

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

LEGISLATIVE RECORD

OF THE

Ninety-Eighth Legislature

OF THE

STATE OF MAINE

VOLUME I

1957

DAILY KENNEBEC JOURNAL
AUGUSTA, MAINE

HOUSE

Thursday, March 28, 1957

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

Prayer by the Rev. Mr. Merle Jordan, Pastor of Hebron Academy and West Minot Church.

The journal of the previous session was read and approved.

At this point, a message came from the Senate borne by Secretary Winslow of that body proposing a convention of both branches of the Legislature to be held forthwith in the Hall of the House for the purpose of inviting His Excellency, Governor Edmund S. Muskie, and his guest, the Honorable Cooper T. Holt, Commander-in-Chief of the Veterans of Foreign Wars of the United States, with his official party, to attend and address the Convention.

On motion of Mr. Totman of Bangor, the House voted to concur in the proposal for a joint convention and the Clerk was instructed to convey the message to the Senate.

House at Ease

Called to order by the Speaker. The Clerk subsequently reported that he had discharged the duty assigned him.

At this point, the Senate entered the Hall of the House and a Joint Convention was formed.

In Convention

The President of the Senate, Honorable Robert N. Haskell, assumed the Chair and called the Convention to order.

On motion of Mrs. Lord of Cumberland, Hon. Joseph T. Edgar, Speaker of the House, assumed the Chair as Chairman of the Convention.

On motion of Mr. Pike of Oxford, it was

ORDERED, that a Committee be appointed to wait upon His Excellency, Edmund S. Muskie, Governor of Maine, and inform him that the two branches of the Legislature are

in convention assembled in the Hall of the House of Representatives, and extend to him an invitation to attend the Convention with his guest, the Honorable Cooper T. Holt, Commander-in-Chief of the Veterans of Foreign Wars of the United States, and address to the Convention such remarks as either of them may be pleased to make.

The Order was read and passed.

The Chairman appointed as members of such Committee:

Senators:

PIKE of Oxford
BRIGGS of Aroostook
FARLEY of York

Representatives:

HATFIELD of Orrington
EDGERLY of Sangerville
VAUGHAN of Hallowell
DAY of Shapleigh
STORM of Sherman
DUMAIS of Lewiston
THACKERAY of Mexico

Convention at Ease

Called to order by the Chairman.

Mr. Bailey of Sagadahoc presented the following **RESOLUTION**:

WHEREAS, The economy and wellbeing of our State is dependent to a great degree on a sound and prosperous agriculture; and

WHEREAS, fifty (50) years ago, the University of Maine set aside one week in each year devoted to a series of lectures and demonstrations for all Maine citizens interested in Maine Agriculture and Home-making; and

WHEREAS, this program known as Farm and Home Week has attracted national attention and improved the lives and economy of our Maine farm families.

NOW, THEREFORE, be it **RESOLVED** that the Maine Legislature in Convention assembled commend the University of Maine on the 50th anniversary of the Farm and Home Week program.

Read and adopted.

Convention at Ease

Called to Order by the Chairman.

Mr. Pike subsequently reported that the Committee had discharged the duties assigned it, and that the Governor and his guest would forth-

with attend the Convention with their attendants.

The CHAIRMAN: At this time the Chair would like to recognize the presence in the gallery of the House of the American History Class of the Buckfield High School accompanied by their teacher, Mr. Raymond Sennett; and a group of eighth grade students from the Bristol Consolidated School accompanied by Ella Poole.

On behalf of the Convention, the Chair would extend to you ladies and gentlemen a most hearty and cordial welcome and we hope that you will enjoy and profit by your visit with us today. (Applause)

Whereupon, His Excellency, Governor Edmund S. Muskie, his guest, the Honorable Cooper T. Holt, Commander-in-Chief of the Veterans of Foreign Wars of the United States, and members of the Executive Council, entered the Hall of the House of Representatives amid prolonged applause, the audience rising.

The CHAIRMAN: It is with great pride and a feeling of great privilege that the Chair now introduces to the Convention, His Excellency, the Governor of the State of Maine, Honorable Edmund S. Muskie.

(Prolonged applause, Convention rising)

Governor Muskie then addressed the Convention as follows:

Mr. Chairman, distinguished guests and Members of the Legislature: It is a pleasure and privilege to once again appear before you to present a distinguished guest of the State of Maine.

I know that you have a long calendar today, and so I am going to limit my remarks to such as are appropriate to introduce our guest.

He is a young man, seemingly in the tradition of public figures in his home state of Tennessee. At the age of thirty-two, he is the youngest man in the fifty-seven year history of the Veterans of Foreign Wars to become National Commander, and this is indeed a distinguished honor when you speak of a national organization of one million three hundred thousand members. He has, in the tradition of the V.F.W., come up through the ranks, having been Post

Commander and Department Commander as well as holding other places of leadership in the organization before his election as National Commander.

We didn't get into any political discussion today, although I sensed what his politics might be, and sensing that, why we have had a very enjoyable chat over luncheon and in the Governor's Office where we met with the Executive Council before we came in. (laughter)

He is a very enjoyable guy to be with and to talk to, and I am sure that you will find his message to you this afternoon, interesting and inspiring, so may I present to you our distinguished guest, the National Commander of the Veterans of Foreign Wars, Mr. Cooper T. Holt of Tennessee. (Prolonged Applause, Audience Rising)

Honorable COOPER T. HOLT, Commander in Chief of the Veterans of Foreign Wars of the United States: Your Excellency, Governor Muskie, Mr. Chairman, distinguished Members of the Senate and the House of Representatives of the great State of Maine: Governor, since you brought in the politics I hope that these gentlemen won't hold my party affiliations against me. Really, you can't be but one thing coming from Tennessee.

I hope, at the very outset today, you good people can understand my lingo. I understand I do have a little southern brogue, and I think I am just about as far north as it is humanly possible for a fellow to get. And too, I want you to know that I don't intend to keep you here very long today.

I might tell you what happened to me in Wisconsin when I was there very recently, as a matter of fact, the day before yesterday. There was snow up to my neck, almost. I made my pitch that night at the dinner, and after it was over one of our good V.F.W. members came to me, and shooting straight from the shoulder as we do in the V.F.W. sometimes, he said, "Holt, I want you to know you talked too long, you talked too loud, and the comments you made stunk." Well I didn't know what to say, I had been in office five months. Then the Commander there, John Janto, he came up and he said, "Cooper, don't you pay any

attention to that fellow, he is an idiot and besides he is just probably repeating what he heard someone else say." (laughter) Well, I guess that was supposed to make me feel a lot better leaving Wisconsin, but believe me I was happy to get out of there.

Gentlemen, I want you to know that there are many things that I could talk with you about concerning our great program. I think you know we are very interested in the Veterans Program, and we are there day in and day out in Washington, D. C. trying to look after the laws that we have on the Statute Books today, just laws that were given to us by the grateful people at the end of World War II. You can rest assured that we sincerely think that we have done a good job for the veterans up to now. We feel that we have kept faith with them and if we continue to do so then certainly that is one thing we will be doing day in and day out.

Outside of our objectives of caring for the veteran, his widow and dependents, I want you to know that the V.F.W. realizes that above and beyond its efforts to help veterans, their widows and dependents, it has a duty to our Nation as a whole, and certainly to the entire world. We operate not on the device of Communist principle of hate, class against class, but on the idea of brotherhood of man under the fatherhood of God.

Because all of our members have served overseas, we know firsthand the horrors of war, and want to do everything humanly possible to obtain a just and lasting peace throughout this great land of ours today. We realize, Ladies and Gentlemen, that peace depends not only on the United Nations, which we support, not only on universal disarmament, which we would like to see, nor wholly on the armed forces of the United States of America. True, peace depends on justice, and justice is based on morality. And, we do not have peace in the world today, and you know that we don't have it, simply because one of the most powerful nations of the earth rejects all moral standards. It says the only morality is the yardstick of what advances the cause of world commu-

nism throughout the entire world, communist revolutions.

It is because the V.F.W. wants a just peace so earnestly and recognizes the fundamental relationship between peace, justice, morality and religion that we are constantly urging our ten thousand posts throughout the nation to promote back to God and back to church movements everywhere we are located.

Let's face it here today. There will be no true peace as long as almost a billion people behind the iron and the bamboo curtains are deprived of religious freedom and are under the mailed fist of regimes that deny God and do not believe in dealing with other nations justly. Today we have only temporary peace, an armed truce if you please, and in the period in which the evil of communism is so powerful that it cannot be destroyed by the forces of good and it may break loose again at any time.

No American, I say to you, no believer in justice, in freedom or in fundamental human rights can be content with such a condition as we are living under today. His conscience tells him, yes, his conscience tells him that he must do all in his power to end it as he worships his God freely in his own church or synagogue. He should do all in his power to see that religious freedom is restored to all people, and that the evil that is communism is destroyed. Freedom, of course you know, is the hallmark of the American way of life, and the opposite of life under communism. I mean freedom to do good by words and action, not freedom to destroy what is good, that is the abuse and corruption of freedom which the communists practice today. And, because we realize the real value of freedom, our organization, in celebrating our 58th year as a national veteran organization, has placed a revitalized emphasis on our Americanism program with special emphasis on those basic principles that have made our country great, and those basic principles that have made our country good.

