **SPEAKER** pro tem: The gentleman from Westbrook, Mr. Travis, moves that this report lie on the table pending acceptance and that the matter be unassigned. Is this the pleasure of the House?

The motion prevailed, and the Report, with accompanying papers, was tabled without assignment, pending acceptance of Committee Report.

#### Tabled

Mr. Campbell from the Committee on Appropriations and Financial Affairs reported "Ought not to pass" on Resolve in favor of Hampden Academy (H. P. 137) (L. D. 137)

Report was read.

(On motion of Mr. Stanley of Hampden, the Report, with accompanying papers, was tabled without assignment, pending acceptance of Committee Report)

Mr. Campbell from the Committee on Appropriations and Financial Affairs reported "Ought not to pass" on Resolve for Support of "Ruggles House" in Columbia Falls (H. P. 789) (L. D. 906)

Report was read and accepted and sent up for concurrence.

#### Tabled and Assigned

Mr. Cates from the Committee on Appropriations and Financial Affairs reported "Ought not to pass," on Resolve in favor of Litchfield Academy (H. P. 481) (L. D. 500)

Report was read.

(On motion of Mr. Dennis of Litchfield, the Report, with accompanying papers, was tabled pending acceptance of Committee Report, and specially assigned for Wednesday, April 22.)

Mr. Cole from the Committee on Appropriations and Financial Affairs reported "Ought not to pass" on Resolve in favor of the Town of Medway (H. P. 87) (L. D. 91)

Report was read and accepted and sent up for concurrence.

#### Tabled

Mr. Davis from the Committee on Appropriations and Financial Af-

fairs reported "Ought not to pass" on Resolve in favor of the Town of Hermon (H. P. 484) (L. D. 503)

Report was read.

(On motion of Mr. Stanley of Hampden, the Report, with accompanying papers, was tabled without assignment pending acceptance of Committee Report)

#### Tabled and Assigned

Mr. Davis from the Committee on Appropriations and Financial Affairs reported "Ought not to pass" on Resolve Providing for Certain Construction at Monmouth Academy (H. P. 632) (L. D. 655)

Report was read.

(On motion of Mr. Dennis of Litchfield, the Report, with accompanying papers, was tabled pending acceptance of Committee Report, and was specially assigned for Wednesday, April 22.)

Mr. Jacobs from the Committee on Appropriations and Financial Affairs reported "Ought not to pass" on Resolve in favor of Somerset Academy (H. P. 482) (L. D. 501)

Same gentleman from same Committee reported same on Resolve in favor of Erskine Academy (H. P. 902) (L. D. 1009)

Same gentleman from same Committee reported same on Bill "An Act Establishing a Division of Alcoholism Within Department of Health and Welfare" (H. P. 1074) (L. D. 1214)

Same gentleman from same Committee reported same on Resolve Authorizing Construction of Fish Rearing Station at Littleton in Aroostook County (H. P. 788) (L. D. 905)

Reports were read and accepted and sent up for concurrence.

#### Tabled

Mr. Jacobs from the Committee on Appropriations and Financial Affairs reported "Ought not to pass" on Resolve in favor of the Town of Garland (H. P. 1038) (L. D. 1182)

Report was read.

(On motion of Mr. Roberts of Dexter, the Report, with accompanying papers, was tabled without assignment, pending acceptance of Committee Report)

Mr. Jacobs from the Committee on Appropriations and Financial Affairs reported "Ought not to pass" on Resolve to Provide for Studying Winter Sports Development Potentialities (H. P. 1152) (L. D. 1300)

Mr. Jalbert from same Committee reported same on Resolve Providing for Indexing and Filing Old Lincoln Probate Records (H. P. 577) (L. D. 611)

Mr. Alden from the Committee on Claims reported same on Resolve in favor of Elizabeth Deering Mofatt of Bath (H. P. 904) (L. D. 1010)

Mr. Brown from same Committee reported same on Resolve to Reimburse the Town of Exeter for Support of Mrs. Methy Sanders and Children (H. P. 487) (L. D. 507)

Mr. Potter from same Committee reported same on Resolve in favor of the Town of Strong (H. P. 907)

Reports were read and accepted and sent up for concurrence.

#### Tabled

Mr. Turner from the Committee on Highways reported "Ought not to pass" on Bill "An Act to Provide for the Sharing of Gasoline Taxes with Towns" (H. P. 1129) (L. D. 1280)

Report was read.

The SPEAKER pro tem: The Chair recognizes the gentleman from Millinocket, Mr. Gates.

Mr. GATES: Mr. Speaker and Members of the House: I am the author of this bill, and at the hearing the question of the constitutionality of the bill was raised. I have asked the Attorney General if he would give me his opinion upon the constitutionality of this bill. I have also requested that he give me an opinion upon the constitutionality of the Road Improvement bill and also your Special Road resolves.

Mr. Dunnack, of the Highway Department, their attorney, has assured me that he will ask the Supreme Court of the State of Maine to give an early ruling. If these other two bills are ruled to be constitutional, I will borrow some of the phraseology from those bills and amend my bill.

I move that this bill be placed upon the table pending acceptance of the report.

The SPEAKER pro tem: The gentleman from Millinocket, Mr. Gates, moves that Item 18, the "Ought not to pass" report of the Committee on Highways, on Bill "An Act to Provide for the Sharing of Gasoline Taxes with Towns," (H. P. 1129) (L. D. 1280) lie upon the table pending the acceptance of the Committee Report. Is this the pleasure of the House?

The motion prevailed, and the Bill was so tabled, without assignment.

Mr. Butler from the Committee on Inland Fisheries and Game reported "Ought not to pass" on Resolve Opening Jerry Pond, Penobscot County, to Ice Fishing (H. P. 593) (L. D. 633)

Mr. Currier from same Committee reported same on Bill "An Act relating to Time of Petitions and Hearings on Adverse Conditions of Fish" (H. P. 1154) (L. D. 1302)

Mr. Frechette from same Committee reported same on Bill "An Act relating to Hunting and Fishing Licenses for Aliens" (H. P. 1130) (L. D. 1276)

Same gentleman from same Committee reported same on Resolve Providing for a Fish Screen at Outlet of Cathance Stream in Washington County (H. P. 815) (L. D. 899)

Mr. Watson from same Committee reported same on Bill "An Act relating to Disposition of Money Received by Department of Inland Fisheries and Game" (H. P. 575) (L. D. 619)

Reports were read and accepted and sent up for concurrence.

#### Tabled

Mr. Watson from the Committee on Inland Fisheries and Game reported "Ought not to pass" on Resolve Authorizing Survey by Commissioner of Inland Fisheries and Game to Cooperate with Other States to Reduce Hunting Fatalities (H. P. 1091) (L. D. 1225)

Report was read.

(On motion of Mr. Rogerson of Houlton, the Report, with accompanying papers, was tabled without

assignment, pending acceptance of Committee Report.)

#### Tabled

Mr. Whitney from the Committee on Inland Fisheries and Game reported "Ought not to pass" on Resolve Opening Upper Rang Pond, Androscoggin and Cumberland Counties, to Ice Fishing (H. P. 518) (L. D. 521)

Report was read.

(On motion of Mr. Edwards of Raymond, the Report, with accompanying papers, was tabled without assignment, pending acceptance of Committee Report)

Mr. Fitanides from the Committee on Judiciary reported "Ought not to pass" on Bill "An Act relating to the Livermore Falls Municipal Court" (H. P. 1167) (L. D. 1322)

Mr. McGlaufflin from same Committee reported same on Resolve Proposing an Amendment to the Constitution Changing the Tenure of Office of the Governor to Two Four-Year Terms (H. P. 1099) (L. D. 1233)

Mr. Trafton from same Committee reported same on Bill "An Act relating to Voting in Elections by Employees" (H. P. 596) (L. D. 636)

Same gentleman from same Committee reported same on Bill "An Act relating to Acknowledgment of Certain Deeds" (H. P. 971) (L. D. 1059)

Same gentleman from same Committee reported same on Resolve in favor of a Special Recess Committee to Study All Election Laws (H. P. 1019) (L. D. 1145)

Reports were read and accepted and sent up for concurrence.

#### Recommended

Mr. Caswell from the Committee on Labor reported "Ought not to pass" on Bill "An Act relating to Practitioners' Services Under the Workmen's Compensation Act" (H. P. 224) (L. D. 251)

Report was read.

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

Mr. McGLAUFFLIN: Mr. Speaker, I move that Item 31 be recommitted to the Committee on Labor for further consideration.

The SPEAKER: The gentleman from Portland, Mr. McGlaufflin, moves that the report and bill, "An Act relating to Practitioners' Services Under the Workmen's Compensation Act", be recommitted to the Committee on Labor. Is this the pleasure of the House?

The motion prevailed, and the Report, with accompanying papers, was recommitted to the Committee on Labor and was sent up for concurrence.

Mr. Caswell from the Committee on Labor reported "Ought not to pass" on Bill "An Act relating to Elevators" (H. P. 750) (L. D. 789)

Mr. Legard from same Committee reported same on Bill "An Act relating to Definition of Employer Under Employment Security Law" (H. P. 830) (L. D. 861)

Same gentleman from same Committee reported same on Bill "An Act relating to Care of Steam Heating Plants" (H. P. 930) (L. D. 995)

Mr. Small from same Committee reported same on Bill "An Act relating to Total Compensation for Total Incapacity Under Workmen's Compensation Law" (H. P. 429) (L. D. 476) as it is covered by other legislation.

Same gentleman from same Committee reported same on Bill "An Act relating to Hours of Labor of Operators of Motor Trucks and Buses" (H. P. 661) (L. D. 704)

Mr. Childs from the Committee on Legal Affairs reported same on Bill "An Act relating to Fire Hazards" (H. P. 674) (L. D. 717)

Same gentleman from same Committee reported same on Bill "An Act relating to Fire Hazards in Trailer Camps and Motels" (H. P. 675) (L. D. 718)

Mr. Gowell from same Committee reported same on Bill "An Act relating to Disposition of Dog License Fees" (H. P. 664) (L. D. 707)

Reports were read and accepted and sent up for concurrence.

The SPEAKER pro tem: The Chair notes the presence, in the balcony of the Hall of the House, of a group of forty-one pupils from the Crescent Park School, Bethel, in charge of Mr. Charles Chapman and Mrs. Olive Lurvey.



On behalf of the House the Chair, at this time, extends to you a very cordial welcome. (Applause)

Mr. Gowell from the Committee on Legal Affairs reported "Ought not to pass" on Bill "An Act relating to Damages to Poultry by Dogs" (H. P. 665) (L. D. 708)

Same gentleman from same Committee reported same on Bill "An Act relating to Public Dances" (H. P. 669) (L. D. 712)

Same gentleman from same Committee reported same on Bill "An Act relating to Explosives" (H. P. 671) (L. D. 714)

Mr. Martin from same Committee reported same on Bill "An Act relating to Inspection of Electrical Equipment" (H. P. 672) (L. D. 715)

Mr. Senter from the Committee on Public Health reported same on Bill "An Act Utilizing Professional Training for Chiropractors" (H. P. 434) (L. D. 481)

Mr. O'Dell from the Committee on Public Utilities reported same on Bill "An Act to Incorporate the Westbrook Sewerage District" (H. P. 1158) (L. D. 1306)

Reports were read and accepted and sent up for concurrence.

