

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

Monday April 27, 1953

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

Prayer by the Rev. Fr. John P. Donovan of Augusta.

The members stood at attention during the playing of the National Anthem.

The journal of the previous session was read and approved.

**Papers from the Senate
Ought Not to Pass**

Report of the Committee on Appropriations and Financial Affairs reporting "Ought not to pass" on Bill "An Act relating to Officers and Employees of the Legislature" (S. P. 23) as it is covered by other legislation.

Report of same Committee reporting same on Resolve Appropriating Funds for 1952 Educational Subsidy to Towns (S. P. 392) (L. D. 1096)

Report of the Committee on Legal Affairs reporting same on Bill "An Act relating to Motor Vehicle Racing" (S. P. 258) (L. D. 682) which was recommitted.

Report of same Committee reporting same on Bill "An Act relating to Open Air Drive-In and Summer Stock Theaters" (S. P. 471) (L. D. 1314) which was recommitted.

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 Appropriations and Financial Affairs on Resolve Providing for a Classroom and Library Building at Farmington State Teachers' College (S. P. 24) reporting same in a new draft (S. P. 576) (L. D. 1508) under title of Resolve in favor of Farmington State Teachers' College and that it "Ought to pass"

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

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

Tabled

Report of the Committee on Claims on Resolve in favor of Edward Alvin Hodsdon of Presque Isle (S. P. 166) (L. D. 411) reporting same in a new draft (S. P. 548) (L. D. 1463) under same title and that it "Ought to pass"

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

In the House: Report was read.

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

Mrs. CHRISTIE: Mr. Speaker, I would like to table this bill until tomorrow, for the purpose of presenting an amendment.

The SPEAKER: The gentlewoman from Presque Isle, Mrs. Christie, moves that the Report and Legislative Document 1463 lie on the table pending acceptance of Committee Report in concurrence. Is this the pleasure of the House?

The motion prevailed, and the matter was so tabled.

Report of the Committee on Judiciary on Bill "An Act Authorizing Appointment of Special Guardian" (S. P. 42) (L. D. 55) which was recommitted, reporting same in a new draft (S. P. 549) (L. D. 1464) under same title and that it "Ought to pass"

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

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

**Ought to Pass
Printed Bills**

Report of the Committee on Public Buildings and Parks reporting "Ought to pass" on Bill "An Act relating to the Superintendent of Public Buildings" (S. P. 182) (L. D. 423)

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

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

The following 21 Reports from the Committee on Appropriations and

Financial Affairs were reported under authority of Joint Order (S. P. 544)

Report of the Committee on Appropriations and Financial Affairs on Bill "An Act to Appropriate Monies for Capital Improvements and Construction of State Government for the Fiscal Years Ending June 30, 1954, and June 30, 1955" (S. P. 75) (L. D. 182) reporting a Resolve (S. P. 575) (L. D. 1507) under title of Resolve in favor of the Department of Public Buildings and that it "Ought to pass"

Report of same Committee on same Bill reporting a Resolve (S. P. 574) (L. D. 1506) under title of Resolve in favor of the Reformatory for Men and that it "Ought to pass"

Report of same Committee on same Bill reporting a Resolve (S. P. 573) (L. D. 1505) under title of Resolve in favor of the Bangor State Hospital and that it "Ought to pass"

Report of same Committee on same Bill reporting a Resolve (S. P. 572) (L. D. 1504) under title of Resolve in favor of Aroostook State Park and that it "Ought to pass"

Report of same Committee on same Bill reporting a Resolve (S. P. 571) (L. D. 1503) under title of Resolve in favor of School for the Deaf and that it "Ought to pass"

Report of same Committee on same Bill reporting a Resolve (S. P. 569) (L. D. 1501) under title of Resolve in favor of Aroostook State Teachers College and that it "Ought to pass"

Report of same Committee on same Bill reporting a Resolve (S. P. 563) (L. D. 1500) under title of Resolve in favor of Washington State Teachers College and that it "Ought to pass"

Report of same Committee on same Bill reporting a Resolve (S. P. 570) (L. D. 1502) under title of Resolve in favor of Sebago State Park and that it "Ought to pass"

Report of same Committee on same Bill reporting a Resolve (S. P. 567) (L. D. 1499) under title of Resolve in favor of Lake St. George State Park and that it "Ought to pass"

Report of same Committee on same Bill reporting a Resolve (S. P. 566) (L. D. 1498) under title of

Resolve in favor of Reid State Park and that it "Ought to pass"

Report of same Committee on same Bill reporting a Resolve (S. P. 565) (L. D. 1497) under title of Resolve in favor of Northern Maine Sanatorium and that it "Ought to pass"

Report of same Committee on same Bill reporting a Resolve (S. P. 564) (L. D. 1496) under title of Resolve in favor of Baxter State Park and that it "Ought to pass"

Report of same Committee on same Bill reporting a Resolve (S. P. 563) (L. D. 1495) under title of Resolve in favor of Western Maine Sanatorium and that it "Ought to pass"

Report of same Committee on same Bill reporting a Resolve (S. P. 562) (L. D. 1494) under title of Resolve in favor of Gorham State Teachers' College and that it "Ought to pass"

Report of same Committee on same Bill reporting a Resolve (S. P. 561) (L. D. 1493) under title of Resolve in favor of State School for Girls and that it "Ought to pass"

Report of same Committee on same Bill reporting a Resolve (S. P. 560) (L. D. 1492) under title of Resolve in favor of Pownal State School and that it "Ought to pass"

Report of same Committee on same Bill reporting a Resolve (S. P. 559) (L. D. 1491) under title of Resolve in favor of Central Maine Sanatorium and that it "Ought to pass"

Report of same Committee on same Bill reporting a Resolve (S. P. 558) (L. D. 1490) under title of Resolve in favor of the Department of Adjutant General and that it "Ought to pass"

Report of same Committee on same Bill reporting a Resolve (S. P. 557) (L. D. 1489) under title of Resolve in favor of the Forestry Department and that it "Ought to pass"

Report of same Committee on same Bill reporting a Resolve (S. P. 556) (L. D. 1488) under title of Resolve in favor of Maine State Prison and that it "Ought to Pass"

Report of same Committee on same Bill reporting a Resolve (S. P. 555) (L. D. 1487) under title of Resolve in favor of the Augusta

State Hospital and that it "Ought to pass"

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

In the House, Reports were read and accepted in concurrence, the Resolves read once, and tomorrow assigned.

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

Divided Report

Majority Report of the Committee on Legal Affairs reporting "Ought not to pass" on Bill "An Act Amending the Charter of the City of Lewiston" (S. P. 428) (L. D. 1155) which was recommitted.

Report was signed by the following members:

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

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

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

Report was signed by the following member:

Mr. MARTIN of Eagle Lake
—of the House

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

In the House: Reports were read.

The SPEAKER: The Chair recognizes the gentleman from Lewiston, Mr. Cote:

Mr. COTE: Mr. Speaker, I move that the Majority "Ought not to pass" Report be accepted on this bill, and that we concur with the Senate.

The SPEAKER: The gentleman from Lewiston, Mr. Cote, moves that the Majority Report of the Committee, "Ought not to pass", be accepted in concurrence.

The Chair recognizes the gentleman from Paris, Mr. Stewart.

Mr. STEWART: Mr. Speaker, I move that this bill be indefinitely postponed.

The SPEAKER: Would the gentleman from Paris, Mr. Stewart, please approach the rostrum.

The Chair understands the gentleman from Paris, Mr. Stewart, withdraws his motion.

The question before the House is on the motion of the gentleman from Lewiston, Mr. Cote, that the Majority "Ought not to pass" Report of the Committee be accepted in concurrence. Is this the pleasure of the House?

The motion prevailed and the Majority "Ought not to pass" Report of the Committee was accepted in concurrence.

Ought Not to Pass Tabled

Report of the Committee on Legal Affairs reporting "Ought not to pass" on Bill "An Act to Clarify Issuance of Harness Horse Racing Licenses" (S. P. 272) (L. D. 764)

Came from the Senate with the Bill substituted for the Report and indefinitely postponed.

In the House: Report was read.

The SPEAKER: The Chair recognizes the gentleman from Farmingdale, Mr. Smith.

Mr. SMITH: Mr. Speaker, I move that we table this matter.

The SPEAKER: The gentleman from Farmingdale, Mr. Smith, moves that the Report and Legislative Document 764, Bill "An Act to Clarify Issuance of Harness Horse Racing Licenses", lie on the table pending further consideration. Is this the pleasure of the House?

Thereupon, the motion prevailed, and the report and bill were so tabled, without assignment.

Non-Concurrent Matter

Bill "An Act Creating a Division of Indian Affairs" (H. P. 245) (L. D. 226) which was passed to be engrossed in the House on April 22.

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

In the House: On motion of Mr. Fuller of Bangor, the House voted to insist on its former action and ask for a Committee of Conference.

Non-Concurrent Matter

Bill "An Act relating to Salary of Commissioner of Labor and Industry" (H. P. 1266) (L. D. 1480) on which the House accepted the Minority Report of the Committee reporting "Ought not to pass" on April 22.

Came from the Senate with the Majority Report reporting "Ought to pass" accepted and the Bill passed to be engrossed in non-concurrence.

In the House:

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

Mr. JACOBS: Mr. Speaker, I move that we adhere to our former vote, "Ought not to pass".

The SPEAKER: The gentleman from Auburn, Mr. Jacobs, moves that the House adhere to its former action. Is this the pleasure of the House?

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

Mr. JALBERT: Mr. Speaker and Members of the House: These next three bills which are before you, involving the Commissioner of Labor and Industry, the Commissioner of Education and the salary of the Attorney General are three bills that received a majority "Ought to pass" report of the committee.

Taking them in their order, there was an omnibus bill pertaining to the various departmental heads. The bill, as you know, was broken up, and some received favorable passage and others did not.

The Commissioner of Labor and Industry, quoting some members of the committee, including my own self, in their opinion and in my opinion, has somewhat been kicked around. I believe that the office deserves more money. The importance of the office is being recognized daily, and I certainly hope that we, on this particular item, as well as the other two — and I possibly will comment on the other two — will go along with the Senate. The position of the Commissioner of Labor and Industry has set itself up now where an increase in salary certainly is warranted.

I move that the House concur with the Senate.

The SPEAKER: The gentleman from Lewiston, Mr. Jalbert, moves that the House recede. Is the House ready for the question?