During V.F.W. week specific days were designated to commemorate the laying of the foundation stones

of our religious and political freedom. We have also considered it a preeminent task to honor the founding fathers who created the first government in the history of mankind. And, in that framework, gentlemen, we have the framework for freedom. We are stressing the toil and the sacrifice, the faith and the courage that it took to create and to develop and to defend the present American political and economic system.

We believe that the spirit of the founders live on today, and sometime I wish, and pray to the good Lord that I could find leadership in our nation and might have the same courage as those founding fathers had when they founded this great nation that we take for granted today.

So, today I don't think that anyone can deny that we are at the crossroads in civilization. It is our good or bad fortune to live in a pretty fast historic period that will ever mark a crisis in mankind's journey towards a goal of a better life. The great experiment in self government planned by the founders is challenged. This is indeed a time of widespread and well founded apprehension, as destiny leads us to the brink of what could be World War III. And, which will be, if it comes, God forbid, more devastating and terrible than any other wars our nation has ever participated in, combining all of them into one. There is no doubt that the American position, gentlemen, is strongest in the present gigantic ideological conflict. However, if we heed the false gods of materialism, if we do not have this vastly courageous leadership, and if we listen much longer to the lure of expediency here and abroad, it is by no means beyond the realm of possibility that we might fail as a nation in foreign relations. And, as we face up to this threat here today, the threat of world domination by communism, it is more important than ever before in our history, that we on the home front understand the concept on which our government was founded. It is for that reason that we of the Veterans of Foreign Wars have asked our ten thousand individual posts to place special em-

phasis on Americanism and security.

We have special Americanism programs and hope that everyone everywhere will join with the V. F. W. in this rededication to the principles that have made us good, and principles that have made us great.

It cannot be too strongly emphasized that the plan and problem of the present Soviet national and international politics is to prepare for, achieve, defend and expand the communist monopoly of power wherever it might be, and that includes the United States of America. And, until the monopoly is complete, and that means unchallenged and unchallengeable on a world scale, this is, was and will continue to be the goal of communism.

It must be plainly understood that their strategic goal is the world monopoly of communist power. Nothing about communism is understood, gentlemen, unless this fundamental fact is understood. Doubt and confusion on this part have within the last decade caused some of our international political disasters.

It is, however, not enough for us to condemn communism. Our real job, Ladies and Gentlemen, is to sell democracy.

Many people have asked me in my travels to some forty-five states thus far, since my election in August, what is democracy. What is democracy? I say, democracy is in reality a way of life, a mode of thinking and acting. In truth, it is a thing of the spirit. One of the greatest things said of democracy in its earliest phases, is that it trusted less in the system in politics than to the native spirit of the citizens.

Jefferson, our great spokesman of the democratic spirit wrote, "It is the manners and spirit of the people which preserves a republic in vigor," meant as here means the usual practices, methods of living. Something, Gentlemen, has gone out of the American character that can be restored only by returning to the discipline of the spirit, a way of living if you please, and an unbounded faith in the values of the democratic system. It

is truly our time today for greatness.

I commend to you Members of this fine Legislature and the Senate, and others, something we can do to regain this conspicuous moral and spiritual strength of other days. I feel certain here today that you will agree that we have lost sight of the great intangible values of religion, and a return to these values come by worship in the church of one's choice. This can be applied to Protestant, Catholic and Jews. The Constitution gave us freedom of religion you must remember, not as some people seem to believe, freedom from religion. The moral tone of the Nation will be linked by a love and enthusiasm for those priceless principles enunciated by the great religious leaders of the ages. Nothing, you can search records as long as you want to in history, but nothing has ever given more comfort to man than has religion. Furthermore, I commend a return to a greater measure of home life. Where do people get their pleasures these days? Is it in home life, good music, good literature, good conversation, or is it in cheap amusement, the race tracks, the cocktail bars? I will leave the answer to that question to you gentlemen.

Most great men learned in the home and at an early age the fundamental principle of good life. They were taught that a bad ending followed a bad beginning. And you must respect yourself if you are to be respected. In short, youth was taught in the home the duties of God and Country. The church and the school supplemented this instruction, but it can never be more effective than when first taught in the family group. And, with juvenile delinquency reaching an all time high, it is urgent that all thinking men and women strive for a return to the old virtue that made this country great, wholesome home life with a greater exercise of parental comradeship and control.

Furthermore, it is high time that a study of American History be given greater emphasis in our schools here in America. That is where one learns the greatness of the early American patriots, the nobility of character, Washington;

the statesmanship of Adams; the voice of democracy of Jefferson; and the greatness of the savior of the Union, Lincoln. There one learns why we lost by death over one-half million fighting men since the Revolution to preserve our freedom. "If we show," said Theodore Roosevelt, "that the lives of great men, great men of the past have been an inducement to do well in the present, then we have paid them the only honor which is really worthy of them." And, it is from History and the teaching of Americanism that young Americans may learn to tell the rest of the world what America really is, that is in reality, the Voice of America.

Now, as we carry the mantle of leadership here today, and you certainly are a part of it, you serving here in the Legislature, the mantle of leadership for the free world, all Americans must unite behind our cause. There is no time for arguing and bickering, there is but little time to show the world, free and enslaved, that we are guided only by the principles of democracy and the principles by which our country was founded. And, as we move forward into the future, I dedicate the efforts of the Veterans of Foreign Wars of the United States to a better America and a better world in which to live. Gentlemen, this is our solemn pledge to you, the Members of this fine Legislature here in the great State of Maine.

In closing let me once again thank you sincerely from the bottom of my heart for this joint meeting here today, this joint resolution that you had introduced so that we could speak here to you. I want you to know also that I certainly enjoyed being with your fine Governor, he is certainly an outstanding gentleman and I took a liking to him right off, it may be because I happen to be one of those things that he was referring to a moment ago. (Laughter) But it has been wonderful to be with him, I have heard so many good things about him throughout my travels over this great nation. Then to, I want to thank you sincerely for your kind attention here today. Thank you. (Applause)

GOVERNOR MUSKIE: Thank you very much, Commander, for that message which I am sure we have all listened to appreciatively. We

hope that you are enjoying your all too brief visit in Maine enough so that you will want to come back and that we may have the pleasure of welcoming you back again.

Before I leave the Commander I would like to present a distinguished citizen of Maine, the Department Commander of the V.F.W., Commander Moulton. Would you stand for a bow, Commander? (Applause)

Now, reluctantly I will turn you over to other hands.

Miss Cormier of Rumford presented the following Resolution:

WHEREAS, on March 28th, 1914, in the Town of Rumford, in the Great County of Oxford, there was born a male child, and

WHEREAS, just forty-three years from that fateful day, that same male child now stands among us.

BE IT RESOLVED, that this Joint Convention here assembled, does honor this birthday of Governor Edmund S. Muskie and give to him our sincere best wishes and our prayerful hope that he enjoys many more years of good health and good fortune.

Read and adopted.

Governor MUSKIE: Thank you very much for that thoughtful greeting. I can only say it is a horrible thing to get the facts spread on the record. Thank you very much from the bottom of my heart.

At this point, the Governor, his distinguished guest and his suite then withdrew amid the prolonged applause of the Convention, the audience rising.

The purpose for which the Convention was assembled having been accomplished, the Chairman declared the same dissolved, and the Senate retired to its Chamber.

In the House

The House was called to order by the Speaker.

Papers from the Senate

The following papers from the Senate not on the Advance Journal:

From the Senate: The following Order:

ORDERED, the House concurring, that when the Senate and

House adjourn, they adjourn to meet on Tuesday morning, April 2nd. (S. P. 506)

Came from the Senate read and passed.

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

From the Senate: The following Order:

ORDERED, the House concurring, that there be paid to George Stevens, Jr., Representative of the Passamaquoddy Tribe of Indians; and to John Nelson, Representative of the Penobscot Tribe of Indians, the sum of one hundred dollars (\$100) each, as balance due on compensation (S. P. 530)

Came from the Senate read and passed.

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

From the Senate:

Bill "An Act Increasing Compensation for Members of Board of Dental Examiners" (S. P. 483) (L. D. 1391)

Came from the Senate referred to the Committee on Appropriations and Financial Affairs.

In the House, referred to the Committee on Appropriations and Financial Affairs in concurrence.

From the Senate:

Bill "An Act relating to Outdoor Advertising Near Controlled Access Roads" (S. P. 484) (L. D. 1392)

Came from the Senate referred to the Committee on Highways.

In the House, referred to the Committee on Highways in concurrence.

From the Senate:

Bill "An Act to Provide for Liens on Real Estate by Judgment" (S. P. 485) (L. D. 1395)

Bill "An Act Changing Name of Recorders of Municipal Courts to Associate Judges" (S. P. 486) (L. D. 1394)

Bill "An Act Creating Office of Hearing Examiner under Liquor Law" (S. P. 487) (L. D. 1393)

Came from the Senate referred to the Committee on Judiciary.

In the House, referred to the Committee on Judiciary in concurrence.

From the Senate:

Bill "An Act relating to Leave of Absence from Work for Certain Employees While in Temporary Military Training" (S. P. 488) (L. D. 1396)

Came from the Senate referred to the Committee on Labor.

In the House, referred to the Committee on Labor in concurrence.

From the Senate:

Bill "An Act relating to the Primary Law in City of Biddeford" (S. P. 489) (L. D. 1397)

Came from the Senate referred to the Committee on Legal Affairs.

In the House, referred to the Committee on Legal Affairs in concurrence.

From the Senate:

Bill "An Act relating to Valuation of Property by Public Utilities for Fixing Rates" (S. P. 490) (L. D. 1398)

Came from the Senate referred to the Committee on Public Utilities.

