

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Ninety-Eighth Legislature

OF THE

STATE OF MAINE

VOLUME I

1957

DAILY KENNEBEC JOURNAL
AUGUSTA, MAINE

HOUSE

Wednesday, April 24, 1957

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

Prayer by the Rev. Mr. George S. Boville of the First Congregational Church, Ellsworth.

The journal of the previous session was read and approved.

Order Out of Order

Under suspension of the rules and out of order, on motion of Mr. Couture of Lewiston, it was

ORDERED, that the following be appointed Honorary Pages for today, this being Androscoggin Day at the Legislature:

Rolande Capen — Edward Little Majorette

Anita Beaulieu — Lewiston High Majorette

Estelle Cote — St. Dominic Majorette

At this point, the Misses Rolande Capen, Anita Beaulieu and Estelle Cote were escorted to the well of the Hall of the House by the Sergeant-at-Arms.

Papers from the Senate Referred to Next Legislature

From the Senate:

Resolve Authorizing Aeronautics Commission to Conduct an Augusta-Waterville Airport Survey (S. P. 536) (L. D. 1509)

Came from the Senate received by unanimous consent and referred to the Committee on Appropriations and Financial Affairs.

In the House, the unanimous consent was refused and the Resolve referred to the next Legislature.

Senate Reports of Committees Leave to Withdraw

Report of the Committee on Inland Fisheries and Game on Bill "An Act relating to Definition of Beaver Dams" (S. P. 42) (L. D. 58) which was recommitted, reporting Leave to Withdraw, as it is covered by other legislation.

Report of same Committee reporting same on Bill "An Act relating to Closed Season on Deer in Hancock and Washington Counties" (S. P. 446) (L. D. 1263)

Report of the Committee on State Government reporting same on Bill "An Act Revising and Relating to State Personnel Laws" (S. P. 504) (L. D. 1417)

Came from the Senate read and passed.

In the House, the Reports were read and accepted in concurrence.

Ought Not to Pass

Report of the Committee on Inland Fisheries and Game reporting "Ought not to pass" on Bill "An Act relating to Closed Time on Deer in Certain Counties" (S. P. 281) (L. D. 740)

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 Agriculture on Bill "An Act relating to Grading, Packing and Advertising Apples" (S. P. 113) (L. D. 277) reporting same in a new draft (S. P. 532) (L. D. 1502) under same title and that it "Ought to pass"

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

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

Ought to Pass

Report of the Committee on Public Utilities reporting "Ought to pass" on Bill "An Act relating to Application for Permits to Operate Motor Vehicles for Profit" (S. P. 309) (L. D. 805)

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

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

Referred to Committee on State Government

Report of the Committee on State Government, acting by authority of Joint Order (S. P. 61) reporting a Bill (S. P. 534) (L. D. 1505) under title of "An Act to Create a State Committee on Mental Health" and

that it be referred to the Committee on State Government.

Report of same Committee, acting by authority of Joint Order (S. P. 61) reporting a Bill (S. P. 535) (L. D. 1506) under title of "An Act Transferring School for the Deaf from Department of Institutional Service to Department of Education" and that it be referred to the Committee on State Government.

Report of same Committee, acting by authority of Joint Order (S. P. 61) reporting a Bill (S. P. 537) (L. D. 1507) under title of "An Act Authorizing Governor and Council to Sell or Lease State Property" and that it be referred to the Committee on State Government.

Report of same Committee, acting by authority of Joint Order (S. P. 61) reporting a Bill (S. P. 538) (L. D. 1508) under title of "An Act relating to Construction of a Building for Maine Employment Security Commission" and that it be referred to the Committee on State Government.

Came from the Senate with the Reports read and accepted and the Bills referred to the Committee on State Government.

Reports were read and accepted in concurrence and the Bills referred to the Committee on State Government in concurrence.

Ought to Pass with Committee Amendment

Report of the Committee on Agriculture on Bill "An Act Creating the Maine Weights and Measures Law" (S. P. 274) (L. D. 732) 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. 274, L. D. 732, Bill, "An Act Creating the Maine Weights and Measures Law."

Amend said Bill in Section 1 by striking out the last 8 lines of the 1st paragraph of the part designat-

ed "Sec. 24" and inserting in place thereof the following underlined words, figures and punctuation:

'milk bottles, each 1 cent; for fabric measuring devices, 25 cents; taxi cab meters, \$1; motor fuel retail pump meters, \$1; motor fuel and fuel oil vehicle meters, \$3; wholesale motor fuel and fuel oil meters, \$5; vehicle tanks, \$1 for the first 100 gallons and 50 cents for each additional 100 gallons or fractional part thereof, provided, however, that no testing of such vehicle tanks shall be made by less than a 100 gallon test measure; for adjusting fuel meters, \$2; for adjusting retail motor fuel pump meters, 50 cents; for adjusting large capacity scales, \$4.'

Further amend said Bill in Section 1 by striking all of that part designated "Sec. 30" and inserting in place thereof the following underlined section:

"Sec. 30. Sale by weight. The word "weight" as used in this chapter shall mean net weight, except as otherwise provided in this section. Whenever any commodity is sold on the basis of weight, the net weight of such commodity shall be employed, and all contracts and documents concerning such commodity shall be so construed, except as otherwise provided in this section. Notwithstanding anything to the contrary contained anywhere in this chapter, rope, twine and cordage may be marked and sold on a gross weight basis and all contracts and documents relating to the marking or sale of any of such commodities shall be construed to be upon such basis, unless a contrary intent clearly appears. Notwithstanding anything to the contrary contained anywhere in this chapter, wrapped paper rolls, paper rolls on nonreturnable cores and wrapped bundles of paper may be marked and sold on a gross weight basis and sheeted paper may be marked and sold on a specified ream weight basis and all contracts and documents relating to the marking or sale of any of such commodities shall be construed accordingly unless a contrary intent clearly appears, except that none of such commodities shall be so sold at retail, or so marked for sale at retail, if such sale or mark-

ing is contrary to such reasonable regulations consistent with trade practices in the paper industry as the State Sealer may from time to time issue.'

Further amend said Bill in Section 1 by inserting in the first line of that part designated "Sec. 39" after the underlined word "unlawful" the underlined words and punctuation 'for any jobber, wholesaler or retailer'

Further amend said Bill in Section 1 by striking out the underlined word "net" in the 3rd line from the end of that part designated "Sec. 39"

Further amend said Bill by striking out the single quotation mark at the end of Section 1 and by adding at the end of Section 1 the following underlined section:

"Sec. 62. Exclusion. Sales of any commodities by the manufacturers thereof under written purchase orders or contracts which clearly stipulate the weight or unit measure or other basis upon which the selling price is based, or which fix the selling price pursuant to established trade practices or customs in the industry, may be made in accordance with the provisions of such purchase orders or contracts notwithstanding any of the provisions of sections 25 to 30, inclusive."

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

Placed on File

Report of the Committee on Judiciary on Report of the Judicial Council of the State of Maine (S. P. 22) recommending that it be placed on file.

Came from the Senate with the Report of the Committee read and accepted and the Report of the Judicial Council of Maine placed on file.

In the House, the Report of the Committee was read and accepted in concurrence and the Report of the Judicial Council of Maine placed on file in concurrence.

Non-Concurrent Matter

An Act Creating the Town of Milbridge School District (S. P. 420) (L. D. 1179) which was passed to be enacted in the House on April

9 and passed to be engrossed on April 4.

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

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

The SPEAKER: At this time the Chair would like to recognize the presence in the gallery of the House of the senior and junior classes of Richmond High School accompanied by the Principal, Mr. Maloney, and teacher, Mr. Anderson.

And also the presence in the gallery of the House of twenty-seven eighth grade pupils from the Riverside School in Livermore accompanied by Principal, Mr. Keylor, and Mrs. Forbes. On behalf of the House the Chair extends to you ladies and gentlemen a most cordial and hearty welcome and we hope you will enjoy your visit with us today. (Applause)

Messages and Documents

The SPEAKER: Unless there is objection, the Clerk will read a letter which he has received and which does not appear on the printed calendar. The Clerk will proceed.

The following Communication was read by the Clerk as follows:

UNITED STATES SENATE COMMITTEE ON ARMED SERVICES

April 22, 1957

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

Dear Mr. Pease:

I am most appreciative of the action of the Maine House of Representatives in memorializing my bill, S. 314. This will greatly strengthen my efforts to get the bill passed. Will you please convey to the members of the House of Representatives my deep appreciation.

Sincerely yours,

(Signed) MARGARET SMITH
Margaret Chase Smith,
U.S.S.

The Communication was read and ordered placed on file.

Orders

On motion of the gentlewoman from Patten, Mrs. Harrington, House Rule 25 was suspended for the remainder of today's session in order to permit smoking.

Mr. Totman of Bangor presented the following Order and moved its passage:

ORDERED, that under Orders of the Day, on Tuesday, Wednesday and Thursday of each week, after Special Orders, Unfinished Business and Specially Assigned Matters for that day have been disposed of, Unassigned Matters on the Table that are not taken up on motion, shall be taken from the Table and laid before the House by the Speaker in the order in which they appear on the calendar so far as time permits.

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

Mr. TOTMAN: Mr. Speaker, this is not an order without precedent. It has been introduced toward the end of the session regularly at each legislative session.

It is the intent of those of us who are concerned with the orderly procedure of legislation to have this vehicle at your disposal, because it is the right of the House to accept or reject the order, whenever it appears that we are not availing ourselves of time, to take up for debate some of the sixty-seven odd presently tabled unassigned matters. For those of you who may not have understood the full impact of the order, and I might assure you right now, that this order will be reproduced and you will have a chance to study it before it is suggested it become effective. The order in essence states that at some future date when it is apparent that we are not reducing our list of unassigned matters on the table, the Speaker may, time permitting, take up in order starting with number one those bills that are tabled and unassigned. It goes without saying, perhaps, that if a Member wishes to, and I would make the suggestion, that if he still feels that there is other legislation that he can name by title and L. D. that is tied in, or if there is an appropriation that must

be decided before the bill can pass, I am certain that if he makes that explanation before he makes his tabling motion, the House will undoubtedly respect his request.

However, this order, when it is put into effect at some future date, presuming the House wants us to advance business, will enable us to try to reduce this long list of sixty-seven tabled items.

I now make the motion, Mr. Speaker, that this order lie on the table unassigned and be reproduced.

The SPEAKER: The motion before the House is the motion of the gentleman from Bangor, Mr. Totman, that the order which the Clerk has just read shall be tabled unassigned and that it be reproduced and distributed to the desks of the Members. Is this the pleasure of the House?