As many as are in favor of the pending motion of the gentleman from Lewiston, Mr. Jalbert, that the House recede from its former action will please say aye; those opposed, no.

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

The SPEAKER: The pending question before the House now is on the motion of the gentleman from Auburn, Mr. Jacobs, that the House adhere to its former action. Is this the pleasure of the House?

The motion prevailed, and the House voted to adhere.

Non-Concurrent Matter

Bill "An Act relating to Salary of Commissioner of Education" (H. P. 1267) (L. D. 1481) on which the House accepted the Minority Report of the Committee reporting "Ought not to pass" on April 22.

Came from the Senate with the Majority Report reporting "Ought to pass," accepted and the Bill passed to be engrossed in non-concurrence.

In the House:

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

The gentleman from Auburn, Mr. Jacobs, moves that the House adhere to its former action. Is this the pleasure of the House?

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

Mr. JALBERT: Mr. Speaker, in moving that we recede and concur with the Senate, I might state that there are many, many of you here who are very definitely interested in education.

I am fully appreciative of the fact that the gentleman who came to Maine, to replace the late Mr. Ladd, has equal capabilities as Mr. Ladd had. I am fully aware, also, that when he came to Maine he knew what the salary was, which could be an argument that the opponents of an increase in salary could use.

I am also aware of the fact that when this gentleman came to Maine, he gave up a great deal more money. He came to Maine be-

cause it was a challenge to him; he wanted to come to Maine.

Now if we are going to be so interested, and we should be, in education, we want somebody at the top with whom we will be satisfied.

I am not taking up the gentleman's cudgels. I have only met him through his appearances before the committee, and for any of you who have not had the pleasure to listen to his theories, and to see how highly principaled this gentleman is, it would afford you a little bit of pleasure to go down to the Commissioner of Education, have an appointment with him, and sit there and talk to him.

I certainly hope that the House will recede and concur.

The SPEAKER: The gentleman from Lewiston, Mr. Jalbert, moves that the House recede from its former action.

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

Mr. CRABTREE: Mr. Speaker and Members of the House: I cannot help but make one more plea, that we go along with the gentleman from Lewiston, Mr. Jalbert, and recede and concur in this matter. The State of Maine is fortunate, indeed, to have a Commissioner of Education of the type which we have now, more fortunate than I can take time to tell you.

I think all of you who have contacted the present Commissioner must feel the same way. This certainly is one of the most important departments in our whole State, not only from a standpoint of cost, but from a standpoint of the future of our State. Indeed we are fortunate to have a Commissioner of the type of our present Commissioner. He is not asking for any more money. He came here at a lesser salary. It seems only right that we should rethink this matter very seriously and go along with the small increase of \$1,000 per year for this fine man and show our appreciation of his fine efforts. The efforts of this man, I am as sure as anything in the world, will pay us in dividends and in the youth of the future citizens way beyond anything we are apt to think of if we think quickly.

I plead with you once more to think this matter over, and I hope you will recede and concur.

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

Mr. SENTER: Mr. Speaker and Members of the House: I do not think I can add anything to what has been said about the character and the spirit and the value of Dr. Espy, Commissioner of Education. That has been adequately covered. I concur and agree, but I would just like to tell you of an experience I had, to show you of Dr. Espy's willingness to help, and what he was willing to do for the town of Brunswick he would be willing to do for your community if you had a need.

I went to him and told him of a serious, a very serious, problem we had in Brunswick, at our Brunswick High School, and I told him that that evening I was asked to go before the School Board with a group of citizens. I said: "Dr. Espy, I would like to know from you what you consider the duties of a Superintendent and what are the duties of a Principal?" He spent over an hour with me, giving me his views, and he assured me that he did not want to interfere with the internal problems in Brunswick, but he said "If I can be helpful to you in a general way, I want to be."

Later he received a letter from a member of the Brunswick School Board, asking for certain information. He told me about the receipt of that letter, and then he said this: "Mr. Senter, do you think it would help if I offered to have the Brunswick School Board come up here so that I could talk with them?" And he said: "I would even be willing to go to Brunswick and meet with them if I could help them through this difficult situation."

Now I say, if he would do that for my community, I know that he would do it for yours. He has a very friendly helpful attitude, and to my mind he is doing a fine job in carrying on the excellent work of the late Harland Ladd. It is an important department, one of the most important departments, because he is dealing with, and he has the responsibility of training the

future citizens of our State. Thank you.

The SPEAKER: The Chair recognizes the gentleman from Lewiston, Mr. Cote.

Mr. COTE: Mr. Speaker and Members of the House: After this bill came before us last week I made certain inquiries about Mr. Espy. I do not know the man; I have never met him; but I feel that he is regarded highly by the teachers. He is also regarded highly by all of those who, in any way, come in contact with the man and those who work with him. Last week I voted against this bill, but this week I shall add a little bit more weight to the argument of my friend, the gentleman from Island Falls, Mr. Crabtree, and for the purposes above-mentioned I shall go along with him.

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

Mr. JACOBS: Mr. Speaker and Members of the House: I have no personal interest in this matter. I fully recognize the abilities of this gentleman; he has come to this State to perform the duties of a Commissioner of Education; he comes highly recommended and others have come during the past few years. It seems to me, knowing the salary that he is to receive, he prefers to come to Maine to live, and in two years from now, if he shows the ability which we really think he has, then is the time, perhaps, to increase his salary but we have turned down all of the other Commissioners of the State of Maine, and I feel that each one should be taken care of in the same manner.

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

Mr. TURNER: Mr. Speaker and Members of the House: We know that his salary is \$9,000, and that should call for a good man, and unless he should start to leave us in another couple of years, then it would be time to give him a little raise. I think he is getting enough, and I am going to vote as I voted before.

The SPEAKER: The pending question before the House is on the motion of the gentleman from Lew-

iston, Mr. Jalbert, that the House recede from its former action.

The Chair recognizes the gentleman from Fort Kent, Mr. Cyr.

Mr. CYR: Mr. Speaker and Members; I had no idea of taking part in the deliberation of this House, but this matter is one that I feel that we should do all we can for our Commissioner of Education. As his salary is at the present time, it is practically on the level with the local superintendent in my district. We pay close to \$9,000 for a local superintendent, and it seems to me it would be a shame for the State of Maine if we have to pay our Commissioner on a local level. Thank you.

The SPEAKER: The Chair recognizes the gentleman from Pownal, Mr. Tuttle.

Mr. TUTTLE: Mr. Speaker, I have great respect for our Commissioner of Education. I would like to see him get a salary in comparison to what he is worth, but I will tell you the way I feel about it: I cannot go home and tell my people that I voted to turn down a \$40 a month pension for the aged or for pensions that will keep people off the town or possibly from starving, and then tell them that I voted to increase a man's salary from nine to ten thousand dollars, whether he is worth it or not. I feel that I must, consistently, vote as I did before.

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

Mr. BAILEY: Mr. Speaker and Ladies and Gentlemen: I do not doubt the sincerity in the least of these people who are asking for an increase for the State Commissioner of Education, but we have had before us the Commissioners or the heads of most of the departments in this State. They are practically all men who have been on the job and they have shown their ability and they are all good men, but we have voted to hold them at the same level. Just simply because we have a man who has come in here — he knew what the salary was when he came—and I shall certainly recommend that we hold to that salary; then, in later years, if we feel that he is worthy of an increase, why, grant it to him.

The SPEAKER: The pending question before the House is on the motion of the gentleman from Lewiston, Mr. Jalbert, that the House recede from its former action whereby it accepted the Minority Report "Ought not to pass" of the Committee on Bill "An Act relating to Salary of Commissioner of Education," H. P. 1267, L. D. 1481.

As many as are in favor of that motion 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.

Thirty-six having voted in the affirmative and sixty-one having voted in the negative, the motion to recede did not prevail.

Thereupon, on motion of Mr. Jacobs, the House voted to adhere to its former action.

Non-Concurrent Matter

Bill "An Act relating to Salary of Attorney-General" (H. P. 1268) (L. D. 1482) on which the House accepted the Minority Report reporting "Ought not to pass" on April 22.

Came from the Senate with the Majority Report reporting "Ought to pass" accepted and the Bill passed to be engrossed in non-concurrence.

In the House:

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

Mr. BURGESS: Mr. Speaker and Ladies and Gentlemen of the House; I wish to address my remarks to the office of Attorney General rather than to the present incumbent or any further incumbent of the office.

It is my honest and candid opinion that the office of Attorney General is probably the most important office in the State Government inasmuch as he is the advisor of the entire administration. It is my further opinion that the person who holds that office should be of equal ability and stature as are the Judges that we have on our Superior Court benches.

The salary of \$7,000, which prevails at the present time, in my opinion cannot and will not attract the calibre of attorney that the State should have in the office of

Attorney General. For example: A thorough, competent attorney with a practice at home of \$20,000 or more annually cannot afford, for two to four years, to give up that practice and accept an office with the State at the salary of \$7,000. He cannot afford to, and no doubt he will not even be a candidate. So I address my remarks to the office and say to you that it is my honest and candid opinion that this group should increase the salary for that office the \$1,000, as required in this bill.

I further state to you that it is my honest opinion that even \$8,000 does not begin to approach the salary which that office warrants. I believe it would be an excellent investment.

Now, Mr. Speaker, I move that the House recede and concur with the Senate.

The SPEAKER: The gentleman from Limestone, Mr. Burgess, moves that the House recede and concur with the Senate.

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

Mr. JACOBS: Mr. Speaker, I feel that this matter should go the same way that the others have gone. I am a personal friend of the Attorney General, as you well know, at the Republican caucus, the first of January, but I feel that we should hold the line in on this matter and adhere. I move that we adhere to our former action.

The SPEAKER: The question before the House is on the motion of the gentleman from Limestone, Mr. Burgess, that the House recede from its former action. As many as are in favor will please say aye; those opposed, no.

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

Thereupon, on motion of Mr. Jacobs, the House voted to adhere to its former action.

Non-Concurrent Matter

Bill "An Act Repealing the Merit Award Board" (H. P. 899) (L. D. 990) on which the House substituted the bill for the "Ought not to pass" Report of the Committee and passed the Bill to be engrossed on April 23.

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

In the House:

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

Mr. DICKEY: Mr. Speaker and Members of the House: This body has turned this matter down twice. I therefore feel that we should insist on our former action and ask for a Committee of Conference, and I so move.