Mr. CAVERLY of Bath: Mr. Speaker — — —

The SPEAKER pro tem: For what purpose does the gentleman rise?

Mr. CAVERLY: Mr. Speaker, I want to question Item Number 27.

The SPEAKER pro tem: The gentleman may state his question. Did the Chair understand the gentleman to say that he wanted to ask a question relative to Item 27?

Mr. CAVERLY: Yes, Mr. Speaker. Is that a two four-year term or what is that?

The SPEAKER pro tem: The Clerk will read the title.

The CLERK: Resolve Proposing an Amendment to the Constitution Changing the Tenure of Office of the Governor to Two Four-Year Terms.

#### Ought to Pass Printed Bills

Mr. Burgess from the Committee on Appropriations and Financial Affairs reported "Ought to pass" on Bill "An Act relating to Acceptance by State of Funds for

Unorganized Territory Capital Working Fund" (H. P. 1072) (L. D. 1212)

Mr. Jacobs from same Committee reported same on Resolve Appropriating Moneys for Reconditioning Buildings at the Maine Vocational-Technical Institute (H. P. 1036) (L. D. 1180)

Mr. Alden from the Committee on Claims reported same on Resolve to Reimburse the Town of Brooks for Pauper Claim (H. P. 25) (L. D. 1447) which was recommitted.

Same gentleman from same Committee reported same on Resolve in favor of the Town of Jay (H. P. 798) (L. D. 1448)

Mr. Tuttle from same Committee reported same on Resolve in favor of the Town of Van Buren (H. P. 963) (L. D. 1449)

Mr. Stewart of Portland from the Committee on Legal Affairs reported same on Bill "An Act to Change the Name of Portland University Extension Courses, Inc. and to Grant It Certain Powers (H. P. 1139) (L. D. 1289)

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

#### Recommitted

Mr. Albert from the Committee on Liquor Control reported "Ought to pass" on Bill "An Act relating to the Administration of the Liquor Law" (H. P. 538) (L. D. 554)

Report was read.

The SPEAKER pro tem: The Chair recognizes the gentleman from Greenville, Mr. Anderson.

Mr. ANDERSON: Mr. Speaker and Members of the House: This is one of those bills that got away from us, therefore I move that the bill and report be recommitted to the Committee on Liquor Control for further consideration.

The SPEAKER pro tem: The gentleman from Greenville, Mr. Anderson, moves that Item 52, the "Ought to pass" report on Bill "An Act relating to the Administration of the Liquor Law," with the bill, be recommitted to the Committee on Liquor Control. Is this the pleasure of the House?

The motion prevailed, and the Report, with accompanying papers, was recommitted to the Committee on Liquor Control and was sent up for concurrence.

### Ought to Pass with Committee Amendment

Mr. Jacobs from the Committee on Appropriations and Financial Affairs on Resolve for the Purchase of One Hundred Copies of "Highlights of Westbrook History" (H. P. 207) (L. D. 238) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Resolve read once.

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

**COMMITTEE AMENDMENT "A"** to H. P. 207, L. D. 238, Resolve for the Purchase of One Hundred Copies of 'Highlights of Westbrook History.'

Amend said Bill by adding to the last line after the word "fund," the words 'Unappropriated Surplus.'

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

Mr. Tuttle from the Committee on Claims on Resolve to Reimburse George H. Morong of Portland (H. P. 401) (L. D. 454) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Resolve read once.

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

**COMMITTEE AMENDMENT "A"** to H. P. 401, L. D. 454, Resolve to Reimburse George H. Morong, of Portland.

Amend said resolve by striking out the figure "\$4,043" in the 2nd line thereof and inserting in place thereof the figure '\$1,200'.

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

Mr. Tuttle from the Committee on Claims on Resolve in favor of the Town of Fort Fairfield (H. P. 1080) (L. D. 1450) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Resolve read once.

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

**COMMITTEE AMENDMENT "A"** to H. P. 1080, Resolve in Favor of the Town of Fort Fairfield.

Amend said resolve by inserting the words 'from the funds of the department of health and welfare' following the word "appropriated" in the second line thereof.

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

Mr. Low from the Committee on Taxation on Bill "An Act for the Assessment of a State Tax for the Year Nineteen Hundred Fifty-three and for the Year Nineteen Hundred Fifty-four" (H. P. 120) (L. D. 121) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Bill read twice.

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

**COMMITTEE AMENDMENT "A"** to H. P. 120, L. D. 121, Bill, "An Act for the Assessment of a State Tax for the Year Nineteen Hundred Fifty-three and for the Year Nineteen Hundred Fifty-four."

Amend said Bill by striking out all of the last paragraph of section 5, and inserting in place thereof, the following:

'The sum so collected from each township and each lot or parcel of land not included in any township in the state which is assessed for school and highway purposes shall be credited to such purposes in an amount not to exceed  $\frac{3}{4}$  of the amount assessed for school and highway purposes; and such credit may be anticipated by the state tax assessor when preparing the statements referred to in section 77 of chapter 14.'

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

### Divided Report Tabled and Assigned

Majority Report of the Committee on Appropriations and Financial Affairs reporting "Ought not to pass" on Resolve in favor of Maine Central Institute (H. P. 631) (L. D. 654)

Report was signed by the following members:

Messrs. COLLINS of Aroostook  
HASKELL of Penobscot  
—of the Senate

Messrs. JACOBS of Auburn  
BURGESS of Limestone  
JALBERT of Lewiston  
CATES of Machias  
—of the House

Minority Report of same Committee reporting "Ought to pass" on same Resolve.

Report was signed by the following members:

Mr. SINCLAIR of Somerset  
—of the Senate

Messrs. CAMPBELL of Guilford  
COLE of Liberty  
DAVIS of Harrison  
—of the House

Reports were read.

(On motion of Mr. Campbell of Guilford, the two Reports, with accompanying papers, were tabled pending acceptance of either Report, and specially assigned for Tuesday, April 21.)

#### Divided Report Tabled and Assigned

Majority Report of the Committee on Appropriations and Financial Affairs reporting "Ought not to pass" on Resolve in favor of the Town of Monson to Aid in Completion of Gymnasium (H. P. 785) (L. D. 902)

Report was signed by the following members:

Messrs. HASKELL of Penobscot  
COLLINS of Aroostook  
—of the Senate

Messrs. CATES of Machias  
BURGESS of Limestone  
JACOBS of Auburn  
JALBERT of Lewiston  
—of the House

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

Report was signed by the following members:

Mr. SINCLAIR of Somerset  
—of the Senate

Messrs. COLE of Liberty  
DAVIS of Harrison  
CAMPBELL of Guilford  
—of the House

Reports were read.

(On motion of Mr. Campbell of Guilford, the two Reports, with accompanying papers, were tabled pending acceptance of either Report, and specially assigned for Tuesday, April 21.)

#### Divided Report

Majority Report of the Committee on Appropriations and Financial Affairs reporting "Ought not to pass" on Resolve Authorizing Construction of New Fish Hatchery and Rearing Station in Aroostook County (H. P. 787) (L. D. 904)

Report was signed by the following members:

Messrs. HASKELL of Penobscot  
SINCLAIR of Somerset  
—of the Senate

Messrs. JACOBS of Auburn  
COLE of Liberty  
CATES of Machias  
JALBERT of Lewiston  
—of the House

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

Report was signed by the following members:

Mr. COLLINS of Aroostook  
—of the Senate

Messrs. CAMPBELL of Guilford  
BURGESS of Limestone  
DAVIS of Harrison  
—of the House

Reports were read.

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

Mr. BURGESS: Mr. Speaker, I move you the acceptance of the minority "Ought to pass" report, and in support of my motion I would like to briefly outline the case as it appears to me.

First, may I say to the House that this appropriation, if granted, does not come from current revenues; it comes from the unappropriated surplus.

With respect to unappropriated surplus, may I state to the House that the State now has \$10,100,000 of unappropriated surplus — will have by the end of the year—and from that unappropriated surplus there will be various non-recurring items recommended by your Appropriations Committee.

In support of the Fish Hatchery, mentioned in this Item 59, may I state that from information obtained from the Fish and Game Department early in the session, this particular location, which is in Northern Aroostook County, has been surveyed by the Fish and Game engineers, it has been designated as an appropriate location, and could be constructed, if sufficient funds were available, during the next year.

I think I owe it to the House to say to you that there is now before the Committee on Fish and Game a bill which proposes to increase fees, fishing license fees, \$1. How that committee will report, I do not know, and am not in a position to even guess, but in explanation of it may I state this: The proposal for an increase in your fishing license is for the purpose of establishing a construction fund and earmarking it for the Fish and Game Department, construction and maintenance of the Fish and Game property, but due to the fact that if that type of bill should receive passage, there would be no income available for construction during the next year, this item and one which will follow shortly from the same committee for a fish hatchery in Cumberland County should receive your consideration.

Now, Mr. Speaker and Members of the House, in making the motion which I have, that the "Ought to pass" report be accepted, may I again state that if you see fit to support my motion, the funds will not come from current revenue, but from unappropriated surplus of which we have, or will have by the end of the current year, this current fiscal year, \$10,100,000.

Mr. Speaker, I again state my motion. I move that the minority "Ought to pass" report be accepted.

The SPEAKER pro tem: The gentleman from Limestone, Mr. Burgess, moves that the minority report "Ought to pass" as amended by Committee Amendment "A" be accepted.

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

Mr. JACOBS: Mr. Speaker and Members of the House: As one of the members who went along with

the majority report that this ought not to be accepted, we felt that the Commission of Inland Fisheries and Game should handle this themselves, and not have it taken out of the unappropriated surplus. Who knows how much surplus we will have at the end of this session? Nobody knows that. It is a debatable question. And for that reason, I go along with the report, that it "Ought not to pass" and I hope that the motion of the gentleman from Limestone, Mr. Burgess, will not prevail.

The SPEAKER pro tem: The question before the House is on the motion of the gentleman from Limestone, Mr. Burgess—

The Chair recognizes the gentleman from Caribou, Mr. Currier.

Mr. CURRIER: Mr. Speaker, as a member of the Fish and Game Committee, I would like to have a few words here.

It seems to me that we, the sportsmen of the State of Maine, Aroostook County in particular, are paying through a sales tax an immense amount of money which goes into the funds of the State, and we feel that some consideration from this unappropriated surplus should be turned back to the sportsmen of Aroostook County. I hope that the motion of the gentleman from Limestone, Mr. Burgess, will prevail.

