

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

Friday, April 17, 1953

The House was called to order by the Speaker.

Prayer by the Rev. Mr. J. W. Turpel of Gardiner.

The journal of the previous session was read and approved.

Papers from the Senate

From the Senate: The following Order:

ORDERED, the House concurring, that (H. P. 845) (L. D. 949) Bill "An Act to Incorporate the Saco Sanitary District," be recalled to the Senate, from the engrossing department, for further consideration (S. P. 540)

Came from the Senate read and passed.

In the House, was read and passed in concurrence.

Senate Reports of Committees Ought Not to Pass

Report of the Committee on Appropriations and Financial Affairs reporting "Ought not to pass" on Resolve Providing for a Study Relative to Use of Television for Educational Purposes (S. P. 347) (L. D. 960)

Report of the Committee on Judiciary reporting same on Bill "An Act relating to Sheriff's Indemnity Policies" (S. P. 427) (L. D. 1154)

Came from the Senate read and accepted.

In the House, were read and accepted in concurrence.

Ought to Pass in New Draft Tabled

Report of the Committee on Labor on Bill "An Act relating to Inspection of Construction Projects" (S. P. 50) (L. D. 78) reporting a Resolve (S. P. 536) (L. D. 1441) under title of "Resolve to Create a Special Committee to Study Safeguards in Construction Projects" and that it "Ought to pass"

Came from the Senate with the Report read and accepted and the Bill passed to be engrossed.

In the House: Report was read.

(On motion of Mr. Dickey with Brooks, the Report, with accompanying papers, was tabled without assignment pending acceptance of Committee Report in concurrence)

Tabled

Report of the Committee on Labor on Bill "An Act relating to Inspection of Boilers" (S. P. 315) (L. D. 805) reporting same in a new draft (S. P. 535) (L. D. 1440) under same title and that it "Ought to pass"

Came from the Senate with the Report read and accepted and the Bill passed to be engrossed.

In the House: Report was read.

(On motion of Mr. Moulton of Sweden, the Report, with accompanying papers, was tabled without assignment, pending acceptance of Committee Report in concurrence)

Report of the Committee on Towns and Counties on Bill "An Act relating to Fees of Sheriffs and Deputies" (S. P. 381) (L. D. 1043) reporting same in a new draft (S. P. 534) (L. D. 1439) under same title and that it "Ought to pass"

Came from the Senate with the Report read and accepted and the Bill passed to be engrossed.

In the House, Report was read and accepted in concurrence, the Bill read twice and assigned for third reading the next legislative day.

Ought to Pass

Report of the Committee on Appropriations and Financial Affairs reporting "Ought to pass" on Bill "An Act Providing for Construction of Dormitory at the University of Maine and Appropriating Moneys Therefor" (S. P. 47) (L. D. 124)

Came from the Senate with the Report read and accepted and the Bill passed to be engrossed.

In the House, Report was read and accepted in concurrence, the Bill read twice and assigned for third reading the next legislative day.

Ought to Pass with Committee Amendment

Report of the Committee on Appropriations and Financial Affairs on Resolve in favor of the Town of Aurora (S. P. 95) (L. D. 231) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Came from the Senate with the Report read and accepted and the Resolve passed to be engrossed as

amended by Committee Amendment "A".

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

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

COMMITTEE AMENDMENT "A" to S. P. 95, L. D. 231, Resolve in Favor of the Town of Aurora.

Amend said Bill by striking out the figures "\$674.76" in the second line, and inserting in place thereof the figures '\$337.38.'

Further amend said Bill by adding in the second line after the word "fund," the words 'unappropriated surplus.'

Committee Amendment "A" was adopted in concurrence and the Resolve was assigned for second reading the next legislative day.

Report of the Committee on Appropriations and Financial Affairs on Resolve in favor of Northern Maine Sanatorium (S. P. 240) (L. D. 665) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

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

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

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

COMMITTEE AMENDMENT "A" to S. P. 240, L. D. 665, Resolve in Favor of Northern Maine Sanatorium.

Amend said Bill by adding to the second line after the word "fund," the words 'unappropriated surplus.'

Thereupon, Committee Amendment "A" was adopted in concurrence and the Resolve was assigned for second reading the next legislative day.

Report of the Committee on Claims on Resolve in favor of George L. McLellan of Lamoine (S. P. 165) (L. D. 410) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Came from the Senate with the Report read and accepted and the Resolve passed to be engrossed as

amended by Committee Amendment "A".

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

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

COMMITTEE AMENDMENT "A" to S. P. 165, L. D. 410, Resolve in Favor of George L. McLellan, of Lamoine.

Amend said resolve by striking out the figure "\$1,000" in the 2nd line thereof and inserting in place thereof the figure '\$50'.

Committee Amendment "A" was then adopted in concurrence, and the Resolve was assigned for second reading the next legislative day.

Report of the Committee on Judiciary on Bill "An Act relating to Members of Executive Council and Manner of Selection" (S. P. 68) (L. D. 154) 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.

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

COMMITTEE AMENDMENT "A" to S. P. 68, L. D. 154, Bill "An Act Relating to Members of Executive Council and Manner of Selection."