The motion prevailed.

On motion of Mr. Rankin of Southport, it was

ORDERED, that Rev. Earl R. Eckerson, Pastor of the Congregational Church of South Bristol and Bremen, be invited to officiate as Chaplain of the House on Wednesday, May 1, 1957.

The SPEAKER: At this time the Speaker would request the Sergeant-at-Arms to escort to the rostrum the gentleman from Buxton, Mr. Bruce, to serve as Speaker pro tem.

Thereupon, Mr. Bruce assumed the Chair as Speaker pro tem amid the applause of the House and Speaker Edgar retired from the Hall.

House Reports of Committees Leave to Withdraw

Mr. Childs from the Committee on Legal Affairs on Bill "An Act Revising Law Relating to Licensing of Electricians" (H. P. 476) (L. D. 668) reported Leave to Withdraw.

Mr. Brewster from the Committee on Sea and Shore Fisheries reported same on Bill "An Act relating to Sale of Lobster Meat" (H. P. 166) (L. D. 213)

Mr. Ervin from the Committee on Towns and Counties reported same on Bill "An Act relating to the Closing of County Offices on Saturdays"

(H. P. 825) (L. D. 1168), as it is covered by other legislation.

Reports were read and accepted and sent up for concurrence.

Ought Not to Pass

Mr. Carter from the Committee on Highways reported "Ought not to pass" on Resolve for Construction of a Certain Road in Knox County (H. P. 896) (L. D. 1282)

Report was read and accepted and sent up for concurrence.

Tabled and Assigned

Mr. Elwell from the Committee on Highways reported "Ought not to pass" on Resolve for Construction of Route No. 186, Hancock County (H. P. 811) (L. D. 1153)

Report was read.

(On motion of Mr. Tarbox of Gouldsboro, tabled pending acceptance of Committee Report and specially assigned for Wednesday, May 1.)

Mr. Turner from the Committee on Highways reported "Ought not to pass" on Resolve for Construction of Route No. 129 in Lincoln County (H. P. 640) (L. D. 907)

Report was read.

(On motion of Mr. Rankin of Southport, Report was accepted and sent up for concurrence.)

Mr. Childs from the Committee on Legal Affairs reported "Ought not to pass" on Bill "An Act relating to Operation and Exemptions of Certain Boilers and Unfired Steam Pressure Vessels" (H. P. 1001) (L. D. 1429), as it is covered by other legislation.

Mr. Miller from the Committee on Sea and Shore Fisheries reported same on Bill "An Act relating to Licensing for Interstate Transportation of Lobsters" (H. P. 391) (L. D. 522)

Same gentleman from same Committee reported same on Bill "An Act Prohibiting Fishing by Trawlers in Sheepscot Bay" (H. P. 1005) (L. D. 1431)

Mr. Ervin from the Committee on Towns and Counties reported same on Bill "An Act relating to Payment of Expenses of Lewiston Municipal Court" (H. P. 152) (L. D. 190)

Same gentleman from same Committee reported same on Bill "An Act Creating County Offices of Assessment and Mapping" (H. P. 1007) (L. D. 1433)

Mr. Hendsbee from same Committee reported same on Bill "An Act relating to Payment of Expenses and Rental of Lewiston Municipal Court" (H. P. 573) (L. D. 883)

Reports were read and accepted and sent up for concurrence.

Ought to Pass in New Draft New Draft Printed Recommitted

Mr. Leathers from the Committee on Towns and Counties on Bill "An Act to Create a Board of Harbor Commissioners for Penobscot Bay and River" (H. P. 1032) (L. D. 1464) reported same in a New Draft (H. P. 1059) (L. D. 1514) under title of "An Act to Create a Board of Pilot Commissioners for Penobscot Bay and River" and that the same be printed and recommitted.

Report was read and accepted and the Bill and New Draft recommitted, and sent up for concurrence.

Ought to Pass in New Draft New Draft Printed

Mrs. Smith from the Committee on Legal Affairs on Bill "An Act relating to the Operation of Bicycles and Play Vehicles" (H. P. 53) (L. D. 71) reported same in a new draft (H. P. 1062) (L. D. 1517) under title of "An Act relating to the Operation of Bicycles" and that it "Ought to pass"

Same member from same Committee on Bill "An Act Permitting Towns to Collect Sewer Charges" (H. P. 283) (L. D. 379) reported same in a new draft (H. P. 1058) (L. D. 1513) under same title and that it "Ought to pass"

Mr. Tarbox from the Committee on Sea and Shore Fisheries on Resolve Relating to Taking of Alewives in the Outlet of Long Pond in Town of Mount Desert (H. P. 830) (L. D. 1223) reported a Bill (H. P. 1060) (L. D. 1515) under title of "An Act Regulating Taking of Alewives in Town of Mount Desert" and that it "Ought to pass"

Reports were read and accepted, the New Drafts read twice and tomorrow assigned.

Ought to Pass Printed Bills

Mr. Quinn from the Committee on Legal Affairs reported "Ought to pass" on Bill "An Act to Create a Public Body in the City of Bangor to be Known as the Urban Renewal Authority" (H. P. 1003) (L. D. 1437)

Mr. Baird from the Committee on Sea and Shore Fisheries reported same on Bill "An Act relating to the Taking and Sale of Clams in the Town of Rockport" (H. P. 551) (L. D. 778)

Same gentleman from same Committee reported same on Bill "An Act relating to Penalty for Violation of Interstate Transportation of Shellfish" (H. P. 791) (L. D. 1124)

Same gentleman from same Committee reported same on Bill "An Act relating to Wholesale Sea Food Dealer's and Processor's License" (H. P. 792) (L. D. 1125)

Same gentleman from same Committee reported same on Bill "An Act relating to Sale of Lobster Meat Received from Outside the State" (H. P. 909) (L. D. 1298)

Mr. Brewster from same Committee reported same on Bill "An Act relating to Digging Clams in Kennebunkport, York County" (H. P. 513) (L. D. 723)

Mr. Rankin from same Committee reported same on Resolve Regulating the Taking of Clams in Steuben (H. P. 443) (L. D. 619)

Mr. Tarbox from same Committee reported same on Bill "An Act relating to Digging Clams, Quahogs and Mussels in Town of Yarmouth, Cumberland County" (H. P. 571) (L. D. 881)

Mr. Vaughan from same Committee reported same on Bill "An Act relating to Taking of Shellfish in Yarmouth and North Yarmouth" (H. P. 485) (L. D. 675)

Same gentleman from same Committee reported same on Bill "An Act Regulating Fishing for Tuna" (H. P. 839) (L. D. 1193)

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

The SPEAKER pro tem: At this time the Chair would like to recognize in the gallery of the House the pupils from the eighth grade of the Norridgewock Junior High School

under the supervision of Mrs. Fitz and Mr. Smith. We hope that your visit here will be a pleasant one and that you will go home better informed on legislative procedure. We are very happy to welcome you. (Applause)

Ought to Pass with Committee Amendment

Mr. Andrews from the Committee on Sea and Shore Fisheries on Bill "An Act Prohibiting Certain Implements and Devices in Certain Waters in Washington County" (H. P. 769) (L. D. 1102) 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. 769, L. D. 1102, Bill, "An Act Prohibiting Certain Implements and Devices in Certain Waters in Washington County."

Amend said Bill by inserting after the title and before the enacting clause the following:

Emergency preamble. Whereas, acts and resolves do not become effective until 90 days after the Legislature adjourns; and

WHEREAS, the following legislation is vitally necessary as a conservation measure to preserve the fish in the waters of Washington county; and

WHEREAS, such legislation should become effective immediately to regulate such fishing this season; and

WHEREAS, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

Further amend said Bill by inserting after the first sentence of that part designated "Sec. 52-A" the following underlined sentence: 'This section shall not apply to the taking of eels by spear from said waters during the month of November annually.'

Further amend said Bill by adding at the end thereof the following:

'Emergency clause. In view of the emergency cited in the preamble, this act shall take effect when approved.'

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

Mr. Rankin from the Committee on Sea and Shore Fisheries on Resolve Regulating Digging of Quahogs in Middle Bay, Cumberland County (H. P. 517) (L. D. 727) 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. 517, L. D. 727, Resolve, Regulating Digging of Quahogs in Middle Bay, Cumberland County.

Amend said Resolve by striking out the last 5 lines and inserting in place thereof the following: 'Mere Point and located at Blackstone Rock on the south shore of Win Smith Cove, so called, then in an easterly direction to and including the northern shore of Birch Island and continuing in the same general direction to a red painted wood post placed on the northern point of Wilson Cove, so called, located in the western shore of Harpswell Neck. The provisions of this section shall not apply to equipment operated by the Department of Sea and Shore Fisheries.'

Committee Amendment "A" was adopted and the Resolve assigned for second reading tomorrow.

Mr. Prue from the Committee on Towns and Counties on Bill "An Act Increasing Salaries of Judge and Recorder of the Yorkshire Municipal Court" (H. P. 862) (L. D. 1225) 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. 862, L. D. 1225, Bill, "An Act Increasing Salaries of Judge

and Recorder of the Yorkshire Municipal Court."

Amend said Bill by striking out the underlined figures "\$2,500" in the 6th line and inserting in place thereof the underlined figures '\$5,000'

Further amend said Bill by striking out the underlined figures "\$1,800" in the last line and inserting in place thereof the underlined figures '\$3,000'

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

Mr. Webber from the Committee on Towns and Counties on Bill "An Act relating to Compensation of Medical Examiners for View and Autopsy" (H. P. 954) (L. D. 1355) 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. 954, L. D. 1355, Bill, "An Act Relating to Compensation of Medical Examiners for View and Autopsy."

Amend said Bill by indicating the striking out of the figures "\$15" in the 8th line by drawing a line through said figures and by inserting immediately after said stricken out figures the underlined figures '\$25'

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

At this point, Speaker Edgar returned to the rostrum.

SPEAKER EDGAR: The Chair would like to take this opportunity to thank the gentleman from Buxton, Mr. Bruce, for his excellent services as Speaker pro tem.

Thereupon, the Sergeant-at-Arms conducted the gentleman from Buxton, Mr. Bruce, to his seat on the Floor, amid the applause of the House, and Speaker Edgar resumed the Chair.

Divided Report Tabled and Assigned

Majority Report of the Committee on Agriculture reporting "Ought not to pass" on Bill "An Act re-

lating to Inspection of Slaughterhouses" (H. P. 1020) (L. D. 1454)

Report was signed by the following members:

Messrs. BAILEY of Sagadahoc
REED of Aroostook
DOW of Lincoln

— of the Senate.