The SPEAKER pro tem: The question before the House is on the motion of the gentleman from Limestone, Mr. Burgess, that the minority report of the committee be accepted and sent up for concurrence.

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

Mr. BURGESS: Mr. Speaker, when the vote is taken, I ask for a division.

The SPEAKER pro tem: The same gentleman requests a division.

The Chair recognizes the gentleman from Liberty, Mr. Cole.

Mr. COLE: Mr. Speaker and Members of the House: My reason for signing the majority report is this: This department should be self-supporting. Several years ago this department was set up on a self-supporting basis on dedicated revenue like our Highway Commission and some other departments in our State, therefore if the Fish and

Game Division wants to build hatcheries, I think they should increase fees or otherwise live within their appropriation; they should certainly not raise the general fund. Thank you.

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

Mr. TURNER: Mr. Speaker and Members of the House: We have got a lot of money here in this unexpended surplus. I think, rather than to kill all of these academy bills or resolves that are coming up, it would be more sensible to help these academies out than it would be to throw it into the fishing pond up in Aroostook County or any other county. I think, if you folks will go along with this pollution bill that I have coming along and kind of clean up the rivers and streams that we have, that Nature would take its course, and, in due time, I think we won't need any fish ponds.

The SPEAKER pro tem: The Chair recognizes the gentleman from Guilford, Mr. Campbell.

Mr. CAMPBELL: Mr. Speaker and Members of the House: As one of the signers of the minority "Ought to pass" report, I would like to state my position in the matter and what influenced my thinking.

It is true that the Inland Fish and Game Department have always, or for several years, have existed and carried on their business with funds obtained from license fees, and they have been wholly self-supporting, but I believe that now the time has come when the whole State benefits in a great measure from these activities and their funds are insufficient for capital improvements such as building fish hatcheries, and I believe it is nothing more than fair that some of this money should come from the unappropriated surplus, and I hope that the motion of the gentleman from Limestone, Mr. Burgess, prevails.

The SPEAKER pro tem: The Chair recognizes the gentleman from Moose River Plantation, Mr. Watson.

Mr. WATSON: Mr. Speaker and Members of the House: It is hard for me to sit here and let anything from the Fish and Game Committee go by without saying something on it.

My remarks, as usual, will be very brief. I certainly want to go along with the motion of the gentleman from Limestone (Mr. Burgess) and if his motion does not prevail, I feel that these members who vote against this motion will go along with us on our license raise. If they feel that the Fish and Game Department should be self-supporting, which is all right either way, they will go along and make the department self-supporting, but we in the Committee on Inland Fisheries and Game are right up to our necks in finances now, and we don't think the department can take on any capital improvements, so, ladies and gentlemen, we hope you will go along with the motion of the gentleman from Limestone (Mr. Burgess).

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

Mr. BURGESS: Mr. Speaker, may I state to the House that I am the sponsor of the bill which is now before the Fish and Game Committee which proposes to increase the fishing license. May I also state to you that this item, and another item relative to a fish hatchery in Cumberland County, are only stop-gap measures for the reason that should you — and I hope that you do — increase your income to the Fish and Game Department, it would not be available during the next year.

May I also state to you, with respect to general funds, that it is my honest opinion that the people coming into the State, as well as those of us who fish, are contributing to the general fund in the form of sales tax as we spend for fishing desires. There is no constitutional amendment which designates fish and game income such as the highway funds are designated, therefore it is not out of order to appropriate money from our general fund unappropriated surplus.

I leave the question to you to decide simply this: Do you believe that the fishing in the State of Maine is as good as it should be? Do you believe that tourist dollars, as well as our own, are declining because of the lack of proper hatcheries or sufficient hatcheries and rearing pools? If you believe that,

then I hope you will support my motion and help appropriate a sum of money which will start the Fish and Game Department again on the right track.

As I stated, you will have before you later another item which probably will be similar to this with respect to Cumberland County. I, too, will be in support of that because I believe that the time has come when we must face the issue: Either we are going to have fishing that will attract tourists and attract you and me to spend our money, or we are not.

The SPEAKER pro tem: The Chair recognizes the gentleman from East Machias, Mr. Cates.

Mr. CATES: Mr. Speaker and Members of the House: You will probably note that I have signed the "Ought not to pass" report on practically every one of these bills. I am trying to save some money for the State. We are having a hard time to balance the budget in anticipation of the loss of revenue in the Taxation Department, and if this bill passes, or if this minority report is accepted, you will have another one of like nature, as the gentleman from Limestone, Mr. Burgess, says, as you will be expected to accept the minority report of that bill, and the two of them together will amount to \$300,000. I go along with Mr. Turner, the gentleman from Auburn, when I state that if this money is to be spent, \$300,000 of it would go a long way on those resolves for the towns and academies which are so sorely in need of it.

My hobby is hunting and fishing, and there is nobody in this House who would like to see fish hatcheries in Aroostook County and at Sebago more than I, but I do feel that this is not the time to raid the surplus fund for \$300,000. I think it is now time to put the Inland Fish and Game Department on their own and let them live within the dedicated revenue.

The SPEAKER pro tem: The Chair recognizes the gentleman from Harrison, Mr. Davis.

Mr. DAVIS: Mr. Speaker and Members of the House: I think this is a very important measure if we are to maintain the income from the recreational business in

this State, and that is the reason that I signed the minority report on this bill, also on the other bill which has been mentioned, for Cumberland County, and I hope that the motion of Mr. Burgess, the gentleman from Limestone, for the acceptance of the minority report, will prevail.

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

Mr. TRAFTON: Mr. Speaker: I wish to address a question through the Chair to any member of the Fish and Game Committee. Is it true that there are fishing hatcheries in the State now that are not being used?

The SPEAKER pro tem: The gentleman from Auburn, Mr. Trafton, directs a question through the Chair to any member of the Committee on Inland Fisheries and Game. Any member of that committee may answer if he chooses.

The Chair recognizes the gentleman from Moose River Plantation, Mr. Watson.

Mr. WATSON: Mr. Speaker, I do not know of any hatcheries that are not being used. I know of some hatcheries that are obsolete and for various reasons are not being used, but it is conditions beyond the control of the Fish and Game Department why these hatcheries are not being used. Does that answer the gentleman's question?

The SPEAKER pro tem: Is the House ready for the question?

The Chair recognizes the gentleman from Brooks, Mr. Dickey.

Mr. DICKEY: Mr. Speaker the question before us, even though it seems we are debating two or three bills at the same time is: If you go along with Mr. Burgess's motion, you are spending \$150,000. That is what it boils down to. If you want to spend \$150,000, go along with him. If you don't want to spend \$150,000, kill his motion.

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

Mr. POTTER: Mr. Speaker and Members of the House: I do not think we should look upon this as a spending bill. We should look upon it as an investment. If you are going into any kind of business, you have got to spend some money.

We are advertising, through our Maine Development Commission, our fishing. Every one of you members, having any business in the southern part of the State, will realize some revenue from the fishermen going to Aroostook County. Perhaps stocking is not always the answer to our problem, but after the droughts that we have had, certainly a great many streams have lost even their seed, and these droughts can happen in future years, and this should be looked upon as an investment which will help every part of the State and not simply help the fishing interests in Aroostook County.

The SPEAKER pro tem: The question before the House is on the motion of the gentleman from Limestone, Mr. Burgess, that the House accept the minority report "Ought to pass" as amended by Committee Amendment "A" of the Committee on Appropriations and Financial Affairs on Resolve Authorizing Construction of New Fish Hatchery and Rearing Station in Aroostook County, (H. P. 787) (L. D. 904) and the same gentleman requests a division.

As many as are in favor of the motion of the gentleman from Limestone, Mr. Burgess, that the House accept the minority report "Ought to pass" as amended by Committee Amendment "A" will please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Forty-six having voted in the affirmative and seventy having voted in the negative, the motion did not prevail.

Thereupon, the majority "Ought not to pass" report of the committee was accepted and sent up for concurrence.

#### Divided Report Tabled

Majority Report of the Committee on Appropriations and Financial Affairs reporting "Ought not to pass" on Resolve in favor of Corinna Union Academy (H. P. 900) (L. D. 1007)

Report was signed by the following members:

Messrs. COLLINS of Aroostook  
HASKELL of Penobscot  
— of the Senate

Messrs. JACOBS of Auburn  
COLE of Liberty  
BURGESS of Limestone  
CATES of Machias  
JALBERT of Lewiston  
— of the House

Minority Report of same Committee reporting "Ought to pass" on same Resolve.

Report was signed by the following members:

Mr. SINCLAIR of Somerset  
— of the Senate

Messrs. DAVIS of Harrison  
CAMPBELL of Guilford  
— of the House

Report was read.

(On motion of Mr. Emerson of Corinna, the two reports with accompanying papers were tabled pending acceptance of either report.)

At this point, Speaker Bates returned to the rostrum.

Speaker BATES: To the gentleman from New Limerick, Mr. Hand, on behalf of the House and personally I wish to thank you and I am sure that the House has been happy to serve under you as Speaker pro tem.

Mr. HAND: Thank you, Mr. Speaker.

Thereupon, Mr. Hand was escorted by the Sergeant-at-Arms to his seat on the Floor, amid the applause of the House, the Members rising, and Speaker Bates resumed the Chair.

Mr. HUSSEY of Windsor: Mr. Speaker - - -

The SPEAKER: For what purpose does the gentleman rise?

Mr. HUSSEY: Mr. Speaker, I was wondering if I would be in order to reconsider an item so I could table it.

The SPEAKER: The Chair will request the gentleman to place his motion before the House under Orders of the Day.

#### Passed to Be Engrossed

Bill "An Act to Make Uniform the Legal Hours for Sale of Liquor" (S. P. 137) (L. D. 325)

Bill "An Act relating to Collection of Excise Taxes in Unorganized Territory" (S. P. 523) (L. D. 1420)

Bill "An Act Repealing Jefferson and Whitefield Game Preserve" (H. P. 407) (L. D. 456)

Bill "An Act relating to Penalties for Liquor Law Violations" (H. P. 1131) (L. D. 1281)

Bill "An Act relating to Local Health Officers" (H. P. 1241) (L. D. 1442)

Resolve Proposing an Amendment to the Constitution to Liberalize Limitation of Municipal Indebtedness (S. P. 313) (L. D. 912)

Resolve for a Recess Committee to Study All Phases of the Maine State Retirement System and Related Titles of the Social Security Act (S. P. 454) (L. D. 1264)

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

#### Amended Bills

Bill "An Act relating to Pauper Settlement of Parents of Children Receiving Aid to Dependent Children" (S. P. 299) (L. D. 915)

Bill "An Act Permitting Re-assignment of Justice in Equity Matters" (S. P. 484) (L. D. 1342)

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.

#### Tabled

Bill "An Act relating to Duties of Parole Board" (H. P. 824) (L. D. 855)

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

(On motion of Mr. Macomber of Jay, tabled pending third reading.)

