

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Ninety-Sixth Legislature

OF THE

STATE OF MAINE

VOLUME II

1953

DAILY KENNEBEC JOURNAL

AUGUSTA, MAINE

HOUSE

Thursday, April 23, 1953

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

Prayer by the Rev. Mr. Robert Hils of Gardiner.

The journal of the previous session was read and approved.

**Papers from the Senate
Senate Conference Report**

Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill "An Act to Amend the Bracket Schedule in the Sales and Use Tax Law" (S. P. 191) (L. D. 439) reporting that they are unable to agree.

(Signed)

Messrs. WIGHT of Penobscot

CARTER of Oxford

WEEKS of Cumberland

—Committee on
part of Senate

ALBEE of Portland

PETERSON of Bar Harbor

WINCHENPAW

of Friendship

—Committee on
part of House

Came from the Senate with the Report read and accepted.

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

From the Senate: The following Order:

ORDERED, the House concurring, that

WHEREAS the Committee on Judiciary, in executive session has unanimously concluded that a minor amendment to Chapter 79, "County Officers" should have legislative consideration and

WHEREAS the amendment relates only to the mechanics of filing of deeds of conveyance and requires no public hearing, be it therefore

ORDERED, that the Committee on Judiciary may forthwith present such a measure under the title of "An Act Relating to Waiver of Restrictive Provisions in Deeds." (S. P. 554)

Came from the Senate read and passed.

In the House, the Order 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 to Provide for a Survey of Mentally Handicapped Persons (S. P. 241) (L. D. 666)

Report of the Committee on Highways reporting same on Resolve Reimbursing Ira B. Hagan of Ellsworth Falls, for Storage of State Highway Equipment (S. P. 350) (L. D. 963)

Came from the Senate read and accepted.

In the House, were read and accepted in concurrence.

Ought to Pass in New Draft

Report of the Committee on Public Health on Bill "An Act relating to Apprentice Barbers" (S. P. 456) (L. D. 1270) reporting same in a new draft (S. P. 539) (L. D. 1453) 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, the Report was read and accepted in concurrence, the Bill read twice, and tomorrow assigned.

Ought to Pass

Report of the Committee on Judiciary reporting "Ought to pass" on Bill "An Act relating to Duties of Clerk of the Lewiston Municipal Court" (S. P. 177) (L. D. 436)

Report of same Committee reporting same on Bill "An Act to Correct Errors and Inconsistencies in the 1944 Revision and the Session Laws of 1945, 1947, 1949 and 1951" (S. P. 490)

Report of same Committee reporting same on Bill "An Act to Validate Acceptance by the Town of Bristol of a Contract with Maine School Building Authority" (S. P. 514) (L. D. 1401)

Report of same Committee reporting same on Resolve Authorizing Treasurer of State to Convey Interest of the State in Property in

Portland to Frank and K. Louise Bieske (S. P. 518) (L. D. 1406)

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

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

Ought to Pass with Committee Amendment "A" Tabled

Report of the Committee on Education on Bill "An Act relating to Education in Unorganized Territory" (S. P. 448) (L. D. 1262) 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 "B".

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. 448, L. D. 1262, Bill "An Act Relating to Education in Unorganized Territory."

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

"Sec. 3. Appropriation. There is hereby appropriated from the unappropriated surplus of the general fund the sum of \$20,000 to carry out the purposes of this act."

Thereupon, Committee Amendment "A" was adopted in concurrence.

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

SENATE AMENDMENT "B" to S. P. 448, L. D. 1262, Bill "An Act Relating to Education in Unorganized Territory."

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

' Sec. 3. Appropriation. There is hereby appropriated from the general fund the sum of \$20,000 for the fiscal year 1953-54 and \$20,000 for the fiscal year 1954-55 to carry out the purposes of this act.'

The **SPEAKER**: Is it the pleasure of the House that Senate Amendment "B" be tabled for further consideration?

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

Mr. **ROUNDY**: I am rising to make an inquiry: If we adopt Senate Amendment "B", should not Committee Amendment "A" be reconsidered and defeated?

The **SPEAKER**: The Chair requests that this matter be tabled for further study and clarification.

Mr. **ROUNDY**: Thank you very much, Mr. Speaker.

The **SPEAKER**: The Chair understands that the gentleman from Portland, Mr. Roundy, moves that Legislative Document 1262, and accompanying papers, lie on the table, unassigned, pending adoption of Senate Amendment "B". Is this the pleasure of the House?

Thereupon, the motion prevailed, and the matter was so tabled.

Senate Divided Report

Majority Report of the Committee on Judiciary reporting "Ought not to pass" on Resolve Proposing an Amendment to the Constitution to Provide for Election of Members of the Executive Council (S. P. 110) (L. D. 314)

Report was signed by the following members:

Messrs. **REID** of Kennebec
WARD of Penobscot
HARDING of Knox
 —of the Senate
 Messrs. **McGLAUFFLIN** of Portland
FULLER of Bangor
MARTIN of Augusta
TRAFTON of Auburn
LOW of South Portland
 —of the House

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

Report was signed by the following members:

Messrs. **CIANCHETTE** of Pittsfield
PITANIDES of Saco
 —of the House

Came from the Senate with the Majority Report read and accepted. Reports were read.

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

Mr. McGLAUFLLIN: Mr. Speaker, I move that the majority report be accepted.

The SPEAKER: The gentleman from Portland, Mr. McGlaufflin, moves that the majority report of the committee, "Ought not to pass", be accepted in concurrence. Is this the pleasure of the House?

The motion prevailed, and the majority "Ought not to pass" report was accepted in concurrence.

Senate Divided Report

Majority Report of the Committee on Judiciary on Bill "An Act Declaring All Court Papers, Books and Records Pertaining to Adoption Confidential and Providing for Release Thereof" (S. P. 304) (L. D. 920) reporting same in a new draft (S. P. 541) (L. D. 1454) under same title and that it "Ought to pass"

Report was signed by the following members:

Messrs. REID of Kennebec
WARD of Penobscot
— of the Senate
Messrs. FITANIDES of Saco
LOW of South Portland
CIANCHETTE of Pittsfield
MARTIN of Augusta
TRAFTON of Auburn
FULLER of Bangor
— of the House

Minority Report of same Committee reporting "Ought not to pass" on same Bill.

Report was signed by the following members:

Mr. HARDING of Knox
— of the Senate
Mr. McGLAUFLLIN of Portland
— of the House

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

In the House:

The SPEAKER: The Chair recognizes the gentleman from Pittsfield, Mr. Cianchette.

Mr. CIANCHETTE: Mr. Speaker, I move that the majority "Ought to pass" report be accepted.

The SPEAKER: The gentleman from Pittsfield, Mr. Cianchette, moves that the majority report of the committee, "Ought to pass," be accepted in concurrence.

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

Mr. McGLAUFLLIN: Mr. Speaker and Members of the House: I move the indefinite postponement of this bill. It is another very bad bill, as I propose to prove to you in the next few minutes.

This bill came, so far as I know, from the suggestion of some very good women who thought that if we could suppress our public records about adoption that it would stop, for one thing, gossip as to whether or not a child was illegitimate.

I am opposed to this bill for six reasons, and since I find that all of the other members of the Judiciary Committee in this House have voted against me, I want to make my argument so sound that they cannot break it down, and that is just what I am going to do.

In order for you to understand what the effect of that bill would be, before I start my argument, the bill as originally put in would have tied up a quarter of a million of records in Portland alone. Understand, what they are trying to do is to suppress public records.

My first objection is that it legalizes deceit. The very purpose of this measure is to deceive the public, and on this point, so that my argument may be sound, I want to take a passage from the Scriptures, Psalm 119, Verse 142, which says "Thy law is the truth." Did it ever occur to you what would be the result if God's laws were suppressed for just one moment? You can depend upon God's law because Divine law is the truth. Why should not we ask of our laws the truth as well?

You may recall the story in the Book of Matthew where the Master told this story: He said there were two men, a wise man and a foolish man. They both built a house. The wise man built his house on a rock, and the rains descended and the floods came and the winds blew and beat upon that house and it fell not because it was founded upon a rock. But the foolish man built his house upon the sand, and the rains descended and the floods came and the winds blew and beat upon that house and it fell, and great was the falling of it.

You sometimes vote upon a measure without realizing what

harm you are doing, and I am going to illustrate that by an experience of my own. When I was about nine years old my father owned a house that was situated on a mill pond. In the spring the water came up over the ice about three or four feet. I went out one morning and found two logs frozen together, and I thought they would make a good raft. So I went and got a pole, and in order to see whether that was solid I jabbed that pole into the ice two or three times between the logs. Deciding that it was solid, I went out sailing across the water on my raft. I got out where the water was pretty deep some distance from the shore when all at once those logs came apart and I was thrown into ice-water at least three feet deep, and I still remember that it seemed a long, long way to shore.

Now the point that I am trying to make to you, if you work in a little deceit here and a little deceit there, you are jabbing at the ice between the logs and you may find yourself sometime thrown into the water where you can't get ashore. We don't want deceit in our laws; we want our laws to represent the truth just as God Almighty's laws represent the truth.

Point No. 2. This law is totally inconsistent with laws that we have now. We have a provision in our statute that if you try to obtain narcotics by suppressing the truth you can be fined up to six hundred dollars or sent to prison up to six months, and if you repeat it the penalty is three or four times as great. We have laws that you can be punished if you suppress a Will. Within the last two weeks, I have learned of three cases where Judge Clifford has fined one man \$7500, another one \$10,000 and a third one where the fine was 28,000, and for what? For suppressing the truth about his income tax.

Now one man, and get this, is serving a five year term in State's prison today. Why? For suppressing the truth about being a Communist. How can we punish individuals for suppressing the truth and then put it on the statute books that it is legal to suppress the truth? Are we going to come to the point where we say, "Oh Consistency,

thou art a jewel, but seldom found in the laws of the State of Maine."

Point No. 3, and this point is important and one which should be carefully noted. Children that are adopted are generally legitimate children, sometimes they are illegitimate. If you pass this law, every gossip that you are thinking you are going to stop is going to assume that the adoption was of an illegitimate child and even a legitimate child cannot prove that he is not illegitimate. You get such matters in the hands of the gossips and they will do more harm than they will ever do by telling the truth.

Point No. 4. I recently had a call from a man in New Jersey to look up a title on Cousins Island. I found that a certain woman had obtained a deed to that property in 1908, but I couldn't find where she had ever disposed of the property. There was no record of any Will. I later found out that there had been an administration in the Probate Court and I found that her heirs were two sisters. If the law that is proposed here had been in effect at that time I could not have learned who the heirs of that woman were and the owner of the property could not have sold her property because she could not clear her title. So the objection, to this point, is because it interferes with the searching of titles of real estate.

Point No. 5. The adopted child, legitimate or illegitimate, has two sources of inheritance. Many of you do not know that, but I want to explain. If a child is adopted and he himself dies without leaving a Will, the property that he earned in his lifetime and the property that he inherited from his adopted parents goes to his next of kin as though he had been born the legitimate child of the adopted parents. On the other hand, he has another source of inheritance and that is from his mother in the case of illegitimacy or her kin or his mother and father in the case of legitimacy, and that estate descends not as it did in the other case, but it descends to his next of kin as though he had never been adopted.

Let me say further, another object of this law is helping to deceive the child himself so that he

will never know who his real parents are. If this law is adopted, how is the administrator of that estate going to know how that property descends, and how is anybody going to know whether the child is entitled to an inheritance?

Let me give one illustration. Supposing his natural parents after the adoption came into great wealth and left him \$50,000, he couldn't even find out that he was entitled to that money under this law.

Point No. 6. I put up such a kick about this law that they finally brought it out in a new draft, and the new draft provides that it shall be left with the Judge of Probate to decide whether you can see the records or whether you cannot. If he took a notion he could throw those records open to everybody, in which case the law would amount to nothing. If he took a notion he could prevent anybody from seeing them, in which case we could not get sources of inheritance. We have in Cumberland County a very fine judge, but we do not always have that type of judge. If a judge happened to be a little vindictive towards me he could prevent me from finding out the facts that were very essential.

I talked this over with the Judge of Probate of Cumberland County and the Judge of Probate of Aroostook County and they both say this is a very bad law; they don't want it.

Can't you see that just because you are trying to help somebody's feelings you can't upset the whole system of our laws? I hope that I have been able to convince you that this is a bad law, and I repeat this: whether you vote with me or vote against me I defy anyone in this House to break down my argument because it is based on the solid rock of truth. Thank you.

The SPEAKER: The gentleman from Portland, Mr. McGlauffin, moves that the two reports and bill be indefinitely postponed.

The Chair recognizes the gentleman from Pittsfield, Mr. Cianchette.

Mr. CIANCHETTE: Mr. Speaker, you will notice this committee report was signed eight to two, eight for the bill and two opposed. I should hope that the members of

this House would not have so little faith in the eight members of this committee who signed the majority report that they would pass a bill which was as bad as you have just heard this bill described as being.

Now the gentleman from Portland, Mr. McGlauffin, has pointed out in the first instance that this bill is designed to suppress facts and to deceive. It isn't that at all. It doesn't do that at all. The bill is very brief, and I will read it: "Adoption records made confidential. All probate court records relating to any adoption decreed on or after the effective date of this act are declared to be confidential. The probate courts shall keep the records of such adoptions segregated from all other court records. Such adoption records may be examined only upon authorization by the judge of the probate court."

It does not suppress these records. It simply makes those adoption records confidential, so that only those with a sound reason for seeing those records can see them, and those having a sound reason for seeing those records will be permitted to see those records.

This bill does prevent gossips and possible blackmailers from getting these records. Another thing it does: People who adopt children, in a great many cases, like to take those children as their own, so they can bring them up as their own, and treat them as their own child, and in a great many cases the child never knows that he is adopted or doesn't know until he reaches a certain age.

Now it seems to me that that is a right which the parents have if that is the way they choose to treat their adopted child. It seems to me that they should be permitted to do that, and that their plans should not be upset by gossips or even worse, by such cases as this, which happen: A woman, perhaps, has an illegitimate child and leaves the child for adoption, then sometime later, she gets interested in the child and she wants to know where the child is and so forth. In the meantime the child has been adopted, perhaps brought up as the natural child of the adoptive parents. Then this woman comes back and finds where the child is, where

the parents are, and she wants to see the child, she wants to tell the child that she is the real mother. That has happened in a good many cases, and I think any of you can realize the trouble that results from that, the frustration and the anxiety on the part of the child as well as both parents. That is another reason for this law. That is what it is primarily designed to prevent.

The gentleman from Portland, Mr. McGlauffin, has said that this law is inconsistent because it makes these records confidential. Nothing is supposed to be confidential. I would like to point out that the court records of all juvenile delinquency cases are confidential, and they are confidential for something of the same reason, to protect the names of these children. There is nothing deceptive about it, it is not hiding the fact, it is simply making it confidential so that gossips and others who can cause trouble by finding out the facts will have difficulty in finding out those facts.

It has been pointed out that this will give the impression that every adopted child is an illegitimate child. I do not think that is true. In most of these cases one of the purposes is to prevent the general public from knowing that the child is adopted if the parents do not want it known. Another thing, the child can find out if he is legitimate or illegitimate because a child would have an interest; the court would show the child the records of the case.

It has been pointed out that it will interfere with searching of titles. Again I point out, if there is any reason to believe that a certain child who has been adopted has any interest in any property, the Court again will give the lawyer in that case or whoever wants to search the title the opportunity of seeing the records.

The fifth argument was that it will cut off inheritance, and I can only say again that the Court will give permission for anybody to read these adoption papers. Ordinarily the general public does not know who an adopted child's real parents are; they do not know that the child is adopted unless the parents make it known.

So it is not the general public that this thing greatly affects. It affects those with some sort of an interest, and this simply keeps it that way, so that only those with a legitimate interest will be able to get this information, but certainly anybody with a legitimate interest would be able to get this information.

Now the last point that the gentleman from Portland, Mr. McGlauffin, made was that some judges might abuse this thing either by permitting everybody to look at the records or by permitting nobody to look at the records. I think that we are entitled to have some confidence in our judges of probate, but even if we did not have confidence in our judges of probate, in all these cases there is a right of appeal from the Probate Court to the Supreme Court of Probate, the Superior Court.

This bill, I am convinced, is a good bill, and there were eight members of the committee who were convinced it is a good bill. I hope that I have pointed out some of the discrepancies in the Judge's remarks, and I certainly hope that this House will accept the majority report.

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

Mr. STEWART: Mr. Speaker, I was very interested in the remarks of the gentleman from Pittsfield, Mr. Cianchette, saying that the court would, in the cases which were outlined by the gentleman from Portland (Mr. McGlauffin) show these papers to interested parties, that they would show the papers to the child, who would be interested, that they would show the papers to the parents if they were interested, they would show the papers to lawyers who might be interested in determining inheritance whether or not the child should be able to inherit.

I do not believe, from the reading of the bill, as I see it now, that those contingencies are definitely provided for in the bill, and it seems to me that it might be advisable, where that situation will be coming up so often, that it be written into the bill that the Judge of Probate may do certain things in these specific instances.

It is my feeling about the bill that the bill, in its present form, is subject and vulnerable to all of the objections which were so cogently outlined by the gentleman from Portland, Mr. McGlauffin.

The SPEAKER: The pending question is on the motion of the gentleman from Pittsfield, Mr. Cianchette, that the majority report of the Committee on Judiciary "Ought to pass" in New Draft be accepted.

The Chair apologizes. The pending question is on the motion of the gentleman from Portland, Mr. McGlauffin, that the two reports and Legislative Document 1454 be indefinitely postponed. Is the House ready for the question?

As many as are in favor of the motion of the gentleman from Portland, Mr. McGlauffin, for the indefinite postponement of Legislative Document 1454 will say aye; those opposed will say no.

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

Twenty-one having voted in the affirmative and sixty-seven having voted in the negative, the motion did not prevail.

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

Mr. STEWART: Mr. Speaker, if the motion is in order at this time, I move to recommit this matter to the Committee on Judiciary, to include in the bill some of the provisions—

(Calls of "No")

The SPEAKER: The House will be in order. The motion for recommitment is in order. The Chair understands that the gentleman from Portland, Mr. Stewart, moves that the two reports and Legislative Document 1454, which is a new draft of Legislative Document 920, be recommitted to the Committee on Judiciary.

The Chair recognizes the same gentleman.

Mr. STEWART: Mr. Speaker, it seems to me that some vital objections to the bill were set forth in the remarks of the Representative from Portland, Mr. McGlauffin, and it seems to me that those objections were recognized in the remarks of the gentleman from Pittsfield, Mr. Cianchette, and I would like to see those objections definitely obviated

in the wording of the bill. If it is the judgment of this House that the remarks should be determined in the bill, that the objections outlined should be determined, and it seems to me the remarks of the gentleman from Pittsfield (Mr. Cianchette) might indicate that, then it is my hope that this matter might be recommitted to the Committee on Judiciary for further writing of the bill.

The SPEAKER: The Chair recognizes the gentleman from Pittsfield, Mr. Cianchette.

Mr. CIANCHETTE: Mr. Speaker, I am not certain what the gentleman from Portland, Mr. Stewart, refers to, in that I found something wrong with this bill or that there is anything wrong with this bill. I think that from the bill as written, that the Judge of Probate would have no trouble in administering it, and all of the objections pointed out by the gentleman from Portland, Mr. McGlauffin, here today were pointed out before the committee, and you will notice that this is a new draft.

