

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Ninety-Ninth Legislature

OF THE

STATE OF MAINE

1959

DAILY KENNEBEC JOURNAL
AUGUSTA, MAINE

HOUSE

Wednesday, April 29, 1959

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

Prayer by the Rev. Mr. William Dawes Veazie of Portland.

The journal of yesterday was read and approved.

Papers from the Senate Senate Reports of Committees Ought to Pass with Committee Amendment Tabled and Assigned

Report of the Committee on State Government on Resolve Proposing an Amendment to the Constitution Pledging Credit of State for Guaranteed Loans for Recreational Purposes (S. P. 178) (L. D. 422) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

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

In the House, the Report was read.

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

Mr. PLANTE: Mr. Speaker, I would like to consult with other members of the Committee regarding the amendment and the bill. I thought we were going to take a different approach on it, and therefore I would like to table this bill until a week from today.

The SPEAKER: The gentleman from Old Orchard Beach, Mr. Plante, moves that the Report be tabled pending acceptance and be specially assigned for Wednesday, May 6. Is this the pleasure of the House?

The motion prevailed.

Leave to Withdraw Bill Substituted for Report and Amended in Senate Indefinitely Postponed

Report of the Committee on Taxation on Bill "An Act Repealing the Tax on Quahogs" (S. P. 298) (L. D. 822) reporting Leave to Withdraw.

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

In the House, the Report was read.

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

Mr. LOWERY: Mr. Speaker and Members of the House: Originally there were two bills, L. D. 821, an Act relating to the Liability of Producers for Quahog Tax and L. D. 822, an Act repealing the Tax on Quahogs. L. D. 821 called for a reduction in the tax and was reported out of Committee with an ought not to pass report which was accepted by this House on April 15.

L. D. 822, the repeal act, now comes to us amended with the same content as L. D. 821, the other bill, the bill that was defeated here in the House.

Briefly stated, these two bills came out of Committee with leave to withdraw on 822 and ought not to pass on 821. It is a matter of record now that the Committee felt that both bills should have received ought not to pass reports. I see no reason for consideration of this bill any more than L. D. 821, and I move that L. D. 822 and all accompanying papers be indefinitely postponed.

The SPEAKER: The gentleman from Brunswick, Mr. Lowery, moves that the Committee Report be indefinitely postponed in non-concurrence.

The Chair recognizes the gentleman from Woolwich, Mr. Reed.

Mr. REED: Mr. Speaker and Members of the House: I do not like to take issue with the gentleman from Brunswick, Mr. Lowery, but if anything was ever kicked around and there was misunderstanding, I feel this bill was. Originally it is true, there were two bills, and I have done a complete right about face on this, and during the hearing, I feel that two things were brought out. First of all, the only reason this tax was ever put on in the first place was because it was felt that the quahog diggers themselves wished the tax. It has become evident to me that at least the diggers in the towns of Phippsburg and West Bath which I represent and comprises some

two hundred diggers, do not want this tax. Now I feel that the question is not whether the tax is doing a good job or not, I feel that the question is this, whether a group or a segment of our industry can come in here to the Legislature and ask that a tax be imposed upon them and then several years later come in and ask that this very same tax be withdrawn, whether the Legislature can take this — I feel they would have to take this paternalistic attitude and say that the tax is doing you good and therefore you must have it.

Now the selectmen originally from these two towns were going to write letters in defense of keeping on this tax. However, when the hearing came up, I was present, however I said nothing. I had one group of selectmen who were for the keeping the tax; the other selectmen were for taking the tax off. Now after the hearing I asked the selectman from the Town of Phippsburg if he wanted to keep this tax on, would he show me the diggers in the Town of Phippsburg that wanted this tax. Now several weeks ago and after the hearing he called me up and said that as far as he was concerned, the tax should be taken off because he had no diggers that were in favor of it. Now as I said, as far as I am concerned, the issue is the one whether or not we can adopt the attitude that the tax is good for them and therefore we must impose it upon them even though it is against their wishes. And because of this reason, I, as I have said, have completely taken the opposite stand which I originally had, and I hope the motion to indefinitely postpone does not prevail.

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

Mr. LOWERY: Mr. Speaker, I don't like to go into any long debate on this subject. However, may I say just a few words regarding this tax.