The SPEAKER: The gentleman from Brooks, Mr. Dickey, moves that the House insist on its former action and ask for a Committee of Conference. Is this the pleasure of the House?

The motion prevailed, and the House voted to insist on its former action and ask for a Committee of Conference.

Non-Concurrent Matter

Bill "An Act relating to Salary of Treasurer of State" (H. P. 1269) (L. D 1483) on which the House accepted the Minority Report of the Committee reporting "Ought to pass" and passed the Bill to be engrossed on April 23.

Came from the Senate with the Majority Report of the Committee reporting "Ought not to pass" accepted in non-concurrence.

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

Mr. OSBORNE: Mr. Speaker and Members of the House: I move that we insist and ask that a Committee of Conference be appointed.

This officer is holding a job that is very responsible. The Treasurer of any average size industrial firm would certainly be getting much more than he is getting. He has no additional means of income such as the Commissioner of Labor and Industry, where he gets an additional fee from being a member of some other committee and so on; he is limited to this salary as stated. I move that we insist.

The SPEAKER: The gentleman from Fairfield, Mr. Osborne, moves that the House insist on its former action and ask for a Committee of Conference.

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

Mr. JALBERT: Mr. Speaker, I am going to attempt to come up with a winner. If we are going to be consistent, let's go all the way. I will attempt also to use the powerful Mr. Jacobs's technique. Frank Carpenter is a personal friend of mine. When there was a Constitutional amendment that came up a couple of years ago I was on the radio for eleven one-half hour programs, extolling the Treasurer of the State's office virtues, and hoping that Mr. Carpenter would have his wish so he could again become a candidate and be elected by you good Republicans as Treasurer of the State.

Also quoting Mr. Jacobs's remarks of a few minutes ago: "We have turned them all down. Lets turn this one down."

I move we recede and concur.

The SPEAKER: The gentleman from Lewiston, Mr. Jalbert, moves that the House recede and concur.

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

Mr. JACOBS: Mr. Speaker, during all the years that I have been here I think everyone who knows me will recognize that I have tried to be fair, and I believe that the salary of the State of Maine of \$5,000 is not comparative with those of our Commissioners who are receiving at least \$7,000. The Treasurer receives millions of dollars into the Treasury of Maine every year, and he is responsible for all of his transactions. He is bonded, to be sure, but he is responsible, and I feel it is perfectly fair for this man to receive \$1,000 more. You voted last week for him to do so. I hope you will do it now.

The SPEAKER: The pending question before the House is on the motion of the gentleman from Lewiston, Mr. Jalbert, that the House recede and concur. As many as are in favor of that motion 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-one having voted in the affirmative and sixty-two having voted in the negative, the motion to recede and concur did not prevail.

Thereupon, on motion of Mr. Osborne of Fairfield, the House voted to insist upon its former ac-

tion and ask for a Committee of Conference.

Non-Concurrent Matter

Resolve in favor of Bosworth Memorial Association (H. P. 23) (L. D. 18) on which the House accepted the Minority Report of the Committee reporting "Ought to pass" and passed the Resolve to be engrossed on April 16.

Came from the Senate with the Majority Report of the Committee reporting "Ought not to pass" accepted in non-concurrence.

In the House: On motion of Mr. Berry of South Portland, a viva voce vote being taken, the House voted to insist on its former action and ask for a Committee of Conference.

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

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

Orders

On motion of Mrs. Lord of Portland, it was

ORDERED, that Mr. Denbow of Lubec be excused from attendance until Wednesday of this week because of business.

Tabled and Assigned

Mr. Albert of Augusta presented the following Order and moved its passage:

ORDERED, that the State Librarian be directed to make available to each member of the House a copy of the 1945 Laws;

AND BE IT FURTHER ORDERED, that the 1947, 1949 and 1951 Laws be distributed to members of the House on a first come first served basis commencing Wednesday noon of this week.

The Order was read.

(On motion of Mr. Trafton of Auburn, the Order was tabled and especially assigned for tomorrow morning.)

House Reports of Committees Ought to Pass in New Draft

Mr. Burgess from the Committee on Appropriations and Financial Affairs on Bill "An Act relating to Payments to Towns by State in Lieu of Taxes" (H. P. 251) (L. D. 281) which was recommitted, reported same in a new draft (H. P. 1279) (L. D. 1515) under title of "An Act Providing for Towns Sharing in Profits from State Owned Lands" and that it "Ought to pass".

Report was read and accepted, the Bill read twice and tomorrow assigned.

Tabled and Assigned

Mr. Butler from the Committee on Inland Fisheries and Game on Bill "An Act relating to Hunting with Bow and Arrow in Penobscot County" (H. P. 64) (L. D. 60) reported same in a new draft (H. P. 1280) (L. D. 1516) under title of "An Act relating to Hunting with Bow and Arrow in Piscataquis County" and that it "Ought to pass".

Report was read.

(On motion of Mr. Brockway, of Milo, the Report with accompanying papers was tabled pending acceptance of the Committee Report and specially assigned for Wednesday, Apr. 29.)

Tabled

Mr. Currier from the Committee on Inland Fisheries and Game on Resolve Closing Part of Sebago Lake, Cumberland County, to All Fishing (H. P. 1238) (L. D. 1433) reported same in a new draft (H. P. 1281) (L. D. 1517) under title of Resolve relating to Navigation on Part of Sebago Lake, Cumberland County and that it "Ought to pass".

Report was read.

(On motion of Mr. Edwards of Raymond, the Report with accompanying papers was tabled pending acceptance of the Committee Report.)

Indefinitely Postponed

Mr. Stewart of Paris from the Committee on Legal Affairs on Bill "An Act relating to Election of Members of School Board in Town of Camden" (H. P. 144) (L. D. 142) reported same in a new draft (H.

P. 1282) (L. D. 1522) under same title and that it "Ought to pass".

Report was read.

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

Mr. FULLER: Mr. Speaker and Members of the House: I would like to speak to you just for a few moments on this bill as House Chairman of the Education Committee and Majority Floor Leader.

I certainly hate to go against my good friend, the gentleman from Hope, Mr. Ludwig, but there is a little history back of this bill which I think you should all know about. Number one, the bill that was brought to this Legislature originally calls for the school board members to be elected at any time that any citizen or group of citizens are dissatisfied with any member of the school board. They could hold a special town meeting and fire one or all of them. So you can see that the bill originally was set up to settle a local dispute and I think it is a shame to put a law on the books of the State of Maine that has a tendency to settle someone's local feud or dispute and I would feel that I am remiss in my duties if I did not bring it to your attention. I would like to read just a little of the original bill as it was brought in and you can see what I mean.

It says: "The members of the school board, elected as herein provided, shall each serve for the term of 1 year unless they shall sooner be removed from office by vote of the people of the town of Camden at a special town meeting called for that purpose. In the event any of the members or all of the members of the school board should be so removed from office, the vacancies thereby created shall be filed by the election of new members at the same special town meeting..."

Now, Camden is a fine town but it is a small town as towns and cities go and this redraft asks for five members and not three. I have served as a superintendent of schools and I feel this way: If you can't get along with three school board members, you certainly can't get along with five and I feel too that five school board members is going to set up a precedent and any

time that some small town like North Overshoe is dissatisfied with what is going on they can come into the Legislature and they are going to ask for five school board members, some other town might ask for seven or ten. I certainly don't think from an educational standpoint that it is sound. I don't think that it is sound from a legal standpoint. Therefore, Mr. Speaker, I move for the indefinite postponement of this bill.

The SPEAKER pro tem: The gentleman from South Portland, Mr. Fuller, moves that the report and bill be indefinitely postponed.

The Chair recognizes the gentleman from Hope, Mr. Ludwig.

Mr. LUDWIG: Mr. Speaker and Ladies and Gentlemen of the House: This bill, I will admit, as originally presented, as the gentleman from South Portland, Mr. Fuller, has said, was wrong. The Legal Affairs Committee has corrected it with this new draft. Now, the citizens of the town of Camden on May 12 voted for this on an Australian ballot with a vote of 578, yes, to 184, no.

Now it is my contention for two reasons that a school committee of five would be good. The first reason is: If you can get people, citizens of a town, willing to serve without pay on a school committee and take an interest in the school, you are going to have a better committee than you are with three. You are going to have people in town who know what is going on in the schools and they are going to be more interested.

But that is not my main reason. My main reason is this: This bill in the new draft sends it back to the Town of Camden for final referendum. They have another chance to vote on the issue and one issue only, whether they are going to have a school committee of three or five. Now, I maintain that the citizens of the town of Camden have a right to vote on whether to have a school committee of three or five. I do not think that it is any of my business or the business of you people here to tell the people in Kalamazoo or any other place that they shall have a committee of three or five. But I maintain that the citizens of the town of Camden

are entitled to choose whether they have a committee of three or five, the same as any of the towns or cities you represent have a right to go to the polls and vote and settle the whole issue. That is democracy at work on the level of home basis and I think that that is the way that it should be. I hope the motion of the gentleman from South Portland, Mr. Fuller, does not prevail and I ask that when the vote is taken it be by division.

The SPEAKER pro tem: The Chair recognizes the gentleman from Berwick, Mr. Gowell.

Mr. GOWELL: Mr. Speaker, as I recall this matter when it came before the Committee on Legal Affairs, there was some difference of opinion as to the number of gentlemen who should be elected or the number of members who should be elected on the school board. Senator Harding, who represents the Senate in that section, was one who appeared on one side and another attorney, I don't remember the name, appeared on the other. A sub-committee was appointed to look over the whole situation and to draft a bill that would be satisfactory to both sides. As I understand it, that bill, which was reported "Ought to pass" by the Legal Affairs Committee, was accepted by both sides and, as the gentleman from Hope (Mr. Ludwig) has stated, it was passed at a referendum election at the last annual meeting. I think that the committee report should be accepted.

The SPEAKER pro tem: The Chair recognizes the gentleman from Mechanic Falls, Mr. Abbott.

Mr. ABBOTT: Mr. Speaker and Members of the House: I would like to go along with the gentleman from South Portland, Mr. Fuller. I have served on a school board for several years and I agree with him and also would add if a school board of three can't get along with the superintendent, they can't get along with the town either. I think three is a great plenty.