Bill "An Act relating to the Adoption of Persons" (H. P. 825) (L. D. 856)

Bill "An Act Granting Powers to the Franciscan Fathers of Maine" (H. P. 836) (L. D. 875)

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.

#### Tabled Temporarily

Bill "An Act relating to Stock in Trade of Liquor Licensees" (H. P. 940) (L. D. 1000)

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

The SPEAKER: The Chair recognizes the gentleman from Brooks, Mr. Dickey.

Mr. DICKEY: Mr. Speaker, inasmuch as we have many enactors ahead of us, I will move that Item 13 be laid on the table until later in the day.

The SPEAKER: The gentleman from Brooks, Mr. Dickey, moves that Item 13, House Paper 940, Legislative Document 1000, be laid on the table until later in today's session pending third reading. Is this the pleasure of the House?

The motion prevailed and the Bill was tabled temporarily.

#### Tabled

Resolve Proposing an Amendment to the Constitution Permitting Indians to Vote (H. P. 423) (L. D. 470)

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

(On motion of Mr. Latno, tabled pending passage to be engrossed.)

Resolve Providing for the Printing of "Maine Pollen Survey" (S. P. 478) (L. D. 1333)

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

Bill "An Act relating to Salaries of County Officers in Androscoggin County" (S. P. 444) (L. D. 1153)

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" in non-concurrence and sent to the Senate.

Bill "An Act Amending the Charter of the City of Westbrook" (H. P. 1053) (L. D. 1194)

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 relating to Building Committee of Eastern States Exposition" (H. P. 628) (L. D. 652)

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

The SPEAKER: The Chair notes the presence in the balcony of the Hall of the House of a group of 106 pupils from the 8th grade of the Frisbee School in Kittery in charge of the Principal, Mr. Basil Kenney.

In behalf of the House, the Chair extends to each and every one of you a cordial and hearty welcome. (Applause)

#### **Passed to Be Enacted Emergency Measure**

An Act relating to Korean Campaign Veterans' Preference in State Employment (S. P. 56) (L. D. 84)

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

#### **Emergency Measure**

An Act relating to the Packing of Sardines (S. P. 440) (L. D. 1209)

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

#### **Emergency Measure**

An Act to Exempt Automobiles Used in Driver Education Program from the Sales and Use Tax (S. P. 457) (L. D. 1271)

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

#### **Emergency Measure**

An Act to Authorize the Town of Gray to Contribute to the Rebuilding of the Dam in Little Sebago Lake (H. P. 857) (L. D. 931)

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

#### **Emergency Measure**

An Act Authorizing the Town of Windham to Contribute to the Rebuilding of the Dam in Little Sebago Lake (H. P. 858) (L. D. 953)

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

#### **Emergency Measure**

An Act to Incorporate the Addison Point Water District (H. P. 991) (L. D. 1093)

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

#### **Emergency Measure**

An Act relating to the Digging of Marine Worms in Alna, Edgecomb, Newcastle and Wiscasset (H. P. 1218) (L. D. 1403)

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

The **SPEAKER**: The Chair recognizes the gentleman from St. George, Mr. Robinson.

Mr. **ROBINSON**: Mr. Speaker, I would like to ask a question through the Chair. I would like to know what the emergency is on marine worms.

The **SPEAKER**: The gentleman from St. George, Mr. Robinson, directs a question to anyone through the Chair.

The Chair recognizes the gentleman from Boothbay Harbor, Mr. Tupper.

Mr. **TUPPER**: Mr. Speaker, I think the same emergency exists as in the Addison Point Water District. It is just about the same proposition.

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

Mr. **CURTIS**: Mr. Speaker, the emergency that exists in regard to marine worms, as I understand it, as the law is now no one can take marine worms from these waters. Now, I am speaking for the next one because that is my bill, Georgetown. How we are situated in Georgetown is that there are a great deal many more marine worms than the Georgetown people need or care for and they wish to share them with the State. Principally, perhaps not because they are good-hearted although they are good-hearted, but principally in order to enforce this law it takes a warden down there pretty much of his time to keep these people chased off and the result is that after the warden goes home, he gets the marine worms anyway, at least some of them, by breaking the law. By making it an emergency, they can start right in now digging the worms and it will save the State a considerable amount of money keeping this warden around here and chasing these people off.

The **SPEAKER**: The Chair recognizes the gentleman from St. George, Mr. Robinson.

Mr. **ROBINSON**: Thank you, Mr. Speaker.

This being an emergency measure and a two-thirds vote of all the members elected to the House being

necessary, a division was had. 110 voted in favor of same and 2 against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

#### Emergency Measure

An Act relating to the Taking of Marine Worms in Georgetown (H. P. 1219) (L. D. 1404)

Was reported by the Committee on Engrossed Bills as truly and 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. 116 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

#### Emergency Measure

An Act Creating the Town of Gray School District (H. P. 1189) (L. D. 1338)

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

An Act to Incorporate the Kittery Sewer District (S. P. 184) (L. D. 425)

An Act relating to Aroostook County Law Library (S. P. 192) (L. D. 440)

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 Amending the Law Creating the Legislative Research Committee (S. P. 222) (L. D. 588)

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

(On motion of Mr. Dickey of Brooks, tabled pending passage to be enacted.)

An Act Repealing Laws on Street Sprinkling (S. P. 235) (L. D. 597)

An Act relating to the Recording of Chattel Mortgages (S. P. 251) (L. D. 673)

An Act relating to Circuses and Travelling Amusement Shows (S. P. 289) (L. D. 831)

An Act relating to Development Credit Corporation of Maine (S. P. 312) (L. D. 913)

An Act relating to Disposal of State Property Not Needed for Purposes of Department of Inland Fisheries and Game (S. P. 352) (L. D. 1046)

An Act relating to the Trial Term of the Superior Court in Sagadahoc County (S. P. 355) (L. D. 966)

An Act relating to Members of Penobscot Valley Water Commission and Extension of Powers (S. P. 377) (L. D. 1040)

An Act Prohibiting Moving of Poultry from Quarantined Areas (S. P. 386) (L. D. 1094)

An Act relating to Tuition Contracts Between Towns (S. P. 419) (L. D. 1132)

An Act relating to Salary of County Attorney of Knox County (S. P. 420) (L. D. 1131)

An Act relating to the Executive Office (S. P. 434) (L. D. 1203)

An Act relating to Acts of Employees of a Partnership as Insurance Agents (S. P. 435) (L. D. 1202)

An Act relating to Loan and Building Associations (S. P. 469) (L. D. 1312)

An Act Increasing Salaries of County Commissioners, Treasurer, Sheriff and Judge of Probate, York County (S. P. 501) (L. D. 1376)

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 Carrying Motor Vehicle License by Operator (H. P. 293) (L. D. 278)

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

(On motion of Mr. Dumais of Lewiston, tabled pending passage to be enacted.)

An Act relating to Residence Requirement for Divorce (H. P. 970) (L. D. 1058)

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.

An Act relating to Hunting with Bow and Arrow (H. P. 1196) (L. D. 1350)

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

The SPEAKER: The Chair recognizes the gentleman from Dexter, Mr. Roberts.

Mr. ROBERTS: Mr. Speaker, I move that Item 28 be indefinitely postponed.

The SPEAKER: The gentleman from Dexter, Mr. Roberts, moves that Item 28, An Act relating to Hunting with Bow and Arrow, House Paper 1196, Legislative Document 1350, be indefinitely postponed and we will pass over this matter temporarily.

Subsequently, the Speaker placed before the House the motion of the gentleman from Dexter, Mr. Roberts, that Item 28, House Paper 1196, Legislative Document 1350, be indefinitely postponed.

The SPEAKER: The Chair recognizes the gentleman from East Machias, Mr. Cates.

Mr. CATES: Mr. Speaker, speaking as a representative from Washington County, I hope that the gentleman's motion does not prevail.

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

Mr. GOSLINE: Mr. Speaker, as a representative from Kennebec County and having a bill covering Kennebec County in, I hope the motion does not prevail.

The SPEAKER: The Chair recognizes the gentleman from Moose River Plantation, Mr. Watson.

Mr. WATSON: Mr. Speaker and Members of the House: As a member of the Fish and Game Committee, I certainly hope the motion does not prevail. I do not see any reason why it should prevail. This is a very good law. There has been a lot of propaganda that is certainly untrue put out about it but it is a good law and we have had it for two years now in Somer-

set and Franklin Counties and we know that it is going to work out very well and I can see no reason why this motion of the gentleman from Dexter (Mr. Roberts) should prevail.

The SPEAKER: The question before the House is on the motion of the gentleman from Dexter, Mr. Roberts, that An Act relating to Hunting with Bow and Arrow, House Paper 1196, Legislative Document 1350, be indefinitely postponed.

As many as are in favor of the motion of the gentleman from Dexter, Mr. Roberts, will say aye; those opposed will say no.

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

Thereupon, the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

An Act Extending the Powers of the Maine-New Hampshire Interstate Bridge Authority (S. P. 203) (L. D. 543)

An Act relating to Voting at Cliff Island (S. P. 314) (L. D. 911)

An Act relating to Banks Renting Safe Deposit Boxes Adjudged Trustees (S. P. 373) (L. D. 1108)

An Act relating to Sales of Estates of Non-Resident Owners (S. P. 404) (L. D. 1115)

An Act Suspending Sardine Tax on Certain Cases of Sardines (S. P. 512) (L. D. 1400)

An Act Regulating the Digging of Marine Worms in the City of Belfast, Waldo County (H. P. 193) (L. D. 204)

An Act relating to Conferring Degrees by Westbrook Seminary and Junior College (H. P. 228) (L. D. 215)

An Act relating to the Polling Place in Connor, Aroostook County (H. P. 358) (L. D. 374)

An Act Clarifying the Excise Tax on Aircraft (H. P. 439) (L. D. 483)

An Act relating to the Kennebunk Light and Power District (H. P. 846) (L. D. 950)

An Act to Incorporate the Norridgewock Water District (H. P. 848) (L. D. 952)

An Act relating to the Taking of Alewives in Sherman Lake (H. P. 852) (L. D. 909)

An Act relating to Operating Headlights on Motor Vehicles Fol-

lowing Another (H. P. 951) (L. D. 1005)

An Act relating to Fire Inspection of Hospitals and Boarding Homes (H. P. 961) (L. D. 1051)

An Act relating to Form of Guarantee Filed with Highway Commission (H. P. 965) (L. D. 1053)

An Act relating to Exemption from Taxation of Agricultural Fair Associations (H. P. 993) (L. D. 1080)

An Act relating to Sale of Cigarettes and Tobacco Products in Taverns (H. P. 1025) (L. D. 1146)

An Act relating to Taxation of Television Sets (H. P. 1116) (L. D. 1250)

An Act relating to Response of Fire Departments for Aid from Other Municipalities (H. P. 1117) (L. D. 1251)

An Act relating to Clarification of Municipal School Appropriations (H. P. 1160) (L. D. 1308)