This bill was given a thorough hearing and we spent considerable time on it in committee. I am convinced that if it were recommitted, it would come out again the same as it is now. I see no reason for recommitting this bill.

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

Mr. MCGLAUFFIN: Mr. Speaker, I think it would be unwise to recommit.

The SPEAKER: The pending question is on the motion of the gentleman from Portland, Mr. Stewart—

Mr. STEWART: Mr. Speaker, I will withdraw my motion, if I may.

The SPEAKER: The Chair understands the gentleman from Portland, Mr. Stewart, withdraws his motion.

The question now before the House is on the motion of the gentleman from Pittsfield, Mr. Cianchette, that the majority report of the committee, "Ought to pass" in New Draft, on Bill "An Act Declaring All Court Papers, Books and Records Pertaining to Adoption Confidential and Providing for Release Thereof" (S. P. 541) (L. D.

1454) be accepted in concurrence. Is this the pleasure of the House?

Thereupon, the motion prevailed and the majority "Ought to pass" in New Draft report was accepted in concurrence.

The Bill was then given its two several readings and was assigned for third reading tomorrow morning.

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

Passed to Be Enacted Emergency Measure

The SPEAKER: At this time the Chair recognizes the gentleman from Bucksport, Mr. Jewett.

Mr. Jewett was given unanimous consent to address the House.

Mr. JEWETT: Mr. Speaker, I ask unanimous consent that An Act to Incorporate the Castine Water District, House Paper 435, Legislative Document 495, which is Item 3 under the Enactors of today, be taken up at this time. My reason for doing so is that there are certain things down in Castine that would make it very convenient for them to get this in at the time, because there is a water condition existing down there.

The SPEAKER: Does the Chair hear objection to the unanimous consent request of the gentleman from Bucksport, Mr. Jewett, that Item 3, under today's Enactors, An Act to Incorporate the Castine Water District, House Paper 435, Legislative Document 495, be taken up out of order at this time. The Chair hears none, and the Clerk will read the title.

The CLERK: House Paper 435, Legislative Document 495, An Act to Incorporate the Castine Water District.

The SPEAKER: The present membership of the House is 151. This being an emergency measure, under the Constitution it requires for its passage the affirmative vote of two-thirds of the entire elected membership of the House.

As many as are in favor of the passage of this bill to be enacted as an emergency will kindly rise and remain standing until the moni-

tors have made and returned the count.

A division of the House was had.

The SPEAKER: One hundred and twenty-nine having voted in the affirmative and not any having voted in the negative, 129 being more than two-thirds of the entire elected membership of the House, the bill is passed to be enacted as an emergency. It will be signed by the Speaker and sent to the Senate.

The Chair understands that the gentleman from Bucksport, Mr. Jewett, moves that this matter be sent forthwith to the Senate. Does the Chair hear objection? The Chair hears none.

Ought to Pass Recommended

Report of the Committee on Highways reporting "Ought to pass" on Bill "An Act to Increase the Salaries of Members of the State Police" (S. P. 295) (L. D. 829)

Came from the Senate with the Report read and accepted and the Bill recommitted to the Committee on Highways.

In the House, Report was read and accepted, and the Bill was re-committed to the Committee on Highways in concurrence.

Non-Concurrent Matter

Resolve to Create a Special Committee to Study Safeguards in Construction Projects (S. P. 536) (L. D. 1441) which was indefinitely postponed in the House on April 21.

Came from the Senate with that body voting to insist on its former action whereby the Resolve was passed to be engrossed.

In the House:

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

Mr. DICKEY: Mr. Speaker, I see no useful purpose of the House insisting on its action. The other branch has not asked for a committee of conference, therefore my motion is to adhere.

The SPEAKER: The gentleman from Brooks, Mr. Dickey, moves that the House adhere. It is the pleasure of the House?

The motion prevailed, and the House voted to adhere.

The SPEAKER: The Chair recognizes the gentlemen from Mexico, Mr. Small.

Mr. SMALL: Mr. Speaker, I arose to speak upon the motion of the gentleman from Brooks, (Mr. Dickey).

The SPEAKER: Does the Chair understand the gentleman might wish that the House reconsider its action whereby the House just voted to adhere?

Mr. SMALL: Yes, Mr. Speaker.

The SPEAKER: The gentleman from Mexico, Mr. Small, moves that the House reconsider its action whereby it voted to adhere in connection with L.D. 1441. Is this the pleasure of the House?

Mr. GATES of Millinocket: Mr. Speaker—

The SPEAKER: There is a motion before the House. Does the gentleman wish to speak to that motion?

Mr. GATES: Yes, I do, Mr. Speaker.

The SPEAKER: Will the gentleman from Millinocket, Mr. Gates, kindly defer his remarks?

Does the gentleman from Mexico, Mr. Small, wish to speak to his motion?

Mr. SMALL: On the motion to adhere?

The SPEAKER: On his motion to reconsider.

Mr. SMALL: Yes, I would, Mr. Speaker.

The SPEAKER: The gentleman may proceed.

Mr. SMALL: Mr. Speaker and Members of the House; I believe that your action the other day was taken rather hastily. This morning I was told that this House could debate matters pertaining to fish and animals, but when it came to human beings they did not seem to do it so much.

The Committee on Labor, as I told you a few days ago, spent considerable time at the hearing listening to those who appeared for the original bill. After the hearing, at which not only many members representing industry spoke but at which many members interested in the building trades and the unions appeared and spoke, the committee agreed with industry and with those members of the building trades that the bill presented would probably not be work-

able and was not suited to the State of Maine. But our committee did agree with members of industry and members representing the building trades that something could probably be worked out, and we unanimously went along with the suggestion proposed to you.

I believe that the people who work in the construction industry in this State are worthy of consideration, that their safety is a matter of great importance to all of us as well as to them, and when industry and the members of that building group agree to something I do not think the members of this Legislature should stand in the way of trying to get a better code for their safety.

I do not think that the member of this House from Brooks (Mr. Dickey) was present at that hearing. If he were present, he did not speak upon the matter. As I look around this body I do not think that too many others of you were present.

I admit that sometimes we do not accept unanimous reports of our committees, but I believe that those reports are deserving of consideration, and I certainly hope that you move to reconsider this matter and recede from your former action and concur with the Senate.

The SPEAKER: Does the gentleman from Millinocket, Mr. Gates, wish to speak on the motion to reconsider?

Mr. GATES: Yes, Mr. Speaker.

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

Mr. GATES: Mr. Speaker, I concur with Mr. Small. He has made all the remarks that I had hoped to make. He is accurate in his account of what happened in our committee. This bill was brought in and it had considerable merit. The purpose of the bill is to have an inspection of elevators and stagings and dangerous conditions on construction jobs, and they are entitled to that inspection. But as the bill was originally written it was not a good bill and we of the Labor Committee have considered it and have brought out this new draft whereby we will make a research or examination to find out

whereby some safeguards can be made to safeguard the construction industry and still have it acceptable to every citizen of the State of Maine. I agree with all of his remarks and I hope that we will reconsider and concur with the Senate.

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

Mr. **DICKEY**: Mr. Speaker and Members of the House: I am not opposed to labor but I am opposed to this redraft of the original bill. I believe the reason this House went along with the indefinite postponement was because in this redraft it asks to set up another commission; it asks for the sum of \$1000, it asks that two persons represent the construction industry, it asks that two persons represent the employees, it asks for one member of the Senate, it asks for one member of the House to act as a committee or commission to study the problems. I felt before, and I feel now, that we do have a Research Committee that is set up to do just this thing. I hope that the House will not move to reconsider.

The **SPEAKER**: The Chair recognizes the gentleman from Mexico, Mr. Small.

Mr. **SMALL**: I discussed this matter, Mr. Speaker and Members, with the gentleman from Brooks (Mr. Dickey) yesterday, after the session. He agreed with me that something should be done. When he did that, he agreed with our committee, and he agreed with the members of industry and he agreed with the members of the building trade.

If we had wanted to refer this to the Research Committee, we would have so recommended. In the judgment of the interested parties and the Labor Committee, this other committee would be far better and more acceptable than referring it to the Research Committee.

Mr. **LETOURNEAU** of Sanford: Mr. Speaker, I move the previous question and I ask that when the vote is taken, it be taken by a division.

The **SPEAKER**: The gentleman from Sanford, Mr. Letourneau, moves the previous question and

also that a division be had. 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 sufficient number arose.

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 is: Shall the main question be put now? All those in favor of the main question being put now will say aye; those opposed, no.

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

The **SPEAKER**: The pending question is on the motion of the gentleman from Mexico, Mr. Small, that the House reconsider its action whereby it voted to adhere to its former action in relation to Legislative Document 1441, and a division has been requested.

As many as are in favor —

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

Mr. **GATES**: Mr. Speaker, I don't just understand. The motion of Mr. Small was to reconsider and concur with the Senate?

The **SPEAKER**: The Chair will state that the House must reconsider its former action before another motion can be put.

The gentleman from Sanford, Mr. Letourneau, requested a division. As many as are in favor of the motion of the gentleman from Mexico, Mr. Small, that the House reconsider its former action whereby it voted to adhere will kindly rise and remain standing in their places until counted and the monitors have made and returned the count.

A division of the House was had.

Sixty having voted in the affirmative and thirty-nine having voted in the negative, the motion to reconsider prevailed.

The **SPEAKER**: The Chair awaits a motion.

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

Mr. DICKEY: Mr. Speaker and Members of the House: I now move that we insist.

The SPEAKER: The gentleman from Brooks, Mr. Dickey, moves that the House insist on its former action.

As many as are in favor will please say aye; those opposed, no.

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

Fifty-one having voted in the affirmative and sixty having voted in the negative, the motion to insist did not prevail.

The SPEAKER: The Chair recognizes the gentleman from Mexico, Mr. Small.

Mr. SMALL: I now move that the House concur with the Senate in their action on this matter.

The SPEAKER: The gentleman from Mexico, Mr. Small, moves that the House recede and concur.

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

Mr. DICKEY: Mr. Speaker, I am not trying to delay this but I rise for a point of information.

The SPEAKER: The gentleman may proceed.

Mr. DICKEY: My question is this: If the House votes to recede and concur with the Senate, are we receding and concurring on their motion to insist?

The SPEAKER: The Chair so interprets, that we are receding from our former action by this motion, recede; then a motion would be in order for the passage of the bill through its various readings, if that is the pleasure of the House.

The pending question at this time is on the motion of the gentleman from Mexico, Mr. Small, that the House recede and concur with the Senate.

As many as are in favor of the motion of the gentleman from Mexico, Mr. Small, that the House recede will please say yes; those opposed will say no.

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

The SPEAKER: Sixty-six having voted in the affirmative and thirty-eight having voted in the negative, the House has voted to recede and concur with the Senate.

The Chair understands that the gentleman from Mexico, Mr. Small, moves that the "Ought to pass" re-

port of the committee on Resolve to Create a Special Committee to Study Safeguards in Construction Projects, S. P. 536, L. D. 1441, be accepted. Is this the pleasure of the House?

Thereupon, the "Ought to pass" report was accepted in concurrence, the resolve was given its first reading and assigned for second reading tomorrow morning.

Non-Concurrent Matter

Bill "An Act to Provide for the Observance of Legal Holidays" (H. P. 819) (L. D. 850) which was indefinitely postponed in the House on April 16.

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

In the House:

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

Mr. MCGLAUFLIN: Mr. Speaker, I move we insist and ask for a Committee of Conference.

The SPEAKER: The gentleman from Portland, Mr. McGlauffin, moves that the House insist on its former action whereby L. D. 850 was indefinitely postponed and request a committee of conference.

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

Mr. DAVIS: Mr. Speaker and Members of the House: I did not really expect my friend, the gentleman from Portland, Mr. McGlauffin, would be willing to go along with me on this, but perhaps he would not object if I said he told me on Tuesday morning that he enjoyed the Monday holiday we had this week. I don't doubt that he enjoyed it just as much on the 20th as he would have on the 19th. (Laughter)

As I pointed out last week, this is a harmless measure but it is a progressive one. It does not become effective until or unless thirty-one other states adopt it. It may never become effective if passed by this Legislature, but certainly if thirty-one other states do adopt it the State of Maine would be behind the eight-ball if it failed to go along.

Our State, through its Development Commission, is spending

thousands of dollars each year to promote travel within the State, and this is one way that it can be accomplished without any additional expense to anyone.

The opposition contended last week that the passage of this bill would increase automobile accidents. I have heard it said that anyone born to be hanged will never be killed in an automobile accident. Certainly if we are going to oppose this bill on the basis of traffic hazards we should take the word "Vacationland" off from our automobile plates and substitute the words "Suicide State."

Another point that I wish to bring to your attention is the effect that the passage of this bill would have on our state budget when the law becomes effective. One of the holidays included in this bill now falls on Thursday every year and the remaining three fall on Thursday from time to time. As most of you know, it is the custom if a holiday falls on Thursday to give our State employees Friday off too. I have checked the cost of this with your State Controller's office and find that the cost of State employees amounts to approximately \$75,000 per day. I submit to you that \$75,000, and in some years three times that amount, could be used to better advantage for other programs such as educational subsidy.

Between November 27, 1952 and January 2, 1953, a period of thirty-five days, three of these Thursday holidays occurred which meant the granting of the following Friday in each case and it cost approximately \$225,000 to the State. One of these would have been eliminated under the provisions of this bill.

To my knowledge, this is the only bill that has been introduced during this session which would not be discriminatory to any group or class of people of any section of this State, that would benefit all classes of industry and labor and our out-of-state business as well.

Mr. Speaker, I move that we now recede and concur with the Senate, and when the vote is taken I ask for a division.

The SPEAKER: The gentleman from Harrison, Mr. Davis, moves

that the House recede and concur with the Senate.

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

Mr. TOTMAN: Mr. Speaker and Members of the House and fellow respiratory invalids, for which I apologize, I do not think that we need to debate this question too long this morning and I don't intend to do it. I simply feel that the motion of the gentleman from Portland, Mr. McGlauffin, is a reasonable motion, I think his arguments the other day were excellent. If you go along with the motion of the gentleman from Portland, Mr. McGlauffin, it does not kill the bill, it simply allows the debate to be carried on in a committee rather than be extended here on the floor of the House, at least temporarily. Therefore I favor the motion of the gentleman from Portland, Mr. McGlauffin.

The SPEAKER: The Chair recognizes the gentlewoman from Presque Isle, Mrs. Christie.

Mrs. CHRISTIE: Mr. Speaker and Members of the House: I wonder if because we consider ourselves a vacationland we are always going to be moved primarily by the dollar sign. It seems to me that if that is the case we had better put that on our number plates too. The Bible says, "The love of money is the root of all evil." If we think only of dollars and cents in our voting we are submitting to this evil of the love of money. It seems to me that the arguments that were given the other day by the gentleman from Portland, Mr. McGlauffin, are splendid arguments and that we should adhere to our action.

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

Mr. FOGG: Mr. Speaker and Members of the House: I feel that I am very much in favor of this change in holidays, and I am not prompted on that by the love of money; I just like to have a long weekend, that is all, and I just like to have plenty of time to go out and have a good time for myself. I have always found that when I take a day off in the middle of the week

the afternoon before the holiday I am no good and the morning after the holiday I am usually not too good. I believe that everybody concerned on this thing is going to appreciate having a three-day holiday on these weekends. I think it will be good for business, not from the standpoint of the dollar sign but from the standpoint of efficiency, because I have worked in several different companies in my life and I have never seen where a holiday did not disrupt the whole organization when it came in the middle of a week. I am very much in favor of the gentleman from Harrison, Mr. Davis.

The SPEAKER: The pending question before the House is on the motion of the gentleman from Harrison, Mr. Davis, that the House recede from its former action whereby it indefinitely postponed the bill. Is this the pleasure of the House?

(Calls of "No")

As many as are in favor of the motion that the House recede from indefinite postponement of the bill 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: Forty-four having voted in the affirmative and seventy-three having voted in the negative, the motion to recede does not prevail.

The question before the House now is on the motion of the gentleman from Portland, Mr. McGlauffin, that the House insist on its former action and request a Committee of Conference. Is this the pleasure of the House?

(Calls of "Yes")

Thereupon, the motion prevailed.

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

Thereupon, the Sergeant-at-Arms escorted the gentleman from Auburn, Mr. Trafton, to the rostrum, where he assumed the Chair amid the applause of the House, the

members rising, and Speaker Bates retired.

Non-Concurrent Matter

Bill "An Act relating to Joint Tenancies Between Husband and Wife" (H. P. 1246) (L. D. 1452) which was passed to be engrossed in the House on April 17.

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

In the House:

On motion of Mr. Cianchette, of Pittsfield, the House voted to recede from its former action whereby it passed the bill to be engrossed.

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

SENATE AMENDMENT "A" to H. P. 1246, L. D. 1452, Bill "An Act Relating to Joint Tenancies Between Husband and Wife."

Amend said Bill by striking out the Title thereof and inserting in place thereof the following Title:

'An Act Relating to a Method of Creating Joint tenancies in Real Property.'

Further amend said Bill by striking out the last underlined sentence and inserting in place thereof the following underlined sentence:

'Estates in joint tenancy so created shall have and possess all of the attributes and incidents of estates in joint tenancy created or existing at common law and the rights and liabilities of the tenants in estates in joint tenancy so created shall be the same as in estates in joint tenancy created or existing at common law.'

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

Messages and Documents

Communication from the Maine State Retirement System explaining reasons for the difference in the General Fund Appropriation requests appearing in the Budget Report between the amounts originally estimated and the amounts recommended by the Budget Committee to the Legislature.

The Communication follows:

STATE OF MAINE
Maine State Retirement System
Augusta
April 22, 1953

TO

Honorable Harvey R. Pease, Clerk
House of Representatives
State House
Augusta, Maine

This communication is directed to you in response to a request made to this department by the Chairman of the Legislative Committee on Appropriations and Financial Affairs primarily for explaining the reasons for the difference in the General Fund Appropriation requests as appearing in the budget report as between the amounts originally estimated and the amounts recommended by the Budget Committee to the Legislature.

Budget estimates are, under the law, required to be filed with the Advisory Committee on Budget by the first of October in each even year of the biennium. The estimates of the requirements of the System for the next two years are based by the Consulting Actuary of the System, among other things, on the total salaries of General Fund members of the System as of the end of the last fiscal year—in this instance, as of June 30, 1952. It is not possible to have the valuation computations cleared on an exact basis by the Actuary in the relatively short period of time elapsing between the end of the fiscal year and the start of the budget hearings. This results in the original estimates presented by the Actuary as being based on his best judgment at that time pending the completion of the annual valuation which he is then in process of making. By the time the budget hearings are completed or by the time the Legislature convenes, the actuarial valuation is normally completed and a firmer estimate of anticipated costs is available.

This procedure was followed in connection with the estimates for the next biennium as it always has been.

The preliminary figures offered for General Fund employees, M. T. R. A. teachers, and the various special fund employees did not vary

greatly from the final figures as presented to the Appropriations Committee. The major reason for the increased request made to the Appropriations Committee over and above the original estimates is due to the pension costs of the old non-funded group of teachers. As an indication of the constantly increasing costs of this particular group, the payments increased from the pay roll of June to the pay roll of October 1952 by an amount of \$7,798.53, or on an annual basis this would amount to an increase of over \$93,000.00. There are at the moment some 1,065 teachers in this particular group presently drawing retirement benefits and at the time the final budget estimates were compiled this ran to an annual cost of some \$869,000.00

In the belief that these costs would increase during the next two years of the biennium on approximately the same relative rate of increase as had pertained over the previous several months, the Actuary recommended to the Appropriations Committee an increase in the over-all appropriation for this particular group of approximately \$250,000.00 for the first year of the biennium and approximately \$500,000.00 for the second year of the biennium.