The SPEAKER pro tem: The Chair recognizes the gentleman from Friendship, Mr. Winchenpaw.

Mr. WINCHENPAW: Mr. Speaker and Members of the House: As a Representative from Thomaston, I feel that I should oppose this meas-

ure because if Camden were a town that had its own superintendent solely, it wouldn't make any difference but Camden is a town which is in a union—I have forgotten the number of that union but it is in with Thomaston—and how are they going to manage to elect a new superintendent if Camden sends down five members to a joint union board and Thomaston only has three? It seems to me that Camden would have an overwhelming power on their side and I feel that the school board members of Thomaston are opposed to this thing and I certainly hope that the motion made by the gentleman from South Portland, Mr. Fuller, prevails.

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

Mr. FULLER: Mr. Speaker, I have no special interest in this bill certainly and I agree that the people in a democracy should rule but I disagree with my friend, the gentleman from Hope, Mr. Ludwig, that it is all right to have five school board members and I disagree with him in that it is none of our business. It is the Legislature's business and we do tell all these other towns that they shall have three school board members and not five and I do not think that we should tell Camden that they can have five and limit the others to three. I think three is enough and it does, as the gentleman from Friendship (Mr. Winchenpaw) has said, present a rather serious problem where there is a union of towns that have to meet jointly and elect a superintendent. Camden would have five votes and Thomaston would have only three and Hope would have only three so they would have nearly as many as the other two towns put together.

The SPEAKER pro tem: The Chair recognizes the gentleman from Standish, Mr. Center.

Mr. CENTER: Mr. Speaker and Members of the House: I happened accidentally to be in before the Legal Affairs Committee and I heard this hearing but I have no interest in this respect as far as the town of Camden is concerned. I, too, have served on the superintendent of school committee in my town, served for ten years, and

I can say that during that time we had no difficulty. I, however, due to that experience, have for a long time felt that a superintendent of school committee of five would be preferable to three for various reasons which I will not go into at this time but the gentleman from South Portland, Mr. Fuller, seems to feel that this might be establishing a precedent and personally I hope it will establish a precedent and I hope that the motion to indefinitely postpone does not prevail.

The SPEAKER pro tem: The Chair recognizes the gentleman from Hodgdon, Mr. Williams.

Mr. WILLIAMS: Mr. Speaker and Members: I think I have spent about as long on a school committee as anyone here, somewhere around twenty-five or thirty years. It wasn't always as harmonious in our district as the gentleman from Standish, Mr. Center, talks about. We certainly had difficulties with our superintendents and among ourselves but I still think that three is a great sufficiency. Why make it five when three has lasted a long time and has worked perfectly well?

The SPEAKER pro tem: The Chair recognizes the gentleman from Whitefield, Mr. Chase.

Mr. CHASE: Mr. Speaker and Members of the House: Evidently the Education Committee and the Legal Affairs Committee have different views on this subject. I can not see how these former school committee members of the Education Committee can formulate policies for all the towns in the State. I want to say that I have sat beside the esteemed gentleman from Hope, Mr. Ludwig, for two terms and I want to say, at this time, that I feel that he is a very sound man in his judgment. This is a matter for the town of Camden to settle from my viewpoint and I certainly hope that the move for indefinite postponement does not prevail.

The SPEAKER pro tem: The question before the House is on the motion of the gentleman from South Portland, Mr. Fuller, that the Report of the Committee on Legal Affairs on Bill "An Act relating to Election of Members of School Board in Town of Camden," House Paper 144, Legislative Document 142, reporting same in a new draft, House Paper 1282, Legisla-

tive Document 1522, under same title and that it "Ought to pass," together with accompanying papers, be indefinitely postponed.

The gentleman from Hope, Mr. Ludwig, has asked for a division.

As many as are in favor of the motion of the gentleman from South Portland, Mr. Fuller, will please rise and remain standing until the monitors have made and returned the count.

A division of the House was had. Forty-four having voted in the affirmative and thirty-seven having voted in the negative, the motion prevailed and the Report with accompanying papers was indefinitely postponed and sent up for concurrence.

Ought to Pass Printed Bill

Mr. Call from the Committee on Towns and Counties reported "Ought to pass" on Bill "An Act to Increase the Salary of the Recorder of the South Portland Municipal Court" (H. P. 1247) (L. D. 1455)

Report was read and accepted, the Bill read twice, and tomorrow assigned.

Ought to Pass with Committee Amendment

Mr. Center from the Committee on Agriculture on Bill "An Act Creating the Maine Food Law" (H. P. 344) (L. D. 351) 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. 344, L. D. 351, Bill "An Act Creating the Maine Food Law."

Amend said Bill by adding after the underlined words "package liners" in the 12th line of that part designated "Sec. 186-C", the underlined words 'but in the case of bottles shall include crowns or caps affixed thereto'.

Further amend said Bill by striking out the underlined words "this state" in the last line of subsection VI of that part designated "Sec. 186-D" and inserting in place thereof the underlined words 'the United States'.

Further amend said Bill by striking out all of the 1st paragraph after the headnote of that part designated "Sec. 186-F" and inserting in place thereof the following underlined paragraph:

'Any person who violates any of the provisions of section 186-D shall be punished by a fine of not more than \$100 for the 1st offense, and a fine of not more than \$200 for each subsequent offense; provided that carriers subject to jurisdiction of the Maine public utilities commission or the interstate commerce commission shall not be subject to the provisions of subsection III of section 186-D by reason of their receipt, carriage, holding or delivery of foods, in the usual course of business as carriers.'

Further amend said Bill by adding after the underlined word "refused" in the 5th line of the 3rd paragraph of that part designated "Sec. 186-F" the underlined words 'or neglected'.

Further amend said Bill by adding at the end of the last paragraph of that part designated "Sec. 186-G" the following underlined sentence:

'In the event that any food found on any vehicle of transportation is detained, embargoed, condemned or destroyed under any of the provisions of this section by the commissioner or his authorized agents, the commissioner shall forthwith notify the consignor, consignee and the carrier of the action taken and the amount and kind of goods detained, embargoed, condemned or destroyed.'

Further amend said Bill by adding after the underlined words "business of" in the 2nd line of subsection V of that part designated "Sec. 186-K" the underlined words 'or sufficient information to identify'.

Further amend said Bill by adding at the end of sub-section IX of that part designated "Sec. 186-K" the following underlined punctuation and words '; provided further, that the requirements of clause (B) of this subsection shall not apply to a carbonated beverage, the ingredients of which have been fully and correctly disclosed in an affidavit subscribed and sworn to by the manufacturer or bottler thereof and filed with the commissioner'.

Further amend said Bill by adding at the end of that part designated "Sec. 186-N" the following underlined subsection:

'III. In the event that any samples or specimens of food are removed from any vehicle of transport, it shall be the duty of the commissioner to notify the consignor, consignee and the carrier of the action taken and of the amount and kind of sample or specimen taken.'

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

Mr. Ludwig from the Committee on Highways on Bill "An Act relating to Construction of State Aid Highways" (H. P. 326) (L. D. 394) 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. 326, L. D. 394, Bill, "An Act Relating to Construction of State Aid Highways."

Amend said Bill by inserting at the beginning of the 1st line the underlined abbreviation and figure 'Sec. 1.'

Further amend said Bill by adding at the end thereof the following new sections;

"Sec. 2. R. S., c. 20, § 29-B, additional. Chapter 20 of the revised statutes is hereby amended by adding thereto a new section to be numbered 29-B, to read as follows:

'Sec. 29-B. Additional state aid for reconstruction. If any town shall expend a portion or all of its state aid joint fund as provided by sections 25, 27, 29, and 29-A for reconstruction of improved state or state aid highways, the commission shall increase its apportionment of state aid by 20% of the state aid joint fund so expended.'

Sec. 3. Legislative intent. It is the intent of the legislature that towns may anticipate the provisions of this act and make such appropriations and expenditures as they deem advisable in such anticipation, and that the provisions of this act shall apply to such appropriations and

expenditures made before the effective date of this act."

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

Divided Report Tabled and Assigned

Majority Report of the Committee on Appropriations and Financial Affairs reporting "Ought not to pass" on Resolve Providing Funds for Nursing Attendant Education (H. P. 480) (L. D. 499)

Report was signed by the following members:

Mr. HASKELL of Penobscot
—of the Senate

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

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

Report was signed by the following members:

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

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

Reports were read.

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

Mr. CRABTREE: Mr. Speaker and Members of the House: I do not recall that I have moved to table any matter this year and I hesitate to do so now because I am against tabling as a principle but as I look around and see the few survivors this morning and, I must admit, the blue Monday mood that some of us are in, it seems that I must finally come to move to table this matter until Thursday next.

The SPEAKER pro tem: The gentleman from Island Falls, Mr. Crabtree, moves that the two reports with accompanying papers be tabled pending acceptance of either report and be specially assigned for Thursday next, April 30. Is this the pleasure of the House?

The motion prevailed and the matter was so tabled.

The SPEAKER pro tem: The Chair recognizes the gentleman from Boothbay Harbor, Mr. Tupper. For what purpose does the gentleman rise?

Mr. TUPPER: Mr. Speaker, if I am in order, I would like to move for adjournment until tomorrow. I cannot see staying here with so few present.

The SPEAKER pro tem: The gentleman's motion is in order. The gentleman from Boothbay Harbor, Mr. Tupper, moves that the House do now adjourn until tomorrow. Is this the pleasure of the House?

All those in favor of the gentleman's motion will please say aye; those opposed say no.

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

Divided Report

Majority Report of the Committee on Correctional Institutions reporting "Ought to pass" on Bill "An Act Providing for a Deputy Commissioner of Institutional Service" (H. P. 897) (L. D. 883)

Report was signed by the following members:

Messrs. GREELEY of Waldo
CARPENTER of Somerset
HANSON of Washington
—of the Senate

Messrs. COTE of Lewiston
MACOMBER of Jay
WADLEIGH of Mt. Vernon
SMITH of Farmingdale
ABBOTT of Mechanic Falls
WHITING of Skowhegan
—of the House

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

Report was signed by the following member:

Mr. FINEMORE of Bridgewater
—of the House

Reports were read.

On motion of Mr. Wadleigh of Mount Vernon, the Majority "Ought to pass" Report was accepted and the Bill read twice and tomorrow assigned.