An Act relating to County Law Library of Washington County (H. P. 1175) (L. D. 1329)

An Act to Extend the Charter of Castine Water District (H. P. 1215) (L. D. 1395)

An Act relating to the Taking of Clams and Marine Worms in the Towns of Searsport and Stockton Springs (H. P. 1216) (L. D. 1396)

An Act Regulating Liquor Advertising (H. P. 1220) (L. D. 1407)

An Act relating to Number of Selectmen of Town of Dover-Foxcroft (H. P. 1123) (L. D. 1256)

An Act Amending Maine Apple Grading Laws (H. P. 1226) (L. D. 1410)

An Act relating to Sale of Certain Game Fish (H. P. 1228) (L. D. 1412)

An Act relating to Number and Salary of Trustees of Brunswick and Topsham Water District (H. P. 1229) (L. D. 1414)

#### Finally Passed

Resolve Permitting Sugar Loaf Ski Club to Use Certain State Lands (S. P. 322) (L. D. 812)

Resolve Authorizing Commissioner of Inland Fisheries and Game to Grant Extension to Remove Lumber from Land in Franklin County (S. P. 416) (L. D. 1125)

Resolve in favor of S. Gaudet and Son, of Rockwood (H. P. 402) (L. D. 1390)

Resolve to Reimburse J. J. Blackmore of Berwick for Damage Done by State Wards (H. P. 496) (L. D. 1393)

Resolve in favor of A. P. Russell of Berwick for Damage Done by State Wards (H. P. 497) (L. D. 1391)

Resolve Regulating Fishing in Donnels Pond Tributaries (H. P. 514) (L. D. 577)

Resolve Closing Little Round Pond, Penobscot County, to All Fishing (H. P. 519) (L. D. 559)

Resolve Regulating Fishing in Cobbosseecontee Stream in the County of Kennebec (H. P. 648) (L. D. 690)

Resolve Regulating Fishing in Certain Waters in Oxford County (H. P. 733) (L. D. 751)

Resolve Regulating Fishing in Pushaw Pond in the County of Penobscot (H. P. 783) (L. D. 776)

Resolve to Change Daily Bag Limit of Trout in Franklin County (H. P. 921) (L. D. 1022)

Resolve Closing Thompson Pond to Ice Fishing for Salmon (H. P. 1046) (L. D. 1187)

Resolve in favor of the Towns of Dennysville and Bingham (H. P. 1227) (L. D. 1411)

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

#### Orders of the Day

The SPEAKER: Under Orders of the Day, the Chair lays before the House the first tabled and today assigned matter, House Divided Report, Majority Report "Ought not to pass" and Minority Report "Ought to pass" of the Committee on Inland Fisheries and Game on Resolve Regulating Ice Fishing in Portage Lake, Aroostook County, House Paper 649, Legislative Document 663, tabled on April 9 by the gentleman from Portage Lake, Mr. Morris, pending the motion of the gentleman from Moose River Plantation, Mr. Watson, to accept the majority report.

The Chair recognizes the gentleman from Portage Lake, Mr. Morris.

Mr. MORRIS: Mr. Speaker and Members of the House: This bill, L. D. 663, asks permission to open Portage Lake in the town of Portage,

Aroostook County, to ice fishing for smelts. It covers the same provisions which now govern ice fishing in Eagle Lake and St. Froid Lake in the same chain of lakes that Portage is located in.

At the hearing, there were twelve members who came down from the town of Portage and drove about 300 miles to try to put this bill through. I was at the hearing and I believe that they presented their case very well and the opponents did not show up except in a couple of telegrams. I would like to read a letter that I received from the Chairman of the Portage Lake Committee who was elected in town meeting to investigate why this lake could not be opened along with the other lakes in the same chain.

"House of Representatives  
Representative Frank Morris  
State House, Augusta, Maine

Ladies and Gentlemen of the House:

In regard to Legislative Document 663, legalizing ice fishing for smelts in Portage Lake, may I make a couple of observations? I was present at the hearing by the Fish and Game Committee on March 31 as a representative of the town of Portage Lake. To put it very mildly, we of Portage Lake are simply astonished that anything but a favorable report on Legislative Document 663 could have come from this committee. During this hearing it was shown that the adjoining lakes to Portage Lake in the Fish Fiver Chain were open for ice fishing for smelts while Portage Lake was closed. It was also firmly established that the overwhelming majority of those directly affected by this bill are in favor of it. In addition, it was also shown that this bill is desirable from a conservation standpoint. What more can be asked of proponents of a bill than that they show that the majority favors it and that it be beneficial, in general?

There was not one argument presented at the hearing against this bill, not one. It was supported by 12 persons who took the time and trouble to travel nearly 300 miles to attend this hearing. Mr. Harvey Alieff, president of the Maine Trappers Association, spoke in behalf of the bill. Senator Wilmot Dow of

Waldoboro made irrefutable arguments in favor of this bill.

In the face of all this, there was, as I said, not one argument presented against this bill. There was, however, opposition. This opposition took the form of two telegrams read by Senator Jamieson, one from the president of the Caribou Fish and Game Club and one from Mr. Bennett, the president of the Aroostook Federation of Fish and Game Clubs.

These two telegrams stated that the memberships of these two organizations were against this bill but not one argument or reason was presented as to why they were against this bill or what, if anything, was wrong with it.

An interesting sidelight to these two telegrams is the fact that Mr. Alieff, President of the Maine Trappers Association, which is an affiliate of the Federation, informs me that at no time has the subject of ice fishing in Portage Lake been brought up at a meeting of the Federation and that he does not understand how Mr. Bennett could send a telegram stating that the Federation's membership was opposed to this bill when the membership has not been questioned as to its opinion. Also, Representative John Story of Washburn informed the Committee that eight of his constituents opposed this bill. Again, however, no reasons, no arguments. Just opposed.

Ladies and Gentlemen, regardless of how a committee may arrive at a decision, The State of Maine has had and, with the help of God and all who are elected to these seats, will always have a government. . . ."

I would like to quote from Abe Lincoln, which is something that is very important, "We shall have government of the people, by the people and for the people." I don't believe that we are getting that in all cases. I have had plenty of time on my hands; I have attended quite a few of these hearings and I have seen quite a few reports come out in reverse. I believe especially in the Fish and Game Department that if the Commissioner is against a certain thing, I think he informs the committee to give a report in his

favor. I do not believe that the people in the northern end of the State should tell you people in the southern end of the State how you are going to regulate your water and I do not believe you people in the southern end of the State should tell us in the northern end of the State the same thing. I think that the people in the area should be able to do that.

I noticed a headline in the paper the other day where it stated "Vermont Getting Jittery about the Indians Taking Over the State". I think that we don't have to be worried about the Indians but I do think that we have got to worry about the fish and game clubs. I think that they are good as they are but I think that they are taking a lot of privileges away from people. I think the Fish and Game Department stands up for these fish and game clubs a little bit too much.

We had a hearing last fall in Portage with the Fish and Game Department. They told us they would have a biologist's report made of the lake. We did not know at the time that they had a biologist's report in their possession but they wouldn't produce it. It was dated September 22, when the biologist turned the report over to them. The hearing was on September 29, seven days later, and when I came down to Augusta I went to the Fish and Game Department, it was then the first week in January. I told them I would like to read the biologist's report because I knew they had been up there and made a survey. They told me that they only had one report. I wanted to get several to send back but they wouldn't produce several but they did dig up one for me. I sent it up to the committee. I do not know why they didn't bring out the report at the hearing but there was some reason. The report wasn't good. I didn't like it. I argued with the Fish and Game Department about it and finally they did come up with the fact that it was just a preliminary survey. But I did not think that they should take that into consideration.

We have made quite a lot of study of this and we feel that

from different reports that we have from out of state that some lakes can become overpopulated with rough fish. I believe that Portage is one of those lakes and a lot of these people feel that it is beneficial to the lake to take them out. I am not asking for trout and salmon. I am against that. I do believe, though, that we should try to clean up some of the rough fish.

There is a bill in the making, I believe, that is going to come into this House to prohibit me from standing up and doing just what I am doing. I think that they are going to try to give everything to the Fish and Game Department. If that bill goes through, I hope that there are teeth enough in it to give the people a chance to defend their rights.

I now move that the minority report be accepted on this and I also ask for a division of the House.

The SPEAKER: The question before the House is on the motion of the gentleman from Moose River Plantation, Mr. Watson, that the majority report "Ought not to pass" of the Committee on Inland Fisheries and Game on Resolve Regulating Ice Fishing in Portage Lake, Aroostook County, House Paper 649, Legislative Document 663, be accepted.

The Chair recognizes the gentleman from Washburn, Mr. Story.

Mr. STORY: Mr. Speaker and Members of the House: The people of Portage Lake have a gold mine. There are about two hundred cottages around this lake. The owners of these cottages pay a large part of the taxes in the town; they also bring in a large amount of money during the summer. In other words, the residents of Portage Lake have the goose that lays golden eggs and they do not have to feed the goose. The residents who came down here had replies from 63 cottage owners who were in favor of opening this lake to ice fishing and 57 against but there were others who took another way of replying. I had 14 cottage owners who contacted me to appear against it. Other owners who were members of fish and game clubs took a poll of their members and

had the officers send telegrams to Senator Jamieson that they were opposed. Also, the biologist who investigated appeared against it.

This bill has been very ably lobbied and the letter on our desks would sound very logical if we did not try to see if it would hold water, but it won't. In the first place, the waters are not overcrowded. I fished there more than sixty years ago when there were plenty of fish. Regarding the coarse fish, this will not rid it of that angle. The worst fish, the cusk and the suckers, will not be caught as they are bottom feeders, but fishing for smelts with small hooks is no safety. The trout and salmon can be caught on a small hook as fly fishermen well know. Trout and salmon feed on smelts.

Now, we will grant that the warden enforces the law perfectly. What happens when a trout is caught? Does the fisherman take off his glove or mitten and with his hands in that icewater take hold of the fish? No. He takes hold of the fish perhaps very carefully and takes the hook out of the fish and either puts the fish down the hole or in the basket and, as far as that fish is concerned, it makes no difference as the fish is killed in either case. Almost everyone here knows that taking hold of a fish with dry hands or mittens will kill the fish.

Now, this is not a new bill. It has been turned down several times because it is not a conservation measure. I sympathize with the members of that locality. If I was there at the lake, I would like to fish myself. There is the best body of water, the Fish River Chain of Lakes, that lies at our doors. I admit no superior. Many sportsmen from all over the state go to fish there and many sportsmen from out of the state go there to fish and I claim that those waters belong to the State as a whole, not to the residents of that section. They have the advantage in the summertime, the sportsmen who come there leave lots of money and they have the privilege of going fishing more in the summer, being handy, and I think that is concession enough.

Your committee gave this case careful consideration and I think that nine men out of the ten showed judgment in recommending this "Ought not to pass". It is too bad for a few people to kill that goose that lays the golden eggs.