In the House, referred to the Committee on Public Utilities in concurrence.

From the Senate:

Bill, "An Act relating to Restoration to Service on Part-Time Basis under State Retirement System" (S. P. 491) (L. D. 1399)

Came from the Senate referred to the Committee on Retirements and Pensions.

In the House, referred to the Committee on Retirements and Pensions in concurrence.

From the Senate:

Bill "An Act Increasing Exemptions for Certain Beneficiaries under Inheritance Tax Law" (S. P. 492) (L. D. 1400)

Came from the Senate referred to the Committee on Taxation.

In the House, referred to the Committee on Taxation in concurrence.

From the Senate:

Bill "An Act Increasing the Salaries of Judges and Recorders of Municipal Courts in Kennebec County" (S. P. 493) (L. D. 1401)

Came from the Senate referred to the Committee on Towns and Counties.

In the House, referred to the Committee on Towns and Counties in concurrence.

Senate Reports of Committees Leave to Withdraw

Report of the Committee on Inland Fisheries and Game on Bill "An Act relating to Closed Time on Deer in Oxford County" (S. P. 156) (L. D. 403) reporting Leave to Withdraw.

Came from the Senate read and accepted.

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

Ought Not to Pass

Report of the Committee on Retirements and Pensions reporting "Ought not to pass" on Bill "An Act relating to Definition of Out-of-State Service under State Retirement System" (S. P. 356) (L. D. 962)

Came from the Senate read and accepted.

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

Ought to Pass in New Draft

Report of the Committee on Inland Fisheries and Game on Resolve Regulating Fishing in Certain Waters in Piscataquis County (S. P. 342) (L. D. 922) reporting same in a new draft (S. P. 497) (L. D. 1378) under same title and that it "Ought to pass"

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

In the House, the Report was read and accepted in concurrence, the New Draft read once and assigned the next legislative day.

Ought to Pass

Report of the Committee on Business Legislation reporting "Ought to pass" on Bill "An Act to Incorporate the Liberty Loan Corporation of Bangor" (S. P. 363) (L. D. 986)

Report of same Committee reporting same on Bill "An Act to Incorporate the Liberty Loan Corpora-

tion of Cumberland" (S. P. 364) (L. D. 987)

Report of same Committee reporting same on Bill "An Act to Incorporate the Liberty Loan Corporation of Caribou" (S. P. 365) (L. D. 988)

Report of same Committee reporting same on Bill "An Act to Incorporate the Liberty Loan Corporation of Auburn" (S. P. 366) (L. D. 989)

Report of same Committee reporting same on Bill "An Act to Incorporate the Liberty Loan Corporation of Augusta" (S. P. 367) (L. D. 990)

Report of the Committee on Judiciary reporting same on Bill "An Act Empowering the Supreme Judicial Court of Maine to Prescribe Rules" (S. P. 178) (L. D. 457)

Report of same Committee reporting same on Bill "An Act relating to Claims Against Estates of Deceased" (S. P. 237) (L. D. 638)

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

In the House, the Reports were read and accepted in concurrence, the Bills read twice and assigned the next legislative day.

Tabled

Report of the Committee on Judiciary reporting "Ought to pass" on Bill "An Act Authorizing the Annexation of Harbor Island to the Town of Brooksville" (S. P. 241) (L. D. 642)

Report was read.

The SPEAKER: The Chair recognizes the gentleman from Bucksport, Mr. Pierce.

Mr. PIERCE: Mr. Speaker, there are two companion bills regarding this particular island, it happens to be in my legislative district. Until we can receive the other two bills and I would like to express my views and discuss the matter, I would move that this matter lie upon the table unassigned pending acceptance of the Report.

Thereupon, the motion prevailed and the Report with accompanying papers was tabled pending acceptance of the Report and unassigned.

Report of the Committee on Liquor Control reporting "Ought to pass" on Bill "An Act Repealing

Certain Duty of Liquor Commission" (S. P. 181) (L. D. 460)

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

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

Refer to Committee

Report of the Committee on State Government, acting by authority of Joint Order (S. P. 61) reporting a Resolve (S. P. 498) (L. D. 1402) under title of "Resolve relating to Investigating Special Resolve Pensions" and that it be referred to the Committee on Retirements and Pensions.

Came from the Senate with the Report read and accepted and the Resolve referred to the Committee on Retirements and Pensions.

In the House, the Report was read and accepted and the Resolve referred to the Committee on Retirements and Pensions in concurrence.

Ought to Pass with Committee Amendment

Report of the Committee on Liquor Control on Bill "An Act relating to Applications for Liquor Licenses" (S. P. 261) (L. D. 700) 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, the 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. 261, L. D. 700, Bill, "An Act Relating to Applications for Liquor Licenses."

Amend said Bill by striking out the underlined word "of" in the last line and inserting in place the underlined words 'not exceeding'

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

Report of the Committee on Public Utilities on Bill "An Act relating

to Authority of Public Utilities Commission over Construction of Water Supply Systems" (S. P. 285) (L. D. 744) 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, the 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. 285, L. D. 744, Bill "An Act Relating to Authority of Public Utilities Commission over Construction of Water Supply Systems."

Amend said Bill by striking out in the next to the last line the underlined word "approval" and inserting in place thereof the underlined word 'advice'

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

Divided Report Tabled and Assigned

Majority Report of the Committee on State Government reporting "Ought to pass" on Bill "An Act relating to Itemized Statements Filed by Legislative Counsel and Agents" (S. P. 376) (L. D. 999)

Report was signed by the following members:

Messrs. PIKE of Oxford
LESSARD of Androscoggin
— of the Senate.

Messrs. TOTMAN of Bangor
WALSH of Brunswick
WADE of Auburn
ELWELL of Brooks
— of the House.

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

Report was signed by the following members:

Mr. ROGERSON of Aroostook
— of the Senate.

Messrs. ROSS of Bath
CHILDS of Portland
BRAGDON of Perham
— of the House.

Came from the Senate with the Minority Report accepted.

In the House, the Reports were read.

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

Mr. CHILDS: Mr. Speaker, I move the acceptance of the Minority Report, and it is my understanding that the gentleman from Brunswick, Mr. Walsh, will now move that this matter lie upon the table specially assigned for next Wednesday.

The SPEAKER: The gentleman from Portland, Mr. Childs, moves the acceptance of the Minority "Ought not to pass" Report. Is this the pleasure of the House?

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

Mr. WALSH: Mr. Speaker, I do move that this item lie on the table and be specially assigned for next Wednesday where we have only one item on the assigned calendar, and it will expedite matters a little bit today.

The SPEAKER: The gentleman from Brunswick, Mr. Walsh, moves that this item lie upon the table specially assigned for Wednesday of next week pending acceptance of the Minority Report. Is this the pleasure of the House?

The motion prevailed.

Petitions, Bills and Resolves Requiring Reference

The following 7 Bills and Resolves (transmitted by the Director of Legislative Research pursuant to Joint Order H. P. 43) were received and, upon recommendation of the Committee on Reference of Bills, were referred to the following Committees:

Appropriations and Financial Affairs

Bill "An Act relating to a Consultant to Aid Farmers' Cooperatives" (H. P. 1012) (Presented by Mr. Hersey of Fort Fairfield)
(Ordered Printed)

Resolve Appropriating Moneys for Vocational Educational Institute in Androscoggin County (H. P. 1013) (Presented by Mr. Jalbert of Lewiston)

(Ordered Printed)

Sent up for concurrence.

Business Legislation

Bill "An Act relating to Licensing of Special Insurance Brokers" (H. P. 1014) (Presented by Mr. Wade of Auburn)
(Ordered Printed)
Sent up for concurrence.

Judiciary

Bill "An Act Relating to Publication of Legal Notices in Foreign Language Newspapers" (H. P. 1015) (Presented by Mr. Jacques of Lewiston)
(Ordered Printed)
Sent up for concurrence.

Legal Affairs

Bill "An Act relating to Police Department and Pension System for Employees of City of Westbrook" (H. P. 1016) (Presented by Mr. Davis of Westbrook)
(Ordered Printed)
Sent up for concurrence.

Taxation

Bill "An Act Providing for a Sales Tax Across the Board" (H. P. 1017) (Presented by Mr. Caswell of New Sharon)
(1,500 copies Ordered Printed)
Sent up for concurrence.

Towns and Counties Tabled

Bill "An Act Repealing Aroostook County Fire Marshal" (H. P. 1018) (Presented by Mr. Bragdon of Perham)

(On motion of Mr. Bragdon of Perham, tabled pending reference to any Committee and unassigned.)

On motion of Mr. Shepard of Stonington, it was

ORDERED, that Rev. David Dunkin of the First Baptist Church, Sedgwick, be invited to officiate as Chaplain of the House on Wednesday, April 10, 1957.

House Reports of Committees Leave to Withdraw

Mr. Jalbert from the Committee on Natural Resources on Bill "An Act to Authorize Construction and Maintenance of a Wharf in Long Lake at Naples by John Troup" (H. P. 567) (L. D. 877) reported Leave to Withdraw.

Mr. Morrill from same Committee reported same on Bill "An Act to Authorize the Construction and Maintenance of a Wharf in Long Lake at Naples by Marie H. Dockum" (H. P. 721) (L. D. 1024)

Reports were read and accepted and sent up for concurrence.

