

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Ninety-Sixth Legislature

OF THE

STATE OF MAINE

VOLUME II

1953

DAILY KENNEBEC JOURNAL

AUGUSTA, MAINE

HOUSE

Thursday, April 30, 1953

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

Prayer by the Rev. Mr. Royal Brown of Gardiner.

The journal of the previous session was read and approved.

The SPEAKER: The Chair notes the presence in the balcony of the Hall of the House of a group of five girls from Morse High School in Bath, candidates to be sponsored for Dirigo Girls' State in 1953, with Miss Jane Ledyard in charge.

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

Papers from the Senate

From the Senate, the following order:

ORDERED, the House concurring, that the Legislative Research Committee be requested to study the laws relating to political party caucuses and conventions with respect to the selection of delegates to state and national conventions, with particular reference to methods by which the preferences and views of party members with respect to issues and candidates, may be more accurately reflected in party decisions, and to report to the next legislature, by bill or otherwise, such recommendations as may be deemed appropriate to this end. (S. P. 596)

Came from the Senate read and passed.

In the House: The Order was read.

(On motion of Mr. Fuller of South Portland, the Order was tabled pending passage in concurrence and specially assigned for tomorrow.)

**Senate Reports of Committees
Ought to Pass**

Report of the Committee on Judiciary reporting "Ought to pass" on Bill "An Act to Incorporate the Portland Investment Co." (S. P. 206) (L. D. 539)

Report of same Committee reporting same on Resolve in favor of a Retirement Allowance for

Gertrude E. Durost of Mars Hill (S. P. 450) (L. D. 1268)

Report of same Committee reporting same on Resolve in favor of a Retirement Allowance for Harriet McClaskey of South Portland (S. P. 451) (L. D. 1266)

Report of same Committee reporting same on Resolve in favor of a Retirement Allowance for Donald Mathieson of Freedom (S. P. 452) (L. D. 1267)

Report of same Committee reporting same on Resolve in favor of a Retirement Allowance for Annie Pierce of Weeks Mills (S. P. 453) (L. D. 1265)

Report of same Committee reporting same on Resolve in favor of Althea C. Ward of Augusta (S. P. 473) (L. D. 1295)

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

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

**Ought to Pass
with Committee Amendment "A"**

Report of the Committee on Judiciary on Bill "An Act relating to Retirement of Policemen Under Maine State Retirement Law" (S. P. 79) (L. D. 187) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

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

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

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

COMMITTEE AMENDMENT "A" to S. P. 79, L. D. 187, Bill, "An Act relating to Retirement of Policemen Under Maine State Retirement Law."

Amend said bill by adding at the beginning of the first line the following abbreviation and figure 'Sec. 1.'

Further amend said bill by adding another section to be numbered 2 and read as follows:

"Sec. 2, R. S. c. 60, § 16, amended. Section 16 of chapter 60 of the revised statutes, as amended, is hereby further amended by adding a new sub-section to be numbered IX and read as follows:

'IX. Any amendments to this chapter enacted by the 96th legislature, the benefits of which could apply to employees of participating local districts, shall be made effective only in the event any such district elects to adopt such benefits and agrees to pay into the system the required costs as developed by the actuary.' "

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

Report of the Committee on Judiciary on Bill "An Act relating to Pensions for Dependents of Deceased Officers of State Police" (S. P. 114) (L. D. 310) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

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

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

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

COMMITTEE AMENDMENT "A" to S. P. 114, L. D. 310, Bill, "An Act relating to Pensions for Dependents of Deceased Officers of State Police."

Amend said bill by striking out the last two sentences. Committee Amendment "A" was adopted in concurrence and the Bill was assigned for third reading tomorrow morning.

Report of the Committee on Judiciary on Bill "An Act to Incorporate the Fidelity Finance Company" (S. P. 302) (L. D. 918) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

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

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

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

COMMITTEE AMENDMENT "A" to S. P. 302, L. D. 918, Bill, An Act to Incorporate the Fidelity Finance Company.

Amend said bill by striking out in the 4th line of "Sec. 7." the figure "150" and inserting in place thereof the figure '300'

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

Report of the Committee on Judiciary on Bill "An Act to Incorporate the Aetna Finance Company of Maine" (S. P. 310) (L. D. 923) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

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

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

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

COMMITTEE AMENDMENT "A" to S. P. 310, L. D. 923, Bill, "An Act to Incorporate the Aetna Finance Company of Maine."

Amend said bill by striking out in the title thereof the word "Aetna" and inserting in place thereof the word 'Union'

Further amend said bill by striking out in the 7th line thereof the word "Aetna" and inserting in place thereof the word 'Union'

Further amend said bill by striking out in the 2nd and 3rd lines thereof the words and punctuation "St. Louis, in"

Further amend said bill by striking out in the 3rd line thereof the word "City"

Further amend said bill by striking out in the 3rd line of Sec. 3 thereof the words "loans or" and inserting in place thereof the following word and punctuation 'loans:'

Further amend said bill by striking out in the 7th line of Sec. 3 thereof the word "or" and inserting in place thereof the word 'of'

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

Report of the Committee on Judiciary on Bill "An Act to Incorporate the Aetna Loan Company of Maine" (S. P. 311) (L. D. 924) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

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

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

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

COMMITTEE AMENDMENT "A" to S. P. 311, L. D. 924, Bill, "An Act to Incorporate the Aetna Loan Company of Maine."

Amend said bill by striking out in the title thereof the word "Aetna" and inserting in place thereof the word 'Union'

Further amend said bill by striking out in the 7th line thereof the word "Aetna" and inserting in place thereof the word 'Union'

Further amend said bill by striking out in the 2nd and 3rd lines thereof the words and punctuation "St. Louis, in"

Further amend said bill by striking out in the 3rd line thereof the word "City"

Further amend said bill by striking out the figure "150" in the 5th line of Sec. 7 thereof and inserting in place thereof the figure '300'

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

Report of the Committee on Judiciary on Bill "An Act relating to Membership in State Retirement System" (S. P. 374) (L. D. 1037) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

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

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

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

COMMITTEE AMENDMENT "A" to S. P. 374, L. D. 1037, Bill, "An Act Relating to Membership in State Retirement System."

Amend said bill by adding at the end of "Sec. 2." thereof the following sentence:

'Any benefit provided by this subsection shall be contingent upon the established fact, as evidenced from the records of the retirement system, that any and all contributions ever made to the system by the member involved shall never have been withdrawn during any period of time dating from separation from the service to the date on which such individual attains age 60 and/or applies for his retirement benefit.'

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

Report of the Committee on Judiciary on Resolve in favor of Frank B. Adams of Thomaston (S. P. 112) (L. D. 313) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

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

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

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

COMMITTEE AMENDMENT "A" to S. P. 112, L. D. 313, Resolve in Favor of Frank B. Adams of Thomaston.

Amend said resolve by striking out all after the underlined word "**Resolved:**" in the 2nd line of said bill and inserting in place thereof the following:

"That Frank B. Adams of Thomaston be granted sufficient years of creditable service to enable him to qualify for half-pay benefits under the provisions of subsection IV of section 6-A of chapter 60 of the revised statutes."

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

The SPEAKER: At this time the Chair notes the presence, in the balcony of the Hall of the House, of a group of thirty-five students from Cony High School, in Augusta, members of the Problems of Democracy Class and the Debate Club, with Mr. Clinton Thurlow in charge.

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

Report of the Committee on Judiciary on Resolve in favor of Vera A. Gordon of West Sullivan (S. P. 130) (L. D. 339) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

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

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

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

COMMITTEE AMENDMENT "A"
to S. P. 130, L. D. 339, Resolve in Favor of Vera A. Gordon, of West Sullivan

Amend said bill by striking out all after the word "statutes" in the 5th line of said bill.

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

**Ought to Pass
with Committee Amendment "B"**

Report of the Committee on Inland Fisheries and Game on Bill "An Act to Revise the Biennial Revision of the Inland Fisheries and Game Laws" (S. P. 496) (L. D. 1369) which was recommitted, reporting "Ought to pass" as amended by Committee Amendment "B" submitted therewith.

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

amended by Committee Amendment "B".

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

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

COMMITTEE AMENDMENT "B"
to S. P. 496, L. D. 1369, Bill "An Act to Revise the Biennial Revision of the Inland Fish and Game Laws."

Amend said Bill in section 31 by striking out the 3rd underlined paragraph and inserting in place thereof the following underlined paragraph:

No person shall set any trap for any wild animal without having the trap plainly labeled with his full name and address, and he shall forfeit to the state the trap or traps not so marked and any wild animal found therein; provided further that no person shall set a bear trap unless the same is enclosed in a hut, so called, or by at least 2 strands of barbed wire, one 4 and one 5 feet from the ground, said wire to be securely held in position and to be not less than 5 yards or more than 10 yards at any point from the enclosed trap. Marking said enclosure by proper sign with the words "BEAR TRAP" in letters not less than 3 inches in height on said enclosure.'

Further amend said Bill in section 35 by indicating the striking out of the figure "12" in the 11th line by drawing a line through said figure "12" and by inserting immediately after the stricken out figure the underlined figure '10'.

Further amend said Bill in section 35 by striking out the underlined figure "12" in the next to the last line and inserting in place thereof the underlined figure '10'.

Further amend said Bill in section 37 by inserting after the figure "5th" in the first sentence the punctuation and figure '6th'.

Further amend said Bill in section 37 by indicating the striking out of the word "shall" in the first line of the 2nd paragraph by drawing a line through said word "shall" and inserting immediately after said stricken out word the underlined word 'may.'

Further amend said Bill in section 37 by inserting before the last

paragraph the following paragraph: "A conviction of a second violation of any of the provisions of this chapter or a violation of any of the rules and regulations of the commissioner shall may require the commissioner to revoke the license or licenses of such offender for a period of 2 years from the date of the final conviction of the alleged violation."

Further amend said Bill in section 56 by striking out all of the underlined paragraph and inserting in place thereof the following un-underlined paragraph:

"Sec. 89. Sale of deer or parts thereof. No person shall at any time buy, sell or offer for sale or barter any deer or part thereof, except that the heads and hides thereof may be sold to any properly licensed taxidermist for the purpose of preserving and mounting as provided in section 104 and to any dealer as provided in section 105. Whoever aids in buying, selling or offering for sale or barter any deer or part thereof or counsels or otherwise aids in procuring the same shall be punished in the manner prescribed for the punishment of the principal offender. Provided, however, that any agent of the commissioner may buy or sell deer or parts thereof for use as evidence in prosecution of a violation of this chapter."

Further amend said Bill by striking out all of section 62 thereof.

Further amend said Bill by renumbering sections 63 to 75, inclusive, to be sections 62 to 74, inclusive.

Further amend said Bill by inserting before section 76, a new section to read as follows:

"Sec. 75. R. S., c. 33, §110, amended. The 3rd sentence of section 110 of chapter 33 of the revised statutes, as revised, is hereby amended to read as follows:

'All fees, fines and penalties recovered and money received or collected shall be paid to the treasurer of state and credited to the department of inland fisheries and game for the operation of fish hatcheries and feeding stations for fish, for the protection of fish, game and birds, **information and education on conservation** and for printing the report of said commissioner

and other expenses incident to the administration of said department, and shall be expended by the said commissioner for the purposes for which said department is created."

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

Non-Concurrent Matter

Bill "An Act Providing for Towns Sharing in Profits from State Owned Lands" (H. P. 1279) (L. D. 1515) which was passed to be engrossed in the House on April 28.

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

In the House:

The House voted to recede from its former action, of April 28, whereby it passed the Bill to be engrossed.

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

SENATE AMENDMENT "A" to H. P. 1279, L. D. 1515, Bill "An Act Providing for Towns Sharing in Profits from State Owned Lands."

Amend said Bill by striking out the underlined word "federal" in the 2nd line of that part designated "Sec. 6-A."

Further amend said bill by adding after the underlined word "land" in the 3rd line of that part designated "Sec. 6-A." the following underlined words: **through the use of federal aid funds under the Pittman-Robertson Federal Aid to Wildlife Act.**

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

New Resolve

Resolve in favor of Mrs. Ruth Spear Sturtevant of Rockland (S. P. 597)

Came from the Senate received by unanimous consent and passed to be engrossed without reference to a Committee.

In the House, Resolve was received by unanimous consent in concurrence, given its first reading and assigned for second reading tomorrow morning.

Senate Reports Of Committees Leave To Withdraw

Report of the Committee on Judiciary on Bill "An Act to Incorporate the Old Town Finance Corporation" (S. P. 301) (L. D. 917) reporting leave to withdraw.

Came from the Senate read and accepted.

In the House, was read and accepted in concurrence.

Ought Not To Pass

Report of the Committee on Judiciary reporting "Ought not to pass" on Bill "An Act to Clarify Certain Procedures Under Maine State Retirement Law" (S. P. 123) (L. D. 332)

Came from the Senate read and accepted.

In the House, was read and accepted in concurrence.

Report of the Committee on Judiciary reporting "Ought not to pass" on Resolve in favor of Arthur W. Kalloch of Thomaston (S. P. 111) (L. D. 312)

Came from the Senate read and accepted.

In the House: Report was read.

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

Mr. WINCHENPAW: Mr. Speaker, this is another one of those very deserving cases. This man served as a guard at the Prison for a long, long time.

I move that Resolve in favor of Arthur W. Kalloch of Thomaston, Senate Paper 111, L. D. 312, be substituted for the report.

The SPEAKER: The gentleman from Friendship, Mr. Winchenpaw, moves that the resolve be substituted for the "Ought not to pass" report of the committee.

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

Mr. FULLER: Mr. Speaker and Members of the House: Of the number of these resolves which came before the Committee on Judiciary which dealt with the retired employees of the Maine State Prison, I believe that the only one which we favored was the one where the man in question had been injured in the line of duty, and the others, under the conditions, we did not feel we could

approve, and this resolve of Mr. Kalloch is one of the resolves which we did not approve.

The SPEAKER: The question before the House is on the motion of the gentleman from Friendship, Mr. Winchenpaw, that the resolve be substituted for the "Ought not to pass" report of the committee. As many as are in favor of that motion will please say aye; those opposed, no.

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

Thereupon, the "Ought not to pass" report of the committee was accepted in concurrence.

Report of the Committee on Judiciary reporting "Ought not to pass" on Resolve in favor of Alice Knight Spinney of Eliot (S. P. 204) (L. D. 540)

Report of same Committee reporting same on Resolve in favor of Nellie K. Freeman of Kittery (S. P. 271) (L. D. 761)

Report of same Committee reporting same on Resolve in favor of Charles E. Darling of Enfield (S. P. 494) (L. D. 1345)

Report of same Committee reporting same on Resolve Providing for Retirement Allowance for Ruth P. Vosburgh of Augusta (S. P. 497) (L. D. 1377)

Report of same Committee reporting same on Resolve in favor of Myrtie M. Brown of China (S. P. 502) (L. D. 1383)

Report of same Committee reporting same on Resolve Granting a Pension to Fannie Gushee of Appleton (S. P. 503) (L. D. 1384)

Came from the Senate read and accepted.

In the House, were read and accepted in concurrence.

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

Ought to Pass in New Draft

Report of the Committee on Highways on Bill "An Act to Make Allocations from the General Highway Fund for the Fiscal Years Ending June 30, 1954, and June 30, 1955" (S. P. 77) (L. D. 184) reporting same in a new draft (S. P. 591)

(L. D. 1536) 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.

The SPEAKER: Is it the pleasure of the House that the report be accepted?

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

Mr. DICKEY: Mr. Speaker and Members of the House, I certainly want to go along with the remarks made by our Speaker, to try to speed up legislation, but I cannot have this pass over without a few remarks.

I realize, after last evening, that you people in the Legislature pay me eight hundred and fifty dollars just to entertain you. However, once in a while we can get a bit serious.

I now ask you to look at L. D. 1536, on page 2. It will show you that the Town Road Improvement Fund is \$1,000,000. A few days ago, when we were talking about Special Resolves, I told you that this would probably happen. I told you that you could get at least \$1,500,000 if you would stick with the Special Resolves.

Now where did we get the million dollars? Previously we had in the Betterment Fund one million dollars; under Town Road Improvement we had \$50,000, and for Special Resolves we had \$150,000. The only thing that I can see, Ladies and Gentlemen, that by going along, as you did the other day, you have only lost a million dollars.

I want to remind you that this is an emergency measure, and that when it comes up for enactment, it will take two-thirds of this Legislature, and if you determine at that time that you do not like what is printed before you whereby they only gave you a million dollars in the Town Road Improvement Fund, you will have the opportunity to act at that time.

The SPEAKER: Is it the pleasure of the House to accept the report?

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

Report of the Committee on Highways on Bill "An Act relating to Town's Share for State Aid Reconstruction" (S. P. 449) (L. D. 1263) reporting same in a new draft (S. P. 592) (L. D. 1537) 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

Report of the Committee on Inland Fisheries and Game under authority of Joint Order (H. P. 1031) reporting a Bill (S. P. 595) (L. D. 1540) under title of "An Act to make Allocations from the Department of Inland Fisheries and Game Receipts for the Fiscal Years Ending June 30, 1954, and June 30, 1955" 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.

Indefinitely Postponed

Report of the Committee on Inland Fisheries and Game under authority of Joint Order (H. P. 1031) reporting a Bill (S. P. 594) (L. D. 1539) under title of "An Act relating to Rules and Regulations of the Department of Inland Fisheries and Game" and that it "Ought to pass"

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

In the House: Report was read and Bill was indefinitely postponed in concurrence.

Divided Report

Majority Report of the Committee on Agriculture on Bill "An Act Regulating the Marketing of Irish Potatoes Grown in the State of Maine" (S. P. 527) (L. D. 1423) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was signed by the following members:

Mr. FULLER of Oxford
—of the Senate

Messrs. BAILEY of Woolwich
TAYLOR of Norridgewock
EMERSON of Corinna
DORSEY of Fort Fairfield
GOSLINE of Gardiner
CENTER of Standish
—of the House

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

Report was signed by the following members:

Messrs. DOW of Lincoln
TABB of Kennebec
—of the Senate

Mr. BEARCE of Hebron
—of the House

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

In the House: Report was read.

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

Mr. BURGESS: Mr. Speaker, I move you, Sir, the acceptance of the majority report "Ought to pass" as amended by Committee Amendment "A".

The SPEAKER: The gentleman from Limestone, Mr. Burgess, moves that the majority report of the committee, "Ought to pass" as amended by Committee Amendment "A" be accepted in concurrence.

The Chair recognizes the gentleman from Presque Isle, Mrs. Christie.

Mrs. CHRISTIE: Mr. Speaker and Members of the House: I move that this matter be postponed and referred to the Ninety-seventh Legislature, and I would like to speak on it.

Mr. Speaker and Members of the House: this bill was brought down here without the knowledge of a great majority of the Potato Industry of Aroostook County. When I came out from the delegation meeting the first morning those people came down here I met a farmer from my own community and he didn't even know that such a bill was in prospect or was contemplated. These people in my community are ninety per cent opposed to this bill. They feel that it is

unnecessary regimentation, that it would penalize the men who are already shipping good potatoes and have a fine line of customers from whom they have been having orders through the years. They realize that they would be penalized because of those who perhaps have not been shipping as they should.

This bill requires that the Commissioner of Agriculture has the authority to advise a committee which shall be appointed by him as to what the procedure shall be. To my mind it is not a good bill, but the people who oppose that bill are still willing that after the industry has been polled, that bill shall be adopted if the majority want it, but they feel that the industry should be polled before this bill is put through the Legislature, before they have to do all this work to counteract the thing which has been proposed.

This bill is drawn quite largely along the lines of the Federal Marketing agreement; that Federal Marketing agreement was turned down by seventy-eight per cent of the industry two years ago because it was too much regimentation.

We, in free America, do not want too much regimentation. This bill would regiment to a degree that would make it difficult for our industry. The provisions of this bill would allow the committee to assess the industry for whatever they feel is necessary. That assessment might be one cent a barrel; it might be even up to fifty cents a barrel, according to how the committee should feel about that.

I feel that this bill should be considered very carefully by the industry, and that they should all have an opportunity to know that the bill is in the works before it is put through this Legislature. Thank you.

The SPEAKER: The gentleman from Presque Isle, Mrs. Christie, moves that the two reports and Bill "An Act Regulating the Marketing of Irish Potatoes Grown in the State of Maine," Senate Paper 527, Legislative Document 1423 with accompanying papers be postponed and referred to the 97th Legislature.

The Chair recognizes the gentleman from Dover-Foxcroft, Mr. Sanford.

Mr. SANFORD: Mr. Speaker and Members of the House: I think this is a good bill. Twenty-five years ago, or about that time, you used to get a government report of four hundred million bushels per year, a total report of four hundred million bushels, a government estimate, and you could figure on \$2 a barrel for your potatoes, which was a good price; it cost about a dollar to raise them at that time.

Now if the report was over four hundred million, the chances are you might not get back your cost of production. If it was under four hundred million, you would get a better price than two dollars, according to how low it was.

Now since then I imagine the population in the United States has grown from twenty-five to forty million people. Today you get a government report in the United States for three hundred and sixty-five million bushels, and you are licked; not knowing how much you will get; you will get less in production costs, which today is about three dollars, or better, per barrel.

Something has happened to the potato business; I don't know what; they certainly need something up there.

Now if we pass this bill here—I compare it a lot with the bonus bill for the soldiers; we are putting it back to the people, that is, putting back to the growers of potatoes; it takes three-quarters of the growers to pass this after we get through with it plus one-half of the shippers. God knows that if you are going to make any money, and live in the potato country, something has got to be done. This really is a serious question. Potatoes have really gone bad; it is the marketing of them; it is the grading of them; and I don't think there is any question but what we have got to do something, and I would like to see this body go on record as putting it back to the growers and let them do whatever they want to do.

The SPEAKER: The Chair recognizes the gentleman from Hebron, Mr. Bearce.

Mr. BEARCE: Mr. Speaker, as a signer of the minority report I

think perhaps I should make my position clear.

First of all, I don't think it is good legislation; I think it is putting the potato growers and shippers under entirely too much regulation and regimentation. I believe that the majority of the potato growers and shippers of Aroostook County don't want it; they knew very little about it; it was brought down here almost in secrecy; and I believe that the potato growers and shippers are in a far better position to settle their own problems than we are. They have been in the potato business for quite some time. They are in trouble; we all admit that; but I believe most of that trouble can be better settled by themselves than it can by us. They have the problems of varieties, and the grading and packing, the consumer preference; all of those things we cannot settle for them. I believe, as expressed by the gentleman from Presque Isle, Mrs. Christie, that most of the people are not yet ready to vote on this question or at least to turn it over to this House, and for that reason I believe that they should be allowed to go along and work out their own problems and they will do a better job under more freedom of action than they would have if this bill were passed, and I therefore hope that it will not be passed.

The SPEAKER: The Chair recognizes the gentleman from Westfield, Mr. Lovely.

Mr. LOVELY: Mr. Speaker, I want to speak against this bill. You have been told that this is only an enabling act. Well, that is all it is; but you haven't been told what it may do to the consumers and the growers of potatoes. First, it is going to cost the consumers plenty of money. Next, it will probably regulate the growers out of business.

This committee has the power to do just that, with acreage and shipping and grade controls. They might possibly make a regulation that the growers can only ship about forty to sixty per cent of their available crop; that is one thing that has happened in Idaho now; there have been years that forty to sixty per cent is all they can ship, and that leaves a lot of good potatoes to be consumed.

It would also take an army of inspectors and policemen to enforce the act, and you never can tell what it will cost the growers to grade up to the specifications that the committee will want, and the consumers will pay that price.

There also may be acreage reductions; if it does that, it will bring it down so low that the country will be short of potatoes some years. It has been brought down from 219,000 acres, in 1946, to 103,000 acres in 1951, and the regulations finally might bring it down to 75,000 acres; 75,000 acres wouldn't be enough for anything.

You might remember, in the crop of 1951, it was short in various parts of the United States, and we shipped potatoes from the State of Maine to forty-six of the forty-eight states, two provinces in Canada and to various foreign countries. This particular year we have shipped some potatoes to the State of California in competition with the Idaho potatoes.

Now there is one other thing: It brings in a lot of bad practices, and bad practices I hate to talk about. They were one of the blackest pictures in the recent price support time that we had. I hate to talk about them, and I wouldn't talk about them here unless I am forced to do so.

There is one other thing, which, if we were left alone, we could do but couldn't do under the price controls, that is, get a grade and a quality of potatoes, produce something the people would accept.

In eating quality, there is our trouble in competing with Idaho today; we put out a potato that does not compare in quality for eating; it is high in production but low in eating quality. If we are left alone, we will work out a system and a potato that will eat.

I would like to go back to 1929 — I see my friend Sanborn went back quite a ways; in 1929 we shipped 61,404 cars out of the State of Maine; every one of the potatoes were consumed; there have been only three years that that shipment has been exceeded and they were price-support years, when they went to alcohol plants and were exported for relief.

There is one other thing, too; Mr. Sanborn has pointed out that twenty or twenty-five years ago, with four hundred million bushels, we could expect two dollars a barrel. Today, with three hundred and sixty-five million bushels, we may give them away; that has been all brought about by government regulations, and therefore I hope that you accept the minority report.

The SPEAKER: The Chair recognizes the gentleman from Norridge-wock, Mr. Taylor.

Mr. TAYLOR: Mr. Speaker and Members of the House: I signed the majority report on this bill. The gentlewoman from Presque Isle, Mrs. Christie, has said that there wasn't any publicity on this thing. We did have two of what I think very wonderful hearings on this bill in committee and one of the Senators sent up over one hundred copies of this bill into Aroostook County and it seemed to me that that should have gotten more people down if they were too much interested in the opposition of this bill. I do not know too much about potatoes, but I have been in Aroostook County and seen their wonderful fields and I should judge that there weren't too many down here from Aroostook County to defend this bill or for it but there could have been.

