

# 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, May 1, 1957

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

Prayer by the Rev. Mr. Earl R. Eckerson, Pastor of the Congregational Church of South Bristol and Bremen.

The Journal of the previous session was read and approved.

### Papers from the Senate Senate Reports of Committees Ought Not to Pass

Report of the Committee on Claims reporting "Ought not to pass" on Resolve in favor of Ray Campbell of Phippsburg (S. P. 407) (L. D. 1140)

Report of the Committee on State Government reporting same on Bill "An Act Transferring School for the Deaf from Department of Institutional Service to Department of Education" (S. P. 535) (L. D. 1506)

Came from the Senate read and accepted.

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

### Ought to Pass in New Draft

Report of the Committee on Transportation on Bill "An Act relating to Registration Fees on Certain Commercial Vehicles" (S. P. 25) (L. D. 16) which was recommitted, reporting same in a new draft (S. P. 544) (L. D. 1523) under same title and that it "Ought to pass"

Came from the Senate with the New Draft 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 Judiciary reporting "Ought to pass" on Bill "An Act Repealing Law Requiring Convicts to Give Notes for Fines and Costs" (S. P. 403) (L. D. 1099) which was recommitted.

Report of the Committee on Towns and Counties reporting same on Bill "An Act Increasing Certain Fees of Sheriffs and their Deputies" (S. P. 226) (L. D. 569)

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

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

### Ought to Pass with Committee Amendment

Report of the Committee on Highways on Bill "An Act Clarifying the Outdoor Advertising Law" (S. P. 418) (L. D. 1177) 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. 418, L. D. 1177, Bill, "An Act Clarifying the Outdoor Advertising Law."

Amend said Bill by striking out all of "Sec. 1." and inserting in place thereof the following:

"Sec. 1. R. S., c. 23, §138, amended. Section 138 of chapter 23 of the Revised Statutes, as amended by chapter 38 and by section 3 of chapter 279, both of the public laws of 1955, is hereby further amended by adding at the end thereof a new paragraph to read as follows:

**None of such structures, devices or displays exempted in this section shall be:**

**I. Within the full width of the right-of-way of any state or state aid highway as laid out by the State, the county or the town; nor**

**II. Within 33 feet of the center line of any such highway if the right-of-way as laid out is less than 33 feet from the center line of any such highway; nor**

**III. Within 20 feet from the outside edge of any of the paved portion of any such highway having more than 2 travel lanes and having a total paved portion in excess of 24 feet in width.**

**Subsections II and III shall not apply to such structures, devices or**

**displays permanently set and in existence September 1, 1957.”**

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

Report of the Committee on Judiciary on Bill “An Act to Correct Inconsistencies in State Prison Sentences” (S. P. 201) (L. D. 546) 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. 201, L. D. 546, Bill, “An Act to Correct Inconsistencies in State Prison Sentences.”

Amend said bill by striking out all of that part thereof designated as “Sec. 2.”

Further amend said Bill by striking out the abbreviation “Sec. 1.” at the beginning of the first line thereof.

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

Report of the Committee on Labor on Bill “An Act relating to Compensation for Eye Impairment under Workmen’s Compensation Act” (S. P. 284) (L. D. 743) 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. 284, L. D. 743, Bill, “An Act Relating to Compensation for Eye Impairment Under Workmen’s Compensation Act.”

Amend said Bill by striking out in the 5th line the underlined words and punctuation “or for the loss of

binocular vision,” and further amend said Bill in the 6th line by inserting after the word “vision” the underlined words “or for diplopia.”

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

#### Divided Report

Majority Report of the Committee on Constitutional Amendments reporting “Ought not to pass” on Resolve Proposing an Amendment to the Constitution Changing the Tenure of Office of Senators to Four-Year Terms (S. P. 482) (L. D. 1387)

Report was signed by the following members:

Messrs. BUTLER of Franklin  
WOODCOCK of Penobscot  
Mrs. LORD of Cumberland  
— of the Senate.

Messrs. HANCOCK of York  
BROWNE of Bangor  
EARLES of South Portland  
WALKER of Auburn  
BRODERICK of Portland  
BEANE of Augusta  
BEYER of Cape Elizabeth  
EMMONS of Kennebunk  
CURTIS of Bowdoinham  
— of the House.

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

Report was signed by the following members:

Messrs. HURLEY of Kennebec  
WYMAN of Washington  
— of the Senate.  
Mr. TEVANIAN of Portland  
— of the House.

Came from the Senate with the Majority Report accepted.

In the House: Reports were read and the Majority “Ought not to pass” Report was accepted in concurrence.

#### Divided Report

Majority Report of the Committee on Labor reporting “Ought not to pass” on Bill “An Act relating to Claims for Compensation for Hernia” (S. P. 258) (L. D. 698)

Report was signed by the following members:

Messrs. HILLMAN of Penobscot  
CURTIS of Cumberland  
— of the Senate.

Messrs. HANSCOMB

— of South Portland  
 ROSS of Bath  
 EMMONS of Kennebunk  
 LETOURNEAU of Sanford  
 WINCHENPAW of Friend-  
 ship  
 — of the House.

Minority Report of same Committee on same Bill reporting same in a new draft (S. P. 549) (L. D. 1536) under title of "An Act relating to Claims for Compensation for Inguinal Hernia" and that it "Ought to pass"

Report was signed by the following members:

Mr. ST. PIERRE  
 of Androscoggin  
 — of the Senate.

Messrs. SMITH of Portland  
 KARKOS of Lisbon Falls  
 — of the House.

Came from the Senate with the Majority Report accepted.

In the House: Reports were read and the Majority "Ought not to pass" Report was accepted in concurrence.

#### Non-Concurrent Matter

Report of the Committee on Judiciary reporting "Ought not to pass" on Bill "An Act relating to Duties of Support under Uniform Reciprocal Enforcement of Support Act" (H. P. 708) (L. D. 1014) which was accepted in the House on April 26.

Came from the Senate with the Report and Bill recommitted to the Committee on Judiciary in non-concurrence.

In the House: On motion of Mr. Browne of Bangor, the House voted to recede and concur.

#### Non-Concurrent Matter

Bill "An Act relating to Salaries of Superintendents of Schools" (H. P. 639) (L. D. 905) on which the House accepted the Majority "Ought to pass" Report of the Committee on Education and passed the Bill to be engrossed on April 26.

Came from the Senate with the Minority "Ought not to pass" Report accepted in non-concurrence.

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

#### Non-Concurrent Matter

Majority Report of the Committee on Education reporting "Ought not to pass" on Bill "An Act to Discontinue Fort Kent State Normal School and to Use the Buildings for Other Educational Purposes" (H. P. 937) (L. D. 1330) and Minority Report reporting "Ought to pass" which Reports and Bill were recommended to the Committee on Education in the House on April 26.

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

In the House:

The SPEAKER: The Chair recognizes the gentleman from Fryeburg, Mr. LaCasce.

Mr. LaCASCE: Mr. Speaker and Ladies and Gentlemen of the House: I thought that it might be well to say a few words about teacher training in the State of Maine, and about the teachers colleges.

The Legislature sent the Education Committee into Aroostook County and Washington County to inspect the Presque Isle Teachers College, the Fort Kent Normal School and the Washington State Teachers College. Most of us know something about the University of Maine, which institution does many things besides teachers training. At the University of Maine they have courses in teacher training for Physical Education, Home Economics and Vocational Agriculture. In Home Economics it costs a student going to the University of Maine nearly twice as much as it does a student going to Farmington State Teachers College.

At the teachers colleges, the one at Gorham in 1955 had 583 students, and educated those students at a per capita cost to the State of \$317. At Gorham they have a course in Industrial Arts where they train teachers to teach Industrial Arts, and that is the only institution in the State which offers that course. We need more teachers in that field. I understand they are graduating 13 in that field this year which won't supply the needs of the State. The others, the training is mostly in elementary school teachers. At Farmington State in the same year they had 359 students at a cost to the State of \$501 per student. They have a course in Home Economics

where they train teachers in that field. They turn out excellent teachers at a very low cost to the student. At Aroostook State in Presque Isle in the same year they had 99 students that cost the State \$907 for each student. This year they have 109 students. At Aroostook State they have a School of Practical Nursing which really is run under the same management and is an excellent course. At Washington State Teachers College in the same year they had 109 students at a cost to the State of \$924 per student. This year at Washington State they have 80 students. Therefore the cost per student would be considerably higher. At Fort Kent in the same year they had 63 students at a cost to the State of \$1273 per student. This year at Fort Kent Normal School there are 55 students, therefore I should expect the cost per student to be higher this year.

In the Jacobs' Report it was recommended that 300 be set as a minimum for high schools. And in the same report it was recommended that the Fort Kent Normal School be closed. The State Board of Education recommended that Fort Kent be closed, and then the last Legislature voted to keep the school open, and invested some \$60,000 or \$65,000 which they had received from a fire loss the year before.

Presque Isle Teachers College, which is a four year college, is within 58 miles from Fort Kent. High school students traveled from Allagash to Fort Kent for the last two years, some of them do, a distance of 40 miles, and it doesn't seem to me that 58 miles is an unreasonable distance for Fort Kent people to get away from home.

As I mentioned before, the cost per student was \$1273, and the State could send all of those students to Presque Isle, pay their whole way and still save money. To me it is better for youngsters taking a college course to get away from home and rub elbows with students from other sections of the State or the country. And it seems to me that the consolidated high school in Fort Kent has more potential for education in Fort Kent than does the Normal School.

Of course the bilingual proposition is spoken of as a need for the Fort Kent School. Teaching however, is done in English. And the bilingual proposition, if the teacher understood French, could understand what the students were saying about him or her behind their backs.

I thought that you should know what the proposition is. I have talked with the Commissioner of Education and he says that he expects to do something with this School if it is continued. I think that he will do that. And as a result of that I move that this Bill and the papers be indefinitely postponed.

The SPEAKER: The Chair would advise the gentleman from Fryeburg, Mr. LaCasce, that he can accomplish the same purpose merely by moving that the House recede and concur, and the Chair understands that the gentleman so moves.

The Chair now recognizes the gentleman from Portland, Mr. Maynard.

Mr. MAYNARD: Mr. Speaker and Members of the House: I too would like to make my position clear in this matter. The State spent considerable money buying me an airplane ticket to go up and look at some of these colleges, paying my way, hotel fare and food over to Machias.

I know you folks, you folks have listened to a lot on education, it is a pretty hard thing to concentrate on probably at this late date. But I do think this is something that we ought to devote a few minutes to before we drop it.

The reason I have been in favor of closing Fort Kent, and also if you have read the amendment which I proposed, to close Washington State, is as follows: You will remember that in that amendment a substitute for the closing of those colleges would mean a \$500 scholarship for each of 200 people from the two areas, which would be about fifty more than — well, seventy-five more than are presently going to those two institutions.

The reception of this Report today from the Senate puts me in mind of a gentleman to whom a considerable sum of money was owed. For months he had had no reply to many letters to the gentleman who owed him the money. Finally he wrote a very stiff note and received the following let-

ter: "Dear sir, Enclosed you will find a check for the full amount which I owe you. I thank you for your kindness and all the long suffering patience you have had over these months. P.S. This is the kind of letter I would have written had I had the money."

When Senator Low at the other end of the corridor refused to have this Bill sent back to Committee, I feel that he did a great injustice to the youngsters here in this State, as well as to the finances of our State. I would like to point out that it costs \$167,000 to run these two schools, Fort Kent and Washington State for one year. These scholarships would cost approximately \$100,000 a year. We would be able to give these youngsters better training and save the State a good sum of money. Now, that isn't all. The requests for these two institutions in capital improvements amount at Fort Kent to \$356,000, and at Washington State \$825,000. In other words, if we keep these two places open, and they are to operate at all efficiently, we must spend over a million dollars. And believe me, these are just necessary things, as you could see if you have read carefully a few pages of this Jacobs Report. Now I do want to read two or three sentences from the report to show you exactly what there is at Fort Kent. I wonder if you people realize that the word college doesn't mean a beautiful set of buildings arising on them and a great athletic field behind those buildings. I am afraid you would be dismayed by that picture if you visited Fort Kent School and yes, the Washington State Normal School, teachers college. Just a few rather interesting sentences, that is all I am going to read. This is on page 132 of the Jacobs Report. The very small enrollment results in exceedingly high per student cost to the state, that is Fort Kent. This is all on Fort Kent, that's all I am going to read.

At the present time the facilities at Fort Kent are wholly inadequate. With the exception of Dickey Hall and the gymnasium, the physical plant is in very poor condition. The room provided for the Normal School library is probably ade-

quate, but library books are practically nonexistent. Think of that, Ladies and Gentlemen, in a college. The present staff has a minimum of training, yet we are spending four times the amount of money for students training at Fort Kent that we are spending at Gorham. Now this is the sad thing about Fort Kent, during the past few years, Fort Kent has continued at the pleasure of the legislature from biennium to biennium. The staff and administration are always faced with the possibility that at the end of a current biennium the institution might go out of existence or that its program might be severely restricted. Such a conditional existence makes for an unhealthy environment for both students and faculty. A clear-cut decision regarding the future of the institution is required.