Messrs. BROCKWAY of Milo
FROST of Perry
CASWELL of New Sharon
EMERY of Palmyra
VIOLETTE of Van Buren
ROBERTS of Dexter

— of the House.

Minority Report of same Committee on same Bill reporting same in a new draft (H. P. 1061) (L. D. 1516) under same title and that it "Ought to pass"

Report was signed by the following member:

Mr. LANE of Waterville
— of the House.

Reports were read.

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

Mr. LANE: Mr. Speaker, I would like to table House Paper 1061, Legislative Document 1516 for Wednesday, May 1, pending acceptance of either report in order to give the Members a chance to study the new draft.

The SPEAKER: With respect to item thirty, Divided Report on Bill "An Act relating to Inspection of Slaughterhouses", new draft L. D. 1516, the gentleman from Waterville, Mr. Lane, moves that this item be tabled and specially assigned for May 1, Wednesday, pending acceptance of either Report. Is this the pleasure of the House?

The motion prevailed and the Reports and New Draft were so tabled.

Divided Report

Majority Report of the Committee on Inland Fisheries and Game on Bill "An Act relating to Bounty on Bears" (H. P. 159) (L. D. 206) which was recommitted, reporting "Ought to pass" as amended by Committee Amendment "B" submitted therewith.

Report was signed by the following members:

Mr. HALL of York
— of the Senate.

Messrs. BARTLETT of Belgrade
CARVILLE of Eustis
ROSS of Brownville
Mrs. HARRIMAN of Lovell
Messrs. WHEATON of Princeton
HARRIS of Greenville

— of the House.

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

Report was signed by the following members:

Messrs. CARPENTER of Somerset
BRIGGS of Aroostook
— of the Senate.

Mr. DUDLEY of Enfield
— of the House.

Reports were read.

On motion of Mrs. Harriman of Lovell, the Majority "Ought to pass" Report was accepted and the Bill read twice.

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

COMMITTEE AMENDMENT "B" to H. P. 159, L. D. 206, Bill, "An Act Relating to Bounty on Bears."

Amend said Bill by striking out everything after the colon at the end of the amending clause and inserting in place thereof the following:

"For a period of 2 years, from August 13, 1955 1957, except in that portion of Franklin county north of the Appalachian Trail in Aroostook, Penobscot, Piscataquis and Washington counties and that portion of Franklin county south of the Appalachian Trail, a bounty of \$15 shall be paid for each and every bear killed in organized townships and plantations and unorganized townships adjoining organized townships and plantations to the person killing the same, by the treasurer of the organized township or plantation in which said bear was killed or the treasurer of any organized township or plantation adjoining the unorganized territory in which said bear was killed."

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

Divided Report

Majority Report of the Committee on Legal Affairs on Bill "An Act relating to Election and Salaries of Council Members of City of Portland" (H. P. 10) (L. D. 9) report-

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

Report was signed by the following members:

Mr. MARTIN of Kennebec
— of the Senate.

Messrs. COTE of Lewiston
MAXWELL of Winthrop
HATHAWAY

of Columbia Falls
Mrs. CHILDS of Portland

Mrs. SMITH of Falmouth
Messrs. BRUCE of Buxton

QUINN of Bangor
— of the House.

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

Report was signed by the following members:

Messrs. CHARLES of Cumberland
REED of Aroostook
— of the Senate.

Reports were read.

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

Mr. CHILDS: Mr. Speaker and Members of the House: I move for the acceptance of the Majority "Ought to pass" Report and I should like to speak on it very, very briefly.

The SPEAKER: The gentleman may proceed.

Mr. CHILDS: I realize this is a local matter and I certainly do not want to take up the time of the House on it. I would like to explain the reason for the signing of the Members of the Majority "Ought to pass" Report and also the reason for the signing of the Minority "Ought not to pass" Report.

The Members of the Committee first of all, could not come to any decision as to what the issue here was. The majority Members of the Committee felt that the issue involved was whether the question should go back to the people of the City of Portland as to what form of government they should have. The minority Members of the Committee felt that the particular provision they were now asking for the change in government was not equitable and the present situation was working very fine. The Committee on Legal Affairs usually on changes of government and changes in city

charters will first of all determine whether the change which is being asked for is a recognized change of government. Under the present situation as far as councillors are concerned in the City of Portland, there are nine Councillors, three at large and six from the six districts, one from each one. A person must be a resident of the district from which he resides in order to run for the City Council. He is at that time elected by the city as a whole. Therefore, for all practical purposes, each man is a councillor at large because he is elected by the whole city. This bill here calls for a councillor who runs from a certain district should be elected by the people from that district by itself and the other districts in the City of Portland would not vote on him. This is not a novice idea, there are other towns and cities in the State of Maine who operate on the same basis. Also on our Federal setup it is exactly the same situation. You have your three Congressional Districts in the State of Maine, the people in the first district only vote for your Congressman in district one and the same in two and three. We felt therefore, that the change that the proponents of this bill were asking for was a recognized form.

Number two, we determine or attempt to determine whether there is any desire for the City of Portland to have an opportunity to vote on it. There appeared before the Committee four representatives from the City of Portland asking for this change and for the people to have an opportunity to vote on it. Therefore, these people, these four representatives, represent a certain segment of the city of Portland, and also there were petitions which were filed with the Committee which had names of over four hundred people. Therefore, it showed there was some demand and some people at least wanted an opportunity to vote on it.

Therefore, it was the opinion of the Committee where the matter was going on referendum that the people of the City of Portland should have the opportunity to vote on which form of government that they want to operate under.

The SPEAKER: The motion before the House is the motion of the gentleman from Portland, Mr. Childs, that the House accept the Majority "Ought to pass" Report on Bill "An Act relating to Election and Salaries of Council Members of City of Portland". Is it the pleasure of the House to accept the "Ought to pass" Committee Report?

The motion prevailed, the Majority "Ought to pass" Report was accepted and the Bill read twice.

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

COMMITTEE AMENDMENT "A" to H. P. 10, L. D. 9, Bill, "An Act Relating to Election and Salaries of Council Members of City of Portland."

Amend said Bill in the Title by striking out the words "and Salaries".

Further amend said Bill by striking out all of "Sec. 2"

Further amend said Bill by renumbering "Sec. 3" as 'Sec. 2'

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

The SPEAKER: At this time the Chair would like to recognize the presence in the gallery of the House of thirty students of the Junior Class of Bridgton High School accompanied by their Principal, Mr. Tinkham. On behalf of the House the Chair extends to you young ladies and gentlemen a most cordial and hearty welcome and we hope you will enjoy your visit with us today. (Applause)

The SPEAKER: At this time the Chair would like to recognize the presence in the hall of the House of one of Androscoggin County's more famous residents. We have with us today a young lady representing Androscoggin County who has acquired for herself, and understandably so when you see her, two titles. She is the State of Maine Apple Queen, and she is also Miss Lewiston-Auburn.

At this time the Speaker would request the Sergeant-at-Arms to escort to the rostrum, Miss Annette Baril of Lewiston.

The Chair would ask Mrs. Hatch to accompany Miss Baril to the rostrum also.

Annette Baril, Maine Apple Queen, accompanied by the gentlewoman from Minot, Mrs. Hatch, was escorted to the rostrum by the Sergeant-at-Arms, amid the applause of the House.

The SPEAKER: It gives the Chair a great deal of pleasure to introduce to you Ladies and Gentlemen, Miss Annette Baril of Lewiston.

ANNETTE BARIL: Mr. Speaker and Members of the House: I would like to say that it is a pleasure to be the Maine Apple Queen and represent the State of Maine, and it has been quite an experience. I am very happy to be here with you today. Thank you. (Applause)

The gentleman from Auburn, Mr. Wade, was granted unanimous consent to address the House.

Mr. WADE: Mr. Speaker and Members of the House: It is a real pleasure for me as a Representative from Auburn in Androscoggin County to call the attention of the Members of the House to the display of Androscoggin County products that we have in the rotunda today. The space available has limited us to six displays, but those included will give you an idea of the varied manufactured products that we have in our area. They are first, Geiger Brothers. Geiger Brothers manufacture a broad line of calendars and diaries and other printed matter, and has a national reputation as the Publisher of the old Farmer's Almanac. Another local manufacturer that has a display today is the De-Lar, Inc., a manufacturer of combination windows and doors. The Lewiston Division of the Pepperell Manufacturing Company is represented with a display of sheets and pillow cases. The Bates Manufacturing Company, our largest textile manufacturer, has a display of their famous home furnishings including the well-known and much desired George Washington, and the Queen Anne bedspreads. The Paine Incense Company has made its presence felt in the hall of the House as well as in the rotunda with a display of fir balsam products. And the Stover Broom Company is the other company display-

ing their products, and they have a complete line of brooms, brushes and other cleaning utensils.

I commend this display in the rotunda to your attention. Thank you. (Applause)

The gentleman from Lewiston, Mr. Jacques, was granted unanimous consent to address the House.

Mr. JACQUES: Mr. Speaker and Members of the House: We have here this morning in the hall of the House Brother Jacques and the St. Dominic High School Hockey team who have won the State championship for seven years in a row and also the New England championship in 1951. I would like also to say that I am very proud of that team because I have two of my nephews that played on that team. Thank you. (Applause)

The SPEAKER: The Chair has been advised that we have with us in the House today the Maine State champion hockey team of St. Dominic's High School accompanied by Brother Jacques. Would the State championship hockey team kindly stand up so we can all see you? (Applause)

The SPEAKER: The Chair would also like to recognize the presence in the gallery of the House of a group of eighth grade students from Gorham High School accompanied by Mr. and Mrs. Dean Evans and Mr. Grayon Hartley. On behalf of the House the Chair extends to you ladies and gentlemen a most cordial welcome and we hope you will enjoy your visit here today. (Applause)

The gentleman from Lewiston, Mr. Rancourt, was granted unanimous consent to address the House.

Mr. RANCOURT: Mr. Speaker, Lewiston is very proud to bring to the attention of this body the fact that we have in our city, from Lewiston High School to be exact, the State champions on one act plays. This group and their coach, Miss Eleanor McCue, are not here today due to the fact that they are rehearsing for the New England finals which will be held Friday. I move, Mr. Chairman, that this body go on record as extending to them their

congratulations and best wishes in the finals.

The SPEAKER: The Chair will rule that the motion has unanimous acceptance.

The motion prevailed.

The gentleman from Auburn, Mr. Walker, was granted unanimous consent to address the House.