There are still better than 2,000 teachers in this particular group to yet retire, and as practically all of them are presently eligible to retire at any time upon their own election due to their age, the Actuary feels that the estimates for the next two years to cover the cost of this particular group are minimum requirements only.

The attention of the Members of the Legislature is respectfully called to the comments made by the Actuary in the Biennial Report of the Maine State Retirement System for the fiscal biennium ended June 30, 1952, specifically under the heading "Non-Contributory Teachers System" which appears on page 12 and 13 of the Report.

For the Board of Trustees
(Signed) EARLE R. HAYES
Secretary

The Communication was read and ordered placed on file.

House Reports of Committees Ought Not to Pass

Mr. Gowell from the Committee on Legal Affairs reported "Ought not to pass" on Bill "An Act to Provide a Town Council and Manager Form of Government for the Town of Old Orchard Beach" (H. P. 933) (L. D. 1027)

Report was read and accepted and sent up for concurrence.

Tabled

Mr. Stewart of Paris from the Committee on Legal Affairs reported "Ought not to pass" Bill "An Act relating to Issuance of Harness Horse Racing Licenses" (H. P. 931) (L. D. 996)

Report was read.

(On motion of Mr. Center of Standish, the Report, with accompanying Bill, was tabled without assignment, pending acceptance of Committee Report)

Ought to Pass in New Draft

Mr. Childs from the Committee on Legal Affairs on Bill "An Act relating to Application of Plumbing Laws" (H. P. 833) (L. D. 863) reported same in a new draft (H. P. 1276) (L. D. 1512) under same title and that it "Ought to pass"

Mr. Ford from the Committee on Public Health on Bill "An Act relating to the Law of Manufacture and Sale of Bedding and Upholstered Furniture" (H. P. 147) (L. D. 159) reported same in a new draft (H. P. 1275) (L. D. 1511) under same title and that it "Ought to pass"

Mr. Clements from the Committee on Welfare on the following Resolves:

S. P. 102, Resolve Providing for State Pension for Donald M. Laughlin, of Plantation No. 33.

S. P. 120, Resolve Providing for State Pension for Burleigh M. F. Esancy, of Union.

S. P. 152, Resolve Providing for a State Pension for Frank D. Michaud, of Lewiston.

S. P. 153, Resolve Providing for a State Pension for Harriett M. Labbe, of Lewiston.

S. P. 154, Resolve Providing for a State Pension for Marie Louise Roberge, of Lewiston.

S. P. 155, Resolve Providing for a State Pension for Marie Rose Gagnon of Auburn.

S. P. 156, Resolve Providing for a State Pension for Willie Desrosier, of Lewiston.

S. P. 196, Resolve Providing for State Pension for Mrs. Alice E. Dunton, of Augusta.

S. P. 197, Resolve Providing for State Pension for Malcolm A. Salisbury, of Mariaville.

S. P. 198, Resolve Providing for State Pension for Thomas William Moulton, of Kittery.

S. P. 264, Resolve Providing for an increase in State Pension for Ray Morris of St. Francis.

S. P. 265, Resolve Providing for State Pension for Colby Whittemore, of Sebec.

S. P. 266, Resolve Providing for State Pension for Earl Whittemore, of Sebec.

S. P. 282, Resolve Providing for State Pension for Gertrude Hanscom, of Machias.

S. P. 339, Resolve Providing for an increase in State Pension for Earle Beaulieu, of Orono.

S. P. 340, Resolve Providing for State Pension for Marie Blanche Couillard, of Lewiston.

S. P. 341, Resolve Providing for State Pension for Zephirin Daigle, of Lewiston.

S. P. 364, Resolve Providing for an increase in State Pension for Mrs. Vivian Dill, of Mount Vernon.

S. P. 383, Resolve Providing for a State Pension for Anna L. Gagan, of Lewiston.

S. P. 384, Resolve Providing for State Pension for Lynwood R. Bowden, of Orland.

S. P. 385, Resolve Providing for State Pension for Arthur Swazey, of Bucksport.

S. P. 506, Resolve Providing for State Pension for Napoleon Breard, of Waterville.

H. P. 19, Resolve Providing for State Pension for Fred B. Lee, of Medway.

H. P. 50, Resolve Providing for an Increase in State Pension for Charles Smith, of Caswell Plantation.

H. P. 51, Resolve Providing for an Increase in State Pension for Guy Howland, of Caswell Plantation.

H. P. 52, Resolve Providing for an Increase in State Pension for Alfred Wik, of Stockholm.

H. P. 54, Resolve Providing for State Pension for George Hurd, of Limestone.

H. P. 55, Resolve Providing for State Pension for Nannie Anderson, of Stockholm.

H. P. 56, Resolve Providing for an Increase in State Pension for Bernard M. Kelley, of Monroe.

H. P. 57, Resolve Providing for an Increase in State Pension for John Ellis, of Monroe.

H. P. 58, Resolve Providing for an Increase in State Pension for Donald Forbes, of Brooks.

H. P. 59, Resolve Providing for an Increase in State Pension for Joyce Teeney, of Brooks.

H. P. 81, Resolve Providing for State Pension for Merle Merrill, of Montville.

H. P. 83, Resolve Providing for an Increase in State Pension for Dudley Howard, of Searsmont.

H. P. 84, Resolve Providing for State Pension for Helen Robbins, of Rockland.

H. P. 127, Resolve Providing for State Pension for Harry E. Cobb, of Harmony.

H. P. 129, Resolve Providing for State Pension for Leland J. Small, of Lewiston.

H. P. 132, Resolve Providing for State Pension for Elmer McKenney, of Lowell.

H. P. 133, Resolve Providing for an Increase in State Pension for John Upham, of Thomaston.

H. P. 156, Resolve Providing for State Pension for Isabella M. Johnson, of Orono.

H. P. 157, Resolve Providing for an Increase in State Pension for Milton Connors, of Hampden.

H. P. 201, Resolve Providing for an Increase in State Pension for Charlotte E. Morrill, of Belfast.

H. P. 202, Resolve Providing for an Increase in State Pension for Blanche Dyer, of Belfast.

H. P. 203, Resolve Providing for an Increase in State Pension for Helen E. Easler, of Richmond.

H. P. 204, Resolve Providing for an Increase in State Pension for Lillian Sibley, of Old Town.

H. P. 247, Resolve Providing for State Pension for Jane Antworth, of Bath.

H. P. 248, Resolve Providing for State Pension for Alfred L. McClure, of Stacyville.

H. P. 249, Resolve Providing for an Increase in State Pension for Ina Lovejoy, of East New Portland.

H. P. 296, Resolve Providing for an Increase in State Pension for Charles Bowen, of Newburg.

H. P. 298, Resolve Providing for an Increase in State Pension for Marada Carr of Island Falls. (See John W. Carr)

H. P. 299, Resolve Providing for State Pension for Francis Green, of Whiting.

H. P. 300, Resolve Providing for State Pension for Nettie Hood, of Lubec.

H. P. 301, Resolve Providing for State Pension for Fred H. Crane, of Whiting.

H. P. 305, Resolve Providing for State Pension for Elizabeth Bowden, of Orland.

H. P. 308, Resolve Providing for State Pension for George Maxwell, of Princeton.

H. P. 366, Resolve Providing for an Increase in State Pension for Bertha M. Hodge, of Mechanic Falls.

H. P. 367, Resolve Providing for an Increase in State Pension for Austin M. Weikel, of Cape Elizabeth.

H. P. 368, Resolve Providing for State Pension for Thurston Henderson, of Milo.

H. P. 369, Resolve Providing for an Increase in State Pension for Evelyn Moody, of Belfast.

H. P. 370, Resolve Providing for an Increase in State Pension for Jennie Mower, of Belfast.

H. P. 371, Resolve Providing for State Pension for Stephen G. Bagley, of Montville.

H. P. 372, Resolve Providing for State Pension for Cora Richards, of Searsmont.

H. P. 373, Resolve Providing for State Pension for Kenneth Dougay, of Rumford.

H. P. 377, Resolve Providing for State Pension for Harry Yates, of Camden.

H. P. 378, Resolve Providing for an Increase in State Pension for Hilda Ambrose, of Masardis.

H. P. 379, Resolve Providing for State Pension for Marguerite E. Ames, of Charleston.

H. P. 380, Resolve Providing for State Pension for Cora Scribner, of Bradford.

H. P. 381, Resolve Providing for State Pension for Peter Brasslett, of Hudson.

H. P. 382, Resolve Providing for State Pension for Georgiana Baum, of St. George.

H. P. 383, Resolve Providing for State Pension for Martha Zebe, of Poland.

H. P. 388, Resolve Providing for State Pension for Gordon Kinney, of Washburn.

H. P. 389, Resolve Providing for an Increase in State Pension for Cecil Overlock, of Hallowell.

H. P. 392, Resolve Providing for State Pension for Lawrence Bartell Banks, of Bridgton.

H. P. 396, Resolve Providing for State Pension for Marie Ange Fongemie, of Madawaska.

H. P. 456, Resolve Providing for State Pension for Raymond Williams, of Newcastle. (See Ronald Williams)

H. P. 459, Resolve Providing for an Increase in State Pension for Freda Potter, of North Whitefield.

H. P. 460, Resolve Providing for State Pension for Arthur Thibodeau, of Caribou.

H. P. 461, Resolve Providing for State Pension for Levi Bouchard, of North Caribou.

H. P. 462, Resolve Providing for an Increase in State Pension for Thomas Bard, of Fort Kent.

H. P. 463, Resolve Providing for State Pension for Lena Doucette, of Fort Kent.

H. P. 464, Resolve Providing for State Pension for Carroll F. Crowley, of Jonesport.

H. P. 469, Resolve Providing for State Pension for Shepard Harmon, of Augusta.

H. P. 471, Resolve Providing for an Increase in State Pension for Flora E. Mosher, of Smithfield.

H. P. 472, Resolve Providing for State Pension for Nina Callahan, of Houlton.

H. P. 473, Resolve Providing for State Pension for Arthur Giasson, of Rumford.

H. P. 475, Resolve Providing for an Increase in State Pension for Charles Robie, of Mexico.

H. P. 558, Resolve Providing for an Increase in State Pension for Leroy Earle Clewley, of Etna.

H. P. 559, Resolve Providing for an Increase in State Pension for Victor E. Mitchell, of Etna.

H. P. 561, Resolve Providing for State Pension for Alvina Dumond, of Fort Kent.

H. P. 562, Resolve Providing for an Increase in State Pension for Kenneth Graves, of Brewer.

H. P. 563, Resolve Providing for State Pension for Ivan Dearborn, of Monmouth.

H. P. 565, Resolve Providing for an Increase in State Pension for Charles Ora Butters, of Exeter.

H. P. 567, Resolve Providing for State Pension for Harry McKenney, of Newport.

H. P. 569, Resolve Providing for State Pension for Minnie Henderson, of St. Francis.

H. P. 570, Resolve Providing for State Pension for Effie Hoyt, of Warren.

H. P. 571, Resolve Providing for an Increase in State Pension for John C. Prescott, of East Corinth.

H. P. 572, Resolve Providing for an Increase in State Pension for Wilfred Turgeon, of Waterboro.

H. P. 613, Resolve Providing for an Increase in State Pension for Curtis Bragdon, of Mechanic Falls.

H. P. 614, Resolve Providing for State Pension for Bennett Sawyer, of Kennebunkport.

H. P. 615, Resolve Providing for State Pension for Hubert A. Bowie, of Baldwin.

H. P. 616, Resolve Providing for an Increase in State Pension for Edna Bickford, of Richmond.

H. P. 617, Resolve Providing for State Pension for James Kimball, of Medway.

H. P. 620, Resolve Providing for an Increase in State Pension for Bertha F. Poster, of Lewiston.

H. P. 621, Resolve Providing for State Pension for Beulah F. Raymond, of Westbrook.

H. P. 697, Resolve Providing for State Pension for Barbara Thompson, of Gorham.

H. P. 698, Resolve Providing for State Pension for Arthur Denihan, of Bangor.

H. P. 701, Resolve Providing for State Pension for Lida Blood, of Northport.

H. P. 703, Resolve Providing for an Increase in State Pension for Annette Chasse, of Van Buren.

H. P. 704, Resolve Providing for State Pension for Therese Jacques, of Van Buren.

H. P. 707, Resolve Providing for State Pension for Gertrude L. Parent, of Augusta.

H. P. 708, Resolve Providing for State Pension for Stanley Bolstridge, of Portage Lake.

H. P. 710, Resolve Providing for an Increase in State Pension for Fern Frances French, of East Corinth.

H. P. 711, Resolve Providing for State Pension for John B. Decker, of Lagrange.

H. P. 771, Resolve Providing for State Pension for Charles E. Rankin, of Franklin.

H. P. 773, Resolve Providing for an Increase in State Pension for Stephen G. Johnson, of Old Orchard Beach.

H. P. 774, Resolve Providing for State Pension for Blanche M. Dunlap, of Bangor.

H. P. 775, Resolve Providing for an Increase in State Pension for Velma Lawler, of Oakfield.

H. P. 777, Resolve Providing for an Increase in State Pension for Alice Sirois, of Old Town.

H. P. 778, Resolve Providing for an Increase in State Pension for Joseph Chouinard, of Old Town.

H. P. 779, Resolve Providing for State Pension for Alabama Dumphy, of Highland Plantation.

H. P. 780, Resolve Providing for State Pension for Maurice Albert, of Madawaska.

H. P. 782, Resolve Providing for an Increase in State Pension for Artheline Doucette, of Madawaska.

H. P. 884, Resolve Providing for State Pension for Charles Burnham, of Auburn.

H. P. 887, Resolve Providing for State Pension for Villa Boone, of Eastport.

H. P. 888, Resolve Providing for State Pension for Elizabeth St. Lawrence, of Eastport.

H. P. 890, Resolve Providing for State Pension for Arthur Jollotta, of Eastport.

H. P. 891, Resolve Providing for an Increase in State Pension for Maggie Caird, of Dexter.

H. P. 892, Resolve Providing for State Pension for Geneva Morton, of Garland.

H. P. 893, Resolve Providing for State Pension for Walter A. Leavitt, of Lincoln Center.

H. P. 895, Resolve Providing for an Increase in State Pension for William McGowan, of Reed Plantation.

H. P. 896, Resolve Providing for State Pension for Hazel E. Carr, of Orient.

H. P. 954, Resolve Providing for State Pension for Lester Townsend, of Etna.

H. P. 955, Resolve Providing for State Pension for Hira Howes, of Carmel.

H. P. 957, Resolve Providing for an Increase in State Pension for Marlene Smart, of Prospect.

H. P. 958, Resolve Providing for State Pension for George N. Harri-man, of Searsport.

H. P. 1011, Resolve Providing for State Pension for Harriet Sheaff, of Norridgewock.

H. P. 1012, Resolve Providing for State Pension for Russell Williams, of Calais.

H. P. 1029, Resolve Providing for State Pension for Helen J. Lindsay, of Damariscotta.

H. P. 1069, Resolve Providing for an Increase in State Pension for Lloyd L. Arnold, of Randolph.

H. P. 1070, Resolve Providing for State Pension for Victor J. Dehetre, of Brunswick.

H. P. 1147, Resolve Providing for a Pension for Ola M. Doherty, of Belfast.

H. P. 1161, Resolve Providing for State Pension for Blanche Lavoie, of Grand Isle.

H. P. 1179, Resolve Providing for an Increase in State Pension for Gladys Guimond, of Auburn.

H. P. 1180, Resolve Providing for State Pension for Frank Nesbit, of Chapman.

H. P. 1212, Resolve Providing for State Pension for Charles Batchelder, of Garland.

H. P. 1217, Resolve Providing for State Pension for Helen Duncan, of Thomaston.

H. P. 1235, Resolve Providing for State Pension for Fred J. Kaphishke, of Richmond.

reported a Consolidated Resolve (H. P. 1273) (L.D. 1509) under title

of "Resolve Providing for Soldiers and Sailors and Dependents and Other Needy Persons" and that it "Ought to pass."

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

**Ought to Pass
Printed Bills
Tabled**

Mr. Stewart of Paris from the Committee on Legal Affairs reported "Ought to pass" on Bill "An Act relating to the Practice of Architecture" (H. P. 676) (L. D. 692)

Report was read.

(On motion of Mr. Albert of Augusta, the Report, with accompanying Bill, was tabled without assignment pending acceptance of Committee Report).

**Ought to Pass
with Committee Amendment**

Mr Trafton from the Committee on Judiciary on Bill "An Act Amending the Charter of the Waldo County Municipal Court" (H. P. 969) (L. D. 1057) 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. 969, L. D. 1057, Bill, "An Act Amending the Charter of the Waldo County Municipal Court."

Amend said bill by indicating the striking out of the words "and reside in Belfast" in the 8th line of "Sec. 1." by drawing a line through said words "and reside in Belfast"

Further amend said bill by striking out in the 8th and 9th lines thereof the underlined words and punctuation "who shall reside in Belfast,"

Further amend said bill by striking out all of the second paragraph in that part designated "Sec. 3." and inserting in place thereof the following:

'Whenever said judge shall be unable for any reason to hold court or the office of the judge shall be vacant said recorder shall have and exercise the same powers and perform the same duties as the judge

is authorized to perform in the transaction of criminal business including trial of cases within the jurisdiction of said court and the binding over or discharge of respondents charged with felonies and may sign all necessary processes as recorder acting in the absence of the judge. Whenever the judge is absent or unable to attend any civil term of said court the recorder may receive and enter any civil actions, receive and file pleas, motions or other papers and enter up judgments in defaulted actions and may adjourn the court to the next term or to such time as the judge may be able to attend. If the judge and recorder are both necessarily absent, the judge may designate in writing some trial justice in said county to attend and perform the duties of the recorder until such time as the recorder is able to attend, and if the judge should not so designate a trial justice the recorder may so designate one.'

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

Mr. Stewart of Paris from the Committee on Legal Affairs on Bill "An Act relating to Organization of Police Department of City of Lewiston" (H. P. 1052) (L. D. 1193) 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. 1052, L. D. 1193, Bill, "An Act Relating to Organization of Police Department of City of Lewiston."

Amend said bill by striking out the figure "4" appearing before the word "sergeants" in the 9th line of said bill and inserting in place thereof the figure '3'.

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

Divided Report

Majority Report of the Committee on Legal Affairs reporting "Ought not to pass" on Resolve Proposing an Amendment to the Constitution Prohibiting Lotteries

and Gambling (H. P. 677) (L. D. 719)

Report was signed by the following members:

Messrs. CHAPMAN of Cumberland
WEEKS of Cumberland
—of the Senate

Messrs. CHILDS of Portland
WOODCOCK of Bangor
HAND of New Limerick
MARTIN of Eagle Lake
STEWART of Paris
GOWELL of Berwick
—of the House

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

Report was signed by the following member:

Mr. STEWART of Portland
—of the House

Reports were read.

On motion of Mr. Woodcock of Bangor, the Majority "Ought not to pass" Report was accepted and sent up for concurrence.