Amend said Bill, in the 3rd paragraph from the end, by striking out the underlined words "**at the court house**" in the 6th and 7th lines of said paragraph.

Further amend said Bill, in the 5th paragraph from the end, by adding at the end of the 2nd sentence the following underlined words '**and such meeting shall be judge of those eligible to vote.**'

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

Report of the Committee on Judiciary on Bill "An Act relating to Application for Writ of Habeas Corpus" (S. P. 248) (L. D. 671)

reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

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

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

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

COMMITTEE AMENDMENT "A" to S. P. 248, L. D. 671, Bill, "An Act Relating to Application for Writ of Habeas Corpus."

Amend said bill by striking out the underlined words and punctuation "**in any county in the state, regardless where the restraint may exist, and**" in the 6th and 7th lines of said bill.

Further amend said bill by striking out the underlined words and punctuation "**, and a hearing shall be held by such justice within 48 hours of the time of filing such application, and judgment shall be rendered within 24 hours after hearing thereon**" in the 9th, 10th, 11th and 12th lines thereof.

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

Tabled and Assigned

Report of the Committee on Legal Affairs on Bill "An Act relating to Licensing of Electricians" (S. P. 455) (L. D. 1269) 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. (On motion of Mr. Archer of Brewer, the Report, with accompanying papers, was tabled pending acceptance of Committee Report in concurrence, and specially assigned for Thursday, April 23)

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

Senate Amendment Adopted

Report of the Committee on Legal Affairs on Bill "An Act to Dissolve the First Parish of Freeport" (S. P. 320) (L. D. 806) 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" and Senate 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. 320, L. D. 806, Bill "An Act to Dissolve the First Parish of Freeport."

Amend said Bill by striking out the word "so" in the 7th line of said Bill.

Further amend said Bill by striking out the words "and to dispose" after the word "dissolve" in the 7th line thereof and inserting in place thereof the words 'after having disposed'

Committee Amendment "A" was adopted in concurrence.

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

SENATE AMENDMENT "A" to S. P. 320, L. D. 806, Bill, "An Act to Dissolve the First Parish of Freeport."

Amend said Bill by striking out the word "the" appearing after the words "a majority of" appearing in the 4th line thereof.

Further amend said Bill by striking out all the remainder of the paragraph appearing after the figures and punctuation "1954:" in the 13th line of said Bill and inserting in place thereof the following: 'and the First Parish Church of Freeport, Congregational, legally incorporated, is to be successor corporation to said First Parish of Freeport with the same rights, privileges, duties and obligations which have been held by said First Parish of Freeport.'

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

Ought to Pass in New Draft Senate Amendment Adopted

Report of the Committee on Towns and Counties on Bill "An Act to Provide Fire Protection and Public Services in Deorganized Territory" (S. P. 361) (L. D. 971) reporting same in a new draft (S. P. 529) (L. D. 1432) under title of "An Act to Provide Public Services for Certain Deorganized Townships" and that it "Ought to pass"

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

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

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

SENATE AMENDMENT "A" to S. P. 529, L. D. 1432, Bill "An Act to Provide Public Services for Certain Deorganized Townships."

Amend said Bill by striking out the word "Brooklin" in the 9th line and inserting in place thereof the word "Brookton".

Further amend said Bill by striking out all of the next to the last sentence thereof.

Further amend said Bill by striking out all after the words "county taxes" in the next to the last line.

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

Ought to Pass Senate Amendments Adopted

Report of the Committee on Liquor Control reporting "Ought to pass" on Bill "An Act relating to Delisting and Discontinuance of Purchasing Liquor by the Commission" (S. P. 224) (L. D. 592)

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

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

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

SENATE AMENDMENT "A" to S. P. 224, L. D. 592, Bill "An Act Relating to Delisting and Discon-

tinuance of Purchasing Liquor by the Commission."

Amend said Bill by striking out in the 8th and 9th lines thereof the following underlined words: **"together with their reasons for such discontinuance or delisting"**

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

Report of the Committee on Towns and Counties reporting "Ought to Pass" on Bill "An Act relating to Expending Aroostook County Funds for Ricker College" (S. P. 458) (L. D. 1273)

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

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

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

SENATE AMENDMENT "A" to S. P. 458, L. D. 1273, Bill "An Act Relating to Expending Aroostook County Funds for Ricker College."

Amend said Bill by striking out that part designated "Sec. 15-C" and inserting in place thereof the following:

"Sec. 15-C. Appropriation for college education in Aroostook county. Aroostook county may expend not exceeding the sum of \$10,000 for the year 1953 and \$10,000 for the year 1954 for Ricker college, to be paid to the treasurer of said college and to be expended by the trustees of Ricker college for general operations."

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

Non-Concurrent Matter

Resolve in favor of Robert E. Towle of Portland (H. P. 795) (L. D. 1392) which was passed to be engrossed in the House on April 7.

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

In the House: Senate Amendment "A" read by the Clerk as follows:

SENATE AMENDMENT "A" to H. P. 795, L. D. 1392, Resolve, in Favor of Robert E. Towle of Portland.