Now I have read a few of these sentences, these few sentences and these figures, to give you an idea of just what you are voting for, voting on. Evidently the cards are completely stacked against closing these institutions so now we have five teachers colleges and the University of Maine to support. So be it. If we are going to keep these things running then it evidently is going to be up to us to provide the funds. Now you can see from those few figures how much more money we are getting into. We talk consolidation in the Jacobs Report—bill, and yet we oppose it in the business about Fort Kent, Washington State and all the rest. I submit that that isn't very consistent. Now it looks as if these schools are going to remain open. I am glad to hear that the Commissioner intends to do something about the school. I don't know how many of you have seen Fort Kent Normal School, but I think if you have seen it, and believe me, every word in that Jacobs Report, from my observation, is true. In fact, I found the conditions worse to my way of thinking. It is a disheartening thing to look at that place and see what we are giving to these youngsters. Down at Washington Normal School there is no boys dormitory, there is no athletic field. What kind of a young man is going to want to go down

there if he doesn't have to? Alright, if we are going to keep these places alive, it means a lot of money. A little later, in not too many days probably, a bill will come to you that has to do with raising money to support these five colleges, and that is a bond issue, against which there is a great deal of prejudice. We have no prejudice evidently generally against raising money through bond issues for roads. I am very much interested to see if we have an absence of prejudice about raising a very small sum of money comparatively for these very needy institutions. I am afraid this thing is not a very easy matter to settle. We can't just close our eyes and say: "Let those schools exist". The Commissioner can't say: "I'll take care of it." He can't take care of the situation without money, and that is a tough nut to crack.

Now I am just going to let this bill ride along. Anybody can do with it what he wants. I want my position clear that the only reason I supported the closing of Fort Kent and the closing of Washington State Teachers College was to give these youngsters a better education and to get more prospective teachers and save the State money. Now that is my stand on this, and when this other bill comes to raise money for these institutions, I think we should do a little soul searching. Thank you.

The SPEAKER: The motion before the House is the motion of the gentleman from Fryeburg, Mr. La-Casce, that the House in regards to Bill "An Act to Discontinue Fort Kent State Normal School and to Use the Buildings for Other Educational Purposes", House Paper 937, Legislative Document 1330, recede and concur. Is this the pleasure of the House? Will those who favor the motion to recede and concur, please say aye, those opposed, no.

A viva voce vote being taken, the motion prevailed.

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

Mr. FULLER: Mr. Speaker, I move we reconsider our action

whereby we voted to recede and concur on item twelve.

The SPEAKER: The gentleman from South Portland, Mr. Fuller, on item twelve, Bill "An Act relating to Salaries of Superintendents of Schools", House Paper 639, Legislative Document 906 now moves that the House reconsider its action whereby it receded and concurred with the Senate in accepting the Minority "Ought not to pass" Report. Is this the pleasure of the House?

The motion prevailed.

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

Mr. FULLER: Mr. Speaker and Ladies and Gentlemen of the House: I wish to apologize because I had a phone call and I didn't think you would move along quite so fast, and when I got back, my bill was gone. Mr. Speaker, I move that we insist on our former action and ask for a Committee of Conference.

The SPEAKER: The motion now before the House with relation to Bill "An Act relating to Salaries of Superintendents of Schools" is the motion of the gentleman from South Portland, Mr. Fuller, that the House insist upon its previous action whereby it accepted the Majority "Ought to pass" Report and request a Committee of Conference. Will those who favor the motion to insist and request a Committee of Conference please say aye, those opposed, no.

A viva voce vote being taken, the motion prevailed.

The SPEAKER: At this time, the Chair would like to recognize the presence in the gallery of the House of a group of eighth grade pupils from the Dixmont Center School accompanied by their teacher, Edith Luce. On behalf of the House the Chair extends to you folks a most cordial and hearty welcome and we hope that you will enjoy your visit today. (Applause)

#### Non-Concurrent Matter

Bill "An Act relating to Apprenticeship Lobster Fishing Licenses" (S. P. 137) (L. D. 274) which was indefinitely postponed in non-concurrency in the House on April 26.



Came from the Senate with that body voting to insist on its former action whereby the Bill was passed to be engrossed, and asking for a Committee of Conference.

In the House:

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

Mr. TARBOX: Mr. Speaker, I move that the House recede from its former action and concur with the Senate.

The SPEAKER: The motion before the House is the motion of the gentleman from Gouldsboro, Mr. Tarbox, that the House recede.

The Chair recognizes the gentleman from North Haven, Mr. Baird.

Mr. BAIRD: Mr. Speaker, does the motion to recede or the motion to insist take precedent?

The SPEAKER: The motion to recede takes precedence.

Mr. BAIRD: I would request a division.

The SPEAKER: The gentleman from North Haven, Mr. Baird, requests a division. The motion before the House is that the House recede from its former action whereby it indefinitely postponed in non-concurrence the Reports and the Bill, "An Act relating to Apprentice Lobster Fishing Licenses".

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

Mr. TARBOX: Mr. Speaker, I did want to offer an amendment.

The SPEAKER: The gentleman will have an opportunity if the motion to recede prevails.

Will all those who favor the House receding from its previous action whereby it indefinitely postponed the Bill and the Reports, please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Thirty-three having voted in the affirmative and fifty-eight having voted in the negative, the motion did not prevail.

The SPEAKER: The Chair recognizes the gentleman from North Haven, Mr. Baird.

Mr. BAIRD: Mr. Speaker, I move we insist on our former action and request a Committee of Conference.

The SPEAKER: The gentleman from North Haven, Mr. Baird, moves that the House insist upon its previous action and join in the Committee of Conference. Is this the pleasure of the House?

The motion prevailed.

#### Non-Concurrent Matter

Bill "An Act relating to Closed Time on Deer in Certain Counties" (S. P. 280) (L. D. 739) which was indefinitely postponed in non-concurrence in the House on April 26.

Came from the Senate with that body voting to insist on its former action whereby the Bill was passed to be engrossed as amended by Committee Amendment "A", and asking for a Committee of Conference.

In the House: On motion of Mr. Carville of Eustis, the House voted to insist on its former action and join in the Committee of Conference.

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

#### Orders

On motion of Mr. Allen of Chelsea, it was

ORDERED, that Rev. Benjamin Tibbetts of the Advent Christian Church of Waterville be invited to officiate as Chaplain of the House on Thursday, May 9, 1957.

On motion of Mr. Allen of Chelsea, it was

ORDERED, that S. P. 515, L. D. 1478, Bill "An Act relating to Educational Aid and Reorganization of School Administrative Units" be printed showing amendments adopted by both branches of the legislature.

The SPEAKER: The Chair recognizes the gentleman from Skowhegan, Mr. Whiting.

Mr. WHITING: Mr. Speaker and Members of the House: Under suspension of the rules and out of order, I would like to have back House Paper 22, Legislative Document 27, on which yesterday we voted "Ought not to pass" and I should have asked to have it ta-

bled yesterday, and I would like to have it tabled for tomorrow for the purpose of offering an amendment.

The SPEAKER: With respect to Legislative Document 27, Bill "An Act to Increase the Salary of Judge of Western Somerset Municipal Court," the gentleman from Skowhegan, Mr. Whiting, now moves that the House reconsider its action of yesterday whereby the House accepted the "Ought not to pass" Committee Report. Is this the pleasure of the House?

The motion prevailed.

On further motion of Mr. Whiting of Skowhegan, the Report was tabled pending acceptance of either Report and specially assigned for tomorrow, May 2.

On motion of Mr. Hatfield of Orrington, it was

ORDERED, that Mr. Day of Shapleigh be excused from attendance for the remainder of the week because of business.

The SPEAKER: At this time the Chair would like to present to the House a situation regarding future sessions. As you all can very readily see, the daily calendars are building up to a size that makes it impossible for the House to complete the calendar for the day in the usual morning session. In order to facilitate and speed up the business of the House, it is the hope that we will be able to start both morning and afternoon sessions next week. That will depend in part on whether or not the various committees have cleaned up their executive sessions by next week, and the Chair would urge the Chairmen of the various committees to do everything they can to clean up their executive sessions by the end of this week so we can start double sessions next week. We cannot start double sessions if it means depriving committees of time for executive sessions. One other point in connection with the Friday session of this week, because of the length of the calendar and because of the relatively high rate of absenteeism on Friday afternoons, while it will be announced again later in the week, the Chair will state that the plan is to start the session on Friday of this week

at nine-thirty in the morning. If any committees were planning executive sessions for Friday morning, it is the hope of the Chair that you will conveniently be able to change the time of the executive sessions so the committee members can be present at the Friday morning session.

#### House at Ease

Called to order by the Speaker.

The SPEAKER: At this time it gives the Chair a great deal of pleasure to request the Sergeant-at-Arms to escort to the rostrum, Miss Diane Wing of Skowhegan, who holds the title of "Maine Broiler Queen". Will the Sergeant-at-Arms escort the Maine Broiler Queen to the rostrum.

Thereupon, Miss Diane Wing, Maine Broiler Queen, was escorted to the rostrum by the Sergeant-at-Arms amid the applause of the House, the Members rising.

The SPEAKER: It is with a great deal of pleasure that I introduce to you ladies and gentlemen, Miss Diane Wing. Miss Wing.

DIANE WING, Maine Broiler Queen: Mr. Speaker, distinguished Members of the House of Representatives and visitors: It is a great pleasure and honor being your guest here today to represent the broiler industry, one of the major segments in the economy of Maine. Thank you. I am proud of being chosen Maine Broiler Queen. (Applause)

The House will come to order. (laughter)

The SPEAKER: Thank you very much, Miss Wing. The House is proceeding under Orders.

The SPEAKER: At this time the Chair will request the Sergeant-at-Arms to escort to the rostrum the gentleman from Houlton, Mr. Ervin, to serve as Speaker pro tem.

Thereupon, Mr. Ervin 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. Farmer from the Committee on Taxation on Bill "An Act relating to Excise Taxes on Motor

Vehicles of Those who Reside on Veterans Administration Facility, Togus" (H. P. 925) (L. D. 1314) which was recommitted, reported Leave to Withdraw.

Report was read.

The SPEAKER pro tem: The Chair recognizes the gentleman from Chelsea, Mr. Allen.

Mr. ALLEN: Mr. Speaker, I think that the House deserves an explanation why I requested the leave to withdraw on this bill. After the debate on it you know that this bill was reported back to the committee and in talking to the committee members I learned it planned to amend the bill considerably, and in checking with the Attorney General's office I found that what I wanted to accomplish was already in the law and this bill was entirely unnecessary. Although the provisions in this bill were not contradictory to the present law, it helped to clarify the law, but since it is not necessary for this bill and the excise tax of the residents living in Togus should rightfully go to Chelsea, and there is a decision in the Attorney General's office already on it, I now request leave to withdraw.

Report was accepted and sent up for concurrence.

#### Ought Not to Pass

Mr. Violette from the Committee on Agriculture reported "Ought not to pass" on Bill "An Act Revising the Maine Egg Grading Law" (H. P. 521) (L. D. 749)

Mr. Farmer from the Committee on Taxation reported same on Bill "An Act relating to Tax Refund on Motor Fuel" (H. P. 934) (L. D. 1327)

Mr. Hanson from same Committee reported same on Bill "An Act Decreasing the Tax on Gasoline" (H. P. 1029) (L. D. 1461)

Reports were read and accepted and sent up for concurrence.

#### Ought to Pass in New Draft New Draft Printed

Mr. Shepard from the Committee on Business Legislation on Bill "An Act relating to Countersignature on Insurance Policies by Resident Agents" (H. P. 873) (L. D. 1241) reported same in a new draft (H. P. 1072) (L. D. 1539) under title of

"An Act relating to Countersignature by Resident Agents on Insurance Policies" and that it "Ought to pass"

Mrs. Smith from the Committee on Legal Affairs on Bill "An Act Granting a New Charter to the Town of Old Orchard Beach" (H. P. 475) (L. D. 686) reported same in a new draft (H. P. 1073) (L. D. 1538) under same title and that it "Ought to pass"

Mr. Beane from the Committee on Public Utilities on Bill "An Act relating to Systems of Water Supply" (H. P. 755) (L. D. 1069) reported same in a new draft (H. P. 1074) (L. D. 1543) under same title and that it "Ought to pass"

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

#### Ought to Pass Printed Bill

Mr. Desmarais from the Committee on Retirements and Pensions reported "Ought to pass" on Bill "An Act Providing for Disability Retirement under State Police Retirement System" (H. P. 326) (L. D. 443)

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

#### Ought to Pass with Committee Amendment

Mr. Prue from the Committee on Towns and Counties on Bill "An Act relating to Permissive Closing of County Offices on Saturday" (H. P. 445) (L. D. 621) 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. 445, L. D. 621, Bill, "An Act Relating to Permissive Closing of County Offices on Saturday."

Amend said Bill by inserting after the word "closed" in the next to last line the underlined words 'in part or in whole'

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

**Divided Report  
Tabled and Assigned**

Majority Report of the Committee on Taxation reporting "Ought not to pass" on Bill "An Act Refunding Gasoline and Use Fuel Taxes to Local Transit Operators" (H. P. 953) (L. D. 1354)

Report was signed by the following members:

Messrs. LOW of Knox  
WYMAN of Washington  
— of the Senate.

Messrs. HANSON of Gardiner  
ROLLINS of Belfast  
FARMER of Wiscasset  
WALSH of Brunswick  
BESSE of Clinton  
BROWN of Ellsworth  
— of the House.

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

Report was signed by the following members:

Mr. BOUCHER of Androscoggin  
— of the Senate.

Mr. CYR of Augusta  
— of the House.

Reports were read.

The SPEAKER pro tem; The Chair recognizes the gentleman from Augusta, Mr. Carey.

Mr. CAREY: Mr. Speaker and Ladies and Gentlemen of the House: This bill was drawn up for the purpose of attempting to preserve our local bus transportation systems. This bill is presented as a result of the recommendations of the New England Governors Conference Report, and the federal gas tax laws now afford relief along the same basis. Local bus transportation in Maine, in fact, in the nation, has been suffering seriously from increasing costs and falling revenues. This has resulted in curtailment of services, and very often in the discontinuance of the services.