Mr. WALKER: Mr. Speaker and Ladies and Gentlemen of the House: It is my privilege and pleasure to introduce to you some of our outstanding young men from Edward Little High School in Auburn. The Auburn teams competing in school-boy sports have achieved an outstanding record in that they have won honors in three major sports, all within the current school year. Representing the Maine State High School Football Champions from Edward Little, we have with us today Everett Davis and Steve Sedgely. Representing the Western Maine Tournament Champs and State Basketball finalists we have with us Bob Chapman and Ralph Noel. I might also add that Ralph Noel is one of our outstanding junior golfers here in the State of Maine. In addition to this group, we have representing the New England High School Ski Championship Team, Bob Donavan and Mike Small. If the gentlemen referred to would stand—I think they are in the rear of the House—and be recognized. (Applause)

The SPEAKER: It seems to the Chair that it would be appropriate to christen Androscoggin County the county of queens and champions.

The gentleman from Auburn, Mr. Turner, was granted unanimous consent to address the House.

Mr. TURNER: Mr. Speaker and Members of the House: You have noticed the fine exhibits we have out there in the hall, but we have got something this afternoon, a program that starts at one thirty, and we would like to demonstrate to you our outstanding talent that we have and we hope you will all take advantage of it.

The SPEAKER: The Chair might inquire, is the gentleman from Auburn going to perform? (laughter)

The gentleman from Livermore Falls, Mr. Kinch, was granted unanimous consent to address the House.

Mr. KINCH: Mr. Speaker, it is my privilege this morning to inform the Members of the House that this afternoon during the program that they will be served Bailey Hill Apple Juice, and I would like to say a few words about these apples as they are grown in Androscoggin County. From the time the sun rises in the east until it sets in the west, the sun shines on this apple orchard, because I think the good Lord always has the sun shine brightly on Androscoggin County. Don't forget the apple juice this afternoon. (Applause)

The SPEAKER: The House is proceeding under House Reports.

Divided Report Tabled

Majority Report of the Committee on Sea and Shore Fisheries reporting "Ought not to pass" on Bill "An Act Repealing the Prohibition Against Use of Trawls in Waters of Washington County" (H. P. 514) (L. D. 724)

Report was signed by the following members:

Messrs. BROWN of Washington
BAILEY of Sagadahoc
FOURNIER of York
— of the Senate.

Messrs. BAIRD of North Haven
TARBOX of Gouldsboro
ANDREWS of Jonesboro
BREWSTER of Wells
RANKIN of Southport
VAUGHAN of Hallowell
— of the House.

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

Report was signed by the following member:

Mr. MILLER of Portland
— of the House.

Reports were read.

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

Mr. TARBOX: Mr. Speaker, I move that we accept the Majority "Ought not to pass" Report.

The SPEAKER: The motion before the House is the motion of the

gentleman from Gouldsboro, Mr. Tarbox, that the House accept the Majority "Ought not to pass" Report on Bill "An Act Repealing the Prohibition Against Use of Trawls in Waters of Washington County".

Is it the pleasure of the House to accept the "Ought not to pass" Report?

The Chair recognizes the gentleman from Stonington, Mr. Shepard.

Mr. SHEPARD: Mr. Speaker, I understood that there was to be a joint meeting between the draggers and the lobster fishermen following the hearing held on this particular bill some two weeks ago. I understand that joint meeting never was realized and I would request the tabling of this until these people were given an opportunity to submit their compromise.

The SPEAKER: The motion now before the House is the motion of the gentleman from Stonington, Mr. Shepard, that item thirty-three, Bill "An Act Repealing the Prohibition Against Use of Trawls in Waters of Washington County" be tabled unassigned pending the motion of the gentleman from Gouldsboro, Mr. Tarbox, that the House accept the Majority "Ought not to pass" Report. Is this the pleasure of the House?

The motion prevailed and the Bill and Reports were so tabled.

Divided Report Tabled and Assigned

Majority Report of the Committee on Sea and Shore Fisheries reporting "Ought to pass" on Bill "An Act Regulating Size of Mesh Used in Otter Trawls in Waters of Hancock County" (H. P. 515) (L. D. 725)

Report was signed by the following members:

Mr. BROWN of Washington
— of the Senate.

Messrs. TARBOX of Gouldsboro
VAUGHAN of Hallowell
BAIRD of North Haven
ANDREWS of Jonesboro
BREWSTER of Wells
— of the House.

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

Report was signed by the following members:

Messrs. BAILEY of Sagadahoc
FOURNIER of York
— of the Senate.

Messrs. MILLER of Portland
RANKIN of Southport
— of the House.

Reports were read.

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

Mr. TARBOX: Mr. Speaker, I move we accept the Majority Report "Ought to pass".

The SPEAKER: The motion before the House is the motion of the gentleman from Gouldsboro, Mr. Tarbox, that the House accept the Majority "Ought to pass" Report of the Committee. The Chair recognizes the gentleman from Portland, Mr. Miller.

Mr. MILLER: Mr. Speaker, I would like to explain why we have signed the minority report on this bill. The reason the minority report was signed was the fact that if this bill is passed by this legislature, it is questionable whether it can be enforced, and the four Members who signed the Minority Report felt that they did not want to be liable for any more of these foolish laws on the Statutes of the State of Maine, and we felt that this bill should die in Committee, but the other Members evidently maybe for county reasons or other—otherwise, thought that they should go along anyway on an "Ought to pass" Report. I feel that this legislature should not go along with the gentleman from Gouldsboro, Mr. Tarbox, and pass this bill.

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

Mr. WINCHENPAW: Mr. Speaker and Members of the House: Since this is such a controversial bill and it concerns a good many draggers in my area, I would like to table this until next Tuesday, April 30.

The SPEAKER: The motion now before the House is the motion of the gentleman from Friendship, Mr. Winchenpaw, that Bill "An Act Regulating Size of Mesh Used in Otter Trawls in Waters of Hancock County" be tabled and specially assigned for Tuesday, April 30, pending the motion of the gentleman from

Gouldsboro, Mr. Tarbox, that the House accept the Majority "Ought to pass" Report. Is this the pleasure of the House?

The motion prevailed and the Bill and Reports were so tabled.

Divided Report Tabled

Majority Report of the Committee on State Government reporting "Ought not to pass" on Bill "An Act relating to Term of Office of Department Heads Appointed by Governor with Consent of the Senate" (H. P. 881) (L. D. 1249)

Report was signed by the following members:

Messrs. ROGERSON of Aroostook
PIKE of Oxford

— of the Senate.

Messrs. TOTMAN of Bangor
ROSS of Bath
WADE of Auburn
CHILDS of Portland
BRAGDON of Perham
— of the House.

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

Report was signed by the following members:

Mr. LESSARD of Androscoggin
— of the Senate.

Messrs. ELWELL of Brooks
WALSH of Brunswick
— of the House.

Reports were read.

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

Mr. CHILDS: Mr. Speaker, I move this bill and all accompanying papers be indefinitely postponed.

The SPEAKER: The motion before the House is the motion of the gentleman from Portland, Mr. Childs, that Bill "An Act relating to Term of Office of Department Heads Appointed by Governor with Consent of the Senate" and both Committee Reports be indefinitely postponed. The Chair recognizes the gentleman from Brunswick, Mr. Walsh.

Mr. WALSH: Mr. Speaker, there are other related matters that are still in the Committee on Constitutional Amendments. I move this matter lie on the table unassigned

until those bills come out of that Committee.

The SPEAKER: The motion now before the House is the motion of the gentleman from Brunswick, Mr. Walsh, that Bill "An Act relating to Term of Office of Department Heads Appointed by Governor with Consent of the Senate" lie on the table unassigned pending the motion of the gentleman from Portland, Mr. Childs, that the bill and both Reports be indefinitely postponed. Is this the pleasure of the House?

The motion prevailed and the Bill and Reports were so tabled.

Divided Report Tabled and Assigned

Report "A" of the Committee on Sea and Shore Fisheries reporting "Ought to pass" on Bill "An Act relating to the Taking of Quahogs" (H. P. 14) (L. D. 13)

Report was signed by the following members:

Mr. BROWN of Washington
— of the Senate.

Messrs. BAIRD of North Haven
MILLER of Portland
RANKIN of Southport
BREWSTER of Wells
— of the House.

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

Report was signed by the following members:

Messrs. BAILEY of Sagadahoc
FOURNIER of York
— of the Senate.
Messrs. TARBOX of Gouldsboro
ANDREWS of Jonesboro
VAUGHAN of Hallowell
— of the House.

Reports were read.

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

Mr. MILLER: Mr. Speaker, I move this bill be accepted "Ought to pass"

The SPEAKER: The motion before the House is the motion of the gentleman from Portland, Mr. Miller, that Report "A" "Ought to pass" be accepted. The Chair recognizes the gentleman from Jonesboro, Mr. Andrews.

Mr. ANDREWS: Mr. Speaker and Ladies and Gentlemen of the House: I move that this lie on the table until next Tuesday.

The SPEAKER: The motion now before the House is the motion of the gentleman from Jonesboro, Mr. Andrews, that Bill "An Act relating to the Taking of Quahogs" be tabled and specially assigned for Tuesday, April 30, pending the motion of the gentleman from Portland, Mr. Miller, that the House accept the "Ought to pass" Report. Is this the pleasure of the House?

The motion prevailed and the Bill and Reports were so tabled.

Divided Report Tabled and Assigned

Report "A" of the Committee on Sea and Shore Fisheries reporting "Ought to pass" on Bill "An Act Authorizing Towns to Control Shellfish Resources" (H. P. 670) (L. D. 951)

Report was signed by the following members:

Messrs. RANKIN of Southport
VAUGHAN of Hallowell
BAIRD of North Haven
BREWSTER of Wells
MILLER 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. BROWN of Washington
BAILEY of Sagadahoc
FOURNIER of York
— of the Senate.
Messrs. ANDREWS of Jonesboro
TARBOX of Gouldsboro
— of the House.

Reports were read.

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

Mr. MILLER: Mr. Speaker, I move that we accept the "Ought to pass" Report.

The SPEAKER: The motion before the House is the motion of the gentleman from Portland, Mr. Miller, that the House accept the Report "A" "Ought to pass".

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

Mr. TARBOX: Mr. Speaker, where they put the other one on the table I move that we put this one on the table until Tuesday, April 30.

The SPEAKER: The motion now before the House is the motion of the gentleman from Gouldsboro, Mr. Tarbox, that Bill "An Act Authorizing Towns to Control Shellfish Resources" be tabled and specially assigned until Tuesday of next week pending the motion of the gentleman from Portland, Mr. Miller, that the House accept the "Ought to pass" Report.

Will those who favor tabling this Bill specially assigned for next Tuesday please say aye; those opposed, no.