Divided Report

Majority Report of the Committee on Public Buildings and Parks reporting "Ought not to pass" on Bill "An Act Accepting from Dorothea Dix Memorial Association a Deed of Gift of Dorothea Dix Park" (H. P. 1213) (L. D. 1386)

Report was signed by the following members:

Messrs. ST. PIERRE
of Androscoggin
SINCLAIR of Somerset
CARTER of Oxford
— of the Senate

Messrs. BALDIC of Waterville
BUCKLEY of Leeds
SMITH of Farmingdale
WINCHENPAW
of Friendship
— of the House

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

Report was signed by the following members:

Messrs. ROBERTS of Dexter
MURRAY of Baileyville
— of the House

Reports were read.

The SPEAKER pro tem: The Chair recognizes the gentleman from Baileyville, Mr. Murray.

Mr. MURRAY: Mr. Speaker, I move that we accept the minority "Ought to pass" report of the Committee, and I would like to defend my action by signing the minority report of the committee.

First off, Dorothea Dix Park is located in Hampden, Maine, and is about twelve miles from the city of Bangor. On the committee we received some letters, namely, Letter Number 1, from the Garland Street Junior High School, signed by the Principal, and I would like to read this first:

"It has come to my attention that the Dorothea Dix Park may possibly be adopted by the State Park Commission. From the standpoint of the youngsters in Bangor, this would be a tremendous boost to the rather limited facilities of picnicing and that sort of thing. Not only would our youngsters benefit, but many of the parents of our students at this school have mentioned to me the need for such an area. As I understand it, those who are in charge of the property cannot, or will not, improve it for this purpose. It does seem, however, that such a venture would certainly be justified by the need and interest in Bangor."

That is from the Principal of the Garland Street Junior High School.

We also had letters come in from the Young Women's Christian Association and from numerous other organizations and societies in the city of Bangor.

The situation shapes up just like this: The Park Commission itself does not want to accept the Dorothea Dix Park because of the maintenance costs, and they say it is too small an area, but I signed the minority report mainly because I believe that because there are no parks in that vicinity, and because the people of Bangor and Penobscot County would be given a park, and it would give the children a chance to get out of the city during the summer time.

The SPEAKER pro tem: The gentleman from Baileyville, Mr. Murray, moves that the minority "Ought to pass" report be accepted.

The Chair recognizes the gentleman from Hampden, Mr. Stanley.

Mr. STANLEY: Mr. Speaker and Members of the House: I feel that

this is a good piece of property for the State to accept. Inasmuch as we are in the recreation and vacation business, we should provide facilities for people who are travelling to have recreation and picnics. It is far better to provide them with places where a fireplace can be had and a picnic table than it is to allow them to go out into the woods and fields to build their own fires and therefore endanger the lives and property of others by fires getting away from them.

This is an ideal spot. It has been in existence for over fifty years. The members of that association who are close to eighty years of age, as you can understand, just are not active. The Park was, at one time, a very active place and people as far away as Lincoln have told me they used to come there to enjoy Fourth of July celebrations, Band Concerts, and various other activities.

I know that now this would be used considerably by the touring public, for I am in a position where tourists are constantly calling at my store and asking where they can go and have a picnic. Because of the stone wall and archway there it is a place that can be identified. I can readily send them there and they can find it; I don't have to take a chance and send them out, perhaps, somewhere into the woods, where they may get lost.

Mr. Graves, who is in charge of the picnic areas of the Highway Commission, came to me yesterday and told me that he was there last Sunday and looked the area over, and they have long been wanting a picnic area on U. S. Number 1, and that this was an ideal spot and they would like very much to have it for a picnic area.

I think that is all I have to say on this matter. Thank you.

The SPEAKER pro tem: The question before the House is on the motion of the gentleman from Baileyville, Mr. Murray, that the minority report of the committee, "Ought to pass," be accepted.

The Chair recognizes the gentleman from Friendship, Mr. Winchenpaw.

Mr. WINCHENPAW: Mr. Speaker and Members of the House: As a signer of the majority "Ought not

to pass" report on this matter, I might say a few words, seeing that no one else is going to. We thought that it was just too small for the State to bother with and that there was no reason why the town of Hampden couldn't make a park out of it if they wanted to.

The SPEAKER pro tem: The Chair recognizes the gentleman from Bangor, Mr. Fuller.

Mr. FULLER: Mr. Speaker and Members of the House: We have pushed several acts through the Legislature with emergency clauses on them, that will enable either the Highway Commission or some other commission to establish picnic areas. I think this would be a much more desirable spot than the ordinary one available, and I certainly hope the State will accept this piece of real estate.

The SPEAKER pro tem: The Chair recognizes the gentleman from Baileyville, Mr. Murray.

Mr. MURRAY: Mr. Speaker, in answer to the remarks just made, as to the size, I read from page 10 and page 11 of the booklet "Public Parks in Maine", put out by the Park Commission:

We have three parks on page 10. One is 2.6 acres, one is one acre, one is 1.7 acre, one is one-quarter of an acre, one is two and three-quarters of an acre.

The SPEAKER pro tem: The Chair recognizes the gentleman from Northeast Harbor, Mr. Reynolds.

Mr. REYNOLDS: Mr. Speaker, about two years ago this Legislature accepted a park at Lamoine, which at that time, was the old coaling station, owned by the United States government. At the time that this was accepted by the State \$40,000 was appropriated to improve the park. At the present time not one dollar has been spent toward improvement of that park, although I have been given to understand that \$26,000 of the original \$40,000 still remains, and the only things there in that park are a few picnic tables.

This matter came up before the Park Commission, and they very definitely stated that they did not intend to go along with the improvement of Lamoine Park, and I understand that here in this park at Hampden, which the people of

Hampden have asked for, with no appropriation whatsoever, that the commissioners have taken the same attitude; they do not care to go along with it.

It would be my understanding that the Park department of our State, created by the voters of the State, would have to go along with the wish of the people. Now if Lamoine is any criterion of that, it would seem that they have a few parks in mind which they would like to promote, disregarding all others.

I hope that the motion to reconsider this will prevail.

The SPEAKER pro tem: The question before the House is on the motion of the gentleman from Baileyville, Mr. Murray, that the minority report of the committee, "Ought to pass" be accepted. Is this the pleasure of the House?

All those in favor of the motion will indicate by saying aye; those opposed, no.

A viva voce vote being taken, the motion prevailed, and the minority "Ought to pass" report was accepted.

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

Divided Report

Report "A" of the Committee on Public Health on Bill "An Act to Include the Typing of Blood in Premarital Examinations" (H. P. 355) (L. D. 371) reporting same in a new draft (H. P. 1274) (L. D. 1510) under title of "An Act to Include the Typing of Blood in Prenatal Examinations" and that it "Ought to pass"

Report was signed by the following members:

Mrs. KAVANAGH
of Androscoggin
—of the Senate

Mr. TARDIF of Lewiston

Mrs. DOWNING
of North Kennebunkport

Messrs. SENTER of Brunswick

WYLIE of Madawaska
—of the House

Report "B" of same Committee reporting "Ought not to pass" on same Bill.

Report was signed by the following members:

Messrs. JAMIESON of Aroostook

HANSON of Washington
—of the Senate

Messrs. CAVERLY of Bath

FORD of Waterford

DECKER of Lakeville Pl.
—of the House

Reports were read.

On motion of Mrs. Downing of North Kennebunkport, the House voted to accept Report "A", "Ought to pass" in New Draft.

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

Divided Report

Majority Report of the Committee on Public Health reporting "Ought not to pass" on Bill "An Act Transferring Maine School for the Deaf to Department of Education" (H. P. 685) (L. D. 720) which was recommitted.

Report was signed by the following members:

Mr. JAMIESON of Aroostook

Mrs. KAVANAGH
of Androscoggin

Mr. HANSON of Washington
—of the Senate

Messrs. TARDIF of Lewiston

CAVERLY of Bath

FORD of Waterford

DICKER of Lakeville Pl.

Mrs. DOWNING
of North Kennebunkport

Mr. WYLIE of Madawaska
—of the House

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

Report was signed by the following member:

Mr. SENTER of Brunswick
—of the House

Reports were read.

The SPEAKER pro tem: The Chair recognizes the gentleman from Brunswick, Mr. Senter.

Mr. SENTER: Mr. Speaker and Members of the House: I move that the House accept the minority "Ought to Pass" report on Bill "An Act Transferring the Maine School for the Deaf to Department of Education" and I would like to speak on the motion.

The SPEAKER pro tem: The gentleman from Brunswick, Mr. Senter, moves that the minority report of the committee, "Ought to pass" be accepted.

The Chair recognizes the same gentleman.

Mr. SENTER: Mr. Speaker and Members of the House: The Maine School for the Deaf is a school, and I believe that since it is a school, that the institution, the Maine School for the Deaf, should come under the Department of Education. At the present time it is under the Department of Institutional Services.

As I understand it, the problem of educating a deaf child is a rather specialized type of education, to be sure; also the problem is to help that child, that deaf child, to be able to adjust himself to live a normal life with people who have normal hearing. It involves teaching a skill, technical training. I believe that the Department of Education is better qualified to supervise this school.

The Department of Education has the responsibility for the Maine Vocational School. Now here is a school which is teaching a trade.

The Department of Education has had experience in maintaining plant because at the Normal Schools of the State, which are under the Department of Education, the Department of Education is responsible for the maintenance of the physical plant.

I believe that this is a logical time to change from the Institutional Department to the Department of Education because this is the school that Mr. Baxter has generously endowed and which we accepted, so that the new school will be on Macworth Island, and I think, therefore, this is a logical time to change the administration.

Now I understand, and as a member of the committee I heard the arguments at the hearing, and the present Superintendent, Mr. Saunders, who has done a remarkable job, is fearful of his position. Now I have been assured by the Commissioner of Education that no change is contemplated at all; in fact, Dr. Espy has told me that in his opinion it would be very unwise to upset the present ad-

ministration, but I believe the Department of Education can help the present superintendent and he, in turn, can help other educators, because if this school is transferred to the Department of Education, the Superintendent, Mr. Saunders, will attend staff meetings of the Department of Education. He will be able to receive helpful information from other educators in the State, and he, in turn, can make a contribution to educators in other schools in the State so that whenever a deaf child is in our regular schools, teachers may be able to recognize the deaf child and know how to help that child. I say that it will be helpful for Mr. Saunders to be a part of the Department of Education, and he can help them.

Now I am told that in a majority of states that the Schools for the Deaf are under the Department of Education.

The present Commissioner of Institutions, Norman Greenlaw, has told me that he was ashamed of the job that is being done at the present time in the School for the Deaf; he was ashamed that the methods used in education were not better. I have visited the school this session, and at the last session of the Legislature, and I feel that it would be for the best interest of the State, and for the best interests for the deaf child if this transfer was made.

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

Mr. ROUNDY: Mr. Speaker and Members of the House: I think the gentleman from Brunswick, Mr. Senter, has very effectively and most excellently expressed the truth as I understand it, and it seems to me that logically this is an educational institution and it should be under the charge of the Department of Education.

I appreciate very much the work that Mr. Saunders has done through the years, and in my interest in this matter I wanted to be very sure that his continuance was as assured as possible, and so I not only talked with the Commissioner of Education in regard to the matter, but also I talked with the Governor, and I feel certain that it is

entirely in their minds that Mr. Saunders should continue and enlarge and amplify the fine work that he has done, and will continue to do under the new arrangement.

Certainly our Department of Education, especially since something like four years ago, I think it was,—we created a Department of Education as not only a Commissioner who is creative in his thinking and who is able to give specialized attention to a school of this kind, but we have also in that Commission members that have been carefully chosen throughout the State, the Dean of Colby College, the sister of one of our members, Mr. Crabtree, Mr. Hoy, who has given such devoted attention to it through the years, and I certainly feel, and particularly at this time, when the change is being made, that we are rendering not only a service to our State and to those interested in it, but to those who have to have special attention because they are deaf, and I sincerely hope that the motion of the member from Brunswick (Mr. Senter) and that the "Ought to pass" report is accepted.

The SPEAKER pro tem: The Chair recognizes the gentlewoman from North Kennebunkport, Mrs. Downing.

Mrs. DOWNING: Mr. Speaker, I also am a member of that committee, and we felt, as the majority, that Mr. Saunders had done such a fine job with these deaf children, it was too bad to take the helm away from him just because we have a chance to move the School of the Deaf.

I move, therefore, that the House accept the "Ought not to pass" report of the Committee on Legislative Document 720.

The SPEAKER pro tem: The question before the House is on—

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

Mr. CALL: Mr. Speaker and Members of the House: The word "Welfare," to me, means to "care for" and see that they are provided with food and clothes. Now this bill, primarily, is for education.

By the admission of the gentlewoman from North Kennebunkport, (Mrs. Downing) it seems to me that all that committee was worrying

about was whether this gentleman would lose his position if it were put under the bill of Education.

Now I think very many members here, after listening to the two fine talks by Mr. Senter and Mr. Roundy, feel that the minority report "Ought to pass" ought to receive due consideration from this House. You all know that the affliction of being deaf is a terrible thing. If you don't realize it, you just want to lose one ear like I have myself and miss a lot of other good things that I ought to hear and don't hear them; sometimes it is an advantage when your wife is saying something to you. (Laughter)

I feel that before we take a vote on this that the House should give it some careful thought. I think that with these children, if this is transferred to the Educational Department, they will be given a good chance in life and a better chance in life to acquire a better education.

The SPEAKER pro tem: The question before the House is on the motion of the gentleman from Brunswick, Mr. Senter, that the minority report of the Committee on Public Health, "Ought to pass" on Bill "An Act Transferring Maine School for the Deaf to Department of Education" be accepted.

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

Mr. TOTMAN: Mr. Speaker and Members of the House: This is a completely new subject to me and I am certainly very much impressed by the amazing revelation that the bulk of the argument for the majority "Ought not to pass" is, as the gentleman from Cumberland, Mr. Call, has stated, simply because they are afraid the present head of the institution is going to lose his job. I sincerely hope there are more reasons than that, and I ask, through the Speaker, that another member of the committee possibly enlighten me before I vote, as to whether or not this is the main reason, because, believe me,—I do not know very much about the subject, but I have seen several films on taking care of deaf children—there was recently an excellent English movie on the subject, and it is very obviously ninety-nine percent an educational problem.

I am much opposed to going against an eight to one or nine to one majority report, but believe me, I am going to here, unless I hear some better arguments for the majority.

The SPEAKER pro tem: The gentleman from Bangor, Mr. Totman, has addressed a question through the Chair to any member of the Committee on Public Health. Any member may answer the question if they so desire.

Is the House ready for the question? The question before the House is on the motion of the gentleman from Brunswick, Mr. Senter, that the minority "Ought to pass" report on Bill "An Act Transferring Maine School for the Deaf to Department of Education" H. P. 685, L. D. 720, be accepted. Is this the pleasure of the House?

Thereupon, the motion prevailed and the minority "Ought to pass" report was accepted.

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

Passed to Be Engrossed

Bill "An Act relating to Eating and Lodging Places" (H. P. 844) (L. D. 866)

Bill "An Act Repealing the Merit Award Board" (H. P. 899) (L. D. 990)

Bill "An Act Amending the Community School District Law" (H. P. 936) (L. D. 984)

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

Bill "An Act relating to Weight of Commercial Vehicles" (H. P. 1065) (L. D. 1164)

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

The SPEAKER pro tem: The Chair recognizes the gentleman from Bangor, Mr. Totman.

Mr. TOTMAN: Mr. Speaker, did we finish the third reading of this bill?

The SPEAKER pro tem: The bill has had its third reading.

The Chair recognizes the same gentleman.

Mr. TOTMAN: Mr. Speaker and Members of the House, I want to assure you I am not a poor loser and I don't intend to try to stall or filibuster this bill, but I think, yesterday in our discussion, that I tried to point out that the bill as it is written is discriminatory and applies, now, if it goes through, only to two separate industries, and I point this fact out to you: That even the proponents, the ones who won yesterday, members of my own committee who signed the majority "Ought to pass" report readily and willingly admitted that this bill should be amended to be right across the board, so that any industry whatsoever would be allowed to enjoy this increased weight. Mind you, I am still against the bill — I still don't approve of it — but if it is going to go through, and inevitably it is going to happen, I just feel that we should make it apply across the board, and therefore I move that the bill be tabled and specially assigned for tomorrow, pending offering of an amendment.

The SPEAKER pro tem: The House has heard the motion of the gentleman from Bangor, Mr. Totman, that the item be tabled and specially assigned for tomorrow.

Mr. SMITH of Farmingdale: Mr. Speaker - - -

The Speaker pro tem: For what purpose does the gentleman arise?

Mr. SMITH: Mr. Speaker, I ask for a division.

The SPEAKER pro tem: The pending question is on the motion of the gentleman from Bangor, Mr. Totman, that Bill "An Act relating to Weight of Commercial Vehicles" be tabled and specially assigned for the next legislative day. The gentleman from Farmingdale, Mr. Smith, has asked for a division.

All those who are in favor of tabling the matter 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.

Twenty-eight having voted in the affirmative and fifty-two having voted in the negative, the motion to table did not prevail.

Thereupon the bill was passed to be engrossed and sent to the Senate.

Bill "An Act relating to Unemployment Compensation Regarding Remuneration for Holidays" (H. P. 1101) (L. D. 1242)

Bill "An Act relating to Salary of Treasurer of State" (H. P. 1269) (L. D. 1483)

Bill "An Act Requiring Certain Truck Owners to File Names of Agents for Certain Purposes" (H. P. 1270) (L. D. 1466)

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

Tabled and Assigned

Bill "An Act Exempting from Sales Tax Passenger Automobiles Not to be Registered in State" (H. P. 1272) (L. D. 1468)

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

The SPEAKER pro tem: The Chair recognizes the gentleman from Kittery, Mr. Seaward.

Mr. SEAWARD: Mr. Speaker, I wish to table Item 8, Legislative Document 1468, for the purpose of offering an amendment, and specially assign it for next Tuesday.

The SPEAKER pro tem: The gentleman from Kittery, Mr. Seaward, moves that Item 8, Bill "An Act Exempting from Sales Tax Passenger Automobiles Not to be Registered in State", be tabled pending third reading, and be specially assigned for Tuesday, April 28. Is this the pleasure of the House?

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

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)

Resolve in favor of the Town of Canton (H. P. 1236) (L. D. 1429)

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

Amended Bills

Bill "An Act relating to Elderly Teachers' Pensions" (S. P. 49) (L. D. 77)

Bill "An Act relating to Tax Stamp Discounts in Cigar and Tobacco Products Law" (S. P. 333) (L. D. 833)

Bill "An Act relating to Definition of Elevator under Board of Elevator Rules" (H. P. 185) (L. D. 180)

Bill "An Act relating to Burial Expenses Under Workmen's Compensation Act" (H. P. 426) (L. D. 473)

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 the Administration of the Liquor Law" (H. P. 538) (L. D. 554)

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

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

Bill "An Act Designating Fluoride Poisoning as an Occupational Disease" (H. P. 749) (L. D. 788)

Bill "An Act relating to Compensation for Loss of Hearing Under Workmen's Compensation Act" (H. P. 829) (L. D. 860)

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 Registration Fees for Farm Trucks" (H. P. 768) (L. D. 903)

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

Mr. TOTMAN of Bangor: Mr. Speaker—

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

Mr. TOTMAN: Mr. Speaker, I request unanimous consent to address the House briefly.

The SPEAKER pro tem: Is it the pleasure of the House that the

gentleman from Bangor, Mr. Totman, be granted unanimous permission to address the House? The Chair hears no objection and the gentleman may proceed.