Presently, many of our local bus lines here in Maine are using worn-out equipment, are operating on runs which have been trimmed and retrimmed, and are just hanging on. Any city which does not have a bus line is at a serious disadvantage in many respects. The bus is a great service to families without cars, and it is to families with cars. It is a great service to any area

which is industrial, or which might hope to become industrial. It is a service to our schools and our every day lives.

If we are to maintain these services, we must offer some financial encouragement. As these local lines use only the streets of the cities which they serve, they are no burden to anyone else. I desire very much to see these local lines continue operation. I request that you read the reprinted editorial in the green folder which is on your desks. Mr. Speaker, I move that we accept the Minority Report.

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

Mr. WALSH: Mr. Speaker, I find myself, the minority floor leader, in disagreement with our Governor this morning. I see what has been placed across our desks. I would like to at the conclusion of a brief remark make a motion.

We are in full sympathy with the bus companies. We fully realize that we have to do anything and everything that we can in the way of applying a tourniquet to a mortal wound. We felt that by opening the gate of refunding gas tax to the bus companies, it would be doing just that, opening the gate. We feel that there are other ways that this might possibly be handled. And the House Chairman of the Taxation Committee as well as myself, we did not have the opportunity to see the other members of the Taxation Committee this morning, understand that there is an amendment being prepared which the Taxation Committee is perfectly willing to consider because we are in full accord with the difficulties that the transit companies have, and I therefore, Mr. Speaker, would ask permission that this bill lie upon the table until Wednesday next for the purpose of consideration of an amendment that is being prepared.

The SPEAKER pro tem: The motion before the House is the motion of the gentleman from Brunswick, Mr. Walsh, that Legislative Document 1354 lie on the table until Wednesday, May 8, pending the motion of the gentleman from Augusta, Mr. Carey, that the House accept the Minority Report. 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 relating to Membership in Maine School Building Authority" (S. P. 384) (L. D. 1080)

Bill "An Act Prohibiting the Pauperizing of Families of Veterans" (S. P. 494) (L. D. 1338)

Bill "An Act relating to Weight Tolerances for Motor Vehicles Carrying Firewood, Pulpwood, Logs or Bolts" (S. P. 529) (L. D. 1496)

Bill "An Act to Incorporate the Town of Medford" (H. P. 844) (L. D. 1198)

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

At this point, Speaker Edgar returned to the rostrum.

**SPEAKER EDGAR:** The Chair would like to thank the gentleman from Houlton, Mr. Ervin, very much, for his excellent services as Speaker pro tem.

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

#### Passed to Be Enacted Emergency Measure Tabled and Assigned

An Act Creating the Town of Milbridge School District (S. P. 420) (L. D. 1179)

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

(On motion of Mr. Hathaway of Columbia Falls, tabled pending passage to be enacted and specially assigned for tomorrow, May 2)

#### Emergency Measure

An Act relating to the Winthrop Sewer System (H. P. 232) (L. D. 325)

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. 126 voted in favor of same and none against,

and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

#### Emergency Measure

An Act Authorizing Construction of a Breakwater Across Mill Cove, Hancock County (H. P. 1054) (L. D. 1500)

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

#### Passed to Be Enacted

An Act relating to Application for Permits to Operate Motor Vehicles for Profit (S. P. 309) (L. D. 806)

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

An Act relating to Grading, Packing and Advertising Apples (S. P. 532) (L. D. 1502)

An Act relating to Examinations and Instruction Permits for Motor Vehicle Licenses (H. P. 171) (L. D. 218)

An Act relating to the Disposition of Fines in Certain Motor Vehicle Violations (H. P. 537) (L. D. 764)

An Act Authorizing Copying of Volume Six, Oxford County, Western District, Registry of Deeds (H. P. 828) (L. D. 1170)

An Act to Create the South Freeport Sewer District (H. P. 829) (L. D. 1171)

An Act to Create the Cape Elizabeth Sewer District (H. P. 856) (L. D. 1219)

An Act relating to the Measuring of Herring (H. P. 869) (L. D. 1207)

An Act Creating Bartlett's Island, Hancock County, as a Game Management Area (H. P. 897) (L. D. 1283)

An Act Revising the Potato Tax Law (H. P. 917) (L. D. 1307)

An Act relating to Appointment of Guardians for Adults Residing out of the State (H. P. 941) (L. D. 1334)

An Act relating to Record of Contents of Motor Trucks (H. P. 958) (L. D. 1359)

An Act relating to Killing of Dogs Chasing Livestock or Poultry (H. P. 990) (L. D. 1419)

An Act relating to Uniform Law for Organization and Supervision of Fraternal Benefit Societies (H. P. 992) (L. D. 1438)

An Act relating to Police Department and Pension System for Employees of City of Westbrook (H. P. 1016) (L. D. 1446)

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

#### Orders of the Day

The SPEAKER: Under Orders of the Day the Chair lays before the House the first item of unfinished business, Bill "An Act relating to Enlarging Public Cemeteries", Senate Paper 238, Legislative Document 639, tabled on April 16 by the gentleman from Bangor, Mr. Totman, pending third reading.

Thereupon, the Bill was read the third time, passed to be engrossed and sent to the Senate.

The SPEAKER: The Chair now lays before the House item number two under unfinished business, House Divided Report, Majority "Ought to pass" as amended by Committee Amendment "A" and Minority "Ought not to pass" of the Committee on Public Health on Bill "An Act Revising Law relating to Pharmacists", House Paper 951, Legislative Document 1352, tabled on April 23 by the gentleman from Bowdoinham, Mr. Curtis, pending acceptance of either Report.

On motion of Mr. Curtis of Bowdoinham, 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. 951, L. D. 1352, Bill, "An Act Revising Law Relating to Pharmacists."

Amend said Bill by striking out in "Sec. 5" all of the 8th and 9th lines and inserting in place thereof the following:

'he had been an apprentice or employed in an apothecary store where physicians' prescriptions are com-

pounded at least 4 years, or has graduated'

Further amend said Bill in "Sec. 11" by indicating the striking out of the word "rubbing" in the 11th line by drawing a line through said word as follows 'rubbing'

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

The SPEAKER: The Chair now lays before the House item three under unfinished business, House Divided Report, Majority "Ought to pass" and Minority "Ought not to pass" of the Committee on Sea and Shore Fisheries on Bill "An Act Regulating Size of Mesh Used in Otter Trawls in Waters of Hancock County", House Paper 515, Legislative Document 725, tabled on April 24 by the gentleman from Friendship, Mr. Winchenpaw, pending the motion of the gentleman from Gouldsboro, Mr. Tarbox, that the Majority "Ought to pass" Report be accepted.

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

Mr. WINCHENPAW: Mr. Speaker and Ladies and Gentlemen of the House: I have no intention of battling the Sea and Shore Fisheries on this thing. I think it has been pretty well straightened out, there was a little misunderstanding. The bill was originally intended to be withdrawn, but it was not withdrawn in time so I move the indefinite postponement of the bill and the accompanying papers.

The SPEAKER: The motion now before the House is the motion of the gentleman from Friendship, Mr. Winchenpaw, that the bill and both Reports be indefinitely postponed. Is this the pleasure of the House?

The motion prevailed, the Bill and Reports were indefinitely postponed and sent up for concurrence.

The SPEAKER: The Chair now lays before the House item four of unfinished business, House Divided Report, Majority "Ought not to pass" and Minority "Ought to pass" of the Committee on State Government on Bill "An Act relating to Term of Office of Department Heads Appointed by Governor with Consent of the Senate", House Paper 881,

Legislative Document 1249, tabled on April 24 by the gentleman from Brunswick, Mr. Walsh, pending the motion of the gentleman from Portland, Mr. Childs that the Bill and both reports be indefinitely postponed. The Chair recognizes the gentleman from Lewiston, Mr. Jalbert.

Mr. JALBERT: Mr. Speaker and Members of the House: The intent of this bill is that it would bring closer relationship between the Governor who has been elected by the people and the departmental heads. I am certain that it would not be the intent of any Governor, regardless of party, to cut out departmental heads even in percentage. That has been proven at least in the last two and one-half years. It was discussed by the P.A.S. Committee at length. It was in at length the P.A.S. Report. The phrase that the departmental heads would be appointed by the Governor with the consent of the Senate was placed into the bill due to the fact that pending legislation is now before us as to what the—how we are going to handle the Council if we are going to have a Governor's Council. I feel that possibly lengthy debate would bring about the passage of this measure. However, in view of the long calendar, I now reluctantly subscribe to the motion of the gentleman from Portland, Mr. Childs.

The SPEAKER: The motion before the House is the motion of the gentleman from Portland, Mr. Childs, that the bill and both reports be indefinitely postponed. The Chair recognizes the gentleman from Brunswick, Mr. Walsh.

Mr. WALSH: Mr. Speaker, I think perhaps the fate of this bill has already been indicated. As the gentleman from Lewiston, Mr. Jalbert, has pointed out to you, it was in the P.A.S. Report and the Citizens' Committee voted it down. It is in the Democratic platform, but we feel that the day is coming when a measure similar to this will be enacted. If we are premature in that, in the thinking of the elected membership of this House, that is fine and dandy with the minority. We like to believe that we can be good sports and good losers as well. And if that is the opinion of the majority of this

House that this is premature legislation, that is alright with us.

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 Reports be indefinitely postponed.

Is this the pleasure of the House?

The motion prevailed, the Bill and both Reports were indefinitely postponed and sent up for concurrence.

The SPEAKER: The Chair now lays before the House the fifth item of unfinished business, House Divided Report, Report "A" "Ought to pass" and Report "B" "Ought not to pass" of the Committee on Sea and Shore Fisheries on Bill "An Act relating to the Taking of Quahogs", House Paper 14, Legislative Document 13, tabled on the 24th of April by the gentleman from Jonesboro, Mr. Andrews, pending the motion of the gentleman from Portland, Mr. Miller, that Report "A" be accepted. The Chair recognizes the gentleman from Jonesboro, Mr. Andrews.

Mr. ANDREWS: Mr. Speaker and Ladies and Gentlemen of the House: Washington County is about the only place where there is any clams, and Washington County has practically sixty per cent of the clams. If this law is repealed, it is apt to put the county into a more distressed area than it is now. Mr. Look, a packer in Washington County, has made experiments whereby he has taken clams of over two inches and up an area has taken two inch and under with the same acreage, and in the area where it was two inch and up, this area within six months gave nearly as many clams as the first time dug wherein the place where they took the two inch and up, it wasn't even worth digging. And both areas rested the same length of time. Whereas Washington County being a distressed area, I want to move that this bill and all accompanying papers be indefinitely postponed.

The SPEAKER: The motion before the House is the motion of the gentleman from Jonesboro, Mr. Andrews, that the bill and both Reports be indefinitely postponed.

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

Mr. MILLER: Mr. Speaker, I would like to request a tabling of this bill until May 3, and the reason for this I will say is because of two amendments that are being prepared to item number six. Now item number five and item number six are more or less companion bills, they go hand in hand, and when it comes to debate on the floor of the House, I will be prepared to make my presentation and explain why the bills go hand in hand. So I would move now that we table item five until May 3.

The SPEAKER: The motion now before the House is the motion of the gentleman from Portland, Mr. Miller, that both Reports be tabled and specially assigned for May 3 pending the motion of the gentleman from Jonesboro, Mr. Andrews, that the bill and both reports be indefinitely postponed. Will those who favor the tabling motion please say aye, those opposed, no.

A viva voce vote being taken the motion prevailed and the Bill and Reports were so tabled.

The SPEAKER: The Chair now lays before the House item number six, House Divided Report, Report "A" "Ought to pass" and Report "B" "Ought not to pass" of the Committee on Sea and Shore Fisheries on Bill "An Act Authorizing Towns to Control Shellfish Resources", tabled on April 24 by the gentleman from Portland, Mr. Childs, pending the motion of the gentleman from Portland, Mr. Miller, that the House accept Report "A" "Ought to pass". The Chair recognizes the gentleman from Portland, Mr. Childs.

Mr. CHILDS: Mr. Speaker and Members of the House: This is a bill which was apparently put in for the purpose of putting the control of the clam flats under the State. The bill as it now reads says that it shall be lawful for any person who legally possesses a commercial license to dig or take clams in any tidalwater area of the State. In the bill they have done nothing about Section 49 of Chapter 38 which is in regard to the shellfish industry which provides that any town by a vote may provide the regulations

fixing the times and amounts when clams can be taken. Therefore, the bill, without question, causes an inconsistency in the law. If we allow the bill to pass as it is, is is very possible that it would mean that the towns would have no control over their flats at all. That would mean that each and every one of you people who are in clam areas would know that the State at that time would have complete control of it. If it works the other way, which is Section 49, which gives the towns the control of their flats, the objection to that was that the laws were so encumbered that it was hard for people to understand them and they did not believe it should be on the books. Now it would just mean that they could do it by rules and regulations and it wouldn't be in the Statutes but each town would have different rules and regulations as to when and whom could take clams, so they would be exactly in the same position they were in before only instead of doing it by Statute and by public laws, they would do it by rules and regulations. So as far as I can see, the way this bill is drawn up, it serves no useful purpose whatsoever. I therefore move that this bill and its accompanying papers be indefinitely postponed.

The SPEAKER: The motion before the House is the motion of the gentleman from Portland, Mr. Childs, that this bill and both Reports be indefinitely postponed. The Chair recognizes the gentleman from Portland, Mr. Miller.

Mr. MILLER: Mr. Speaker, as previously mentioned under item number five, I request the same of item number six which I mentioned when I tabled item number five, that this be tabled until May 3 pending amendments.

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

Mr. TARBOX: Mr. Speaker, I request a division.

The SPEAKER: The gentleman from Portland, Mr. Miller, moves that the bill and both Reports be tabled and specially assigned for May 3, and the gentleman from Gouldsboro, Mr. Tarbox, has requested a division. Will those who favor the tabling motion please rise



and remain standing until the monitors have made and returned the count?