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

The SPEAKER: The motion now before the House is the motion of the gentleman from Portland, Mr. Miller, that the House accept Report "A" "Ought to pass".

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

Mr. QUINN: Mr. Speaker, not knowing what shellfish resources mean, I would like through the Chair to ask the gentleman from Portland, Mr. Miller, if he would explain this to us so we may understand it.

The SPEAKER: The gentleman from Bangor, Mr. Quinn, addresses a question through the Chair to the gentleman from Portland, Mr. Miller, who may reply if he so chooses.

Mr. MILLER: Mr. Speaker, this bill is a bill that was recommended by the Research Committee of the Legislative Research Committee passed on by the 97th Legislature.

It is a bill to do away with the present town laws and put the enforcement and the authority of opening and closing clam flats within the towns themselves. This could be done at town meetings, annual town meetings. This is one of the three bills that was specifically recommended by the Research Committee of the 97th Legislature. At the hearing there was no opposition to this bill other than from one person from Beals Island, Maine. And her reason in opposing the bill was simply on the lines of some squabble they had with Jonesport. And we who have signed the "Ought to pass" Report on this bill felt that

whereas it was recommended by the 97th Legislature, and whereas it has been recommended by the Commissioner of Sea and Shore Fisheries, and whereas it has been recommended by other people in the industry who are interested in progress, we felt that this bill should be passed.

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

Mr. QUINN: Mr. Speaker, I still haven't got the definition I requested as to what a shellfish resource is.

The SPEAKER: Does the gentleman from Portland, Mr. Miller, care to answer the question of the gentleman from Bangor, Mr. Quinn? The question is what is a shellfish resource?

Mr. MILLER: Mr. Speaker, I yield to the gentleman from Southport, Mr. Rankin.

The SPEAKER: The Chair recognizes the gentleman from Southport, Mr. Rankin.

Mr. RANKIN: Mr. Speaker, the shellfish which this bill speaks about is the soft shelled clam, the clam which most of you enjoy when you have a shore dinner, and is served steamed.

For those in the Legislature who live away from the seacoast I would like to explain what this bill will accomplish. Let's go back to the worm industry. Up until two years ago it was impossible to dig in certain towns for the marine worm because certain towns had closed their flats to all digging except by residents of that town. Two years ago this legislature abolished all laws closing the marine worm flats. And now to the satisfaction of diggers both from inland and on the seacoast, a digger for marine worms may dig any place on the coast of Maine where worms exist.

At the present time with the soft shell clam we have a similar situation. Many towns seeking to keep their own clams to themselves have had town rules which restrict the use of those flats to anyone but a resident of the town, or a non-resident, a summer person who is an owner of property.

You have heard today that the Committee recommends the passage of the closing of more town

flats to all except residents of that town. We did this because it seemed only fair to go along with each town's request. However, the passage of the bill we are discussing now would open the clam flats from Eastport to Kittery for the use of any resident of any town. At the present time a clamdigger living in Hallowell who buys a license from the Sea and Shore Fisheries Commission has practically no place to go where he can use that license and earn a living through the digging of clams.

If this bill is passed it will open the flats, it will also act as a conservation measure, because these towns at town meetings would operate the working in conjunction with the Sea and Shore Fisheries Department to close any portion of their flats for the sake of conservation. These flats will be closed to everyone at the time they are closed. When the clams show sufficient size the flats will again be opened in that town. At the present time the clam laws are restrictive.

The worm industry, both the town and the diggers, are satisfied with the action of the last legislature in opening the worm flats throughout the State.

I feel that it would be well for this legislature to permit the passage of this legislation and therefore I move acceptance.

The SPEAKER: The Chair would advise the gentleman that there is a motion before the House at the moment.

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

Mr. TARBOX: Mr. Speaker, they have quoted that there were no opponents to the bill there, and the only proponent was Sea and Shore Fisheries, themselves there as proponents.

Now, this bill throws all the law on the towns, and if we do pass this bill then the towns will have to police their own flats. And that takes the responsibility off the Sea and Shore Fisheries. But the town also can pass legislation whereby anyone living outside the town cannot dig in that town. So it doesn't actually accomplish what they told you. I for one don't want to go along with the gentleman from Portland, Mr. Miller.

The SPEAKER: The Chair recognizes the gentleman from Columbia Falls, Mr. Hathaway.

Mr. HATHAWAY: Mr. Speaker and Members of the House: Regarding this argument on these clam laws, although I come from down in the country herring shippers, I would like to have a word to say. If they take this law off of the clam flats, as I understand now, that each town would have to make their own regulations, and it might be next spring before they have their town meeting, and in the meantime when this law comes into effect, if there are any flats where there are any clams, like in Jonesport where they had the argument, they will be dug up and gone before they have time to put on their restrictions. I don't see any reason for this. The towns are now struggling to keep the clams. They are getting pretty well down. Where a man used to go out and dig seven or eight bushels a day, now he does well if he gets one bushel. And this law that is on currently has protected the clams. And it has been policed by the Sea and Shore Fisheries wardens. The only reason that it would want to be taken off is for some diggers who like to fly around over the country and find the best flats.

Now, the clam worms are a little bit different. The clam worm, as I understand it from the biologists, that they take, the marine worm is more or less migratory as to the fact that each year it won't be in the same place. There are worms in certain flats this year and next year they will be somewhere else. And that was the reason for taking that law off, because it could get around to where the worm was. But the clam has long been the pride of these towns. It is a means of food besides being commercial. And I should go along and oppose the motion that they accept Report "A".

The SPEAKER: The Chair will restate the motion. The motion before the House is the motion of the gentleman from Portland, Mr. Miller, that the House accept Report "A" "Ought to pass" on Bill "An Act Authorizing Towns to Control Shellfish Resources".

The Chair recognizes the gentleman from Yarmouth, Mrs. Knapp.

Mrs. KNAPP: Mr. Speaker, I want to speak for my town. There are a lot of clam flats down there and a lot of people that depend on clams for their living. And as the gentleman from Columbia Falls, Mr. Hathaway, said, if the towns have to take care of this the flats will be all dug up before we have our next town meeting in March. And I would like to oppose it.

The SPEAKER: Is the House ready for the question?

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

Mr. CHILDS: Mr. Speaker and Members of the House: I was on the sub-committee on the Legislative Research Committee which recommended these changes. I have two questions to submit to any member of the Sea and Shore Fisheries Committee. It seems to me that it was the recommendation of the Research Committee that if towns failed to pass rules and regulations in regard to their taking of clams, that the State at that time would have the authority to move in and set up rules and regulations for conservation purposes. I do not see that in the bill.

Number two, may I also ask if this particular bill is going to repeal the taking of clams for home consumption?

The SPEAKER: The gentleman from Portland, Mr. Childs, has addressed two questions through the Chair to any member of the Sea and Shore Fisheries Committee, who may answer if he so chooses.

The Chair recognizes the same gentleman.

Mr. CHILDS: Mr. Speaker, I move this matter lie upon the table specially assigned for next Tuesday.

The SPEAKER: The motion now before the House is the motion of the gentleman from Portland, Mr. Childs, that Bill "An Act Authorizing Towns to Control Shellfish Resources", House Paper 670, Legislative Document 951, lie upon the table specially assigned for Tuesday, April 30, pending the motion of the gentleman from Portland, Mr. Miller, that the House accept

Report "A" "Ought to pass". Is this the pleasure of the House?

The motion prevailed and the Bill and Reports were so tabled.

Passed to Be Engrossed

Bill "An Act Revising the Law Relating to Peaceful Uses of Atomic Energy" (S. P. 478) (L. D. 1383)

Bill "An Act relating to Crimes Committed on the Maine Turnpike" (S. P. 530) (L. D. 1497)

Bill "An Act relating to Aid to Public and Private Hospitals" (H. P. 382) (L. D. 511)

Bill "An Act relating to Repairs of Roads in Unorganized Territory and Deorganized Towns" (H. P. 599) (L. D. 846)

Bill "An Act Repealing Certain Limitations in Hunting with Bow and Arrow" (H. P. 898) (L. D. 1284)

Bill "An Act relating to Duties of the Aeronautics Commission" (H. P. 1040) (L. D. 1473)

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

Third Reader Tabled and Assigned

Bill "An Act relating to Retirement of Members of Portland Police and Fire Department not under State Retirement System" (H. P. 1057) (L. D. 1512)

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

(On motion of Mr. Broderick of Portland, tabled pending third reading and specially assigned for Thursday, May 2.)

Amended Bills Third Reader Tabled and Assigned

Bill "An Act Creating an Interstate Compact on Mental Health" (S. P. 127) (L. D. 340)

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

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

Mr. CHILDS: Mr. Speaker, I have before me the amendment on this particular bill. The amendment is more in effect of taking the—as far as transfers of out of state mental patients back to this State, it

takes them out of the settlement laws and now makes the qualification a resident law. The amendment is that a person who wishes to be transferred must have resided in the State of Maine for a period of one year. May I ask any Member of the Judiciary Committee if it was their intent to leave it as open as this. In other words, it does not say whether this year was just prior to the commitment or whether it was twenty years prior to the commitment.

The SPEAKER: The gentleman from Portland, Mr. Childs, addresses a question through the Chair to any Member of the Judiciary Committee who may answer if he so desires.

The Chair recognizes the same gentleman.

Mr. CHILDS: I move this matter lie upon the table specially assigned for tomorrow.

The SPEAKER: The gentleman from Portland, Mr. Childs, moves that with respect to item eight, Bill "An Act Creating an Interstate Compact on Mental Health" it be tabled and specially assigned for tomorrow pending passage to be engrossed. Is this the pleasure of the House?

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

Bill "An Act to Clarify Certain Liquor Laws" (S. P. 409) (L. D. 1142)

Bill "An Act to Incorporate The Northport School District in Northport" (H. P. 749) (L. D. 1063)

Bill "An Act Licensing Pin Ball Machines" (H. P. 904) (L. D. 1290)

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.

Third Reader Tabled and Assigned

Bill "An Act relating to Educational Aid and Reorganization of School Administrative Units" (S. P. 515) (L. D. 1478)

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

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

SENATE AMENDMENT "A" to S. P. 515, L. D. 1478, Bill, "An Act Relating to Educational Aid and Reorganization of School Administrative Units."