**Divided Report
Tabled**

Majority Report of the Committee on Legal Affairs reporting "Ought not to pass" on Bill "An Act relating to Pari Mutuel Pool Contributions and Night Running Racing" (H. P. 976) (L. D. 1064)

Report was signed by the following members:

Mr. CHAPMAN of Cumberland
—of the Senate

Messrs. CHILDS of Portland
STEWART of Paris
STEWART of Portland
HAND of New Limerick
MARTIN of Eagle Lake

—of the House

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

Report was signed by the following members:

Mr. WEEKS of Cumberland
—of the Senate

Messrs. GOWELL of Berwick
WOODCOCK of Bangor
—of the House

Reports were read.

(On motion of Mr. Childs of Portland, the two reports with accompanying papers were tabled pending acceptance of either Report.)

Passed to Be Engrossed

Bill "An Act Providing for Maintenance of Road Leading to Baxter State Park" (H. P. 1277) (L. D. 1513)

Bill "An Act relating to Trespass" (H. P. 1278) (L. D. 1514)

Resolve in favor of the Madawaska Training School (S. P. 543) (L. D. 1461)

Resolve Regulating Fishing in Stearns Pond and Tributaries in the County of Oxford (H. P. 100) (L. D. 88)

Resolve in favor of Bert W. Paul of Skowhegan (H. P. 488) (L. D. 508)

Resolve Opening Upper Rang Pond, Androscoggin and Cumberland Counties, to Ice Fishing (H. P. 518) (L. D. 521)

Resolve Opening Brackett Lake, Aroostook County, to Ice Fishing (H. P. 817) (L. D. 901)

Resolve Proposing an Amendment to the Constitution to Provide for a Bonus to Maine Veterans of World War II and the Korean Campaign (H. P. 1133) (L. D. 1283)

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

Amended Bills

Bill "An Act to Clarify the Employment Security Law" (S. P. 356) (L. D. 967)

Bill "An Act Amending the Maine Employment Security Law as to Benefit Eligibility Conditions" (H. P. 754) (L. D. 779)

Bill "An Act to Provide for the Appointment of a Board of Commissioners for the Police and Fire Departments of the City of Saco" (H. P. 832) (L. D. 948)

Bill "An Act relating to Benefits for Total Unemployment Under Employment Security Law" (H. P. 1102) (L. D. 1243)

Bill "An Act relating to Benefits for Partial Unemployment Under Employment Security Law" (H. P. 1103) (L. D. 1211)

Bill "An Act to Authorize Issuance of Bonds in the Amount of Twenty Million Dollars for Bonus to Maine Veterans of World War II and Korean Campaign" (H. P. 1132) (L. D. 1282)

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 Expenses of Maintaining Burying Grounds in Unorganized Territory" (H. P. 947) (L. D. 1001)

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

Bill "An Act relating to Taking of Smelts from Songo River, Cumberland County" (H. P. 259) (L. D. 289)

Was reported by the Committee on Bills in the Third Reading, read the third time, passed to be en-

grossed as amended by Committee Amendment "A" and House Amendment "A" and sent to the Senate.

Bill "An Act Prohibiting the Sale of Malt Liquor in Non-Returnable Bottles" (H. P. 351) (L. D. 367)

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

At this point, Speaker Bates returned to the rostrum.

Speaker BATES: To the gentleman from Moose River Plantation, Mr. Watson, I am sure the House has enjoyed having you preside and on behalf of the House and personally I thank you most sincerely.

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

Orders of the Day

The SPEAKER: On the Committee of Conference on the disagreeing action of the two branches of the Legislature on House Paper 23, Legislative Document 18, Resolve in Favor of Bosworth Memorial Association, the Chair will appoint the following members on the part of the House: the gentleman from South Portland, Mr. Berry; the gentleman from Bangor, Mr. Fuller; the gentleman from Portland, Mr. Roundy.

On the Committee of Conference on the disagreeing action of the two branches of the Legislature on House Paper 899, Legislative Document 990, Bill "An Act Repealing the Merit Award Board", the Chair will appoint the following members on the part of the House: the gentleman from Brooks, Mr. Dickey; the gentleman from Liberty, Mr. Cole; the gentleman from Lewiston, Mr. Jalbert.

The House is proceeding under Orders of the Day.

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

On motion of Mr. Cote of Lewiston, the House voted to take from the table the fourteenth tabled

and unassigned matter, House Report "Ought not to pass" of the Committee on Towns and Counties on Bill "An Act relating to Closing County Offices on Saturdays", House Paper 1145, Legislative Document 1293, tabled on April 1 by the same gentleman pending acceptance of the report.

The SPEAKER: The Chair recognizes the same gentleman.

Mr. COTE: Mr. Speaker, after speaking with the members of the Committee on Towns and Counties, I would like to substitute the bill for the report in order to consider presenting an amendment.

The SPEAKER: The gentleman from Lewiston, Mr. Cote, moves that the bill be substituted for the "Ought not to pass" report of the committee. Is this the pleasure of the House?

The motion prevailed and the Bill was given its two several readings.

House Amendment "A" offered by Mr. Cote of Lewiston was then read by the Clerk as follows:

HOUSE AMENDMENT "A" to H. P. 1145, L. D. 1293, Bill "An Act Relating to Closing County Offices on Saturdays."

Amend said Bill by adding at the end of the title thereof the words 'in the County of Androscoggin.'

Further amend said Bill by adding after the underlined word "offices" in the 4th line the underlined words 'in the County of Androscoggin'.

On further motion of Mr. Cote of Lewiston, House Amendment "A" was adopted and the Bill as amended was assigned for third reading tomorrow.

Mr. COTE of Lewiston: Mr. Speaker—

The SPEAKER: The Chair recognizes the gentleman from Lewiston, Mr. Cote.

Mr. COTE: Mr. Speaker, I move to take from the table the fifteenth unassigned matter for the same purpose.

The SPEAKER: The gentleman from Lewiston, Mr. Cote, moves to take from the table the fifteenth tabled and unassigned matter, House Report "Ought not to pass" of the Committee on Towns and Counties on Bill "An Act relating to Holidays for County Offices", House Paper

1146, Legislative Document 1294, tabled on April 1 by that gentleman, pending acceptance of the report. Is this the pleasure of the House?

The motion prevailed.

On further motion of Mr. Cote of Lewiston, the House voted to substitute the Bill for the Report. The Bill was then given its two several readings.

Mr. Cote then offered House Amendment "A" and moved its adoption. House Amendment "A" was read by the Clerk as follows:

HOUSE AMENDMENT "A" to H. P. 1146, L. D. 1294, Bill "An Act Relating to Holidays for County Offices."

Amend said Bill by adding at the end of the title thereof the words 'in the County of Androscoggin'.

Further amend said Bill by adding after the underlined word "offices" in the 4th line the underlined words 'in the County of Androscoggin'.

House Amendment "A" was adopted and the Bill as amended was assigned for third reading tomorrow.

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

On motion of Mr. Archer of Brewer, the House voted to take from the table the tenth tabled and unassigned matter, House Report "Ought not to pass" of the Committee on Taxation on Bill "An Act relating to Sales Under Nineteen Cents Under Sales Tax Law", House Paper 943, Legislative Document 985, tabled on March 26 by the same gentleman pending acceptance of the report of the committee.

On further motion of the same gentleman, the "Ought not to pass" Report was accepted and sent up for concurrence.

Mr. Stewart of South Paris was granted unanimous consent to present an order out of order and under suspension of the rules.

Mr. Stewart of South Paris then presented the following order and moved its passage:

ORDERED, the Senate concurring, that the members of the Senate and House of Representatives be reimbursed for expense, other than travel, in attending the daily sessions of this Regular Session of

the Legislature in the amount of \$7.00 for each day in attendance, and

BE IT FURTHER ORDERED that the State Controller be, and hereby is directed to pay from current Legislative appropriations said reimbursement to members of the House and Senate, on account of expense, as aforesaid, upon the filing of sworn certificates of attendance. (H. P. 1283)

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

Mr. STEWART: Mr. Speaker, I request unanimous consent to present a further order.

The SPEAKER: Does the Chair understand that the gentleman does not wish to speak to the order now pending? Does the gentleman wish to speak to some other matter? Does the gentleman wish to speak to the order now before the House or to some other matter?

Mr. STEWART: No, Mr. Speaker, I have another order here which is a companion measure.

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

Mr. WINCHENPAW: Mr. Speaker, I move that that order be tabled until we have the time to study it.

The SPEAKER: The gentleman from Friendship, Mr. Winchenpaw, moves that this order lie on the table pending the motion of the gentleman from South Paris, Mr. Stewart, that it receive passage. Is this the pleasure of the House?

The motion prevailed and the order was tabled pending passage.

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

Thereupon, Mr. Stewart was granted unanimous consent to present an order out of order and under suspension of the rules.

The SPEAKER: The gentleman may proceed.

Mr. STEWART: Mr. Speaker, I present an order and move its passage.

The SPEAKER: The gentleman from South Paris, Mr. Stewart, presents an order and moves its passage. The Clerk will read the order.

House At Ease

The House was called to order by the Speaker.

The SPEAKER: The Clerk will read the order presented by the gentleman from South Paris, Mr. Stewart, who also moves its passage.

The CLERK:

WHEREAS, there is now pending before the 96th Legislature H. P. 1283 a joint order under the provisions of which members of the House and Senate would be reimbursed for expense other than travel in attending the daily sessions of this Regular Session of the Legislature. The text of joint order being as follows:

"ORDERED, the Senate concurring, that the members of the Senate and House of Representatives be reimbursed for expense, other than travel, in attending the daily sessions of this Regular Session of the Legislature in the amount of \$7.00 for each day in attendance, and

BE IT FURTHER ORDERED, that the State Controller be, and hereby is directed to pay from current Legislative appropriations said reimbursement to members of the House and Senate, on account of expense, as aforesaid, upon the filing of sworn certificates of attendance."

WHEREAS, it is important that the Legislature be informed as to the Constitutional validity of said Order now pending;

WHEREAS, it appears to the House of the 96th Legislature that the following is an important question of law and the occasion a solemn one;

NOW, THEREFORE, BE IT

ORDERED, That the Justices of the Supreme Judicial Court are hereby requested to give to the House according to the provisions of the Constitution on this behalf, their opinion on the following question, to wit:

QUESTION

Is it within the power of the Legislature to provide for the reimbursement of Senators and Representatives for expenses in attendance at daily sessions, other than travel, as provided in the pending joint order?