Amend said Resolve by striking out the words "appropriation for the state school for boys" in the 2nd and 3rd lines thereof and inserting in place thereof the words 'general fund'

Thereupon, the House voted to recede and concur with the Senate in the adoption of Senate Amendment "A" and the Resolve was passed to be engrossed as amended in concurrence.

Non-Concurrent Matter

Bill "An Act relating to License Plates for Motor Vehicle Owners Who Operate Amateur Radio Stations" (H. P. 197) (L. D. 213) which was passed to be enacted in the House on April 14.

Came from the Senate indefinitely postponed in non-concurrence.

In the House: On motion of Mr. Burgess of Limestone, the House voted to recede and concur with the Senate.

Non-Concurrent Matter

Bill "An Act relating to the Sale of Liquor on May Thirtieth" (H. P. 1056) (L. D. 1171) which was passed to be engrossed without amendment in the House on April 14.

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

In the House: On motion of Mr. Anderson of Greenville, the House voted to recede and concur with the Senate.

Non-Concurrent Matter

Report of the Committee on Sea and Shore Fisheries reporting "Ought not to pass" on Bill "An Act Repealing Law on Canning of Clams and Mussels" (H. P. 1112) (L. D. 1247) which was recalled to the Senate by Joint Order.

Came from the Senate recommended to the Committee on Sea and Shore Fisheries.

In the House: The House voted to recede and concur with the Senate.

Non-Concurrent Matter

Report of the Committee on Taxation reporting "Ought not to pass"

on Bill "An Act relating to Tax on Telegraph Companies" (H. P. 1028) (L. D. 1149) which Report and Bill were recommitted to the Committee on Taxation in the House on April 8.

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

In the House: On motion of Mr. Low of Rockland, the House voted to recede and concur with the Senate.

Non-Concurrent Matter

Majority Report of the Committee on Inland Fisheries and Game reporting "Ought to pass" on Bill "An Act Repealing Jefferson and Whitefield Game Preserve" (H. P. 407) (L. D. 456) and Minority Report reporting "Ought not to pass", on which the House accepted the Majority Report and the Bill was passed to be engrossed on April 15.

Came from the Senate with the Minority Report read and accepted in non-concurrence.

In the House: On motion of Mr. Watson of Moose River Plantation, the House voted to recede and concur with the Senate.

Non-Concurrent Matter

Report of the Committee on Labor reporting "Ought not to pass" on Bill "An Act relating to Practitioners' Services Under the Workmen's Compensation Act" (H. P. 224) (L. D. 251) which Report and Bill were recommitted to the Committee on Labor in the House on April 15.

Came from the Senate with the Report read and accepted in non-concurrence.

In the House: On motion of Mr. West of Stockton Springs, the House voted to recede and concur with the Senate.

The SPEAKER: There are two papers from the Senate not printed on the Advance Journal.

From the Senate: The following Order:

ORDERED, the House concurring, that the Committee on Appropriations and Financial Affairs be, and hereby is, authorized to report in as many separate resolves as seems practical the general content of Senate Paper 75, Legislative Docu-

ment 182, Bill "An Act to Appropriate Monies for Capital Improvements and Construction of State Government for the Fiscal Years Ending June 30, 1954, and June 30, 1955"

AND BE IT FURTHER ORDERED, that each resolve as reported be accompanied by an adequate statement of facts relating to that particular resolve. (S. P. 544)

Came from the Senate read and passed.

In the House, the Order was read and passed in concurrence.

From the Senate: The following Order:

ORDERED, the House concurring, that when the Senate and House adjourn, they adjourn to meet on Tuesday, April 21, 1953, at 9:30 o'clock in the forenoon. (S. P. 545)

Came from the Senate read and passed.

In the House, the Order was read and passed in concurrence.

The SPEAKER: The Chair notes the presence, in the balcony of the hall of the House, of nine children from the South Hiram School, under the supervision of Mrs. Wescott.

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

House Reports of Committees Ought to Pass in New Draft

Mr. Jacobs from the Committee on Appropriations and Financial Affairs on Resolve to Loan Funds from the Unappropriated Surplus for the Construction of an International Ferry Terminal (H. P. 311) (L. D. 383) reported same in a new draft (H. P. 1249) (L. D. 1457) under same title and that it "Ought to pass."

Report was read and accepted and the Bill was read twice.

Mr. Cole of Liberty, offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to H. P. 1249, L. D. 1457, Resolve to Loan Funds from the Unappropriated Surplus for the Construction of an International Ferry Terminal.

Amend said Resolve by striking out all of the 1st paragraph and

inserting in place thereof the following paragraph:

'Construction of International Ferry Terminal at Bar Harbor.

Resolved: That there be, and hereby is, appropriated from the unappropriated surplus of the general fund the sum of \$1,000,000 for the purposes set forth in this resolve. Such sum shall be made available to the Maine Port Authority to be expended by said authority for plans and for the construction of a terminal at Bar Harbor suitable to be the Maine terminal of an international ferry to run between Nova Scotia and Bar Harbor, and to pay other proper expenses incidental to said planning and construction; and be it further'

House Amendment "A" was adopted and the Resolve was assigned for second reading the next legislative day.