Now, we do know that right straight along for the last two years we have not been able to buy good potatoes in the market. We would go to any restaurant in Boston and New York and we would see Irish potatoes not being used anywhere near as much as the Idaho. Now, I think that something needs to be done for the potato industry in Aroostook County and I feel sure that this is a step in the right direction and I move that the majority report on this bill passes.

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

Mr. POTTER: Mr. Speaker, not knowing too much about potatoes although I come from an area, the northern part of which borders on Mr. Crabtree's Garden Spot of Maine, I called up some of the

shippers and growers in my district on the telephone and asked them how they felt in regard to this bill. They all admitted that in Aroostook County and northern Penobscot, the potato industry was sick and that where this bill had a referendum clause on it it should go through to the stage where the growers themselves could vote on it in referendum and asked me to go along with this up to that stage.

The SPEAKER: The Chair recognizes the gentleman from Dover-Foxcroft, Mr. Sanford.

Mr. SANFORD: Mr. Speaker, I would like to clear up another point for my good neighbor and friend, Representative Orin Lovely, that my name isn't Sanborn, it is Sanford, and this happens to be a report he just passed back to me a while ago on the Boston Market, and this is dated Thursday, December 18, 1952, that Maine Katahdins, U. S. Number 1, size A, in fifties, that is fifty pound packages, stood at \$1.80 to \$2.00, mostly \$1.90, those are Maine's, Maine Katahdins in fifty pound bags, \$1.80 to \$2.00, mostly \$1.90. Idaho Russets, U. S. Number 1, size A, in fifty pound bags were \$2.75 to \$2.85 mostly and a few at \$2.90 and \$3.00. That goes to show me that there is really something wrong in the marketing of our potatoes.

The SPEAKER: The Chair recognizes the gentleman from Westfield, Mr. Lovely.

Mr. LOVELY: Mr. Speaker, I think I mentioned that it was through bad practices that we grew poor potatoes. Idaho didn't have the bad practices. We had a marketing agreement the same as this only on a national level for two years and 76 per cent of our growers kicked it out after two years because of the effect and the bad practices that we got into during the time of regulations, we grew such poor potatoes and poor quality that nobody would eat as many as they would otherwise and that is why Idaho does better. They have a specialized potato. There is one other thing. We ship potatoes from here to California and we ship into Idaho territory as a utility potato. Our potato competes as a utility potato. And it is the aim, or should

be, of the growers of the State of Maine to put as large a quantity of good eating potatoes on the market at a price consistent with a profit or so that they can make a small profit and the industry will be better. They will grow more potatoes, we will always have potatoes in the State of Maine and in the nation and we can do that, and we do not want anything to bring the price way out of line.

I remember back in last October the buyers and the dealers in the New York markets were offering four dollars and something, \$4.10 per hundred for potatoes Presque Isle delivered. Today, they are offering \$1.00 a hundred and getting more potatoes than they want. When they were \$4.00 a hundred, they couldn't get any.

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

Mr. BAILEY: Mr. Speaker and Ladies and Gentlemen: I shall have to admit so far as the potato industry is concerned that I am no authority on that, therefore I am not going to argue the potato business but I wish to make it clear in this House the position which the committee took on this bill. It was clearly shown in the committee, we have had hearings with both the proponents and the opponents and it was understood that in passing this bill there would be a referendum attached to it whereby the people, the producers and dealers in the potato industry would have a chance to vote and if you will bear with me just a few minutes, I will read the proviso which would be in the amendment.

"After such notice and hearing, the Commissioner may issue a marketing order if he finds that it will tend to effectuate the declared policy of this act subject however to the following: No marketing order or amendment thereto issued pursuant to this act shall become effective unless and until the Commissioner determines that the issuance of such order is approved and favored by at least two-thirds of the producers who participated in the referendum in the question of its approval and who during the preceding fiscal

year have been engaged in the production of potatoes for marketing within the production area specified in such marketing order and who during such year have produced at least two-thirds of the volume of potatoes produced for markets within such production area. No marketing agreement or amendment thereto directly affecting and issued pursuant to this act shall become effective unless and until the Commissioner finds that such agreement has been assented to in writing by the handlers who handle not less than 50 per cent of the volume of the potatoes handled within the area defined in such agreement and by not less than 50 per cent of the number of handlers engaged in handling potatoes within the area."

Well, we felt that it was not for the committee to tell the people in Aroostook County that they must have this or that they shouldn't have it but by having it under a referendum so that it can be placed in effect at any time when at least two-thirds of the people in the business approve it that it would be our duty to present this bill as we did.

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

Mr. BURGESS: Mr. Speaker and Members of the House: I hope no one will be confused in construing this to be a price support measure. It is not. Second, I submit to you this question: Regardless of how many or how few potatoes are sold and marketed or where, they should be properly graded and properly marketed for the benefit of the consumer as well as for the benefit of the producer.

This measure appeared at this session of the Legislature late; that I admit. But it did have its usual public hearing and following the hearing the Committee on Agriculture was kind enough to grant both the opponents and the proponents a private hearing. And when I say to you that there has been great interest and people have shown what they would like to have done, let me just hold these up so that you can see that the people have taken an interest.

I have been informed that those who have shown an interest run 7 to 1 in favor of the passage of this

measure. We, in Aroostook County, every last person, regardless of what our job or our business may be, are entirely dependent upon the production and the sale of potatoes. When our industry is economically down every person there feels its effect whether it is in his wages or in his business.

Now, you may say that what we do in Aroostook County does not affect the rest of the State. Let me submit to you that the farmers in Aroostook County purchase millions of dollars worth of items through your wholesale companies in Portland, in Bangor, in Lewiston and throughout the State and that the success of our potato industry is equally as important to the entire state as it is to Bangor and the larger places.

I want those of you who live throughout the State this morning to take an interest in our potato business. I want you to recognize the fact that our prosperity means added prosperity to you and to the rest of the State.

This measure, as has been stated, carries a referendum clause and someone has stated that the industry should be polled before the enactment of this so-called marketing agreement and I submit to you this question: How do you do it with respect to your school district bills? You can't get it accepted until after the Legislature has given you something to accept.

I do not stand here claiming that the passage of this measure will solve the problem with respect to the potato business. I do say to you that it is my opinion and the opinion of people who are my friends and are large producers and successful producers and shippers that they believe that it will help and all they are asking is that this permissive piece of legislation be passed by this Legislature enabling them, should they vote favorably at referendum, enabling them to establish grades which would seem to be in the best interests of their own business and if you will recall, a few days ago, this House was gracious enough to me to allow me to introduce by unanimous consent a resolve which would enable the potato industry, itself, to make their own funds, collected from the potato

tax, available to the Department of Agriculture for the enforcement of its branding law. In other words, they are willing and want to make the necessary contribution out of their own funds to enforce grading and branding provided they are able to establish that sort of thing.

I want to read just part of one telegram which I think carries all the import that needs to be said: "To vote on this measure" — that is urging the committee to vote favorably on the measure — "future potato market looks like marketing agreement would be necessary to maintain anywhere near even prices." This I want you to get: "And it would be quite some responsibility for anyone to make it impossible for potato growers in Maine to have some method to withhold undesirable stock if they so wish."

Mr. Speaker, I do not know whether the motion made by the lady from Presque Isle (Mrs. Christie) supersedes the one that I made. If it does, I hope you will vote against her motion and then on the motion which I made at the start that the majority "Ought to pass" report be accepted; that you will consider the things I have said and give the potato business their opportunity to do the things which they are asking to be able to do for themselves.

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

Mr. CENTER: Mr. Speaker and Members of the House: As a signer of the majority "Ought to pass" report, I too would just like to make my position clear. As has been pointed out, to my mind this is simply permissive legislation and I did not feel that I, for one, wanted by my vote here in this Legislature to prevent the potato industry from entering into a marketing agreement if the great majority of that industry was in favor of it.

I think there are plenty of safeguards as to numbers in this bill in the referendum. I believe that if there is as much opposition to the bill as there is supposed to be by some of the opponents, then I think they will have an ample opportunity at the referendum to defeat the measure.

As far as our committee was concerned, I don't know what the latest figures are, but I do know of the telegrams, letters, telephone calls and communications received by the committee, at least 75 per cent of them have been in favor of this permissive legislation. I think your committee on Agriculture was very careful in looking over this bill and very anxious to find out whether there was any price control connected with it and we are satisfied that there is not. It is purely an opportunity for us to let the potato industry if two-thirds of them, as Mr. Bailey read to you in that section, if two-thirds of them wish it, to work out some agreement, if there are surplus potatoes, to keep off-grades off the market.

The opponents of the bill have said that we do not need it; that all we need is to strengthen the branding law. But, as I understand it, the branding law will permit any quality of potato to be shipped into the market provided they are branded as such. I hope that the majority "Ought to pass" report prevails.

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

Mr. HAND: Mr. Speaker and Members of the House: I believe that I might be as well qualified to speak on a measure concerning the marketing of potatoes as any man in this House. I am now a potato farmer in Aroostook County and a potato shipper in Aroostook County. My father was both a farmer and shipper long before me.

I would like to call your attention to one remark made by the gentleman from Limestone, Mr. Burgess. That was his remark that we should not get this issue confused in thinking that it is a price support measure. The first time I ever heard tell of this bill was when some members of the Potato Industry Council of Maine, the executive secretary of that organization, came down here and asked for a delegation meeting with Aroostook County. In proposing the bill the reason given to us why we should have such an agreement was that there are federal funds available, what is known as Section 32 funds, and that if we passed a

marketing agreement prohibiting the shipment of certain grades and types of potatoes that the balance of those would be subsidized or it was possible that they would be subsidized. Aroostook County and the State of Maine, in fact the entire potato industry, has been subjected for quite some period of years to government regulations. There was nothing much we could do about it. I found that during that period there were very few farmers who liked them and were glad the day they got rid of them.

Now, I believe that this is the psychological time for the introduction of such legislation. During price supports there was no shortage of money in the potato industry. The government saw that we had plenty of it. We started this year on our own. Potato prices were exceedingly high at the beginning of the potato season. At that time, you could not have found anybody in Aroostook County who was very interested in such a proposition as this. Since that time it has been discovered that there is a surplus of potatoes and naturally the market has been depressed. So, many of us who can scarcely remember times with depressed market conditions are now afraid and would like to get back under some type of a regulatory umbrella.

I would also like to call your attention to the fact that so far as I know the executive secretary of the Maine Potato Industry Council is also the executive secretary of a starch institute. Now, when potatoes were high, when we were on our own trying to market everything we could market, the starch factories didn't have much business. If they got any potatoes to grind into starch, they had to pay for them. But if we could get in under Section 32 funds, the government would then be willing to pay us for the starch and they would again be in with raw materials which cost them practically nothing.

Now, the gentleman from Limestone, Mr. Burgess, spoke about referendums. It is practically impossible to know what people want to do. You have got to pass your legislation and then find out. And when he referred to school districts I feel that I know something about

passage of school district bills because our committee handles all of them. And one of the first questions that we ask and try to determine if we can is whether or not the town that wants the school district has shown such sentiment preferably in an open meeting. That is one of the first things we consider.

Now, as to the loss of our markets, previous to any federal regulation, Maine shipped more potatoes into commercial market than any other state in the Union but as soon as we had government support, subsidies, Uncle Sam was our best customer and we neglected our commercial market. We neglected it to a point where we have lost it and we lost it by federal regulation and I do not believe we will get it back by a similar regulation.

As to the price differential between Maine and Idaho, there is no question. Idaho is putting a lot of potatoes into our markets and they are getting a higher price but they have an entirely different type of potato than we have. They depend pretty much upon a luxury trade whereas we have always catered to the ordinary wage-earner and tried to sell a utility type potato. Now, Maine has now registered brands under the State of Maine, registered grades. We have what is known as a chef's special. Now, that is a potato which is packaged under compulsory federal inspection. It is illegal to have anything in that bag less than a three inch minimum or more than a four inch maximum.

Now, as far as your packaging of potatoes is concerned, there is the cream but Maine has not found that there is a sufficient demand for that type of potato and that about all of that type that can be marketed are now being marketed. The real demand for our potato is the less expensive utility pack.

I do not want to deprive the growers and shippers in Aroostook County of the right to vote on anything that I consider to be sound legislation but when you talk of referendum there are two things to consider. The first thing to consider is: Is it sound legislation? I doubt that governmental, be it

state or federal, regulations upon any industry is sound legislation and I particularly doubt it in connection with potatoes because I have seen too much of it.

The second thing to consider is: What has the demand for such legislation been? All I can say concerning demand is that in my area, which I represent, I sent out copies of this bill. All the people living in my district whom I have heard from have said that they want nothing to do with it. So, on that basis, the fact that in my area there seems to be no sufficient demand and I am convinced myself that it is not sound legislation, I hope at least that the thing may be postponed until the next legislative session to see if there really is a demand for it.

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

Mr. WILLIAMS: Mr. Speaker, I am a potato grower too. I also work for this P.M.A. outfit, in fact I helped supervise the election in the southern part of Aroostook County that turned this thing down. I am not too concerned about passing this because I think that the Aroostook farmers have all got minds of their own up there and this is just permissive; I can see no reason why they shouldn't have a chance to vote on this thing in a referendum, if they considered it necessary, and two years from now we may have so much money we won't want this or we may be dead broke. I have seen potatoes sell for \$10.50 a barrel and I have seen them sell for 10 cents and we made some money at one time and we lost our shirts some other time and I think if this ever came to a referendum they would be perfectly capable of saying "yes" or "no", whichever way they decided. I can see no reason why they should not have the opportunity. Thank you.

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

Mr. DORSEY: Mr. Speaker and Members of the House: I come from a town that raises one-fourth of the potato production in Aroostook County. The gentleman from New Limerick, Mr. Hand, comes from a

little town which only raises peanuts down there as far as I am concerned. He stood here before you members and gave you a lot of oratory. I can't do it myself, see. I wish I could. I didn't have the chance for an education like that but I still maintain that I have a right to speak before the House here.

Now, as he says, and now, Mr. Speaker, in the town of Fort Fairfield we raise the biggest majority of potatoes which are produced and we have the largest growers of certified seed in the State of Maine. Check that and you can get it from the records any time you want to. I still maintain that we have a right somewhere to put on the statutes a little thing. Give us a right to do this; give us a right to do that. We had two fellows from Presque Isle down here, and they are in the Supreme Court right today; they didn't pay their potato tax. That is the kind of guys you have got coming down here to oppose this potato marketing. Members, I am sorry, I get so mad. I have a heart condition; I just took a pill right in the Hall before I got up and I am in the undertaking business and if I should happen to drop dead here I hope you members will call my boys so I won't have any surplus profits, see.

But, listen, I want to tell you right now that something has got to be done in the State of Maine. Furthermore, we in Aroostook County try to pay our bills. I have been a selectman for fifteen years. I am an assessor. I have listened to you fellows talk. You can't tell me anything about assessors. You can't tell me anything about running the town business. I have been there and I want to tell you right now, members, that the people in Aroostook County, 95 per cent of them, will pay their bills when you give them a chance to. They even cut us because we had scurvy in Aroostook County and I brought a woman down here one time and Henry Hart, I don't know whether you fellows know him or not, he was the greatest attorney-at-law and he says: "Can I meet her?" And I said: "Yes, you can but she has got scurvy." He said:

"I would like to catch it." (Laughter) So there it is. Now, listen. What we want you to do, members, is this: Give us a chance, two-thirds, a majority of the Aroostook farmers in the State of Maine, you understand. Let us decide what we want to do. It isn't for every Tom, Dick and Harry. Now I have got 5,000 barrels of potatoes right there in my own possession and I own every one of them and I raised 14,000 barrels of potatoes last year and I want to tell you right now it is no sunshine to look you fellows in the face when I might die, but by golly I am willing to die but I like to make money the same as you do. I don't interfere with your clam bills; I don't interfere with your lobster bills. That is none of my business, I don't know anything about it, but I still maintain that we have got a chance and for God's sake, give us a chance, will you? Thank you, Mr. Speaker.

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

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

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

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

A sufficient number arose.

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

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

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

The SPEAKER: The question before the House is on the motion of the gentlewoman from Presque Isle, Mrs. Christie, that the two reports and Bill "An Act Regulating the Marketing of Irish Potatoes Grown in the State of Maine," Senate Pa-

per 527, Legislative Document 1423, together with accompanying papers, be postponed and referred to the next Legislature.

As many as are in favor of the motion of the gentlewoman from Presque Isle, Mrs. Christie, will please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Nineteen having voted in the affirmative and seventy-nine having voted in the negative, the motion to postpone and refer to the next Legislature did not prevail.

Thereupon, the Majority Report of the Committee "Ought to pass" as amended by Committee Amendment "A" submitted therewith was accepted in concurrence on motion of Mr. Burgess of Limestone and the Bill was then given its two several readings.

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

COMMITTEE AMENDMENT "A" to S. P. 527, L. D. 1423, Bill "An Act Regulating the Marketing of Irish Potatoes Grown in the State of Maine."

Amend said Bill in that part designated "Sec. 251" by inserting after the paragraph beginning "Handler" the following underlined paragraph:

"Potatoes prepared for market" means and includes all potatoes packed in containers and intended for delivery or transit or exposed for sale or in the process of delivery or in transit or located at a depot, station, boat dock or any place where potatoes are held in storage or for immediate or future sale or transit.'

and by inserting after the paragraph beginning "Wholesale pack" the following underlined paragraph:

"Consumer pack" means a unit of less than 50 pounds net weight of potatoes contained in a bag, crate or any other type of container.'

Further amend said Bill in that part designated "Sec. 252" by striking out in the 4th line of the 2nd paragraph the underlined words **"such commodity"** and inserting in place thereof the underlined word **'potatoes'**

and by striking out the underlined word **"commodity"** at the end of the next to last sentence of the

4th paragraph and inserting in place thereof the underlined words 'subject matter' and by striking out all of the last paragraph of said "Sec. 252" and inserting in place thereof the following:

'After such notice and hearing, the commissioner may issue a marketing order if he finds it will tend to effectuate the declared policy of this act; subject, however, to the following:

I. No marketing order or amendment thereto issued pursuant to this act shall become effective unless and until the commissioner determines that the issuance of such order is approved and favored by at least 2/3 of the producers who participated in a referendum on the question of its approval and who, during the preceding fiscal year, have been engaged in the production of potatoes for market within the production area specified in such marketing order, and who, during such year, have produced at least 2/3 of the volume of potatoes produced for market within such production area.

II. No marketing agreement or amendment thereto, directly affecting handlers, issued pursuant to this act, shall become effective unless and until the commissioner finds that such agreement has been assented to in writing by the handlers who handle not less than 50% of the volume of the potatoes handled within the area defined in such agreement and by not less than 50% of the number of handlers engaged in handling potatoes within such area.'

Further amend said Bill in that part designated "Sec. 253" by striking out the underlined word "commissioner" in the 1st line of subsection XI and inserting in place thereof the underlined word 'committee'

Further amend said Bill in that part designated "Sec. 255" by striking out all of subsection IV and inserting in place thereof the following:

'IV. Inspection. During any period in which the commissioner regulates the preparation for market of potatoes pursuant to the provisions of this section, he may require each handler who first ships potatoes, prior to making shipment,

to cause each shipment to be inspected by an authorized representative of the Federal-State Inspection Service.'

Further amend said Bill in that part designated "Sec. 255" by striking out all of subsection VI.

Further amend said Bill in that part designated "Sec. 256" by striking out the last sentence of subsection I and inserting in place thereof the following underlined sentence:

'If it is deemed advisable, the committee shall recommend the control and distribution of surplus potatoes and plans for equalizing the burden of surplus elimination or control among the producers and handlers thereof under uniform rules recommended by the committee and established by the commissioner.'

Further amend said Bill in that part designated "Sec. 260" by striking out in the 1st line of the 2nd paragraph the underlined words "this act" and inserting in place thereof the underlined words 'any marketing order'

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

The following Order from the Senate not appearing on the printed journal but on the supplemental journal which was distributed to the members' desks was taken up:

From the Senate: The following Order:

ORDERED, the House concurring, that the Committee on Appropriations and Financial Affairs be authorized to present such bills and resolves as may be required to carry out the intent of the Legislature with respect to general fund matters. This order shall not authorize the Committee to present any new matter. (S. P. 599)

Came from the Senate read and passed.

In the House was read and passed in concurrence.

The SPEAKER: At this time the Chair will request the Assistant Sergeant-at-Arms to escort to the well of the House the Maine 1953 Mother of the Year, Mrs. Henry Kenoyer.

Mrs. Kenoyer is accompanied by Miss Mary Leo, Chairman of the Golden Rule Foundation and by Mrs. Harold Owen, of Milo.

Thereupon, Mrs. Kenoyer was escorted to the rostrum, by the Sergeant-at-Arms, amid the applause of the House, the members rising.

The **SPEAKER**: Members of the House: It is a real pleasure to present Mrs. Kenoyer to you. Mrs. Kenoyer is from Weeks Mills, Maine, a retired schoolteacher; she herself is a graduate of the William Penn College in Oskaloosa, Iowa; and now, at the age of sixty-nine, she has had the pleasure of seeing over half of the ten children of her own which she brought up, and the orphan nephews she brought up, sent through college, mainly through her own efforts, because she continued teaching all through the years of raising her own family.

We wish we had more time to spend with you, Mrs. Kenoyer, but believe me sincerely, we are very happy to have you with us even for these few minutes, and I know you realize that we are in the closing days of the session and we cannot spend too much time on formalities, but we are very sincere.

Thereupon, Mrs. Kenoyer was escorted from the Hall of the House, amid prolonged applause, the members rising.

Divided Report Tabled Temporarily

Majority Report of the Committee on Judiciary reporting "Ought not to pass" on Bill "An Act Repealing the Legislative Research Committee" (S. P. 406) (L. D. 1113)

Report was signed by the following members:

Messrs. REID of Kennebec
WARD of Penobscot
— of the Senate

Messrs. TRAFTON of Auburn
FULLER of Bangor
LOW of South Portland
MARTIN of Augusta
CIANCHETTE of Pittsfield
FITANIDES of Saco
— of the House

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

Report was signed by the following members:

Mr. HARDING of Knox
— of the Senate
Mr. McGLAUFNIN of Portland
— 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 Auburn, Mr. Trafton.

Mr. TRAFTON: Mr. Speaker, in the absence of the gentleman from Portland, Mr. McGlauffin, who signed the minority report, I move that this item be tabled until later in the morning session.

The **SPEAKER**: The gentleman from Auburn, Mr. Trafton, moves that Item 32, the two reports of the Committee on Judiciary and accompanying papers, lie on the table until later in today's session pending acceptance of either report. Is this the pleasure of the House?

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

Divided Report

Majority Report of the Committee on Legal Affairs reporting "Ought to pass" on Resolve Proposing an Amendment to the Constitution Providing for Annual Sessions of the Legislature (S. P. 35) (L. D. 38)

Report was signed by the following members:

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

Messrs. CHILDS of Portland
STEWART of Paris
STEWART of Portland
MARTIN of Eagle Lake
— of the House

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

Report was signed by the following members:

Messrs. HAND of New Limerick
GOWELL of Berwick
WOODCOCK of Bangor
— of the House

Came from the Senate with the Reports and Resolve indefinitely postponed.

In the House: Reports were read.

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

Mr. TOTMAN: Mr. Speaker, I move that the "Ought to pass" report of the committee be accepted. I would like to speak to the motion.

The SPEAKER: The gentleman may proceed.

Mr. TOTMAN: Mr. Speaker and Members of the House: We have a long agenda and I note on this divided report that this bill comes from the other branch indefinitely postponed.

I hope, at the end of my second session in this House, I am realistic enough to believe and realize that when two branches—presumably we might get the "Ought to pass" report agreed upon here—when two branches disagree, the chances are pretty slim, therefore I do not see much object in entering into prolonged debate, at least personally.

I simply want to go on record because I feel so much in favor of this idea, I want to go on record that I believe this is one of the most intelligent, natural, reasonable steps that this Legislature could take.

I realize that the old hands around here don't agree with us; they say we would still have just as long a session as we have had this time; but I have never been able to figure out, for the life of me, why it is that large corporations, small corporations, towns, cities, practically no organization ever thinks of trying to run its business once every two years.

I sincerely believe, and I don't say this in a critical manner, because I don't think there is any alternative, but I sincerely believe, and you must have seen it by now, that much of the legislation that goes through this House at best gets the attention of a very, very few members. You more or less have to count and bank on the opinion of your committees, and sometimes it makes me wonder, when we upset majority reports, how many other majority reports, if we had the time, we ought to have upset.

You notice that this document bears L. D. Number 38, which means, obviously, it was introduced

early in the session. It is now just coming out. I want to compliment someone for having enough foresight to bring this measure out now, so that the members can see and have a better opportunity to realize that we had, in this Legislature, fifteen hundred bills as a minimum; many have not been printed, little resolves or orders etcetera.

I think that covers it, Ladies and Gentlemen. I am definitely in favor of this Legislature getting onto a business-like basis the same as large corporations. I sincerely believe that sooner or later, as other states have found out, the size of government has gotten to such an extent, that it is absolutely ridiculous to let business log-jam, pile up, and get crammed into a biennial session.

The SPEAKER: The gentleman from Bangor, Mr. Totman, moves that the House accept the majority "Ought to pass" report of the committee.

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

Mr. SENTER: Mr. Speaker and Members of the House: Briefly I just want to say that I am very much in favor of the proposal for annual sessions of the Legislature, for two reasons: I believe that if we had annual sessions of the Maine Legislature, we would be able to attract men that we are not now able to attract to our State government. I think it is unreasonable for the citizens of the State to expect any of us to be away from our regular business and duties at home as long as it is necessary now. It is my belief that if we had annual sessions, they would be shorter sessions.