The SPEAKER: The Chair will state that Rule 46, page 46, of the House states: "A proposition to require the opinion of the judges of the Supreme Court, as provided by the Constitution, shall not be acted upon until the next day after such proposition is made." The Chair therefore rules that this order lie on the table pending passage until tomorrow.

The SPEAKER: The Chair recognizes the gentleman from Hope, Mr. Ludwig.

Mr. LUDWIG: Mr. Speaker, I ask to reconsider our action taken on House Paper 1282, Legislative Document 1522, for the purpose of reconsidering our action whereby we indefinitely postponed the bill and I have the consent of the proponents of this, on page 5, item 3-A. I am asking to reconsider this in order to prepare an amendment.

The SPEAKER: The gentleman from Hope, Mr. Ludwig, moves that the House reconsider its action whereby it indefinitely postponed the report of the Committee on Legal Affairs on Bill "An Act relating to Election of Members of School Board in Town of Camden." Is this the pleasure of the House? (Calls of "No" and "Yes")

As many as are in favor of the motion of the gentleman from Hope, Mr. Ludwig, that the House reconsider its action will kindly rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Sixty-four having voted in the affirmative and none in the negative, the motion to reconsider prevailed.

The SPEAKER: The Chair recognizes the gentleman from Hope, Mr. Ludwig.

Mr. LUDWIG: Mr. Speaker, I move that this item be laid on the table pending the acceptance of the report of the committee and be specially assigned for tomorrow morning.

The SPEAKER: The gentleman from Hope, Mr. Ludwig, moves that this matter lie on the table pending acceptance of the report of the committee and be specially assigned for tomorrow morning. Is this the pleasure of the House?

The motion prevailed and the Report with accompanying papers was so tabled and assigned.

On motion of Mr. Travis of Westbrook, the House voted to take from the table the seventh tabled and unassigned matter, House Report "Ought not to pass" of the Committee on Appropriations and Financial Affairs on Bill "An Act to Provide Training to Organized Fire Companies", House Paper 576, Legislative Document 618, tabled on March 25 by the same gentleman pending acceptance of the report.

The SPEAKER: The Chair recognizes the same gentleman.

Mr. TRAVIS: Mr. Speaker, I now move that we substitute the bill for the report and will speak briefly to my motion.

Two years ago, I introduced this same bill, it was presented to the Committee on Education, received a unanimous "Ought to pass" report and I believe got to the stage of enactment in the Senate where it was tabled by the Chairman of the Appropriations Committee in view of the price tag involved. It finally went to a Committee of Conference and failed of passage and because of the uncertainty of the amount of revenue involved it was felt that it would have to wait for at least two years to see what the financial picture was at this time.

Unfortunately, this year when the bill came up for hearing before the Appropriations Committee I was on my way to Philadelphia and unable to present the bill. I understand that the Appropriations Committee are very much in sympathy with the purpose of the bill but felt that because they had okayed so many other matters with a price tag they recommended the "Ought not to pass" report.

Now, as I recall, about two weeks ago the members of this House accepted the recommendation of the fire chiefs of Maine and killed the fire works bill with a bang. Now, let's give them another lift and let's consider this bill very carefully. It proposes a \$15,000 appropriation for each year of the biennium and would permit a lot of towns to receive this training program. Now, this program has been going on for several years under the Department

of Education. For instance, in 1947 and '48, there were schools in three centers and \$672 was expended. In 1948 and '49, there were again schools in three centers, the hours of instruction were doubled, the cost was \$1464. For the years 1949 and '50, it was increased to eight centers and the Education Department was able to reduce the cost and the cost was only \$1120.02. In 1950 and '51, it expanded to fifteen centers and the cost was \$1840. In 1951 and '52, schools were held at fourteen centers and the cost was \$1818. There are schools being held currently at seven centers and I feel that perhaps it is a little premature to have taken this off the table this morning but I feel that we can afford to substitute the bill for the report, give it its second reading tomorrow and by Thursday we will be able to see whether or not we will have the money available for this very worthwhile appropriation. I feel that training which will save property and lives is definitely money well invested and I hope that the House will support my motion to substitute the bill for the report.

The SPEAKER: The gentleman from Westbrook, Mr. Travis, moves that the bill 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: The Appropriations Committee had this under consideration. We felt that it would be all right in some respects, but it carries \$30,000 of the State's money for the next two years, and we felt that the results would not justify the means of raising money for this purpose.

It means that a truck manufactured by a certain manufacturer and men in attendance will go around from town to town to show the fire department heads and the firemen how to handle fires or how to handle the equipment to put out fires. We felt that it was not necessary. We felt that these men throughout the State in the towns and cities make a study of fire apparatus and fire prevention and fire control, so we made our report "Ought not to pass."

The SPEAKER: The Chair recognizes the gentleman from Brewer, Mr. Archer.

Mr. ARCHER: Mr. Speaker and Members of the House: According to Mr. Travis the Department of Education is doing the job for which he is asking \$15,000 for \$1800, and, in my opinion, we had better leave it in the Department of Education and save around \$14,000.

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

Mr. CAMPBELL: Mr. Speaker and Members of the House: As the gentleman from Auburn, Mr. Jacobs, has told you, this bill was very carefully considered in our committee. While we all recognize the value of the service that this would provide, we felt that due to lack of funds that we must give it an "Ought not to pass" report. It is the same as various other bills that will appear here in the next few days that we were entirely in sympathy with but just did not have the funds to provide the service.

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

Mr. TRAVIS: Mr. Speaker, I wish to say that while it is true that the Department of Education, as I pointed out, has been carrying on these schools for several years, still they have a very limited amount of money available with which to carry on these schools, so they cannot begin to have as many schools as they are requested to have. If you would like to have this school in your town the amount of money which is being spent currently is probably not sufficient to allow this school to come to your town. The amount of money asked for, \$30,000, is a small amount for what the program should be if it were on a statewide level. I realize that we have got a serious financial problem to study here, but I personally feel that this \$30,000 would be \$30,000 exceedingly well spent.

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

Mr. FINEMORE: Mr. Speaker and Members of the House: In our county I had a call from the Chief's

Association and from the fire marshal in regard to it. He said that in Aroostook County we have 419 firemen; 19 of them are regular firemen and 400 of them are volunteers. They are very much in favor of this bill because they believe they could have more attention given to the volunteer firemen and that it would save fire losses in Aroostook County.

The SPEAKER: The Chair recognizes the gentleman from Oakland, Mr. Pullen.

Mr. PULLEN: Mr. Speaker and Members of the House: I have had the pleasure of attending a lot of these fire schools. The gentleman from Auburn, Mr. Jacobs, said that the fire departments in these towns were all well-trained. Now I recall quite a large city here in Maine where I attended the fire school and they took one of the pumpers out on the river to try it. The driver of the pumper said, "Well, I don't know, boys, whether this will work or not. It has times it pumps and times it don't. So they hooked the pumper up, put it into the river and she blew the most beautiful bubbles you ever saw. The man that was conducting the school went along to the truck-driver and he says, "Probably if you put that into low or second it would pump better than it would in reverse." They had had that pumper for ten years and that is the way they had been working.

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

Mr. TRAFTON: Mr. Speaker and Members of the House: I believe we have already voted on this measure, but at that time it was called "An Act relating to Sales Tax on Motor Vehicles", L. D. No. 1388. (Laughter)

The SPEAKER: The pending question before the House is on the motion of the gentleman from Westbrook, Mr. Travis, that the bill be substituted for the "Ought not to pass" report of the committee on the seventh unassigned matter on today's calendar, Bill "An Act to Provide Training to Organized Fire Companies" (H. P. 576) (L. D. 618)

As many as are in favor of the motion that the bill be substituted

for the report will say aye; those opposed, no.

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

The SPEAKER: Twenty having voted in the affirmative and sixty-five in the negative, the motion to substitute the bill for the "Ought not to pass" report of the Committee does not prevail.

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

On motion of the gentleman from Auburn, Mr. Trafton, the House voted to take from the table the twenty-second tabled and unassigned matter, House Report "Leave to Withdraw" of the Committee on Natural Resources on Bill "An Act relating to Interstate Water Pollution Control" (H. P. 1173) (L. D. 1317) tabled by that gentleman on April 8 pending acceptance of the report.

On further motion of the same gentleman, the "Leave to Withdraw" report of the Committee was accepted and sent up for concurrence.

On motion of the gentleman from Woolwich, Mr. Bailey, the House voted to take from the table the thirteenth tabled and unassigned matter, House Report "Ought not to pass" of the Committee on Taxation on Bill "An Act relating to Sales Tax on Farm Machinery" (H. P. 1062) (L. D. 1199) tabled by that gentleman on April 1 pending acceptance of the report.

The SPEAKER: The Chair recognizes the same gentleman.

Mr. BAILEY: Mr. Speaker, for the purpose of offering an amendment to that bill, I move that it be retabled and specially assigned for tomorrow.

The SPEAKER: The gentleman from Woolwich, Mr. Bailey, moves that the thirteenth unassigned matter be retabled and specially assigned for tomorrow, April 28. Is this the pleasure of the House?

The motion prevailed, and the matter was retabled and specially assigned for April 28.

The gentleman from Brunswick, Mr. Senter, was granted unanimous consent to address the House.

Mr. SENTER: Mr. Speaker, I do not want in any way to interfere with those who are responsible for planning our procedure, but it seems to me that we as a Legislature can well be proud of our accomplishments of this session, I think we can be proud of the intelligent attitude and the thinking that we have given every measure.

Now we are all anxious to go home, we are all anxious to take care of our business which we have neglected these several months. I believe that this week and these last days are the most critical days of this session of our Legislature, and I hope the fine record that we have already set will not be marred by our actions or anything we may do in the last days. I refer to something that has happened in previous sessions.

You gentlemen who were here in the 95th Legislature recall with disgust what happened on a Saturday evening when we tried to adjourn. We met until 2:30 or 3:00 on Sunday morning. At that time and at that hour we were considering some of the most important measures that were to come before the entire session.

You know that at this session, because of the debate on the sales tax exemption on auto sales, a great many important measures have been held up. Now I understand it has been referred to the Appropriations Committee. There will be many other bills requiring appropriations that at that last session came in on that last night.

Now for some of you members who were not here I would like to describe what happened, and I think it is a disgrace to the citizens of the State of Maine, that their elected representatives in session in Legislature would consider such important matters under the circumstances that then prevailed.