Miss Steeves from the Committee on Business Legislation on Bill "An Act relating to Examination of Domestic Insurance Companies" (H. P. 315) (L. D. 387) which was recommended, reported same in a new draft (H. P. 1250) (L. D. 1458) under same title and that it "Ought to pass"

Report was read and accepted, the Bill read twice and assigned for third reading the next legislative day.

Ought to Pass Printed Bills

Mr. Hussey from the Committee on Claims reported "Ought to pass" on Resolve in favor of the Town of Castle Hill (H. P. 208) (L. D. 1456)

Mr. Fuller from the Committee on Judiciary reported same on Bill "An Act relating to Appointment of Recorder of Eastport Municipal Court" (H. P. 972) (L. D. 1060)

Reports were read and accepted, the Bill read twice, the Resolve read once, and assigned for the next legislative day.

Ought to Pass in New Draft

Mr. Henry from the Committee on Business Legislation on Bill "An Act relating to Deception as to Prices of Engine Fuel or Lubricating Oils" (H. P. 1014) (L. D. 1135) which was recommitted, reported same in a new draft (H. P. 1252)

(L. D. 1460) under title of Bill "An Act relating to Deception as to Prices of Motor Vehicle Fuel" and that it "Ought to pass"

Mr. Osborne from the Committee on Public Utilities on Bill "An Act relating to Fluoride in Public Water Supplies" (H. P. 762) (L. D. 797) reported same in a new draft (H. P. 1251) (L. D. 1459) under same title and that it "Ought to pass"

Reports were read and accepted, the Bills read twice and assigned for third reading the next legislative day.

Ought to Pass Printed Bill

Mr. Martin from the Committee on Judiciary reported "Ought to pass" on Bill "An Act relating to the State Personnel Board" (H. P. 654) (L. D. 697)

Report was read and accepted, the Bill read twice, and assigned for third reading the next legislative day.

Ought to Pass with Committee Amendment

Mr. Jacobs from the Committee on Appropriations and Financial Affairs on Bill "An Act relating to the Salary of the Reporter of Decisions" (H. P. 630) (L. D. 653) 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. 630, L. D. 653, Bill, "An Act Relating to the Salary of the Reporter of Decisions."

Amend said Bill by striking out in the last line the figures "\$3,500" and inserting in place thereof the figures "\$2,500."

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

Mr. Jacobs from the Committee on Appropriations and Financial Affairs on Resolve for Repairs of Church and Convent at Peter Dana Point and Old Schoolhouse Used for Religious Purposes at Princeton (H. P. 483) (L. D. 502) reported "Ought

to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Resolve was read once.

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

COMMITTEE AMENDMENT "A" to H. P. 483, L. D. 502, Resolve for Repairs of Church and Convent at Peter Dana Point and Old Schoolhouse Used for Religious Purposes at Princeton

Amend said Resolve by striking out everything after the figures "\$6,719." in the 5th line thereof, and inserting in place thereof the following sentence: "These funds shall be expended on authorization of the department of health and welfare."

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

Mr. Alden from the Committee on Claims on Resolve to Reimburse the Town of Millinocket for Supplies Furnished the Warren Dorr Family (H. P. 62) (L. D. 59) which was recommitted, 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. 62, L. D. 59, Resolve to Reimburse the Town of Millinocket for Supplies Furnished the Warren Dorr Family

Amend said resolve by striking out the figures "\$9,557.42" in the first line thereof and inserting in place thereof the figures "\$1,904.06'.

Committee Amendment "A" was adopted and the Resolve was assigned for second reading the next legislative day.

Mr. Walker from the Committee on Claims on Resolve in favor of the City of Auburn (H. P. 491) (L. D. 510) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Resolve was read once.

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

COMMITTEE AMENDMENT "A"
to H. P. 491, L. D. 510, Resolve in Favor of the City of Auburn.

Amend said Resolve by striking out the words "pauper supplies" in the 3rd and 4th lines thereof and inserting in place thereof the words 'supplies to dependent persons'

Further amend said Resolve by striking out, in the 5th and 6th lines thereof, the punctuation and words ", said Otis Colson family being at the time of said expenditures were made, state paupers"

Committee Amendment "A" was then adopted and the Resolve was assigned for second reading the next legislative day.

Mr. Trafton from the Committee on Judiciary on Bill "An Act relating to Penalty for Selling Narcotic Drugs to Minors" (H. P. 334) (L. D. 401) which was recommended, 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. 334, L. D. 401, Bill "An Act Relating to Penalty for Selling Narcotic Drugs to Minors."

Amend said bill by striking out that part designated "Section 12-A." and inserting in place thereof the following:

'Section 12-A. Selling narcotic drugs to children. Whoever sells, gives, administers or dispenses or conspires to sell, give, administer or dispense marijuana or any substance defined as a narcotic drug under laws of this state, unless prescribed by a physician or otherwise used in case of sickness, to any person under the age of 18, shall be punished by imprisonment for not more than 20 years, and in addition by a fine of not more than \$1,000.'