Secondly, I believe that if we had annual sessions, that our State government, our Legislature, would be more responsive to the needs of the State. I think we could act more promptly, and I agree with what the gentleman from Bangor, Mr. Totman, has said, that it is unthinkable and unreasonable to think that we can intelligently foresee the needs of our State institutions and all of our State departments. These are changing times, and if we are going to meet the needs of these departments, my opinion is that we should meet annually. Thank you.

The **SPEAKER**: The question before the House now pending is on the motion of the gentleman from Bangor, Mr. Totman—

The Chair now recognizes the gentleman from Bangor, Mr. Fuller.

Mr. **FULLER**: Mr. Speaker and Members of the House: Not being on this committee, possibly I should keep out of this, but I would like to express my views on it. There is a difference between annual sessions, as a general proposition, and the bill which is here before us. The proposed amendment provides for annual sessions, each for a period of not exceeding sixty legislative days. We are now in the fifty-fourth legislative day of this session. Would that mean that we would have two sessions, each as long as the present one?

Now I can see that we might be able to cope better with the needs of departments and the finances of the State if we did have annual sessions. That, it seems to me, would require a long session and a short session, and the short session should be restricted, probably, to the budget and tax matters and such other matters as a large majority of the legislators saw fit to allow to be introduced. If some such matter as that could be worked out, I think that more of the members in the Legislature would be for it.

I am certainly opposed to the acceptance of the majority report on this particular item.

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

Mr. **WINCHENPAW**: Mr. Speaker, I would like to go on record as opposing this amendment to provide for annual legislative sessions on this basis. I personally believe, and I agree with my good friend, the gentleman from Brooks, Mr. Dickey, that it would just put the Town Road Improvement Fund out of business that much quicker.

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

Mr. **TRAFTON**: Mr. Speaker, with respect to the remarks that my fellow committee member, the gentleman from Bangor, (Mr. Fuller) has made, it seems to me that if you are going to go into something like this, part of the structure

has to be set up by Constitutional amendment and part by statutes. It would seem to me that some of the things that he has said could well be handled by this Legislature, or any future Legislature, by statutes, once you had your constitutional permission established.

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

Mr. **WOODCOCK**: Mr. Speaker, those of us who signed the minority report felt merely that as of now it is not vital to the governmental well-being of the State of Maine to have annual sessions.

The **SPEAKER**: The Chair recognizes the gentleman from Dover-Foxcroft, Mr. Sanford.

Mr. **SANFORD**: Mr. Speaker and Members of the House: I move indefinite postponement of this matter.

The **SPEAKER**: The gentleman from Dover-Foxcroft, Mr. Sanford, moves that the reports and resolve be indefinitely postponed in concurrence. Is this the pleasure of the House? As many as are in favor will please say aye; those opposed, no.

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

Fifty-four having voted in the affirmative and fifty having voted in the negative, the motion prevailed, and the two reports, with accompanying resolve, were indefinitely postponed in concurrence.

The **SPEAKER**: At this time the Chair notes the presence, in the balcony of the Hall of the House, of a group of sixty-five students and guests from the Field Allen School in Windham, in charge of the Principal, Mr. Bither, and Mrs. Hodgdon.

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

Non-Concurrent Matter Tabled and Assigned

An Act relating to Members of Executive Council and Manner of Selection (S. P. 68) (L. D. 154) which was passed to be enacted in the House on April 28.

Came from the Senate indefinitely postponed in non-concurrence.

In the House:

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

Mr. BURGESS: Mr. Speaker, I would first like to thank this House for the many kindnesses they have extended to me and to also note that during the entire session I have not asked that very many items be tabled.

In connection with Item 34 it has come to my attention that there has been some misunderstanding or some correction needs to be made in this particular document, and therefore, Mr. Speaker, I would ask the House to be kind enough to me again to allow me to table it and have it specially assigned for tomorrow, the next legislative day.

The SPEAKER: The gentleman from Limestone, Mr. Burgess, moves that Item 34 lie on the table and be specially assigned for tomorrow, pending further consideration. Is this the pleasure of the House?

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

Non-Concurrent Matter

Bill "An Act relating to Holidays for County Offices in the County of Androscoggin" (H. P. 1146) (L. D. 1294) on which the House substituted the Bill for the "Ought not to pass" Report of the Committee, and passed the Bill to be engrossed as amended by House Amendment "A" on April 28.

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

In the House, the House voted to recede and concur with the Senate.

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

Report of the Committee on Appropriations and Financial Affairs reporting "Ought not to pass" on Bill "An Act relating to Salaries of Members of Superior Court" (S. P. 388) (L. D. 1099)

Report of same Committee reporting same on Bill "An Act Increasing Salaries of Members of Supreme Judicial Court" (S. P. 389) (L. D. 1095)

Came from the Senate read and accepted.

In the House, were read and accepted in concurrence.

Ought to Pass

Report of the Committee on Education reporting "Ought to pass" on Bill "An Act relating to Membership on the Maine School Building Authority" (S. P. 442) (L. D. 1152)

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 Not To Pass
In Senate Bill Substituted**

Report of the Committee on Towns and Counties reporting "Ought not to pass" on Bill "An Act relating to Line Budget for County Estimates" (S. P. 335) (L. D. 840)

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

In the House:

The SPEAKER: Is it the pleasure of the House that the Bill be substituted for the Report?

The Chair recognizes the gentleman from Wales, Mr. Scott.

Mr. SCOTT: Mr. Speaker and Members of the House: The County Officers in Androscoggin County do not want this Line Budget any more than the rest of the State wants it. So far it is not workable. Therefore, I move this bill and accompanying papers be indefinitely postponed.

The SPEAKER: The gentleman from Wales, Mr. Scott, moves that the Report and Bill be indefinitely postponed.

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

Mr. JALBERT: Mr. Speaker, I have served as a member of this august body for my fifth term; I have heard a great many statements that I could take and a great many statements that I wouldn't take. On some of the statements that I didn't care to take particularly, I sat quiet because I didn't have the argument or possibly the proof, but to say that line budgeting for county estimates, particularly in Androscoggin County, is not workable is, in my opinion, not a true statement.

At one of our county delegation meetings Mr. Jacobs, the chairman of our county delegation, named the sub-committee, made up of five members of the House from our delegation to study before approval the county estimate. The Androscoggin County Delegation, at this session, is made up of eight from one party and eight from another party. The committee went to work, and with the full cooperation of the county officeholders, without hurting anyone, we amended the budget to the tune of \$80,000.

The day is coming when the State of Maine will go into line budgeting itself. A line budgeting bill was presented at this session of the Legislature, to cover all phases of government; another bill was presented to cover on personal services. The agreement was reached to let it go for another two years.

Most of your communities—certainly all of your cities in this State, operate on a strict line budgeting. Among some of the items we found in the County of Androscoggin was that items of a recurring nature were thrown into the surplus, items of surplus were thrown into the recurring expenditures.

The bill is sound, and I am really astounded that a member from our delegation would move for the indefinite postponement of this measure because we from Androscoggin County, with the cooperation of our officeholders, are very proud of this amendment, to be able to lead the way, and I am sure and certain that any of you who would keep an eye on the work that this will do would certainly come up here at the next session and go for line budgets in all of our counties.

The bill received nothing but praise from members of either party throughout our county. I don't believe that the chairman of our delegation, who has been here for a great many years, would have even entertained the thought of a sub-committee to look into line budgeting if he, himself, had not thought that the idea was sound.

I certainly hope that the motion of my friend, the gentleman from Wales, Mr. Scott, does not prevail.

The SPEAKER: The Chair recognizes the gentleman from Hanover, Mr. Ferguson.

Mr. FERGUSON: Mr. Speaker and Members of the House: I rise in support of the gentleman from Lewiston, Mr. Jalbert. I think that the sooner the State, counties and towns get on line budgeting, the better off we will be.

Funds from counties and towns that are not on line budgeting have a mysterious way of disappearing. I know that your State Department of Audit are not too much in favor of line budgeting. We have been doing it in our little town for some time, and find out it works very well. If an appropriation is set up for a specified account, we find it is there in a year's time or two years or ten years, as long as you want to go on that basis, and I hope that the motion of the gentleman from Wales, Mr. Scott, for indefinite postponement of this matter does not prevail.

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

Mr. TRAFTON: Mr. Speaker, coming from Androscoggin County, I am not proud of the fact but I think there is a definite need for some such control as line budgeting in our county.

The SPEAKER: The Chair recognizes the gentleman from Bar Harbor, Mr. Peterson.

Mr. PETERSON: Mr. Speaker, at the hearing, all the county commissioners and county officers were against this line budgeting.

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

Mr. TRAFTON: Mr. Speaker, I would like to point out that the amendment, which was adopted in the Senate, restricts line budgeting to the County of Androscoggin and is not a state-wide proposition.

The SPEAKER: The Chair recognizes the gentleman from Wales, Mr. Scott.

Mr. SCOTT: Mr. Speaker, I just want to say again that the county officers of Androscoggin County are against it.

The **SPEAKER**: The question before the House is on the motion of the gentleman from Wales, Mr. Scott, for indefinite postponement of the report and bill, on Senate Paper 335, Legislative Document 840, Bill "An Act relating to Line Budget for County Estimates".

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, the Bill was substituted for the Report, and the Bill was given its two several readings.

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

SENATE AMENDMENT "A" to S. P. 335, L. D. 840, Bill "An Act Relating to Line Budget for County Estimates."

Amend said Bill by adding at the end thereof the following underlined sentence: **'The provisions of this paragraph shall apply to Androscoggin county only.'**

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

Non-Concurrent Matter

Bill "An Act relating to Inspections by the Insurance Commissioner" (S. P. 290) (L. D. 825) which was indefinitely postponed in the House on April 8.

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

In the House:

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

Mr. **HAND**: Mr. Speaker, I move that we recede and concur.

Thereupon, on motion of Mr. Hand, the House voted to recede from its former action whereby it voted to indefinitely postpone this bill on April 8; and further voted to recede from its action on March 25 whereby it passed the bill to be engrossed without amendment.

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

SENATE AMENDMENT "A" to S. P. 290, L. D. 825, Bill, "An Act Relating to Inspections by the Insurance Commissioner."

Amend said Bill by striking out all after the enacting clause and

inserting in place thereof the following:

"R. S., c. 122, § 21, amended. The 1st sentence of section 21 of chapter 122 of the revised statutes, as amended, is hereby further amended to read as follows:

Whoever assaults, intimidates or in any manner wilfully obstructs, intimidates or hinders any sheriff, deputy sheriff, constable, inland fish and game warden, coastal warden, insurance commissioner or his authorized representative, liquor inspector or police officer while in the lawful discharge of his official duties, whether with or without process, shall be punished by a fine of not more than \$500, or by imprisonment for not more than 11 months."

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

Non-Concurrent Matter

"An Act relating to the Salary of the Reporter of Decisions" (H. P. 630) (L. D. 653) which was passed to be enacted in the House on April 28, and passed to be engrossed as amended by Committee Amendment "A" on April 21.

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

In the House:

On motion of Mr. Cole of Liberty, the House voted to recede from its former action whereby it passed the Bill to be enacted on April 28; and further voted to recede from its former action whereby it passed the Bill to be engrossed as amended by Committee Amendment "A" on April 21.

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

SENATE AMENDMENT "A" to H. P. 630, L. D. 653, Bill "An Act Relating to the Salary of the Reporter of Decisions."

Amend said Bill by 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:

Sec. 2. Appropriation. There is hereby appropriated from the general fund the sum of \$500 for the fiscal year ending June 30, 1954 and \$500 for the fiscal year ending June 30, 1955 to carry out the purposes of this act.'

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

Non-Concurrent Matter

Bill "An Act relating to Registration Fees for Farm Trucks" (H. P. 768) (L. D. 803) on which the Bill was substituted for the "Ought not to pass" Report of the Committee, and the Bill passed to be engrossed as amended by House Amendment "B" in the House 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 Milo, Mr. Brockway.

Mr. BROCKWAY: Mr. Speaker and Members of the House: I move we insist on our former action and ask for a committee of conference.

The SPEAKER: The gentleman from Milo, Mr. Brockway, moves that the House insist on its former action whereby the Bill was passed to be engrossed as amended by House Amendment "B" and ask for a committee of conference.

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

Mr. TRAVIS: Mr. Speaker and Members of the House; At the time last week when we substituted the bill for the report, we didn't know what the price tag was that this amendment put on the bill. However, the Bureau of Registry of Motor Vehicles has checked this very carefully and given it as their considered opinion that the enactment of this bill would cost the State over a hundred thousand dollars each year. Therefore, as much as I am in sympathy with the purpose of the bill—from the time I was five years old until I went to college I lived on a farm, and I know their problems—I feel it is my painful duty to move that we recede and concur with the Sen-

ate in the acceptance of the "Ought not to pass" report.

The SPEAKER: The gentleman from Westbrook, Mr. Travis, moves that the House recede and concur with the Senate in accepting the "Ought not to pass" report of the committee.

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

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

Fifty-nine having voted in the affirmative and twenty-nine having voted in the negative, the motion prevailed, and the House voted to recede and concur with the Senate in the acceptance of the "Ought not to pass" report.

Non-Concurrent Matter

Bill "An Act Providing for a Deputy Commissioner of Institutional Service" (H. P. 897) (L. D. 883) which was passed to be engrossed as amended by House Amendment "A" in the House on April 28.

Came from the Senate with House Amendment "A" indefinitely postponed and the Bill passed to be engrossed as amended by Senate Amendment "A" in non-concurrence.

In the House:

The SPEAKER: Is it the pleasure of the House to recede from its former action whereby it passed the Bill to be engrossed as amended by House Amendment "A" on April 28?

The Chair recognizes the gentleman from Jay, Mr. Macomber.

Mr. MACOMBER: Mr. Speaker and Members of the House: I move that we recede and concur with the Senate.

The SPEAKER: The gentleman from Jay, Mr. Macomber, moves that the House recede and concur. Is this the pleasure of the House?

Thereupon, the motion prevailed, and the House voted to recede and concur with the Senate.

Non-Concurrent Matter

Bill "An Act relating to Reclassification of State Aid Highways as Town Ways" (H. P. 1153) (L. D. 1301) which was passed to be engrossed in the House on April 9.

Came from the Senate indefinitely postponed in non-concurrence.

In the House:

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

Non-Concurrent Matter

Bill "An Act relating to Journeymen Welders" (H. P. 1230) (L. D. 1424) which was passed to be engrossed as amended by House Amendment "A" in the House on April 15.

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

In the House:

The House voted to recede and concur with the Senate.

Non-Concurrent Matter

Bill "An Act relating to Appropriation for Unorganized Territory Capital Working Fund" (H. P. 1073) (L. D. 1213) which was passed to be engrossed as amended by Committee Amendment "A" and House Amendment "A" in non-concurrence in the House on April 28.

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

In the House:

The House voted to recede from its former action whereby it passed this Bill to be engrossed as amended by Committee Amendment "A" and House Amendment "A" on April 28.

Committee Amendment "A" and House Amendment "A" were then indefinitely postponed in concurrence.

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

SENATE AMENDMENT "A" to H. P. 1073, L. D. 1213, Bill "An Act Relating to Appropriation for Unorganized Territory Capital Working Fund."

Amend said Bill by indicating the striking out in the 5th line under "Sec. 148-A" of the figures "\$140,000" by drawing a line through said figures \$140,000 and inserting immediately after said stricken out

figures the underlined figures '\$76,906.35.'

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

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

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

Orders

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

Mr. SENTER: Mr. Speaker, I present an order, and after the Clerk has read the order, I would like to comment on it, please.

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

ORDERED, that the Superintendent of Public Buildings be directed to install a new floor covering in the Hall of the House before the convening of the 97th Legislature and that the cost of same be paid from the regular legislative appropriation.

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

Mr. SENTER: Mr. Speaker, I realize that perhaps the Floor Leader should have introduced this measure, but I think you all agree that the present carpet that has served the State for forty-one years is now in a sad state and that Mr. Jacobs has seen this carpet take abuse for forty-one years. I think it would be the right thing to do now to cover the floor. I also am thinking of the dignity of this Hall and the impression that visitors in the balcony must receive when they look down the center aisle and see the worn places in the present carpet.

I am prepared with information if there are any questions.

The Order received passage.

House Reports of Committees Divided Report

Majority Report of the Committee on Agriculture reporting "Ought not to pass" on Bill "An Act relating to Adulterated Meat or Meat Products" (H. P. 625) (L. D. 649)

Report was signed by the following members:

Messrs. FULLER of Oxford
TABB of Kennebec
DOW of Lincoln
—of the Senate

Messrs. CENTER of Standish
GOSLINE of Gardiner
BAILEY of Woolwich
BEARCE of Hebron
—of the House

Minority Report of same Committee on same Bill reporting same in a new draft (H. P. 1295) (L. D. 1543) under same title and that it "Ought to pass"

Report was signed by the following members:

Messrs. DORSEY of Fort Fairfield
TAYLOR of Norridgewock
EMERSON of Corinna
—of the House

Reports were read.

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

Mr. BROWN: Mr. Speaker, I move the acceptance of the minority report of the committee and wish to speak on the matter if I may.

The SPEAKER pro tem: The gentleman may proceed.

Mr. BROWN: Mr. Speaker and Members of the House: This bill seeks to repeal the law of 1951 which was passed to restrict the use of sodium sulfite in hamburg. I am sure that each and every member of this House who heard the evidence presented on behalf of the proponents of Legislative Document 649 on March 10 would agree that the prime factor of the whole discussion was the general economic effect upon the local farmer, the local meat distributor and the local retailer.

It was pointed out at that time, and again I will briefly say, that after the dairy cattle have been used, they are slaughtered and sold for their meat value. These cattle have not been raised for the express purpose of meat supply only, and

as a result, after they have been slaughtered their value as to meat supply cannot compete with the value of beef raised in the West for the express purpose of human consumption.

The local dairy farmer must sell his slaughtered cattle to those who can use it. Its use is primarily for ground meat and sausage. The meat distributor who buys the slaughtered cattle from the farmer, processes this meat and supplies the local retailer with meat for the consumer. Geographically, the centers of our local meat distributors are located in Portland, Lewiston, Augusta, Waterville, and Bangor. These meat distributors must ship the ground and processed meat to retailers at distant points, as far as 150 miles away.

It is necessary for the retailer to offer a saleable product to the consumer. The small retailer is not able to provide ample refrigeration facilities for the storage of large quantities of beef which he could grind. He, the small retailer, must buy his processed meat already ground, and ready for sale. The reason that sodium sulphite has been added to the hamburger is that it is merely to act as a preservative for this hamburger during its transportation from the meat distributor to the retailer.

Preservatives in ground meat have been used for as much as three generations in this State, and never once has there been any known case of illness caused by the use of such preservative.

The opponents of this bill maintain that sodium sulfite as a preservative allows the hamburger to be kept for a long period of time without refrigeration. This is a misleading conveyance of the conduct of the local meat distributor. And if such were the purpose then as pointed out at the hearing there would have been many, many cases of illness caused by consumption of poor meat.

The problem is this. The local meat distributor must offer a saleable item to the retailer. He must also offer a product which is safe for the consumer. If the meat distributor were to create a condition which would affect the health of human beings, then he would

be hastily depleting the market for his product. It can only be sensibly concluded that the local meat distributor does not want such to occur.

The argument that possibly tainted meat can be made to look eatable by the addition of a preservative is only sound to the extent that the consumer would only buy a poor product once; and if the consumer were made ill by a poor product, then the retailer and the meat distributor are eliminating themselves from the business in which they are engaged.

In order to prevent a few indiscriminate persons from taking advantage in such a manner, the local meat distributors themselves propose that the users of preservatives be licensed; that the license fee be diverted into the Department of Agriculture for the purpose of controlling and inspecting such users. And further than that, if there should be any indiscretion on the part of a distributor in the use of such preservative, then the person or persons who have willfully violated the law shall be punished severely.

The local farmer, the meat distributor and the retailer all endorse such control and offer wholehearted cooperation even to the extent of labeling the contents of such preservative at the time of the packing and the date of shipping, which will make it doubly safe for the consumer. Such controls are regulated daily in the State in milk and many other products.

If this problem is handled sensibly, then the economy of the local farmer, the local distributor, and the local retailer will not be adversely affected. I implore you, ladies and gentlemen, to give due consideration to the facts of which you are now aware and also realize that if the proponents are willing to cooperate in the proper method of control in the use of the preservative, then there is a sound basis for allowing this bill to be passed. Thank you.

The SPEAKER pro tem: The gentleman from Bangor, Mr. Brown, moves the acceptance of the minority report "Ought to pass" in a new draft, House Paper 1295, Leg-

islative Document 1543, under same title.

The Chair recognizes the gentleman from Brunswick, Mr. Tondreau.

Mr. TONDREAU: Mr. Speaker and Members of the House: I have no personal business interest in this bill. I only learned about the bill this morning, of its contents. Being the operator of a super-market, I was contacted by representatives of the wholesale houses in Portland and asked if I wouldn't help to clarify this issue. Now that is all that I intend to do and I urge you to vote on the merits of the bill. I do not claim to be an expert in this line because we do not deal in any pre-ground meat. We grind all of our own. However, in fairness to the bill I would like to say that the title perhaps sounds a little more vicious than the bill is.

Now, the purpose of this bill, as Mr. Brown has ably explained to you, is to allow dealers to place in their meats, ingredients that add color to the meat. I know that that is being done extensively at the present time, perhaps in violation of the law, if there is a law against it. I do know that it has been the practice for years to include, for instance, in the curing of hams and shoulders sodium nitrate, strictly as a color agent. In hamburg meats, it has been the practice to include sodium sulfite. Now this does not in any way serve as a preservative or a cure of the meat but it does add to the color. I do not know if you ladies and gentlemen realize that hamburg meat, immediately upon being exposed to the air, will discolor very quickly, and will often discolor and change much more some times than other times. That is, depending on how it is exposed and it will change color when the meat actually is not spoiled in the least. Now, this preservative, of course, makes the product more appealing and that is why the dealers want it, because the meat is not very appealing when it loses its color.

Now, I think this question really resolves itself around the point of whether or not it is good business procedure to allow meats to be colored. The controlled use of these ingredients does not affect the qual-

ity of the meat one way or the other, as I understand it. It merely adds color. That is about the substance of the bill. We do have products now that we add color to such as oleomargarine and this merely would allow the dealers to do the same in this regard, a practice which I have stated they have already been doing for years.

That is about all I have to say.

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

Mr. CENTER: Mr. Speaker and Members of the House: I do not believe it is going to be necessary to go into any great long debate on this particular bill. The Committee on Agriculture held, shall I say a heated hearing on this subject. Now I am speaking on this bill at the present time not only as a member of the Committee on Agriculture and also as owning a dairy farm and having at times some cattle to dispose of, but I am speaking more particularly from a public health angle.

I know that you do not want to be bored with statistics and I am not going to do it. I do, however, have a few simple facts here which I believe is all that will be necessary to satisfy you that we do not want any part of this bill.

I have here a report of experiments conducted at the University of Maine by a chemist, in which they took a specimen of fresh beef and at the same time a specimen of a mixture of fresh beef and tainted beef. They added nothing to either of these specimens. When they arrived in the laboratory they did a standard plate bacterial count and found that the fresh meat had 84,000 bacteria per gram while the mixture had 3,286,000 bacteria per gram. The fresh meat had a bright red color. The mixture, the color was brown and dark red mixed. The odor of the first specimen was fresh, the odor of the second specimen was spoiled. They took those specimens, put them under refrigeration at a temperature of 40 degrees Fahrenheit for forty-eight hours. They then did another standard plate bacterial count. In the case of the fresh meat the bacterial count was 147,000 whereas in the mixture of tainted and fresh meat it was 1,488,-

000. The color in both cases was mahogany. The odor of the fresh specimen was still fresh, the odor of the other specimen was still spoiled.

Now they took two more specimens, one of the fresh meat and another of the mixture of fresh and tainted meat and they added one-tenth of one per cent of sodium sulphite to each of them. The standard plate count at the time of the fresh meat was 150,000 bacteria. Of the mixture it was 14,267,000. Now the color was bright red in the case of the fresh meat and of course brown and dark red mixed in the case of the mixture, the same as it was in the first specimen. The odor of the fresh meat was fresh and the the odor of the mixture was spoiled.

They then put those two specimens under refrigeration at 40 degrees Fahrenheit for forty-eight hours, and then the standard plate count in the first case was 4,071,000 and in the case of the mixture it was 1,488,000. The color of both specimens was now bright red. The odor of the fresh meat was fresh and the odor of the mixture of tainted meat and fresh meat, which previously had a spoiled odor, was now a fresh odor, and the percentage of sodium sulphite in both specimens was now .046 per cent.

In other words, the significant fact about this experiment is that not only will you preserve the color by adding it but you will bring the mixed colored meat, the brown and dark red colored meat back to its bright red color but the odor will be removed so that when you get the hamburger it not only looks good but it smells good, but the bacterial count will show you it is still tainted meat. And that, ladies and gentlemen of this House, is the reason why this bill should not be passed, because we do not want to deceive the people. I know that I do not want to eat tainted meat even if it smells good, and I am perfectly willing as a farmer to have a slightly less market for my cattle then give the people the idea that they are actually getting fresh meat when they are not.

I move the indefinite postponement of the bill.

The SPEAKER pro tem: The gentleman from Standish, Mr. Cen-

ter, moves that the two reports and Bill "An Act relating to Adulterated Meat or Meat Products," House Paper 625, Legislative Document 649, together with accompanying papers be indefinitely postponed.

The Chair recognizes the gentleman from Norridgewock, Mr. Taylor.