Ought Not to Pass

Mrs. Burnham from the Committee on Natural Resources reported "Ought not to pass" on Resolve Authorizing Attorney General to Investigate Title to Certain Island in B. Pond, Piscataquis County (H. P. 614) (L. D. 861)

Mr. Allen from the Committee on Transportation reported same on Bill "An Act relating to Mirrors on Certain Motor Vehicles" (H. P. 733) (L. D. 1037)

Reports were read and accepted and sent up for concurrence.

Ought to Pass Printed Bills

Mr. Browne from the Committee on Judiciary reported "Ought to pass" on Resolve Authorizing Arthur W. Bushey and Alice Bushey, both of Waterville, John Tibbetts, Archie Leeman and Oscar Bradstreet, all of Palermo, to Sue the State of Maine. (H. P. 612) (L. D. 859)

Mr. Hancock from same Committee reported same on Bill "An Act relating to Disorderly Conduct" (H. P. 611) (L. D. 858)

Mr. Tevanian from same Committee reported same on Bill "An Act relating to Delivery of Absent Voting and Physical Incapacity Voting Ballots" (H. P. 130) (L. D. 168) which was recommitted.

Mr. Bruce from the Committee on Legal Affairs reported same on Bill "An Act to Increase Borrowing Capacity of Town of Van Buren School District" (H. P. 691) (L. D. 978)

Mr. Quinn from same Committee reported same on Bill "An Act Amending the Charter of the City of Brewer" (H. P. 880) (L. D. 1248)

Mr. Heald from the Committee on Natural Resources reported same on Bill "An Act relating to Working on Trees" (H. P. 479) (L. D. 671)

Mr. Morrill from same Committee reported same on Bill "An Act

to Amend the Charter of the West Branch Driving and Reservoir Dam Company" (H. P. 785) (L. D. 1118)

Mr. Saunders from same Committee reported same on Resolve Authorizing a Right of Way for a Pipeline over Land of State School for Boys (H. P. 480) (L. D. 672)

Mr. Wade from the Committee on State Government reported same on Resolve Creating an Advisory Committee on Education (H. P. 727) (L. D. 1031)

Mr. Stilphen from the Committee on Transportation reported same on Bill "An Act relating to Binding of Logs, Lumber and Timber" (H. P. 762) (L. D. 1044)

Mr. Totman from same Committee reported same on Resolve Authorizing Aeronautics Commission to Determine State Needs for Airports (H. P. 688) (L. D. 977)

Reports were read and accepted, the Bills read twice, Resolves read once, and assigned the next legislative day.

Ought to Pass with Committee Amendment

Mr. Nadeau from the Committee on Highways on Resolve Designating East Deering Expressway as Charles J. Loring Jr. Memorial Highway (H. P. 805) (L. D. 1136) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Resolve read once.

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

COMMITTEE AMENDMENT "A" to H. P. 805, L. D. 1136, Resolve Designating East Deering Expressway as Charles J. Loring, Jr. Memorial Highway.

Amend said Resolve by inserting after the word "Expressway" in the 7th line the words and punctuation ', extending from the junction of Veranda Street to Tukey's Bridge.'

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

Mr. Cote from the Committee on Legal Affairs on Resolve Directing Boxing Commission to Change Decision on Rocky Marciano Case (H. P. 765) (L. D. 1047) reported "Ought to pass" as amended by Committee

Amendment "A" submitted therewith

Report was read and accepted and the Resolve read once.

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

COMMITTEE AMENDMENT "A" to H. P. 765, L. D. 1047, Resolve Directing Boxing Commission to Change Decision on Rocky Marciano Case.

Amend said Resolve by striking out the words "and directed" in the second line and inserting in place thereof the words 'at their discretion'.

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

Mrs. Smith from the Committee on Legal Affairs on Bill "An Act Amending the Charter of the City of Bath" (H. P. 836) (L. D. 1192) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Bill read twice.

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

COMMITTEE AMENDMENT "A" to H. P. 836, L. D. 1192, Bill, "An Act Amending the Charter of the City of Bath."

Amend said Bill by underlining the words "alphabetical order" in the seventh line of Sec. 4.

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

Divided Report Indefinitely Postponed

Majority Report of the Committee on Judiciary reporting "Ought not to pass" on Bill "An Act relating to Discontinued Schoolhouse Lots" (H. P. 362) (L. D. 492)

Report was signed by the following members:

Messrs. SILSBY of Hancock
WOODCOCK of Penobscot
BUTLER of Franklin
— of the Senate.

Messrs. BROWNE of Bangor
WALKER of Auburn
EARLES of South Portland
— of the House.

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

Report was signed by the following members:

Messrs. NEEDHAM of Orono
HANCOCK of York
BRODERICK of Portland
TEVANIAN of Portland
— of the House.

Reports were read.

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

Mr. BROWNE: Mr. Speaker, I move the acceptance of the Majority "Ought not to pass" Report, and would like to speak to the motion.

The SPEAKER: The gentleman from Bangor, Mr. Browne, moves the acceptance of the Majority "Ought not to pass" Report. The gentleman wishes to speak to the motion and may proceed.

Mr. BROWNE: Mr. Speaker and Ladies and Gentlemen of the House: I am opposed to this type of legislation and I believe for very valid reasons.

One of the basic fundamental concepts of the philosophies of our way of life is based upon the principle of individual ownership of the land. We do not rent it, we do not lease the land which we purchase, we own it. It is ours to do those things which we choose unless and until we interfere with the lawful rights of others.

Now this is a sacred right, an inviolate right, and we should not and we must not interfere with it unless in those very rare instances, when equity and justice require it, and I submit that this is not one of those instances.

The law—now I am speaking of the law which this would amend, the law which is presently on our statutes. The law which this bill would amend is concerned with the taking of land by condemnation proceedings for the specific purpose that it be used as a school house. Again, the law which this bill would amend, specifically limits such taking by requiring that if the land is abandoned for such use for a period of two years, upon demand, it reverts to the owner or his heirs.

Now what would this bill do? This bill, if passed, would do the follow-

ing: It would say regardless of the limited taking of this land, if it was abandoned after forty years of such use, it automatically becomes the property of a municipality. Now if any of you have had the experience of dealing with any governmental body under eminent domain, you recognize immediately that any technical limitations on the use of the land or any possibility of reverter are such matters which are taken into consideration to determine what is adequate consideration for the payment of that land. Now our law requires that no land can be taken under eminent domain without the payment of adequate and just consideration. Now what determines adequate and just consideration or compensation is determined as of the time of the taking having in mind the limitations surrounding that taking, any limited use that property may be used.

Now the proponents of this measure argue it would be more expedient if the towns had this right available to them. I submit that this is not a valid reason. How far would one wish to get into this? They will argue it would be more expedient if the municipalities owned all the land and we leased it and then if municipalities wanted additional areas or wanted to change locations it would be a relatively simple matter to move the tenant. Now the municipalities are not without rights or processes in this matter. If the owner or his heirs survive the use for which the land was taken under the law which it was taken, if they demand it they are entitled to its return. To hold otherwise is to take land without rights of due process. If the heirs are unknown or unascertained, the municipality has available the same process available to any individual who finds himself in similar circumstances with a cloud on his title. He may bring an action in law or a bill in equity to acquire title. The expense is nominal and would impose no hardship upon the municipalities, and we all know that if the land is needed by the municipalities and if someone appears and can prove his title, the municipality can reacquire the property.

I submit that what the proponents are attempting to do here is only a difference in degree and not in kind from taking one half a man's lot forty years ago, and now claiming title to the whole lot by virtue of the original taking. This bill proposes to do those things which are repugnant to our whole philosophy of title and ownership of land. We cannot take a portion of a man's land today and subsequently claim that by virtue of the original taking that we acquire the full interest in that land, nor can we justify a subsequent taking on the basis of expediency.

The SPEAKER: The motion before the House is the motion of the gentleman from Bangor, Mr. Browne, that the Majority "Ought not to pass" Report be accepted.

The Chair recognizes the gentleman from York, Mr. Hancock.

Mr. HANCOCK: Mr. Speaker, Ladies and Gentlemen of the House: I might preface my remarks by saying that I agree with my brother from Bangor, Mr. Browne, with regard to property rights. However, this particular statute and section and the amendment which this bill adds to it is simply, at least in my mind, more of a clarification as to what that city or town can do with the school house lot after a period of forty years.

Chapter 41, Section 15, I shall not read it, but it is headed: "School House Lots by Condemnation, Damages, Reversion to Owner". The reversion to owner is a specification to that section relating to after two successive years if the town does nothing with it it shall revert back to the owner. This is a situation where you have an old school house that has been there for well over forty years, and there are places I assume in Maine, and I believe the gentleman from Portland will tell you of his situation in Portland. After forty years you still have an old school house there, it has been abandoned, a new school house has been built. To attempt to find former owners of that property and the heirs of the same sometimes is almost impossible, and in the original taking by such condemnation proceedings, we must assume that a just and fair value was given by the very nature of the proceedings, whether

it is forty or fifty or a hundred years ago, and this bill would allow those towns to become the owners of that particular property and do with it what they will.