Amend said Bill in the 6th line thereof by inserting after the underlined word "and" the underlined words and figures 'after July 1, 1958,'

Further amend said Bill in that part of Section 1 designated "Sec. 237-C" by striking out all of subsection I and inserting in place thereof the following underlined subsection:

I. The scope of the school program shall include pre-primary or kindergarten education for 5 year old children and all grades through grade 12;

Further amend said Bill in that part of Section 1 designated "Sec. 237-C" by striking out the underlined word "sub-primary" in the 4th line of subsection III and inserting in place thereof the underlined words 'pre-primary or kindergarten'

Further amend said Bill in "Sec. 81" by striking out the last 4 lines of said section and inserting in place thereof the following:

"I. For municipal programs, the reimbursement payable in accordance with the provisions of section 237 sections 237-C, 237-D and 237-E;

II. For academy programs, the tuition reimbursement to the sending municipality as provided in sections 107, 108 and 237, 237-C, 237-D and 237-E."

Further amend said Bill in "Sec. 91" by striking out all of subsection II of that part designated "Sec. 218-B" and inserting in place thereof the following:

"II. Special subsidies shall be paid in September to the cities, towns, plantations and community school districts administrative units for all courses in driver education according to the following plan: \$10 for each pupil satisfactorily completing the driver education course during the school year 1955-56, and thereafter \$10 for each pupil satisfactorily completing the driver education course for the first year it is instituted in a given school. The subsidy for these continuing courses shall be with and in addition to gener-

al purpose aid and shall be computed on the annual salary of the driver education teacher by adding 25 percentage points to the maximum percentage used in computing subsidy under section 237 preceding school year. Such driver education course shall meet the approval of the Commissioner in regard to teacher qualifications, limitations as to the number of pupils and the course of study offered.' "

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

Mr. FULLER: Mr. Speaker, I present House Amendment "B" and move its adoption, and I also have another House Amendment, and I would like to explain these amendments if I may.

The SPEAKER: The gentleman may proceed.

Mr. FULLER: Mr. Speaker and Members of the House: These amendments are the result of probably two or three weeks work of your Education Committee, plus members of the House and Senate, they have been gone over with the Governor and other interested people. And in so far as possible we have tried to please everyone. Of course, as you know, you couldn't please everyone if you tried. And we have tried sincerely. And I would like—this one amendment seems rather long, but it is not very involved, as I think you will agree when I explain it. And I would like to say this. That we feel and we hope that you won't allow this bill to be tabled today until it has been properly debated. We don't feel that that would serve any further good purpose. If after you have debated it as long as you want to you can table it as far as I am concerned.

Now, there are about four things that these amendments do. House Amendment "B" is the declaration of intent. It is on driver training. It puts driver training into the bill which wasn't in before. And then House Amendment "C" takes wards out and recognizes towns. There seem to be a lot of people who were afraid of that word "ward". And now towns do not lose their identity under the amendment.

Then we have the declaration of intent. A lot of people thought that the State should become a partner with the towns and cities in maintaining schools and providing for education. And you will notice in that declaration of intent that it does say that the Commissioner of Education shall provide to the Governor and to the Budget Committee his recommendation every two years to show the cost of education as it has increased or decreased, so that the State may become a partner with the towns and cities in this providing education for our youth.

Number three, we have taken out the words "boarding children". That seemed to bother a lot of people even though it is in the law and it has been in there for fifty years or a hundred years as far as I know. So it has been taken out of this bill. Some people—it has been passed around here that you could take children and board them anywhere you wanted to. That has been removed.

And number four, we have enlarged the powers of the Commission to take care of some towns that might have a high school that is less than three hundred. The Commission if they so desire, may approve that high school and may approve it as a district, even though it may be smaller.

Now, that is all the amendments do, they seem, as I say, to be quite long but they are very simple. And I hope that now that you will have your say, and we as a committee feel that this bill is good for the children of the State of Maine, but it is up to you. We feel that it would serve no useful purpose to keep tabling it and we think that it should rise and fall right here today. Thank you.

House at Ease

Called to order by the Speaker.

The SPEAKER: The question still before the House is the adoption of Senate Amendment "A". Is it the pleasure of the House that Senate Amendment "A" shall be adopted?

The motion prevailed.

The SPEAKER: Does the Chair understand that the gentleman from South Portland, Mr. Fuller, offers

an amendment or two amendments and moves their adoption?

Mr. FULLER: Mr. Speaker, I offer House Amendment "B" and move its adoption.

The SPEAKER: The gentleman from South Portland, Mr. Fuller, offers House Amendment "B" and moves its adoption. The Clerk will read House Amendment "B".

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

HOUSE AMENDMENT "B" to S. P. 515, L. D. 1478, Bill, "An Act Relating to Educational Aid and Reorganization of School Administrative Units."

Amend said Bill in that part designated "Sec. 105" of section 60 by inserting after the words "the schooling of" in the 6th line the underlined words 'all or part of the'.

Further amend said Bill by striking out all of that part designated "Sec. 218-A" of section 90 and inserting in place thereof the following:

'Sec. 218-A. Purpose. The purpose of sections 218-A and 218-B is to develop the knowledge, attitudes, habits and skills necessary for the safe operation of motor vehicles, through classroom instruction and behind the wheel driving and observation in a dual control automobile, by encouraging superintending school committees or school directors of the several municipalities administrative units of the State to make provision for this instruction in all the public secondary schools and academies under joint board or contract with the town receiving tuition students as described in section 107.'

The SPEAKER: The motion before the House is the motion of the gentleman from South Portland, Mr. Fuller, that the House adopt House Amendment "B".

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

Mr. QUINN: Mr. Speaker, this educational bill is one of the most important bills that we have before this legislature at this session. And apparently an effort is being made at this session to take up this bill, which is a very complicated bill, that has now had three complicated amendments attached to it, without

sufficient time to examine the bill and the amendments.

Now, this is a very important matter, there are many different schools of thought on this bill, and I would move that the bill and these amendments be tabled and specially assigned for next Tuesday, April 30, at which time they all should be considered for debate.

The SPEAKER: The motion to table is not debatable.

The motion before the House is the motion of the gentleman from Bangor, Mr. Quinn, that House Amendment "B" be tabled and specially assigned for Tuesday of next week. The tabling of the amendment carries the bill with it, be specially assigned for Tuesday of next week pending adoption of House Amendment "B". Is this the pleasure of the House?

The Chair recognizes the gentleman from Bangor, Mr. Totman, but would remind the gentleman that the motion to table is not debatable.

Mr. TOTMAN: Mr. Speaker, I arise for a question on time of assignment.

The SPEAKER: The gentleman may proceed.

Mr. TOTMAN: Mr. Speaker, I would like to amend the time of assignment to be specially earmarked for the first item on the specially assigned calendar on Tuesday of next week.

The SPEAKER: The gentleman from Bangor, Mr. Totman, requests unanimous consent that House Amendment "B" to Bill "An Act relating to Educational Aid and Reorganization of School Administrative Units" be made a special order for Tuesday of next week, which in effect places it as the first order of business under tabled and specially assigned.

The motion is not debatable.

Mr. QUINN: I just wanted to conform with it, I am in perfect agreement.

The SPEAKER: Does the Chair hear objection to the request of the gentleman from Bangor, Mr. Totman?

Does the gentleman object?

Mr. FULLER: Mr. Speaker, I ask a division on the tabling motion.

The SPEAKER: The Chair would advise the gentleman from South

Portland, Mr. Fuller, that the first consideration before the House is the request of the gentleman from Bangor, Mr. Totman, for unanimous consent that this amendment and the bill be made a special order under tabled and assigned matters for Tuesday of next week.

Is there objection to the request of the gentleman from Bangor, Mr. Totman? The Chair hears none and it is so ordered. The Chair must rule that the bill is specially assigned for next Tuesday as a special order.

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

Mr. JALBERT: I arise for a point of information. Under the parliamentary rules that I understand, I might be away off, but I feel that many members here felt that they were granting unanimous consent to specially assign the bill, to put it as the first item on the calendar on Tuesday.

I for one, and I know many other members did not feel that they were going to go along with the tabling matter possibly. Now, if I am wrong I will make another motion and bail myself out I assure you.

House at Ease

Called to order by the Speaker.

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

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

The SPEAKER: The gentleman from Bangor, Mr. Totman, requests unanimous consent to address the House. Is there objection? The gentleman may proceed.

Mr. TOTMAN: Mr. Speaker and Members of the House: As it sometimes happens unintentionally we get ensnared in our own parliamentary procedure. It is quite obvious that the moral intent of the House was perhaps to revise the date of assignment, however there were many of the members who still wished, as the gentleman from Lewiston, Mr. Jalbert, pointed out, to debate the general issue of tabling this bill at the time. I therefore will now make a motion which I

think will bring the bill back onto the floor of the House, and then you can vote on whether you wish to table it or not. The motion I will make is that I request unanimous consent to reconsider the action we just took in specially assigning this bill.

The SPEAKER: The gentleman from Bangor, Mr. Totman, requests unanimous consent of the House that notwithstanding the fact that this amendment was made a special order for Tuesday of next week, it be taken up for further consideration. Is there objection to that motion? Does the Chair hear objection? The Chair hears objection.

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

Mr. JALBERT: Mr. Speaker, an inquiry. As I understand now the bill is on the table, is that correct?

The SPEAKER: The bill is tabled and made a special order for Tuesday of next week.

Mr. JALBERT: Under parliamentary procedure is it then proper to make a motion to reconsider our action or remove this 1478 from the table providing we get a majority to do it?

The SPEAKER: The Chair is advised that under parliamentary rules it is impossible to reconsider an action granted by unanimous consent.

Mr. JALBERT: Mr. Speaker, I again repeat what I stated a few minutes ago. I don't think there were twenty-five members in this House that knew they were voting on the table. They assumed that they were granting the privilege to the gentleman from Bangor, Mr. Totman, that the item would be the first item of business on Tuesday next, and I think if you took a division on that you would find that I am right. Now, somewhere along the line, I believe it has been done before, that providing the members here, that a bill can be removed from the table providing you get a majority of the members to vote for it.

The SPEAKER: Did the gentleman make a motion?

Mr. JALBERT: I make a motion that the item as tabled, L. D. 1478 and House Amendment "B" be taken from the table at this time.

The SPEAKER: The Chair is advised that the gentleman's motion

is out of order because we have a unanimous agreement, and the Chair is advised that that must be the end of the question.

For what purpose does the gentleman arise?

Mr. MILLER: I wish to challenge the Speaker of the House. We in the back here were misinformed on that motion too. We thought we were going along with the gentleman from Bangor, Mr. Totman. I think when you spoke to us and told us, I think that that was the way you directed us. And I think that we should have another vote on this. I think that you were in the wrong.

The SPEAKER: Does the Chair understand that the gentleman from Portland, Mr. Miller, rises to a point of order?

Mr. MILLER: Yes sir.

The SPEAKER: The House will be at ease, and the Chair will request the gentleman from Portland, Mr. Miller, to meet the Speaker in the Speaker's office.