A division of the House was had.

Ninety-six having voted in the affirmative and seven having voted in the negative, the motion prevailed and the Bill and Reports were so tabled.

The SPEAKER: The Chair now lays before the House the seventh item of unfinished business, House Report "Ought not to pass" of the Committee on Towns and Counties on Bill "An Act relating to Payment of Expenses of Lewiston Municipal Court", tabled on April 24 by the gentleman from Lewiston, Mr. Jacques, pending acceptance of the Committee Report.

On motion of Mr. Jacques of Lewiston, the House voted to substitute the Bill for the "Ought not to pass" Committee Report.

The Bill was read twice.

Mr. Jacques of Lewiston offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to H. P. 152, L. D. 190, Bill, "An Act Relating to Payment of Expenses of Lewiston Municipal Court."

Amend said Bill by striking out all of that part designated "Sec. 17" and inserting in place thereof the following:

**"Sec. 17. City to provide courtroom; rental; expenses to be paid by county. Said court shall be held at such place as the city of Lewiston shall provide; and said city shall have power and it shall be its duty to raise money to purchase blanks, blank-books, seals, dockets and all things necessary for the use of said court; and to . Said city shall provide a suitable room for said court and to shall furnish the same in an appropriate manner, for which it shall be paid from the treasury of the county of Androscoggin, as rental, in quarterly payments, the sum of \$3,500 annually. The county of Androscoggin shall purchase blanks, blank-books, seals, dockets and all things necessary for the use of said court."**

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

The SPEAKER: The Chair now lays before the House item number eight of unfinished business, House Report "Ought not to pass" of the Committee on Towns and Counties on Bill "An Act to Increase the Salaries of the Judge and Recorder of the South Portland Municipal Court", tabled on April 30 by the gentleman from Portland, Mr. Childs, pending acceptance of the Committee Report.

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

Mr. CHILDS: Mr. Speaker, this particular matter is still under discussion among the members of the South Portland delegation. I feel that by tomorrow we will have reached a determination on this matter. So therefore, I move that this lie upon the table specially assigned for tomorrow.

The SPEAKER: With respect to item number eight, Bill "An Act to Increase the Salaries of the Judge and Recorder of the South Portland Municipal Court", the gentleman from Portland, Mr. Childs, moves that the Report and Bill be tabled and specially assigned for tomorrow pending acceptance of the Report. Is this the pleasure of the House?

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

The SPEAKER: The Chair now lays before the House item number one under tabled and today assigned matters, House Report "Ought to pass" of the Committee on Inland Fisheries and Game on Resolve Opening Swan Lake, Waldo County to Ice Fishing, House Paper 982, Legislative Document 1406, tabled on April 18 by the gentleman from Winterport, Mr. Bean, pending acceptance of the "Ought to pass" Report.

The Chair recognizes the gentleman from Winterport, Mr. Bean.

Mr. BEAN: Mr. Speaker and Members of the House: Owing to additional information which has appeared since the public hearing on this bill, and after having talked with both Chairmen of the Committee on Inland Fish and Game, at their request, I would ask that this bill now be re-referred to the Committee on Inland Fish and Game.

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

Mr. ELWELL: Mr. Speaker and Members of the House: Swan Lake, which is the lake mentioned in this bill, lies about ninety per cent within my legislative district. In fact I have had much in the line of mail and petitions on this bill. I have a petition which was presented to the Committee on Inland Fisheries and Game with three hundred and sixty names on it asking that the lake be so opened to ice fishing. I thought that the bill had a very good hearing, at which the proponents and opponents were represented very well in the discussions. I think that it was conclusively proven, as is evidenced by the unanimous Report, that this bill would make the waters of Swan Lake available to the most people consistent with sound conservation practices. At the hearing both the fishermen and the conservationists agreed on this point.

Now in line with the motion of the gentleman from Winterport, Mr. Bean, to recommit this bill to committee at this late date in the session, I would direct a question through the Chair to the gentleman from Winterport, Mr. Bean, what new evidence does he have?

The SPEAKER: The gentleman from Brooks, Mr. Elwell, has directed a question through the Chair to the gentleman from Winterport, Mr. Bean, who may answer if he so chooses.

Mr. BEAN: Mr. Speaker, at the time of the public hearing, one of the citizens of our State and of my own County of Waldo, who was planning to be here for the hearing, was in bed under doctor's care and could not be present. He has some information that after talking with the two Chairmen of the Committee, they feel that they should hear his testimony. Therefore, that is why I made the motion that it be re-committed to the Committee.

Mr. SPEAKER: Does that answer the gentleman's question?

Mr. ELWELL: Mr. Speaker, I would be much better satisfied if I had the nature of the information because it was my impression that there were many people appeared at the hearing, both proponents and opponents to the measure. As a

matter of fact I have discussed this in past years with the gentleman referred to, and I am not aware of any new information relative to this measure, and I would ask again of the gentleman from Winterport, Mr. Bean, or any Member of the Fish and Game Committee if they are aware of any new evidence that was not presented at the hearing.

The SPEAKER: The gentleman from Brooks, Mr. Elwell, again directs a question through the Chair to the gentleman from Winterport, Mr. Bean, or any Member of the Inland Fisheries and Game Committee, any of whom may answer if they so choose.

Mr. BEAN: Mr. Speaker and Members of the House: I am not in possession of the exact information, but I know that the gentleman under question has some, and again I say after talking with both Chairmen of the Committee, they feel that they are entitled to know the information that he has, and that is why I made the motion to recommit.

The SPEAKER: The Chair recognizes the gentlewoman from Lovell, Mrs. Harriman.

Mrs. HARRIMAN: Mr. Speaker, this morning the gentleman from Winterport, Mr. Bean, approached me and said he had contacted the Chairman of the Committee, Senator Carpenter, and Senator Carpenter was willing for him to present additional information on this bill. I told him if he had more information and if Senator Carpenter said it was agreeable to him, it was with me. However, I still—I am rather loathe to have too many bills re-committed at this late date. We will be glad to hear the information which Mr. Bean, the gentleman from Winterport, has, and we will also entertain any other opponents or proponents of the bill who want to come before the Committee if they will make their remarks brief and concise.

The SPEAKER: The motion before the House is the motion of the gentleman from Winterport, Mr. Bean, that Resolve Opening Swan Lake, Waldo County, to Ice Fishing be re-committed to the Committee on Inland Fisheries and Game.

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

Mr. ELWELL: Mr. Speaker, does a motion to table supersede the motion to recommit?

The SPEAKER: It does.

Mr. ELWELL: Mr. Speaker, I would move that this bill be tabled until tomorrow to work out the details with the Committee.

The SPEAKER: The motion now before the House is the motion of the gentleman from Brooks, Mr. Elwell, that the Report be tabled and specially assigned for tomorrow pending the motion of the gentleman from Winterport, Mr. Bean, that the Resolve Opening Swan Lake, Waldo County, to Ice Fishing, House Paper 982, Legislative Document 1406, and Report be recommitted to the Committee on Inland Fisheries and Game. Will those who favor the tabling motion please say aye, those opposed, no.

A viva voce vote being taken the motion prevailed and the Resolve and Report were so tabled.

The SPEAKER: Under Orders of the Day the Chair now lays before the House the second tabled and today assigned matter, "Ought not to pass" of the Committee on Highways on Resolve for Construction of Route No. 186, Hancock County, House Paper 811, Legislative Document 1153, tabled on April 24 by the gentleman from Gouldsboro, Mr. Tarbox, pending acceptance of the "Ought not to pass" Report, and the Chair recognizes that gentleman.

Mr. TARBOX: I call your attention to statement of facts on the proposed Legislative Document 1153 and would like to read them to you.

This section of road is one of the old roads with very little work done in recent years. It is also an access road to the Naval Station and has had considerable traffic using it. The U. S. Government will build a housing development for the Navy personnel at the Naval Station in the very near future, which will increase traffic over this road materially.

Five miles of Route 186 was supposed to be under the accelerated highway program of several years ago for which a \$27,000,000 bond issue was made, but the work was never done.

At this time there are many calls on the Highway Fund for present and future needs and you may wonder why this Resolve is before you at this Session. The answer is very simple. This particular Route No. 186 was scheduled to be built with the \$27,000,000 bond issue of 1951 and is described in the proposed entitled "Accelerated Highway Program" and released by the Highway Commission under date of January 31, 1951. It is provided for in that proposal as Item No. 9 under Hancock County, and allocated thereon \$182,000 for this Route No. 186. This route is a Federal Secondary Highway and the only way to secure any money for it is by this resolve or by approval of the State Highway Commission; my experience with the State Highway Commission has firmly convinced me that I can not get anywhere asking for their approval on this road. From my viewpoint I can only get the run around and brush off, but no consideration.

The 95th Session of the Legislature passed the \$27,000,000 bond issue and under the program presented at that time, approximately five miles of 186 was supposed to have been built. I am informed that the \$27,000,000 is all gone and we have not received the road as promised.

According to the report we received from the Highway Department on the "Accelerated Highway Program", which I put in an order for, and you had put on your desk, you will find on the summary page by counties that Hancock County only received 21% of mileage and 34% of dollars compared with an average of 39% of mileage and 55% of dollars. So you can see, if I am granted this resolve Hancock County will not be up to the average. If you look at other counties you will see where some of the counties have received up to 54% mileage and 93% of dollars. Hancock County has received the smallest number of miles, which is 21% of number allocated according to the program.

Now let us look at the whole program. The \$27,000,000 bond issue made available \$98,000,900 according to the Highway Department of 1951. Now the amount spent according to the report from the Highway Department is \$47,278,369.34 on the

accelerated highway program and \$9,797,145.54 on non-accelerated program, making a total of \$57,075,514.88, and leaving a balance of \$40,924,485.12. Don't you think looking at these figures that Hancock County is entitled to this Resolve?

The "Maine Highway & Bridge Sufficiency Rating Report" released by the State Highway Commission shows this road in the yellow color, which means that the road is better now than in 1951, although no work has been done on it. No work on it for another six years will make it a super-highway by the same formula. I don't like this formula and I don't believe in it, and would rather have the \$100,000 asked for in this Resolve to be spent on 186.

I can not seem to get a satisfactory answer from the State Highway Commission as to why nothing was done on this route 186 under the Accelerated Highway Program of 1951 — the explanation by the State Highway Commission of money needed by them for present and future needs will have to be better than their explanation of 186 before I will go along with any of their proposals. Justice and fair play only prompt me to move that the Resolve be substituted for the report, and I will ask for a division.

The SPEAKER: The motion before the House is the motion of the gentleman from Gouldsboro, Mr. Tarbox, that Resolve for Construction of Route No. 186, Hancock County be substituted for the Report. The gentleman from Gouldsboro, Mr. Tarbox, has requested a division.

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

Mr. TURNER: Mr. Speaker, this is really a hardship case, but we have got hundreds of miles just like that in the State of Maine. At the beginning of the session a lot of the boys came to us and complained about the roads, and wanted to know about putting in resolves. And we told them all that we didn't know how we could take care of any of those resolves. So this one came in and we had a few others, and we passed them all out "Ought not to pass". So I really can't see where this one is really more worthy than the others.

The SPEAKER: The chair recognizes the gentleman from Brooks, Mr. Elwell.

Mr. ELWELL: Mr. Speaker and Members of the House: I can say that I sympathize with the position the gentleman from Gouldsboro, Mr. Tarbox, finds himself in with this problem of this Resolve. And what he says about the completion of the seven year accelerated program is true. In fact we did have in the accelerated 1592½ miles of road in the State of Maine, of which there is around 800 miles left to be completed at the close of the program. This is just one of the roads that is included in that 800 miles. And I can assure you that many of the other projects have merit too.

The problem here is that if you accept this Resolve, then you should in conscience go back and consider all of the other roads in the program. And I think if you open the door to building these roads with special resolves, you will find that the money was intended, which as a matter of fact, has to be spent with consideration to Federal matching, and all the rest of the program will be going out the window, and you will be in a far relatively poorer position come two years from now than you are now. I would move, Mr. Speaker, that this Resolve and all its accompanying papers be indefinitely postponed.

The SPEAKER: The motion now before the House is the motion of the gentleman from Brooks, Mr. Elwell, that Resolve for Construction of Route No. 186, Hancock County, and the Report be indefinitely postponed.

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

Mr. TARBOX: Mr. Speaker, there is one thing I would like to bring up, which they didn't give me credit for from the Highway Committee, is that this was supposed to have been built under the 1951 accelerated highway program, and if these other resolves were supposed to have been built under that program, I certainly would go along with all of them. But I don't think that in this Legislature that we should have the previous legislatures dictate to us in saying that we cannot accept resolves. So I hope you don't go along with the motion

of the gentleman from Brooks, Mr. Elwell.

The SPEAKER: The motion before the House is the motion of the gentleman from Brooks, Mr. Elwell, that the report on Resolve for Construction of Route No. 186, Hancock County, House Paper 811, Legislative Document 1153, be indefinitely postponed. The gentleman from Gouldsboro, Mr. Tarbox, has requested a division.

Will all this who favor the indefinite postponement of this Resolve and this Report please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Ninety-five having voted in the affirmative and eighteen having voted in the negative the motion prevailed and the Resolve with all accompanying papers was indefinitely postponed and sent up for concurrence.

The SPEAKER: Under Orders of the Day the Chair now lays before the House the third tabled and today assigned matter, House Divided Report, Majority "Ought not to pass" and Minority "Ought to pass" in New Draft, House Paper 1061, Legislative Document 1516, of the Committee on Agriculture on Bill "An Act relating to Inspection of Slaughterhouses", House Paper 1020, Legislative Document 1454, tabled on April 24 by the gentleman from Waterville, Mr. Lane, pending acceptance of either report, and the Chair recognizes that gentleman.