Now I see no unjustice in the particular amendment here, in the sense that the town, by its eminent domain proceedings acquires title to the property. The section of the two year reversion is still in the section that hasn't been touched. This is simply an addition, and I will read it: "When such property has been in use as a schoolhouse lot for a period of not less than 40 years, upon discontinuance of the schoolhouse use, said property shall not revert to the owner, his heirs or assigns, but shall be the property of the municipality in which it is located at the time of such discontinuance." And bear in mind also that this has nothing to do with property that is dedicated or deeded to the town for schoolhouse lots. Only when land is taken by condemnation proceedings, eminent domain, does this take effect, and I also might add that that is not the case in all such schoolhouse buildings. People have asked me, "Well, What's going to happen to this little schoolhouse in this town," it was given to the town or deeded to the town, there may be a reservation in that deed, and that shall pass by whatever the deed shall say. This relates only to eminent domain proceedings, and is purely a clarification as to what cities and towns may do. Therefore, I urge that you vote against the motion of the gentleman from Bangor, Mr. Browne.

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

Mr. BROWNE: Mr. Speaker, I request permission to address a question through the Chair to the gentleman from York, Mr. Hancock.

The SPEAKER: The gentleman may present his question.

Mr. BROWNE: I am wondering if I understood him correctly to say that the two year limitation was only in the instance that the lot wasn't put into use for a—wasn't actually put into use as a schoolhouse lot for the first two years? Is that his interpretation?

The SPEAKER: The gentleman from York, Mr. Hancock, may answer if he chooses.

Mr. HANCOCK: That was my interpretation and I am subject to correction, may I leave it?

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

Mr. BROWNE: Mr. Speaker, there is a case directly on point in 63 Maine, which says that the two year limitation applies only after the lot has been put into use and is then abandoned for two years. The case is cited after the section. This two year limitation is a limitation on the actual taking. You take the land, you pay for what interest you get knowing that if you abandon the land after—for a period of two years after it has been put into use, then the land reverts to the owner. This is one of the limitations under the taking. Now if they want to revise this law to take out the two year limitations to take the entire interest at one time, that is reasonable. But this is retroactive legislation, it would affect the lands which we have already taken and affects the rights of the individuals who are affected thereby.

The SPEAKER: The Chair recognizes the gentleman from Cape Elizabeth, Mr. Beyer.

Mr. BEYER: Mr. Speaker, I would like if possible to address a question to Mr. Browne if I may because I am a little bit confused.

I didn't realize that in the course of condemnation and the arrival of fair value, that any less amount was paid if you assume that the procedure of eminent domain is fair and that just compensation is arrived at. I always was under the impression that the fair value was paid for the land with no limitation on the fact it was going to be used for a school building, and that therefore, the owner received full value, and that it has been perhaps the thought of our laws here before that if the use was discontinued it would revert to the owners. But we have two such problems in my town where the lots are over two hundred years old, and I am quite sure it would be impossible to find the heirs in those cases, and although

of course we would try, we have tried, and been unable to do so. So in seconding the motion of the gentleman from York, Mr. Hancock, I would like to address a question to the gentleman from Bangor, Mr. Browne, which he may answer if he cares to. Why is any less paid, why are you taking one interest later, first, and then another interest later, whereas I always thought you paid the full value and of course contemplate that you keep it and use it forever providing it is always used for school purposes?

The SPEAKER: The gentleman from Bangor, Mr. Browne, may answer the question, but the Chair would remind the gentleman that he has already spoken twice to the bill, and if he is going to debate he must do so under unanimous consent and suspension of the rules.

Mr. BROWNE: Mr. Speaker, I will attempt to contain my remarks to answering the question.

The SPEAKER: The gentleman may proceed.

Mr. BROWNE: If I understand the question correctly, it is this: Your damages are determined as of the time of taking and that—but we assume that they get full value. These matters are all taken into consideration, any limitation on the use of the land, any limitations which you have or which you are retaining are taken into consideration in determining the price to be paid. These must be determined at one hearing or at the time of the actual taking. They cannot be any successive actions, and from experience, I know that municipalities are as interested under eminent domain in getting things as cheaply as possible, and it is logical for them to argue that these limitations should be considered in determining the consideration to be paid therefor. The possibility of reverter is a valuable interest.

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

Mr. CHILDS: Mr. Speaker, the gentleman from Bangor, Mr. Browne, made the remark that this would be retroactive legislation. I would like to inquire through the Chair to any member of the Judiciary Committee if they would con-

sider this retroactive legislation rather than an ex post facto law?

The SPEAKER: The gentleman from Portland, Mr. Childs, has addressed a question of any member of the Judiciary Committee. Any member of that Committee may answer if he so chooses.

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

Mr. BRODERICK: Mr. Speaker, I feel that the gentleman from Bangor, Mr. Browne, is aware that this bill is not retroactive and that it would be in violation of the due process clause. I am quite sure he is aware of that.

The SPEAKER: The Chair recognizes the gentleman from Etna, Mr. Carter.

Mr. CARTER: Mr. Speaker, I may be quite confused about this Bill, I know I am familiar with much of the school property in my area of several towns, they have been there for well over forty years and many of them are still occupied by schools now. They will still be occupied until and when consolidated schools are built. Now, I am wondering, I think it is perfectly ridiculous to attempt to find the heirs of the original owners because the property has changed hands several times.

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

Mr. CHILDS: Mr. Speaker, I believe that the gentleman from Portland, Mr. Broderick, answered the question in regard to what my opinion of the law is. I certainly would not consider this retroactive legislation, I certainly believe it would be an ex post facto law and would have no bearings on the rights of the people who now have any interest at all in schoolhouse property probably which had been purchased up until the time this became law.

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

Mr. BRODERICK: Mr. Speaker, in answer to Brother Childs it was my understanding that ex post facto laws apply only to criminal sanctions.

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

Mr. CALL: Mr. Speaker and Members of the House: I hope we don't ask for a division right off.

Mr. Broderick is the gentleman who presented the Bill and he must have had some purpose in doing so, and trying to follow the legal mind here I always have the assumption that if anybody owned a piece of property that was deeded to him, I am going along with it step by step if I can, and then it was taken from him by eminent domain by some town, the piece of property, if the piece of property was taken by the town and it wasn't in the deed when it was transferred to the town, it will be reassigned back to the heirs sometime in the future irregardless of the fact how many years or was it taken on a clear title. That is what I am trying to get so the Members will understand it. So after twenty years it automatically belongs to the town irregardless of any heirs as far as I can see, or am I wrong. That's what we would like to have you do to us laymen, explain it. Mr. Broderick must have had a purpose in this Bill, of which if he could bring up an example it would clarify the whole matter. Thank you.

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

Mr. QUINN: Mr. Speaker, Ladies and Gentlemen of the House: It is a basic rule of law in this case that when a piece of property is taken for public use by eminent domain it is taken for a particular use. It is also, no deeds are given, the property is taken ordinarily, there are no deeds, no titles conferred, the taking takes the title and takes the property for the use and the purposes for which it is to be used. It is also fundamental law in this State that when that use ceases that that land will revert to the owners or the heirs of the owners of that land. It is also basic law that no real property is at any time without an owner. Now, if the property was used for school purposes and had been taken from an owner for school purposes it is very probable that the owner at the time of the taking was interested in education, and in determining just compensation at the time it was taken took into consideration what the property was to be used for, and the chances are

that that entered into the just compensation that he received at the original taking.

Now, if it was taken for that public purpose, the purpose is no longer there, there is no reason in the world why the present law shouldn't take effect and that land go back to the former owner if he is living or to his heirs, or to the devisees under his will. There is no vacuum there, it goes back to somebody in interest, and when it does it goes back into the town as taxable property upon which the town can take income from in the form of taxation.

And therefore, I want to go along with the majority opinion of the attorneys who have considered the matter on the Judicial Committee, and support Mr. Browne in his motion that the "Ought not to pass" Report of that Committee be accepted. They have given a lot of consideration to this Bill, they have heard evidence, testimony and witnesses and brought back their Majority Report to this House. And I wish to support that Report.

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

Mr. BRODERICK: It may be helpful if I explain briefly how I happened to introduce this Bill.

There is a situation existing in Portland where there is a school house which has been abandoned as such, and the problem is in finding the heirs, they are not available, they are either dead or they are removed from the jurisdiction. The property is there and there is nothing you can do with it. And I believe proper to what my brother Mr. Browne said, this cannot be cured by a bill in equity, that merely begs the issue itself inasmuch as that would clear title, but only under the statute which once again says it reverts to the heirs. It clears nothing. Now, what to do with that property is the problem. I would want to further point out that this takes effect only after this property has been used for a period of forty years, and then subsequently it is discontinued for that use. And then the problem arises, where are the heirs, they cannot be found, and inasmuch as the property owner has received fair value in the first instance, and that fair value

has been paid by the taxpayers, that property we feel should belong to the taxpayers after forty years.

The Chair recognizes the gentleman from Belfast, Mr. Rollins.

Mr. ROLLINS: Mr. Speaker, I hate to inject my thoughts in among these lawyers, but as I look at that, if that property which the city now abandons could be excess to the heirs of whoever they took it from, and in a matter of eighteen months if the tax was not paid, they can take the property by a lien. So, I don't see any need for this law and I want to go along with the gentleman from Bangor, Mr. Browne.

The SPEAKER: The Chair recognizes the gentleman from Old Orchard Beach, Mr. Plante.

Mr. PLANTE: Mr. Speaker and Members of the House: Before a tax lien, either a direct tax lien or a more modern regular tax lien is put on, a notice must be given, and if there are no heirs to receive a notice then records will show that the legal sale of the property because of unpaid taxes, then the case is not proper. The owners of the land must receive a notice of the sale of the land for unpaid taxes.