House at Ease

Called to order by the Speaker.

The SPEAKER: The Chair is prepared to rule.

The gentleman from Portland, Mr. Miller, has raised a Point of Order as to the correctness of the ruling of the Chair that the motion of the gentleman from Lewiston, Mr. Jalbert, to reconsider a unanimous consent agreement, making House Amendment "B" to S. P. 515, L. D. 1478, a special order for Tuesday next was out of order.

Without reviewing the action of the House that led up to the point of order, the Chair is satisfied that a misunderstanding existed in the minds of a large majority of the Members when the unanimous consent request of the gentleman from Bangor, Mr. Totman, was put, requesting that the matter be made a special order for next Tuesday. The Chair, therefore, takes the liberty of disregarding the Point of Order of Mr. Miller and ruling that such a misunderstanding existed — the unanimous consent given was obtained without the Members understanding the situation.

I therefore rule that unanimous consent was not properly granted for making the matter a special

order. The matter is now before the House and the question is the motion of the gentleman from Bangor, Mr. Quinn, that the amendment lie on the table pending adoption and be specially assigned for Tuesday next. The gentleman from South Portland, Mr. Fuller, has requested a division on the tabling motion.

Will all those who favor the motion of the gentleman from Bangor, Mr. Quinn, that House Amendment "B" to Bill "An Act relating to Educational Aid and Reorganization of School Administrative Units" Senate Paper 515, Legislative Document 1478, be tabled pending adoption and specially assigned for Tuesday, April 30, kindly rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Seventy-six having voted in the affirmative and fifty-five having voted in the negative, the amendment and Bill were so tabled.

Mr. BROCKWAY: Mr. Speaker?

The SPEAKER: For what purpose does the gentleman arise?

Mr. BROCKWAY: For a point of information.

The SPEAKER: Is it a parliamentary inquiry?

Mr. BROCKWAY: I might state my purpose for rising sir, I would like to ask, I understand there aren't copies.

The SPEAKER: Does the gentleman wish unanimous consent to address the House?

Mr. BROCKWAY: Yes.

The SPEAKER: The gentleman from Milo, Mr. Brockway, requests unanimous consent to address the House. Is there objection? The Chair hears none and the gentleman may proceed.

Mr. BROCKWAY: I understand at the moment that there aren't any copies of these amendments available to the Members of the House. I would ask —

The SPEAKER: Which amendment is the gentleman referring to?

Mr. BROCKWAY: Senate Amendment "A", Filing 189, House Amendment "A", Filing 245, and House Amendment "C", Filing 250. I ask that these be reproduced in suf-

ficient quantity so that we can have what we need to send back home to constituents —

The SPEAKER: The Chair is advised that all of those amendments have been distributed to the Members' desks. Is this correct or incorrect? There will be more reproduced in the event that any Member did not get any and there will be extra copies if you wish them.

Mr. BROCKWAY: That is what I wished, was extra copies.

Passed to Be Enacted Emergency Measure

An Act Amending the Charter of the Limerick Sewerage District (H. P. 766) (L. D. 1048)

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. 125 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 Tabled and Assigned

An Act relating to Sales and Use Tax on Certain Boats Sold to Non-residents (H. P. 1050) (L. D. 1493)

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

(On motion of Mr. Maynard of Portland, tabled pending final enactment and specially assigned for tomorrow.)

Passed to Be Enacted

An Act relating to Certificate of Commitment to the State Hospitals (S. P. 183) (L. D. 462)

An Act relating to Qualifications for Disability Pension for Members of the Lewiston Police Department (S. P. 209) (L. D. 554)

An Act relating to Sick Leave Benefits for Members of the Lewiston Police Department (S. P. 211) (L. D. 556)

An Act Revising Laws Relating to Registered Nurses and Practical Nurses (S. P. 374) (L. D. 997)

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

An Act relating to Municipal Accounting and Audit (S. P. 517) (L. D. 1475)

An Act relating to Definitions of Narcotic Drugs (H. P. 13) (L. D. 12)

An Act to Incorporate Bowdoinham Water District (H. P. 384) (L. D. 515)

An Act relating to Boarding Homes for the Aged (H. P. 789) (L. D. 1122)

An Act relating to Time of Applications for Refunds of Gasoline Tax (H. P. 913) (L. D. 1299)

An Act relating to Time of Annual Town Meeting in Town of Mechanic Falls (H. P. 988) (L. D. 1376)

An Act relating to Walks and Handrails on Railroad Bridges (H. P. 1047) (L. D. 1489)

Finally Passed

Resolve to Reimburse the Town of Enfield for Certain Pauper Claims (H. P. 155) (L. D. 203)

Resolve to Reimburse the Town of Waldoboro for Aid Extended to Leverett Carter (H. P. 202) (L. D. 289)

Resolve in favor of Town of Marsardis, Aroostook County (H. P. 408) (L. D. 585)

Resolve Reimbursing Town of Bristol for Certain Pauper Claims (H. P. 638) (L. D. 905)

Resolve to Reimburse Town of Stetson for Aid to Carlton Johnson and Family (H. P. 737) (L. D. 1041)

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, House Report "Ought not to pass" of the Committee on Taxation on Bill "An Act relating to Head Tax in Towns", House Paper 757, Legislative Document 1071, tabled on April 16 by the gentleman from Chelsea, Mr. Allen, pending acceptance of report, and the Chair recognizes that gentleman.

Mr. ALLEN: Mr. Speaker and Ladies and Gentlemen of the House: I had planned to hold a short re-

quiem over this bill and say a little bit on it, but due to the lateness of the hour and the time that we have already taken up, I think in committing it to doom that I should at least remark that the intent of this bill was to point up a situation on property taxes, real estate and personal property taxes, mostly real estate, in the municipalities, that the real estate tax is definitely out of line in this day and age with the economy of the State progressing like it is, and that there should be a study made of some method of relieving that real estate tax. With that I will just move to accept the "Ought not to pass" report of the committee.

The SPEAKER: Is this the pleasure of the House to accept the "Ought not to pass" Committee Report?

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

The SPEAKER: Under Orders of the Day the Chair lays before the House the second tabled and today assigned matter, Bill "An Act relating to Bank Deposits or Loan and Building Shares in Two or More Names", House Paper 918, Legislative Document 1308, tabled on April 17 by the gentleman from Bangor, Mr. Quinn, pending third reading, and the Chair recognizes that gentleman.

Mr. QUINN: Mr. Speaker and Ladies and Gentlemen of the House: This bill was tabled because it had been brought to my attention that there was another bill before the Legislature in one of the other committees that might affect this Bill. Comparison of the two bills showed that to be true. Now, this Bill is in its third reading, the other bill is just coming out of committee, the Judiciary Committee, and it is to come before the House. Now, pending the action on the other bill I would ask that this bill be tabled and unassigned and upon the conclusion of the other bill this bill then to be disposed of. The difficulty was that my bill had been referred to the Committee on Business Affairs and the other bill to the Committee on Judiciary, so they hadn't got together on it.

The SPEAKER: With respect to item number two, Bill "An Act relating to Bank Deposits or Loan and Building Shares in Two or More Names", House Paper 918, Legislative Document 1308, the gentleman from Bangor, Mr. Quinn, now moves that this bill be retabled unassigned pending third reading. Is this the pleasure of the House?

The motion prevailed and the Bill was retabled pending third reading and unassigned.

The SPEAKER: Under Orders of the Day the Chair now lays before the House the third tabled and today assigned matter, House Report "Ought not to pass" of the Committee on Judiciary on Bill "An Act relating to Equity Suit after Period of Redemption in the Collection of Taxes", House Paper 939, Legislative Document 1332, tabled on April 18 by the gentleman from South Portland, Mr. Earles, pending acceptance of report.

The Chair recognizes the gentleman from Bingham, Mr. Shaw.

Mr. SHAW: Mr. Speaker, due to the absence of the gentleman from South Portland, Mr. Earles, I would move that this item be tabled and specially assigned for Tuesday of next week.

The SPEAKER: With respect to item number three, Bill "An Act relating to Equity Suit after Period of Redemption in the Collection of Taxes," House Paper 939, Legislative Document 1332, the gentleman from Bingham, Mr. Shaw, moves that the item be retabled specially assigned for Tuesday of next week pending acceptance of the report. Is this the pleasure of the House?

The motion prevailed and the Bill was retabled pending acceptance of the report and specially assigned for Tuesday, April 30.

The SPEAKER: Under Orders of the Day the Chair now lays before the House the fourth tabled and today assigned matter, Senate Report "Ought to pass" as amended by Committee Amendment "A" of the Committee on State Government on Bill "An Act Prohibiting State Employees from Participating in State Politics", Senate Paper 467, Legislative Document 1347, tabled on April 19 by the gentlewoman from Presque

Isle, Mrs. Christie, pending the motion of the gentleman from Sangerville, Mr. Edgerly, to indefinitely postpone.

The motion before the House is the motion of the gentleman from Sangerville, Mr. Edgerly, that this Bill be indefinitely postponed.

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

Mr. CHILDS: Mr. Speaker, I surely don't want to go into debating this matter again. I think things were pretty well brought out the other day. It was a majority "Ought to pass" Report, and I hope that the motion of the gentleman from Sangerville, Mr. Edgerly, does not prevail, and when the vote is taken I request a division.

The SPEAKER: The motion before the House is the motion of the gentleman from Sangerville, Mr. Edgerly, that Bill "An Act Prohibiting State Employees from Participating in State Politics" as amended by Committee Amendment "A" be indefinitely postponed.

The Chair recognizes the gentleman from South Berwick, Mr. Flynn.

Mr. FLYNN: Mr. Speaker and Members of the House: This bill that lies before us indefinitely postponed by the gentleman from Sangerville, Mr. Edgerly, is a bill that I think it is time for us to rise up and protect our constitutional rights in the United States of America. Owing to the fact that a man is employed by the State, to deprive him of his constitutional rights in my book is an unfair procedure. And any man that works for the State of Maine, I believe, has got as much right to participate in politics as any other individual in this State. Regardless of the fact that he works for the State does not take his constitutional rights away from him, and I hope that this provision of indefinite postponement prevails.

The SPEAKER: The Chair recognizes the gentleman from Bath, Mr. Ross.

Mr. ROSS: Mr. Speaker, just to correct a statement that was made, as the bill was originally drawn it said that an employee of the State could not participate in politics. The gentleman from Sangerville, Mr.