Mr. TAYLOR: Mr. Speaker and Members of the House: This isn't as vicious a bill as we have just been led to believe. The gentleman from Bangor, Mr. Brown, has explained this thing very nicely and it is just as it is. Now, we are trying to put this bill through in a new draft which is a draft that would take care of the situation very nicely. "Any person, firm, partnership or corporation selling or offering for sale fresh hamburger shall first file with the commissioner an application for a license therefor accompanied with a fee of \$100; and, upon receipt of such application and fee, the commissioner shall issue such license, which shall expire on December 31 of each year, unless sooner revoked as herein provided in this subsection."

That isn't all of it. "Such hamburger shall not be sold for resale unless it is sold in containers on which shall be conspicuously displayed a notice stating that such chemical has been added to the hamburger contained therein."

Now, you don't have to buy it if you don't want it but I want everyone to understand that I am a packer; I have been packing vegetables in the State of Maine for fifty-one years and I don't want anyone to think that peas that you are serving, frozen peas, which they are serving in the better restaurants are always as green as they are when you see them. They are not. We have to use a chemical to keep them that way. Also, I have canned from a million to a million and a quarter cans of corn every year since 1910 and I have always had to add starch to insure smoothness and now that isn't the only reason we add starch. We add starch to insure consistency. It also keeps the corn so that it does not separate, the corn and the milk, after the can has been held in the factory for some time. Now, the same thing applies to meat. We have to

add on our labels and all other labels from our own factory and from the larger wholesale houses, it says right here "starch added to insure smoothness." Now, that isn't the only reason and it is the same thing with this meat product, they are adding it to insure the color and not to preserve it. Thank you.

The SPEAKER pro tem: The Chair recognizes the gentleman from Charleston, Mr. Rich.

Mr. RICH: Mr. Speaker, I have a telegram from the secretary of the Maine State Grocers Association. "Our association did not take any official opposing action against the use of preservatives in hamburger as amended or as in the original form." This is signed by Arthur H. Charles, Secretary of the Maine State Grocers Association. Apparently they do not consider that this preservative is going to harm anybody. I would like to go along with the argument of the gentleman from Bangor, Mr. Brown, and also the gentleman from Standish, Mr. Center. I am a farmer. I have quite a herd of dairy cattle and we have to dispose of some of them because they are not productive and this law against using a preservative does make our product harder to market and does reduce the income of the farmer and, believe me, the farmers are not getting any too much income just now.

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

Mrs. CHRISTIE: Mr. Speaker, if I am not out of order, may I ask a question of the gentleman from Standish, Mr. Center, through the Chair?

The SPEAKER pro tem: The gentlewoman from Presque Isle may ask her question and the gentleman from Standish, Mr. Center, may answer if he so desires.

Mrs. CHRISTIE: Mr. Speaker, I would like to ask Mr. Center if this preservative added to the meat would in any way be detrimental to health.

The SPEAKER pro tem: The Chair recognizes the gentleman from Standish, Mr. Center, for the purpose of answering the question.

Mr. CENTER: Mr. Speaker, the answer is that the preservative in itself is not harmful.

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

Mr. CALL: Mr. Speaker and Members of the House: I can't say whether I am for it or against it, being a grocery man and handling a lot of meat every week but I have the greatest respect for the gentleman from Standish, Mr. Center, and his knowledge of chemistry and I know that I am just an ignoramous as far as that is concerned. But it would be very poor policy for any small or large grocery store or meat market grinding their own hamburger to use a preservative. Now, the primary object of this bill, as far as I can see, as contained in a letter from the Maine State Grocers Association, we have found that some wholesalers who service grocers in remote areas and long distances from the wholesaler need some means of keeping the hamburger in good condition a bit longer due to the time element in delivery.

There is no need for me to go into any lengthy discussion about this because Mr. Center has covered it thoroughly and also the gentleman from Bangor, Mr. Brown. It is only a case of giving hamburger color, that is all. Now, as Mr. Taylor explained to you, there are many items put up in cans and packages, like candy, that have a preservative in them. If they didn't have it, they would spoil in a short time. So I am not going to take any further time except to say that the only means that these large wholesalers who deliver at a great distance in what they call a ten-pound container of hamburger is just to keep the color up. To you people who do not understand, I can grind ten pounds of hamburger and put it in a pan and inside of about three hours it takes on the mahogany-brownish color that Mr. Center spoke about. It is nothing more than the seepage of the surface blood going to the bottom of the pan and I would say, Mr. Center may correct me on this, oxidation in the air. It picks up something out of the air that causes it to discolor and it is perfectly fresh in every way whatsoever. Thank you.

The SPEAKER pro tem: The Chair recognizes the gentleman from Waterville, Mr. Lane.

Mr. LANE: Mr. Speaker and Members of the House: As a freshman legislator I was told I should be quiet, and that, especially as a Democrat, I should keep my mouth shut. But as I listen to arguments, arguments that are real wide of the mark in many cases, I find that advice is mighty hard to follow.

I do admire some of the members from Aroostook County when they talk about potatoes because they know what they are talking about. I do admire Miss Cormier when she talks about education because I know that she knows what she is talking about.

I asked Mr. Center a question: "Why are you against this bill?" His answer was, "I don't like it." I said, "Why? Explain to me why you don't like it and maybe I will be against it myself." His answer was, "I just don't like it."

I am talking to you members as a farmer. We do raise a lot of cattle. I cannot see why Maine farmers should sell a \$150 cow for \$100. Until a few months ago 75 per cent of our cattle were shipped to the Boston market. The Boston market is all over. From now on Maine farmers have to consume their own cattle. I know that some of the packing houses, like Armours, Wilson's, Swifts, they are against it. They have got a good reason to be against it. They are trying to sell western cattle and we farmers in the State of Maine are trying to sell native cattle. I think we are entitled to have a market in our own state.

As far as the hamburger is concerned, I know it is harmless because I eat plenty of that stuff myself. Take a look at me. I am pretty healthy.

This only applies to a few packers in the State of Maine, packers like in Portland, Augusta, Waterville and Bangor. The only thing they want to do is preserve it for about twenty-four hours. Anybody who has done business should know that at a packing house if they are going to ship out about two or three hundred pounds of hamburger they have to grind it in the morning, and if they keep it for a couple of hours the hamburger gets dark, and by the time it gets to its destination the people take a look at it and

say, "I don't want that hamburger. It is made out of native beef. I don't like it." Once you put in a preservative it will only preserve it for about twenty-four hours.

Another thing, if you make it out of fresh meat it will smell fresh and it will look fresh, and if you make it out of rotten meat it will smell and it won't look so good.

Another thing I want to point out. This new draft will stop a lot of people from using it. People don't know how to use it. This new draft calls for a \$100 fee and a \$500 fine. I think people in the State of Maine should know if they are buying hamburger with preservatives or without preservatives. Under this new draft they will know they are buying hamburger with preservatives. If a lot of people do not like it, like Mr. Center, I am sure they are not going to buy it.

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

Mr. TRAVIS: Mr. Speaker and Members of the House: It is almost time for lunch and I have worked up a pretty good appetite for hamburgers and I move the previous question.

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

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

A sufficient number arose.

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

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

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

The SPEAKER pro tem: The question before the House is on the motion of the gentleman from Standish, Mr. Center, that the two reports and Bill "An Act relating to Adulterated Meat or Meat Products," House Paper 625, Legislative

Document 649 be indefinitely postponed.

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

The SPEAKER pro tem: And the same gentleman asks that when the vote is taken it be taken by division.

All those in favor of the indefinite postponement of both reports and the bill will kindly rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Forty-five having voted in the affirmative and fifty-nine having voted in the negative, the motion to indefinitely postpone did not prevail.

The SPEAKER pro tem: The question before the House is on the motion of the gentleman from Bangor, Mr. Brown, that the minority report of the committee reporting same in a new draft, House Paper 1295, Legislative Document 1543, under same title and that it "Ought to pass" be accepted. Is this the pleasure of the House?

The motion prevailed, and the minority report was accepted.

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

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

Mr. CHILDS: Mr. Speaker, I request unanimous consent to take up out of order the 63rd item of unfinished business on today's calendar, L. D. 1064, Bill "An Act relating to Pari Mutuel Pool Contributions and Night Running Racing" and I move that it be specially assigned for 2:00 P.M. today or 3:00 P.M. daylight saving time.

The SPEAKER pro tem: Will the gentleman approach the rostrum, please.

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

Mr. CHILDS: Mr. Speaker, my orders are to withdraw my previous motion. I now move that the 63rd unfinished business matter be made a special order for today.

The SPEAKER pro tem: The gentleman from Portland, Mr. Childs, asks unanimous consent that House Divided Reports, Majority Report "Ought not to pass"

and Minority "Ought to pass" as amended by Committee Amendment "A" of the Committee on Legal Affairs on Bill "An Act relating to Pari Mutuel Pool Contributions and Night Running Racing," House Paper 976, Legislative Document 1064, tabled on April 27 by the same gentleman pending acceptance of either report be made a special order of the day.

Mr. OSBORNE of Fairfield: Mr. Speaker —

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

Mr. OSBORNE: Mr. Speaker, I would like to call the attention of the House to the fact that the gentleman from Portland, Mr. Gilman, is very interested —

The SPEAKER pro tem: The Chair will state that the gentleman may not debate the question.

Mr. OSBORNE: I am not going to debate it, Mr. Speaker. I wish only to call attention to the fact that Mr. Gilman, who is very interested in this bill, is absent.

The SPEAKER pro tem: For what purpose does the gentleman from Augusta, Mr. Albert, rise?

Mr. ALBERT: For the purpose of clarification, Mr. Speaker. Mr. Gilman is aware that this is going on.

The SPEAKER pro tem: Is there objection to the request of the gentleman from Portland, Mr. Childs, for unanimous consent?

The Chair hears none and it is so ordered.

The SPEAKER pro tem: The Chair, at this time, would like to have the members stay through this noon, if possible, so that we may go through as many of these third readers as we can and thus expedite the business of the House. The Chair would also like to have any person who expects to have debate or offer an amendment on any of these bills at this time make a motion and we will simply pass over them for the time being.

Thereupon, Items 1, 7-a and 12 were temporarily passed over.

Passed to Be Engrossed

Bill "An Act relating to the Board of Registration for Professional Engineers" (S. P. 584) (L. D. 1524)

Bill "An Act relating to Waiver of Restrictive Provisions in Deeds" (S. P. 585) (L. D. 1525)

Bill "An Act relating to Facilities Furnished by Public Utilities" (S. P. 588) (L. D. 1527)

Bill "An Act relating to Registration Fee for Boat Trailers" (S. P. 590) (L. D. 1529)

Bill "An Act to Increase the Salary of the Judge of Probate, Lincoln County" (H. P. 79) (L. D. 74)

Bill "An Act to Incorporate the Consumers' Finance Co." (H. P. 182) (L. D. 177)

Bill "An Act relating to Eligibility for Retirement Under the Maine State Retirement Law" (H. P. 827) (L. D. 858)

Bill "An Act Continuing Pensions of Retired Members of the State Police" (H. P. 924) (L. D. 992)

Bill "An Act Amending the Charter of the City of Portland re Election of Members to City Council" (H. P. 935) (L. D. 1029)

Bill "An Act to Create the Boothbay-Boothbay Harbor Community School District" (H. P. 1292) (L. D. 1541)

Resolve relating to Post War Public Works Reserve Fund and Appropriating Moneys for the Women's Reformatory (S. P. 580) (L. D. 1520)

Resolve Providing for Expenditures on Airports (S. P. 581) (L. D. 1521)

Resolve in favor of a Retirement Allowance for Edith V. Jack of Hollis Center (H. P. 16) (L. D. 10)

Resolve in favor of Robert W. Johnson of Rumford (H. P. 30) (L. D. 24)

Resolve Providing for a Retirement Pension for Lydia B. Otis of Carmel (H. P. 297) (L. D. 358)

Resolve Granting a Pension to Ida M. Fuller of Mount Vernon (H. P. 425) (L. D. 472)

Resolve in favor of Albert A. Anderson of Thomaston (H. P. 658) (L. D. 701)

Resolve in favor of Sadie M. D. Jewell of Orono (H. P. 927) (L. D. 1024)

Resolve in favor of Naomi G. Davis of Palermo (H. P. 1018) (L. D. 1144)

Resolve in favor of Arthur Payson of Brooks (H. P. 1098) (L. D. 1232)

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 Requiring Children to Care for Parents According to Ability" (S. P. 401) (L. D. 1118)

Bill "An Act relating to Charter Changes for City of Lewiston (S. P. 508) (L. D. 1387)

Bill "An Act to Incorporate the 'Household Finance Company of Maine'" (H. P. 46) (L. D. 47)

Bill "An Act to Incorporate the Monroe Finance Corporation of Maine" (H. P. 179) (L. D. 174)

Bill "An Act to Incorporate the 'Community Finance Corporation'" (H. P. 419) (L. D. 494)

Bill "An Act relating to Retirement of Firemen Under Maine State Retirement Law" (H. P. 653) (L. D. 696)

Bill "An Act relating to Pensions for Firemen and Their Dependents Under the Maine State Retirement System" (H. P. 1049) (L. D. 1190)

Bill "An Act to Incorporate the Northern Finance Company" (H. P. 1199) (L. D. 1366)

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

Tabled

Resolve in favor of a Retirement Allowance for Doris D. Ladd of Hallowell (H. P. 598) (L. D. 638)

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

(On motion of Mr. Turner of Auburn tabled pending passage to be engrossed)

Bill "An Act relating to Limitation for Injuries by Defect in Highways" (S. P. 59) (L. D. 127)

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.

Tabled and Assigned

The CLERK: Returning to Item 1.

Bill "An Act to Confer Additional Powers Upon Municipalities in the State of Maine in Relation to the

Supply and Distribution of Water and the Collection, Treatment and Disposal of Sewage, Including Industrial Wastes" (S. P. 579) (L. D. 1519)

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

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

Mr. CIANCHETTE: Mr. Speaker, this bill is a re-draft of a bill originally introduced and in the time after the bill came out of committee and was printed, in the printing one line of the bill was inadvertently left out. Therefore, this bill needs an amendment by inserting that line back in the bill. Therefore, I move that this bill lie upon the table.

The SPEAKER pro tem: Would the gentleman care to specially assign?

Mr. CIANCHETTE: Specially assigned for tomorrow, Mr. Speaker.

The SPEAKER pro tem: The gentleman from Pittsfield, Mr. Cianchette, moves that the Bill lie on the table pending third reading and be specially assigned for tomorrow, May 1.

Mr. SCOTT of Alfred: Mr. Speaker —

The SPEAKER pro tem: The Chair will state that the motion to table is not debatable except as to the time of the assignment.

Mr. SCOTT: Just the time of assignment, Mr. Speaker?

The SPEAKER pro tem: That is right.

Mr. SCOTT: Mr. Speaker, what I want to do is to indefinitely postpone this bill.

The SPEAKER pro tem: The Chair will state that that motion is not in order at this time.

Thereupon, the Bill was tabled pending third reading and specially assigned for tomorrow, May 1.

Tabled and Assigned

Item 7-a. Bill "An Act relating to Compensation for Death Under Workmen's Compensation Act" (H. P. 427) (L. D. 474)

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

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

Mr. GATES: Mr. Speaker, the gentleman from Stockton Springs,

Mr. West, I believe, has an amendment which he wishes to add to this bill and as he is out of the House at this time, I would move that this be placed upon the table and specially assigned for later today.

The SPEAKER pro tem: The gentleman from Millinocket, Mr. Gates, moves that the Bill be tabled pending third reading and be specially assigned for later in the day. Is this the pleasure of the House?

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

Item 12. Bill "An Act to Increase the Salary of the Recorder of the South Portland Municipal Court and the Salary of the Judge of the Portland Municipal Court" (H. P. 1293) (L. D. 1542)

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

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

Mr. TRAVIS: Mr. Speaker and Members of the House: I present House Amendment "A" and move its adoption.

The SPEAKER pro tem: The gentleman from Westbrook, Mr. Travis, offers House Amendment "A" and moves its adoption. The Clerk will read House Amendment "A".

The CLERK:

HOUSE AMENDMENT "A" to H. P. 1293, L. D. 1542, Bill "An Act to Increase the Salary of the Recorder of the South Portland Municipal Court and the Salary of the Judge of the Portland Municipal Court."

Amend said Bill by striking out from the 7th line thereof the underlined figures "\$1,000" and inserting in place thereof the underlined figures '\$700'.

Further amend said Bill by striking out all of section 3 thereof.

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

Mr. TRAVIS: Mr. Speaker and Members of the House: This amendment deserves a little explanation since I am not from the municipality that is affected by this amendment but if you will look at the bill you will notice that the salary of the recorder of the South Portland Municipal Court, this bill proposes a 67 per cent increase.

This recorder has been in office only part of this year. If you can tell me where I can go out and get a job and almost immediately have a 67 per cent increase, retroactive to when I took the job, I am in favor of looking for jobs like that.

In the second place, the bill was accepted by unanimous consent on April 16 so I feel that this gentleman is lucky that we are even considering an increase at all. I have talked with a man who held this job for several years and he felt that a \$100 increase would be ample, in his judgment, at this time.

Therefore, with this explanation, I am speaking for several members of Cumberland County who are dissatisfied with this proposal of a 67 per cent increase, I move the adoption of this amendment.

The SPEAKER pro tem: The question before the House is on the motion of the gentleman from Westbrook, Mr. Travis, that House Amendment "A" be adopted. Is this the pleasure of the House?

The motion prevailed and the Bill as amended by House Amendment "A" was read the third time, passed to be engrossed and sent to the Senate.

The SPEAKER pro tem: The Chair recognizes the gentleman from Augusta, Mr. Albert.

Mr. ALBERT: Mr. Speaker, I ask unanimous consent that unless previous notice is given to the Clerk of the House of intention to move reconsideration that the Clerk be authorized to send to the Senate one hour and thirty minutes after the House recesses all matters acted upon this morning that were passed to be engrossed or that required Senate concurrence, and that after that time no motion to reconsider any such matters shall be entertained.

The SPEAKER pro tem: Does the Chair hear objection to the request of the gentleman from Augusta, Mr. Albert? The Chair hears none and it is so ordered.

On motion of Mr. Fuller of South Portland, the House recessed until 1:30 P. M., E. S. T.

After Recess

1:30 P. M., E. S. T.

The House was called to order by the Speaker.

Conference Committee Report

Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature, on Bill "An Act to Provide for the Observance of Legal Holidays" (H. P. 819) (L. D. 850) reporting that the Senate recede and concur with the House in the indefinite postponement of the Reports and Bill.
(Signed)

Mr. McGLAUFILIN of Portland
Mrs. CHRISTIE of Presque Isle
Mr. MARTIN of Augusta

—Committee on
part of House

Messrs. REID of Kennebec
WEEKS of Cumberland
WARD of Penobscot

—Committee on
part of Senate

Report was read and accepted and sent up for concurrence.

Conference Committee Report

Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature, on Bill "An Act Creating a Division of Indian Affairs" (H. P. 245) (L. D. 226) reporting that the Senate recede from its action whereby the bill was passed to be engrossed as amended by Committee Amendment "A" and its action whereby Committee Amendment "A" was adopted. Indefinitely postpone Committee Amendment "A" and pass the bill to be engrossed without amendment in concurrence.
(Signed)

Messrs. FULLER of Bangor
CLEMENTS of Belfast
BROCKWAY of Milo

—Committee on
part of House

DUNHAM of Hancock
PARKER of Piscataquis
BOUCHER of Androscoggin

—Committee on
part of Senate

Report was read and accepted and sent up for concurrence.

Conference Committee Report

Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature, on Bill "An Act relating to Salary of Treasurer of State" (H. P. 1269) (L. D. 1483) reporting that they are unable to agree.
(Signed)

Messrs. OSBORNE of Fairfield
JACOBS of Auburn
FULLER of Bangor

—Committee on
part of House

COLLINS of Aroostook
SINCLAIR of Somerset
HASKELL of Penobscot

—Committee on
part of Senate

Report was read and accepted and sent up for concurrence.

**Finally Passed
Emergency Measure**

Resolve Providing Pensions for Soldiers and Sailors and Dependents and Other Needy Persons (H. P. 1273) (L. D. 1509)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a division was had. 119 voted in favor of same and none against, and accordingly the Resolve was finally passed, signed by the Speaker and sent to the Senate.

**Emergency Measure
Constitutional Amendment**

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

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being a Constitutional Amendment and a two-thirds vote of the House being necessary, a division was had. 118 voted in favor of same and none against, and accordingly the Resolve was finally passed, signed by the Speaker and sent to the Senate.

The SPEAKER: At this time, in the interests of procedure, if there are any enactors printed in the Advance Journal which the House wishes to have passed over, the

Chair would appreciate being so informed. Items 10, 12, 14 and 19 have already been requested to be passed over.

Passed to be Enacted

An Act relating to the Superintendent of Public Buildings (S. P. 182) (L. D. 423)

An Act relating to Operation of School Buses (S. P. 281) (L. D. 770)

An Act relating to Salary of the Clerk and Clerk Hire of the Lewiston Municipal Court (S. P. 342) (L. D. 838)

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

An Act Authorizing Appointment of Special Guardian (S. P. 549) (L. D. 1464)

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

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

An Act relating to the Title and Powers of "Recorders of Municipal Courts" (H. P. 651) (L. D. 691)

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

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)

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

An Act relating to Expenses of Maintaining Burying Grounds in Unorganized Territory in Piscataquis County (H. P. 947) (L. D. 1001)

An Act Amending the Charter of the Waldo County Municipal Court (H. P. 969) (L. D. 1057)

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

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

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

An Act relating to Fluoride in Public Water Supplies (H. P. 1251) (L. D. 1459)

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

An Act relating to the Law of Manufacture and Sale of Bedding and Upholstered Furniture (H. P. 1275) (L. D. 1511)

An Act relating to Application of Plumbing Laws (H. P. 1276) (L. D. 1512)

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

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

Finally Passed

Resolve Directing Review of Property Tax Statutes (S. P. 189) (L. D. 428)

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

Resolve in favor of the Augusta State Hospital (S. P. 555) (L. D. 1487)

Resolve in favor of Maine State Prison (S. P. 556) (L. D. 1488)

Resolve in favor of the Forestry Department (S. P. 557) (L. D. 1489)

Resolve in favor of the Department of Adjutant General (S. P. 558) (L. D. 1490)

Resolve in favor of Pownal State School (S. P. 560) (L. D. 1492)

Resolve in favor of Gorham State Teachers' College (S. P. 562) (L. D. 1494)

Resolve in favor of Western Maine Sanatorium (S. P. 563) (L. D. 1495)

Resolve in favor of Baxter State Park (S. P. 564) (L. D. 1496)

Resolve in favor of Northern Maine Sanatorium (S. P. 565) (L. D. 1497)

Resolve in favor of Reid State Park (S. P. 566) (L. D. 1498)

Resolve in favor of Lake St. George State Park (S. P. 567) (L. D. 1499)

Resolve in favor of Washington State Teachers' College (S. P. 568) (L. D. 1500)

Resolve in favor of Aroostook State Teachers' College (S. P. 569) (L. D. 1501)

Resolve in favor of Sebago State Park (S. P. 570) (L. D. 1502)

Resolve in favor of Aroostook State Park (S. P. 572) (L. D. 1504)

Resolve in favor of the Bangor State Hospital (S. P. 573) (L. D. 1505)

Resolve in favor of the Reformatory for Men (S. P. 574) (L. D. 1506)

Resolve in favor of the Department of Public Buildings (S. P. 575) (L. D. 1507)

Resolve in favor of Farmington State Teachers' College (S. P. 576) (L. D. 1508)

Resolve in favor of Carroll L. McKusick of Parkman (H. P. 159) (L. D. 733)

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

Resolve in favor of Flying Pond Improvement Association (H. P. 594) (L. D. 634)

Resolve Authorizing Survey by Commissioner of Inland Fisheries and Game to Cooperate with Other States to Reduce Hunting Fatalities (H. P. 1091) (L. D. 1225)

Resolve in favor of Ervin E. Hustus of Rockland (H. P. 1202) (L. D. 1437)

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

**Enactor
Reconsidered
Tabled**

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

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

The SPEAKER: The Chair recognizes the gentleman from Stockton Springs, Mr. West.

Mr. WEST: Mr. Speaker, it was the intention to table these bills pending an amendment which would state an effective date.

Thereupon, on motion of Mr. West, the House voted to reconsider its action whereby it passed this bill to be engrossed on April 23, 1953.

The SPEAKER: The Chair understands the gentleman has an amendment to offer?

Mr. WEST: Mr. Speaker, I do not have the amendment. I presume

that the gentleman from Mexico, (Mr. Small) had the amendment but he doesn't seem to be present—excuse me; I see the gentleman is present.

The SPEAKER: The Chair understands the gentleman from Mexico, Mr. Small, has an amendment to offer?

Mr. SMALL: Mr. Speaker, I would like to ask the privilege of having this left on the table a short time longer, and if you will give me about two minutes, I will explain why.

The SPEAKER: The Chair will inform the gentleman that the motion to table is not debatable.

The Chair understands that the gentleman from Mexico, Mr. Small, moves that Item 10, Bill, "An Act relating to Burial Expenses Under Workmen's Compensation Act," and accompanying papers lie on the table pending passage to be engrossed. Is this the pleasure of the House?

Mr. SMALL: Mr. Speaker, I would like to withdraw the motion.

The SPEAKER: The Chair understands the gentleman withdraws his motion.

Mr. SMALL: Mr. Speaker, may I now have permission to address the House for just a moment? This matter, I assure you, is no fault of the Labor Committee. Our Committee gave complete hearings and gave both sides plenty of opportunity to speak and present anything they had concerning these matters, but this morning one of the interested parties found that the effective date of insurance each year is as of November 30th.

If this bill went into effect ninety days after the time that we close, it would cause a considerable hardship and perhaps as much misunderstanding and so forth and confusion as we had in the House yesterday, and it was for that purpose that I asked to have those three items left out when the others were passed.