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

Mr. TEVANIAN: Mr. Speaker, although I agree in general with what the opponents of this Bill have said, I wish to point out that this is not the normal situation that can be cleared up in a Court of Equity. And, I as an Attorney would be very reluctant to approve a title that has cleared in this manner. I believe that my colleagues from Bangor, Mr. Browne and Mr. Quinn, would agree with me. And, if the school house is discontinued after forty years and if the heirs cannot be located we have stopped the marketability of a piece of land and I am certain there would be very little improvement on it because attorneys as a general rule, or at least I, would never approve the title, and I would advise my client against making any improvements of any costly nature. I don't think that the title can be cured by a

bill in equity. This is different from the normal tax sale deed.

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

Mr. CALL: Mr. Speaker and Members of the House: Would I be out of order in asking for a ye and nay vote of the House whether they understand the Bill as it has now been presented to the House?

The SPEAKER: The Chair must rule in response to the question of the gentleman from Cumberland, Mr. Call, that his motion would be out of order at this time because there is a motion before the House at the moment under consideration.

The motion under consideration is the motion of the gentleman from Bangor, Mr. Browne, moving that the House accept the majority "Ought not to pass" Report.

The Chair recognizes the gentleman from Cape Elizabeth, Mr. Beyer.

Mr. BEYER: Mr. Speaker, I now feel that perhaps this Bill will not help already existing problems. In other words, those situations whereby lots have already been abandoned. In that case it wouldn't help my town and perhaps wouldn't help the problem of the gentleman from Portland, Mr. Broderick. In which case this Bill would only serve to help potential situations in the future. And, in that case, perhaps I would like a Member of the Judiciary Committee to correct me or confirm me whichever the case.

The SPEAKER: The gentleman from Cape Elizabeth, Mr. Beyer, requests information of any member of the Judiciary Committee or anyone else, any member of the Committee or anyone else who wishes to furnish this information.

Does the gentleman rise to answer the question?

Mr. BRODERICK: Yes.

The SPEAKER: The Chair would point out that the gentleman has already spoken twice to the question.

Mr. BRODERICK: I would just say that the gentleman from Cape Elizabeth is correct. This would correct the evil in the future.

The SPEAKER: The Chair recognizes the gentleman from Perham, Mr. Bragdon.

Mr. BRAGDON: Mr. Speaker, I am surprised to find that there was any question as to whether land could be acquired by a tax lien under the present method of sending a notice to the last known owner. I wonder if that wouldn't clear up some points.

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

Mr. CHILDS: Mr. Speaker and Members of the House: I realize and should realize and must realize that certainly the laymen of this House are somewhat confused on how they are going to vote on this, I certainly know that I am.

It certainly seems to me this is strictly a legal question and I should think the Committee themselves should determine whether this Bill should pass or should not pass and not ask the House to make a determination because it is strictly legal. I therefore move this matter be recommitted to the Judiciary Committee.

The SPEAKER: The motion now before the House is the motion of the gentleman, Mr. Childs, that the Report, Bill and all accompanying papers be recommitted to the Committee on Judiciary.

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

Mr. TOTMAN: Mr. Speaker, am I correct in assuming that this motion is debatable?

The SPEAKER: Yes, the Chair advises the gentleman it is debatable.

Mr. TOTMAN: I would like to point out to the gentleman from Portland, Mr. Childs, that while I am as anxious probably as any other member of the House to resolve this issue and pass on to additional business, it appears to me that the Judiciary Committee has already rendered a decision. In other words, a decision not split evenly but a substantial majority decision.

I personally feel very sincerely that they have given their thought to the Bill and now pass it out and I would at this point wish the House would not go along with the motion of the gentleman from Portland, Mr. Childs, and then I would then move the previous question.

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

Mr. FULLER: Mr. Speaker, I move that both Reports be indefinitely postponed.

The SPEAKER: The Chair hears the motion of the gentleman from South Portland, Mr. Fuller, but the motion of the gentleman from Portland, Mr. Childs, to recommit the document has precedence over the motion of the gentleman from South Portland, Mr. Fuller.

The motion still before the House is the motion of the gentleman from Portland, Mr. Childs, that the Bill and all accompanying papers be re-committed to the Committee on Judiciary.

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

Mr. TEVANIAN: Mr. Speaker, Ladies and Gentlemen of the House, I don't like to take issue with my colleague and good friend, Mr. Childs, but I don't think that this is a legal problem. The law is in the matter that I think we can all agree upon. It all boils down to a situation, shall the town have title after forty years use and then discontinue the lot as a school house? That is all that is here involved. I believe that members of the Judiciary Committee are in agreement on the law substantially, and that is all it boils down to. And, I for one feel that after forty years the town who has paid just and fair compensation in the original instance as they are charged to do by law, then they have a right to take title so that we can continue the marketability of real estate, otherwise we will have real estate the title of which is going to be in doubt for a long period of time. Thank you.

The SPEAKER: Is the House ready for the question?

The motion before the House is the motion of the gentleman from Portland, Mr. Childs, that Bill "An Act relating to Discontinued School-house Lots", House Paper 362, Legislative Document 492, shall be re-committed to the Judiciary Committee. Is this the pleasure of the House?

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

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

The SPEAKER: The motion before the House now is the motion of the gentleman from South Portland, Mr. Fuller, that this Bill and all accompanying papers shall be indefinitely postponed. Is this the pleasure of the House

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

A viva voce vote was taken.

The SPEAKER: The Chair is in doubt and orders a division.

Will those who favor the motion for the indefinite postponement of this matter please rise and remain standing until the monitors have made and returned the count.

The SPEAKER: The Chair recognizes the gentleman from Gouldsboro, Mr. Tarbox.

Mr. TARBOX: Mr. Speaker, they would like to have you tell them which way the question is we are standing up on now.

The SPEAKER: The Chair will restate the motion. The motion before the House is the motion of the gentleman from South Portland, Mr. Fuller, that this Bill and the Reports and all accompanying papers be indefinitely postponed.

Will those who favor this motion please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Sixty-three having voted in the affirmative and fifty-nine having voted in the negative the motion prevailed and the Bill and Reports with accompanying papers were indefinitely postponed and sent up for concurrence.

Divided Report Tabled and Assigned

Report "A" of the Committee on Judiciary reporting "Ought to pass" on Bill "An Act relating to the Appointment of Clerks of the Judicial Courts by the Chief Justice of the Supreme Judicial Court" (H. P. 322) (L. D. 439)

Report was signed by the following members:

Mr. SILSBY of Hancock
— of the Senate.

Messrs. BROWNE of Bangor
WALKER of Auburn

NEEDHAM of Orono
HANCOCK of York
— of the House.

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

Report was signed by the following members:

Messrs. BUTLER of Franklin
WOODCOCK of Penobscot
— of the Senate.

Messrs. TEVANIAN of Portland
BRODERICK of Portland
EARLES of South Portland
— of the House.

Reports were read.

(On motion of Mr. Emmons of Kennebunk, tabled pending acceptance of either Report and specially assigned for Tuesday, April 2.)

Divided Report Tabled and Assigned

Report "A" of the Committee on Judiciary on Bill "An Act relating to the Visible Indication of Elapsed Time on Parking Meters" (H. P. 361) (L. D. 491) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was signed by the following members:

Mr. SILSBY of Hancock
— of the Senate.

Messrs. BROWNE of Bangor
EARLES of South Portland
WALKER of Auburn
TEVANIAN of Portland
— of the House.

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

Report was signed by the following members:

Messrs. WOODCOCK of Penobscot
BUTLER of Franklin
— of the Senate.

Messrs. HANCOCK of York
NEEDHAM of Orono
BRODERICK of Portland
— of the House.

Reports were read.

The SPEAKER: The Chair recognizes the gentleman from Ellsworth, Mr. Brown.

Mr. BROWN: Mr. Speaker, I would like to lay item 21 on the table until next Wednesday.

The SPEAKER: The gentleman from Ellsworth, Mr. Brown, moves that item 21 be placed upon the table specially assigned for Wednesday of next week pending acceptance of either Report.

Will all those in favor of this motion please say aye; those opposed, no.

A viva voce vote being taken, the motion prevailed and the Reports with accompanying papers were so tabled.

Passed to Be Engrossed

Bill "An Act to Eliminate Inspection of Motorcycles" (H. P. 557) (L. D. 784)

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

Tabled

Bill "An Act relating to State Owned Automobiles for Liquor Inspectors" (H. P. 793) (L. D. 1126)

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

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

Mr. QUINN: Mr. Speaker, there is another item to be considered before the Legislature having to do with this matter, and I move at this time that this matter might be tabled.

The SPEAKER: The gentleman from Bangor, Mr. Quinn, moves that item two, Bill "An Act relating to State Owned Automobiles for Liquor Inspectors", be tabled unassigned pending third reading. Is this the pleasure of the House?

The motion prevailed and the Bill was so tabled.

Mr. FLYNN: Mr. Speaker?

The SPEAKER: For what purpose does the gentleman rise?

Mr. FLYNN: I don't know myself, Mr. Speaker. I thought you said Flynn but you said Quinn and I started talking but Mr. Quinn, the gentleman from Bangor, beat me. Is there any further action I can take at this time, Mr. Speaker?

The SPEAKER: The Chair will rule that there is nothing further the gentleman may do at the moment since the bill was tabled by the gentleman from Bangor, Mr.

Quinn, and must be taken from the table by the gentleman from Bangor, Mr. Quinn.