First, the tax itself is a five per cent tax on the landed value of the quahogs and it is paid by the dealer. Now any reduction of this tax would be a severe blow to the management and research that is now being carried out by the Sea

and Shore Fisheries Department. The program has produced marked results. The area that I represent is the largest of any other areas, the productive areas, in the quahog industry. That the quahog industry is vital to the economy of our area, is shown by the fact that the income to the diggers has averaged \$111,000 annually for the last ten years. Realization of the importance of the continuation of the management program, and the effect on our economy is indicated by the interest shown by our own administrative officers and only recently the Brunswick Chamber of Commerce has organized a sub-committee to assist in the promotion of the quahog industry.

The tax is not a hardship tax. It is a fair tax. It was originated by the interested town officials of the various communities who called meetings of the diggers. Representatives were chosen and met with town officials and buyers, and by mutual agreement the request was made to the 98th Legislature and the special five per cent tax on the landed value was passed, the proceeds from this tax to be used for transplanting seed and to carry out the scientific and management work deemed necessary for the benefit of the quahog industry.

The buyer who has protested this tax was never a member of this group and has never cooperated in the management program so successfully carried out by the groups and the Sea and Shore Fisheries Department. When questioned at the committee hearing, this single complaining dealer admitted that reduction of the tax would be of no benefit to the diggers, although the lessening of the tax burden on the digger may have been the intent of the bill's sponsor.

There are four principal buyers in the area of which I speak. Two were not at the hearing, one spoke for retaining the tax; and one spoke against the tax. Of an estimated six hundred diggers involved, about thirty attended the hearing. I have made a number of contacts myself in Brunswick and Harpswell and found little or no objection to the tax. Now it seemed rather strange that in an area such as mine that I have not had a single

digger who has contacted me protesting the tax, although during the history of this bill, considerable publicity was given to it by both our local radio station and our newspapers.

May I say at this time, that we along the Maine coast should be vitally concerned by the condition of our fast diminishing shellfish industry. Opposition in past years by commercial interests and the inability of the diggers sometimes to realize what was happening, has hampered the work of the biologists in their conservation efforts to the point where our soft shell clam industry has practically disappeared. It is sincerely hoped that this attitude toward the quahog industry will not prevail. Repeal or reduction of this tax would be a step backward in one of Maine's most promising industries. I therefore hope that the motion does prevail, and I would ask for a division.

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

Mr. PERT: Mr. Speaker and Ladies and Gentlemen of the House: I hesitate to get up and speak on this bill in that it is a bill which only affects actually a small segment of Sagadahoc and Cumberland Counties. However, there are a couple of points I would like to bring up. One, there seems to be a great deal of difference of opinion as to the benefit of the research program which is being financed by the money which comes in on this quahog tax. In checking with some of the diggers their feelings are a little bit different than that of the Department of Sea and Shore Fisheries. The fact remains, however, as was brought out at the hearing on this bill, that even if the tax is repealed the research program will continue in effect. In checking with the people back home, I found this much, that the diggers don't want the tax and the dealers don't want the tax. I hope that the motion of the gentleman from Brunswick, Mr. Lowery, does not prevail.

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

Mr. REED: Mr. Speaker and Members of the House: I would like to just bring out a few points. First

of all, there were twenty or thirty diggers there who wished to have the tax taken away. There were no diggers present at the hearing who wanted the tax to continue. The reason as I say that this was reduced or the bill to reduce the tax from five to three per cent mainly is because the other bill went through before, and the repeal which I would now be for it, but at the time I wasn't convinced that I was. Now the reason for from five to three per cent is that last year three per cent would have covered the expenditures of the Sea and Shore Fisheries Department. In other words, they operated last year and they had a surplus, and that is the reason of the reduction to three per cent.