It is my understanding that Mr. West had the amendments to take care of this, and as I just came in this moment I do not know just how they progressed.

The SPEAKER: The Chair will state that the House has just voted to reconsider its action whereby it passed this measure to be engrossed,

on the assumption that the Chair was informed that there was an amendment to be introduced and such action was necessary to pave the way for the introduction of such an amendment.

Mr. SMALL: May I ask through the Chair, Mr. Speaker, if Mr. West has those amendments?

The SPEAKER: The gentleman from Mexico, Mr. Small, addresses a question through the Chair to the gentleman from Stockton Springs, Mr. West.

Mr. WEST: I have not the amendments, Mr. Speaker. The only one that I have would be for L. D. 474. The amendment to the other three would be exactly the same, making the effective date November 30th, 1953.

The SPEAKER: Does the Chair understand that there is no amendment to be offered in connection with Item 10?

Mr. SMALL: Mr. Speaker, I confess frankly that I do not know what to do. I was just informed about three minutes ago that those amendments had been prepared, and I went upon that assumption.

The SPEAKER: The Chair recognizes the gentleman from Stockton Springs, Mr. West.

Mr. WEST: Mr. Speaker, I will still move that the bill be tabled.

The SPEAKER: The gentleman from Stockton Springs, Mr. West, moves that this matter lie on the table, pending passage to be engrossed. Is this the pleasure of the House?

The motion prevailed, and the matter was so tabled.

Orders of the Day

The SPEAKER: The hour of three o'clock, Daylight Saving Time, having arrived, under special order the Chair lays before the House the sixty-third matter of unfinished business, printed on today's House Advance Journal and Calendar, Page 22:

House Divided Report, Majority Report "Ought not to pass" and Minority "Ought to pass" as amended by Committee Amendment "A" of the Committee on Legal Affairs on Bill "An Act relating to Pari Mutuel Pool Contributions and Night Running Racing" (H. P. 976) (L. D. 1064) tabled on April 27th by the gentleman from Portland, Mr.

Childs, pending acceptance of either report; and the Chair recognizes that gentleman.

Mr. CHILDS: Mr. Speaker, I at this time yield the floor to the gentleman from Portland, Mr. Gilman, who is the sponsor of the bill.

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

Mr. GILMAN: Mr. Speaker and Members of the House: First I would like to thank the gentleman from Portland, Mr. Childs, as it has been rather difficult, as you know, for me to get to speak on this bill.

There are many things involved. I think most people think there are more than there actually are. But one of the main things, in my mind, involved in this particular bill is fairness. I am not speaking of fairness to all of us here as legislators; I am speaking of fairness to the running race public, that is the public that are very interested in all kinds of running, harness running, and flat running like that at Scarborough.

We have no particular vehicle here to prove that the public demands night running, but the proof of that, I believe, exists in what happened a few years ago when the public did demand night running and therefore a special law was passed so the harness horses could run at night. That is what the public demanded and that is what they received, and that is what they wanted. I believe this to be fair in all kinds of running.

Someone might say that is not true now. However, I believe it is, due to the fact that if the public did not want the horses to run at night I believe you would find the tracks would not be running at night. It is the demand and the income and the public wants it.

I think that exists in all sports, in all entertainment. Certainly it exists right up and down the line from the professional level down to the high school level in football and baseball.

I imagine there are quite a few of you here from southern and southwestern Maine and even some from central Maine who go to Boston occasionally at night during the summer to watch a ball game. All

forms of sporting entertainment, particularly in this State, Vacationland for tourists, are growing at night and should be offered at night.

Now just briefly I would like to say a few words on the history of Scarborough Downs which in 1949 was erected, a million and a half dollar plant, and in 1950 thoroughbred running was started there and did not pay well. That is, when I say that I mean it did not pay the plant too well. So in 1951 the operators of Scarborough Downs switched and started running their horses at night. This was not something that they wanted to do because it involved more expense for the operation, but they did it and did much better than they did in 1950. In 1951 the last 95th Legislature banned night running, so in 1952 Scarborough Downs ran again in the daytime, not exactly in the afternoon and certainly not in the evening. It was twilight racing. They did a little better than in 1950 but very, very little better, certainly not as well as in 1951, thereby proving the public's interest and demand for night racing.

The 1951 Legislature, or the 95th Legislature in 1951 were rather well convinced, in my opinion, and I think in the opinion of many of you, the 95th Legislature was quite well sold and convinced that Scarborough Downs in operation would hurt if not probably ruin the Maine agricultural fairs. This of course was not true and is not true. I think the proof of that certainly is in the fact that at this present session the Maine Agricultural Fairs are not in opposition to Scarborough Downs running at night.

It is true that there is a harness track that does want to legislate competition out of business. I personally think that this is the basic, main and real issue of this whole thing, straight business competition. I cannot see that it is right or sensible. We are not here to legislate such things as that. We have no desire nor have we made plans nor have we ever thought of any to try to ban night harness racing. We do not believe in it. We believe in fair competition. We would not care, in fact we would be happy if the harness horses were allowed to run three hundred and sixty-five days a year, morning, noon and night just

as long as we are allowed to run a few weeks in the summer at night in equal competition.

My last thought, but not the least, is the revenue of this whole proposition. Certainly we saw here last week a great deal of the incoming revenue of the State lost by the repeal of the automobile sales tax on the gross sales. I do not think any one of you want to give up the services of the State, those that we offer. I know that I do not. I think that they are most valuable. If Scarborough is allowed to run at night it will bring in upwards of half a million dollars a year in revenue to this State. Add that to the harness racing income and income from agricultural fairs, and it will be upwards of three-quarters of a million dollars a year. Ladies and gentlemen, I personally do not think that can be overlooked.

I again want to thank Mr. Childs for yielding. I appreciate it very much. The motion that I would now like to present is to move that the minority "Ought not to pass" report be accepted, and when the vote is taken I move that it be by division.

The SPEAKER: Does the Chair understand that the gentleman said "the minority 'Ought not to pass' report"?

Mr. GILMAN: The minority "Ought to pass" report. Excuse me, Mr. Speaker.

The SPEAKER: The Chair thanks the gentleman.

The gentleman from Portland, Mr. Gilman, moves the acceptance of the minority report "Ought to pass" as amended by Committee Amendment "A" of the committee.

The Chair recognizes the gentleman from Norridgewock, Mr. Taylor.

Mr. TAYLOR: Mr. Speaker and Members of the House: There are some things that the gentleman from Portland, Mr. Gilman, has said that may be true, but I have raced horses over this state for nineteen years, harness racing, and I believe that that sport should not be overlooked. Now if Scarborough Downs is allowed to run nights we cannot operate long meets at Gorham, which is the only place in the State that we can operate long meets, because it is the only place that has sanitary conditions so that it can be operated that way.

I thoroughly believe that if they keep the runners where they belong, and that is running in the daytime, which we supposed they were going to do when we allowed them to come into the state, that we would be doing absolutely all right with them. It is not the same class of people at all who patronize the runners that patronize the harness racing. The reason is that most of the people that patronize the runners are from out of the State and they can come just as well daytimes as they can come nights. I believe that we will get the same revenue or very nearly the same revenue and it will allow long race meets in other places.

Now it has been said that if we run long race meets in Gorham that they cannot race successfully at our agricultural fairs, but I am going to point out to you that if we do not run long race meets somewhere in this State when it comes to the fairs our horses are going to be in New York State or in Massachusetts rather than over there, where we can much more easily move them over to our fairs than if they are racing in Massachusetts or New York. I thoroughly believe that Scarborough Downs can operate daytimes and leave the harness racing to those who have carried this sport over a hundred years and let us continue to race nights and they race daytimes. I certainly cannot go along with Mr. Gilman's argument on that matter.

The SPEAKER: The Chair recognizes the gentleman from Gorham, Mr. Alden.

Mr. ALDEN: Mr. Speaker and ladies and gentlemen of the House: I have got to rise in defense of my own racetrack in Gorham. It is one of the best harness racetracks there is in New England, and for the past two years it has been out of commission on account of Scarborough Downs. I believe they have permission this year to race six weeks. In the past two years it has hurt the town financially, that track being closed. The stores have all felt it, the hay and grain dealers, the filling stations, and the people that work at the track. There are usually from fifty to sixty people who work up there through the entire racing season. They pay

well, and they have felt it very much.

I have got nothing against the running race horses if they are kept in their place.

Also, for the past two years, on account of that track being idle, it has been necessary for the town of Gorham to abate part of the taxes on that track. It is quite an investment. To be sure, Mr. Cianchette owns it, and I understand that he has between a quarter and half a million dollars invested there. Since there was no income we could not tax them full value, and that is another thing that the town does need, the taxes on that track.

As I said before, I have nothing against the running races at all if they are kept in their proper place, but I believe that harness racing is an old institution in the State of Maine and it should be allowed to continue day or night as they wish. Thank you.

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

Mr. McGLAULFIN: Mr. Speaker and Members of the House: I wish to state how I stand on this matter and why. I am against the night running at Scarborough Downs.

When this proposition came up in the House in the first place I opposed having these runners in the State of Maine because, from everything that I could learn, in every state where they had these running races they drew an undesirable element into the state from outside the state, and it had been pointed out to me particularly how bad an influence it had been in the State of Florida.

Nevertheless, they got the right, and the question came up two years ago as to whether they should be allowed to run at night. I opposed it then and I oppose it now, for this reason. My first obligation up here I consider to be to the State of Maine, but my second obligation is to try to work for the interests of the people of the City of Portland.

Now there are many people in the City of Portland who probably can well afford to gamble and lose. I am not interested in that class at all. If they wish to go out and spend their money and take their

chances, win or lose, that is all right with me. But I feel, as a member of the Legislature, that I should use my influence, if I have any, to protect the people of Portland who have not got sense enough to protect themselves, and who think there are these great opportunities to get money. Thinking they can get money for nothing, many men take a chance on these horse races and of course, for the most part they lose, because the chances are decidedly against anyone winning. Here and there a man wins and gets a lot of money and he thinks it is a paying proposition. The poor man thinks that that is a chance worth taking, and the chances are that he will lose. The money that should go to buy shoes for his children and groceries for his family goes into betting on these races. I know of case after case where grocery men have said that workmen who had formerly paid their bills got behind in their payments and in many cases had had to be refused credit.

Now you may say that this same thing is true if they are running afternoons, and so it is, but the workingman is more likely to go out and spend his money in the evening after work than he is in the daytime in the afternoon.

Two years ago, Representative Dunham, who was in the House at that time, brought up the question of the finances that we received. Understand, a great part of this money, or a large part of it, we get whether the horses run days or nights. He said, "Are you going to kill the goose that laid the golden egg?" I immediately replied, "If I had my way I would shoot that bird dead."

Now this Legislature, as you know, passed a law that it should be illegal for these men to run nights. But what did they do? They deliberately defied the Legislature. They managed to get one judge of the Superior Court to sustain them, and, as it turned out, they ran all that season illegally, because when they took the matter to court the court upheld what we did here. The Court said we had a right to distinguish between harness racing and running racing.

I therefore feel that, to be consistent with the past, that it is my duty to oppose this night racing.

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

Mr. GOWELL: Mr. Speaker and Members of the House: Last week I thought it was my duty to sponsor a Sunday observance bill, which I did. Now I consider it my duty to sponsor a bill that is connected with gambling.

It may seem a little inconsistent, but as my friend, the gentleman from Portland, Mr. McGlaflin, said, many people are opposed to gambling in this State, and he is probably right. It is not at this time our concern so much as what people believe, and in our duty as legislators we have to deal with things as we find them and not perhaps as we think they should be. People are changing in their views concerning many things. Perhaps they haven't changed much in this particular line of sport, but I believe there is a tendency to be more liberal in regard to running races.

A pastor of a popular church in a city in the western part of Massachusetts liked to attend the County Fairs. He was criticized by his congregation for being too liberal; they thought it interfered somewhat with his church work. It was said that he spent most of his time while he was down around the fairs around the horse stables. Some of the ladies in his congregation said that even if he wanted to bet on the horses, it was too bad to have those horses punished by running them, especially on warm days.

The Elder heard some of the criticism. He was a pretty good pastor; he had a large congregation, but this was the first time he had been criticized as to his liberal views. He got up Sunday morning after the close of the fair. He looked his congregation in the face and he made this remark: "God Almighty made the dray horse; he made him to pull. God Almighty made the race horse. He made him to run. How I love to see him go!"

Now I don't attend these races very much, but I was a member of the 95th Legislature, and I heard more about Scarborough Downs than I had ever learned, although

I live in the next county, and you would have thought, by hearing the reports of Scarborough Downs, that that was one place that you might call a "Den of Iniquity." I was also approached by the legislative agents, but they didn't influence me very much. But it occurred to me last session, and it occurs to me now, that it is unfair for us as legislators to ban or prohibit a certain class of people and allow another class the same privilege. Then if there is anyone who has done wrong in regard to this matter, we don't want to criticize any previous Legislature, but if the State of Maine didn't care to recognize sports of this kind, the 94th Legislature should not have granted the franchise. They granted the franchise, and if I am informed correctly, after one year Scarborough Downs used that franchise, and in 1950 and 1951 and 1952, up to the beginning of this year, they paid one million and I believe two hundred thousand dollars, in round numbers, to the State of Maine.

Now the franchise or charter to run a race track, or any kind of business, as I understand the policy of the State of Maine, is that after they have granted that franchise, it should be their policy, and always has been, to protect it as far as may be necessary.

Now if running at Scarborough Downs is not run right and regular, then the Legislature should intercede and the local authorities, and they should see that it is run right.

As I said, I only attended that track twice last season.

I was surprised to see the place as I found it. It was fixed up in very good shape I would say. I am not familiar with other tracks although I have been up to Suffolk Downs, and I found a very good class of people who happened to be there the nights that I attended.

Now when they appeared before our committee, the Committee on Legal Affairs, I had the same idea as I had two years ago, that under those circumstances, we should allow them to make a success of the venture. The sponsors of Scarborough Downs made the statement then, and they have made it this year, that unless they had night racing they could not make much of

a success, and if they are allowed to have night racing, that they can increase the stipend they pay to the State of Maine quite a good many dollars.

Now we have this proposition, I don't believe it would be right for the State of Maine or that it would be right to the owners of Scarborough Downs to curtail their privileges.

I simply want to say—I am not interested personally—I don't know a single owner of Scarborough Downs—but I would like to go on record as sponsoring the bill of the gentleman from Portland, Mr. Gilman. Although there was only a minority who signed that report, if I had not believed in the interests of fair deal, as I say, I wouldn't have signed it, and I hope the motion of the gentleman from Portland, Mr. Gilman, will prevail.

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

Mr. CAMPBELL: Mr. Speaker and Members of the House: I was a member of the 94th Legislature and I voted against admitting the runners to this State, but I am of the same opinion as many others, that they are here to stay and we may as well make up our minds to live with them.

Also it will increase by a substantial amount the stipend that agricultural fairs receive.

Now I am a director in a small agricultural fair in the town where I live, and have been for the past twenty years, and the stipend that we receive from the State quite often saves us from operating in the red, and any legitimate increase in this amount we would gladly welcome. I shall vote for the bill.

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

Mr. CHILDS: Mr. Speaker and Members of the House: I rise at this time to protect the majority report of the committee, that this bill "Ought not to pass".

This racing bill was heard before our committee and the hearing lasted something like six or seven hours.

The thing that was brought in this session was exactly the same as was brought in last session, in re-

gard to why Scarborough Downs should operate nights. I think, in all fairness to the House, that I should give you the complete picture of what has happened at Scarborough Downs since 1949, so you, yourselves, can judge whether they should be allowed to go nights or not.

Remarks have been made that it is too bad that they made an investment and they cannot make the margin of profit that they should be able to make and so forth. I certainly hope that we are here to legislate with our heads and not with our hearts.

In 1949 a bill was introduced at that time; it was introduced by a gentleman from Stratton, Mr. Carville. The bill was also heard before the Legal Affairs Committee; it came out of committee with the report of seven to three that Scarborough Downs should be able to operate. In the bill itself the word "daytime" is mentioned on four different occasions.

The bill was heard before the House and the House voted eighty-three to forty-seven that they should operate.

As you well know, the greatest opposition to Scarborough Downs would have been, at that time, the harness racing men, so the question was: How are we going to prevent the harness men from fighting our bill? So they informed, and there were agreements made and so forth, that they would definitely operate in the daytime, and would in no way interfere with harness racing.

This bill went before the Senate and the gentleman from Knox, Senator Sleeper, was a heavy proponent of the bill, and it also passed through the Senate.

At that time the operation commenced - I believe it was 1950 - at Scarborough Downs. They had told the Legislature that it would bring revenue to the State of Maine between the sums of \$600,000 and \$1,000,000 per year. They told the Legislature that they would operate at no other time but in the day time, in effect.

Now this is where the fallacy comes in: The first twenty-seven days after they started to operate, under the impression that they would bring revenue to the State of

Maine of the sum between \$600,000 and \$1,000,000 a year, they built a plant out there which would be large enough to take care of a handle like that. To use the figure \$800,000 a year for an arbitrary figure, they would have to have gross wagers out there per year of \$16,000,000. So it cost them in the vicinity per day to operate \$27,000. The very first day they started operating they lost money. The second day they operated they lost money. The third day they operated they lost money. They continued this for twenty-seven days, and they say they lost to the tune of approximately \$250,000 in that twenty-seven days.

At that time they woke up. They realized it wasn't what they had anticipated. So they cut their revenue in half. They started operating under the basis of about \$13,000 a day. Now if you will figure that out, \$13,000 a day for twenty-seven days, would be a figure of something in the vicinity of \$351,000 that they would have saved if they had operated on the basis which they should have for the first twenty-seven days.

Now not only did they cut their budget, but this is when they made their first mistake: They then commenced going nights. They went nights in direct conflict with harness racing. This not only prohibited the local harness tracks from making a living it prohibited probably a hundred harness horse owners who owned horses at the local tracks at that time. They certainly knew that they were going in conflict with the desires of the Legislature.

So they went the rest of that season nights. They came back before the 95th Legislature, and there was a bill that came in at that time to "clarify what the intent was of the 94th Legislature," I cannot remember how the bill read and so forth, but in effect the bill said that they would go days. Of course that bill didn't go into effect until the racing season of August, 1951.

In August of 1951, when at that time they were supposed to accord to the law, they brought an injunction against the state officials and against the county officials which did prevent them from going nights until they got a law court decision on it.

Now I do not question their legal right; that was a legal right which they had, but they certainly knew that they were again circumventing the very intent of the Legislature. They had been told to go days and now they came before the law court, again going over the heads of the Legislature.

The law court ruled—and I will read you the ruling of the law court—the law court unanimously agreed, and the decision handed down by our late Chief Justice Murchie. Chief Justice Murchie said, "There is no inherent or constitutional right to engage in gambling in any form; and whether one shall be permitted to exercise the privilege and under what conditions and restrictions is a matter for the people, acting by and through the Legislature, to determine. The granting of the privilege of gambling by sale of pari mutuel pools in conduct of harness racing at night to licensees under law regulating such racing and gambling did not entitle licensees licensed to conduct running horse racing under another law to the same privilege."

As I was looking at my notes here and going through the quotations I forgot to bring to your attention the fact that in the 95th Legislature when it came before the House the very gentleman who sponsored the bill had this to say, Mr. Carville:

"Mr. Speaker and Members of the House: My remarks will be brief. I am saving my thunder for the repeal bill in the other branch. But there are a few things I would like to say here in regard to this as being the sponsor of the running bill two years ago. I was given to understand that the terms of that bill would be carried out on a high standard. I do not consider that this has been done. I will try to prove that to you at the time the repeal bill comes up.

"There are a few things I would like to correct. One, is the impression that this was giving night racing at the time this bill was put through. The fact is there were two factions here, one working for the harness horse bill and I working for a running bill. The only way that I could get the support of the harness boys was that we brought

in the fact there would be no night racing. It was agreed, but actually we should have thought we didn't have control of that. But it was agreed that they did not have any intention of racing nights, and where this night racing came in was an afterthought, it was found as a loophole in the bill.

"I fathered this thing two years ago against my wishes. I said at that time that if this bill turned out as my opponents said it would that I would be the first to come back here and oppose it, and I am back here opposing it and I shall keep on opposing it until I run them out."

As I told you, the bill was brought into the Senate. The chief opponent of the bill in the Senate was Senator Sleeper. In the 95th Legislature Senator Sleeper said this:

"At the time this running bill was passed I think I said that if in any way it hurts us I might change my mind. Undoubtedly, it is hurting the fairs and this is injuring our harness racing associations. For that reason I do not see why Scarborough Downs should be allowed to embark on something they did not ask for in the first place, something which is not done in any other place, and penalize our own trotting association here in the State of Maine.

"Hundreds of harness horses are owned here in the State. Never at any time was mention made of night running races, in fact it is a mystery to me why they feel they have to run nights. The only place in the whole United States where they run nights is a small track somewhere in Oregon. They do not run at Suffolk Downs or anywhere else except that small track in Oregon, so I do not understand why they feel they have to run nights in order to make it pay."

Those are the two men who were the proponents of Scarborough Downs in 1949, and in the 1951 session they were back here fighting against it because they knew that Scarborough Downs was going against the intent of the Legislature.

Now in 1952, after Scarborough had been definitely told that they were to operate days, there was

another loophole. The Legislature forgot to state what time daytime is. They started something new which was defined as twilight racing. Twilight racing was defined to be one-half hour after sunset. So during daylight saving hours during the summer time that meant the track had to close approximately at the hour of 8:30. So they were at that time still circumventing the intent of the Legislature and still directly opposed to harness racing because harness racing usually starts at quarter of eight. Now they are back here again with exactly the same arguments, discrimination—and the law court has now said there is no discrimination. They have one additional feature this time and that is that they say that the fair associations are in back of them. Some of the fair associations are, not all of them. This actually is the most disgusting part of the whole bill. The agreement was made last summer that if the fair associations would endorse Scarborough Downs that Scarborough Downs would pay to the fair associations one-half of one per cent of the total wagers, which would be contributed to the stipend fund, which means in the vicinity of probably fifty to sixty thousand dollars.

Well, that is perfectly all right, though it may not be all right. If they want to pay them for not interfering, I don't object to that, but here is where the fluke comes in. If you will notice in the last paragraph of the bill, they are raising the commission on the take from total wagers bet from fifteen per cent to fifteen and a half per cent, therefore they are not paying them anything except they are asking the public to pay for it, and that is something which certainly I could never go along with, asking the public to pay for them not to oppose Scarborough Downs.

In conclusion, I just want to say that you all know that this track was originated with the motive of making money for the State of Maine and also making money primarily for themselves. I can see no reason in the world to kill harness racing and leave only runners, because as far as revenue is concerned we will get much more revenue if

Scarborough Downs is operating days and harness racing is operating nights.

They say that they cannot operate days and make a living. I quote to you the figures of the pari mutuel handle at Scarborough Downs. In 1951, when they operated nights, the total handle was \$6,867,539; in 1952, when they operated at twilight, which was four o'clock to around eight o'clock, which was in the daytime partly, they had for a total handle \$6,833,128. Now that certainly shows that they can operate days successfully. This is a business like any other business, and it will take them time to get on their feet. Now there is no reason in the world why we should kill harness racing to let Scarborough Downs come in here and operate night after night when they definitely asked to go days, said they would go days, and now that they cannot make the margin of profit they want to go nights.

I move that the committee reports and the bill and accompanying papers be indefinitely postponed.

The SPEAKER: The gentleman from Portland, Mr. Childs, moves that the two reports and accompanying papers be indefinitely postponed.

The Chair recognizes the gentleman from Fort Fairfield, Mr. Dorsey.

Mr. DORSEY: We have before us two bills, as I understand it: night racing or no night racing, twilight or no twilight. I want to tell you, Mr. Speaker, I have been to Portland, I have been all over the State of Maine, and I still maintain that I like to go to night racing, and I do not care whether it is night racing at four o'clock in the afternoon or seven o'clock in the afternoon. I still maintain that the working people of the State of Maine have a right to say what they want to do. Therefore, I am like Mr. Totman—I can't put my hands in my pockets because I have no pockets—therefore I move that we allow Scarborough Downs to continue on with night racing.

The SPEAKER: The Chair recognizes the gentleman from Scarborough, Mr. Higgins.

Mr. HIGGINS: Mr. Speaker and Members of the House: As representative for the town of Scarborough where the track is located, I would like to establish just a few facts.

This is what the Downs has done for Scarborough. Over two million dollars in new real estate, including new motels, restaurants, filling stations and other buildings. The Downs brings in over a hundred thousand dollars a week of out-of-state money to Scarborough and vicinity. This is business that would not exist if the Downs was closed. Many of our men are employed at the track.

It has also been proven that 70 per cent of the attendance at the track is from out-of-state. We in the town of Scarborough say that Scarborough Downs has been operated on the highest level. Our own police are there in addition to State police and Pinkerton detectives. If Scarborough Downs were to close it would be a great set-back to the town financially, let alone the loss of revenue to the State.

We only ask that the track be permitted to operate just like other tracks. We do not ask for any special restrictions or privileges. I have talked to many people from Scarborough, Old Orchard, Portland and other surrounding towns, and to this day they cannot understand why Scarborough is not allowed to run nights, especially when the State has received to date over \$1,000,000. Why should a track in the same vicinity and in exactly the same type business have the right to race at night and the Downs be not allowed to do so? We feel that this is discrimination. Why not let the public patronize who they will at the time of day they wish?

We only ask that when you vote you vote fairly on this bill. Thank you.