Mr. TOTMAN: Mr. Speaker and Members of the House: Inasmuch as we are waiting for some of the members to get in, to have enough to act on emergency measures, I would like to take this opportunity to point out to the members that at this late date in the session I think that it would help the progress of the session if members who wished to table bills would prove their good faith and not simply try to kill a bill by putting it on the table indefinitely but would assign it.

I am not suggesting that I am asking you to do something. I am just saying that from here on in, I, for one, will vote "No" to any member who proposes to table a bill unless he can prove it is in good faith by at least assigning a day that isn't ridiculously far in the future, and I hope that the other members of the House, simply in the interest of progress in getting legislation through, will do the same thing. Thank you.

Passed to Be Enacted Emergency Measure

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

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 in the House being necessary, a division was had. 115 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 Town of Poland School District (H. P. 33) (L. D. 27)

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 neces-

sary, 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 relating to Civil Defense (H. P. 556) (L. D. 536)

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. 115 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 Increase the Borrowing Power of the Town of Hermon School District (H. P. 837) (L. D. 876)

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. 115 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 Town of Hampden School District (H. P. 838) (L. D. 877)

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. 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.

Finally Passed

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

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. 113 voted in favor of same and none against, and accordingly the Resolve was finally passed, signed by the Speaker and sent to the Senate.

Finally Passed

Resolve Reapportioning Certain Moneys Appropriated for Reformatory for Women (H. P. 1125) (L. D. 1278)

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. 113 voted in favor of same and none against, and accordingly the Resolve was finally passed, signed by the Speaker and sent to the Senate.

Constitutional Amendment Finally Passed

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

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being a Constitutional Amendment, and a two-thirds vote of the House being necessary, a division was had. 115 voted in favor of same and none against, and accordingly the Resolve was finally passed, signed by the Speaker and sent to the Senate.

Passed to Be Enacted

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

Mr. JACOBS: Mr. Speaker, out of order, I would like to present Item 131, An Act relating to the Sales Tax on Motor Vehicles (S. P. 509) (L. D. 1388)

The SPEAKER pro tem: The gentleman from Auburn, Mr. Jacobs, asks unanimous consent that the House take up at this time, out of order, Item 131, An Act relating to the Sales Tax on Motor Vehicles, on its passage to be enacted.

Mr. JACOBS: Mr. Speaker, if it is passed favorably, I will move that it be immediately sent to the Senate.

The CLERK: Senate Paper 509, Legislative Document 1388, An Act relating to the Sales Tax on Motor Vehicles.

The SPEAKER pro tem: This bill having had its three several readings in the House, and having been passed to be engrossed, and having had its two several readings in the Senate, and having been passed to be engrossed, and the Committee on Engrossed Bills having reported that it was truly and strictly engrossed, is it now the pleasure of the House that it be passed to be enacted?

Thereupon, the bill was passed to be enacted, signed by the Speaker and, on motion of Mr. Jacobs of Auburn, was sent forthwith to the Senate for their approval.

An Act to Ratify and Confirm the Incorporation of Berwick Monthly Meeting of Friends (S. P. 27) (L. D. 15)

An Act relating to Liens on Certain Personal Property (S. P. 43) (L. D. 56)

An Act relating to Dogs Attacking Domestic Animals or Fowl (S. P. 69) (L. D. 153)

An Act relating to Power of Leavitt Institute to Hold Property (S. P. 86) (L. D. 194)

An Act relating to the Powers of the Maine Turnpike Authority (S. P. 127) (L. D. 336)

An Act Creating the Department of Finance and Administration (S. P. 159) (L. D. 407)

An Act Providing for Maintenance of a Road on the North End of Baxter State Park (S. P. 202) (L. D. 538)

An Act relating to Legal Voters of Farmington Village Corporation (S. P. 207) (L. D. 545)

An Act to Create the Washington County Recreation Authority (S. P. 208) (L. D. 558)

An Act relating to Court Holidays (S. P. 253) (L. D. 676)

An Act Repealing Certain Laws relating to Teams Under Motor Vehicle Laws (S. P. 270) (L. D. 957)

An Act Creating Colby College Game Management Area (S. P. 298) (L. D. 830)

An Act relating to Pauper Settlement of Parents of Children Re-

ceiving Aid to Dependent Children (S. P. 299) (L. D. 915)

An Act Amending the Charter of the Maine School for the Deaf (S. P. 319) (L. D. 807)

An Act relating to Regulation of Posts and Wires (S. P. 325) (L. D. 815)

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.

The SPEAKER pro tem: It has been called to the attention of the Chair that there are in the gallery of the House four high school classes from the Medway Consolidated Schools under the direction of Mr. J. Harold Smith, Principal.

On behalf of the House, the Chair welcomes you and hopes that you have a pleasant and educational day. (Applause)

An Act Amending the Charter of the Waterville Sewerage District (S. P. 326) (L. D. 927)

An Act to Amend the Charter of Aroostook Valley Railroad Company (S. P. 328) (L. D. 816)

An Act relating to the Revocation of an Insurance Agent's License (S. P. 369) (L. D. 1035)

An Act relating to Sale of Ammunition to Minors (S. P. 375) (L. D. 1038)

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

An Act Clarifying the Law relating to Registration of Voters (S. P. 408) (L. D. 1111)

An Act relating to Regrouping of Towns in Supervisory Unions (S. P. 436) (L. D. 1204)

An Act to Clarify the Liquor Laws (S. P. 439) (L. D. 1207)

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.

The SPEAKER pro tem: The Chair recognizes the gentleman from Madison, Mr. Fogg.

Mr. FOGG: Mr. Speaker, I would like to ask a question through the Chair.

The SPEAKER pro tem: The gentleman may proceed.

Mr. FOGG: Mr. Speaker, are there enough members of the House present at the present time to constitute a quorum whereby we can conduct business?

The SPEAKER pro tem: Does the gentleman wish to raise the question of a quorum?

Mr. FOGG: I would, Mr. Speaker. The SPEAKER pro tem: Does the gentleman wish to so raise the question?

Mr. FOGG: I do so raise the question, Mr. Speaker.

The SPEAKER pro tem: The monitors will count the numbers present in their respective sections.

There being ninety members present, the Chair finds a quorum. The Assistant Clerk will proceed.

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

An Act to Provide for the Approval of Degree-Granting Institutions (S. P. 464) (L. D. 1299)

An Act Permitting the University of Maine to Provide Additional Educational Opportunities (S. P. 482) (L. D. 1341)

An Act Permitting Reassignment of Justice in Equity Matters (S. P. 484) (L. D. 1342)

An Act relating to Licensing Auctions and Auctioneers (S. P. 499) (L. D. 1374)

An Act relating to Salary of Judge and Fees Paid to Waterville Municipal Court (S. P. 500) (L. D. 1375)

An Act relating to Renewal of Certificates by Certain Teachers (S. P. 511) (L. D. 1398)

An Act relating to Disposition of Liquor Seized or Forfeited (S. P. 513) (L. D. 1399)

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

An Act relating to Special Registration Plates for Amputee Veterans (S. P. 525) (L. D. 1417)

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

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

An Act Exempting Ships' Stores from Maine Sales Tax (H. P. 17) (L. D. 11)

An Act relating to the Marking of Moosehead Trail (H. P. 26) (L. D. 20)

An Act relating to the Appointment of Guardians and Conservators for Adults (H. P. 69) (L. D. 65)

An Act relating to Appointment of Trustee in Voluntary Trusts (H. P. 70) (L. D. 66)

An Act to Enlarge the Old Town Game Preserve and to Create the Orono Game Preserve (H. P. 95) (L. D. 97)

An Act relating to Work Permits for Minors (H. P. 107) (L. D. 109)

An Act Clarifying the Boxing Law (H. P. 110) (L. D. 112)

An Act relating to Accident Insurance for Boxers (H. P. 112) (L. D. 114)

An Act relating to Appeals from Probate Courts (H. P. 177) (L. D. 172)

An Act relating to Salaries of Judge and Clerk, Clerk Hire, and Payment of Expenses of the Municipal Court of the City of Auburn (H. P. 196) (L. D. 207)

An Act to Clarify Boilers and Un-fired Steam Pressure Vessels (H. P. 225) (L. D. 252)

An Act to Abolish the Polling Place in Rockwood in Somerset County (H. P. 243) (L. D. 224)

An Act relating to Permits for Moving Heavy Objects Over Highways (H. P. 288) (L. D. 273)

An Act relating to Salaries and Travel of Superintendents of Schools (H. P. 325) (L. D. 393)

An Act Amending the Charter of the Town of North Yarmouth School District (H. P. 345) (L. D. 363)

An Act relating to the Airport Commission of the Town of Sanford (H. P. 347) (L. D. 362)

An Act relative to Closed Season on Pheasants in Penobscot County (H. P. 408) (L. D. 457)

An Act Creating a Board of Examiners of Psychologists (H. P. 432) (L. D. 479)

An Act Revising the Charter of the Bangor Municipal Court (H. P. 521) (L. D. 557)

An Act relating to Structures Used by Spectators in Motorcycle Racing (H. P. 527) (L. D. 565)

An Act to Ratify and Confirm the Incorporation of Servantes du Coeur

Immaculé de Marie, in York County (H. P. 529) (L. D. 566)

An Act to Authorize the Town of Brunswick to Provide for the Collection and Disposal of Garbage and Rubbish (H. P. 532) (L. D. 539)

An Act Amending the Charter of the City of Bangor Relative to Business and Financial Provisions (H. P. 533) (L. D. 555)

An Act Amending the Charter of the City of Bangor Relative to Changes in Organization, Powers and Duties (H. P. 534) (L. D. 580)

An Act Amending the Charter of the City of Bangor Relative to Change in Election Date and Budget Calendar (H. P. 535) (L. D. 581)

An Act to Amend the Charter of the City of Hallowell Relating to the Election of the City Marshal and Street Commissioner by the City Council (H. P. 537) (L. D. 570)

An Act Increasing Salaries of County Officers in Aroostook County (H. P. 610) (L. D. 609)

An Act relating to Building Committee on Eastern States Exposition (H. P. 628) (L. D. 652)

An Act relating to Disposal of Unlicensed Dogs (H. P. 666) (L. D. 709)

An Act relating to Unlicensed Dogs (H. P. 668) (L. D. 711)

An Act relating to Motion Picture Operators (H. P. 670) (L. D. 713)

An Act relating to the Salary of the County Attorney of Aroostook County (H. P. 691) (L. D. 726)

An Act relating to Manufacture of Non-Alcoholic Beverages (H. P. 712) (L. D. 736)

An Act relating to Procedure by Savings Banks When Original Book of Deposit Lost (H. P. 791) (L. D. 845)

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

An Act relating to Fees of Plumbers (H. P. 834) (L. D. 864)

An Act Amending the Charter of the People's Ferry Company (H. P. 835) (L. D. 874)

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

An Act to Increase the Salaries of the Judge and Recorder of the Northern Aroostook Municipal Court (H. P. 862) (L. D. 955)

An Act to Increase the Salary of the Judge of the Van Buren Municipal Court (H. P. 863) (L. D. 935)

An Act to Increase the Salaries of the Judge and Recorder of the Piscataquis Municipal Court (H. P. 870) (L. D. 941)

An Act Amending the Town of Strong School District (H. P. 932) (L. D. 1026)

An Act relating to Duties of the Liquor Commission (H. P. 937) (L. D. 997)

An Act relating to Expenses of Aids Employed by Sheriff in Criminal Cases (H. P. 948) (L. D. 1002)

An Act relating to Annual Meeting of Cousins and Littlejohns Islands Village Corporation (H. P. 978) (L. D. 1066)

An Act relating to Special Town Meetings in Town of Fairfield (H. P. 979) (L. D. 1067)

An Act relating to Pensions for Firemen of the City of Bangor (H. P. 980) (L. D. 1068)

An Act relating to Malt Liquor License Fees in Unorganized Territory (H. P. 982) (L. D. 1070)

An Act relating to the Taking of Alewives in the Town of Gouldsboro (H. P. 998) (L. D. 1085)

An Act relating to the Salaries of Various Officers in Waldo County (H. P. 999) (L. D. 1086)

An Act relating to Payment of Blood Tests in Certain Motor Vehicle Cases (H. P. 1003) (L. D. 1090)

An Act relating to Signs Yielding Right of Way at Intersections (H. P. 1005) (L. D. 1048)

An Act relating to Following Motor Vehicles (H. P. 1006) (L. D. 1092)

An Act relating to Facsimile Signatures Upon Corporate Obligations (H. P. 1015) (L. D. 1136)

An Act relating to Uniform Reciprocal Enforcement of Support Act (H. P. 1023) (L. D. 1142)

An Act relating to Fines and Costs for Violation of Truck Weight Laws (H. P. 1050) (L. D. 1191)

An Act relating to the Sale of Liquor on May Thirtieth (H. P. 1056) (L. D. 1171)

An Act relating to Licensed Small Loan Agencies (H. P. 1078) (L. D. 1245)

An Act relating to Apportionment to Towns for State Aid Roads (H. P. 1084) (L. D. 1219)

An Act to Grant a Charter to the City of Brunswick (H. P. 1104) (L. D. 1236)

An Act relating to Organization of the Maine Sardine Tax Committee (H. P. 1114) (L. D. 1257)

An Act Increasing Salaries of County Officers of Somerset County (H. P. 1118) (L. D. 1252)

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

An Act to Amend the Sales and Use Tax Law Relative to Packaging and Shipping Materials (H. P. 1232) (L. D. 1426)

An Act relating to Permits for Moving Heavy Objects and Loads Over Highways (H. P. 1233) (L. D. 1427)

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

Finally Passed

Resolve in favor of Presque Isle Armory Project (S. P. 121) (L. D. 330)

Resolve in favor of the Maine Historical Society (S. P. 122) (L. D. 331)

Resolve in favor of the City of Belfast (S. P. 397) (L. D. 1105)

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)

Resolve Appropriating Money for the Purchase of "The Length and Breadth of Maine" (H. P. 313) (L. D. 385)

Resolve in favor of the Town of Benedicta (H. P. 318) (L. D. 352)

Resolve Extending Appropriation of Money to Improve the Approach to the Fish Way at Aroostook Falls (H. P. 647) (L. D. 662)

Resolve Regulating Fishing in Flagstaff Lake (H. P. 736) (L. D. 753)

Resolve in favor of Robert E. Towle of Portland (H. P. 795) (L. D. 1392)

Resolve in favor of Fred E. Shapleigh of Lebanon (H. P. 1081) (L. D. 1389)

Resolve in favor of the Town of New Limerick (H. P. 1086) (L. D. 1221)

Resolve Reimbursing Certain Taxpayers in Indian Township (H. P. 1165) (L. D. 1320)

Resolve Authorizing State Highway Commission to Study Desir-

ability of New Transportation Facilities Across Jonesport Reach from Town of Jonesport to Town of Beals (H. P. 1237) (L. D. 1430)

Resolve in favor of the Town of LaGrange (H. P. 1242) (L. D. 1444)

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.

At this point Speaker Bates returned to the rostrum for a short time.

SPEAKER BATES: To the gentleman from Auburn, Mr. Trafton, I am sure that each and every member of the House has been happy to have you serve as Speaker pro tem, and for the members of the House, and personally, I thank you very sincerely.

Thereupon, the gentleman from Auburn, Mr. Trafton, was conducted by the Sergeant-at-Arms to his seat on the Floor, amid the applause of the House, the members rising.

The **SPEAKER:** On the Committee of Conference on the disagreeing action of the two branches of the Legislature on House Paper 819, Legislative Document 850, Bill "An Act to Provide for the Observance of Legal Holidays," the Chair will appoint the following members on the part of the House: The gentleman from Portland, Mr. McGlauffin, the gentlewoman from Presque Isle, Mrs. Christie, and the gentleman from Augusta, Mr. Martin.

Speaker Bates retired from the rostrum and the gentleman from Augusta, Mr. Albert, assumed the Chair.

On motion of Mr. Hand of New Limerick,

The House recessed until 3 P. M. this afternoon.

After Recess—3 P. M.

Called to order by Speaker pro tem, the gentleman from Augusta, Mr. Albert.

Conference Committee Report

Report of the Committee of Conference on the disagreeing action of the two branches of the Legisla-

ture on Bill "An Act relating to Sale of Malt Liquor in Non-Returnable Bottles" (H. P. 145) (L. D. 143) reporting that they are unable to agree.

(Signed)

Messrs. OSBORNE of Fairfield

POTTER of Medway

SMALL of Mexico

—Committee on

part of House

TABB of Kennebec

DENNETT of York

BOUCHER of Androscoggin

—Committee on

part of Senate

Report was read and accepted and sent up for concurrence.

Enactor Indefinitely Postponed

The **SPEAKER** pro tem: The House is proceeding under bills on their passage to be enacted.

The **CLERK:** Item 15 on this morning's calendar which was not placed before the House:

S. P. 137, L. D. 325, An Act to Make Uniform the Legal Hours for Sale of Liquor.

The **SPEAKER** pro tem: The Chair recognizes the gentleman from Robbinston, Mr. Brown.

Mr. **BROWN:** Mr Speaker and Members of the House: I have a motion to make on Item 15, but I would just like to make an explanation first.

The **SPEAKER** pro tem: The gentleman may proceed.

Mr. **BROWN:** Mr Speaker, it has been my pleasure to serve as House Chairman of the Liquor Control Committee for the last two sessions of this Legislature. I have not had it too easy, but I have tried to do my duty and be fair to everybody. I may not be back here again, and there is something on this bill here that I want to get off my chest before I leave this House.

When I came in here at the beginning of the session I borrowed a set of law books from the library. I did that in order to keep myself posted on all the bills that came into the Liquor Control Committee, and I have thumbed through those books a great many times this winter, I assure you. One reason for that was we had twenty bills or more from the Legislative Research Committee and they were written

in part or mostly by lawyers that knew the law, and it was the Revised Statutes twisted around so that nobody, unless they had some law books right there, would know what to do. So I borrowed a set of books and I have used them extensively so that I would be a help to that committee, because so many of those laws are discontinued. Of course the lawyers are familiar with them, but as a rule laymen are not familiar with them. I guess that I have worn out or partly worn out that set of lawbooks this winter, looking up committee amendments or things of that sort. I have worn them out partly, so I may have to pay for them before I leave here.

It has always been my wish to keep those promises that we make in committee to committee members. On this bill, S. P. 137, L. D. 325, we promised Mrs. Christie that the hours for sale of liquor would be made uniform in such a way as not to extend the present hours for sale of liquor. The way in which this bill is before us for enactment it does not keep that promise. The way in which it was amended in committee and in the Senate did keep that promise; but it comes to us now for final enactment extending the hours of sale of liquor in the summer time from twelve o'clock to one o'clock at night. I do not like to see the committee take such liberties with its promised word to Mrs. Christie, and perhaps the only way now that that promise can be kept is by moving indefinite postponement of this bill.

I am reminded of a story that is told about a certain lady in Eastport. She went into the postoffice one day to mail a package to her son out in the middle west. That package contained the old family bible. She packed it nicely and put it in through the parcel post window, and the postmaster said—this is the usual question: "Anything breakable in that package, lady?" She answered very quickly, "Yes, the ten commandments." And I believe that there is a commandment broken in this package that we are about to vote on. I therefore move to indefinitely postpone An Act to Make Uniform the Legal Hours for Sale of Liquor.

The SPEAKER pro tem: The gentleman from Robbinston, Mr. Brown, moves that An Act to Make Uniform the Legal Hours for Sale of Liquor, S. P. 137, L. D. 325, be indefinitely postponed. Is this the pleasure of the House?