Mr. LANE: Mr. Speaker, I move we accept the Minority "Ought to pass" Report.

The SPEAKER: The motion before the House is the motion of the gentleman from Waterville, Mr. Lane, that the House accept the Minority "Ought to pass" in New Draft Report.

Does the gentleman wish further recognition at this time?

Mr. LANE: Yes sir.

The SPEAKER: The gentleman may proceed.

Mr. LANE: Mr. Speaker, Members of the House, Ladies and Gentlemen: First I want to tell the House I am not a butcher any more, and the second thing I want to tell, that this would be the best thing that would ever happen to the State of Maine.

The small farmers of our State are leaving their farms because they can't make a living on their farms. We have plenty of good land in our State of Maine, and honestly I believe they could stay on their farms and raise beef cattle and could make a living; but in order for them to make this profitable, we have to establish a market and a demand for native beef. This would help the farmers of our state. We could make this, in time, a \$40,000,000 or \$50,000,000 business a year. Women will not buy native beef for three reasons: because our beef is not inspected, because they are not killed in sanitary slaughter houses, because they know that sick and diseased cows are sold on the market for human consumption. Our institutions will not buy native beef because it is not inspected. Our jails will not buy native beef because it is not inspected. In the last few weeks I have talked to hundreds of women, doctors, nurses, storekeepers. I asked them one question: "Do you think beef should be inspected?" The answer was, yes.

Some of the farmers are opposed to L.D. 1516 because they want to be able to sell their sick cows. They asked me: "What are we going to do with the sick cows?" I told them to kill them and bury them. Some of the cattle dealers are worried. They say they won't be able to make a living if they can't buy the sick and diseased cows. I told them if they cannot make a living on healthy cows, do something else. Some of the dealers that ship cows to Boston oppose this bill because when they buy a sick cow, they can't ship the cow to Boston. They know that a sick cow may not get to Boston alive or she won't pass inspection. In other words, they ship all the healthy cows to Boston, and they kill the sick cows in the State of Maine, and I believe if that cow is not good enough for the people in Massachusetts, she is not good enough for the people in the State of Maine. All the meat that comes into our State has to be inspected.

Ladies and Gentlemen: I wish you could see some of the sick and diseased cows that are sold in the State of Maine for human consumption.

tion, especially some of the cows that have been doctored for a couple of weeks and they are ready to die. Sometimes they cut her throat before she is dead, and sometimes they cut her throat after she is dead. The dealer takes that cow and slaughters her. You can smell medicine a hundred feet away so they bone her out and they put plenty of salt on it, and that kills that smell. You should see some of the livers. Some of them are swollen. They are twice the size of any normal liver. They like that because they can get more money because they sell them by the pound. Some of the livers, it looks to me like cancer and pus goes right through them; so they cut off a few pieces and the rest of it is sold. Some of the cows have bunches on their legs and that has pus; so they take that cow in a packing house and bone it out, and everything goes in that box. I asked one of the packers: "Why don't you cut out the pus?" And he said: "Sometimes he doesn't want to lose that much weight, and sometimes it gives a good color to the frank-forts."

The farmers and the dealers are not denying that they are selling sick cows. They even told us in our Committee hearing these same cows cannot be sold for dog food because dog food has to be inspected, but in the State of Maine they can sell those cows for human consumption.

I asked some of the Agriculture Department heads if their wives buy native beef. They told me "no", because they know better, they know what's going on. Here we have a product in the State of Maine, and the housewives refuse to buy it. Everything else is inspected: potatoes, apples, milk, even our delicious chicken we had last night, but meat, the most important item on the table, is not inspected. I am sure this would help the farmer because he would get at least \$25.00 to \$30.00 more per beef cow, and most of the farmers know it. Ladies and gentlemen, bear this in your mind: When a farmer buys a cow, that cow has to be inspected, before she goes into his barn, for TB and everything else, but when he sells the cow for human consumption he

doesn't want the cow to be inspected.

And if any of the farmers and any of the members would like to ask me any questions pertaining to this Bill, I have been with it long enough, and I don't deny what I did, and I can see a few of the farmers who sold some of those cows, and I bought them from them myself, and I still say that the only thing to do with sick cows in the State of Maine, there is one place, bury them.

The SPEAKER: The Chair recognizes the gentleman from Anson, Mr. Hilton.

Mr. HILTON: Mr. Speaker and Members of the House: The proponents of this Bill would like to make us believe that there is no inspection of slaughterhouses and meat in the State of Maine today.

I would like to quote from the Revised Statutes of Maine, Volume 1, Chapter 32, Sec. 248, relating to inspection of slaughterhouses and meat processing plants. "No person, firm, partnership or corporation shall operate a slaughterhouse, abattoir or other place or establishment where animals are slaughtered or where meat or meat products are prepared or processed for food within the state unless such person, firm, partnership or corporation is licensed by the commissioner." (Meaning the Commissioner of Agriculture) "An application for a license shall be made upon a form prescribed by the commissioner each year for the license commencing upon the 1st day of August. . . .

"All carcasses of meat from animals that are slaughtered in a licensed slaughterhouse in Maine and which are to be used for human consumption shall be stamped with the license number issued by the commissioner to the licensed establishment, type and design of stamp to be approved by the commissioner. The meat shall be stamped on all parts that are to be portioned in wholesale cuts and the edible meat by-products shall so be stamped. The provisions of this paragraph shall not apply to meat or meat by-products bearing a federal stamp."

Under Sec. 251. "Inspection; rules. —The commissioner shall by adequate inspection see that animals are slaughtered, and licensed

slaughterhouses are constructed, maintained and operated in a manner satisfactorily sanitary to protect meat and meat products from contamination and adulteration according to the laws of this state. He shall make uniform rules and regulations for carrying out the provisions of sections 248 to 254, inclusive, and shall fix standards of quality for the meat and meat products prepared in licensed slaughterhouses and meat processing plants and for the sanitation of said slaughterhouses and meat processing plants.

“Sec. 252. Inspectors and authority.—The commissioner shall have authority to employ inspectors in sufficient numbers so that adequate inspections can be performed.”

Now, as I understand this law, meat can be easily traced to its original source providing the stamp is on the meat. Of course, ground meat does lose its identity. The same would be true if this Bill was law.

This Bill requires that the Department of Agriculture divide the State into meat districts. It doesn't say how many such districts there shall be or where they will be located.

Many sections of the State are long distances, will be long distances from any of these so-called meat districts. Much of the meat animals that are raised in these remote areas are used locally. It would be impossible to transport animals for home consumption to one of these meat district centers. There are some cattle in the Town of Jackman. Jackman is ninety-one miles from Waterville.

Most of the slaughterhouses we now have were either built new or were remodeled when this present law took effect some fourteen or fifteen years ago. Some of these establishments represent quite sizable investments. Some of them have up-to-date equipment. I think it is doing them an injustice to force them out of business. They are serving the public, they are serving these rural areas, they do custom butchering, they run meat markets, some of them, and some of them are cattle dealers. Most of them are complying in every respect with the present law. I don't think any of

these farmers sell swelled-up livers either.

I am not against cleaning up any unsanitary or filthy condition that exists. If I knew of any I would report it to the Department of Agriculture, I think it is everyone's duty to do so.

Much of the beef in Maine is dairy cow beef. We have a large dairy cow population. There is also a large number of dairy heifer replacements raised each year. Any dairy farmer is continually disposing of cows for beef. If this Bill should become law it would remove all the competition amongst buyers. The only competition there would be would be the Brighton Market.

These heavy cows that we have, dressed from 600 to 700, are good beef and bring a good price. We have lighter cows that bring somewhat of a lesser price. They are just as wholesome, only they don't bring the price and the meat doesn't sell for the price. It gives the poorer people a chance to buy meat at a reduced cost. Then we have the canner or bologna cow, that seems to be the issue. They are thin cattle, they are not fit to sell over the counter. They go to processing plants, they are boned out, salted and cured, and they are used in manufactured meats, frankfurts and other cooked meats.

I was in one of those places yesterday morning, and it is clean and it is well refrigerated. They showed me some of the meat, and there was nothing in that place that was out of order in any way. They also showed me the beef room where it was hung up in the refrigerator. There was western beef and there was native beef. It was all cow beef. They have big dairy populations in the west and those cows don't die of old age either. I picked out as thin a—I would say it had the least meat on the ribs as any carcass and I said, “Well, this one probably is native.” He looked, and he said, “No, this is a western.”

I don't believe this Bill will improve the quality of meat in the markets of Maine one mite. This Bill has a paragraph in it that allows farmers to kill or have killed for himself meat not to be used for retail sale. I don't know just how far a farmer could go under this

provision. I think that if this Bill was law, you will find lots of farmers butchering on their farms. They will not have to have licenses or inspections and they won't be required to have sanitation.

I now move that this Bill and its so-called amendment, and all of the papers that go with it be indefinitely postponed.

The SPEAKER: The motion now before the House is the motion of the gentleman from Anson, Mr. Hilton, that both reports be indefinitely postponed.

Mr. HILTON: I would like to ask for a division.

The SPEAKER: And the gentleman from Anson, Mr. Hilton, requests a division.

The Chair recognizes the gentleman from New Sharon, Mr. Caswell.

Mr. CASWELL: Mr. Speaker and Ladies and Gentlemen of the House: I would like to explain the position of the Committee on this Bill. I would lay a small bet that not all of you have read the redraft. And perhaps I might be able to give you a little more information than has developed thus far.

This Bill would require that all livestock for slaughter be inspected not only after slaughter, but before. The apparent purpose of it is to insure that no diseased animal shall be slaughtered. And I think the majority of the Committee had no quarrel whatever with that apparent purpose, and I don't think that any of us wanted to permit the sale of diseased meat. But the objection which the Committee had to it, was that under the present setup, the department under whose supervision this new draft would be carried out, hasn't the proper facilities for properly carrying out the provisions of the Bill.

It would require, this new draft, Bill 1516, that each slaughterer have a veterinary or other qualified person present whenever any slaughtering took place in any approved slaughterhouse, to examine the animals before slaughter for any evidence of disease, and afterward to inspect and stamp the meat.

Now, there is in the State a considerable shortage of veterinarians. Some counties I think, have no vet-

erinarians at all. And it would require either the services of a veterinary or some properly trained person to properly carry out the provisions of the act.

The training, which would be under the supervision of the Department, would be a considerably lengthy process. It couldn't well be that the Department simply appointed some person that handles wood and lumber in a small town, it must be some person who has accurate knowledge or gets accurate knowledge of the conditions, that is, at least it must be somebody with some training as a veterinary.

Now, the Department has indicated that this Bill could not be carried out without a considerable addition of expense to the Department. And they have estimated, I think, at least the Bill calls for a considerable appropriation for the proper carrying out of the Bill. There is a provision in it for the slaughterers to pay a certain fee for each animal slaughtered. But the Department feels that that would not pay for the expenses of the veterinaries or other qualified persons.

And the result, it seemed to the Committee, the majority of the Committee at least, would be that it would necessarily result in many of the small slaughterers, even though they were otherwise qualified, would be unable to continue. It would drive out quite a portion of these slaughterers from business even though they are well qualified to carry on slaughtering. And for that reason, my motion would not take precedence over the motion already. I intended to move for the acceptance of the Majority "Ought not to pass" Report.

The SPEAKER: The Chair would advise the gentleman from New Sharon, Mr. Caswell, that the motion to indefinitely postpone would take precedence over such a motion.

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

Mr. BRODERICK: Mr. Speaker and Members of the House: I would like to say a few words very briefly.

I do believe there was a lot of merit contained in this Bill, and I would like to say at the outset that I am not an authority on beef. The limited qualifications I do have to



speak on the subject perhaps come from the fact that for a little over two years I was a special agent for the Office of Price Stabilization, and I hope you people will not hold that against me. And for two of those years I was a training officer for the enforcement division of that organization. And as such, I believe I did become aware of the problem that the gentleman from Waterville, Mr. Lane, has pointed out. The law, as the gentleman from Anson, Mr. Hilton, pointed out, does call for inspection as it now reads. But not at the time of slaughtering, and that seems to be where the problem arises. There are diseased cows, there are sick cows, as has been referred to, which are slaughtered and are sold to the public for human consumption. All this Bill is designed to do is insure the wholesomeness and the quality of the beef which is sold for human consumption.

Many of you people, I believe, were present at the poultry dinner, and you will recall the main speaker pointing out with some pride, great pride I should say, the Government inspection which they have on a voluntary basis at least, have assumed for the inspection of poultry in this State.

It seems to me that there is not a member of this House that can deny that the poultry industry as a whole has certainly benefited economically, and the State of Maine has benefited economically because the poultry association has seen fit to see that its product is inspected. Now, that is all this Bill calls for, it is the primary thing this Bill calls for. It is true that a few of these slaughterers will be put out of business, but I think that in the end that what is gained by it, the insurance of the wholesomeness and the quality of the beef will far offset perhaps the inconvenience to a few slaughterers in this State.

The SPEAKER: The Chair recognizes the gentleman from Perry, Mr. Frost.

Mr. FROST: Mr. Speaker, this Bill had a Committee hearing, that is part of it, and came out of the Committee nine to one "Ought not to pass". And when they asked for pool on the House, there was fifty-four to four in favor of not passing

the original bill. The other Bill is here before us without any Committee hearing. And that being the case I would like to go along with my colleague, the gentleman from North Anson, Mr. Hilton, in indefinite postponement.

The SPEAKER: The Chair recognizes the gentleman from Enfield, Mr. Dudley.

Mr. DUDLEY: Mr. Speaker and House Members: I thought of a couple of points while sitting here that I thought should be mentioned.