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

Divided Report Tabled

Majority Report of the Committee on Appropriations and Financial Affairs reporting "Ought not to pass" on Bill "An Act relating to Travel by State Employees" (H. P. 959) (L. D. 1049)

Report was signed by the following members:

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

Messrs. JACOBS of Auburn
CAMPBELL of Guilford
COLE of Liberty
CATES of Machias
DAVIS of Harrison
JALBERT of Lewiston
—of the House

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

Report was signed by the following member:

Mr. BURGESS of Limestone
—of the House

Reports were read.

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

Mr. STEWART: Mr. Speaker, this being an appropriation measure, I move that it lie upon the table, unassigned, pending acceptance of either report.

The SPEAKER: The gentleman from South Paris, Mr. Stewart, moves that Item 11, Legislative Document 1049, with accompanying papers, lie on the table, unassigned, pending acceptance of either report. Is this the pleasure of the House?

The motion prevailed, and the two reports, with accompanying papers, were so tabled.

Passed to Be Engrossed

Bill "An Act relating to Return of Party Enrollments in Primary Elections" (S. P. 532) (L. D. 1436)

Bill "An Act relating to Open Season on Muskrats in Washington County" (H. P. 257) (L. D. 287)

Bill "An Act relating to Acquisition of Schoolhouse Lots by Condemnation" (H. P. 269) (L. D. 297)

Bill "An Act Amending the Maine School Building Authority" (H. P. 522) (L. D. 556)

Bill "An Act relating to Joint Tenancies Between Husband and Wife" (H. P. 1246) (L. D. 1452)

Resolve Proposing an Amendment to the Constitution Changing the Date of the General Election (H. P. 597) (L. D. 637)

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

Amended Bills Tabled

Bill "An Act relating to Real Estate Brokers and Salesmen" (S. P. 26) (L. D. 14)

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

(On motion of Mr. Turner of Auburn, a viva voce vote being taken, the Bill, with accompanying papers, was tabled without assignment, pending third reading)

Bill "An Act relating to Number of Justices of Superior Court" (S. P. 402) (L. D. 1117)

Bill "An Act relating to Removal of Bodies to Crematories" (H. P. 989) (L. D. 1077)

Bill "An Act relating to the State Board of Examiners of Funeral Directors and Embalmers" (H. P. 990) (L. D. 1078)

Bill "An Act relating to Revolving Fund for Administration of Social Security for Political Subdivisions of State" (H. P. 1007) (L. D. 1134)

Bill "An Act relating to Appropriation for Unorganized Territory Capital Working Fund" (H. P. 1073) (L. D. 1213)

Bill "An Act relating to Persons Treating for Gunshot Wounds" (H. P. 1094) (L. D. 1228)

Bill "An Act relating to the Registration and Practice of Osteopathic Physicians and Surgeons" (H. P. 1111) (L. D. 1246)

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

Bill "An Act relating to the Digging of Marine Worms in Bremen, Damariscotta, Bristol, South Bristol, Nobleboro and Waldoboro" (S. P. 516) (L. D. 1405)

Bill "An Act relating to Driving a Motor Vehicle While License Suspended or Revoked" (S. P. 522) (L. D. 1421)

Bill "An Act relating to Return of Number of Registered Voters in Elections" (S. P. 531) (L. D. 1435)

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

Orders of the Day

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

On motion of Mr. Rogerson of Houlton, the House voted to take from the table the fifty-seventh tabled and unassigned matter, House Report "Ought not to pass" of the Committee on Inland Fisheries and Game on Resolve Authorizing Survey by Commission of Inland Fisheries and Game to Cooperate with Other States to Reduce Hunting Fatalities, House Paper 1091, Legislative Document 1225, tabled on April 15 by the same gentleman pending acceptance of the Report.

On further motion of Mr. Rogerson, the Report with accompanying papers was recommitted to the Committee on Inland Fisheries and Game and sent up for concurrence.

Mr. Burgess of Limestone was granted unanimous consent to address the House.

Mr. BURGESS: Mr. Speaker and Members of the House: During the last few months, the potato industry in Maine has suffered a severe setback for various reasons but particularly because of our lack of regulations and perhaps the teachings that we have had from the national government during the past few years with respect to grading. The industry now finds itself in a position where some of the enforcement measures with respect to grading and so forth are not being enforced due to lack of funds at the State level.

Now, the potato industry, itself, does have a tax that is being collected from the industry on a per barrel basis, which is appropriated

by law for various things such as research, advertising and so forth.

I am going to ask the House to allow me to introduce by unanimous consent a bill and I state to you that I do not believe that it will prolong the session of the Legislature at all if you are kind enough to allow its introduction.

This bill would allow the potato industry itself from its own tax to assign annually \$10,000 to the Department of Agriculture for the enforcement of laws relating to the branding of potatoes. If you accept it and it is finally passed, it would not cost the State of Maine a nickel and would allow the industry itself to finance the enforcement of a state law. That, in itself, is rather unusual.