All those in favor will say aye; those opposed, no.

A viva voce vote being taken, the motion prevailed and the Bill was indefinitely postponed and sent up for concurrence.

Enactor Tabled

The SPEAKER pro tem: The 22nd item under Enactors that was passed over this morning.

The CLERK: S. P. 281, L. D. 770, An Act relating to Operation of School Buses.

The SPEAKER pro tem: The Chair recognizes the gentleman from Bangor, Mr. Totman.

Mr. TOTMAN: Mr. Speaker and Members of the House: Due to a typographical error in the way that the committee's amendment to this bill was printed this bill was given its two or three different readings in a form that it certainly should not pass in, and it was the understanding of the committee that we would correct this error. At this time I would like to present House Amendment "A", filing No. 363, and move its adoption.

Mr. Speaker, I move that we reconsider our action whereby we passed it to be engrossed.

The SPEAKER pro tem: Does the gentleman wish to move to suspend the rules and reconsider our action whereby this bill was passed to be engrossed on April 14?

Mr. TOTMAN: If that is necessary, Mr. Speaker.

The SPEAKER pro tem: All those in favor of the motion to reconsider say aye; those opposed, no.

A viva voce vote being taken, the motion to reconsider prevailed.

The SPEAKER pro tem: The gentleman may now offer his amendment.

Mr. TOTMAN: Mr. Speaker, I now offer House Amendment "A" to S. P. 281, L. D. 770, An Act relating to Operation of School Buses.

I wish to repeat that it was a typographical error. This does not change the intent of the bill. The amendment, filing No. 363, simply corrects an error in the committee's amendment, and I assure you that the other members of the Transportation Committee are aware of this change and are in accord with it.

The SPEAKER pro tem: Will the gentleman approach the rostrum. The Chair understands that the gentleman from Bangor, Mr. Totman, moves that the bill and amendment lie on the table. Is this the pleasure of the House?

The motion prevailed and the bill and amendment were tabled pending adoption of House Amendment "A".

Enactor Tabled

The SPEAKER pro tem: Item 29 on the Advance Journal under Enactors.

The CLERK: S. P. 357, L. D. 968, An Act relating to State Liquor Warehouse and Wholesale Store.

On motion of the gentleman from Fairfield, Mr. Osborne, the Bill was tabled without assignment pending passage to be enacted.

The CLERK: Item 45 on this morning's Advance Journal under Enactors:

S. P. 523, L. D. 1420. An Act relating to Collection of Excise Taxes in Unorganized Territory.

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

Mr. BURGESS: Mr. Speaker, I am not entirely sure of the procedure I should follow. Perhaps at this time I should ask unanimous consent to address the House.

The SPEAKER pro tem: Does the gentleman from Limestone propose to offer an amendment?

Mr. BURGESS: I do, Mr. Speaker.

The SPEAKER pro tem: The gentleman from Limestone, Mr. Burgess, moves under suspension of the rules to reconsider passage of this bill to be engrossed. Is this the pleasure of the House?

The motion prevailed.

The SPEAKER pro tem: The Chair recognizes the same gentleman,

Mr. BURGESS: Mr. Speaker, I now offer House Amendment "A" to L. D. 1420 and move its adoption, and I would like to address myself to the subject at the proper time.

The SPEAKER pro tem: The gentleman from Limestone, Mr. Burgess, offers House Amendment "A". The Clerk will read the amendment.

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

HOUSE AMENDMENT "A" to S. P. 523, L. D. 1420, Bill "An Act Relating to Collection of Excise Taxes in Unorganized Territory."

Amend said Bill by striking out the underlined words "to be added to the road repair tax fund" in the 10th line and inserting in place thereof the underlined words 'and shall be credited as undedicated funds'.

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

Mr. BURGESS: Mr. Speaker and Members of the House: In a brief explanation of why this amendment is offered may I point out to you just one or two things relative to unorganized townships.

At the present time the excise tax is collected by an adjoining town and by statute is turned over, I believe at the end of the year, to the County Commissioners. This particular bill, which I believe is an excellent bill and an improvement on the present method, would provide for the County Commissioners to designate a collector of excise tax within the unorganized township.

Now that the part that I have objected to and which this amendment is designed to change is this: in all of our organized townships the excise tax is collected and goes into a surplus account at the end of the year if it has not previously been appropriated by an act at the previous town meeting. In other words, the excise tax in our unorganized towns is not committed necessarily to our highway account. We can appropriate for any purpose that we wish. Therefore, I believe that in the case of unorganized townships the same conditions should prevail.

I might point out, relative to unorganized townships, that they have a school problem as well as those towns and cities which are organized throughout the State. I might point out to you that the State a year ago appropriated \$140,000 for capital investment in unorganized townships for the very reason that they have no corporate head and could not borrow the money and could not come under the school building authority. Now their method of payment for funds loaned them by the State is by statute not to exceed one per cent of their valuation, which means that they will never get it paid back.

This amendment is designed to place the unorganized townships in a position whereby if the County Commissioners so desire and see fit that they could retire the debt to the State faster than the statute now provides, which is, as I have said, at the rate of one per cent of their valuation.

Then there are other conditions which will come about in an unorganized township as well as in an organized one, such as the purchase of a bus or snowplow or many things which would not be related directly to road repair.

That, briefly, is the reason why I have offered this amendment, and, Mr. Speaker and Members of the House, believing that this is only placing the unorganized township in the same position as an organized township, I move its adoption.

The SPEAKER pro tem: The gentleman from Limestone, Mr. Burgess, moves that the House adopt House Amendment "A" to An Act relating to Collection of Excise Taxes in Unorganized Territory, S. P. 523, L. D. 1420. Is this the pleasure of the House?

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

Passed to Be Enacted

The CLERK: The 61st Item on the Advance Journal under Enactors:

H. P. 274, L. D. 261. An Act relating to Throwing Substances on Highways Likely to Cause Fires.

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

Mr. CHILDS: Mr. Speaker, I have an inquiry to make on this L. D. 261. Was there an amendment on this document?

The SPEAKER pro tem: The Chair will state that the bill was passed to be engrossed with a committee amendment.

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

Mr. BURGESS: Mr. Speaker, would it be in order to ask the Clerk to read the amendment?

The SPEAKER pro tem: The Clerk will read the committee amendment.

(Committee Amendment "A" filing No. 267, which had been previously adopted, was read by the Clerk.)

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

Mr. BURGESS: Mr. Speaker, I would like to move the indefinite postponement of L. D. 261 and would like briefly to state my reasons.

The SPEAKER pro tem: The gentleman may proceed.

Mr. BURGESS: Mr. Speaker, to start with, the idea may be fine, it may be excellent, but it never could be enforced, and I strenuously object to any more laws which will make criminals out of us all in substance with no net profitable result. I submit to you that the only convictions that could be had in connection with this bill would be if a police officer was riding directly behind my car and I threw something out. It is, as are other preventative measures, an educational one and not one to be penalized, such as this bill proposes to do. I realize that the gentleman who submitted it had the very best of intentions. Possibly I am wrong, but I do not believe that I am wrong. I think our statutes now have too many such measures which can be enforced only in the event that a police officer is directly beside us.

Therefore, Mr. Speaker and Members of the House, those are my reasons for moving the indefinite postponement of this bill.

The SPEAKER pro tem: The gentleman from Limestone, Mr. Burgess, moves that Bill "An Act relating to Throwing Substances on Highways Likely to Cause Fires, (H. P. 274) (L. D. 261) be indefinitely postponed.

The Chair recognizes the gentleman from New Limerick, Mr. Hand.

Mr. HAND: Mr. Speaker and Members of the House: When this bill was heard before our committee we felt almost exactly the same way as did the gentleman from Limestone, Mr. Burgess, but there were other developments. It seemed to us that the bill might have some merit if the Forestry Department or the Insurance Department or some of the state departments would, by virtue of this bill, post the highways informing people who come into our State that it is against the law to throw lighted articles from an automobile, and that possibly it might act as a deterrent. We realized that probably the bill is entirely unenforceable. The Forestry Department had assured our committee that they would use what funds they had available to post the highways. They believe that the posting of highways, such as is done on the Merritt Parkway, stating that it is illegal and subject to fine or penalty if rubbish is thrown from an automobile, seems to do some good, and they feel that if they had some background, some reason to tell the traveling public that it was against the law that it might act as a deterrent. And I wish to remind the House that this is a unanimous "Ought to pass" report.

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

Mr. CHILDS: Mr. Speaker and Members of the House: I also agree with Mr. Burgess regarding the enforcement angle. As you all know, no law against any crime is going to be enforced until the party who has committed the crime is caught doing it. We also have the same situation in regard to speeding charges. It is no crime going down a highway 90 miles an hour, but as soon as a State policeman sees you it then becomes a crime and you will be arrested. The situation

is the same here. If a party is caught throwing a cigarette or ashes or some other substance out the window it certainly could be enforced then.

The SPEAKER pro tem. The Chair recognizes the gentleman from Bridgewater, Mr. Finemore.

Mr. FINEMORE: Mr. Speaker and Members of the House: I think my good friend, the gentleman from Limestone, Mr. Burgess, is overlooking a good law here, because we remember two or three years ago when we had the big fires that even in our own county, if Mr. Burgess will stop and think, at several different places potato tops that had blown in the road were set afire by reasons similar to this and caused considerable damage and if it had been in unorganized towns it would have caused considerably more damage. I believe we should go along with this piece of legislation.

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

Mr. CAMPBELL: Mr. Speaker and Members of the House: I rise in support of the motion of the gentleman from Limestone, Mr. Burgess.

I am afraid that this law would be in much the same category as our law we have already in regard to throwing bottles from a car. Of course the law provides a fine, anybody who throws a bottle from a car upon the highway is liable to a fine provided he is convicted. I know of a case in our county where there was a bottle thrown from a car and a State police officer was directly behind the car. There were five men in the car. He arrested the man that he thought threw the bottle out and brought him into court, and the four other passengers in the car swore that he didn't do it. I am afraid that this would be in much the same category. If there was more than one person traveling in the car it would be difficult to tell just who threw the substance out. So I hope that the motion of the gentleman from Limestone, Mr. Burgess, prevails.

The SPEAKER pro tem: The Chair recognizes the gentleman from Raymond, Mr. Edwards.

Mr. EDWARDS: Mr. Speaker and Members of the House: I happen to be the person that introduced this bill. I introduced it simply as a safety measure. Several people in my section wished something of this kind to be presented to the Legislature. I checked and found out that recently the State of Massachusetts has enacted a law similar to this.

I came down here at the time of the hearing, I had the support of the Maine State Grange, which went on record at their annual session in December here in Augusta in favor of such legislation. Since that hearing I have also received the support of the Fire Chiefs Association and their representative has told me that if this is passed they are willing to go along and put up a few signs of their own. I do not wish to cause anyone trouble, but I believe it is time that something should be done to educate people to stop throwing cigarettes and other lighted substances onto the highway, which could have a serious effect upon our State.

I hope that the majority of the House will go along with me, and when the vote is taken, Mr. Speaker, I ask for a division.

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

Mr. BIBBER: Mr. Speaker, I move the previous question.

The SPEAKER pro tem: The gentleman from Kennebunkport, Mr. Bibber, 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 rise and stand in their places until counted and the monitors have made and returned the count.

A sufficient number arose.

The SPEAKER pro tem: 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 will say aye; those opposed, no.

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

The SPEAKER pro tem: The question before the House is on the motion of the gentleman from Limestone, Mr. Burgess, that Bill "An Act relating to Throwing Substances on Highways Likely to Cause Fire" H. P. 274, L. D. 261, be indefinitely postponed, and the gentleman from Raymond, Mr. Edwards, has requested a division.

All those in favor of the motion of the gentleman from Limestone, Mr. Burgess, to indefinitely postpone will kindly rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Six having voted in the affirmative and ninety having voted in the negative, the motion to indefinitely postpone did not prevail.

Thereupon the Bill having had its three several readings in the House and having been passed to be engrossed, and having had its two several readings in the Senate and having been passed to be engrossed, and the Committee on Engrossed Bills having reported that it is truly and strictly engrossed, was passed to be enacted, signed by the Speaker and sent to the Senate.

The CLERK: The 118th Item on this morning's Advance Journal: S. P. 170, L. D. 419. Resolve Providing for the Revision of the Statutes.

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

Mr. McGLAUFLIN: Mr. Speaker, I move the suspension of the rules to enable me to move for reconsideration of this resolve to make an amendment to correct an error.

The SPEAKER pro tem: The gentleman from Portland, Mr. McGlauffin, moves, under suspension of the rules, reconsideration of passage to be engrossed as amended by Committee Amendment "A". Is this the pleasure of the House?

The motion prevailed.

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

Mr. McGLAUFLIN: Mr. Speaker, there was an error in the source

of the money for this resolve, and I offer an amendment to correct that error.

The SPEAKER pro tem: The gentleman from Portland, Mr. McGlauffin, presents House Amendment "A". The Clerk will read the amendment.

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

HOUSE AMENDMENT "A" to S. P. 170, L. D. 419, Resolve, Providing for the Revision of the Statutes.

Amend said Resolve by adding after the words "from the" in the 2nd line of the 2nd paragraph from the end thereof the words "unappropriated surplus of the".

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

Orders of the Day

The SPEAKER pro tem: The Chair lays before the House the first tabled and today assigned matter, Senate Report "Ought to pass" as amended by Committee Amendment "A" of the Committee on Legal Affairs on Bill "An Act relating to Licensing of Electricians" (S. P. 455) (L. D. 1269) tabled April 17 by the gentleman from Brewer, Mr. Archer, pending acceptance in concurrence; and the Chair recognizes that gentleman.

Mr. ARCHER: Mr. Speaker and Members of the House: I am going to make a motion, but I would like to speak to the motion if I am in order.

The SPEAKER pro tem: The gentleman may proceed.

Mr. ARCHER: Mr. Speaker, I am not an electrician, I do not know many of the problems of electricians, but I have had communication with several of the electricians in my area and telephone calls from other areas of the State. I think what I want to say is boiled down in a letter I received from one of the electricians, and I will read that letter to you.

"Referring to Bill No. 1209 for licensing electricians, this bill has been up several times before and has always been defeated. This is a very, very cruel thing for the small

country towns and the small electricians. It was introduced by a few electrical contractors last winter who tried to get support but got very little. They go under the name of Electrical Associates of Maine and have very few paid members.

"The electrical installations are controlled in the cities and in other places by the Insurance Commission in Augusta and has worked very satisfactory. The reason they want this bill is to make it tough for an electrician in the small places to operate.

"Small business has got about all the control it can stand, in my opinion. The electrical trade is the smallest trade in the business in amount of dollar value. In the new home today the electrician gets between two and three hundred dollars for his work in a fifteen thousand dollar building. He cannot be expected to take an inspector out in the country five or ten miles just for the ride, and the public would not like to pay. You should hear the opposition the public is making to the \$2.00 service made by the local electric company in this area. The men that work for me are opposed to this bill and I feel the same."

Therefore, Mr. Speaker, I move indefinite postponement of this bill.

The SPEAKER pro tem: The gentleman from Brewer, Mr. Archer, moves that the report and bill be indefinitely postponed in non-concurrence.

The Chair recognizes the gentleman from New Limerick, Mr. Hand.

Mr. HAND: Mr. Speaker and Members of the House: I can assure you that I do not enjoy speaking any more than you enjoy listening to me, but this happens to be another bill which was heard before the Committee on Legal Affairs and it received a unanimous "Ought to pass" report and I am defending it because the committee has assigned the duty of defending it to me.

Now I do not want to be misunderstood. I do not mean that I am not in favor of the bill. I am. I think it is a good bill.

We spent a considerable amount of time in this hearing. There was little if any objection. There was some objections from various industries who kept a maintenance man

on duty at all times and they did not like the idea of his not being able to put in a light bulb without having a license. I didn't like that either, neither did the rest of the committee, and the electricians who sponsored this thing I am convinced had no such thing in mind.

The bill has a committee amendment which has attempted to cure such defects as I have mentioned.

Now as to the number of electricians who oppose it or are in favor of it, we saw no evidence at the committee hearing of anybody being in opposition. It has been represented to us as committee members, and I have no reason to doubt it, that 357 electricians in ninety towns and cities in the State of Maine favored this legislation. Now these 357 electricians are individuals, businessmen, nothing in the nature of a union, and they expressed to us their reasons, the principal one being that the danger to public safety from electrical deficiencies is the second largest cause of fire in the United States today. In Maine, over the past ten years, electrical deficiencies have been consistently the largest single cause of non-incendiary fires.

We were convinced by a very capable explanation of some of these electrical technicalities that unless people doing electrical work were pretty much qualified to be doing electrical work it could be very dangerous. They are asking that the same regulations be imposed upon them as business men as are imposed upon other types of businesses which do deal directly with public safety.

I have talked with members of our committee since this bill was put on the table, and, so far as I can ascertain, I represent unanimously the committee's opinion on this bill.

The SPEAKER: The question before the House is on the motion of the gentleman from Brewer, Mr. Archer, that Report and Bill "An Act relating to Licensing of Electricians" S. P. 455, L. D. 1269, be indefinitely postponed.

All those in favor of the motion of the gentleman from Brewer, Mr. Archer, will say aye; those opposed, no.

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

Thereupon the House voted to accept the report of the committee "Ought to pass" as amended by Committee Amendment "A" in concurrence and the bill was given its two several readings.

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

COMMITTEE AMENDMENT "A" to S. P. 455, L. D. 1269, Bill "An Act Relating to Licensing of Electricians."

Amend said bill by adding at the end of section 6, sub-section I, the following sentence: 'Any person who, being qualified to obtain a license under this subsection, is prevented from making application therefor by reason of service in the armed forces of the United States during the period between the effective date of this act and July 1, 1954, shall have three months after discharge from such service to make such application.'

Further amend said bill by adding after the underlined words "manufacturing plants" in the last line of subsection III, section 13, the following: 'or electrical generating plants'.

Further amend said bill by striking out the period at the end of sub-section VII, section 13, and inserting in place thereof a semicolon.

Further amend said bill by adding the following new sub-section, to be numbered VIII, of section 13:

'VIII. Regular employees of owners or lessees of real property when working as such, or persons whose occupation is the doing of miscellaneous jobs of manual labor in the course of which some incidental electrical work is done.'

Further amend said bill by inserting after the underlined words "any person who makes electrical installations" contained in the 1st and 2nd lines of section 14 the underlined words 'for compensation'.

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

The SPEAKER pro tem: The Chair lays before the House the second tabled and today assigned matter, Bill "An Act relating to

Statement of Income and Expense of Persons Requesting Pauper Assistance" (H. P. 873) (L. D. 944) tabled on April 22 by the gentleman from Liberty, Mr. Cole, pending further consideration; and the Chair recognizes that gentleman.

Mr. COLE: Mr. Speaker and Members of the House: I am quite disturbed about this bill. I wish the members would follow me as I read some of the bill. In Section 2-A it says that all overseers must receive a detailed statement from a pauper before they can give assistance.

Now it looks to me as if this bill is unnecessary, because according to statute now we must give assistance without any detailed statement providing the overseers themselves think they need it.

Now this Section 2-A says that "before a person in distress shall receive assistance from the town he shall, if he has been employed, make a detailed statement to the overseers of the poor thereof under penalty of perjury, setting forth the respective items of income which he has received and the expenditures he has made during the three months last preceding, and he shall make similar statements from time to time to cover the period he claims to be in distress."