As I have said, we were all anxious to go home, and it was thought that if we met that Saturday night that we could finish our business and therefore we would not have to come back the next week.

Now you all know that there is a great deal of work done behind the scenes. I do not mean to imply that it is not above-board, but there is a great deal of detailed work that

has to be done by the Clerk's office in preparing matters for us to consider. As you know, they work now late hours of the night. But at that session we had to recess probably eight or ten times during half an hour so that amendments could be prepared and printed, and then we were called back.

I do not believe that intelligent legislation is passed that way. I do not believe that the members who are here this session that were here at the session of the 95th Legislature want to duplicate that procedure. Many of the members knew what was coming and they did not attend at all because they were disgusted.

I hope that you will give this some serious thought, even though you want to adjourn and go home this week, it is going to mean that we are going to be in session until the wee hours and the early hours of the Sabbath, Sunday, rushing through without giving careful consideration to important matters, I hope that you will express yourselves to those who are responsible that you are opposed to that type of procedure. Thank you. (Applause)

Mr. FULLER of South Portland:
Mr. Speaker—

The SPEAKER: For what purpose does the gentleman from South Portland, Mr. Fuller, rise?

Mr. FULLER: Mr. Speaker, I ask unanimous consent that the Clerk be authorized to send to the Senate all matters acted upon by the House before recessing this morning and requiring concurrent action by the Senate thirty minutes after the House shall recess, and that the right to move reconsideration shall be considered lost unless moved or a notice of intention to so move is given to the Clerk before papers are so sent to the Senate.

The SPEAKER: Does the Chair hear objection to the unanimous consent request on the part of the gentleman from South Portland, Mr. Fuller? Hearing no objection, it is so ordered.

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

Mr. WINCHENPAW: Mr. Speaker, I move that the first unassigned

matter be taken from the table at this time.

The SPEAKER: The gentleman from Friendship, Mr. Winchenpaw, moves to take from the table the first tabled and unassigned matter, House Report "Ought not to pass" of the Committee on Appropriations and Financial Affairs on Resolve in favor of the Town of Cushing, House Paper 41, Legislative Document 42, tabled on February 18 by that gentleman pending acceptance of report. Is this the pleasure of the House?

The motion prevailed.

The SPEAKER: The Chair recognizes the same gentleman.

Mr. WINCHENPAW: Mr. Speaker, I would like to make a few remarks before I make a motion.

The reason I presented this resolve is that the little town of Cushing found itself in the position of many other small towns, in that they were unable to borrow enough funds under the School Building Authority Act to do a thorough job in building a new school. In view of the fact that Cushing was cut by the General Education Subsidy Law that was passed by the Legislature last session, I hoped that I might secure additional funds by presenting this resolve, and it is with regret that I move, Mr. Speaker, that the committee's "Ought not to pass" report be accepted at this time.

The SPEAKER: The gentleman from Friendship, Mr. Winchenpaw, moves that the House accept the "Ought not to pass" report of the committee. Is this the pleasure of the House?

The motion prevailed and the "Ought not to pass" report of the committee was accepted and sent up for concurrence.

On motion of Mr. Davis of Harrison, the House voted to take from the table the twenty-first tabled and unassigned matter, Bill "An Act relating to Sales Tax on Isolated Sales of Motor Vehicles" (H. P. 282) (L. D. 279) tabled by that gentleman on April 8, pending further consideration.

On further motion of Mr. Davis, the House voted to insist on its former action and ask for a Committee of Conference.

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

At this time the Chair will request the gentleman from Augusta, Mr. Albert, to escort the gentleman from Portland, Mr. Gilman, to the rostrum for the purpose of presiding as Speaker pro tem.

Thereupon, Mr. Gilman was escorted by the gentleman from Augusta, Mr. Albert to the rostrum, where he assumed the Chair amid prolonged applause, the members rising.

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

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

Mr. FULLER: Mr. Speaker, I move that the House recess until 2:00 P.M., Eastern Standard Time.

The SPEAKER pro tem: The gentleman from South Portland, Mr. Fuller, moves that the House recess until 2:00 P.M., Eastern Standard Time. Is this the pleasure of the House?

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

Mr. JACOBS: Mr. Speaker, we have made arrangements for our Appropriations Committee this afternoon on important business. As I understood the Speaker it would be 3:00 o'clock this afternoon.

The SPEAKER pro tem: The Chair will state that it is 3:00 o'clock Daylight.

Is it the pleasure of the House, on motion of the gentleman from South Portland, Mr. Fuller, that the House recess until 2:00 P.M. Eastern Standard Time?

The motion prevailed.

At this point, Speaker Bates returned to the rostrum.

Speaker BATES: To the gentleman from Portland, Mr. Gilman, I think that gave every one of us the keenest pleasure that we may have had this whole session.

Thereupon, the House recessed until 2:00 P.M., E.S.T.

After Recess — 2:00 p. m. E. S. T.

The House was called to order by the Speaker.

The SPEAKER: On the Committee of Conference on the disagreeing action of the two branches

of the Legislature on House Paper 1269, Legislative Document 1483, Bill "An Act Relating to Salary of Treasurer of State", the Chair will appoint the following members on the part of the House: the gentleman from Fairfield, Mr. Osborne; the gentleman from Auburn, Mr. Jacobs; the gentleman from Bangor, Mr. Fuller.

On the Committee of Conference on the disagreeing action of the two branches of the Legislature on House Paper 245, Legislative Document 226, Bill "An Act Creating a Division of Indian Affairs", the Chair will appoint the following members on the part of the House: the gentleman from Bangor, Mr. Fuller; the gentleman from Belfast, Mr. Clements; the gentleman from Milo, Mr. Brockway.

On the Committee of Conference on the disagreeing action of the two branches of Legislature on House Paper 282, Legislative Document 279, Bill "An Act Relating to Sales Tax on Isolated Sales of Motor Vehicles", the Chair will appoint the following members on the part of the House: the gentleman from Harrison, Mr. Davis; the gentleman from Auburn, Mr. Trafton, the gentleman from Rockland, Mr. Low.

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

The gentleman from Brunswick, Mr. Senter, was granted unanimous consent to present an order out of order and under suspension of the rules.

Mr. Senter then presented the following order and moved its passage.

WHEREAS, the House of Representatives has been informed that the Riley Insurance Agency of Brunswick is today observing its 100th anniversary;

AND WHEREAS this agency has been the business of one family during its entire history;

NOW THEREFORE BE IT ORDERED that the members of the House extend to the Riley Insurance Agency their congratulations on this occasion.

AND BE IT FURTHER ORDERED that the Clerk be directed to send an attested copy of this Order to

Mr. John W. Riley and to Mr. Thomas P. Riley.

Thereupon, the Order received passage.

On motion of Mr. West of Stockton Springs, the House voted to take from the table the eighth tabled and unassigned matter, Bill "An Act relating to the Salary of the Judge and Recorder of the Waldo County Municipal Court", House Paper 856, Legislative Document 930, tabled on March 25 by the same gentleman pending first reading.

The SPEAKER: The Chair recognizes the gentleman from Belfast, Mr. Clements.

Mr. CLEMENTS: Mr. Speaker, I move that Committee Amendment "A" be indefinitely postponed for the purpose of presenting House Amendment "A".

The SPEAKER: The Chair will entertain the gentleman's motion after the first and second readings.

Thereupon, the Bill was given its two several readings.

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

COMMITTEE AMENDMENT "A" to H. P. 856, L. D. 930, Bill "An Act Relating to the Salary of the Judge and Recorder of the Waldo County Municipal Court."

Amend said Bill by striking out in the 6th line thereof the underlined figures "\$3,000" and inserting in place thereof the underlined figures '\$2,250'.

Further amend said Bill by striking out in the 7th line thereof the underlined figures "\$2,400" and inserting in place thereof the underlined figures '\$1,800'.

On motion of Mr. Clements of Belfast, Committee Amendment "A" was indefinitely postponed.

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

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

HOUSE AMENDMENT "A" to H. P. 856, L. D. 930, Bill, "An Act Relating to the Salary of the Judge and Recorder of the Waldo County Municipal Court."

Amend said Bill by striking out of the Title the words "and Recorder"

Further amend said Bill by striking out in the 6th line thereof the underlined figures "\$3,000" and inserting in place thereof the underlined figures '\$2,250'.

Further amend said Bill by striking out in the 7th line thereof the stricken out figures "\$300" and the underlined figures "\$2,400" and inserting in place thereof the figures '\$800'.

House Amendment "A" was adopted and the Bill as amended was assigned for third reading tomorrow.

On motion of Mr. Childs of Portland, the House voted to take from the table the fifty-third tabled and unassigned matter, Bill "An Act relating to the Administration of the Liquor Law", House Paper 538, Legislative Document 554, tabled on April 23 by the same gentleman pending third reading.

On further motion of the same gentleman the Bill was retabled pending third reading and specially assigned for tomorrow, April 28.

On motion of Mr. Roundy of Portland, the House voted to take from the table the forty-ninth tabled and unassigned matter, Bill "An Act relating to Education in Unorganized Territory", Senate Paper 448, Legislative Document 1262, tabled on April 23 by the same gentleman pending adoption of Senate Amendment "B".

On further motion of the same gentleman, Senate Amendment "B" was adopted in concurrence and the Bill was assigned for third reading tomorrow.

On motion of Mr. Stewart of South Paris, the House voted to take from the table the second tabled and unassigned matter, House Report "Ought not to pass" of the Committee on Taxation on Bill "An Act relating to Inheritance Taxes on Property Passing to Wife", House Paper 34, Legislative Document 28, tabled on March 4 by the same gentleman pending acceptance of the Report.

The SPEAKER: The Chair recognizes the same gentleman.

Mr. STEWART: Mr. Speaker and Members of the House: This bill, if it were enacted into law, would increase the exemption from \$10,000

to \$25,000 for the purpose of computing the inheritance tax due the State of Maine on property passing from a dead man's estate to the widow and according to the Bureau of Taxation the cost to the State of Maine would be approximately \$100,000 annually.