The SPEAKER: The Chair recognizes the gentleman from Portage Lake, Mr. Morris.

Mr. MORRIS: Mr. Speaker, when this committee started working on this bill, I told them that they had better contact all of the people who were opposed and all of those whom they thought would be for it from the cottages on the lake. I am one of the cottage owners myself. We all received cards, and I think there were 216 cards sent out, and 63 came back in favor of this and 57 opposed and the balance of around 90, or whatever that figure is, I felt that they didn't care one way or another, they thought the fishermen were running around down there. Now, of the 57 opposed, I feel that perhaps 25 per cent of these people go to Florida in the winter and they would not have a chance to do any fishing anyway and the balance of them use airplanes and fly into these other counties where the lakes are open and into the back lakes of Aroostook and fish there.

I have been the chairman of the Board of Selectmen for the town of Portage for a good many years and I think that we should have that because the children, the boys around town, do not have any recreation there and it would give them a chance to go out and catch a few fish.

Now, the Fish and Game Committee thought that the administration of the law would be a problem. I do not think it would be. The lake is in the valley with mountains all around it and there is a warden who lives on the hill and he has full survey of the lake. I do not think that that would be a problem.

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

Mr. WHITNEY: Mr. Speaker and Members of the House: As usual, I signed the minority report on this committee, therefore, with all

due respect to the members of the committee, which are a very fine group, I feel that I have reason to speak on the bill. I believe that it is about time the working man should be taken into consideration. These gentleman in this town came down here to defend this bill. There was very little opposition to the bill in the committee. But I ask you, members, what use is it to hold hearings for these people to come in here and then disregard everything that they tell us. It is right and proper that the department should be consulted but perhaps they are not always right. I have never seen any department 100 per cent perfect. Therefore, I do not like to be a rubber stamp and go along with something that I do not believe in.

There is a bill before this House to increase our license; that would be a fine thing, increase the license and continue to take the privileges away from the working man. There are many of us who can't afford and, in fact, do not enjoy fly fishing. You have seen fit to close several lakes to fly fishing only in this State. In the matter of a few years, at the rate you have been going this winter, the sportsmen will control it all. I hope this bill will not pass.

The SPEAKER: The Chair recognizes the gentleman from Boothbay Harbor, Mr. Tupper.

Mr. TUPPER: Mr. Speaker and Members of the House: As a representative of salt water fishermen, I do not wish to take any side in this dispute. The gentleman from Portage Lake, Mr. Morris, however, has indicated very strongly, as brought out by this gentleman in his speech just preceding me, that the Fish and Game Department has dictated the decision of the Inland Fish and Game Committee on this matter. This morning I heard a very disturbing rumor and that is that at every executive meeting of this committee, a representative from the Inland Fish and Game Department sat in. I would like to hear this either denied or substantiated by the committee.

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



Mr. CURRIER: Mr. Speaker and Members of the House: Here we go again. Once more we are back on Portage Lake, muskrats and porcupines. From the speeches we have and the talk of a couple of these gentlemen they don't give the Fish and Game Committee or the department very much brains. Maybe we haven't got it but I dislike being told that.

The Fish and Game Committee considered this matter very, very thoroughly before arriving at a nine to one decision. I will give you some of the reasons why they arrived at this decision. In September 1952, there was a hearing in Portage Lake in regard to opening this lake to fishing. The result of this meeting was an agreement, get that, an agreement between the pros and the cons that a biologist's report be made on this lake and both sides agreed to abide by his report. All of you gentlemen in the State of Maine pay these boys, these biologists, a large sum of money. They issue what we feel is a very true report and here are just a few of the important parts of that report. I had no trouble getting the report when I went up and asked for it and I do not believe that anyone else would. I will just read a couple of paragraphs with your permission.

"To Mr. Roland Cobb, Commissioner of the Department of Inland Fisheries and Game, State House, Augusta, Maine:"

This is the part that they won't like. "Possibly removal of the trash fish population in this lake would be beneficial to the salmon and trout but it is very doubtful that a sufficient number of the trash fish would be removed by ice fishing to be of material benefit. Few of the trash species in Portage are taken by ice fishing and in other lakes in any number.

"Furthermore, a difficult law enforcement problem would be created if Portage Lake were open."

Considering the above information it appears that Portage Lake should remain closed to ice fishing for trash fish. I do not believe there are any game wardens sitting around on the porches watching Portage Lake. I don't believe that. This letter was signed by Kendall

Warren, Fisheries biologist. He is a University of Maine graduate and a Cornell graduate and a fishery biologist.

The gentleman from Portage Lake, Mr. Morris, says that they do not like this report but they agreed to abide by the decision that was rendered from this biologist. This lake is very important to all inhabitants of Aroostook, so much so that our committee received telegrams from the Presque Isle Fish and Game Club, the Caribou Club and from an association of Aroostook fish and game clubs representing about 300 sportsmen. All of the clubs instructed the committee to leave Portage a closed lake. This has been through this process for years and years. There is no need of their coming down. They have got all of these reports filed away down here. There is no need of their spending two or three hundred dollars to come down here and tell us what we already know.

A few years ago, this lake was practically depleted of fish, and through the combined efforts of fish and game clubs, this lake was closed to ice fishing and a plan of stocking was started. "I have kind of lost my place here." For the last two years Portage has been excellent fishing and the same people who started the program wish it continued. The majority report of the committee shows the same feeling. This week, I had two camp owners come to me while I was home, neither one had received their card and both wished this lake to remain closed.

The Portage town meeting was made up of 33 voters—33 voters who passed that bill. All you have got to do is get the fire department and you can do almost anything with 33 voters. This does not represent cottage owners as many of the owners live in neighboring towns. They couldn't go there to vote for this bill one way or another; they wouldn't have had the chance; they wouldn't have had the right. This chain of lakes they speak of is made up of 9 lakes and only 3 of them are open and with a very good chance that they will be closed next year.

Two ice fishing bills in Aroostook County have been withdrawn. For

what reason? I will tell you. The feeling was that we do not have enough fish to go around in the summer. We don't want to lose any of them to winter fishing. We who live near and enjoy the lake, and I do live near it, feel this to be more a business bill than a fishing bill. Some few, who want the lake open, are fishermen but the prime movers and workers are doing this for business and they have tried for years to sell this bill of goods to the natives of Aroostook. Members, it is a business.

This bill, L. D. 663, does not call for the removal of trash fish; it definitely says: "smelts only". These smelts were put in there to feed the salmon, bring them up, get them up where you can catch them. Now, the representation of fish and game clubs in Aroostook county, 300 men against 33 voters, and with the biologist's report as read, the committee comes out with their report nine to one that Portage Lake remain closed. I believe that we are getting a spade; that we are not getting a very good government. That does not speak very well for you members but I believe we are getting just as good a government as we can render, each one of us, and I hope that the House with due consideration will abide by the majority report on this bill. Thank you.

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

Mr. CALL: Mr. Speaker and Members of the House: I am neither pro nor con for this lake but being a fisherman and having worked off and on with the biologists of the State of Maine, when you speak of trash fish a lot of you fishermen do not know that that means smelts, suckers, eels, cusk, and everything else like that. Smelts are primarily put in a lake to feed what we call sporting fish, salmon and trout. Now, there is one thing that nobody has brought out to me while I have been sitting here: Do the people around Portage Lake know for a fact, is the fishing good in regard to salmon and trout? Well, if it is, then there are not too many smelts in the lake but if it is poor fishing for salmon and trout, why there is too much feed for them.

You can drop a fly or a smelt or some bait in there for hours and not get a fish.

I am neither pro nor con; I am not going up there to try to tell them how to run their lake or their fishing clubs or anything like that. The one thing that I would like to have, the gentleman from Boothbay (Mr. Tupper) asked a question and I would like to have some member of the committee answer his question. Was there any member of the Inland Fish and Game Department who sat in on an executive session of this committee?

The SPEAKER: The Chair recognizes the gentleman from Franklin, Mr. Butler.

Mr. BUTLER: Mr. Speaker and Members of the House: I would like to answer briefly some of the comments which have been made on the opposite side of this question. At any time that your committee wanted the advice or counsel of the Commissioner of Fisheries or any of his staff, they have been available. They have never sat in when they were not wanted; they have never dictated any decision that your committee made.

The gentleman from Portage Lake, Mr. Morris, remarks that the people from the northern end of the State should not say what the southern end was going to do, I agree with him. But, as the Fish and Game Committee of all of the State, we felt that we were elected to do a job to the best of our ability and recognizing that local feelings about forums would come in to all the hearings that we had, we held to an established policy: Not to recommend opening to ice fishing any pond which contained trout and salmon in any amount. We have adhered to that policy straight through this session. One of the members of our committee had a pond in his locality, and he didn't agree with that idea. Well, if I recall right; this vote of the House straightened him out on that. I submit that possibly the loss of that pond in which he was interested might have influenced his judgment in this case.

The SPEAKER: The Chair recognizes the gentleman from Boothbay Harbor, Mr. Tupper.

Mr. TUPPER: Mr. Speaker, I am still willing to give this matter

consideration. I definitely have not made up my mind. Let me rephrase my question: At any time was there an executive session of the Inland Fisheries and Game Committee when a member of the Fish and Game Department was not present?

The SPEAKER: The Chair recognizes the gentleman from Moose River Plantation, Mr. Watson.

Mr. WATSON: Mr. Speaker and Members of the House: I would like to answer the gentleman's question first. Yes, there were many times when there was no member of the Fish and Game Department present and the only times that we requested the members there did we have the members. I think that this has gotten away from Portage Lake and they are going to see if they are going to pass or not to pass on the Inland Fisheries and Game.

There have been some wild statements made here this morning and I did not intend to enter into this but I figure that the gardeners from the Garden of Maine can take care of their own problems, and I still think they can very well. But this has got to be more or less of a personal item this morning and not on the merits of the thing.

Now, the gentleman from Portage said that the biologist's report never showed up. The biologist's report was read in the committee. In fact, the biologist's report was read by one of his proponents of the bill and he said: "We do not agree with it. We agree with part." Sure, they agreed with the part that favored them but they did not agree with the part that did not favor them and therefore they were going to reject it; they wouldn't go along with it. If this is going to be fair, you have got to be fair in everything.

Now, as far as the camp owners, I understand that on Portage Lake there are 199 camp owners and they pay at least 85 per cent of the taxes in Portage Lake. Those people should be considered some. And, as another gentleman said, and that is why I think we have a division in these reports, because one of our good members didn't

get just what he wanted because it was against the policy, it was against all our judgment to give him what he wanted. And as far as our committee being a rubber stamp committee, well, maybe we are but I think that we have passed some good legislation and if we can not have the department heads in to give us information and I will defy any member to stand here and say that the department heads ever influenced our judgment in any way. If we asked a question, they answered it and that is all they did. I think that this Portage Lake majority report should be accepted.

The SPEAKER: The Chair recognizes the gentleman from Rangeley, Mr. Harnden.