Now, Mr. Speaker, I would offer this bill relating to the expenditure of potato tax funds by unanimous consent.

The SPEAKER: Under the unanimous consent rule, the gentleman from Limestone, Mr. Burgess, presents a bill. The Clerk will read the title.

The CLERK: Bill "An Act relating to Expenditure of Potato Tax Funds", (H. P. 1253) (L. D. 1462).

The SPEAKER: Does the Chair hear objection to the reception of this bill under the unanimous consent rule? The Chair hears none and the bill is received.

Thereupon, the Bill was ordered printed, referred to the Committee on Agriculture and sent up for concurrence.

On motion of Mr. Bailey of Woolwich, the House voted to take from the table the forty-second tabled and unassigned matter, Bill "An Act to Clarify and Amend the Sales and Use Tax Law as Respects Manufacturers", House Paper 1231, Legislative Document 1425, tabled on April 8 by the same gentleman pending first reading.

The SPEAKER: The Chair recognizes the gentleman from Woolwich, Mr. Bailey.

Mr. BAILEY: Mr. Speaker, as this bill is rather a controversial matter and being late in the week and quite a number are absent today, I would ask permission to have this retabled and specially assigned for Tuesday, April 21.

The SPEAKER: The gentleman from Woolwich, Mr. Bailey, moves that the forty-second tabled and unassigned matter, Legislative Document 1425 be retabled pending first reading and specially assigned for Tuesday, April 21. Is this the pleasure of the House?

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

On motion of Mr. Turner of Auburn, the House voted to take from the table the eighteenth tabled and unassigned matter, Bill "An Act Creating the Department of Finance and Administration", (S. P. 159) (L. D. 407) tabled on March 26 by the same gentleman pending third reading, and on further motion of the same gentleman the Bill was given its third reading, passed to be engrossed and sent to the Senate.

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

Mr. JACOBS: Mr. Speaker, the House had a partial report of the Committee on Appropriations—

The SPEAKER: Does the Chair understand that the gentleman requests unanimous consent to address the House?

Mr. JACOBS: Yes, Mr. Speaker.

The SPEAKER: Does the Chair hear objection to the request of the gentleman from Auburn, Mr. Jacobs, to address the House? The Chair hears none and the gentleman may proceed.

Mr. JACOBS: Mr. Speaker, I have the final report of the Committee on Appropriations, due to the fact that in all probability the bill will be passed in regard to the net on automobile sales. I will not read this lengthy report. I would like to have it recorded and placed on file.

The SPEAKER: The gentleman from Auburn, Mr. Jacobs, wishes to call to the attention of the Members of the House that the Committee on Appropriations and Financial Affairs has fulfilled the requirements of the order and wish to have their report placed on file.

The House is continuing under Orders of the Day.

On motion of Mr. Trafton of Auburn, the House voted to take from the table the forty-sixth tabled and unassigned matter, House Report, "Ought to pass" as amended by Committee Amendment "A" of the Committee on Legal Affairs on Bill "An Act relating to Inflammable Oils and Liquids", House Paper 673, Legislative Document 716, tabled on April 9 by the same gentleman pending acceptance of the report.

On further motion of Mr. Trafton the Report with accompanying papers was recommitted to the Committee on Legal Affairs and sent up for concurrence.

On motion of Mr. Robinson of St. George, the House voted to take from the table the forty-eighth tabled and unassigned matter, Bill "An Act relating to Exemptions from Taxation of Veterans", House Paper 1234, Legislative Document 1428, tabled on April 9 by the same gentleman pending third reading.

Thereupon, Mr. Hussey of Windsor, offered House Amendment "B" and moved its adoption.

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

HOUSE AMENDMENT "B" to H. P. 1234, L. D. 1428, Bill "An Act Relating to Exemptions from Taxation of Veterans."

Amend said Bill by inserting after the underlined word "estates" in the 13th and 20th lines of section 2 the underlined words 'in the town of residence'.

Further amend said Bill by inserting after the underlined words "war period" in the 15th line of section 2 the underlined words 'for at least 90 days, or who having served less than 90 days was discharged for a disability incurred in the service in line of duty.'

Further amend said Bill by striking out beginning in the 42nd line of section 2 the underlined words "; and in case any person entitled to such exemption has property taxable in more than 1 city or town of the state, such proportion of such total exemption shall be made in each city or town, as the value of the property taxable in such city or town bears to the value of the

whole of the property of such person taxable in the state"

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

Mr. HUSSEY: Mr. Speaker and Members of the House: This L. D. 1428 is a committee revision of the controversial property tax exemption for veterans. I believe the Taxation Committee should be complimented for a very fine job. There are two or three things that I personally do not like and do not feel I would like to go along with. This is not just a personal idea because I have been backed up by numerous veterans who seem to feel the same way that I do.

In the first part of this amendment I have inserted the words "in the town of residence" after the word "estates," and I have also, along with this, cancelled out the proportionate exemption in more than one town, these several lines here in the latter part of the amendment.