Bill "An Act relating to Fees of the Attorney General" (H. P. 823) (L. D. 1166)

Bill "An Act relating to Restoration to Service under State Retirement System" (H. P. 858) (L. D. 1221)

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

Tabled and Assigned

Bill "An Act relating to Splash Guards for Motor Trucks" (H. P. 1010) (L. D. 1414)

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

(On motion of Mr. Edwards of Raymond, tabled pending third reading and specially assigned for Wednesday, April 3.)

Amended Bills

Bill "An Act to Incorporate the Town of Jackman" (H. P. 60) (L. D. 64)

Bill "An Act to Incorporate the Town of Moose River" (H. P. 61) (L. D. 63)

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.

Passed to Be Enacted Emergency Measure

An Act Defining Dependent Child in Aid to Dependent Children (H. P. 649) (L. D. 915)

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

Emergency Measure

An Act to Incorporate the Town of Fairfield School District (H. P. 663) (L. D. 944)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a division was had, 123 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Passed to Be Enacted

An Act Repealing the Merit Award Board (S. P. 24) (L. D. 15)

An Act relating to Establishment of Game Management Areas (S. P. 192) (L. D. 538)

An Act relating to Branding of Potatoes (S. P. 273) (L. D. 731)

An Act relating to Open Season on Muskrat in Parts of Oxford County (H. P. 208) (L. D. 292)

An Act relating to Depositions in Probate Courts (H. P. 279) (L. D. 375)

An Act relating to Payment of Premium of Insurance Policies under Franchise Plan (H. P. 591) (L. D. 840)

An Act relating to Old Age Assistance (H. P. 673) (L. D. 954)

An Act relating to Applications for Aid to the Disabled (H. P. 674) (L. D. 955)

An Act relating to Coercion in Placing Insurance on Real and Personal Property (H. P. 678) (L. D. 967)

An Act relating to Par Value of Trust Company Stock (H. P. 699) (L. D. 1006)

Finally Passed

Resolve Reimbursing Knox County for Certain Court Expenses (S. P. 338) (L. D. 918)

Resolve Reimbursing Knox County General Hospital for Certain Aid (S. P. 339) (L. D. 917)

Resolve to Reimburse Town of Whiting, Washington County (S. P. 459) (L. D. 1259)

Resolve Regulating Fishing in West Branch Ponds and Tributaries, Piscataquis County (H. P. 275) (L. D. 371)

Resolve in favor of Alvin W. Coss of Bath (H. P. 533) (L. D. 1271)

Resolve to Reimburse Wilson C. Ryder of Dresden (H. P. 704) (L. D. 1272)

Resolve in favor of Everett L. Scott of Calais (H. P. 809) (L. D. 1274)

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

Orders of the Day

The SPEAKER: Under Orders of the Day the Chair lays before the House the first tabled and today assigned matter, Resolve Regulating Fishing in Magalloway River and its Tributaries, Oxford County, House Paper 49, Legislative Document 75, tabled March 21 by the gentleman from Bethel, Mr. Saunders, pending further consideration. (In the Senate the Minority Report "Ought not to pass" was accepted) (In the House the Majority Report "Ought to pass" was accepted and the Resolve passed to be engrossed)

The Chair recognizes the gentleman from Bethel, Mr. Saunders.

Mr. SAUNDERS: Mr. Speaker, Ladies and Gentlemen of the House: Because this Resolve is one of several which seem to be controversial between the House and the Senate, and because of the action I am going to ask, I should like to make a very brief explanation.

This Resolve concerns fly fishing and the limits of fish in the Magalloway River, and the part that seems to be in disagreement is that fishing is to be restricted to one fish per day from September 1 to September 30. Under the general law fishing is allowed on all rivers up to September 15 and would let anyone catch their limit up to that date. Therefore, in setting a one fish per day law, we felt that it was a conservation measure and would conserve our fishing. This was discussed with the Fish and Game Department and hearings were held without any opposition. A majority Report of eight to two was passed and accepted in this House, but was not accepted in the Senate.

These are the simple facts concerning this matter. And, because I am going to make a motion to recede and concur with the Senate for other reasons which I do not want to take your time to discuss, I felt

that a thorough explanation was necessary to clear this subject in your minds. I therefore now make the motion to recede and concur.

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

The motion prevailed.

The SPEAKER: Under Orders of the Day the Chair lays before the House the second tabled and today assigned matter, Bill "An Act to Provide Additional Revenue by Severance Taxes on Severer of Timber or Producer of Timber Products", House Paper 975, Legislative Document 1377, tabled on March 21 by the gentleman from Milo, Mr. Brockway, pending reference and the printing of 1250 copies was ordered.

The Chair recognizes the gentleman from Milo, Mr. Brockway.

Mr. BROCKWAY: Mr. Speaker and Members of the House: I have looked this Bill over considerably since I tabled it, and I find that it does just as the title says, "An Act to Provide Additional Revenue by Severance Tax." The severance tax would be a tax paid on lumber when it is cut from the land. This would be—I believe the Bill calls for \$1.60 per cord on pulpwood, and \$.20 per thousand feet on logs.

I would like to point out to this House that a thousand feet of logs contains approximately two cords, so there is a very great inconsistency there. Also, I would like to point out that this would be an extra tax, it would be double taxation. The landowners are already paying, to the best of my knowledge, from \$.25 to \$1.00 per year per acre, and most of the land is cut approximately every thirty or forty years, not any less than that if it is cut hard, and therefore during that period the landowner would be paying between \$10 and \$40 an acre on the land, which is all the taxation that wild land can stand. There is also a provision in this Bill that this lumber must be scaled green with the bark on at the time of severance from the land. That would be almost an impossibility. A good many operators, a great percentage of our pulpwood is sap peeled in the spring, sawed up and piled. It would

be very hard for the provisions of this Act to be carried out. I see no way of carrying them out without first sawing and peeling, then tearing the pile down, then peeling it and piling it up again.

In view of these facts, I had no intention of doing this when I tabled it or I wouldn't have asked for a printing, but in view of these facts I move for indefinite postponement.

The SPEAKER: The gentleman from Milo, Mr. Brockway, moves the indefinite postponement of Bill "An Act to Provide Additional Revenue by Severance Taxes on Severer of Timber or Producer of Timber Products".

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

Mr. TOTMAN: Mr. Speaker, I do not believe that I wish to comment on the contents or the merits of the Bill, but as to the motion to prevent a member of this House from having a Bill receive public hearing, I think it is a matter of both courtesy and a matter of legislative procedure, it would be unfortunate not to at least have a Bill heard and have the arguments presented in the hearing, and I move that the motion does not prevail.

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

Mr. HENDSBEE: Mr. Speaker and Members of the House: I think if we will stop and look this Bill over we can very well remember that the pulp and paper industry is our oldest and most substantial industry in our State today. If you will notice \$1.60 on a cord of wood, you don't have to be a mathematician to figure out how much it would cost a large concern using two thousand cords of wood a day.

Also, by a strange quirk of fate possibly, the mill in the town where the gentleman from Madawaska, Mr. Rowe, lives does not use any pulpwood, they use ground wood pumped in from another source.

Now, I present to you Ladies and Gentlemen, that the Canadian mills are our strongest competitors in the pulp and paper industry in which I am employed, and it gives them a very, very unfair advantage in

the competitive market to our mills in Maine. And, I repeat again, it is one of our oldest and strongest sources of revenue here in Maine, they employ more people and they have done a lot of good. If you don't think I know about that go up to East Millinocket and see what is going on up there, all the houses being built and all that kind of thing, all being subsidized by the Great Northern Paper Company. I would like to go along with Mr. Brockway, the gentleman from Milo, on his motion that this Bill be indefinitely postponed.

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

Miss CORMIER: Mr. Speaker and Members of the House: I too come from a pulp and paper town and I would hesitate very much to do anything that would harm them, but I think that there definitely is a principle involved here, and I think that we would be very remiss if we establish a precedent and prevent any Member of this Legislature to introduce a bill. It has been introduced under the proper procedure, and it should be referred to committee. It should have its right to have its hearing. The opponents or the proponents have their right to appear at the hearing and speak for or against the bill. But I would certainly hesitate to be a Member of this House and prevent this action from going through its democratic procedure. (Applause)

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

Mr. WILLIAMS: Mr. Speaker, I would like to second what the gentleman from Rumford, Miss Cormier, just said. I think every member should have a right to a hearing.

The SPEAKER: Is the House ready for the question?

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

Mr. TEVANIAN: Mr. Speaker, I would request through the Chair that we inquire of the parliamentarian whether the motion before the House is in order.

The SPEAKER: The Chair has just been advised that there is no parliamentarian.

The motion before the House as the Chair understands it is the motion of the gentleman from Milo, Mr. Brockway, that this Bill and accompanying papers be indefinitely postponed.

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

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

Thereupon, on motion of Mr. Rowe of Madawaska, Bill "An Act to Provide Additional Revenue by Severance Taxes on Severer of Timber or Producer of Timber Products" House Paper 975, Legislative Document 1377, was referred to the Committee on Taxation and sent up for concurrence.

The SPEAKER: Under Orders of the Day the Chair now lays before the House the third tabled and today assigned matter, An Act relating to Registration Fees on Certain Commercial Vehicles, Senate Paper 25, Legislative Document 16, tabled on March 21 by Mr. Totman of Bangor, pending the motion of the gentleman from Cumberland, Mr. Call, to reconsider passage to be engrossed.

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

Mr. TOTMAN: Mr. Speaker, with the concurrence of the respective House and Senate Chairmen of the Committee on Transportation, I now move this Bill be recommitted to the Committee.