Now, I am not proud of the fact that the State of Maine takes \$100,000 annually from these widows because I venture to say that the average widow is a woman who has worked hard most of her life in keeping house and raising children and otherwise materially aiding her husband in accumulating savings. I am not going to make a speech but I do want it to be a matter of record that in moving acceptance of the committee's "Ought not to pass" report I do so for obvious financial reasons and not because I do not have due regard for these poor widows as some of the members of the Legislature apparently have. So, Mr. Speaker, I move the acceptance of the committee report.

The SPEAKER: The gentleman from South Paris, Mr. Stewart, moves that the "Ought not to pass" report of the Committee on Taxation on Bill "An Act relating to Inheritance Taxes on Property Passing to Wife", House Paper 34, Legislative Document 28, be accepted and sent up for concurrence. Is this the pleasure of the House?

The motion prevailed and the "Ought not to pass" Report was accepted and sent up for concurrence.

The SPEAKER: The Chair recognizes the gentlewoman from Rumford, Miss Cormier.

Miss CORMIER: Mr. Speaker, may I inquire if the Resolve in favor of Edward Carrier of Rumford is in possession of the House?

The SPEAKER: The Chair will reply that that matter is in the hands of the House and is so noted on page 19 of the printed journal.

The gentlewoman may proceed.

Miss CORMIER: Mr. Speaker, I move that we reconsider our action whereby we accepted the "Ought not to pass" report on February 25. If that motion carries, I will move to recommit and I have checked this with both the House

Chairman and the Senate Chairman and I find that this will be back in the House tomorrow morning if this procedure is accepted today. It will not delay the action of the House.

The SPEAKER: The gentlewoman from Rumford, Miss Cormier, moves that under suspension of the rules the House reconsider its action whereby it accepted the "Ought not to pass" report of the committee on Resolve in favor of Edward Carrier of Rumford on February 25. Is this the pleasure of the House?

The motion prevailed.

On further motion of Miss Cormier, the Resolve was recommitted to the Committee on Claims and sent up for concurrence.

On motion of Mr. Seaward of Kittery, the House voted to take from the table the fifty-second tabled and unassigned matter, Bill "An Act Exempting from Sales Tax Passenger Automobiles Not to be Registered in State," House Paper 1272, Legislative Document 1468, tabled on April 23 by the same gentleman pending third reading.

Mr. Seaward then offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to H. P. 1272, L. D. 1468, Bill "An Act Exempting from Sales Tax Passenger Automobiles Not to be Registered in State."

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

"XIV. Passenger automobiles. Passenger automobiles purchased by a non-resident and intended to be driven or transported outside the state immediately upon delivery by the seller."

House Amendment "A" was adopted and on further motion of Mr. Seaward of Kittery the Bill was given its third reading, passed to be engrossed as amended and sent to the Senate.

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

Mr. TOTMAN: Mr. Speaker and Members of the House: As I recall, last week I made a short speech

about not putting matters on the table unassigned. I got quite a shock to look down here at the fifty-fourth unassigned matter and see my name there on an unassigned matter.

As I recall, I tried to amend the bill last week, which is the one in question, Senate Paper 281, L. D. 770, and it was laid aside and I frankly do not know what the legislative error is but I certainly move at this time that we take it off the table and process it.

The SPEAKER: The gentleman from Bangor, Mr. Totman, moves to take from the table the fifty-fourth tabled and unassigned matter, Bill "An Act relating to Operation of School Buses," Senate Paper 281, Legislative Document 770, tabled on April 23 by that gentleman pending adoption of House Amendment "A". Is this the pleasure of the House?

The motion prevailed.

The SPEAKER: The Chair recognizes the same gentleman.

Mr. TOTMAN: Mr. Speaker, I now move that we accept House Amendment "A".

The SPEAKER: The House may be at ease.

House at Ease

Called to order by the Speaker.

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

Mr. TOTMAN: Mr. Speaker, I move that we reconsider our action whereby we approved the committee amendment.

The SPEAKER: The gentleman from Bangor, Mr. Totman, moves that under suspension of the rules the House reconsider its action whereby the House adopted Committee Amendment "A". Is this the pleasure of the House?

The motion prevailed.

Mr. TOTMAN: I now move, Mr. Speaker, that we indefinitely postpone the committee amendment and I will then make the motion that we accept the House Amendment "A".

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

The motion prevailed.

Mr. Totman of Bangor then moved adoption of House Amendment "A" which had already been read.

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

The SPEAKER: The members of the House will note that they have on their desks the first supplement of the House Advance Journal, dated April 27, 1953, with a paper to be taken up out of order and under suspension of the rules if the House so orders. Does the Chair hear objection to taking up a paper from the Senate out of order? The Chair hears none.

Thereupon, the following paper from the Senate was taken up out of order and under suspension of the rules:

Report of the Committee on Inland Fisheries and Game on Bill "An Act to Revise the Biennial Revision of the Inland Fish and Game Laws" (S. P. 496) (L. D. 1369) 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 recommitted to the Committee on Inland Fisheries and Game.

In the House, the Report was read and the Report and Bill were recommitted to the Committee on Inland Fisheries and Game in concurrence.

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

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

The gentleman from Augusta, Mr. Albert, was granted unanimous consent to address the House.

Mr. ALBERT: Mr. Speaker, on behalf of the Floor Leader and myself I want to thank each and every member who has made an effort to remove bills from the table. I would like to point out that any bill that is removed today I think will get much fairer consideration than it would the latter part of this week when things are going at an accelerated pace; so if you have something that you are interested

in we seem to have ample time for a few more this afternoon and it might be wise to take care of a few more of these unassigned matters.

On motion of the gentleman from Old Town, Mr. Latno, the House voted to take from the table the thirty-fifth tabled and unassigned matter, Resolve Proposing an Amendment to the Constitution Permitting Indians to Vote (H. P. 423) (L. D. 470) tabled by that gentleman on April 14 pending passage to be engrossed; and on further motion of the same gentleman the resolve was passed to be engrossed and sent up for concurrence.

On motion of the gentleman from Augusta, Mr. Albert, the House voted to take from the table the fifty-first tabled and unassigned matter, House Report "Ought to pass" of the Committee on Legal Affairs on Bill "An Act relating to the Practice of Architecture" (H. P. 676) (L. D. 692) tabled by that gentleman on April 23, pending acceptance of the report of the committee; and on further motion of the same gentleman the matter was retabled and specially assigned for Tuesday, April 28, pending acceptance of the report of the committee.

On motion of the gentleman from Augusta, Mr. Albert, the House voted to take from the table the forty-third tabled and unassigned matter, House Report "Ought not to pass" in new draft (H. P. 1260) (L. D. 1474) under title of "An Act relating to Salary of State Auditor" on Bill "An Act relating to Salaries" (H. P. 1035) (L. D. 1179) tabled by that gentleman on April 22 pending acceptance of report; and on further motion of the same gentleman, the matter was retabled and specially assigned for Wednesday, April 29, pending acceptance of report.

On motion of the gentleman from Bar Harbor, Mr. Peterson, the House voted to reconsider its action taken earlier in today's session, whereby H. P. 1247, L. D. 1455, Bill "An Act to Increase the Salary of the Recorder of the South Portland Municipal Court" was assigned for third reading; and on further motion of the same gentleman, the House

voted to reconsider its action whereby it accepted the "Ought to pass" report of the Committee on Towns and Counties.

On further motion of the same gentleman, the report and bill were recommitted to the Committee on Towns and Counties and sent up for concurrence.

On motion of the gentleman from Auburn, Mr. Trafton, the House voted to take from the table the forty-fifth tabled and unassigned matter, Bill "An Act Amending the Water Improvement Commission and Creating Standards of Classification" (S. P. 538) (L. D. 1451) tabled by that gentleman on April 22 pending third reading; and on further motion of the same gentleman, the matter was retabled and specially assigned for Tuesday, April 28 pending third reading.

On motion of the gentleman from Paris, Mr. Stewart, the House voted to take from the table the thirty-ninth tabled and unassigned matter, House Divided Report, Majority Report "Ought not to pass" and Minority Report "Ought to pass" of the Committee on Appropriations and Financial Affairs on Bill "An Act relating to Travel by State Employees" (H. P. 959) (L. D. 1049) tabled by that gentleman on April 17 pending acceptance of either report.

The SPEAKER: The Chair recognizes the same gentleman.

Mr. STEWART: Mr. Speaker and Members of the House: This bill increases the payment to State employees using their own automobiles. It makes the reimbursement 8 cents per mile for the first 8000 miles and 6 cents a mile thereafter where originally it was 7 cents for the first 5000 miles and 6 cents for each mile thereafter. This is, of course, an administration bill. It seems to me it is very fair. I would not care about operating my car at 7 cents a mile. I therefore move acceptance of the minority "Ought to pass" report.

The SPEAKER: The gentleman from South Paris, Mr. Stewart, moves that the House accept the minority "Ought to pass" report of the Committee.

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

Mr. JACOBS: Mr. Speaker, we had this before our committee and we felt that the amount that they had in the past year or two was fair and that the other extra cent a mile was out of line. That is why the majority report was "Ought not to pass."

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

Mr. BURGESS: Mr. Speaker and Members of the House: I signed the minority "Ought to pass" report and I would like to briefly explain to the members of the House why I did so.

First, I do not believe that any of us operate our cars for less than eight cents a mile. In the second place, the State employees have not been receiving pay up to the amount of pay that industry for the same jobs would have paid them in other New England states. We are, I hope, going to correct in part the pay proposition. As you know, there is \$400,000 for each of the next two years to give the State employees a four and a half per cent raise. Even if that is enacted, and I trust that it will be, it still does not place them on a par for comparable work with private industry or, as I said, with other states. Therefore, I firmly believe that an adjustment

in their travel should go along with that pay increase. I am convinced that eight cents a mile is about the right figure for the operation of a car. I feel certain, from the evidence they presented and from the experience I have had myself, that it cannot be done for the seven cents they are now receiving.

The SPEAKER: The question before the House is on the motion of the gentleman from Paris, Mr. Stewart, that the minority report "Ought to pass" of the Committee on Appropriations and Financial Affairs be accepted.

As many as are in favor of the acceptance of the minority "Ought to pass" report will kindly rise and remain standing in their places until the monitors have made and returned the count.

A division of the House was had.

The SPEAKER: Forty-four having voted in the affirmative and fifty-three in the negative, the motion to accept the minority "Ought to pass" report of the committee does not prevail.

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

On motion of the gentleman from Caribou, Mr. Currier,

Adjourned until 8:30 A.M., E.S.T. tomorrow.