I think that any of you who have served as assessors in any of the small towns realize what a complicated situation this is going to be. In other words, if a veteran has a house that is exempt for three thousand dollars in one town and then we will say for example he has a cottage in your town and that cottage possibly may be valued at a thousand dollars, you are going to have to set up a proportion of exemption in the two towns. It looks to me as if it is going to take a meeting of the assessors of two different towns which in some cases may be miles apart to iron out this proportion so that they will be taxed a small part in each of these towns.

The second change that this amendment makes, it inserts the words that a veteran must have served "for at least 90 days, or who having served for less than 90 days was discharged for a disability incurred in the service in line of duty."

Now almost every veteran that I have spoken to agrees with this change. I was talking with a veteran not too long ago who was in the Yankee Division in World War I. He said that he did not feel that

a veteran was deserving of these benefits unless he had had overseas duty. I should think that it should be at least ninety days. In other words, this means that a veteran must have served approximately ninety days to derive the benefits of this bill.

This change is in accordance with the requirements provided by the Federal government for benefits under the G. I. Bill and other benefits bestowed upon the veteran. I personally do not see how a veteran could be exempt on property when they have been in the service for one day or one week. I have had some tell me they did not believe there were any such people, but I know of at least two in my home town who were in approximately five days. They never even got a uniform. According to the way the bill is written now they would be entitled to all the benefits the same as those veterans who served overseas for a good many years.

I do not think that this will cause any serious hardship on any veteran. I think that when they are entitled to exemptions of \$3500 in one town that should be enough. I do not see how they can be exempt proportionately on a cottage or some other piece of the property in another town. Thank you.

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

Mr. McGLAUFFIN: I thank the Speaker for allowing me to speak at this time because I have got to leave in a few moments.

I am opposed to the provision that the estates must be in the town of residence, and for this reason: it is going to affect some of those that need the exemption most.

I have in mind at this moment the case where a woman 91 years of age owned a little house that she got a rent of twelve dollars a month for. Now she couldn't live in that house, she lived with her daughter and paid board. That twelve dollars a month helped her considerably towards paying her board. Board was cheap in the country. She would have gotten no benefit whatsoever from being the widow of a Civil War veteran if you confine that estate to her residence, because she lived in the adjoining town.

I have in mind another woman who lived in Portland. She was situated the same way, the widow of a Civil War veteran, a very old lady, and she would not get any exemption at all for her residence because she too had to live somewhere else.

I received a letter from a veteran, part of which I want to read:

"I am a veteran of World War I overseas, age sixty-five, a native of Portland, Maine, born there, worked hard all my life. Owing to illness of my wife for over twenty years I have been able to save very little. One year ago my wife suffered a serious heart block with nervous breakdown, following which the doctor said she must be taken to a quiet place, so through her sister I bought a small house at Chebeague Island, thinking I could get by on my Social Security which you know is small at best. I had a small garden and looked after her. Now should this bill pass"—this is referring to the bill that was originally introduced—"my taxes would be around eighty dollars, which would be too much for me to carry. I would have to sell it if possible. I myself have a condition so I cannot work hard. I hope you will use your influence to defeat this bill."

Now the reason I read that is this: if that veteran should die this helpless lady could not live there alone. If she moved away her property would not be exempt.

The latter part of this amendment I am not so much concerned about, but I think you should leave it that estate, not just estates in the town where the person resides, but that the estate should be exempt up to \$3500. They get only \$3500 exemption no matter where they live. So I am against the motion to adopt this amendment and think you should pass the bill as it is presented from the committee.

I want to say further that in 1935 a client of mine in Portland, a widow, came to me and said that they had taxed her on her property, probably worth about \$2500. I stated that the city had no right to tax that property and I could attend to it. I went to the City Council and convinced them that

they couldn't tax that woman and they abated the tax.

The very next year, 1935, she came to me again and stated that they had taxed her for one-half of her property. I couldn't understand that and I immediately went to the City Treasurer of Portland to see if that was true. He said, "Yes, it is true," and that in 1935 they passed a law establishing that it should be the residence of the person and that was the reason they taxed her for half of the property. She lived in a double house, got a small rent from half of that house, but although her property was taxed less than \$2500 she could get only one-half of that because she only was abated for her residence and not for her estate.

I came here the first time in 1937 and got that law changed to the present law, the law as it exists today. It was a law that I myself got through this Legislature.

I want those estates left just as they are, not to make it difficult for the people who may need this assistance the most, the widows of veterans who are unable to live in the residence they own, so I hope you will vote against this amendment.

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

Mr. OSBORNE: Mr. Speaker and Members of the House: I am particularly interested in the first two paragraphs of this amendment. It would seem to me that the veteran who owns two or more inexpensive properties is just as much entitled to the exemption as the veteran who owns a forty thousand dollar home.

Now I would call your attention to the fact, particularly if you have not noticed it, that this is a repealer of the present law and it would seem that this would come as quite a jolt to a number of Spanish American War veterans and World War I veterans and possibly a few since then who are already receiving this exemption and perhaps served 80 to 89 days or less. As far as the last paragraph is concerned I can't see any objection to that but I would like to call your attention to the first two matters that I have just mentioned.