Regardless of this, I think the overseers of the poor are now doing a good job, they are also very much underpaid for what they do, and this, in my opinion, would require them to spend a lot more time and would not accomplish too much.

Also in Section 2-B, in regard to town of settlement: "If the settlement of said person in distress is in a town other than that of the town of his settlement the overseer of the poor in said town shall forward the statement required in Section 2-A to the overseers of the poor of the town of settlement." That in turn requires a lot more time of the overseer. To me it seems like a dangerous bill and unnecessary. I believe the overseers are doing a good job in their towns, therefore I move for indefinite postponement of the bill.

The SPEAKER pro tem: The gentleman from Liberty, Mr. Cole, moves that the bill be indefinitely postponed.

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

Mr. CALL: Mr. Speaker and Members of the House: This bill came from our committee, Towns and Counties, and we felt that it was a very easy matter for the overseer of the poor, who is usually in any small town either a selectman or a member of the board of selectmen, to ask any person asking for assistance, if he was questioned by the overseer of the poor and he had been employed previously in the last three months, to give some reason for the cause of the expenditure of his money. Now I believe it is no hardship on any person who is asking for assistance, because it would be a very easy matter to say that presumably in the last three months he had earned three hundred dollars and roughly to say he did spend in the last three months one hundred and twenty dollars for rent and the balance for food and clothing for his children. We thought that it would be very easy to make that statement to the overseer of the poor.

It was to give the overseer of the poor some idea just what he had been doing in the last three months when he was asking for assistance. I call that a very small matter. You know yourself that if you go out to get credit you have to give references to different houses that you trade with or have done business with. We felt that it did not entail very much bookkeeping, that it was only a matter of the overseer of the poor talking to the person that was asking for relief.

Now in regard to statement of town of settlement in Section 2-B, "if the settlement of person in distress is in a town other than that of his settlement" it is very, you know yourself, a lot of you members who come from small towns, that we have people who are asking for aid and who are now living in other towns, but we have to pay the bills. We would like to know just what they have been doing while they have been in that other town. I will say it may entail a little bookkeeping or a little correspondence or telephoning, but I think it is a very good measure, and if I remember correctly it came out unanimously "Ought to pass."

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

Mr. McGLAUFFIN: Mr. Speaker, I never heard of this bill until this afternoon, but I agree with the gentleman from Liberty, Mr. Cole, that this is wholly unnecessary and in some cases it seems to me it would entail a hardship upon some person that tried to get assistance. The overseers of the poor always ask what questions they see fit to ask, but supposing a woman is in distress, her husband is away, she needs some assistance, I do not think that she ought to have to go to all this trouble to get it. I will go along with the gentleman from Liberty, Mr. Cole.

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

Mr. CURTIS: Mr. Speaker and Members of the House: I have been an overseer of the poor in my town several times, and I have also been a man in the horse and buggy days, and in this bill, it seems to me that they have got the cart before the horse, and in my experience, it never did work very well that way.

As the law is now, when a person is in distress and calls for help the procedure is to help them then and there. They might not have anything for supper. In fact, I know one time I was called upon in a case where the husband was away and the woman had eight children and they had not had anything to eat all day. I know that she would not have been very appreciative if I went up and asked her a lot of fool questions. Now as soon as we saw the children were fed, as soon as we could get to it, we went up and ascertained her condition. I think that is all that needs to be done. I think it is unnecessary and uncalled for and would work hardships in many cases, and I am sure that the overseers of the poor in all our small towns—I don't know about your cities—they may be hard-boiled and want this sort of thing, but I am sure the people in the small towns do not want it, and I think it is unnecessary and uncalled for.

The SPEAKER pro tem: The Chair recognizes the gentleman from New Sharon, Mr. Caswell.

Mr. CASWELL: Mr. Speaker, I would like to ask the Committee on Towns and Counties what they would do in the case of a tramp who comes along to the overseer's house at six o'clock at night and calls for a hand-out. Would the overseer be required under this law to search out that party's doings for the past three months, and, if so, what would be the chances of his getting any assistance that night?

The SPEAKER pro tem: The gentleman from New Sharon, Mr. Caswell, requests information through the Chair of any member of the Towns and Counties Committee.

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

Mr. CALL: Mr. Speaker, the question is irrelevant.

The SPEAKER pro tem: The Chair recognizes the gentleman from Bar Harbor, Mr. Peterson.

Mr. PETERSON: Mr. Speaker, I know if we get a case like that in Bar Harbor the police take care of it and gives him a good feed.

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

Mr. GATES: Mr. Speaker, I am an overseer of the poor and have been an overseer of the poor for the past eighteen years. We do not assist anybody without questioning quite thoroughly, but if they say they earned a thousand dollars in the past year and can't account for it, the only thing you can do is get hot under the collar. The law says that if they are in distress you must take care of them. We search them pretty closely to see if they have any funds. If they haven't any funds, regardless of what they have earned during the past three months or what they have done with it, they are in distress at that particular minute and they must be taken care of. I do not see that this is necessary myself, and I would like to see it indefinitely postponed.

The SPEAKER pro tem: The Chair recognizes the gentleman from Bridgewater, Mr. Finemore.

Mr. FINEMORE: Mr. Speaker and Members of the House: I will

just take a minute to say we have no trouble up in our country in telling what they did with their money in the last three months, because usually they drive up and ask for assistance with a Buick or a Packard, and once in a while a Cadillac. (Laughter)

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

Mr. GATES: Mr. Speaker, I would just like to answer the gentleman from Bridgewater, Mr. Finemore, that if they drive up with a Cadillac they don't drive away with it, if they are in distress. (Laughter)

The SPEAKER pro tem: The question before the House is on the motion of the gentleman from Liberty, Mr. Cole, that Bill "An Act relating to Statement of Income and Expense of Persons Requesting Pauper Assistance" H. P. 873, L. D. 944, be indefinitely postponed.

All those in favor of the motion of the gentleman from Liberty, Mr. Cole, that the Bill be indefinitely postponed will say aye; those opposed will say no.

A viva voce vote being taken, the motion prevailed and the Bill was indefinitely postponed and sent up for concurrence.

The SPEAKER pro tem: The Chair lays before the House the third tabled and today assigned matter, House Report "Ought not to pass" of the Committee on Appropriations and Financial Affairs on Resolve in favor of the Town of Stoneham, H. P. 1239, L. D. 1434, tabled April 22 by the gentleman from Hanover, Mr. Ferguson, pending acceptance of the report; and the Chair recognizes the gentleman from Hanover, Mr. Ferguson.

Mr. FERGUSON: Mr. Speaker and Members of the House: I will try to go over briefly this unusual situation in the town of Stoneham.

This morning you had laid on your desks a picture of what you might call the government's operations in the small town of Stoneham. The Town of Stoneham has a population of 216 with a State valuation of \$181,000, town valuation \$192,000. They have 56 people paying a poll tax, 8 not taxed. The tax rate is 76. This is eight mills

above the State average. They have a good stand of timber there that should be assessed at the rate of ten dollars an acre. There is 9000 acres there and a valuation on an average of ten dollars an acre would give Stoneham \$97,000. That is more than fifty per cent of their now assessed valuation. In other words, they have \$181,000, which would make this \$280,000 while their income on the present tax rate would be over \$7000.

This land was taken over by the Federal government for a State Park in 1931 or 1935 under the Weeks Act. As I stated before, there is 9000 acres which this small community does not receive any tax on; it is used for the public. They do not have any income from it. The only income that they ever get is perhaps a few dollars profit on gasoline.

This resolve requests \$12,000 for a new schoolhouse. The total cost of the schoolhouse, according to the best estimates we could get was \$27,400. Of this \$27,400 they were eligible to borrow from the School Authority \$16,400. What the town is asking for is the difference, \$12,000, to build this school. They are terribly crowded, they are now taking care of some of the children in the unorganized township of Albany which is an adjoining town.

As I said before, they should be getting quite large income normally from their forest land, but during the past ten years they have only received on an average \$249 in tax money for wood or timber taken off of this 9000 acres.

It is only through capable management that this town has been able to preserve their charter. I do not believe there is anybody sitting in this room here who would like to see any town lose its charter, particularly so where they are taking care of some of the State children in the unorganized territory. They get some revenue, the State pays a small tuition fee to them, but it does not provide anything for buildings or other facilities they have got to furnish the children.

I have been over there several times myself investigating, and it certainly is a sad situation. I would like to make the motion that we

substitute the resolve for the committee report.

The SPEAKER pro tem: The gentleman from Hanover, Mr. Ferguson, moves that the resolve be substituted for 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 resolve came to the Committee on Appropriations with many others throughout the State, asking for funds for capital layout. We do not consider the State responsible for the building of school buildings in this State. We feel that we have what they call a School Authority that the towns can go to for relief for buildings of this kind. They want to build a building with two rooms and it will cost the State \$12,000. I think there are fifteen or twenty similar bills before us at this time, and it's been our custom to turn all of these down for the last few years, believing it is the town's business to look after their own. This town has no indebtedness so far as I am able to learn, consequently we feel that you should vote this "Ought not to pass."

The SPEAKER pro tem: The Chair recognizes the gentleman from Mexico, Mr. Small.

Mr. SMALL: Mr. Speaker and Members of the House: I regret to have to impose myself upon you for the second time today, but this matter is one which many of you realize is close to my heart, if you have talked to me about these poor towns and their schoolhouses at any time during this session. It happens not to be a problem in my district, but I have put in considerable effort at least checking upon conditions as they affect quite a few towns in this State.

I went into the State Attorney General's office yesterday to inquire into the law about education, and it seems to me that the Constitution, that word which you have heard so much about lately, is very definite in telling the towns what their responsibilities are and we have quite a considerable Department of Education, I have forgotten the exact number of directors, and other officials they have, but it is

a pretty large department, and it has grown rapidly in the last few years, to the kind of education the State of Maine requires from its various communities. It is expected that a child coming out of the third grade in a school such as our Governor attended years ago when he carried water from the house next door to the school, it is expected that a child out of the third or fourth grade there can step into the third or fourth grade in any other town or city in the State and do equal work. Perhaps some of you grew up to ride in a Ford touring car, but I guarantee you don't do it today. I won't waste any more of your time on that but I will get down to this difference of opinion that I had from the Appropriations Committee.

I will admit with them that it would be too bad to have all these dribbles coming in for a little bit of money here and a little bit of money there, and I had hoped that we could have an omnibus bill that would take care of a few schools this year and twice as many next year and help these towns out. There are too many of them with school buildings with leaky roofs, old stoves to heat the buildings by, the old-fashioned outdoor privy to go to in a hurry, and it is a shame that that condition exists.

You had a School Authority created in the last Legislature. Under that act it was so set up that if the subsidy payment to the town, if two-thirds of that payment would meet the requirement for the expense of a town building a building, that they could sell bonds under that act. But when that act was put into operation they discovered that two-thirds of that amount of money was too big an obligation for the town to assume, they said. I think that might not be exactly true. I think that the reason they could not sell the bonds perhaps was this. We don't pay one hundred cents on a dollar, and what guarantee would the bond buyer have that two-thirds of the subsidy would be enough some year to meet the town's obligation.

I feel that this State is making a big error when we do not pay one hundred per cent of something. If you want to cut down these per-

centages, all right, but let's do something that will do away with the inequality here.

Now they were going to let the towns borrow only ten per cent under that Building Authority Act. Somebody else said fifteen. Then they set the yardstick measurement at twelve and a half per cent, and these various towns can't qualify.

Senators from the other end of the house told me, when I was interested in this omnibus bill, that it was up to the town to provide the physical structure and that the State would provide the other money to go with what the town raised. I do not feel that under our present subsidy apportionments that we are doing that. I do not believe that we have met that obligation.

I could go on all the afternoon giving you thoughts I have. Some of you I know have the same thoughts. But I do believe that we are not doing right by these towns in turning down the little difference between what they can borrow and what they need to build these schools, the type of schools that the Department of Education wants them to build. They do not want them to just build a larger outdoor privy, they don't want them to just patch the room, they tell them what they have to have, and for the Lord's sake I think it is only fair we should go along and vote the money out of our funds. We can raise \$2,285 to print a pollen survey. I don't know what good it is going to do. We spent \$15,000 previously on the survey, and after spending that amount I don't object to spending \$2,285 to print it; but when I think that same \$2,285 could have been appropriated to a town whose application we turned down, it would have provided for a hundred children having a better school, and I wonder if I voted right to see the \$2,285 spent the way it was instead of insisting that it go for some of our children.

I hope that the motion of the gentleman from Hanover, Mr. Ferguson, prevails.

The SPEAKER pro tem: The Chair recognizes the gentleman from Waterford, Mr. Ford.

Mr. FORD: Mr. Speaker and Members of the House: I think that Mr. Ferguson and Mr. Small

have covered this subject very well. I simply want to go on record as to the fact that I appeared before the Appropriations Committee in favor of this resolve.

The town of Stoneham adjoins the town of North Waterford where I live. At the time I was principal of the North Waterford school and at the time we were building a new school we had to give up the pupils from the unorganized territory of Albany in order that we could take care of our own children. I do know personally that the conditions in Stoneham are very crowded, I do know that the school is an old and a dilapidated school, and if there is anyway that this House or this State could help that town I am in favor of it.

The SPEAKER pro tem: The Chair recognizes the gentleman from Hanover, Mr. Ferguson.

Mr. FERGUSON: Mr. Speaker and Members of the House, when we take a vote on this I would like a division.

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

Mr. BURGESS: Mr. Speaker and Members of the House: There is no one present who would regret more than I to take a position against proper housing in any town for the pupils of their schools. The question, I believe, boils itself down simply to a matter of policy as far as the State is concerned. It is true that each town that has applied to the State for finance has a different problem. I believe it is also true that each one of them have presented a worthy case, they have presented a case showing need.

In defense of the position your Appropriations Committee has taken on this item and on items which you will have subsequently before you, I believe I can briefly state that if you wish to embark the State upon a huge policy of finance other than that already in effect, namely that of your School District Authority, the Building Authority, and various school districts which can be had by special charter and your municipal debt limit, then we should be prepared to appropriate in the future huge sums of money. I for one

and I believe I speak for the committee when I state this, do not believe that the State should embark upon this program at the present time. I regret that the State, in my opinion at least, is not in a position to attempt to finance every town that is in need. There is a responsibility on their shoulders, and if the laws regarding debt limit need to be changed we have provided a vehicle this morning which, if accepted by the people, could assist them to some extent.

Therefore I do not believe that the State at this time should embark upon this program, and, though I say it with regret, it would cost the State an immense amount of money once the door was open.

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

Mr. STEWART: Mr. Speaker, perhaps I should not speak in a field of appropriations and finance with which I am not too well acquainted, but there were two sentences in this report from the town of Stoneham that sound to me very significant. They are found on Page 2, where it says, "Our neighboring towns of Mason and Albany have given up their charters to the State, their main trouble being non-taxable land."

It seems to me that here in the case of the town of Stoneham we have a town which is not taking the easy way out of giving up its charter. It is trying to continue to govern itself, to pay for some of the services which are afforded by towns to their communities. It is my hope that this House will go along with this town of Stoneham's request because it seems to me that here you have the sturdiness of character evidenced of not taking the easy way out, not going into bankruptcy, not turning all their affairs upon the State, which, if they did, if they surrendered their charter, we would have to be in the position of providing these schools whether we wanted to or not. It is my feeling that we ought to go along with the town of Stoneham on this request.

The SPEAKER pro tem: The Chair recognizes the gentleman from Hebron, Mr. Bearce.

Mr. BEARCE: Mr. Speaker and Members of the House: I have a lot of sympathy with the Appropriations Committee, but I notice that they bring out all of these resolves of this general character with the recommendation "Ought not to pass." Now it seems to me that this is a very special case. The town of Stoneham has a large acreage of valuable timberland on which they receive practically no taxes. If they were able to collect taxes on the timberland owned by the Federal government they would have plenty of money. Unfortunately, they cannot do that. To me it is a very special case, and I believe that we ought to go along with Mr. Ferguson and make it possible for the town of Stoneham to build this schoolhouse.

The SPEAKER pro tem: The Chair recognizes the gentleman from Bangor, Mr. Fuller.

Mr. FULLER: Mr. Speaker and Members of the House: Another thing that reinforces slightly the position of the town of Stoneham is that this situation which Mr. Bearce has just pointed out is the fault of the Legislature. If the State had the percentage of this land that was taken by the Federal government this town would be solvent and able to build its own school.

The SPEAKER pro tem: The Chair recognizes the gentleman from Charleston, Mr. Rich.

Mr. RICH: Mr. Speaker and Members of the House: I notice that it is pretty easy for the Appropriations Committee to allot \$400,000 to the University of Maine for a new boys dormitory. That is fine. But when we have a poor town that is struggling for existence and wants to take care of their schools they are penny-wise, as you might say, and they won't give five or ten thousand dollar aid to one of these poor towns. I am in favor of Mr. Ferguson's bill.

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

Mr. MCGLAUFLIN: Mr. Speaker, when the matter came up of passing the measure to have the State take over the towns that could not take care of themselves I was one

of those who advocated that rather than take over the towns the State should help the towns to take care of themselves. I am still of that opinion. As to the policy that the Appropriations Committee has taken, I have no fault to find with it whatsoever, but this Legislature is not establishing any policy when it takes a particular case on its own merits. I too shall vote for Mr. Ferguson's motion.

The SPEAKER: The question before the House is on the motion of the gentleman from Hanover, Mr. Ferguson, that Resolve in favor of the Town of Stoneham, H. P. 1239, L. D. 1434, be substituted for the "Ought not to pass" report of the Committee. A division has been requested.

All those in favor of the motion of the gentleman from Hanover, Mr. Ferguson, will kindly rise and stand in their places until counted and the monitors have made and returned the count.

A division of the House was had.

The SPEAKER pro tem: One hundred and eleven having voted in the affirmative and six in the negative, the motion to substitute the resolve for the "Ought not to pass" report of the committee prevails.

Thereupon the Resolve was given its first reading and assigned for second reading on the next legislative day.

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

Mr. TURNER: Mr. Speaker, is L. D. 828 now in the possession of the House?

The SPEAKER pro tem: The "Ought not to pass" report of the Committee on Highways on Resolve providing for Construction of Highway to Sugar Loaf Mountain, Franklin County, S. P. 296, L. D. 828, is in the possession of the House.

Mr. TURNER: Mr. Speaker and Members of the House: I would like to move the reconsideration of L. D. 828 at this time.

The SPEAKER pro tem: The gentleman from Auburn, Mr. Turner, moves that the House reconsider its action whereby it accepted the "Ought not to pass" report of

the Committee on Highways on Resolve providing for Construction of Highway to Sugar Loaf Mountain, Franklin County. Is this the pleasure of the House?

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

Mr. TURNER: Mr. Speaker, several people have come to me and they think that there is another way to get a little money to help that out, through the Maine Development Commission or some other way, and they would like to have me get this tabled and assigned for next Tuesday to give them a chance to work on it.

The SPEAKER pro tem: The gentleman from Auburn, Mr. Turner, moves that his motion to reconsider lie upon the table and be specially assigned for Tuesday, the 28th of April. Is this the pleasure of the House?

The motion prevailed, and the motion of the gentleman from Auburn, Mr. Turner, was so tabled and assigned.

On motion of the gentleman from Portland, Mr. Albee, the House voted to take from the table the fifty-eighth tabled and unassigned matter, Bill "An Act relating to Certain Policies of Insurance by Companies Organized under General Law" (S. P. 433) (L. D. 1210) tabled on April 22 by that gentleman pending first reading.