Secondly, it was brought out in the hearing that before this tax was put on, the Sea and Shore Fisheries Department had received up to and in some years more than \$2,000 a year from outside interests, such as Campbell's Soups. Now this money the State is losing. People before gave as a gift because they were interested in the quahog research for this development project. And thirdly, the Sea and Shore Fisheries Department certainly does research and helps other segments of our fishing industry. Now I feel that they help the lobstermen and yet the lobstermen have no tax on them for a particular thing. Now I do believe that the sardine industry in Maine does have a tax, but that tax is for the advertising of Maine sardines and the sardine people in Maine are for this, for the tax. And fourthly I feel myself that it amounts to some \$4,000 or \$5,000, and the segment of the economy which we are taxing, the quahog diggers, I feel are as a whole a very poor group, and I think that the study and the research in this would continue to go on and I feel that if it must be, I think that all of the people should share in the expense of it.

The SPEAKER: Is the House ready for the question? The Chair recognizes the gentleman from Friendship, Mr. Winchenpaw.

Mr. WINCHENPAW: Mr. Speaker, Ladies and Gentlemen of the House: I would like to say just a few words on this, and I will try not to repeat anything that has al-

ready been said. As most of you know the blueberry industry taxes themselves for promotion of the blueberries, the potato people tax themselves, and I believe there is a tax on milk for advertising purposes, and I can't agree with my friend from Woolwich, Mr. Reed, that the Sea and Shore Fisheries does anything to promote the lobster industry much now except enforce the law. I think the lobstermen are putting back the seed lobsters at their own expense. And my understanding of this matter is that if we indefinitely postpone this measure, the law will remain on the books as it is, and regardless of what anyone tells you, this tax on these quahogs is doing a wonderful job to promote the industry. There was one digger at the hearing who stated that he made almost a fabulous amount of money just in one day digging quahogs, I wouldn't want to quote what it was, but it was quite a lot of money for seven or eight hours work. I certainly hope that this measure is indefinitely postponed.

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

Mr. RANKIN: Mr. Speaker, Ladies and Gentlemen: If you believe that some taxation of an industry is good, and if you believe that the biologists know what they are talking about, you will vote to indefinitely postpone this measure.

The SPEAKER: Is the House ready for the question? The Chair recognizes the gentleman from Freeport, Mr. Crockett.

Mr. CROCKETT: Mr. Speaker, I live on Maquoit Bay, possibly the best quahog beds in the State, around there. Several of the diggers that make their livelihood of digging quahogs have come to me and said that they are certainly satisfied with the tax because the money is used to reseed the beds and so on, and it is a propagation proposition and I believe we ought to buy it.

The SPEAKER: Is the House ready for the question? The question before the House is the motion of the gentleman from Brunswick, Mr. Lowery, that with respect to Bill "An Act Repealing the Tax on Quahogs," Senate Paper 298, Legislative Document 822, the Bill

and the Committee Report be indefinitely postponed. A division has been requested.

Will those who favor the motion to indefinitely postpone, please rise and remain standing until the monitors have made and returned the count.

A division of the House was had. One hundred having voted in the affirmative and fifteen having voted in the negative, the motion prevailed and the Bill and Committee Report were indefinitely postponed in non-concurrence and sent up for concurrence.

The SPEAKER: At this time it gives the Chair an unusual degree of pleasure to recognize the presence in the gallery of the House of a group of Social Studies High School students from the Town of Bar Harbor, accompanied by their teacher Charles Small. On behalf of the House, the Chair extends to all of you ladies and gentlemen a most hearty and cordial welcome, and we hope that you will enjoy and profit by your visit here today. (Applause)

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

Divided Report

Majority Report of the Committee on Taxation on Bill "An Act Exempting the Grange from Property Taxes" (S. P. 180) (L. D. 423) reporting same in a new draft (S. P. 473) (L. D. 1338) under title of "An Act Exempting Certain Fraternal Societies from Property Taxes" and that it "Ought to pass"

Report was signed by the following members:

Messrs. WILLEY of Hancock
WYMAN of Washington
—of the Senate.

Messrs. CYR of Augusta
MAXWELL of Jay
ROLLINS of Belfast
PARSONS of Hartford
—of the House.

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

Report was signed by the following members:

Mr. FOURNIER of York
—of the Senate.

Messrs. WALSH of Verona
BAXTER of Pittsfield
COUSINS of Bangor
—of the House.

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

In the House, the Reports were read.

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

Mr. ROLLINS: Mr. Speaker, I move the House accept the Majority "Ought to pass" Report.

The SPEAKER: The gentleman from Belfast, Mr. Rollins, moves that the House accept the Majority Report "Ought to pass".