As you all know, the Agriculture Committee is made up of farmers, and it is quite possible they have some of these cows.

Now, this Bill isn't as big a bill as the Jacobs' Report or anything like that. It is a very simple bill that merely says, we will have inspection of beef. Now, these farmers can still kill the sick cows, but under this piece of legislation they will have to eat them themselves. And I would much rather they would do that, because I don't care to eat hot dogs at the present time or bologna either, because I live in an area where I can see this going on. I saw not long ago when I went to work one morning, a cow dead in the pasture. So I called the owner, soon the truck came and picked up the cow, and as soon as it was gone he came to me and said, "You know this cow didn't die. This cow I think was electrocuted or else it stepped on an electric fence." And he says, "And it was a good bologna cow." Now, who knows, I was the first one to see the cow. Who knows whether it was electrocuted, died of TB or what happened to it? I didn't want to eat a piece of the cow, but if this farmer wanted to eat it, under this piece of legislation he could still eat the cow.

I think that now we inspect dog food, and the poor dog couldn't get a chance to eat these diseased cows because the meat is inspected, that now we have considered nearly everything in this House up to this point, fish and all kinds of animals, I think it is time today that we consider human beings. Thank you.

The SPEAKER: The Chair recognizes the gentleman from Buxton, Mr. Bruce.

Mr. BRUCE: Mr. Speaker, I really hadn't intended to speak on this Bill. I did attend the hearing and spoke against the original bill, and I sort of had a half kidding agreement with the gentleman from Waterville, Mr. Lane, that I would not speak against the Bill in the House. However, when the new draft came in I relieved myself from that agreement because the Committee had not seen the new draft.

But I would like to assure the members of this House that as a cattle breeder and as the immediate past president of the Maine Hereford Association, that there is absolutely no need for this legislation. I looked up the figures in one state that has voluntary inspection of meat, the State of Oregon. The ten leading plants slaughtered 52,761 animals, of which there were 118 condemned as unfit for human consumption. And I also wish to assure you that right here in the State of Maine under the inspection of the owners of the slaughterhouses that the figure would have been just exactly the same.

Furthermore, I checked with the local veterinarian, he said there was not only no need for the Bill, but the Bill could not function, it could not operate, there were not people available to inspect the beef. I checked with the local doctor and he assured me that never in his experience has he ever heard of a person being made ill, or known of a person made ill from eating beef that came out of the slaughterhouse, that is that hadn't been tainted after it came out. I checked with the local meat store and he said that no slaughterhouse could survive that attempted to palm off on a meat store any meat from a carcass that was diseased or had any trouble with it. There certainly is no need for the legislation, it is impractical and unworkable, and I second the motion of the gentleman from North Anson, Mr. Hilton.

The SPEAKER: Is the House ready for the question?

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

Mr. WALSH: Mr. Speaker, I think we have done everything but barbecue these animals, and I think it is getting along about the time

of day where some of that may even be acceptable, and I move the previous question.

The SPEAKER: The gentleman from Brunswick, Mr. Walsh, has moved the previous question. The consent of one-third of the members present is necessary to authorize the Chair to entertain this motion. As many as are in favor of the Chair entertaining the motion for the previous question will kindly rise and remain standing until the monitors have made and returned the count.

A sufficient number arose.

The SPEAKER: Obviously more than one-third having arisen, the Chair will entertain the motion.

The question before the House is shall the main question be put now. The motion is debatable, each member may speak no more than five minutes to the motion. Is it the pleasure of the House that the main question shall be put now?

The motion prevailed.

The SPEAKER: The question before the House is the motion of the gentleman from Anson, Mr. Hilton, that with regard to Bill "An Act relating to Inspection of Slaughterhouses", House Paper 1020, Legislative Document 1454, both reports be indefinitely postponed, and the gentleman from Anson, Mr. Hilton, has requested a division.

Will all those who favor the indefinite postponement please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Ninety having voted in the affirmative and thirty-five having voted in the negative the motion prevailed and the Bill with all accompanying papers was indefinitely postponed and sent up for concurrence.

The SPEAKER: The Chair now lays before the House the fourth tabled and today assigned matter, House Report "Ought not to pass" of the Committee on Business Legislation on Bill "An Act to License and Regulate Operation of Trading Stamp Companies", House Paper 895, Legislative Document 1281, tabled on April 25 by the gentleman from Harrison, Mr. Morrill, pending acceptance of the Report, and the Chair recognizes that gentleman.

Mr. MORRILL: Mr. Speaker and Ladies and Gentleman of the House: There have been two trading stamp bills before the Legislature this year and both of them have come out with an "Ought not to pass" Report. One of these bills I was the sponsor of, and we let that go with the report. Maybe it was a little too complicated. And the second one has just been taken from the table.

Now, there are 151 of us here who have constituents that are being hurt, and hurt bad financially by these trading stamps. The type of constituents are owners of filling stations, grocery stores, variety stores, drug stores, all types of small business. I think it is time we started to control this stamp racket that is running into millions of dollars in the State of Maine.

In the past three months I have contacted many of these filling stations and stores, and I found the majority of them to be paying from \$1200 to \$6,000 a year to the stamp companies. There are stores paying as much as \$1500 a week for stamps. The boys that are paying the larger amounts are reluctant to tell what they are paying. As one of these gentlemen stated, he was a little ashamed of the figures that the stamp companies were collecting from him. As one of the filling station operators stated, he had been in business for eighteen years, and for the first seventeen years he had paid an income tax. But the last year the stamp companies took him for \$4,300. All of his money went into stamps. Another statement that is heard quite often from dealers is, "I can't get rid of these stamps because all of my competitors have them." How big is this stamp racket? Let's compare it with the State sales tax. The State collects 2 per cent on many items with the exception of food and gasoline. Food and gasoline are the two largest commodities in the State. The stamp companies with more than one-half of the stores and filling stations handling stamps are collecting 2½ to 3 per cent on everything, including food and gasoline. This means that they are taking much more than ten millions of dollars per year from the State. Part of it goes back to the State in premiums and part of it in purchases.

But 40 per cent of this large figure vanishes. This 40 per cent figure is a figure proved by national surveys, and some stamp companies will admit that there is that much of unredeemed stamps.

Because of these problems we would like to have some control on them. Now, we have an amendment, filing number 297. And this amendment is asking for licenses on these stamp companies of \$100 a year for the State. I don't think that this figure is out of line compared with other licenses paid by other businesses in the State. Also we are asking for a tax of one-half mill on each stamp, which will amount to about five cents on each \$3 book purchased by the stores, or the retailers. We feel that with this tax we can find out how gigantic this business is, and the next legislature can take the problem from there. I will now move that this Bill be substituted for the Report, and the amendment accepted.

The SPEAKER: The motion before the House is the motion of the gentleman from Harrison, Mr. Morrill, that with respect to Bill "An Act to License and Regulate Operation of Trading Stamp Companies", House Paper 895, Legislative Document 1281, the Bill be substituted for the "Ought not to pass" Report.

The Chair recognizes the gentleman from Bowdoinham, Mr. Curtis.

Mr. CURTIS: Mr. Speaker and Ladies and Gentlemen of the House: In presenting this Bill it is my purpose only for a little revenue. Now these stamp companies, the largest one, S & H, is a New Jersey firm and they have great warehouses in Boston, so we get but very little revenue from them. They do have a few employees in the State who live here and who pay municipal taxes as we do, and who burn gasoline getting around with their automobiles. That is about all.

Now, let us just consider, down in the hearing they attacked this Bill and said we were trying to get rid of them, it was discriminatory. But that was farthest from my idea entirely. All I ask is that they just do a little mite towards paying the bills of the State and the things that they receive the same as you and I do.

Now, these stamps are sold in books of 1250. If they are sold in one book to a small store it costs them \$15. Most of the smaller places buy three books and they get them for \$14 apiece, making \$42 for the three books, which would have 3750 stamps. Now, these 3750 stamps, it costs very little to produce them, and yet they get \$42. They will bring a premium of about \$2.50, that is for each book. And each book is worth \$14 that they get for it from the storekeeper. The highest premium that I have been able to find costs them \$2.50 and that was down as low as sixty-nine cents. Now, it is a fact that they do buy from the Bates Manufacturing Company a considerable number of premiums, but so do I buy and so do you all purchase. My little business we spend something like \$75,000 but that does not exempt us from paying taxes.

Now, the only thing we are asking for is that they simply pay a little mite of tax. The amazing thing about this thing after I got into it is that I haven't found anybody that has these stamps that want them. I do find that some ladies who are saving for premiums do think it is all right. But I do not find and have never found a store that wants them. In fact I asked a lady the other day and she said, "I quit them because it is costing me six per cent." Well, I don't know how the figures were, but it would cost her about four per cent if she was buying them in books of three. So four per cent, what becomes of this? In these small stores they cannot add it to their price because the larger stores are buying in quantity and they are following them just as near as they can, so they have to absorb it. So I made a further check, and I found that in Androskoggin alone, there were thirty stores, these little neighborhood stores who went out of business, and they said that the straw that finally broke the camels back, that finally drove them out of business was trying to absorb the price of these stamps.

Now, selling these stamps is almost compulsory. Let's say that I am running a small store and you are, and I put them on, so what do

you have to do, you just have to take them. So that is what happens. In fact, I still say that the only thing we want is a little revenue, but I notice that in February the great State of Tennessee vanished them, by a vote of 85 to 3 or something in the House and 2 voted for it in the Senate, Governor Clement said you have got opposition enough so I won't sign it and let it become a bill vanishing the stamp people from the State.

Now, that isn't the purpose of this Bill whatsoever. The purpose of the Bill is simply to get a little revenue that we believe is due the people of the State.

Now, in my research I don't quite go along with that 40 per cent of these stamps not redeemed, but as near as I can find out there are about 30 per cent of these stamps that are never redeemed. I do find that there are some small companies that give them business for a year or two and then when they have to redeem they start coming in, they go through insolvency and fold up and get out.

Now, the S & H Company is not that sort of a company. They are a good company and they do what they say they will do. And I am sure they won't feel too badly, even this big company, if we get a little revenue from them.

The SPEAKER: The Chair recognizes the gentleman from Livermore Falls, Mr. Kinch.

Mr. KINCH: Mr. Speaker, I would like to comment just a bit upon this amendment. We operate under the trading stamps, and these books are put out in units of 5,000. There are 5,000 stamps in a book. I am not pleased to divulge my business to you members of the House, but we handle about twenty books a week, which would be a hundred thousand stamps. A half a mill tax on that would be approximately \$5,000. Multiply that by fifty-two weeks in a year would be \$260,000 these stamp companies would pay on our store alone. I ask you if that isn't ridiculous on the face of it. But on top of that they want \$100 license fee. Now, those are my remarks towards this amendment.

Now, we operate under the trading stamps, although I don't know as we are happy over it, we have increased our business twenty per cent. We have collected bills that have been on the books some time. We collect weekly bills now mostly one hundred per cent, one hundred per cent. Many times they come in to pay their bills and if they owed us \$35 they might pay \$30, today they pay us \$35. I defy anybody to come in our store and say we aren't competitive to anyone. We have not raised our prices one cent. We sell today at the same prices we did before we took these stamps on. We have to compete with the chain stores and we are very happy to. The chain stores are good competition. But you members of the House pick up your papers on Thursday or Friday morning and you will see many times that chain stores have a one page ad. That will tell you that business is pretty good. The next week they will have two full pages. That will tell you that business is getting tough. In the State of Maine they advertise in all the leading newspapers in Maine. The independent grocer cannot do that. It is impossible for an independent grocer to advertise like that. Now, the cost of these advertising ads in the papers in the week are divided amongst all their stores. Now, I have never heard anybody say that the chain stores raise their prices to take care of these ads. It is the same thing. There is not one bit of difference. We all have to be competitive today, we all have to sell at practically the same price as our next door neighbor if we want to do business. And I am happy to say that we are one of the stores that are doing business today. We are doing more business now than we ever did. And we are very happy with the stamps, and I ask you if \$260,000 a year tax on one store isn't a little bit ridiculous. And I would move that this Bill and all its accompanying papers, plus the amendment, be indefinitely postponed.

The SPEAKER: The motion now before the House is the motion of the gentleman from Livermore Falls, Mr. Kinch, that the Report be indefinitely postponed.

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

Mr. MORRILL: Mr. Speaker, I would like to correct an impression on that. This half mill tax is a tax on the stamp companies. If one of the books he spoke of cost the dealer \$2.50 or \$3, a half of mill tax is five cents a book. If he used ten books a week it is fifty cents. It wouldn't come out of him, it would come out of the stamp company. I don't know where they get the \$5,000 that it would cost per week.

The SPEAKER: The Chair recognizes the gentlewoman from Yarmouth, Mrs. Knapp.

Mrs. KNAPP: Mr. Speaker and Members of the House: I want to arise in defense of the women. In our town we have grocery stores, gas stations and oil companies, some give stamps and some do not. The prices are the same whether we get the stamps or whether we don't. Now, one of the cries that we hear is that there are so many stamps that aren't redeemed. Well, whose fault is it? If they give you the stamps and they don't redeem them, that is your fault. They buy our Maine products, our sheets, pillow cases, towels, spreads, blankets and many other products. They employ our Maine people in their stores. There are many people who would not have these premiums if it was not for the stamps, they wouldn't feel they could afford to buy them. There may be some of the men folks who don't want to bother to pick up these stamps and take them home. But what will be the answer to my constituents when I go home if we do not defend the stamps? And how will some of you menfolks answer to your wives when you go home? I therefore arise in defense of the stamps.

The SPEAKER: The Chair recognizes the gentlewoman from Kittery, Mrs. Burnham.