The SPEAKER: The Chair must rule that the motion of the gentleman from Bangor, Mr. Totman, is not in order, as the pending motion is the motion of the gentleman from Cumberland, Mr. Call, that the House reconsider its action whereby this Bill was passed to be engrossed.

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

Mr. CALL: Mr. Speaker, I concur with the gentleman from Bangor, Mr. Totman, and move that this Bill be recommitted to the Committee on Transportation.

The SPEAKER: The Chair must rule that the motion before the House is the motion to reconsider passage to be engrossed, and until that motion is dispensed with no other motion can be entertained.

The Chair is advised that you cannot recommit an engrossed bill. We must reconsider our action whereby it was passed to be engrossed.

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

Mr. CALL: Mr. Speaker, I will ask the House to reconsider it.

The SPEAKER: The motion before the House is the motion of the gentleman from Cumberland, Mr. Call, that the House, under suspension of the rules, reconsider its action whereby An Act relating to Registration Fees on Certain Commercial Vehicles was passed to be engrossed. Is it the pleasure of the House that this action be reconsidered?

The motion prevailed.

The SPEAKER: The motion now before the House is the motion of the gentleman from Bangor, Mr. Totman, that this Bill be recommitted to the Transportation Committee. Is this the pleasure of the House?

The motion prevailed and the Bill (S. P. 25) (L. D. 16) was recommitted to the Transportation Committee and sent up for concurrence.

The SPEAKER: Under Orders of the Day the Chair now lays before the House the fourth tabled and today assigned matter, Bill "An Act to Repeal Incorporation of Bridgton Centre Village Corporation and Incorporating Bridgton Water District", House Paper 324, Legislative Document 441, tabled on March 26 by the gentleman from Bridgton, Mr. Haughn, pending passage to be engrossed, and the Chair recognizes that gentleman.

Mr. HAUGHN: Mr. Speaker, first I would like to ask through the Chair if we accepted the Senate Amendment.

The SPEAKER: The Chair is advised that the House did adopt Committee Amendment "A", but did not adopt Senate Amendment "A".

Mr. HAUGHN: Mr. Speaker, I would now move we adopt Senate Amendment "A" and then I have another House Amendment.

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

SENATE AMENDMENT "A" to H. P. 324, L. D. 441, Bill, "An Act to Repeal Incorporation of Bridgton Centre Village Corporation and In-

corporating Bridgton Water District."

Amend said Bill by striking out at the end of the next to the last paragraph of the Emergency clause, the punctuation and words, ", excluding absentee and disability ballots"

Senate Amendment "A" was adopted in concurrence.

The SPEAKER: The Chair recognizes the same gentleman.

Mr. HAUGHN: Mr. Speaker, I now offer House Amendment "A" and move its adoption.

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

HOUSE AMENDMENT "A" to H. P. 324, L. D. 441, Bill, "An Act to Repeal Incorporation of Bridgton Centre Village Corporation and Incorporating Bridgton Water District."

Amend said Bill by striking out the period after the word "same" at the end of the first sentence of Sec. 10 thereof and by substituting a comma in place thereof, and by changing the first word of the next following sentence from "The" to 'the'.

Further amend said Bill by striking out Sec. 15 thereof and substituting in place thereof the following:

Sec. 15. Rights conferred subject to existing provisions of law. All the rights and duties mentioned in said sections 4 to 14, inclusive, shall be exercised and performed in accordance with all the applicable provisions of chapter 44 of the Revised Statutes of 1954 and all acts amendatory thereof or additional thereto.'

Further amend said Bill by striking out the words "a regular meeting" in the first sentence of the referendum clause thereof and by substituting in place thereof the words 'regular meetings thereof'.

House Amendment "A" was adopted, and the Bill was passed to be engrossed in nonconcurrence as amended and sent to the Senate.

The SPEAKER: Under Orders of the Day the Chair now lays before the House Item 5 under tabled and today assigned matters, An Act relating to Payment of Wages in Logging and Lumbering Operations and Vacation Pay, Senate Paper 161, Legislative Document 408, tabled March 26 by the gentleman from

Bowdoinham, Mr. Curtis, pending passage to be enacted, and the Chair recognizes that gentleman.

Thereupon, on motion of Mr. Curtis of Bowdoinham, the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

The SPEAKER: Under Orders of the Day the Chair now lays before the House the sixth tabled and today assigned matter, An Act relating to Motor Vehicles Emerging from Alley, Driveway or Building, House Paper 633, Legislative Document 748, tabled on March 27 by the gentleman from Perham, Mr. Bragdon, pending passage to be enacted, and the Chair recognizes that gentleman.

Mr. BRAGDON: Mr. Speaker, I notice the absence of the gentleman from Bangor, Mr. Quinn, and inasmuch as he has an amendment which is mentioned as House Amendment "A" I am ready to present my amendment but I am in doubt as to whether I should proceed or whether to ask to have this retabled in view of the fact that there is another amendment.

The SPEAKER: The Chair would suggest retabling it.

Mr. BRAGDON: I would move retabling it until Tuesday.

The SPEAKER: The gentleman from Perham, Mr. Bragdon, now moves that this item be retabled until Tuesday of next week pending passage to be enacted. Is this the pleasure of the House?

The motion prevailed.

The SPEAKER: The Chair now lays before the House the seventh tabled and today assigned matter, Bill "An Act relating to Retirement Benefits for Members of City of Portland Police and Fire Departments", Senate Paper 179, Legislative Document 458, tabled on March 27 by the gentleman from Portland, Mr. Tevanian, and the Chair recognizes that gentleman.

Thereupon, on motion of Mr. Tevanian of Portland, the Bill, having had its three several readings in the House and the Committee on Bills in the Third Reading having reported that no further verbal amendments were necessary, was passed to be engrossed and sent to the Senate.

The SPEAKER: Under Orders of the Day the Chair now lays before the House the eighth tabled and today assigned matter, House Order relative to the Use of Hall of the House for Committee on Business Legislation April 2, tabled on March 27 by the gentleman from Bangor, Mr. Totman, pending passage.

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

Mr. WADE: Mr. Speaker and Members of the House: As you probably all know I am House Chairman of Business Legislation. On next Tuesday we have a hearing on the so-called Savings Bank Life Insurance Bill. It will probably be the largest Bill that will come before our Committee. I am as anxious as anyone that this Bill have a good hearing. However, I do not favor this motion because although a large crowd is expected, it is very difficult to figure out how large it will be, and I have no reason to believe that it will be any larger than the crowds that have turned out for the hearings on milk, pollution, education and other things. So, I am not in favor of this Resolve.

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

Mr. HAUGHN: Mr. Speaker, this morning I had an occasion to attend the hearing in the new building on State Government, and I sat roughly fifteen rows back in that hall and I could hear absolutely nothing on the Bill. And there were numerous other legislators who were present with us. We moved up within seven rows of the table where the Committee was sitting to hear the Bill, we still could vaguely hear.

Now, if they would assure me they would put a sound system there, a speaker system there, I don't believe there would be any objection to the use of that hall. But if they have it under the conditions they had it today it would not be fair to the legislators, fair to the public or the Committee in general. So, if those assurances were met I would have no objection to going to that place, otherwise I would hold for a vote on the use of this hall.

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

Mr. TOTMAN: Mr. Speaker and Members of the House: After attempting to check into the various conditions surrounding this hearing we were able to satisfy the seating requirements, but I think in fairness to the gentleman from Bridgton, Mr. Haughn, the Superintendent of Buildings is not available today to check on the loud speaker system. Consequently I would recommend that this matter be left that if we are able to properly have loud speaker equipment in the room that the House not be used. However, and this will be ascertained today before we leave Augusta, if we cannot secure sound equipment I would recommend the use of the House.

The SPEAKER: Did the gentleman make a motion?

Mr. TOTMAN: Mr. Speaker, I would move that this Order be indefinitely postponed.

The SPEAKER: The gentleman from Bangor, Mr. Totman, moves the indefinite postponement of the House Order relative to the Use of Hall of the House for Committee on Business Legislation April 2. Is this the pleasure of the House?

The motion prevailed.

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

Mr. CHILDS: Mr. Speaker, through the Chair I would like to inquire of the Clerk if he has in his possession House Paper 1004, which is a Bill "An Act Permitting Voluntary Admissions and Discharges at Pownal State School."

The SPEAKER: The Chair is advised that that document is in possession of the House.

Mr. CHILDS: Mr. Speaker, I now move that we reconsider our action whereby this matter was referred to the Committee on Public Health.

The SPEAKER: The gentleman from Portland, Mr. Childs, now moves that the House reconsider its action whereby the Bill "An Act Permitting Voluntary Admissions and Discharges at Pownal State School" was referred to the Committee on Public Health. Is there objection to the House reconsidering that action? The Chair hears none.

The motion prevailed.

The SPEAKER: The gentleman may proceed.

Mr. CHILDS: Mr. Speaker, I now move that this matter be referred to the Committee on Judiciary.

The SPEAKER: The gentleman from Portland, Mr. Childs, moves that Bill "An Act Permitting Voluntary Admissions and Discharges at Pownal State School" be referred to the Committee on Judiciary, be

printed and sent up for concurrence. Is this the pleasure of the House?

The motion prevailed.

(Off record remarks)

On motion of Mr. Farmer of Wiscasset,

Adjourned until Tuesday, April 2, at ten o'clock in the morning.