The SPEAKER: The Chair recognizes the gentleman from Kennebunkport, Mr. Bibber.

Mr. BIBBER: Mr. Speaker and Members of the House: I arise to voice my objection to the part in regard to the 90 day provision of this amendment. There are very, very few who have served less than 90 days and usually if they are released that soon it was because of an injury received that made them useless for military service. To put this into law we discriminate against the fellow who, through no fault of his own, was released in 89 days. He, the fellow who served less than 90 days, would be considered a veteran for practically all benefits given other veterans but not for the one substantial piece of legislation which Maine offers its veterans. This, it appears, is extremely unfair and therefore I move the indefinite postponement of this amendment.

The SPEAKER: The gentleman from Kennebunkport, Mr. Bibber, moves that House Amendment "B" be indefinitely postponed.

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

Mr. HUSSEY: Mr. Speaker and Members of the House: I just want to call your attention to the fact that anyone who was injured in the service previous to 90 days is included in this amendment. And on the other business, this includes \$3500 as long as the property is in one town. It doesn't change that at all. The word "estates" can include at least three pieces of property and I do not think there is anything unfair about this. I think the average veteran whom you talk with, outside of possibly some members of this House, would agree with this 100 per cent. Thank you.

The SPEAKER: The question before the House is on the motion of the gentleman from Kennebunkport, Mr. Bibber, that House Amendment "B" to (H. P. 1234) (L. D. 1428) Bill "An Act relating to Exemptions from Taxation of Veterans" be indefinitely postponed.

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

A viva voce vote being taken, the motion prevailed and House Amendment "B" was indefinitely postponed.

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

Mr. Trafton of Auburn was granted unanimous consent to address the House.

Mr. TRAFTON: Mr. Speaker and Members of the House: I wish to remove from the table today Legislative Document 1388, the sixty-sixth unassigned matter, that is the exemption on net sales tax on automobiles for the purpose of having it specially assigned for next Tuesday afternoon.

Before making the motion, I would like to make, however, a few remarks. It was my hope that a little time on the table would permit the members of this House to consider the other side of the coin. It seems to me that we must consider taxes as one side and appropriations as the other side of the same coin. It is my hope that over the weekend, we will have the opportunity to point out to our constituents and discuss with them whether or not they wish us to cut out items of appropriations so that the tax may be abated. I would call particular attention to the school subsidy item, which is a thing that will upset many local town school budgets.

I move, Mr. Speaker, that Item 66, Legislative Document 1388, be taken from the table.

The SPEAKER: The gentleman from Auburn, Mr. Trafton, moves to take from the table the sixty-sixth tabled and unassigned matter, Bill "An Act relating to the Sales Tax on Motor Vehicles", Senate Paper 509, Legislative Document 1388, tabled on April 16 by the same gentleman pending adoption of House Amendment "E". Is this the pleasure of the House?

The motion prevailed and the matter was taken from the table.

On further motion of Mr. Trafton the matter was retabled pending adoption of House Amendment "E" and made a special order of business for Tuesday afternoon, April 21, at 3:00 o'clock in the afternoon.

Mr. Burgess of Limestone was granted unanimous consent to address the House.

Mr. BURGESS: Mr. Speaker, I have in my possession a short statement from the State Tax Assessor's Office, which I believe would clarify the various figures that have been kicking around here with respect to the loss in revenue on the motor vehicle tax and the various amendments which have been offered. I would request permission to present this to the Clerk and ask that it be read to the House and to the record.

The SPEAKER: The Chair understands that the gentleman from Limestone, Mr. Burgess, requests unanimous consent that this material be read into the record. Does the Chair hear objection? The Chair hears none and the Clerk may proceed.

STATE OF MAINE

Inter-Departmental Memorandum

April 17, 1953

To Representative Waldo Burgess
From Ernest H. Johnson,
State Tax Assessor,
Bureau of Taxation

Subject: Estimate on L. D. 1388 IF
RESTRICTED TO PASSENGER
AUTOMOBILES

You have asked what the effect on revenue might be were the so-called trade-in bill (L. D. 1388) to be restricted to passenger automobiles.

Our estimate on the present bill as amended, restricted to automobiles, trucks and farm tractors, remains \$900,000; being \$850,000 on automobiles and trucks and \$50,000 on tractors.

We do not have any breakdown as between automobiles and trucks. However, records of the Secretary of State's office indicate that 23% of total 1952 motor vehicle registrations are truck registrations. Probably the frequency and value of trade-ins in the case of trucks would be relatively less than in the case of passenger automobiles.

We would therefore estimate that restricting the bill to passenger automobiles would affect our original estimate of loss of revenue as follows:

Original estimate	\$900,000
Less farm tractors	50,000

\$850,000

Less trucks (20%)

170,000

Estimated loss if L.D.

1388 is restricted to

passenger automobiles \$680,000

(Signed) Ernest H. Johnson

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

If there is no further business to come before the House the Clerk will read the notices.

On motion of Mr. Cianchette of Pittsfield,

Adjourned until Tuesday, April 21, at 9.30 o'clock in the forenoon.