Mrs. BURNHAM: Mr. Speaker, I dislike very much to disagree with the gentlewoman from Yarmouth, my friend Mrs. Knapp, but I have disagreed with her on other points and we are still very good friends. I think that trading stamps are the worse nuisance and most of the people in my area feel the same. We surely can get the premiums but

half of the time they are articles that we would not ordinarily buy. And we have all the trouble of pasting those horrid little stamps in a book. And we don't get any pay for it. And I would like to support the motion of the gentleman from Harrison, Mr. Morrill.

The SPEAKER: The Chair would advise the gentlewoman that the motion before the House is the motion of the gentleman from Livermore Falls, Mr. Kinch, for the indefinite postponement of the Report.

The Chair recognizes the gentleman from Bowdoinham, Mr. Curtis.

Mr. CURTIS: Mr. Speaker and Ladies and Gentlemen: I just arise to keep the issue clear. Some of the evidence that has been offered here is that we are trying to do away with them. We are not trying to do away with the stamps, God bless you women, have all you want of them. All we want is a little revenue from these people that are taking so much money out of the State. You are going to have your stamps just the same. And the lady from Yarmouth, Mrs. Knapp, if she wants to buy things without the stamps she can come down to my area and she can buy gas a cent cheaper a gallon when they don't give you the stamps and they charge you an extra cent for the stamps.

The SPEAKER: Is the House ready for the question?

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

Mr. RANCOURT: Mr. Speaker and Members of the House: I spoke against both the Trading Stamp Bills at the hearing before the Committee on Business Legislation because I felt that the object of these bills was not to regulate trading stamp companies, but to put them out of business, and all the evidence presented at that Committee hearing seems to bear that out. I felt that this was a legitimate business no more harmful than advertising nor any type of promotion.

Many are the devices which a merchant uses to get customers into his store. Some of the others are free parking, credit, delivery service, prizes and give aways. Consumers Report recently stated that trading stamps, and this is the Con-

sumers Report, trading stamps were one of the least harmful promotional tools in so far as the consumer was concerned, because at least he or she gets something in return for them. Furthermore, the trading stamp companies make a direct contribution to the economy of the State of Maine. At the hearing on April 17th, it was brought out that the S & H Company, and I speak of them because they are the figures that I have, on sales of over a million dollars worth of stamps in Maine, made a profit after taxes of only \$46,000, and that was proven before the Committee. The receipts from these sales is not money that leaves the state because redemptions for merchandise of this company in Maine were also worth over a million dollars. Furthermore, the S & H Company purchased in 1956, \$288,000 worth of merchandise from Bates Manufacturing Co., \$263,000 from W. S. Libbey Co., and \$661,000 from Pepperell Manufacturing Co., all firms operating in the area which I represent. These purchases from Lewiston textile concerns mean too much to this already depressed industry to be jeopardized by means of this discriminatory class legislation, and I maintain that it is, and shortly I will prove that. They also have 44 employees working for them in Maine for a salary of approximately \$85,000 plus commissions. This figure on employees is as of the end of the year, and that is plus part time employees. This company has paid over \$43,000 in trucking rental alone in this state during the past year.

This bill, as drafted, would cost the Sperry & Hutchinson Company \$97,200 according to the testimony given at the hearing. The amendment, which is worse, in my opinion, than the bill itself, one-half mill per stamp would cost that company over \$250,000 a year. Ladies and Gentlemen of the House, it is apparent that this bill is not one to license and regulate trading stamp companies but one to prohibit their operation entirely within the State of Maine. Is it consistent with our thinking when we spend thousands of dollars yearly to promote industry within our borders and then to pass a bill that will eliminate one industry (because the stamp com-

pany can be classified as such) plus elimination of textile orders now given in our state? If you pass this bill, it would be perfectly proper to pass a bill forbidding all advertising of any kind, or to prohibit any business which was successful in the competition of our market place.

I have here a few examples of business promotions that I would like to bring to your attention at this time. Here is one, and bear in mind that these examples are some that handle both stamps plus other promotions to draw trade to their business. Here's one that offers many valuable door prizes for a grand opening of their new business. Here's another one here, if you buy the necessary things to go with it, give you a free paint sprayer. Here's another one. How ice cream is connected with filling stations, I don't know. Here's one that offers ice cream at their filling stations to draw trade there, and these people are not paying extra money, or extra taxes, or extra licenses to make these offers. That is just part of their business, and any business you have that advertises add to the price of their products. It is included within their profits and everyone knows that. And on a competitive market it must be that way if we are going to remain free to advertise as we choose. Here's another one they offer a product, the first one hundred get free installation providing you buy. Here's another one for the children, free shopping bags, balloons for kiddies. Still, that brings them in. Here's another one, purchase so much and you ladies can go there and get a free pair of nylons, \$1.00 nylons. All of these—You get a free book with one "How to Plan Your Kitchen." The housewife is not supposed to know how, you get books for that, but the book is free, that's an inducement. Here's one for baby week, free baby clothes, and one of the things they do; they wrap 'em up free. Here's a good one. At a registered price of \$630 here's a diamond ring that you can take a chance on, \$650. Imagine that amount there added to the price of what you're selling. And these are only these week end clippings, gentlemen; this one has been brought

out during some of the talks here. Free parking, for how many cars? 2400 cars. Imagine that. Imagine 150 to 200 thousand dollar investment added to the products. Give them some more ice cream.

Gentlemen, free competition is one of the corner stones of our American way of life. Just because one type of business promotion is successful in obtaining more customers for those who use it, it is no reason that it should be banned. It should be encouraged. I hope that you will all realize that this is discriminatory legislation; legislation which if passed would hurt business in Maine, and which would demonstrate that Maine people no longer support our basic American beliefs.

The stamp business is subscribed to and collected today in this country by over 20,000,000 housewives they are needed, they enable merchants to give customers the discount they are entitled to for paying cash for their purchases. The American competitive system, too often taken for granted at home but the envy of the rest of the world, is one of the wonders of the modern social and economic world. This system was founded on freedom. The American merchant has always had the right to make use of any legitimate tool in the exercise of his competitive ingenuity. The ideal competitive tool offers an exchange in which everybody wins and nobody loses. Stamps represent a fair exchange. It is not something for nothing, but something for something.

I hope we still live in a country where we are free to use any advertising means which we decide is the best to promote whatever enterprise or business we happen to be engaged in. For these reasons I urge you to accept the motion, the last motion made which was that the Bill be indefinitely postponed.

The SPEAKER: Is the House ready for the question? Did I understand the gentleman to move the previous question?

The motion now before the House is the motion of the gentleman from Portland, Mr. Tevanian, for the previous question. The consent of one-third of the members present is necessary to authorize the Chair to entertain this motion.

Will those who favor the Chair's entertaining the motion for the previous question please rise and remain standing until the monitors have made and returned the count.

A sufficient number arose.

The SPEAKER: Obviously more than one-third having arisen the Chair is authorized to entertain the motion.

The question now before the House is, shall the main question be put now.

Will those who favor the Chair putting the main question being put now—

The Chair recognizes the gentleman from Friendship, Mr. Winchenpaw. The motion is debatable and the gentleman may speak no longer than five minutes.

Mr. WINCHENPAW: Mr. Speaker, I assure you that I will maybe speak only one minute. But this thing always disturbs me, this previous question. Back in 1951 one time I moved the previous question and I lost a very important bill that way. And I am not adverse to putting the main question now, but usually it is a waste of time, and I saw one or two people that felt as though they would like to say a few more words on this stamp bill, so maybe I will have to say that I am against putting the main question at this time.

The SPEAKER: The question before the House is, shall the main question be put now.

The Chair recognizes the gentleman from Falmouth, Mrs. Smith.

Mrs. SMITH: Mr. Speaker, I am perfectly willing that the main question should be put, except that I want to clear up one or two points, and I don't know if I should do it at this time.

The SPEAKER: The only motion to which the gentleman may speak is the motion to put the main question. The subject matter of the Bill involved is not debatable at this point.

Will those who favor the Chair putting the main question now please say aye; those opposed, no.

A viva voce vote being taken the motion prevailed.

The SPEAKER: The question before the House is the motion of the gentleman from Livermore Falls,

Mr. Kinch, that Bill "An Act to License and Regulate Operation of Trading Stamp Companies", House Paper 895, Legislative Document 1281, and the Committee Report be indefinitely postponed.

Will those who favor the indefinite postponement of this Report please say aye; those opposed, no.

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

The SPEAKER: The Chair is doubted and orders a division.

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

A division of the House was had.

Fifty-seven having voted in the affirmative and seventy-one having voted in the negative the motion did not prevail.

The SPEAKER: The motion now before the House is the motion of the gentleman from Harrison, Mr. Morrill, that the Bill be substituted for the Report. Is this the pleasure of the House?

The motion prevailed and the Bill was given its first and second readings.

The SPEAKER: Does the Chair understand that the gentleman from Harrison, Mr. Morrill, wishes to offer an amendment at this time?

Mr. MORRILL: I believe that amendment is number 297, Mr. Speaker, and I would like to offer it.

The SPEAKER: The gentleman from Harrison, Mr. Morrill, offers House Amendment "A" and moves its adoption.

The Clerk will read the amendment.

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

HOUSE AMENDMENT "A" to H. P. 895, L. D. 1281, Bill, "An Act to License and Regulate Operation of Trading Stamp Companies."

Amend said Bill by striking out everything after the enacting clause and inserting in place thereof the following:

"R. S., c. 16, §§ 282-284, additional. Chapter 16 of the Revised Statutes is hereby amended by adding thereto 3 new sections, to be numbered



282 to 284, inclusive, to read as follows:

**Tax on Trading Stamp Companies.**

Sec. 282. Privilege tax. Each trading stamp company or agency doing the business of selling or giving away trading stamps or like devices in any municipality in this State shall pay to the State Tax Assessor, monthly, a privilege tax of  $\frac{1}{2}$  mill per stamp for each stamp sold or transferred to each wholesale or retail outlet giving away its trading stamps or like devices. The State Tax Assessor shall pay over all receipts from such tax to the Treasurer of State monthly.

Section. 283. Registration fee. Every trading stamp company or agency doing business in this State shall register with the State Tax Assessor and pay a registration fee of \$100 to said Assessor who shall issue a license to said company or agency.

Sec. 284. Application. The provisions of sections 282 and 283 shall in no wise apply to merchants or manufacturers who issue and redeem their own coupons.' "

House Amendment "A" was adopted.

The SPEAKER: The Chair recognizes the gentleman from Lubec, Mr. Denbow.

Mr. DENBOW: Mr. Speaker, am I too late to speak on the amendment?

The SPEAKER: The House has adopted the amendment, and a motion to reconsider the adoption of the amendment must be put before it can be spoken to.

Mr. DENBOW: I make a motion to reconsider the amendment.

The SPEAKER: The gentleman from Lubec, Mr. Denbow, moves that the House reconsider its action whereby it just adopted House Amendment "A" to L. D. 1281. Is this the pleasure of the House?

Will those who favor reconsideration please say aye; those opposed, no.

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

Thereupon, the Bill was assigned for third reading tomorrow.

The SPEAKER: Under Orders of the Day the Chair lays before the House the fifth tabled and today assigned matter, House Report "Ought

not to pass" of the Committee on Welfare on Bill "An Act relating to Requisite for Old Age Assistance", House Paper 83, Legislative Document 109, tabled on April 25 by the gentleman from Eagle Lake, Mr. Gallant, pending acceptance of the Report.

The Chair recognizes the gentleman from Rumford, Miss Cormier.

Miss CORMIER: Mr. Speaker, since Mr. Gallant was called out and isn't here, and since our calendar tomorrow is so heavy, I would move that we table this until Friday.

The SPEAKER: With respect to item number five, Bill "An Act relating to Requisite for Old Age Assistance", the gentleman from Rumford, Miss Cormier, now moves that this Bill be tabled and specially assigned for Friday of this 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 Friday, May 3.

The SPEAKER: Under Orders of the Day the Chair now lays before the House the sixth tabled and today assigned matter, House Report "Ought not to pass" of the Committee on Judiciary on Bill "An Act relating to Publication of Legal Notices in Foreign Language Newspapers", House Paper 1015, Legislative Document 1445, tabled on April 26 by the gentleman from Lewiston, Mr. Jacques, pending acceptance of the report, and the Chair recognizes that gentleman.

Mr. JACQUES: Mr. Speaker, I have consulted with the Chairman of the Judiciary Committee, and we have come to an agreement that the Bill should be recommitted to the Committee on Judiciary.

The SPEAKER: The motion now before the House is the motion of the gentleman from Lewiston, Mr. Jacques, that the Report be recommitted to the Committee on Judiciary. Is this the pleasure of the House?

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

Mr. JALBERT: Mr. Speaker, I spoke last evening with the Chairman of the Judiciary Committee and

another member. In view of the fact that we are deep into the session I would not move to substitute the Bill for the Report, but a possible amendment is being discussed. I don't think the Bill would necessarily have to be committed. I merely would like to table the Report, and if the members of the Judiciary Committee agree with the amendment, then I would move to substitute the Bill for the Report. If not, I would move to accept the "Ought not to pass" Report. For that purpose I would ask that the Bill be tabled until Tuesday next, May 7.

The SPEAKER: The motion now before the House is the motion of the gentleman from Lewiston, Mr. Jalbert, that the "Ought not to pass" Report on Bill "An Act relating to Publication of Legal Notices in Foreign Language Newspapers", House Paper 1015, Legislature Document 1445, be tabled and specially assigned for Tuesday of next week pending acceptance. Is this the pleasure of the House?

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

A viva voce vote being taken the motion prevailed and the Report was so tabled.