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

Mr. CHASE: Mr. Speaker and ladies and gentlemen of the House: I see this as class legislation. I cannot possibly see it any other way. Why should we let horses run nights with harnesses on and those without harnesses be refused? That would be the same as us putting a

law through in this Legislature to the effect that those gentlemen with neckties could smoke and those with bow ties could not smoke.

It seems that these honorable gentlemen from Cumberland respect the decisions of the court when it concerns something that they desire, like reapportionment. I certainly hope that the motion of the gentleman from Portland (Mr. Gilman) to accept the minority report will be accepted.

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

Mr. TUPPER: Mr. Speaker and Members of the House: I have been requested by Representative McCluskey of Warren who is unavoidably absent from the House because of the death of his brother, to inform this body that the Knox Agricultural Society, commonly known as Union Fair, is very much in favor of the passage of this bill.

I personally believe that it is only fair and equitable that we allow this corporation the privilege of extending racing to the night time. To do otherwise would be to discriminate, in my opinion. By denying one corporation a privilege already enjoyed by another would be to help destroy free enterprise. I fail to see how gambling at night at one track is worse than having a choice of two tracks to gamble at. I do not believe that any Legislature is successful in attempting to legislate the morals of others anyway. I personally do not drink, gamble or smoke. I do wear bow ties. But if I was told that I could not legally do these things, within limitations, of course, I would rebel against a society that attempted to forbid me.

Representing a resort area, as I do, I feel that we must provide as many diversified recreational activities as possible. Our great natural attractions are enough for some, but many younger vacationists expect more. Many of us from resort areas have witnessed a change in the class of persons coming into our communities. There are few millionaires left, and in their places we have been getting "Mr. Average Citizen and Family." Vacations are shorter than in the past, and "Mr.

Average Citizen" cannot afford long vacations.

After soaking up the sun on our beaches, or on our golf courses, during the day, many would welcome watching racing at night nearby.

The Civic League perhaps would quarrel with this statement, but there are persons who like to go to races just to watch horses run.

I would not like to see the State of Maine lose revenue but I do not think this is a deciding factor at all. I think it would be grossly unfair to limit one track to day racing while allowing another to race nights. This Legislature should provide equal opportunity to all business within its boundaries.

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

Mr. HUSSEY: Mr. Speaker and Members of the House: Since I come from Windsor, where we have one of the agricultural fairs, I believe that I should state that the South Kennebec Agricultural Society is wholeheartedly behind this bill.

I have heard someone state here that a different class of people patronize each of these runners; one class patronizes the runners and another patronizes the harness racing. If that is true, why is there any conflict between the two?

Many rumors have been said that the Maine Association of Fairs opposes this night running. I have here a few notes from Roy Simons, who is Executive Secretary of the Maine Association of Agricultural Fairs. At their meeting in Portland one member and a non-member asked the association for a clarification of its stand on several different items, one of these being night racing at Scarborough, another increasing the pari-mutuel take at both running and harness tracks, and also how they felt on revision of harness laws that would pertain to extended meetings. They also asked the association if they would go along with them by favoring a single commission or requiring Scarborough to donate funds to the stipend.

Simons reports that a poll was taken on each of these proposals

and the result was that the association refused to go along with some of these things. In other words, the association, by its own vote, does not oppose night racing at Scarborough; it favors an increase in the pari-mutuel take from fifteen to fifteen and a half per cent; it is opposed to a single racing commission. This is not hearsay evidence; this is taken from the report of Secretary Simons, in that February meeting.

I sincerely hope that the minority "Ought to pass" report is accepted.

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

Mr. WATSON: Mr. Speaker and Members of the House: I probably shouldn't get mixed up in horse racing because I am strictly a fish and game man, but I have heard so many conflicting statements made here this afternoon that I would like to add a few of my own.

The fairs, and I am speaking for the fairs,—and I have some very good friends in Somerset County that are very much opposed to this bill—but I am going along with the night racers for the simple fact that I think it is fair. It has been pointed out here many times this afternoon and I don't think it is fair to say to one "You can race nights and the other fellow can't race nights." If it is fair for one, it is fair for the other.

I notice one gentleman said that the sponsor of this bill, four years ago, was the first to put in bills to repeal it two years ago. I would also like to point out to that gentleman and to the House that neither one of those men were re-elected to the Legislature. Thank you.

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

Mr. ARCHER: Mr. Speaker and Members of the House: I have heard a lot of talk about fairness on this thing. I don't think any of us are bound to fairness or whether we have to worry about discrimination. We already have taken care of that in a much more important bill, the sales tax on automobiles.

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

Mr. ANDERSON: Mr. Speaker and Members of the House: My good friend, the gentleman from Moose River Plantation (Mr. Watson) has spoken about confusion. In 1943 I think probably I was about as confused as anyone on this thing. As I remember, I voted to kill the bill. I voted to reconsider our action and I voted to kill the bill again, and the bill was finally passed.

I recall that late in the evening the Governor vetoed it, and I voted to sustain the veto, but it is my contention that the race track is here; it is going to stay here, and I am going to vote for it.

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

Mr. TURNER: Mr. Speaker and Members of the House: You know the old saying is that "Slow horses and fast women will ruin most any man." (Laughter) Well now, I have had the slow horses, period. (Laughter)

I have thought this thing over quite seriously. I have still got a race horse now. And I don't like the runners either; I have been there several times, but I never had much luck (Laughter). I can see where the fairs are going to benefit well by the runners with the stipends; they need the money for the purses for the cattle and the 4-H Clubs; and I can see where the purses will be bigger for the harness horses, and I think, before the season is over, that the harness horse owners will be better off with that money than they would by getting into the conflict that they have while they are down there to Gorham, so I think that I will stick along with the runners this time.

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

Mr. FOGG: Mr. Speaker and Members of the House: This is the fourth try, so I finally made it.

I have a lot of friends on both sides of the fence on this question, and whichever way I vote on it somebody is going to come to me and say: "For the love of Pete, Fogg, what did you do that for?" So I think that maybe what I had better do is to explain my feeling

and as to why I am going to vote the way I am on this thing.

Two years ago I voted against night racing at Scarborough Downs, in fact, I went against Scarborough Downs right down along the line.

My reason for that was that I felt that it was going to hurt the agricultural fairs, and I had always had sort of a sentimental feeling for horse racing as far as agricultural fairs was concerned in the State of Maine, and I didn't want to see anything hurt those Fairs. However, since that time, Roy Simons, the Executive Secretary of the agricultural fairs, has told me that this is going to help the fairs, and he told me that he would like to have me vote for it. There have been some harness racers who have told me that they would like to have me vote for it, so I am going to vote for it.

Now, I tried to come to a fair decision on this thing, and this is the way I look at it: The evening hours of the night are the golden hours for just about any kind of a sport, whether it is horse racing or hockey or baseball or whatever you want to play, and it seems to me that any horse racing track that does have the night hours is going to have the period of the day when they are going to make the most money.

I don't feel that either kind of racing should have a monopoly of those night hours any more than baseball should have it over softball or softball should have it over baseball. And I think that the night racing is going to please a lot of tourists who are coming into this State to spend their money.

Now the question has been brought up as to what Scarborough Downs is going to do to the town of Gorham. Now this is just a thought on my own part, but I have wondered, if Scarborough Downs should fold up by any chance, it seems to me that probably somebody would grab up Scarborough Downs and make a harness racing plant out of it and go to racing nights, and then what would happen to Gorham? I don't think that this is going to affect Gorham in the long run any more than it would if Scarborough Downs went out of business.

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

Mrs. DOWNING: Mr. Speaker and Members of the House: We who cater to summer business trade realize the necessity of providing entertainment for our summer visitors. Most of our summer people come to the coastal towns and summer resorts to get away from the heat of the cities and enjoy our beaches. Now many of these visitors are interested in leaving the beaches at noon or midafternoon to attend afternoon meets or twilight meets, but would enjoy the privilege of attending a meeting at night. If we expect to have a Vacationland, we must give them what they want.

I wish to go on record as seconding the motion of the gentleman from Portland, Mr. Gilman.

The SPEAKER: The Chair recognizes the gentleman from Dover-Foxcroft, Mr. Sanford.

Mr. SANFORD: Mr. Speaker and Members of the House: I made a promise and I guess that some day I will learn not to make promises until I hear all sides of the story, but I made one, I made one to my good friend, the gentleman from South Portland, Mr. Berry, and I would like to have consent of the House to be excused from voting when my name is called as I have paired my vote with the Representative from South Portland, Mr. Berry, who is unavoidably absent today. If present, Mr. Berry would vote "yes" and I have to vote "no".

The SPEAKER: Does the Chair hear objection to the request of the gentleman from Dover-Foxcroft, Mr. Sanford, to be excused from voting? The Chair hears none.

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

Mr. GATES: Mr. Speaker, I have a question I would like to ask. I have listened to the debate, and when one man would debate I thought I knew the answer, and when the next man would debate I was sure I didn't know the answer. I would like to ask through the Chair of someone, or anyone in fact, who knows the answer. Is there any other night harness racing in the State of Maine?

The SPEAKER: The gentleman from Millinocket, Mr. Gates, ad-

resses a question through the Chair.

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

Mr. TOTMAN: Mr. Speaker, I would like to answer the question of the gentleman from Millinocket, Mr. Gates.

One of the proprietors of Scarborough Downs got permission of the City Council of the City of Bangor—I will always remember that party—to install lights for night racing. As far as I know they will continue to have not a long meet, I want to make that point clear, I understand "long meets" means, Mr. Gates, at least thirty or sixty days. Presently the Bangor Fair runs night harness racing about two weeks. There has been talk of a later fall meet, but so far there has been a two-week meet at night.

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

Mr. GATES: Mr. Speaker, I think perhaps they didn't understand my question. Perhaps I didn't state it right. I meant: Is there any other track in the State of Maine with running night horse racing? That is what I wanted to get off.

The SPEAKER: The Chair recognizes the gentleman from Portland, Mr. Childs, for the purpose of answering the question.

Mr. CHILDS: Mr. Speaker, the answer to the question is: There is no other track in the State of Maine or in the United States but one.

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

Mr. TUTTLE: Mr. Speaker and Members of the House: I like to see consistency but there is one phase of this question that to me has been slightly touched but it hasn't been gone into too deeply, and that is the moral question of it, whether it is wrong to permit running races, but I haven't heard a person say that there is any question in their mind but what it is perfectly all right for the State to accept the gains of this ill-gotten money, that is taking the bread right out of the families of the peo-

ple and their children, and shoes for the children; I haven't heard that phase touched.

I like to be consistent. I enjoy harness racing; I don't know anything about running racing; I never saw one in my life; but if harness racing cannot stand on its own merit in competition, in my opinion it is time for it to fall, and I see no reason why if one is fair, the other isn't, and I am going along with the gentleman from Portland, Mr. Gilman.

The SPEAKER: The Chair recognizes the gentleman from Norridgewock, Mr. Taylor.

Mr. TAYLOR: Mr. Speaker and Members of the House: It is very evident that this harness race bill has been very much too well lobbied for me to have much more to say about it. Probably I am about the only one that isn't too much interested in the fact that harness racing is here. As I said before, I have had race horses over the state for nineteen years and I am not at all in favor of the runners.

Someone said in the committee: "What difference does it make whether a man is on the top of a horse or behind him? And somebody said: "Well, the only difference was that the man on top of the horse would get a better view." (Laughter) Well, that may be so, but the way it looks to me is that the man on the top of a horse wouldn't have any view at all, because all he does is to get straddle of a horse and kick him in the slats and go with his eyes closed the whole race. I don't see where that statement enters into that. I can very plainly see that the thing has been too much lobbied.

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

Mr. REYNOLDS: Mr. Speaker, last year at Bangor, if I understand my position is correct, they had a two-week night racing, with no fair whatsoever. A week or so later they have the usual fair, with night racing.

The SPEAKER: The question before the House is on the motion of the gentleman from Portland, Mr. Childs, that both reports and bill be indefinitely postponed.

As many as are in favor of the motion of the gentleman from Portland, Mr. Childs, that the two reports, together with the bill, be indefinitely postponed, will kindly rise and remain standing in their places until the monitors have made and returned the count.

The SPEAKER: Thirty-nine having voted in the affirmative and eighty-five having voted in the negative, the motion to indefinitely postpone does not prevail.

The gentleman from Portland, Mr. Gilman, moves that the minority report "Ought to pass" as amended by Committee Amendment "A" be accepted. Is this the pleasure of the House?

The motion prevailed and the "Ought to pass" as amended by Committee Amendment "A" Report was accepted.

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. 976, L. D. 1064, Bill, "An Act Relating to Pari Mutuel Pool Contributions and Night Running Racing."

Amend said Bill by striking out the figures and letters "12:00 P. M." appearing in the 5th line of section 1 of said Bill and inserting in place thereof the underlined words **'the hour of midnight'**

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

The SPEAKER: On page 12 of the House Advance Journal and Calendar the Chair lays before the House the first item of Unfinished Business, House Divided Report, Majority Report "Ought to pass" as amended by Committee Amendment "A" and Minority Report "Ought to pass" as amended by Committee Amendment "B" of the Committee on Labor on Bill "An Act relating to Compensation for Total Incapacity under Workmen's Compensation Law", House Paper 428, Legislative Document 475, tabled on April 24 by the gentleman from New Sharon, Mr. Caswell, pending acceptance of either report.

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

Mr. SMALL: Mr. Speaker, before the gentleman from Stockton Springs, Mr. West, puts his motion, if we are under Orders of the Day, could we clean up the other labor bills that were tabled, Item 7-a and those other three items? The amendments are now prepared.

The SPEAKER: In answer to the gentleman's question, the Chair will rule that this is the matter before the House at this time having passed over the other matters.

The Chair recognizes the gentleman from Stockton Springs, Mr. West.

Mr. WEST: Mr. Speaker and Members of the House: We had a great deal of argument on the two bills, this one and the one before us yesterday. So that we may not go through that all again, I will move acceptance of the minority "Ought to pass" report, which I did not sign.

The SPEAKER: The gentleman from Stockton Springs, Mr. West, moves that the minority report "Ought to pass" as amended by Committee Amendment "B" be accepted. Is this the pleasure of the House?

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

Mr. SMALL: Mr. Speaker, I now move that House Amendment "A" to Committee Amendment "B", the paper 428, Legislative Document 475, be adopted.

The SPEAKER: The Chair will recognize the gentleman at the proper time.

The question before the House is on the motion of the gentleman from Stockton Springs, Mr. West, that the minority report "Ought to pass" as amended by Committee Amendment "B" be accepted. Is this the pleasure of the House?

The motion prevailed, and the minority report was accepted.

Thereupon, the bill was given its two several readings.

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

COMMITTEE AMENDMENT "B" to H. P. 428, L. D. 475, Bill "An Act Relating to Compensation for Total Incapacity Under Workmen's Compensation Law."

Amend said Bill by striking out the under lined figures "\$30" in the

8th line and inserting in place thereof the underlined figures '\$27'.

Further amend said Bill by striking out the underlined figures "\$18" in the 8th line thereof and inserting in place thereof the underlined figures '\$15'.

Further amend said Bill by indicating the striking out of the figures "\$9,000" in the 11th line by drawing a line through said figures "\$9,000" and inserting immediately after said stricken out figures the underlined figures '\$10,500'.

The SPEAKER: The gentleman from Mexico, Mr. Small, offers House Amendment "A" to Committee Amendment "B". The Clerk will read House Amendment "A" to Committee Amendment "B".

The CLERK:

HOUSE AMENDMENT "A" to COMMITTEE AMENDMENT "B" to H. P. 428, L. D. 475, Bill "An Act Relating to Compensation for Total Incapacity Under Workmen's Compensation Law."

Amend said Amendment by inserting before the 1st paragraph the following paragraph:

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

Further amend said Amendment by adding at the end thereof the following:

"Sec. 2. R. S., c. 26, §12, amended. Section 12 of chapter 26 of the revised statutes, as amended, is hereby further amended to read as follows:

'Sec. 12. Compensation for partial incapacity. While the incapacity for work resulting from the injury is partial, the employer shall pay the injured employee a weekly compensation equal to 2/3 the difference, due to said injury, between his average weekly wages, earnings or salary before the accident and the weekly wages, earnings or salary which he is able to earn thereafter, but not more than \$24 \$27 a week; and in no case shall the period covered by such compensation be greater than 300 weeks from the date of the accident.'

House at Ease

The House was called to order by the Speaker.

The **SPEAKER**: The Clerk will make a correction in the amendment just read for the purposes of the record in the nature of a verbal amendment.

The **CLERK**: The amendment will be made to read in the second part by adding the following after the fourth line of the amendment: " 'And further amend said bill by adding a second section to read as follows:' "

The **SPEAKER**: The question before the House is on the motion of the gentleman from Mexico, Mr. Small, that House Amendment "A" to Committee Amendment "B" be adopted. Is this the pleasure of the House?

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

Mr. **TOTMAN**: Mr. Speaker and Members of the House: I realize that we want to go along here but honestly I think this is a very important bill and I would like to know about it. If no one is going to debate this amendment, I seriously ask the Speaker to ring the bell so someone will come in here to be present. I do not think that we have a quorum.

The **SPEAKER**: Does the gentleman so request?

Mr. **TOTMAN**: Yes I do, Mr. Speaker.

The **SPEAKER**: The Chair understands that the gentleman from Bangor, Mr. Totman, makes a point of no quorum being present. Upon the gentleman's request, the Chair will count.

Will each monitor count the number of members present in his respective division?

The monitors reported seventy-six members present.

The **SPEAKER**: The Chair declares a quorum present.

The question before the House is on the motion of the gentleman from Mexico, Mr. Small, that House Amendment "A" to Committee Amendment "B" be adopted.

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

Mr. **BURGESS**: Mr. Speaker, I rise to ask a question presumably of the gentleman from Mexico, Mr. Small. Do I understand correctly that if this amendment were adopted that a person collecting workmen's compensation and after he went

back to work would collect two-thirds of the difference between the pay he received after the accident and that received before?

The **SPEAKER**: The gentleman from Limestone, Mr. Burgess, addresses a question through the Chair to the gentleman from Mexico, Mr. Small. The gentleman from Mexico, Mr. Small, may answer if he so desires.

Mr. **SMALL**: Mr. Speaker, I wish the gentleman from Limestone, Mr. Burgess, would repeat his question just once more.

Mr. **BURGESS**: Mr. Speaker, may I confess my total ignorance on this. But do I understand correctly that if this amendment were adopted that a person having collected workmen's compensation because of an injury and then later went back to work at a lower rate of pay, would he then be able to collect two-thirds of the difference between his pay after the accident and the pay earned by him previous to the accident?

Mr. **SMALL**: Mr. Speaker, yesterday, when I mentioned that workmen's compensation is a broad field, I wasn't kidding. Yesterday, we ran the clock out, as they say in a football game. Today, we come back to a new day.

The **SPEAKER**: The Chair has recognized the gentleman for the purpose of answering the question.

Mr. **SMALL**: Mr. Speaker, I am going to in just one minute. And I cannot answer his question yes or no because it is more than that. A man loses his arm, say above the elbow, or he loses it down here at the wrist or he loses it right here. If he loses it at the wrist he loses just his hand. If he loses it up here, he loses the forearm muscles as well as the hand but he still has his elbow action. But if he loses it up here, he loses his elbow action and wrist and all that. If he loses it up to the shoulder, he has lost his whole arm.

Now, when that man goes back to work, he is not as good as he was before and the job that the company will give him does not perhaps pay the money that he earned before. This bill and this amendment as far as the payment for such a thing, we do not

change that, it is only the amount and he would be entitled to the difference between a specified sum and what he could earn for a specified number of weeks.

I think the gentleman from Limestone, Mr. Burgess, he says he expresses his ignorance of the bill but no doubt he knows more about it than I do but that is the idea. The bill was like that in the past. We are not changing the mechanics of your workmen's compensation bill in the 96th Legislature. We are only changing the amount. Does that answer the question?

The SPEAKER: Is the gentleman from Limestone, Mr. Burgess, satisfied?

Mr. BURGESS: As far as possible at this time, yes, Mr. Speaker. Thank you.

The SPEAKER: The gentleman from Mexico, Mr. Small, may maintain the floor.

Mr. SMALL: Mr. Speaker, I hope you members realize that yesterday when we went home, when you were all through voting, you had given labor \$3.00 more than the majority of the Labor Committee were asking for. Today, the majority of your committee has unanimously decided to go along with the minority of that committee and try to present the bills and amendments which will give labor the amounts which I am sure you intended to give them yesterday. In other words, \$27 and \$24, but when we went home last night, and as your third readers read, the bill itself was accepted giving \$30 and \$18, which was not what the majority of our committee think you meant and that is why we are offering these amendments today to try to do just what you wanted to do yesterday.

Now, we are not in any way changing the mechanics or the operations of your bill. It is only changing the amount and I assure you in all sincerity that no member of our committee is trying to put anything over upon you but we are just trying to give you what we think you wanted. If we had been trying to play smart and cozy we would have sat still this morning and let the third readers go the way they were. I thank you.

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

Small, that House Amendment "A" to Committee Amendment "B" be adopted.

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

A viva voce vote being taken, the motion prevailed and House Amendment "A" to Committee Amendment "B" was adopted.

Thereupon, Committee Amendment "B" as amended by House Amendment "A" thereto was adopted.

The SPEAKER: The Chair recognizes the gentleman from Stockton Springs, Mr. West.

Mr. WEST: Mr. Speaker, I now offer House Amendment "A" to L. D. 475.

The SPEAKER: The gentleman from Stockton Springs, Mr. West, offers House Amendment "A" to Legislative Document 475 and moves its adoption. The Clerk will read House Amendment "A". The Clerk will read House Amendment "A" with a clerical correction.

HOUSE AMENDMENT "A" to H. P. 428, L. D. 475, Bill "An Act Relating to Compensation for Total Incapacity Under Workmen's Compensation Law."

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

'Sec. 2. **Effective date.** This act shall become effective on November 30, 1953.'

The SPEAKER: The Clerk has made the clerical correction by changing Sec. 2 to Sec. 3.

The question before the House at this time is on the motion of the gentleman from Stockton Springs, Mr. West, that House Amendment "A" to Legislative Document 475 be adopted. Is this the pleasure of the House?

The motion prevailed and House Amendment "A" was adopted.

The SPEAKER: Are there any further amendments to Legislative Document 475? What time does the House assign for third reading of the Bill as amended?

Thereupon, the Bill as amended by Committee Amendment "B" as amended by House Amendment "A" thereto and House Amendment "A" was assigned for third reading tomorrow.

The SPEAKER: The Chair lays before the House the second item of unfinished business, House Di-

vided Report, Majority Report "Ought to pass" as amended by Committee Amendment "A" and Minority Report "Ought not to pass" of the Committee on Labor on Bill "An Act relating to Dependency Allowances under Employment Security Law", House Paper 525, Legislative Document 563, tabled on April 24 by the gentleman from Rockland, Mr. Low, pending the motion of the gentleman from Lewiston, Mr. Couture, to accept the majority report.

The Chair recognizes the gentleman from Rockland, Mr. Low.

Mr. LOW: Mr. Speaker and Members of the House: It seems to me that this bill carries us a good deal further along the road to socialism than we should go at the present time. The present unemployment law is based on reducing the impact of unemployment. It is not set up to make it possible for a man to live nearly as contentedly when he is out of work as when he is working.

Under this bill it would be possible for a man with four children to get \$39 a week. I am afraid that even though that is not a very large sum quite a few people would be content to go along that way. Furthermore, if a man did have three or four children he would find it harder to get work because the employer would not want to take on that liability. I know that in many cases he would be protected by seniority but there are a great many cases where seniority is not a factor. Such a law is in effect in only nine other states. Connecticut, it has worked fairly well and the cost has only been three per cent or so of the total employment costs. However, in Massachusetts, a somewhat different law has driven all rates up to the maximum in a very short time. Other of the states have had trouble too and it is almost impossible to tell what this law would do to the State of Maine. I do not think we ought to go this far and I move indefinite postponement of L. D. 563.

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

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

Mr. BROWN: Mr. Speaker and Members of the House. I arise to oppose Legislative Document 563, Bill "An Act relating to Dependency Allowances under Employment Security Law." It is my understanding that only 9 states out of the entire 48 pay for unemployment on a dependency basis. The experience of at least one of these, a sister New England State at that, was serious to the extent that the employment security fund was nearly ruined. Or, to express it in terms of private business, close to bankruptcy. To me this act is more properly described as to purpose and intent under its original name, "The Maine Unemployment Compensation Law". In other words, it is a law which was passed to take care of a man or woman legally unemployed; it is not a welfare proposition in the sense that we understand welfare standards. But to the contrary, the type of insurance designated to carry an unemployed person over a bad spot. The mixing together of the work of our Welfare Department and the work of our Employment Security Commission is bound to lead to more confusion and more overlapping. Certainly the millions we are appropriating for welfare today should give us a reasonable assurance that nobody will suffer, so why muddle the two programs then by starting to pioneer into a strange field. The necessity of taking on more inspectors and investigators is making ourselves liable for another price tag which is unknown but bound to be plenty substantial. Thank you.

The SPEAKER: The question before the House is on the motion of the gentleman from Rockland, Mr. Low, for indefinite postponement of both reports and Bill "An Act relating to Dependency Allowances under Employment Security Law", House Paper 525, Legislative Document 563.

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

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

The SPEAKER: The Chair lays before the House the third item of unfinished business, House Divided Report, Majority Report "Ought to pass" and Minority "Ought to pass" as amended by Committee Amendment "A" of the Committee on Labor on Bill "An Act relating to Charges for Medical Examination by Applicants for Employment", House Paper 659, Legislative Document 702, tabled on April 24 by the gentleman from Bath, Mr. Legard, pending acceptance of either report; and the Chair recognizes the same gentleman.