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

Mr. ALBEE: Mr. Speaker, I wish to state that I have contacted members of this committee and they have agreed to allow me to recommit this pending acceptance of either report.

The SPEAKER pro tem: The gentleman from Portland, Mr. Albee, moves that Bill "An Act relating to Certain Policies of Insurance by Companies Organized under General Law" (S. P. 433) (L. D. 1210) be recommitted to the Committee on Business Legislation in non-concurrence and sent up for concurrence. Is this the pleasure of the House?

The motion prevailed and the Bill was recommitted to the Committee on Business Legislation in non-concurrence and sent up for concurrence.

On motion of the gentleman from Brooks, Mr. Dickey, the House voted to take from the table the thirteenth tabled and unassigned matter, House Report "Ought to pass" as amended by Committee Amendment "A" of the Committee on Judiciary on Bill "An Act relating to the Title and Powers of 'Recorders of Municipal Courts'" H. P. 651, L. D. 691, tabled on March 25 by the gentleman from Brooks, Mr. Dickey, pending acceptance of the report.

On further motion of the same gentleman, the House voted to accept the "Ought to pass" as amended by Committee Amendment "A" report of the committee, and the bill was given its two several readings.

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

COMMITTEE AMENDMENT "A"
to H. P. 651, L. D. 691, Bill "An Act Relating to the Title and Powers of 'Recorders of Municipal Courts.'"

Amend said bill by changing the period to a comma at the end of "Sec. 1." and adding **'and shall be ex-officio justices of the peace.'**

Further amend said bill by striking out all of "Sec. 2." thereof.

Further amend said bill by changing that part designated "Sec. 3." to read **'Sec. 2.'**

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

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

Mr. ROBERTS: Mr. Speaker, I have been exercising myself jumping up and down here for a while trying to get the nod, but perhaps I should defer my exercising until after adjournment.

I would like to take up out of order Item 59, An Act to Clarify Boilers and Unfired Steam Pressure Vessels, H. P. 225, L. D. 252.

The SPEAKER pro tem: The gentleman from Dexter, Mr. Roberts, moves that the House reconsider its action taken earlier in today's session whereby Bill "An Act to Clarify Boilers and Unfired Steam Pressure Vessels," H. P. 225, L. D. 252, was passed to be enacted. Is this the pleasure of the House?

The motion prevailed.

The SPEAKER pro tem: The Chair recognizes the same gentleman.

Mr. ROBERTS: Mr. Speaker, there are several of these small boilers in our area that would have to be inspected every year. It costs us \$1.00 for the inspection and \$10.00 to go to the Department of Labor. It takes about an hour to do this job, and recently they have boosted their price to \$1.00 for the inspection, and now this bill proposes to raise the price for the inspection to \$3.00 and increase the amount to the Department of Labor to \$15.00, which makes an increase of about 65 per cent.

I have a letter here from the Superintendent of Schools in which he states that it will cost the schools of Dexter about \$60.00 a year more, and he says he understands that other states bear this expense themselves, they have taken over the Department of Labor, or whatever it is. For that reason I would like to move the indefinite postponement of the bill.

The SPEAKER pro tem: The gentleman from Dexter, Mr. Roberts, moves that Bill "An Act to Clarify Boilers and Unfired Steam Pressure Vessels" H. P. 225, L. D. 252, be indefinitely postponed. Is this the pleasure of the House?

All those in favor of the motion of the gentleman from Dexter, Mr. Roberts, to indefinitely postpone will say aye; those opposed, no.

A viva voce vote being taken, the motion prevailed and the Bill was indefinitely postponed and sent up for concurrence.

On motion of the gentleman from Sweden, Mr. Moulton, the House voted to take from the table the fifty-third tabled and unassigned matter, Senate Report "Ought to pass" in New Draft (S. P. No. 535) (L. D. 1440) of the Committee on Labor on Bill "An Act relating to Inspection of Boilers" (S. P. 315) (L. D. 805), tabled on April 17 by that gentleman pending acceptance in concurrence.

On further motion of the same gentleman, the "Ought to pass" in New Draft report of the committee was accepted in concurrence.

Thereupon the New Draft was given its two several readings and assigned for third reading at the hour of convening of the next legislative day.

On motion of the gentleman from Brooks, Mr. Dickey, the House voted to take from the table the forty-eighth tabled and unassigned matter, Bill "An Act relating to Stock in Trade of Liquor Licensees" (H. P. 940) (L. D. 1000) tabled by that gentleman on April 15 pending third reading.

On further motion of the same gentleman, the Bill was given its third reading, passed to be engrossed as amended by Committee Amendment "A" and sent up for concurrence.

On motion of the gentleman from Madison, Mr. Fogg, the House voted to take from the table the thirtieth tabled and unassigned matter, Bill "An Act relating to Use of Lights to Illuminate Wild Birds or Animals" (H. P. 805) (L. D. 889) tabled by that gentleman on April 7 pending third reading.

The SPEAKER pro tem: The Chair recognizes the same gentleman.

Mr. FOGG: Mr. Speaker, I now move that this bill be given its third reading.

The SPEAKER pro tem: The gentleman from Madison, Mr. Fogg, moves that Bill "An Act relating to use of Lights to Illuminate Wild Birds or Animals" be given its third reading. Is this the pleasure of the House?

The Chair recognizes the gentleman from Standish, Mr. Center.

Mr. CENTER: Mr. Speaker and Members of the House: I do not like this bill. I am going to move that it be indefinitely postponed. I do not believe that we need this law on our books. I realize the motives that prompted the introduction of this piece of legislation, namely, to assist the game wardens in apprehending a few individuals who conspire to defeat the present laws against night hunting, but I believe it is unfair to embarrass law-abiding citizens just to make it easier for the wardens.

I would like to point out that the 95th Legislature voted to give farm-

ers, orchardists, and so forth, the right to kill deer by day or by night if doing substantial damage to crops, and now we have a bill before us to make it illegal to put a light on them.

I can see farmers going into their fields and woods searching for stray cattle and having a game warden trailing behind them to be sure that they do not spot a wild animal. And besides, I firmly believe that the deer and the moose and whatever you have in the woods are natural resources of the State of Maine and that we as citizens should have the right to look at them at least without the inference that we intend to kill them.

The SPEAKER pro tem: The gentleman from Standish, Mr. Center, moves that the bill be indefinitely postponed.

The Chair recognizes the gentleman from Dover-Foxcroft, Mr. Sanford.

Mr. SANFORD: Mr. Speaker and Members of the House: I, too, am opposed to this bill.

Last September my wife and I were up to Big Lyford, that is a small pond up by Moosehead Lake, and another couple from Massachusetts, and practically every night we would go out in a canoe, two canoes, one couple in each one. (Laughter) What is the trouble with that?

Anyway, we were out in the canoes and we were paddling around after supper in the moonlight, and when we got around to a certain side of the pond the moon was coming up this way and maybe it was dark over there under the trees, and this gentleman from Massachusetts with his wife would put the light out in the woods and pick up a deer or a moose. Now we had a lot of fun and we enjoyed that. We even took pictures. We did that night after night, and we really got a lot of fun out of it.

As far as I am concerned, I have never shot a deer, I never intend to shoot a deer, I haven't even shot at one. This couple from Massachusetts were in the same predicament; they never shoot to kill anything.

May I have it quiet, Mr. Speaker. (Laughter)

Seriously, I think this is a bad bill, because there are a lot of sportsmen that come in from out of the state, and they really do this all over these different lakes and ponds in the State of Maine. I really think it would be a bad bill and I am opposed to it.

The SPEAKER pro tem: The Chair recognizes the gentleman from Madison, Mr. Fogg.

Mr. FOGG: Mr. Speaker and Members of the House: I certainly appreciate the remarks of these other gentlemen on this score, and I admit that to some extent they do have an argument, but I had a good reason for putting this bill in and I never have backed anything since I have been in the Legislature that I did not believe there was good reason for backing. So I am going to sort of review those reasons. I think in doing it perhaps the best thing for me to do is to slightly review the night hunting situation in this State as it exists today.

As you all know, we always had more or less night hunting in the State. There has always been a time when somebody who wanted to get his annual deer easily would go out and knock one off with a light. There has always been a time when somebody wanted to go out for a lark, for the sake of just breaking the law. They would say, "Let's go out and knock a deer off with a light." Then there has always been the time when some man who had a wife and children and was not getting along too well, he would go out and knock a deer off illegally. It has not been awfully serious, but it has been somewhat troublesome, but in recent years this whole thing has sort of taken a different turn, and we have got a different type of night hunter.

In my section, and I know it is happening in some other sections, it is developing into an outright racket. It is done by commercialized night hunters who are shooting deer to sell. The reason why they are doing it is that they are tied in with some shortsighted sporting camp owners who are offering them so much for every deer that they bring.

One man this last fall told me — he named the hunting lodge that offered him sixty dollars a week to

guide for them and they also offered him seventy dollars for every deer he would bring in. Now this has been bringing in sort of a cheap class of sportsmen in this State. These camp operators, for a flat price in some cases I know of \$150, will give them a week's lodging and their deer. Now in my country that has become a very serious situation, in fact it has become so serious that the State police have been investigating and we may have some indictments coming out of it.

In other cases these night hunters not only sell the deer to the out-of-state hunters but they also sell them to other people around the country side. A man who owns a store in my town told me that he knew that one of these night hunters had sold deer meat right out of a jeep on the main street.

Now not only are they very well organized but they go over the countryside divided up into sections and they wont encroach upon each other's sections. They also have very good legal advice; they know just how far they can go without getting into trouble with the law.

This whole situation is causing a depletion of the deer supply in the State of Maine. This is no guesswork, because I have gone around to farmers in my section and I have had farmers from other sections tell me the same thing, that the deer supply around this part of the country is disappearing.

The question is whether we want to let this condition continue and let the deer supply disappear. If we do, it is going to mean a great loss to our hunting lodges, it is going to mean a great loss to our Fish and Game Department.

One gentleman the other day said, "Well, Pennsylvania's deer supply got depleted around 1900 and now it is all back and they have more deer than they know what to do with." Can we afford to go thirty or forty years building up our deer supply again?

Now here are some of the evil ramifications which have developed in this situation that we have up there. Not only has it brought in a cheap breed of tin-horn sports into some of these hunting camps, but they, as soon as our deer supply

is gone, will desert the State of Maine and go to New Hampshire where they have a law very similar to this, or Pennsylvania where they have a law which is very similar to this and they will forget all about us.

It also has developed hoodlumism, gangsterism, as you might call it. Now this may sound far-fetched to you, but these hoodlums have gone along the countryside and not only have they beat some people up but they have threatened to burn their homes and they have threatened many other people with a beating. They have their lawyers and they stick very closely to the law. They do not tell a man they are going to beat him up. They will say, "Somebody is going to get beat up. Somebody's home is going to get burned. Somebody is going to have a fire."

Now you may ask how does this law help the Game Department. Well, here is where these hunters are getting away with you might say murder. Years ago a man would take a rifle and a high-powered light and he would go out in his car and spot a deer and he would shoot it from his car. Well, the game wardens started pinching them, and made it illegal to carry a rifle in the car and a light in the car at the same time. So these boys are smarter. They go out and they will have one group with a high-powered light in one car and maybe a hundred feet or so behind they will have another group with a high-powered rifle with a telescopic light on it. They will ride along the road, flashing the fields and the woods. The game warden comes along and examines them. That is all right, that is perfectly legal to have a light in the car. They are tourists and they are looking at the deer. They like to look at them. They are just as innocent as can be. They stop the crowd that has the high-powered rifle. Well, that is all right, they were out hunting during the day and they had not got back home. They have their bullets tucked in their boots somewhere and the game warden can't arrest them. So the game warden can either stay around this bunch and keep watch on them or he can turn his back. As soon as his back is turned they will spot that deer

and knock it off and go on about their business and somebody else will come back in the morning. In some cases they do not even bleed it. If it is very late at night or three or four in the morning they do not even bleed it. The next morning the hunter with a guide will come along and tag that deer and there it is. If it is early at night so the deer would get cold, they will go ahead and bleed it and leave it lying there. The next morning the hunter comes around and he tags the deer and he has got it.

Now this is causing an awful lot of lost deer because in some cases they do not dispose of these deer as soon they get them. I know of one case, and it was right in the paper, a story about where they had given a man a license to get another deer, and it was a common joke up there that the deer he had brought from the camp had spoiled on him because they had kept it too long in the woods before he got it.

This bill will help the game wardens to put the hook into these fellows and stop this night hunting. Some people may say it is an encroachment upon people's rights. I have amended this bill so that it will fit in with the coon hunters and they are satisfied with it. I have talked with the Fish and Game Department about the right of a man to go out and shoot a deer that is in his crops at that time of year, and the Fish and Game Department told me that a man has a right to defend his own property. He can go out and he can take a flashlight and he can look for a deer on his own property.

They have also told me, "Well, some game wardens will abuse this, they won't show proper judgment." I will say this: that in the enforcement of any law a great deal depends upon the judgment of the enforcing officer. I can come down the road from Waterville in my car driving 55 miles an hour and a police officer will drive right along behind me and the chances are he will say nothing about it, but if he wants to he can arrest me for driving 50 miles an hour or 55 miles an hour, he can arrest me for driv-

ing 47 miles an hour, he can arrest anybody else, but the chances are he will let anybody drive 55 miles an hour on the Waterville road. It is up to the judgment of the officer who is enforcing that law. We have got to give the officers some credit for having some sense. You will always find there will be some cases when one officer may not have the proper judgment, but you will find that in any walk of life. We do not all have the proper judgment. But I feel if you can stop this illegal shooting of deer not only are we going to be safeguarding the deer population of this State and safeguarding our own sporting business in the fall but we are going to put an end to a lot of this cussedness that has been going on in some of the different parts of the State.

Now I am speaking for my own section, but I have talked with people from other parts of the State and I find that this whole thing is going on at varying degrees. So I most certainly hope that the motion of the gentleman from Standish, Mr. Center, does not prevail.

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

Mr. **OSBORNE**: Mr. Speaker and Members of the House: I merely want to say that I know personally and know from the Inland Fish and Game Department that the facts given you by Mr. Fogg are correct. I too feel that this bill is perhaps a little drastic, but it is the last bill left, it is the last resort. Some of the rest of us had bills in here to try to curb night hunting. I personally had one in, and it fell before the Judiciary Committee because, in their judgment, they felt that it too far curtailed the jurisdiction of the courts, and I went along with them in their decision because I felt that they were the ones that should judge that.

I would call the attention of these night canoeists that go out looking and flashing their lights on the wild animals to the fact that this only pertains, if you read the bill, to the deliberate use of a light during the months of September, October and November, when it is very cold out canoeing. (Laughter)

I do feel, as I have said, that it is quite drastic, but perhaps the time has come when we have to be drastic.

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

Mr. **TURNER**: Mr. Speaker and Members of the House: I think this is a pretty drastic bill. We might amend it some way so we could take care of one or two of those outlaw counties up north there. I don't know whether the Garden Spot of Maine would come into that or not. Down our way I know there is no night hunting. Now I have just talked with Miss Steeves here, and she has agreed to go canoeing with me sometime, and I hope we won't be allowed to take any flashlight with us to find the way ashore. You know it might be kind of embarrassing. (Laughter)

I will go along with Mr. Center on this bill.

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

Mr. **BIBBER**: Mr. Speaker and Members of the House: I think we have overlooked a couple of little things. We have had a little humor marked into this bill. I will also go along with the remarks of the gentleman from Madison, Mr. Fogg, to a certain extent. You should consider also that there are many people who go out hunting at night with something besides a gun. There are many people who go out and photograph our wild life at night. If this bill passes the game wardens will be chasing every light in the woods and I feel that it will cut down on the efficiency of the department.

I therefore hope that the motion of the gentleman from Standish, Mr. Center, prevails.

The **SPEAKER** pro tem: The Chair recognizes the gentleman from Brewer, Mr. Archer.

Mr. **ARCHER**: Mr. Speaker and Members of the House: This might possibly stop night hunting but I doubt it. Another thing that this House wants to remember, this particular bill will make a criminal out of each and every one of us. In other words, if we drive down the highway we may have occasion to turn around and that will leave

us liable definitely for shining our headlights out in a field.

If you are going to cure night hunting, you have got to have it apply the year round, and this bill only calls for September, October, November and December.

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

Mr. WHITNEY: Mr. Speaker, according to my good friend, the gentleman from Madison, Mr. Fogg, it is not game wardens that we want but it is F. B. I. men if it is such a dangerous territory up there. We do not have any trouble like that in our part of the country. I don't say that there isn't any night hunting, but they are not dangerous.

As far as this bill is concerned, it is going to work a hardship on our summer people. Every year there are more and more people that stay here later into the fall. Those people certainly do enjoy riding out through the country, flashing their lights out into the fields and watching the deer and the other wild animals. This bill is another one that is going to work a hardship on the citizens of the State of Maine, and it is also probably another one of those bills that I signed the minority report on.

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

Mr. CAMPBELL: Mr. Speaker and Members of the House: I want to say just a word in regard to what the gentleman from Auburn, Mr. Turner, has said in regard to the three outlaw counties up in the northern part of the State.

We have no crime in Piscataquis County, and I think I can prove that pretty well because we have two terms of Superior Court up there in a year and quite often we have no cases at all before the Superior Court.

We had a bill of a similar nature two years ago, and I talked with the Chief Game Warden, who was Col. Brown at that time, and he told me they were not too disturbed about it. He said, "Our men can tell who is spotting deer and who

is out trying to jack deer for the purpose of shooting it."

I hope that the motion to indefinitely postpone prevails.

The SPEAKER pro tem: The Chair recognizes the gentleman from Bangor, Mr. Totman.

Mr. TOTMAN: Mr. Speaker, I don't know whether this bill is good or bad, but I just want to allay the fears of the gentleman from Auburn, Mr. Turner, as well as Miss Steeves and call attention to the fact that there was an amendment put on this bill which says, "Except as lights may be now permitted for coon hunters." I think the proper reply to a game warden would be, "There is nobody here but us coon hunters."

The SPEAKER pro tem: The Chair recognizes the gentleman from Mexico, Mr. Small.

Mr. SMALL: I rise, Mr. Speaker, in support of the motion of the gentleman from Standish, Mr. Center, because the fourth house lobbied me a little bit on this, I mean my wife.

I move the previous question.

The SPEAKER pro tem: The gentleman from Mexico, Mr. Small, 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 at this time will rise and stand in their places until counted and the monitors have made and returned the count.

A sufficient number arose.

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

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

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

The SPEAKER pro tem: The question before the House is on the motion of the gentleman from Standish, Mr. Center, that Bill "An Act relating to use of Lights to Illuminate Wild Birds or Animals" H. P. 805, L. D. 889, be indefinitely post-

poned. A division has been requested.

All those in favor of the motion of the gentleman from Standish, Mr. Center, that the bill be indefinitely postponed will kindly rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Seventy-five having voted in the affirmative and twenty-three having voted in the negative, the motion prevailed and the Bill was indefinitely postponed and sent up for concurrence.

On motion of the gentleman from Mexico, Mr. Small, the House voted to take from the table the twenty-seventh tabled and unassigned matter, Bill "An Act relating to Minimum Salaries for Teachers" (H. P. 324) (L. D. 392) tabled by that gentleman on April 7 pending third reading.

On further motion of the same gentleman the Bill was retabled and specially assigned for Wednesday, April 29.

On motion of Mr. Winchenpaw of Friendship,

Adjourned until 9:30 A. M. tomorrow.