The SPEAKER: Under Orders of the Day the Chair now lays before the House the seventh tabled and today assigned matter, House Report "Ought to pass" of the Committee on Inland Fisheries and Game on Bill "An Act Prohibiting Dogs Running at Large", House Paper 601, Legislative Document 848, tabled on April 26 by the gentleman from Bridgton, Mr. Haughn, pending acceptance of the Report, and the Chair recognizes that gentleman.

Mr. HAUGHN: Mr. Speaker and Members of the House: After a conference with the sponsor of this Bill and several other legislators who would like a conference this afternoon with the Fish and Game Commission, Mr. Ingraham and Mr. Cobb, I move this Report be tabled and specially assigned for May 7.

The SPEAKER: With respect to Bill "An Act Prohibiting Dogs Running at Large", House Paper 601, Legislative Document 848, the gentleman from Bridgton, Mr. Haughn,

moves that the Report be tabled specially assigned for May 7 pending acceptance. Is this the pleasure of the House?

The motion prevailed and the Bill was so tabled.

The SPEAKER: Under Orders of the Day the Chair lays before the House the eighth tabled and today assigned matter, House Divided Report, Majority "Ought not to pass" and Minority "Ought to pass" of the Committee on Judiciary on Bill "An Act Authorizing Sunset Real Estate Corporation to Construct a Bridge Across Medomak River", House Paper 424, Legislative Document 601, tabled on April 26 by the gentleman from Friendship, Mr. Winchenpaw, pending acceptance of the Report, and the Chair recognizes that gentleman.

Mr. WINCHENPAW: Mr. Speaker and Ladies and Gentlemen of the House: I came here this morning prepared to debate this Bill, but late last night we found out some facts that might change the length of my debate. And the House is very late today so I request permission to retable this until Tuesday, May 7.

The SPEAKER: With respect to item number eight, Bill "An Act Authorizing Sunset Real Estate Corporation to Construct a Bridge Across Medomak River", the gentleman from Friendship, Mr. Winchenpaw, now moves that the Report be tabled pending acceptance and specially assigned for Tuesday of next week.

The Chair recognizes the gentleman from North Haven, Mr. Baird, but reminds the gentleman that the motion is not debatable.

Mr. BAIRD: Mr. Speaker, I request a division.

The SPEAKER: The gentleman from North Haven, Mr. Baird, requests a division.

Will all those who favor the motion to table this Report until Tuesday of next week please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Seventy-seven having voted in the affirmative and fifteen having voted in the negative the motion prevailed and the Report was so tabled.

The SPEAKER: Under Orders of the Day the Chair now lays before the House the ninth tabled and today assigned matter, Bill "An Act relating to Examination for Certain Persons to Practice Barbering", Senate Paper 539, Legislative Document 1511, tabled on April 30 by the gentleman from Gardiner, Mr. Hanson, pending third reading.

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

Mr. CALL: Mr. Speaker, whereas the gentleman from Gardiner, Mr. Hanson, is not now present in the House I now move that this be tabled until Wednesday of next week.

The SPEAKER: With respect to item number nine, Bill "An Act relating to Examination for Certain Persons to Practice Barbering", the gentleman from Cumberland, Mr. Call, now moves that this Bill be tabled and specially assigned for Wednesday of next week pending third reading.

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

Mr. TOTMAN: Mr. Speaker, I would like to ask through the Chair of the gentleman from Cumberland, Mr. Call, if he would be willing to assign this Bill to the end of this week rather than next week, this Friday.

The SPEAKER: Is that agreeable to the gentleman? Tabled and specially assigned for Friday of this week pending third reading. Is this the pleasure of the House?

The motion prevailed and the Bill was so tabled.

The SPEAKER: Under Orders of the Day the Chair now lays before the House the tenth tabled and today assigned matter, Resolve in Favor of George E. Bagnall of Houlton, House Paper 550, Legislative Document 777, tabled on April 30 by the gentleman from Houlton, Mr. Ervin, pending final passage.

Thereupon, the Bill was finally passed, signed by the Speaker and sent to the Senate.

On motion of the gentleman from Bangor, Mr. Totman, the House voted to take from the table the sixty-third tabled and unassigned matter, House Order relative to Table Clearance, tabled on April 24 by that gentleman pending passage.

On further motion of the same gentleman the Order received passage.

On motion of the gentleman from Portland, Mr. Smith, the House voted to take from the table the sixty-seventh tabled and unassigned matter, House Report "Ought to pass" as amended by Committee Amendment "A" of the Committee on Judiciary on Bill "An Act relating to False Report of Deposit of Bombs or Other Infernal Devices", House Paper 938, Legislative Document 1331, tabled on April 25 by that gentleman pending acceptance of the report.

On further motion of the same gentleman, the "Ought to pass" Report was accepted and the Bill given its first and second readings.

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

COMMITTEE AMENDMENT "A" to H. P. 938, L. D. 1331, Bill, "An Act Relating to False Report of Deposit of Bombs or Other Infernal Devices."

Amend said bill by adding after the underlined word and comma "place," in the 8th line thereof, the following underlined words and punctuation: 'or in or upon any public conveyance, including but not limited to aircraft, or causes the evacuation of any public place or public conveyance by such false report.'

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

On motion of the gentleman from Raymond, Mr. Edwards, the House voted to take from the table the forty-sixth tabled and unassigned matter, Bill "An Act relating to Persons Qualified to Serve as Jurors", Senate Paper 369, Legislative Document 992, tabled on April 17 by that gentleman pending third reading.

On further motion of the same gentleman the Bill was given its third reading, passed to be engrossed as amended by Committee Amendment "A" and sent to the Senate.

On motion of the gentleman from Raymond, Mr. Edwards, the House voted to take from the table the

fifty-second tabled and unassigned matter, An Act relating to Time for Requesting Tax Exemptions by Veterans' Widows, House Paper 885, Legislative Document 1253, tabled on April 18 by that gentleman pending passage to be enacted.

On further motion of the same gentleman the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

The SPEAKER: The Chair recognizes the gentleman from Enfield, Mr. Dudley.

Mr. DUDLEY: Mr. Speaker, I move we reconsider our action of today on page eight, item three, House Paper 1020, whereby we indefinitely postponed this measure. I would like to do this because I think it is a health measure and it was sent to the wrong Committee and it should be sent to the Committee on Public Health. I hope it has a chance to be heard before the Committee on Public Health.

The SPEAKER: With respect to item three on page eight of today's calendar, House Divided Report, Majority "Ought not to pass" and Minority "Ought to pass" in New Draft Report of the Committee on Agriculture, on Bill "An Act relating to Inspection of Slaughterhouses", the gentleman from Enfield, Mr. Dudley, moves that the House reconsider its action whereby the Bill and both Reports were indefinitely postponed. Is this the pleasure of the House?

Will those who favor the motion to reconsider, please say aye, those opposed, no.

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

On motion of the gentleman from Cumberland, Mr. Call, the House voted to take from the table the fifty-fifth tabled and unassigned matter, Senate Divided Report, Majority "Ought to pass" as amended by Committee Amendment "A" and Minority "Ought not to pass" of the Committee on State Government on Bill "An Act relating to the Appointment of a Temporary Deputy Commissioner", Senate Paper 375, Legislative Document 998, tabled on April 19 by that gentleman pending the motion of the gentleman from

Portland, Mr. Childs, to indefinitely postpone.

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

Mr. CHILDS: Mr. Speaker, I would first like to withdraw my motion to indefinitely postpone this matter. I was one of the signers of the Minority "Ought not to pass" Report on this. Subsequent to it I have discussed the matter with the signers of the Majority Report and they have agreed to an amendment which I will submit this morning. I therefore now move the acceptance of the Majority "Ought to pass" Report.

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 as amended by Committee Amendment "A". Is this the pleasure of the House?

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

Mr. Childs of Portland offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to S. P. 375, L. D. 998, Bill, "An Act Relating to the Appointment of a Temporary Deputy Commissioner"

Amend said Bill by adding at the end of the 1st paragraph of that part designated "Sec. 2-B" the following underlined sentence:

**'Such Temporary Deputy Commissioner shall be appointed from the personnel of the agency, board, commission or department in which such vacancy occurs.'**

House Amendment "A" was adopted.

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

COMMITTEE AMENDMENT "A" to S. P. 375, L. D. 998, Bill, "An Act Relating to the Appointment of a Temporary Deputy Commissioner".

Amend said Bill by striking out the underlined figure "90" in the 14th line and inserting in place thereof the underlined figure '60'.

Further amend said Bill in the 15th line by adding the following

underlined sentence: **'Such Temporary Deputy Commissioner shall not be eligible for re-appointment'**.

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

On motion of the gentleman from Milo, Mr. Brockway, the House voted to take from the table the sixtieth tabled and unassigned matter, Bill "An Act relating to Hunting with Bow and Arrow", House Paper 742, Legislative Document 1056, tabled on April 19 by that gentleman pending passage to be engrossed.

On further motion of the same gentleman, the Bill was passed to be engrossed and sent to the Senate.

On motion of the gentleman from Lewiston, Mr. Rancourt, the House voted to take from the table the thirty-seventh tabled and unassigned matter, House Report "Ought not to pass" of the Committee on Legal Affairs on Bill "An Act relating to Planning Board for City of Lewiston", House Paper 84, Legislative Document 110, tabled on April 12 by that gentleman pending acceptance of the Report.

On further motion of the same gentleman the Report was retabled and specially assigned for Tuesday, May 7, pending acceptance of the Report.

On motion of the gentleman from Bangor, Mr. Quinn, the House voted to take from the table the twenty-second tabled and unassigned matter, House Report "Ought not to pass" of the Committee on Retirements and Pensions on Resolve in Favor of Mabelle K. Toole of Bangor, House Paper 389, Legislative Document 520, tabled on April 10 by that gentleman pending acceptance of the Report.

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

Mr. QUINN: Mr. Speaker and Ladies and Gentlemen of the House: This resolve has to do with an aged teacher who is now seventy-five years of age. She is a graduate of one of our state normal schools and she started teaching immediately after her graduation. She taught five

years in the public schools of Orono and then became married. She had two children, two girls. Later on her husband became sickly, and it became necessary for her to supplement and take care of the family and the children in the family by again entering into the teaching profession.

Because of the fact that she was a married woman, and at that time she was living in the City of Bangor, she was not able because of a local rule in the schools to teach in the public schools. Therefore she obtained employment in a local parochial school where she taught for twelve years. Her husband died and after the death of her husband she became qualified to enter the public school system, which she did. And she has taught there until she reached the age of retirement. One of her daughters married and has a large family and is unable to assist the mother. The other daughter is not of good health and is being taken care of by another relative. The mother, the age of a retired teacher as I said before is now seventy-five, living in a room on a pension based upon her qualifications as a teacher in the public schools of some thirty-one years, and twelve years of her teaching was in a parochial school, and back a few sessions she came before the legislature and was granted half of that time toward her pension, another six years.

Now at the present time she is obtaining a pension of nine hundred dollars a year which amounts to about fifteen dollars and thirty-odd cents a week. With this fifteen dollars and thirty-odd cents a week she has to support herself, pay her rent, buy her clothes, buy her food, and she has reached an age now where she is more or less in ill health. Therefore she is now asking and did come before the Committee on this resolve to ask to have recognized that other six years of teaching which she did for the pupils in Bangor, in the private school. And if she was given the privilege of having recognized that other six years of teaching, her pension—she would go into another bracket which would allow her an additional one hundred dollars a year or an average of about two dollars a week. Now it is kind of small peanuts.

The woman has given her life toward teaching the children in the schools of the State of Maine and building their futures to becoming good citizens. Now she is seventy-five years of age and in need of this little additional help, and it is solely based on her period of teaching.

Therefore, I would move that the resolve be substituted for the Report.

The SPEAKER: With respect to item twenty-two at the bottom of page fourteen, Resolve in favor of Mabelle K. Toole of Bangor, the gentleman from Bangor, Mr. Quinn, moves that the Resolve be substituted for the Report. Is this the pleasure of the House?

The motion prevailed.

The SPEAKER: The Chair recognizes the gentleman from Sanford, Mr. Desmarais.

Mr. DESMARAIS: Mr. Speaker, I am on the Retirement and Pension Committee, and we considered this bill very carefully, and we think that it would open the — it wouldn't be fair to a lot of these other teachers in our State if we give this resolve to this lady, so that is the reason why we passed an "Ought not to pass" Report, Majority Report, on this. I move that the House accept the "Ought not to pass" Report.

The SPEAKER: The Chair would advise the gentleman that the House has already substituted the Resolve for the "Ought not to pass" Report.

Mr. DESMARAIS: Sir, I move for indefinite postponement.

The SPEAKER: The motion now before the House is the motion of the gentleman from Sanford, Mr.

Desmarais, that Resolve in Favor of Mabelle K. Toole of Bangor be indefinitely postponed.

The Chair recognizes the gentleman from Madawaska, Mr. Rowe.

Mr. ROWE: Mr. Speaker and Members of the House: As one teacher, I consider this resolve very fair.

The SPEAKER: The motion before the House is the motion of the gentleman from Sanford, Mr. Desmarais, that Resolve in Favor of Mabelle K. Toole of Bangor be indefinitely postponed. Is this the pleasure of the House?

Will those who favor the indefinite postponement of this Resolve please say aye, those opposed, no.

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

The Resolve was read once and tomorrow assigned.

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

Mr. QUINN: Point of information, we passed that order for the unassigned matters to come off the table. Am I to assume that that is in effect right now?

The SPEAKER: That order is in effect right now and it authorizes the Speaker to remove from the table the unassigned items in the order in which they appear listed, time permitting, on Tuesdays, Wednesdays and Thursdays.

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(Off record remarks)

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On motion of Mr. Totman of Bangor,

Adjourned until nine-thirty o'clock tomorrow morning.