Mr. HARNDEN: Mr. Speaker and Members of the House: I had not been aware up to now that the Fish and Game Department had been telling the Committee how to report the bill. It is my opinion that we all have a mind of our own and we are not afraid to express it. I think that we have tried to give careful consideration to all bills which have come before us and we have used our best judgment and turned in a report which we felt was right and fair. Thank you.

The SPEAKER: The question before the House is on the motion of the gentleman from Moose River Plantation, Mr. Watson, that the Majority Report "Ought not to pass" be accepted and sent up for concurrence.

The Chair recognizes the gentleman from Greenville, Mr. Anderson.

Mr. ANDERSON: Mr. Speaker and Members of the House: Being somewhat familiar with the existing condition in Portage Lake and having myself introduced the measure to open Portage Lake on three different occasions, although the bill I introduced was under different provisions, I think I should say a few words on the matter.

I am no stranger to the Portage Lake area nor to Portage Lake itself. I lived within 20 miles of Portage Lake my entire life up to the year 1945. I worked in Portage in 1943 and 1944.

Now at none of the three hearings that were held on the bills that were introduced by me in 1941, 1943 and 1945 was there a very strong delegation present either for or against the bill. Strange as it may seem, what opposition there was to the bill, ninety per cent of it came from, I do not hesitate in saying, the Caribou Fish & Game Club. Now not being able to attend the hearing this year I do not know where the opposition comes from. I presume it comes from the same group.

Now previous to 1943 it is my belief that the only lake, possibly there may have been others, that was open to ice fishing in any form in Aroostook County was Eagle Lake, and that for smelt only.

With reference to the ice fishing in Aroostook County, I want to say this, so that it is not misunderstood. Portage Lake was not closed as an individual lake. All of the lakes in Aroostook County were closed and there were none left open. The only exception to that was the exception on Eagle Lake, and that lake was left open to smelt fishing only, and I do not think that I am going to make any error when I say that it was left open because there were a good many of us who had a lot of respect and love for the late Levi Dow.

In 1943 Squa Pan Lake was opened to rough fish and smelts. At that time it was accessible only by railroad and required an overnight stop. Some few years ago a truck road was built by an interested group, and now the lake is open to game fish. If you want to know what the connection between the two lakes is, I will say that as far as water is concerned there is no connection; but there is one connection in that some of those who were opposed to Portage Lake being open were in favor of opening Squa Pan Lake. What is the reason?

The citizens of Presque Isle and the adjacent area were opposed to Portage Lake, and they were some of the citizens who had camps on Portage.

Now certainly the committee this year did not base their report on the opinion voiced before the committee. I say this with all due respect to the committee itself, be-

cause the objection to the opening of the lake is primarily, probably, with the thought in mind that game fish may be caught if it is open to smelt fishing.

Now a strange situation exists in Aroostook County. Part of the members of the clubs who oppose the opening of Portage Lake to ice fishing enjoy the ice fishing in northern Piscataquis County. This is done by the use of planes which are quite numerous in that area. What we of Piscataquis County should have done was to have introduced a measure closing all of our lakes to ice fishing. I suspect that had this been done the attitude of the opposition might have changed somewhat.

I believe the lake should be open to smelt fishing but I do not believe that this lake or any other lake should be under the domination of a group forty or fifty miles away from the lake itself and the citizens themselves have nothing to say about it.

Now there may be some controversy over this invasion by plane, and I want to say this: That previous to moving to Piscataquis County myself I lived in a town very close to the Piscataquis County line, and I also want to say that I worked in and operated some of the sporting camps in Northern Piscataquis County. At that time I was a resident of Aroostook County. I will defy anyone to say that they didn't go to northern Piscataquis County to enjoy the fishing that we have there today; in fact they have almost depleted Haymock Lake.

Those are some of the reasons why I think that this bill should pass.

The SPEAKER: The Chair recognizes the gentleman from Moose River Plantation, Mr. Watson.

Mr. WATSON: Mr. Speaker and Members of the House: I am going to make this very, very brief. I notice that the gentleman from Greenville (Mr. Anderson) thinks that this lake should be open to ice fishing. I wonder why the gentleman from Greenville brought in a bill to close Moosehead Lake, a lake forty miles long, to ice fishing.

The SPEAKER: The Chair recognizes the gentleman from Franklin, Mr. Butler.

Mr. BUTLER: I ask for a division when the vote is taken.

The SPEAKER: The Chair recognizes the gentleman from Greenville, Mr. Anderson.

Mr. ANDERSON: Mr. Speaker, I would like to answer the gentleman from Moose River (Mr. Watson). I do not think that my bill had any restrictions on it, and I think that had the lake been open it would have been open to game fishing. I brought it in because I was asked to introduce it.

I will state further, if there is any question as to why I wasn't present at the hearing of the bill, that I was resting comfortably in the Osteopathic Hospital in Bangor.

The SPEAKER: The Chair recognizes the gentleman from Hallowell, Mr. Vaughan.

Mr. VAUGHAN: Mr. Speaker and Members of the House: It seems to me that the Fish and Game Committee has had a rather difficult time today. They have been called all kinds of things. It has been said that we leaned very heavily on the Department and on the Commissioner. It does seem a shame that when these hearings do come up, public hearings, that they can't all be held when we have them and not in the Hall of the House as we are holding them now.

The SPEAKER: The Chair recognizes the gentleman from Westbrook, Mr. Larrabee.

Mr. LARRABEE: Mr. Speaker, I think we have fished and been forbidden fishing here long enough. I move the previous question.

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

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

A division of the House was had.

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

The question before the House now is: Shall the main question be put now? All those in favor of putting the main question now will please say aye; those opposed, no.

A viva voce vote being taken, the main question was ordered.

The SPEAKER: The question before the House is on the motion of the gentleman from Moose River Plantation, Mr. Watson, that the Majority Report "Ought not to pass" of the Committee of Inland Fisheries and Game on Resolve Regulating Ice Fishing in Portage Lake, Aroostook County, (H. P. 649) (L. D. 663) be accepted.

The gentleman from Franklin, Mr. Butler, has requested a division.

As many as are in favor of the motion of the gentleman from Moose River Plantation, Mr. Watson, that the majority report "Ought not to pass" be accepted will kindly rise and remain standing in their places until the monitors have made and returned the count.

A division of the House was had. Fifty-eight having voted in the affirmative and sixty in the negative, the motion to accept the majority report "Ought not to pass" did not prevail.

Thereupon the House voted to accept the Minority Report "Ought to pass," and the Resolve was given its first reading and tomorrow assigned for second reading.

The SPEAKER: The Chair lays before the House the second tabled and today assigned matter, Bill, "An Act relating to Disposition of Liquor Seized or Forfeited" (S. P. 513) (L. D. 1399) tabled on April 9 by the gentleman from Greenville, Mr. Anderson, pending third reading; and the Chair recognizes the same gentleman.

Mr. Anderson 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. 513, L. D. 1399, Bill "An Act Relating to Disposition of Liquor Seized or Forfeited."

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

"Sec. 1. R. S., c. 57, chap. 63, sub-§ IV, additional. Section 63 of chapter 57 of the revised statutes is hereby amended by adding thereto a new subsection to be numbered IV, to read as follows:

**IV. The commission may authorize hospitals and state institutions to import for medicinal purposes only liquor made available to them from stocks of liquor seized by the federal government.'**

Sec. 2. R. S., c. 57, chap. 89, repealed and replaced. Section 89 of chapter 57 of the revised statutes is hereby repealed and the following enacted in place thereof:

**'Sec. 89. Disposal of forfeited liquors. All liquors declared forfeited by any court or magistrate under the provisions of this chapter shall, by order of the court or magistrate rendering final judgment thereon, be turned over to the liquor commission for distribution upon request to hospitals and state institutions for medicinal purposes only. Any such liquor held undistributed by the commission for a period of 6 months may be destroyed on order of the commission in the same manner as herein provided for destruction of liquor by order of court. If any liquor is determined by the court or magistrate to be unfit or unsatisfactory for distribution to such hospitals and state institutions, the court or magistrate may order such liquor to be destroyed by any officer competent to serve the process on which it was forfeited, and he shall make return accordingly to such court or magistrate. Such liquors shall be destroyed by pouring them upon the ground or into some public sewer.'**"

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

The SPEAKER: The Chair lays before the House the third tabled and today assigned matter, Bill "An Act relating to Journeymen Welders" (H. P. 1230) (L. D. 1424) tabled by the gentleman from Bowdoinham, Mr. Curtis, on April 9, pending third reading; and the Chair recognizes that gentleman.

Mr. Curtis 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. 1230, L. D. 1424, Bill, "An Act Relating to Journeymen Welders."**

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

**'Sec. 69-A. Welding on boilers; certificates for welders. No person performing welding work for hire shall make welding repairs to any steam vessel which carries a steam pressure of more than 15 pounds per square inch without first receiving authorization to do so from the chief boiler inspector, provided that the foregoing provision shall not apply to persons who hold certificates or standing authorization from the Board of Boiler Rules.**

The Board of Boiler Rules is authorized to make, amend or rescind reasonable rules and regulations relating to qualifications of welders performing welding for compensation and is further empowered to conduct examinations, issue certificates and to charge a reasonable fee for such examinations and for such certificates.

Any person violating the provisions of this section may be punished by a fine of not more than \$100.'

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

The SPEAKER: The Chair lays before the House the fourth tabled and today assigned matter, motion of Mr. Senter of Brunswick to reconsider acceptance, Senate Report "Ought not to pass" of the Committee on Appropriations and Financial Affairs on Resolve Authorizing Commissioner of Institutional Service to Purchase, for the State, Land in Fairfield (S. P. 468) (L. D. 1311) tabled on April 10 by the same gentleman; and the Chair recognizes that gentleman.

Mr. SENTER: Mr. Speaker and Members of the House: I think I know where I want to go today and I hope that the House will go along with me. I understand that the motion now on the table is

the motion to reconsider. I hope that this House will reconsider its action whereby it accepted this report. There have been some new developments.

I have talked with the Chairman of the Appropriations Committee and also with another member of that committee in addition to the Commissioner of Institutions. I have been informed that the land in question in this matter, this report, is land which is adjacent to the Sanatorium at Fairfield. Now it appears that a certain part of this tract of land we are considering borders the land which the State owns at the Institution and the owner of that property has allowed brush and high grass to grow up and it now constitutes a fire hazard. The land is for sale in one tract, and if you are willing to reconsider your action I shall move that this be tabled and later recommitted to the Appropriations Committee, and I think it may be possible to reduce the price. The price mentioned here is \$3000 for that whole tract.

Now the Commissioner says he does not need the whole tract, and if it is possible for the State to buy that portion which it appears is to the best interests of the State to buy we might do that by recommitting it. So I hope that you will vote to reconsider our action so this may be given more careful thought by the Appropriations Committee.

The SPEAKER: The question before the House is on the motion of the gentleman from Brunswick, Mr. Senter, that the House reconsider its action whereby it accepted the "Ought not to pass" report of the committee.