Mr. LEGARD: Mr. Speaker, I move the acceptance of the minority report with the committee amendment. I will try to explain what this bill means if I am able to. Most of these labor bills are about as clear as mud I think, members, to you and I am not quite sure that sometimes that is the case with the committee. This bill seeks when a man applies for a position and a medical certificate is required to compel the employer to pay for the examination, that was the majority report. The minority report, which Amendment "A" covers simply reduces it so that they shall only have to pay for those employees that are accepted. Have I made myself clear?

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

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

Mr. GATES: Mr. Speaker, I do not know what you have to do to get the floor but I didn't get it. Had I got it, I would have moved the acceptance of the majority report. But rather than to see my bill defeated, I will go along with the motion. I am just disgusted, that is all.

The SPEAKER: The Chair will explain to the gentleman that this was a tabled matter under control of the gentleman from Bath, Mr. Legard.

Mr. GATES: Had I had the floor, Mr. Speaker, I wanted to speak on it. It is all right anyhow, go ahead.

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

gard, that the minority report "Ought to pass" as amended by Committee Amendment "A" be accepted. Is this the pleasure of the House?

The motion prevailed and the Minority Report was accepted.

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. 659, L. D. 702, Bill "An Act Relating to Charges for Medical Examination by Applicants for Employment."

Amend said Bill by adding after the underlined word "or" in the 6th line thereof the underlined word 'accepted'.

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

The SPEAKER: The Chair lays before the House the fourth item of unfinished business, House Divided Report, Majority Report "Ought not to pass" and Minority "Ought to pass" as amended by Committee Amendment "A" of the Committee on Labor on Bill "An Act relating to Medical and Legal Expenses under Workmen's Compensation Law", House Paper 751, Legislative Document 790, tabled on April 24 by the gentleman from Bath, Mr. Legard, pending acceptance of either report; and the Chair recognizes that gentleman.

Mr. LEGARD: Mr. Speaker, I move the passage of the majority report. This permits the workman to choose his position.

The SPEAKER: The gentleman from Bath, Mr. Legard, moves that the majority report "Ought not to pass" be accepted.

Mr. TRAVIS of Westbrook: Mr. Speaker —

The SPEAKER: The Chair will request the gentleman from Westbrook, Mr. Travis, to defer for a moment. The Chair wishes to make certain that that is the gentleman's motion, the majority report "Ought not to pass".

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

Mr. TRAVIS: Mr. Speaker and Members of the House: I express the hope that you will accept the

majority "Ought not to pass" report. This bill would let an employee shop around, possibly until he found a doctor who would say that he had an injury. It also lets him hire any attorney authorized to practice as such under the laws of Maine for examination as legal counsel. I think this bill is entirely unnecessary.

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

Mr. FOGG: Mr. Speaker, I can appreciate the stand of the gentleman from Westbrook, Mr. Travis, on this bill and the gentleman from Bath, Mr. Legard. I was in the medical corps in the Army and one of the things I learned was that in the case of a cure for any injury or sickness one thing that the patient depended an awful lot upon was confidence in his doctor. And, in fact, we were taught in case of an operation before the person was operated on he should have confidence in his doctor and he should have peace of mind. Now, it seems to me that if a man is seriously injured and he is taken to a doctor whom he had no faith in, whom he mistrusted, and that is something that is often true in case of industrial accidents, I think it would seriously impair his condition because I know medical doctors whom I do not have any confidence in and if I were seriously injured in an industrial accident where my life was in danger and I found out that I was in the care of some of those doctors, I certainly would suffer from it and I do believe that any man who is injured should have a choice of his doctor. Now, I have been recently injured in the place where I work and they were very good to me. They told me: "You can go and select your own doctor because that is the way we feel about it. A patient should have his own doctor." Now, I certainly hope that Mr. Legard's motion does not prevail.

The SPEAKER: The Chair recognizes the gentleman from Saco, Mr. Fitanides.

Mr. FITANIDES: Mr. Speaker and Members of the House: I did not plan to speak on this. It just came to my attention when Mr Legard explained the bill here. I

saw it going through but I didn't pay much attention to it. I would like to tell the House about an experience that I had just recently. I was representing a man who had been examined by an orthopedic specialist in one of our largest cities in the State and through no fault of anyone the hearing had been continued several times and in the meantime I wanted my client to be examined by another specialist and I made arrangements, fixed the appointment, and he went in and it was cancelled for some reason or other and they set the date ahead. The next time he went in to see the specialist, he was informed that the doctor could not examine him for the simple reason he did work for insurance companies or examined a lot of patients for insurance companies and he didn't care to examine this gentleman. And this isn't just a lot of talk. He brought a letter in to me that his secretary had written, explaining why they could not keep the appointment and I didn't have much time to locate another specialist so I brought in the M.D., the general practitioner, whom he had been visiting right along. Now I think that most doctors come in with an unbiased report but the facts are that most of these specialists do an awful lot of work for insurance companies and it is only natural for they handle so much of the work. I would like to go against the motion of the gentleman from Bath, Mr. Legard.

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

Mr. STEWART: Mr. Speaker, I like the idea of being able to choose your own lawyer and I also like the idea of being able to choose your own doctor. I would like to ask for a division on this question.

The SPEAKER: The question before the House is on the motion of the gentleman from Bath, Mr. Legard, that the majority report "Ought not to pass" on Bill "An Act relating to Medical and Legal Expenses under Workmen's Compensation Law", House Paper 751, Legislative Document 790, be accepted. The gentleman from Portland, Mr. Stewart, has requested a division.

As many as are in favor of the motion of the gentleman from Bath, Mr. Legard, that the majority report be accepted will kindly rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Sixty-eight having voted in the affirmative and twenty-two having voted in the negative, the Majority "Ought not to pass" report was accepted and sent up for concurrence.

The SPEAKER: The Chair lays before the House the fifth item of unfinished business, Bill "An Act relating to Duties of Clerk of the Lewiston Municipal Court", Senate Paper 177, Legislative Document 436, tabled on April 24 by the gentleman from Auburn, Mr. Trafton, pending third reading; and the Chair recognizes that gentleman.

Mr. TRAFTON: Mr. Speaker, I move the third reading of this bill.

The SPEAKER: The gentleman from Auburn, Mr. Trafton, moves third reading. Third reading of the Bill.

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

The SPEAKER: The Chair lays before the House the sixth item of unfinished business, Bill "An Act Transferring Maine School for the Deaf to Department of Education", House Paper 685, Legislative Document 720, tabled on April 24 by the gentleman from Guilford, Mr. Campbell, pending passage to be engrossed as amended by House Amendment "A"; and the Chair recognizes that gentleman.

Mr. CAMPBELL: Mr. Speaker, last Friday when I tabled this bill I felt that there was an error in House Amendment "A". I have talked with the sponsor of the bill and I find now that the bill and amendment will be properly taken care of so I will yield to the gentleman from Brunswick, Mr. Senter.

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

Mr. SENTER: Mr. Speaker and Members of the House: Several days ago, I gave you my reasons why I felt that the Maine School for the Deaf should be transferred

from the Institution Department to the Department of Education. You supported me, a majority of the House voted to accept the minority report which I signed. For that, I am grateful.

When the gentleman from Guilford, Mr. Campbell, tabled this bill a gentleman in the hall told me: "I am going to fight you on this." Well, I thought I had better look for another argument, and I reasoned this way: I thought, well, now, former Governor Percival Baxter has just given \$675,000 for this school. I ought to find out how he feels; I feel sure that he will approve of the transfer. So I called him in Portland and Governor Baxter informed me that he was opposed to the transfer. You have all had the experience of things backfiring. Governor Baxter told me he was opposed to the transfer because he had gone over all of the details of the building and his hopes and his plans with Mr. Greenlaw, who is the Commissioner of Institutional Service and he said that if it was transferred to the Department of Education, he would have to do that all over again and there would be a needless duplication of effort and, for that reason, he was opposed to the transfer.

Now, I was acting and my only objective was to help the deaf children of the State. Ex-Governor Percival Baxter has done more for the deaf children of this State than I can ever do and, for that reason, I move the indefinite postponement of the bill and amendment. (Applause)

The SPEAKER: The gentleman from Brunswick, Mr. Senter, moves that the bill and accompanying papers be indefinitely postponed.

The Chair recognizes the gentleman from Waterford, Mr. Ford.

Mr. FORD: Mr. Speaker and Members of the House: I was the gentleman that met my good friend, the gentleman from Brunswick, Mr. Senter, in the hall and said that I was going to fight him. I also had this same correspondence from ex-Governor Baxter. I think he did a beautiful job. Thank you, Mr. Senter.

The SPEAKER: The question before the House is on the motion of - - -

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

Mr. ROUNDY: Mr. Speaker and Members of the House: I was responsible for the introduction of this bill and I have been very much interested in it as it has taken its course slowly along from period to period. But I certainly feel that I am entirely in sympathy with the motion of my colleague, the gentleman from Brunswick, Mr. Senter, under the circumstances which he has so definitely explained. I appreciate very much the kind, thoughtful and meaningful gift of Mr. Percival Baxter. He is a very honorable and wholesome citizen of the State of Maine and in this particular field he has done a great service that I have to recognize in a way that shall meet his requirements as outlined by my colleague.

I probably live nearest to Mr. Baxter of anyone in the House. I have written to him about my fine appreciation of his gift that makes possible this new location and school building. I was greatly pleased at the reply to my letter which I sent to him expressing my appreciation of the gift. I always feel a real thrill in a sense of fine citizenship that he has exercised in this State of Maine as its leader and otherwise and feel that he indeed in his way of life and the things that he has continued to do, and the way he has continued to live as a citizen of this State, I will be greatly respectful. And certainly, although I have been very much interested in feeling that under the Department of Education the service that should be rendered for the School for the Deaf is the place where it would be naturally and effectually rendered through the years and it is under their direction that this school should be, nevertheless, under these circumstances, I am very glad indeed to follow in the direction of the indefinite postponement of this particular bill at this time. Thank you very much.

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

Senter, that Bill "An Act Transferring Maine School for the Deaf to Department of Education", House Paper 685, Legislative Document 720, be indefinitely postponed. Is this the pleasure of the House?

The motion prevailed and the Bill with accompanying papers was indefinitely postponed and sent up for concurrence.

The SPEAKER: The Chair lays before the House the seventh item of unfinished business, House Order relative to Copy of Laws for Members, tabled on April 27 by the gentleman from Auburn, Mr. Trafton, pending passage; and the Chair recognizes that gentleman.

Mr. TRAFTON: Mr. Speaker, I wish to yield the floor to the gentleman from Augusta, Mr. Albert, concurring in his next motion.

The SPEAKER: The Chair recognizes the gentleman from Augusta, Mr. Albert.

Mr. ALBERT: Mr. Speaker, may I approach the rostrum?

The SPEAKER: The gentleman may.

The Chair recognizes the gentleman from Augusta, Mr. Albert.

Mr. ALBERT: Mr. Speaker and Members of the House: In the early part of this week I introduced an order to get rid of the excess stock of law books in the library. The order was tabled and as business accumulated, we couldn't get to it. The order that was introduced in the early part of the week stated in part that the books could be picked up on Wednesday noon of this week. Of course, it is now Thursday and that order would be of no particular value so I will move to indefinitely postpone the present order and, if my motion carries, I will introduce a substitute order. So I move, at this time, to indefinitely postpone the original order with the accompanying papers.

The SPEAKER: The gentleman from Augusta, Mr. Albert, moves that the House Order relative to Copy of Laws for Members be indefinitely postponed. Is this the pleasure of the House?

The motion prevailed.

Orders Out Of Order

The SPEAKER: The Chair understands that the gentleman from Augusta, Mr. Albert, asks unanimous consent to address the House for the purpose of introducing an order. Does the Chair hear objection? The Chair hears none and the gentleman may proceed.

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

The SPEAKER: The gentleman from Augusta, Mr. Albert, presents an order out of order and by unanimous consent moves its passage. The Clerk will read the order.

The CLERK:

ORDERED, that the State Librarian be directed to supply from the surplus stock, to such members of the House of Representatives as have not already received them, excepting those members on the Joint Standing Committees on Judiciary and Legal Affairs, copies of the Session Laws of 1945, 1947, 1949 and 1951, and be it further

ORDERED, that these copies be given out on a first come first served basis commencing Friday noon of this week.

The SPEAKER: Does the gentleman from Augusta, Mr. Albert, wish to express himself as to whether he means noon standard or noon daylight time?

Mr. ALBERT: What is the Legislature going on, Mr. Speaker?

The SPEAKER: The Chair will state that the official State time is Eastern Standard Time.

Mr. ALBERT: All right, let's call it that, Mr. Speaker.

The SPEAKER: Is it the pleasure of the House that this order receive passage?

Thereupon, the Order received passage.

The SPEAKER: The Chair recognizes the gentleman from Augusta, Mr. Martin.

Mr. MARTIN: Mr. Speaker, I ask unanimous consent to present an order out of order and under suspension of the rules.

The SPEAKER: Does the Chair hear objection to the request of the gentleman from Augusta, Mr. Martin, to present an order out of order? The Chair hears none and the Clerk will read the order.

ORDERED, the Senate concurring, that the members of the Joint Standing Committees on Judiciary and Legal Affairs be given the copy of the Revised Statutes and the Laws of 1945, 1947, 1949 and 1951 that they have been using this Session. (H. P. 1296)

The SPEAKER: Is it the pleasure of the House that this order receive passage and be sent up for concurrence?

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

Mr. TOTMAN: Mr. Speaker, may I ask a question through the Chair of the gentleman from Augusta, Mr. Martin?

The SPEAKER: The gentleman from Bangor, Mr. Totman, requests permission to address a question through the Chair of the gentleman from Augusta, Mr. Martin. The gentleman may proceed.

Mr. TOTMAN: Mr. Speaker, I would like to ask are these the same books that were given to the members of the 95th Legislature?

The SPEAKER: The gentleman from Augusta, Mr. Martin, may answer if he so desires.

Mr. MARTIN: Mr. Speaker, in answer to the question of the gentleman from Bangor, Mr. Totman, they are the same books and it is simply following the custom from previous Legislatures.

The SPEAKER: Will the gentleman from Bangor, Mr. Totman, approach the rostrum?

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

Mr. TOTMAN: Mr. Speaker and Members of the House: I do not want to be in the embarrassing position of being a tightwad but, as I understand it, we all, as members of the 95th Legislature, received these same books. I realize it is tradition for the Judiciary and Legal Committees to receive the books they have been using but if there is a serious demand of yours that the gentleman from Augusta, Mr. Albert, introduced would indicate, there are not enough to go around. I wonder if it wouldn't be fairer to allow those people to get copies and then what are left be given to members of the Legal and Judiciary Committees.

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

Mr. MCGLAUFLIN: Mr. Speaker, these laws that are referred to are of almost no value to a layman. They are exceedingly valuable to a lawyer. Now it is true in my particular case, I got these books a year ago. This year I want them very much for a lawyer in Portland who can't afford to get them himself. It means a lot to him; it means nothing to a layman, whatsoever. I hope this order has passage.

The SPEAKER: The question before the House is on the motion of the gentleman from Augusta, Mr. Martin, that this order receive passage and be sent up for concurrence.

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

A viva voce vote being taken, the motion prevailed and the order received passage and was sent up for concurrence.

The SPEAKER: For what purpose does the gentleman from Woolwich, Mr. Bailey, desire recognition?

Mr. BAILEY: Mr. Speaker, do I get the unanimous consent of the House to take the twelfth unfinished business from the table at this time?

The SPEAKER: Will the gentleman repeat the number?

Mr. BAILEY: The twelfth unfinished business, Mr. Speaker.

The SPEAKER: Does the Chair hear objection to the request of the gentleman from Woolwich, Mr. Bailey, to take from the table at this time the twelfth item of unfinished business? The Chair hears none.

The Chair lays before the House the twelfth item of unfinished business, House Report "Ought not to pass" of the Committee on Taxation on Bill "An Act relating to Sales Tax on Machinery", House Paper 1062, Legislative Document 1199, tabled on April 27 by the gentleman from Woolwich, Mr. Bailey, pending acceptance of the Report, and the Chair recognizes that gentleman.

Mr. BAILEY: Mr. Speaker, this bill was tabled by me some time past with the intention of taking it

off practically the next day. At this time, I have communicated with the sponsor of this bill and he has granted me permission to accept the report of the committee "Ought not to pass".

The SPEAKER: The gentleman from Woolwich, Mr. Bailey, moves that the "Ought not to pass" report of the Committee on Taxation 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: For what purpose does the gentleman from Lewiston, Mr. Jalbert, desire recognition?

Mr. JALBERT: Mr. Speaker, I would like to ask unanimous consent to take the eighteenth item of unfinished business from the table.

The SPEAKER: Does the Chair understand the eighteenth?

Mr. JALBERT: I am sorry, Mr. Speaker, Mr. Cote has it on the table.

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

Mr. COTE: Mr. Speaker, I would like to take that eighteenth matter off the table and yield to Mr. Jalbert.

The SPEAKER: The Chair understands that the gentleman from Lewiston, Mr. Cote, requests unanimous consent to take from the table the eighteenth item of unfinished business. Does the Chair hear objection? The Chair hears none and the Chair lays before the House the eighteenth item of unfinished business, House Divided Report, Majority Report "Ought to pass" as amended by Committee Amendment "A" and Minority Report "Ought not to pass" of the Committee on Judiciary on Bill "An Act to Create the Lewiston Parking District", House Paper 1092, Legislative Document 1226, tabled on April 28 by the gentleman from Lewiston, Mr. Cote, pending acceptance of either report.

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

Mr. JALBERT: Thank you, Mr. Speaker and Members of the House:

The only reason I asked for unanimous consent was because this is my own bill and I want to kill it so it won't appear on the calendar tomorrow and save the \$1.35 that Mr. Pease is talking about.

I feel that this is a good bill and I would like to thank the members of the committee who signed the majority "Ought to pass" report and I wish to thank also those too who signed the minority report. It would take a great deal of time to amend this bill. It calls for a parking authority in Lewiston. The bill has not been drawn up properly. We have a parking problem at home but the referendum clause on it is not drawn up right so, to save time, I would like to move the indefinite postponement of this bill and before I sit down I would like to state that for the fifth time last night I enacted my role as Harvey Pease and for the fifth time the next day after the session I went to the regular Clerk, Harvey Pease, shook hands with him and he has taken it very gracefully and for the fifth time I would like to present him with the usual box of stogies. (Applause)

THE SPEAKER: Does the Chair hear objection to the suspension of the rules in order that the Clerk may smoke? The Chair hears none and it is so ordered.

The gentleman from Lewiston, Mr. Jalbert, moves that House Divided Report on Bill "An Act to Create the Lewiston Parking District," House Paper 1092, Legislative Document 1226, and accompanying papers be indefinitely postponed. Is this the pleasure of the House?

The motion prevailed and the two Reports and Bill were indefinitely postponed and sent up for concurrence.

THE SPEAKER: The Chair recognizes the gentleman from Brooks, Mr. Dickey. For what reason does the gentleman desire recognition?

MR. DICKEY: Mr. Speaker, I would like unanimous consent to take the forty-fourth item of unfinished business from the table. It is on page 19.

THE SPEAKER: The gentleman from Brooks, Mr. Dickey, requests unanimous consent to take from the table the forty-fourth item of unfinished business. Does the Chair

hear objection? The Chair hears none and the Chair lays before the House the forty-fourth item of unfinished business, An Act Amending the Law Creating the Legislative Research Committee, Senate Paper 222, Legislative Document 588, tabled on April 15 by the gentleman from Brooks, Mr. Dickey, pending passage to be enacted; and the Chair recognizes that gentleman.

MR. DICKEY: Mr. Speaker, I now move that L. D. 588 be passed to be enacted.

THE SPEAKER: The gentleman from Brooks, Mr. Dickey, moves that Legislative Document 588 now pass to be enacted.

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

MRS. CHRISTIE: Mr. Speaker and Members of the House: I would like to ask unanimous consent to take from the table the sixtieth—

THE SPEAKER: The Chair will request the gentlewoman to defer her motion for just a moment.

The question before the House is on the motion of the gentleman from Brooks, Mr. Dickey, for passage to be enacted of Senate Paper 222, Legislative Document 588. Is this the pleasure of the House?

The motion prevailed and An Act Amending the Law Creating the Legislative Research Committee, (S. P. 222) (L. D. 588) was passed to be enacted, signed by the Speaker and sent to the Senate.

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

MRS. CHRISTIE: Mr. Speaker, I would like to ask unanimous consent to take from the table the sixtieth item of unfinished business. If I have consent I will make a motion.

THE SPEAKER: The gentlewoman from Presque Isle, Mrs. Christie, requests unanimous consent to take from the table the sixtieth item of unfinished business. Does the Chair hear objection? The Chair hears no objection.

The Chair lays before the House the sixtieth item of unfinished business, Senate Report "Ought to pass" in new draft, Senate Paper 518, Legislative Document 1463, of

the Committee on Claims on Resolve in favor of Edward Alvin Hodsdon of Presque Isle, Senate Paper 166, Legislative Document 411, tabled on April 27 by the gentleman from Presque Isle, Mrs. Christie, pending acceptance in concurrence; and the Chair recognizes that gentlewoman.

Mrs. CHRISTIE: Mr. Speaker, after conferring with several members of the Claims Committee, I move the third reading of this bill.

The SPEAKER: The Chair understands that the gentleman from Presque Isle, Mrs. Christie, moves that the "Ought to pass" in new draft report of the committee be accepted. Is this the pleasure of the House?

The motion prevailed and the "Ought to pass" in new draft report was accepted in concurrence and the new draft was given its first reading, and tomorrow assigned for second reading.

The SPEAKER: For what purpose does the gentleman from Hope, Mr. Ludwig, desire recognition?

Mr. LUDWIG: Mr. Speaker, to start in where we left off and take the eighth unassigned matter from the table.

The SPEAKER: The Chair lays before the House the eighth item of unfinished business, House Report "Ought to pass" in new draft, House Paper 1282, Legislative Document 1522, on Bill "An Act relating to Election of Members of School Board in Town of Camden", House Paper 144, Legislative Document 142, tabled on April 27 by the gentleman from Hope, Mr. Ludwig, pending acceptance of the report; and the Chair recognizes that gentleman.

Mr. LUDWIG: Mr. Speaker and Ladies and Gentlemen of the House: The other day, the people who opposed me on this bill, said if I would offer an amendment they would go along. It was the Chairman of the Educational Committee who was giving me the most trouble so, with his help, we have an amendment. I went down and talked it over with the Education Department and they said that with that amendment they thought it was a very good bill. I therefore move acceptance of the unanimous

"Ought to pass" report of the committee and then I will offer the amendment.

The SPEAKER: The gentleman from Hope, Mr. Ludwig, moves that the "Ought to pass" in new draft report be accepted. Is this the pleasure of the House?

The motion prevailed, the "Ought to pass" in new draft report was accepted and the Bill was given its two several readings.

The SPEAKER: The Clerk will read House Amendment "A" introduced by the gentleman from Hope, Mr. Ludwig.

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

HOUSE AMENDMENT "A" to H. P. 1282, L. D. 1522, Bill "An Act Relating to Election of Members of School Board in Town of Camden."

Amend said bill by adding in that part designated "Sec. 2" before the last sentence, the following underlined sentence:

'Notwithstanding the provisions of Section 70 of chapter 37 of the revised statutes, the members of the school board elected as herein provided shall choose 2 members, who together with the chairman, shall constitute the superintending school committee of the town of Camden for the purpose of being members of the joint committee of the school supervisory union.'

Thereupon, House Amendment "A" was adopted on motion of Mr. Ludwig of Hope, and the Bill as amended was assigned for third reading tomorrow.

The SPEAKER: The Chair lays before the House the ninth item of unfinished business, Bill "An Act relating to the Administration of the Liquor Law", House Paper 538, Legislative Document 554, tabled on April 27 by the gentleman from Portland, Mr. Childs, pending third reading; and the Chair recognizes that gentleman.

Mr. CHILDS: Mr. Speaker, at this time I yield to the gentleman from Auburn, Mr. Jacobs.

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

Mr. JACOBS: Mr. Speaker and Members of the House: During this session of the Legislature the Liquor

Commission members have been changed. We have, at the present time, men of high caliber selected to do a certain thing for the State of Maine in regard to the liquor business, Clarence Crosby of Farmington, Fred Bird of Rockland and Roland Poulin of Waterville.

Now, this bill before us is a bill to have another agency in this department. I feel that the men who are handling the liquor business on the Liquor Commission are perfectly capable of handling the business just in the same manner as it has been in the past years. But this bill proposes to have a new administrator appointed by this commission and if he does not do his work properly he can be withdrawn by the consent of the Governor and consent of the Council.

This is a four-page affair. It also has in it section 5-b: "Director of licensing and enforcement" and so forth. And then later on: "To appoint a chief inspector and, subject to the provisions of the personnel law" and he has to appoint inspectors under him and so on. There is no price tag on this matter and, for the life of me, I cannot see or understand why at this time we should have another department within the liquor business. No one knows how much this is going to cost; there is no price tag on it and I think, and I believe you do, that the Commission which we have at the present time is perfectly able and capable of performing the duties of this Liquor Commission business so I, at this time, move the indefinite postponement of this bill.

The **SPEAKER**: The gentleman from Auburn, Mr. Jacobs, moves that Bill "An Act relating to the Administration of the Liquor Law", House Paper 538, Legislative Document 554, be indefinitely postponed.

The Chair recognizes the gentleman from Augusta, Mr. Albert.

Mr. **ALBERT**: Mr. Speaker and Members of the House: It is true that we have at this time new faces in the Liquor Commission. Each one of those people are above reproach. There is no question about it. We have no assurance, however, as to how long those people are going to be there because they are political appointments. If they are appointed for four years or five

years, whatever the case may be, the next administration or this administration, through a resignation, may appoint someone who is not as equally qualified as those men are.