Edgerly, appeared before the Committee and he expressed his views. The Committee wholeheartedly agreed with him. And so from that bill we deleted all of that participation in State politics. And the amendment now just says that no employee shall solicit contributions from any person, firm or corporation. And it was felt that this was necessary because it was stated before the Committee that several of the persons employed by the State Government were more or less badgering the persons working under them for funds to support political causes. I think this bill does absolutely no harm as it is redrafted.

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

Mr. CHILDS: Mr. Speaker and Members of the House: Just to reiterate what the gentleman from Bath, Mr. Ross, has said, this bill does nothing whatsoever except to prevent people from soliciting State employees. They can engage in politics just as actively now as they could before this bill, if it is passed. And also they can make contributions to political parties if they so desire. The only thing it is going to do is stop others from soliciting State employees. The law as it now reads prevents department heads from soliciting State employees, but one State employee can solicit another and this will prevent this. The only thing that this bill is going to do is stop solicitation, it is not going to take away anybody's constitutional rights, and I hope the motion will not prevail.

The SPEAKER: The motion before the House is the motion of the gentleman from Sangerville, Mr. Edgerly, for indefinite postponement of Bill "An Act Prohibiting State Employees from Participating in State Politics", Senate Paper 467, Legislative Document 1347, as amended by Committee Amendment "A". Is the House ready for the question? The Chair recognizes that the gentleman from Portland, Mr. Childs, has requested a division.

Will all those who favor the motion to indefinitely postpone this Bill please rise and remain standing un-

til the monitors have made and returned the count.

A division of the House was had.

Six having voted in the affirmative and one hundred and four having voted in the negative the motion did not prevail.

Thereupon, the "Ought to pass" Committee Report was accepted, and the Bill given its first and second readings.

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

COMMITTEE AMENDMENT "A" to S. P. 467, L. D. 1347, Bill, "An Act Prohibiting State Employees from Participating in State Politics."

Amend said Bill by striking out the underlined 5th, 6th and 7th lines and inserting in place thereof the following underlined words: 'restricted: penalty. No state employee shall solicit contributions from any person, firm or corporation'.

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

The SPEAKER: Under Orders of the Day the Chair now lays before the House the fifth tabled and today assigned matter, House Report "Ought to pass" as amended by Committee Amendment "A" of the Committee on Agriculture on Bill "An Act Creating the Maine Commercial Feed Law", House Paper 254, Legislative Document 352, tabled on April 19 by the gentleman from Bowdoinham, Mr. Curtis, pending acceptance of the Committee Report.

The Chair recognizes the gentleman from Chelsea, Mr. Allen.

Thereupon, on motion of the gentleman from Chelsea, Mr. Allen, the "Ought to pass" Committee Report was accepted and the Bill read twice.

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

COMMITTEE AMENDMENT "A" to H. P. 254, L. D. 352, Bill, "An Act Creating the Maine Commercial Feed Law."

Amend said Bill in section 1 by striking out all of the subsection I of that part designated "Sec. 236-C" and inserting in place thereof the following underlined subsection:

'I. Unmixed whole seed and meals made directly from the entire seeds.'

Further amend said Bill in section 1 by striking out all of the subsection I of that part designated "Sec. 236-D" and inserting in place thereof the following underlined subsection:

'I. Each brand of commercial feed shall be registered before being offered for sale, sold or otherwise distributed in this State. The application for registration shall be submitted to the Commissioner on forms furnished by the Commissioner, and shall be accompanied by a fee of \$20 per brand, and if the Commissioner so requests shall also be accompanied by a label or other printed matter describing the product. Upon approval by the Commissioner, a copy of the registration shall be furnished to the applicant. All registrations expire on December 31st of each year unless sooner cancelled. The fees so collected by the Commissioner shall be deposited with the Treasurer of State and appropriated for carrying out the provisions of sections 236-A to 236-K, inclusive, including the cost of inspection, sampling and analysis of commercial feed. Such funds shall not lapse, but shall remain a continuing carrying account.'

Further amend said Bill in section 1 by striking out the semicolon at the end of subsection I of that part designated "Sec. 236-F" and inserting in place thereof the following underlined words and punctuation: 'when fed in accordance with directions for use on the label;'

Further amend said Bill in section 1 by striking out all of subsection IV of that part designated "Sec. 236-G" and inserting in place thereof the following underlined subsection:

'IV. If it purports to be or is represented as a feed ingredient, or if it purports to contain or is represented as containing a feed ingredient, unless such feed ingredient conforms to the definition of identity, if any, prescribed by regulation of the Commissioner; in the adopting of such regu-

lations the Commissioner shall give due regard to commonly accepted definitions such as those issued by the Association of American Feed Control Officials.'

Further amend said Bill in section 1 by striking out all of subsection VI of that part designated "Sec. 236-G" and by renumbering Subsection "VII" to be subsection 'VI'

Further amend said Bill in the section 1 by striking out of the underlined word "feeds" at the end of the 7th line of that part designated "Sec. 236-I" and inserting in place thereof the underlined words 'feed ingredients'

Further amend said Bill by adding at the end thereof a new section 10 to read as follows:

'Sec. 10. Effective date. The provisions of this act shall become effective on January 1, 1958.'

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

The SPEAKER: Under Orders of the Day the Chair now lays before the House the sixth tabled and today assigned matter, House Divided Report, Majority "Ought to pass" and Minority "Ought not to pass", of the Committee on Public Health on Bill "An Act relating to Certificates Issued by Board of Commissioners of Pharmacy", House Paper 788, Legislative Document 1121, tabled on April 23 by the gentleman from Millinocket, Mr. Emerson, pending acceptance of either report, and the Chair recognizes that gentleman.

Mr. EMERSON: Mr. Speaker, I would like to table this for Thursday, May 2, for further confirmation by the Maine Pharmacists Association.

The SPEAKER: With respect to item number six, Bill "An Act relating to Certificates Issued by Board of Commissioners of Pharmacy", House Paper 788, Legislative Document 1121, the gentleman from Millinocket, Mr. Emerson, now moves that this Bill be retabled specially assigned for Thursday, May 2, pending acceptance of either report. Is this the pleasure of the House?

The motion prevailed and the Bill with accompanying papers was retabled pending acceptance of either report and specially assigned for Thursday, May 2.

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

On motion of the gentleman from Belfast, Mr. Rollins, the House voted to take from the table the fortheth tabled and unassigned matter, Senate Report "Ought to be adopted" as amended by Committee Amendment "A" of the Committee on Taxation on Joint Resolution Memorializing Congress to Enact Legislation Concerning Unjustified Price Increases of Crude Oil and Refined Petroleum Products, Senate Paper 378, Legislative Document 1001, tabled on April 12 by that gentleman pending acceptance in concurrence.

The SPEAKER: The Chair recognizes the gentleman from Brownville, Mr. Ross.

Mr. ROSS: Mr. Speaker, I move the acceptance of the "Ought to be adopted" Report as amended by Committee Amendment "A".

The SPEAKER: The motion before the House is the motion of the gentleman from Brownville, Mr. Ross, that the "Ought to be adopted" Report as amended by Committee Amendment "A" be accepted in concurrence. Is this the pleasure of the House?

The Chair recognizes the gentleman from Bath, Mr. Ross.

Mr. ROSS: Mr. Speaker and Members of the House: As you can see this is another memorial to Congress. When this House debated the memorial to Congress for Aid to Education, I mentioned at that time a memorial the State of Georgia had just had impeaching the Supreme Court Justices, and I said at that time I was not in favor of memorials be they for education or for gasoline or whatever. This is a gasoline situation. I feel the same way now as I did then. I certainly don't think we should memorialize Congress on this point, and I now move indefinite postponement of the Bill.

The SPEAKER: The motion now before the House is the motion of

the gentleman from Bath, Mr. Ross, that the Memorial and the report be indefinitely postponed. Is the House ready for the question?

Will those who favor the indefinite postponement of the Memorial and the report please say aye; those opposed, no.

A viva voce vote being taken the motion prevailed and the Joint Resolution and accompanying papers were indefinitely postponed in non-concurrence and sent up for concurrence.

On motion of the gentleman from Houlton, Mr. Ervin, the House voted to take from the table the forty-seventh tabled and unassigned matter, Bill "An Act to Increase the Salaries of the Judge and Recorder of Madawaska Municipal Court", House Paper 247, Legislative Document 308, tabled on April 16 by that gentleman pending adoption of House Amendment "A" to Committee Amendment "A".

The SPEAKER: The Chair recognizes the same gentleman.

Mr. ERVIN: Mr. Speaker, I would now move that this bill be recommitted to the Committee on Towns and Counties, This has the permission and approval of the Chairman both in the Senate and the House, and also from the author himself, the gentleman from Madawaska, Mr. Rowe.

The SPEAKER: The gentleman from Houlton, Mr. Ervin, moves that Bill "An Act to Increase the Salaries of the Judge and Recorder of Madawaska Municipal Court," House Paper 247, Legislative Document 308, be recommitted to the Committee on Towns and Counties. Is this the pleasure of the House?

The motion prevailed and the Bill and accompanying papers were recommitted to the Committee on Towns and Counties and sent up for concurrence.

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

Mr. JACQUES: Mr. Speaker, I move that we reconsider our action of this morning on Committee Re-

port on item number ten, a Bill "An Act relating to Payment of Expenses of Lewiston Municipal Court," House Paper 152, Legislative Document 190, on Page 3.

The SPEAKER: The Chair would inquire of the gentleman from Lewiston, Mr. Jacques, as to whether or not he voted on the prevailing side when the question was considered earlier?

Mr. JACQUES: I did.

The SPEAKER: The Chair understands that the gentleman did vote on the prevailing side and his motion is in order.

The gentleman from Lewiston, Mr. Jacques, with respect to item number ten on Page 3, under Reports of Committees, on Bill "An Act relating to Payment of Expenses of Lewiston Municipal Court" now moves that the House reconsider its action of earlier this morning whereby the House accepted the "Ought not to pass" Committee Report. Is this the pleasure of the House?

The motion prevailed.

The SPEAKER: The Chair recognizes the same gentleman.

Mr. JACQUES: I would now move that this matter lie on the table until April 30, Tuesday.

The SPEAKER: The gentleman from Lewiston, Mr. Jacques, now moves that Bill "An Act relating to Payment of Expenses of Lewiston Municipal Court", House Paper 152, Legislative Document 190, be tabled and specially assigned for Tuesday next pending acceptance of the Committee Report. Is this the pleasure of the House?

The motion prevailed and the Bill was tabled pending acceptance of the Committee Report and specially assigned for Tuesday, April 30.

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

(Off record remarks)

On motion of the gentleman from Lewiston, Mr. Jalbert,

Adjourned until nine-thirty o'clock tomorrow morning.