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

Mr. JACOBS: Mr. Speaker and Members of the House: This was quite thoroughly discussed before our Committee on Appropriations and there was no fire hazard mentioned there at all. We felt that we should not buy a big farm of several acres in order to take care of the possibility that they might need some of this land in the future. There is no pressing need for it, and I thought if we could save three thousand dollars or more it would

be good business for the State. Any time in the future that the State might need that property they can take it by eminent domain, but at the present time we do not need it according to the report before our committee. I hope that this motion does not prevail.

The SPEAKER: The pending question before the House is on the motion of the gentleman from Brunswick, Mr. Senter, that the House reconsider its action whereby it accepted the "Ought not to pass" report of the Committee on Appropriations and Financial Affairs on L. D. 1311.

As many as are in favor of the motion of the gentleman from Brunswick, Mr. Senter, that the House reconsider its action will say aye; those opposed, no.

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

The SPEAKER: Earlier in today's session Item 13, on Page 8 of the printed Journal, Bill "An Act relating to Stock in Trade of Liquor Licensees" (H. P. 940) (L. D. 1000) on motion of the gentleman from Brooks, Mr. Dickey, was temporarily laid aside until later in today's session pending third reading.

The Chair recognizes the gentleman from Brooks, Mr. Dickey.

Mr. DICKEY: Mr. Speaker and Members of the House: I realize that the hour is growing late and I will make a motion and it will be up to you whether you want to talk on this item or not.

I move that this matter be retabled and unassigned.

The SPEAKER: The question before the House is on the motion of the gentleman from Brooks, Mr. Dickey, that Item 13 on Page 8 of the printed Journal, Bill "An Act relating to Stock in Trade of Liquor Licensees" (H. P. 940) (L. D. 1000) be retabled and unassigned pending third reading. Is this the pleasure of the House?

The motion prevailed and the matter was so tabled.

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

Mr. OSBORNE: Mr. Speaker, due to information that has reached me since we acted upon it,

I would ask unanimous consent to address the House upon an item which we passed upon earlier today.

The SPEAKER: A motion to reconsider the action of the House is in order at this time under Orders of the Day. Unanimous consent is not necessary. Does the Chair understand that the gentleman moves to reconsider?

Mr. OSBORNE: That is correct, Mr. Speaker. I would ask that you refer to Item 41 on Page 5. This is H. P. 669, L. D. 712. Due to a typographical error there might be an inference that this has some relation to fan dancers, but this is not the case. The purpose of this bill was primarily to —

The SPEAKER: The Chair must interrupt the gentleman for the purpose of the gentleman placing a motion before the House, and the gentleman may then talk to that motion.

Mr. OSBORNE: Mr. Speaker, I move that we reconsider our action taken earlier today whereby we accepted the "Ought not to pass" report of the committee on this item.

The SPEAKER: The gentleman from Fairfield, Mr. Osborne, moves that the House reconsider its action taken earlier in today's session whereby it accepted the "Ought not to pass" report of the Committee on Legal Affairs on Bill "An Act relating to Public Dances" (H. P. 669) (L. D. 712)

The gentleman may proceed.

Mr. OSBORNE: Mr. Speaker, the primary purpose of this act was to pass regulations which would prevent a possible catastrophe in places where they hold public dances. I am sure that none of us want a catastrophe similar to what happened in the Coconut Grove disaster in Boston some years ago. I understand that a redraft of this bill is being prepared to be re-submitted to the committee for action, which will probably alleviate the objections to the bill as previously drawn. I will therefore ask, if we reconsider this matter, that it be retabled and specially assigned for tomorrow for further consideration.

The SPEAKER: The question before the House is on the motion of the gentleman from Fairfield, Mr.

Osborne, that the House reconsider its action on Item 41, Page 5 of the printed Journal, Bill "An Act relating to Public Dances" (H. P. 669) (L. D. 712) whereby the House accepted the "Ought not to pass" report of the Committee on Legal Affairs. Is this the pleasure of the House?

As many as are in favor of the motion for reconsideration will kindly rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

The SPEAKER: Fifty-two having voted in the affirmative and twenty-two having voted in the negative, the motion for reconsideration prevails.

The Chair recognizes the same gentleman.

Mr. OSBORNE: Mr. Speaker, I now move that this matter be tabled and specially assigned for tomorrow in order to present a redraft to be resubmitted to the committee for consideration.

The SPEAKER: The gentleman from Fairfield, Mr. Osborne, moves that Item 41 on today's printed calendar, H. P. 669, L. D. 712, and accompanying papers, lie on the table and be specially assigned for tomorrow pending further consideration.

Will the gentleman kindly approach the rostrum?

The Chair understands the gentleman withdraws that motion.

On further motion of the same gentleman, the Report and accompanying papers were recommitted to the Committee on Legal Affairs and sent up for concurrence.

The SPEAKER: The Chair recognizes the gentleman from Windsor, Mr. Hussey.

Mr. HUSSEY: Mr. Speaker, I move that we reconsider our action whereby we accepted the "Ought not to pass" report of the Committee on Page 3, Item 14, in order that I may table this matter.

The SPEAKER: The gentleman from Windsor, Mr. Hussey, moves that the House reconsider its action on Item 14, Page 3 of the printed Journal, H. P. 902, L. D. 1009, Resolve in favor of Erskine Academy, whereby the House accepted the "Ought not to pass" report of the Committee on Appro-



priations and Financial Affairs. Is this the pleasure of the House?

As many as are in favor of the motion of the gentleman from Windsor, Mr. Hussey, for reconsideration of the acceptance of the "Ought not to pass" report will kindly rise and remain standing in their places until the monitors have made and returned the count.

A division of the House was had.

The SPEAKER: Fifty-four having voted in the affirmative and eight having voted in the negative, the motion for reconsideration prevails.

On further motion of the same gentleman, the matter was tabled and unassigned pending acceptance of the report of the committee.

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

Mr. STEWART: Mr. Speaker, in regard to Item 42 on Page 5 of today's Calendar, where we accepted the "Ought not to pass" report of the Committee on Legal Affairs on Bill "An Act relating to Explosives" (H. P. 671) (L. D. 714), there has been a similar request as in regard to the previous bill that a redraft be submitted, and therefore I move that we reconsider our action whereby we accepted that report. If it is reconsidered, I would move to recommit it to the Committee on Legal Affairs.

The SPEAKER: The gentleman from Portland, Mr. Stewart, moves that on Item 42 on the printed Calendar, Page 5, Bill "An Act relating to Explosives" (H. P. 671) (L. D. 714) the House reconsider its action whereby it accepted the "Ought not to pass" report of the Committee on Legal Affairs. Is this the pleasure of the House?

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

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

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

On motion of the gentleman from Westbrook, Mr. Larrabee, the House voted to take from the table the 49th tabled and unassigned matter, House Divided Report, Majority

Report "Ought not to pass" and Minority Report "Ought to pass" of the Committee on Appropriations and Financial Affairs on Resolve in favor of Bosworth Memorial Association, (H. P. 23) (L. D. 18) tabled on April 8 by that gentleman pending acceptance of either report.

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

Mr. BERRY: Mr. Speaker and Members of the House: This session we have taken a very active interest in the sales tax on vehicles. The interest is strong enough in this House to vote out of the window \$1,200,000 without the slightest hesitation. I now ask for five thousand dollars to be taken from the unexpended surplus for the purpose of preserving the memories of the Civil War Veterans who unified this great nation of ours. We in Portland ask this House to perpetuate the building and property of Bosworth Memorial Post No. 2 located on Free St. in Portland, Maine, known as the Grand Army of the Republic.

We can show nothing in material value to be gained but in spiritual value the price is far greater than this five thousand dollars. Therefore, Mr. Speaker and Members of the House, I move the acceptance of the Minority Report.

The SPEAKER: The gentleman from South Portland, Mr. Berry, moves that Minority Report "Ought to pass" on Resolve in favor of Bosworth Memorial Association be accepted.

The Chair recognizes the gentleman from Bath, Mr. Legard.

Mr. LEGARD: Mr. Speaker and Members of the House: I rise to support the Minority Report "Ought to pass" on Resolve in Favor of Bosworth Memorial Association.

This was originally the home of the Grand Army Post No. 2 in Maine. The Grand Army of Maine, realizing that the time is fast approaching when they would all pass on to receive their just reward and desiring that some kind of a shrine containing the relics and mementos of their deeds of valor be kept alive for posterity, had formed an association pledged to the maintenance of the same. This association serves without pay and is non-profit. Con-

tained therein are Grand Army flags, flags of the rebel Army, guns, swords, and many, many valuable relics of the Civil War.

They desire to perpetuate this as a memento of the Grand Army and as a museum that their children and their children's children may better have an understanding of the history of our country and deeds of valor.

This association is now lacking the funds necessary to adequately protect the relics and they request that some assistance be granted so that the association may be able to fulfill their sacred trust. I therefore hope that this has due consideration from the House.

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

Mr. McGLAUFFIN: Mr. Speaker and Members of the House: I too wish to support Mr. Berry's motion. I myself have been a guest of Bosworth Post in the past when they had a flourishing post. They have a very fine building. All the members of that post have passed on. I have spent some very pleasant evenings with those old veterans because I, too, am the son of a veteran. I think this is a worthy cause. The amount that is required is small. The people who are trying to run it and keep it alive are not able to do it alone and a little help from the State would be greatly appreciated. I shall vote with Mr. Berry on his motion.

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

Mr. RILEY: Mr. Speaker and Members of the House: Being a member of the Sons of Union Veterans myself, I am keenly interested in seeing this Bosworth Memorial being continued.

Last Friday I went to Portland and visited the building. After look-

ing it over carefully, I consider that what they request is a very nominal amount to preserve such a great historical building. I hope that you will go along with the minority report.

The SPEAKER: The Chair recognizes the gentleman from Harrison, Mr. Davis.

Mr. DAVIS: Mr. Speaker and Members of the House: I rise in opposition to the acceptance of the minority report.

I am in sympathy with my good friend, the gentleman from South Portland, Mr. Berry, but I think the thinking of the majority of our committee in opposing this was the principle involved.

As I recall it, this is to repair a building that is owned by the Sons of Union Veterans. No doubt it is a worthy project, but if we appropriate money for this we will have bills in here asking for money for every Legion Post possibly in the State of Maine. It is not a historical building and I do not think we should appropriate the money for this purpose.

The SPEAKER: The question pending before the House is on the motion of the gentleman from South Portland, Mr. Berry, that the Minority Report "Ought to pass" of the Committee on Appropriations and Financial Affairs on Resolve in Favor of Bosworth Memorial Association (H. P. 23) (L. D. 18) be accepted. Is this the pleasure of the House?

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

Thereupon the Resolve was given its first reading and tomorrow assigned for second reading.

On motion of Mr. Albert of Augusta,

Adjourned until 9:30 o'clock tomorrow morning.