This bill in question today "An Act relating to the Administration of the Liquor Law" is an administration bill. It has in it everything which was delivered by the Governor in his Inaugural Message. I do not question the price tag that the gentleman from Auburn, Mr. Jacobs, speaks about. There is going to be an administrator appointed. Someone has got to pay that administrator if that administrator is going to devote full time to the operation of the Liquor Commission, or the liquor business, in the State of Maine. Previously, the commissioners, and I don't speak of the present ones, have spent about one day or a day and a half a week at the Liquor Commission. This administrator will be there full time. Someone will have to pay him, I will grant you, but the cost of one administrator to guarantee the proper operation of a business of that magnitude, to me, is very minor.

I hope that the motion of the gentleman from Auburn (Mr. Jacobs) will not prevail.

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

Mr. **CHASE**: I understand, Mr. Speaker and Members of the House, that this amendment has the gracious approval of a liquor salesman. A liquor salesman has been present in the halls lately. I want to say, at this time, that this bill without the amendment received the unanimous "Ought to pass" report of the committee. I hope that the indefinite postponement of the amendment does prevail.

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

Mr. **DICKEY**: Mr. Speaker and Members of the House: I think you answered this question a short time ago when you gave me a distinct trouncing and I hope that you will be consistent in your voting and go along with the gentleman from Auburn, Mr. Jacobs.

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

Mr. McGLAULIN: Mr. Speaker and Members of the House: From what has just been stated by both parties, by both sides, it seems clear to me that there isn't the slightest need of this commission at this time. I certainly go along with the gentleman from Auburn, Mr. Jacobs, and his motion.

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

Mr. JALBERT: Mr. Speaker and Members of the House: As a member of the sub-committee and the research committee which looked into the liquor situation, I could state that in so far as this measure is concerned it was discussed at length, the feasibility of the introduction of such a measure. We have been in session some four months, however, since then. This measure here, as was stated by Mr. Jacobs, has no price tag on it. The price tag can be tremendous, I assure you, when you look on page 3 of the bill: "To appoint a chief inspector and, subject to the provisions of the personnel law, as many inspectors as may from time to time be found necessary." That can bring on a tremendous price tag.

We have several measures left of a recurring nature and, at the present moment, as we actually stand right now, we have in blue ink to take care of all of these measures \$170,000 so you must necessarily, if you pass this thing, get yourselves ready to cut some of the resolves of a recurring nature that are now pending approval or disapproval, bearing in mind that the Governor, himself, has stated that he definitely will not go along with an unbalanced budget. The price tag of this thing could well be between \$70,000 and \$80,000. Certainly from an inspector's standpoint, when you come into travel and expenses in the manner that the liquor inspectors have to operate, their operations are expensive, they must be expensive if they are to be efficient. As far as the present Liquor Commission is concerned, in that I spoke a few months ago

in the early days of this session, I didn't think that you could necessarily take politics out of politics, I certainly did not attack the character of the three men whom I know very well and I know that many, many of you know very well. Mr. Crosby is a man of high principle and character. Mr. Bird is a man of high principle and character. Mr. Poulin is a man of high principle and character. My only flaw as far as the set-up is concerned can be handled by the Commission, themselves, and I am sure that they would do it, and that is where the trouble has been in a great many instances and that would be, and I see no objections to that, to have the liquor salesmen or representatives or anyone connected with them register and make themselves known so that we definitely would not, as we did last year, find out that Tom Jones had been representing a concern for several years and that nobody knew, even the liquor salesmen, themselves, that he was doing it. That can be done, not by law, it certainly can be done or will be done by the Liquor Commission. Bearing in mind again that this has a real price tag on it, that we are now operating in the blue \$170,000, either a few dollars one way or the other, with a lot of worthy L.D.'s of a recurring nature which would behoove us to go along definitely with the gentleman from Auburn, Mr. Jacobs, in the indefinite postponement of this bill.

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

Mr. CHILDS: Mr. Speaker, the gentleman from Whitefield, Mr. Chase, made reference to a liquor salesman being in the corridors talking on this or behind the amendment that was on there. This liquor salesman has also approached me, which he has every right in the world to do. He questions the bill in regard to a certain part which is Section 61-A, Part III, which says, "Money contributions or political activity on behalf of any candidate for public office in state government." In other words, this bill here requires the immediate revocation of a salesman's

license, if he in any way contributes to any political man or does anything to help any man into office. The liquor salesmen are wondering in regard to the constitutionality of this. They are not employed by the State; they are employed by private concerns. I also question the constitutionality of this. I hope this indefinite postponement prevails.

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

Mr. ALBEE: Mr. Speaker and Members of the House: I trust this bill is not of a political nature in the fact that they want to get at someone. There are liquor salesmen, I know several and there are several I am not too friendly with but I see no reason why we should take it out on them and charge them \$100. If we are going to charge liquor salesmen \$100 in this State, why not charge \$100 for all the contractors, typewriter salesmen and what have you? Now, we take license fees throughout the State. Take my own business, the insurance business. We can get a license over here for \$2.00 per company, that is \$4.00 a year for my two companies. This is actually depriving a man and I can see no reason why a man, whether he sells liquor or anything else, can't go out for some political candidate. Just because he goes out for one candidate and that particular candidate loses, I see no reason why we should penalize him by charging \$100 and saying that he can not have a choice of his political candidate and contribute if necessary to him. And I believe I will have to go along with the gentleman from Portland (Mr. Childs). I believe it is unconstitutional.

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

The Chair recognizes the gentleman from Whitefield, Mr. Chase.

Mr. CHASE: Mr. Speaker and Members of the House: I want to clarify my remarks. I understood there had been an amendment offered. I certainly hope that the postponement of the bill does not prevail.

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

Mr. SENTER: Mr. Speaker and Members of the House: It was my impression that while we, perhaps, were disappointed with the results of the liquor probe and the investigation there was one thing that was suggested to us that we ought to change the structure of the control, the structure. We are not interested, as I see it, in personalities and present members of the Commission but it was my belief that in order to prevent another episode like we have had recently that we should change the structure of the organization and I thought this bill would accomplish that. Now, I grant you this costs money. It costs us money to have a town manager but I submit to you that we get better administration by hiring a professional, a man who is on the job right along, and I think inasmuch as we are in the liquor business that we should give it the proper administration and prevent recurrence of another episode.

The SPEAKER: The Chair recognizes the gentleman from Waterville, Mr. Lane.

Mr. LANE: Mr. Speaker and Members of the House: I cannot agree with the gentleman from Brunswick (Mr. Senter). We all know what happens with the liquor; we all know about the liquor scandal. It all happened under three men and God knows what would happen under one man. That man would be controlled by one man, that is the Governor, and from then on the trouble we would have with just a few salesmen in this State who would have some liquor in the warehouses, liquor which you and I wouldn't want.

Another thing I want to point out: I don't know how much we are going to pay that man. I know that we are going to pay him five or six thousand dollars per year and any time you people think you can get an honest man for five or six thousand dollars per year to run a \$20,000,000 business, I would like to know where he is.

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

Mr. McGLAUFILIN: Mr. Speaker, I thought the gentleman from Brunswick, Mr. Senter, was out for economy.

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

Mr. TOTMAN: Mr. Speaker and Members of the House; I think before I came down here to Augusta I heard a lot of talk about the Republican Party was going to clean up the liquor mess. I thought I heard the gentleman from Whitefield, Mr. Chase, say that this bill received the "Ought to pass" report of the Committee on Liquor Control. It may be a bad bill, evidently the committee didn't think so.

I think that the gentleman from Augusta, Mr. Albert, said that it incorporated some of the suggestions which the Governor made in regard to cleaning up our liquor difficulties. I am not ashamed now to take time to discuss this bill. I hope that other members will get up and discuss this bill because if the Republican Party in the State of Maine has ever gotten a black eye they have gotten it in the liquor business recently. And I am just a suspicious enough person to suspect that if we just glibly toss this proposed bill in the ash can, I don't know who would do it, but I suspect there might be someone who would say: "Well, the Republicans certainly did a lot in cleaning house, didn't they? They did a lot to straighten their affairs out."

Now, I repeat, this may be a bad bill in part. I am no authority. But your Liquor Committee thought it was a good bill. The fact that a lobbyist doesn't like some part of it; his objections may be very noteworthy, justified. The fact that one lobbyist has had quite a lot of publicity about him, I frankly don't even know his name and it little concerns me. We who sit in front of the rails are supposed to decide whether a law is good or bad.

I seriously hope if you are going to kill this bill, don't expect to have anyone when we adjourn write editorials congratulating the 96th Legislature on having gone down to Augusta and taking aggressive steps to get the liquor house in order. The gentleman from Waterville

(Mr. Lane) said that it would be in the hands of one man. I understand that the Liquor Commission, as a group of three, is going to continue. As far as the ability of the present commission, I understand one of the gentlemen is going to change jobs fairly soon. They are not permanent. But I just leave with you, if you are going to vote very soon on this, we promised to clean the situation up. If there are other bills to do it, fine. I hope that there are. This is the committee's bill, evidently; this is the one they say will do the job. Now, before you just throw it in the wastebasket, let's be sure we know what we are doing.

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

Mr. JALBERT: Mr. Speaker, I am sorry to get up again on this bill but I would like to clarify one or two points. The first one, one remark was made that this would have an administrator who would be there full-time. If the statutes are read correctly, the statutes will show that the Chairman of the Liquor Commission is to be there full time. Some form of reorganization has already been entertained by the present Commission in that one takes care of enforcement, the other takes care of store management and the other, general administration, and they are making an honest attempt to straighten out the situation.

Another point that has been brought out is the remark along the line that the lobbyists possibly didn't like this or, as we read in the paper, a wine merchant didn't like this. A certain wine merchant spoke to me and I assure you that if Stan Carville was in this House, he could certainly ably handle himself because the way he spoke to me about this bill was that he didn't think it was good and he was throwing his legislative experience against it and all of you who know Stan Carville would never question his integrity. On the second hand, if he wants to help to protect his job, if this would hurt his job, that is good enough for me. He has a perfect right to do that.

The party issue was brought in here in a very strange manner, is

it or isn't it good for the Republican Party? I assure you that I am enrolled in the Democratic Party and I intend to stay there. I intend to praise the majority party when they do things right. I would like to see my party in the majority but if it means helping the majority party at the expense to cut off bad publicity, I will join hands with the Republican Party. I do not think it is the duty of a minority party to try to cash in on bad publicity possibly due to mistakes by the majority party. I do believe, and I hope the gentleman from Portland, Mr. McGlaufflin, is listening to me, that we should have a two-party system in Maine and a strong two-party system. There are ways that the minority party should go about winding up in the majority and this is not the way. I certainly hope again that we will go along with the gentleman from Auburn, Mr. Jacobs.

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

Mr. WINCHENPAW: Mr. Speaker, I always enjoy helping upset a committee decision so therefore I move the previous question.

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

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

An insufficient number arose.

The SPEAKER: Obviously less than one-third of the members present having arisen, the Chair cannot entertain the motion for the previous question.

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

Mr. ANDERSON: Mr. Speaker and Members of the House: I think most of you will recall the Governor's address and I think that I am not in error when I say that this measure is an attempt to follow what he recommended. I, for one, am not at all backward in saying that I think we have had some darned poor liquor commissions in the past, and I for one, will say that I think

that we have a darned good one now. But I want to say this, that I don't think it is any secret that one of them doesn't plan to stay very long. Now, I think that the opposition that has suddenly arisen against this bill comes from the liquor salesmen themselves. You may say that they are rightfully opposed to it but if I recall correctly, almost all of the scandal that has covered the newspapers in the last six months has been brought about by the actions of those who were on the previous commission and the liquor salesmen themselves. Now, if this measure, in any way, is going to correct such things as have happened in past I, for one, am going along with it.

The gentleman from Lewiston, Mr. Jalbert, has mentioned the fact that there is no limitation on inspectors. To my way of thinking, if you are going to pass legislation, you can't legislate for the immediate time involved. If this thing continues to grow and if it becomes necessary to have inspectors, then I think they ought to be added. Liquor business is bad anyway; I don't care how you look at it and there is only one way of keeping the thing under control and that is proper supervision. I believe that this bill will correct some of the existing things that have resulted in things that we don't want to see daily in our newspapers.

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

Mr. SENTER: Mr. Speaker, the gentleman from Portland, Mr. McGlaufflin, and I are good friends. Day before yesterday, I was a monkey; yesterday, I charged him with inconsistency. He came back at me today and charged me as being inconsistent. "I thought you were for economy", he said. But I want to ask Mr. McGlaufflin if he thinks the money we have paid for liquor investigations is economy and good expense. I do not. I think this bill will prevent further investigation.

The SPEAKER: The Chair recognizes the gentleman from Augusta, Mr. Albert.

Mr. ALBERT: Mr. Speaker, when this bill was heard about three

months ago before the committee, not one person appeared in opposition to it and unusual as it may seem, both the dry element and the wet element, so-called, supported the bill. It seems to me that these liquor salesmen who have in the past few days been lobbying against this should have gotten together then and appeared before the committee and expressed their feelings.

As far as the price tag on this is concerned, I can't see where the statement made about the inspectors would have any bearing whatsoever on it because we have inspectors today and there is a paragraph that says: "To appoint a chief inspector", which we have now, "and subject to the provisions of the personnel law, as many inspectors as may from time to time be necessary." Now, that is already in the law. They are appointing as many inspectors as they need and even this specifically states that each inspector is subject to the provisions of the personnel law. I don't believe the price tag will be a fraction of the \$80,000 which was quoted to you and if it is \$80,000, let the fellow in the corner office down there worry about it; it is his bill.

Some mention has been made here about licensing or having other types of businesses register on the same basis as liquor salesmen are required to do or would be under this provision. If this bill passes, then it will be in order to introduce such an amendment. I don't say that I will agree with him but I think the question of whether they shall or shall not should only be brought up when the amendment which has been prepared is brought on the Floor.

I hope the motion of the gentleman from Auburn, Mr. Jacobs, does not prevail.

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

Mr. BROWN: Mr. Speaker and Ladies and Gentlemen of the House: As House Chairman of that Committee, I want to state that I was one of the majority that signed that bill. I thought it was a good bill and I still think it is and believe you me had I thought it was not a good bill, I would not have

signed it. Every member on that committee, the Liquor Control Committee, signed that bill. Why? Because we thought it was a good bill and we were saving the State money by doing it. Governor Cross, I believe, is one of the ones behind this bill. We were told so. And, as the gentleman from Augusta, Mr. Albert, has told you, not a single person in this State, liquor salesman or anyone else, appeared against the bill but we discussed that bill thoroughly and we had it before that committee four months, and I believe that the State, if we pass it, will save money in the long run.

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

Mr. DICKEY: Mr. Speaker and Members of the House: As I look at L. D. 554, I see that it is presented by Mr. Albert of Augusta. I don't notice that it is put in by request. He says it isn't his bill yet his name is printed on there.

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

Mrs. CHRISTIE: Mr. Speaker, you have heard from all the other members of the Liquor Control Committee and I want to go on record as saying what perhaps doesn't need to be said that if I didn't think this bill would help improve conditions, I certainly would not have signed the unanimous report. I do believe that it would improve conditions and therefore I am in favor of it.

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

Mr. FULLER: Mr. Speaker, a parliamentary inquiry. What is the status of Committee Amendment "A"? Has that been adopted?

The SPEAKER: The Chair understands that this bill is pending third reading and that Committee Amendment "A" has been adopted.

Mr. ALBERT: Mr. Speaker, I ask unanimous consent to answer Mr. Dickey.

The SPEAKER: The gentleman from Augusta, Mr. Albert, requests unanimous consent to answer the gentleman from Brooks, Mr. Dickey. Does the Chair hear objection? The Chair hears none and the gentleman may proceed.

Mr. ALBERT: Mr. Speaker, when one is fortunate enough to get his hands on such a good bill he doesn't put it in by request. (Applause)

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

Mr. ALBEE: Mr. Speaker and Members of the House: In the 94th Legislature, I presented a bill for which some of you went, for a one-man liquor commission and some of these same people today who are for this particular bill opposed me at that time.

The gentleman from Augusta, Mr. Albert, said and quoted the gentleman from Robbinston, Mr. Brown, that no one attended this hearing. I disagreed at the start of this session on three-day sessions, I disagreed with the leader, on three-day sessions. My objection at that time was that we would not have time to go to committee hearings and be in on, ourselves. They disagreed. I still want to read just one section, Section 5-B. "Director of licensing and enforcement. The commission shall appoint a director of licensing and enforcement whose term of office shall be continuous". And it says they have to have a man, a business administrator, "consideration shall be given to the following qualifications: sound judgment, practical experience and ability in merchandising, executive administration, salesmanship and sound business principles." As someone mentioned here just a few moments ago, I think the gentleman from Waterville, Mr. Lane, in my bill in '49 I had the law put in to pay the man up to \$25,000 a year, if they wanted a good administrator. And this bill, as I have talked with members of the Appropriations Committee, would go up into some \$50,000 or \$60,000 before we even got started and I don't think we can afford it and I don't think we should discriminate. I think a man should have the right if he is selling liquor or selling contracting materials or anything else to sell in this State without having to pay a \$100 fine for doing it and I certainly go along with the gentleman from Auburn, Mr. Jacobs, in the indefinite postponement of this bill.

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

Mr. JACOBS: Mr. Speaker and Members of the House: Someone mentioned "wets" and "drys". You all know, I hope you do, that I am dry and if I had my way I would dispose of the whole liquor business from the State of Maine. But, how would you feel, either one of you here, if you were selected by the Governor of the State to perform a certain duty as these three commissioners have taken their oath to do and then have someone selected to be placed over you? I do not think that is right. I have full confidence in this commission, the Governor's appointees. I know every one of them. They have all, at different times in past Legislatures, served on the Appropriations Committee and I know them personally; the minority member and the two majority members are high-caliber men and fit to do the job. Now, let's have them do it.

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

Mr. REYNOLDS: Mr. Speaker, on this bill, I understand there has been an Amendment "A" introduced.

The SPEAKER: The Chair will state that Committee Amendment "A" has been adopted.

Mr. REYNOLDS: Thank you, Mr. Speaker. May I hear that Amendment read, please?

The SPEAKER: The gentleman from Northeast Harbor, Mr. Reynolds, requests the Clerk to read Committee Amendment "A". Without objection, the Clerk will re-read Committee Amendment "A".

Thereupon, Committee Amendment "A" was re-read by the Clerk.

The SPEAKER: The gentleman may proceed.

Mr. REYNOLDS: Mr. Speaker, I still don't understand. As I understand from a little conversation, this is an act for the administration of the liquor law and according to that amendment, as I understand it, they are going to bring in other trades, other concerns, other business. Is that correct?

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

Mr. TRAFTON: Mr. Speaker, I can't understand my associate from Auburn, Mr. Jacobs, saying there will be someone put over the Liquor Commission. As I read section 5-A, "the commission shall appoint". At the time that the Governor made his Inaugural Address, he outlined a plan such as this. The appointment of the commissioners was made, I believe, after the announcement of his Inaugural Address. Certainly, it would not be a surprise to those gentlemen to have the plan that he announced before it was put into operation.

The SPEAKER: The question before the House is on the motion of the gentleman from Auburn, Mr. Jacobs, that Bill "An Act relating to the Administration of the Liquor Law", House Paper 538, Legislative Document 554, and accompanying papers, be indefinitely postponed.

As many as are in favor of the motion will kindly rise and remain standing until the monitors have made and returned the count. A division of the House was had.

Forty-two having voted in the affirmative and forty-eight having voted in the negative, the motion to indefinitely postpone the Bill did not prevail.

Thereupon, Mr. Jacobs of Auburn offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to H. P. 538, L. D. 554, Bill "An Act Relating to the Administration of the Liquor Law."

Amend said Bill by amending the title thereof to read "An Act Relating to the Administration of Liquor and other state laws."

Further amend said Bill by renumbering section 9 to section 10.

Further amend said Bill by adding a new section to be numbered section 9, and to read as follows:

Section 9. Chapter 14 of the revised statutes is hereby amended by adding thereto 2 new sections to be numbered 44-A and 44-B, to read as follows:

'Contractors

Sec. 44-A. Contractors. Any person proposing to bid on public work, including the construction of state highways as outlined in chapter 20, section 21, shall, as a pre-bid qualification, cause his name to be entered upon a docket in the office of the secretary of state. The secretary of state shall prepare and keep a docket for the registration of contractors, which docket shall be open to public inspection during the office hours of said secretary of state and shall contain the names of contractors, the addresses of each, together with a list of all officers and directors, if a corporation, or a list of all partners, if a partnership, and also the names of the persons representing the concern with the state. The registration fee shall be \$10 and the registration shall expire on the last day of December of the year in which it is obtained. It may be renewed annually on payment of \$10.

Registrations so issued by the secretary of state shall be revoked for the following causes:

I. Contributions to any candidate for state office.

II. Money contributions or political activity on behalf of any candidate for public office in state government.

III. Gifts to any member of any state commission or any person employed under any state commission.

IV. Any act which appears to influence in any way the commission or department handling the bid or bids.

Sec. 44-B. Bids from contractors not registered of no legal effect. It shall be the duty of commissions and other state officials receiving bids to verify with the secretary of state that the contractors bidding are duly registered on the day the bids are opened. Any bid received from a contractor who is not registered as provided by the preceding section shall be null and void and any contract issued and executed with such a contractor shall likewise be null and void. Any contractor aggrieved by the decision of the secretary of state in revoking his registration as provided by the

preceding section, may, within 10 days thereafter, appeal to any justice of the superior court in term time or in vacation and the decision of such justice shall be final. Pending judgment of the justice, the decision of the secretary of state in revoking such registration shall remain in full force and effect.'

The **SPEAKER**: The question before the House is on the motion of the gentleman from Auburn, Mr. Jacobs, that House Amendment "A" be adopted.

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

Mr. **TOTMAN**: Mr. Speaker, we were all here the first night when evidently there was a little feeling about activities over in Washington County and we upset it, and, therefore, I expect I understand why the gentleman from Auburn, Mr. Jacobs, feels the way he does. And inasmuch as I got up on the floor of this House not so long ago and fought bitterly and shall continue to fight bitterly against the bill which I think is deliberately discriminatory favoring road contractors regarding rates, I believe in being fair. I call my shots as I see them. I say this: Why single out road contractors if other people do business for the State? Now, if I recall correctly, and I realize that road contractors' bids are huge and I realize that the business other people do with the State is very small but if you want to find out how big some business can be, go down to Homer Orr's office and find out what bids the State's business runs into on other items. My own company bids annually on institutional business. It sometimes runs as high as four or five thousand dollars. I realize it is peanuts compared to the road bids. But if you are going to single out people who are doing business with the State and make them live up to certain qualifications and do certain things and so forth, I want to be in there too. And, therefore, I do believe that this is unnecessarily, I withdraw the word "unnecessarily", I think this is discriminatory, and I therefore move for the indefinite postponement of House Amendment "A".

The **SPEAKER**: The gentleman from Bangor, Mr. Totman, moves that House Amendment "A" be indefinitely postponed.

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

Mr. **ANDERSON**: Mr. Speaker, under Rule 36 of the House, it says: "No motion or proposition on a subject different from that under consideration shall be admitted under color of amendment.

I will request the Chair to rule on the germaneness of the amendment.

The **SPEAKER**: The House may be at ease.

House at Ease

The House was called to order by the Speaker.

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

Mr. **ANDERSON**: Mr. Speaker, I withdraw my request.

The **SPEAKER**: The gentleman from Greenville, Mr. Anderson, withdraws his point of order.

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

Mr. **JACOBS**: Mr. Speaker, at the same time I wish to withdraw my amendment. I find I was out of order. (Applause)

The **SPEAKER**: Are there any further amendments to introduce?

The Chair recognizes the gentleman from Waterford, Mr. Ford.

Mr. **FORD**: Mr. Speaker, I would request unanimous consent to take the fifty-ninth unfinished —

The **SPEAKER**: The Chair will state that there is still a matter before the House.

We are now at the point of the third reading of the bill, Legislative Document 554.

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

Mr. **CHILDS**: Mr. Speaker, I am glad the amendment is withdrawn. I certainly wasn't in favor of it. I go along with the gentleman from Bangor, Mr. Totman. It was discriminatory, unfair, and certainly not justified.

Now in regard to the bill itself, I would like to make a request. I am not in disfavor with the whole bill.

I certainly am in disfavor of the part in regard to salesmen. As I said before, I certainly think it is unfair. I even question the constitutionality of it, and I would like to request that this be laid upon the table and specially assigned for tomorrow morning for the purpose of preparing an amendment to rectify I believe, the wrong in this bill.

The SPEAKER: The gentleman from Portland, Mr. Childs, moves that Legislative Document 554, Bill "An Act relating to the Administration of the Liquor Law," and accompanying papers, lie on the table and be specially assigned for tomorrow. Is this the pleasure of the House?

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

The SPEAKER: On the Committee of Conference on the disagreeing action of the two branches of the Legislature on House Paper 1153, Legislative Document 1301, Bill "An Act relating to Reclassification of State-aid Highways as Town

Ways," the Chair will appoint the following members on the part of the House: The gentleman from Hope, Mr. Ludwig, the gentleman from Guilford, Mr. Campbell, and the gentleman from Auburn, Mr. Turner.

The gentleman from Waterford, Mr. Ford, was granted unanimous consent to take up the fifty-ninth item of unfinished business.

The SPEAKER: The Chair lays before the House the fifty-ninth tabled and unfinished business, Bill "An Act to Include the Typing of Blood in Prenatal Examinations," House Paper 1274, Legislative Document 1510, tabled on April 24 by the gentleman from Waterford, Mr. Ford, pending passage to be engrossed; and on further motion of the same gentleman the Bill was passed to be engrossed and sent to the Senate.

On motion of Mr. Fuller of South Portland,

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