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

Mr. BRAGDON: Mr. Speaker and Members of the House: I just now saw this bill on our calendar, and I am not too familiar with what it may do. However, I am very fearful that this is tampering very much with our tax structure as it affects our municipalities. I feel that it may take in just such fraternal societies as we very strongly in this House just a few days ago voted not to exempt. I hardly know what motion to make on this thing because of my lack of information, but possibly I would make a motion that it be indefinitely postponed and if the House feels otherwise, I will graciously take my licking.

The SPEAKER: The gentleman from Perham, Mr. Bragdon, now moves that both reports be indefinitely postponed.

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

Mr. WALSH: Mr. Speaker, this bill came into committee with just the grange exemptions, but in the committee it was redrafted to include charitable, fraternal, benevolent or moralistic organizations. Now if we pass this bill, the local assessors in each community and city already have the authority to exempt these when the need is foreseen. Now if we pass this exemption

it will be on the town and city levels, and I think at this time that there are only about four of those people being taxed in the State of Maine. Most of the towns exempt them anyway, and I see absolutely no need for this bill, and I highly concur with the gentleman from Perham, Mr. Bragdon, to indefinitely postpone.

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

Mr. HAUGHN: Mr. Speaker and Members of the House: I am not going to debate this issue because it is as the gentleman says, from Verona, Mr. Walsh, that there are a few that are not exempt, but I think they all should be, and when the vote is taken I request a division.

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

Mr. SHEPARD: Mr. Speaker, Ladies and Gentlemen of the House: I rise in opposition to the motion made by the gentleman from Perham, Mr. Bragdon. I feel that with this bill amended by the amendment under Filing 277 it would be a good bill, very beneficial. It would legalize what the assessors are already doing.

The SPEAKER: Is the House ready for the question?

The Chair recognizes the gentleman from Gorham, Mr. Sanborn.

Mr. SANBORN: Mr. Speaker, from the earliest history of the State it has been the common understanding of public officers and inhabitants that the real estate and personal property of fraternal societies of a charitable and benevolent nature such as Patrons of Husbandry, Odd Fellows, Knights of Pythias, Elks, Masons, Knights of Columbus, is and should be exempt from taxation.

Now if you will refer to this bill you will see that it puts into practice just what is generally practiced throughout the State today, that associations shall be exempt from taxation solely on that part of the real estate and personal property used for their purposes. It also states down in the second part of the bill, that any portion of the building not used solely for their charitable purposes, shall be

taxed. I have talked with many assessors throughout the State, and they have asked me to support this bill. It will give them the authority that they are now practicing, and I hope the motion of the gentleman to indefinitely postpone does not prevail.

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

Mr. PLANTE: Mr. Speaker, Ladies and Gentlemen of the House: I had not intended to speak for or against this bill for I felt if it were the desire of this House to pass the bill in a redraft that possibly students attending educational facilities would be exempted, but apparently the amendment does not feel that we should give the fraternities an educational subsidy by giving them some tax relief. I cannot see how we can justify telling our students at the University of Maine that you shall have no relief of any kind, yet giving other fraternal associations some tax relief. Therefore, I reluctantly ask your support of the motion to indefinitely postpone this bill.

The SPEAKER: Is the House ready for the question? The question before the House is the motion of the gentleman from Perham, Mr. Bragdon, that both Reports and Bill "An Act Exempting Certain Fraternal Societies from Property Taxes," Senate Paper 473, Legislative Document 1338, be indefinitely postponed. A division has been requested.

Will those who favor the motion to indefinitely postpone, please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Sixty-two having voted in the affirmative and sixty having voted in the negative, the motion prevailed, the Bill and both Reports were indefinitely postponed in non-concurrence and sent up for concurrence.

Non-Concurrent Matter

Bill "An Act relating to Distribution and Sale of Publications Depicting Crime and Torture" (S. P. 249) (L. D. 632) which was passed to be enacted in the House on April

8 and passed to be engrossed in concurrence on April 7.

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

In the House: On motion of Mrs. Christie of Presque Isle, the House voted to insist on its former action and request a Committee of Conference.

Non-Concurrent Matter

Bill "An Act relating to Qualified Assistant Pharmacists" (H. P. 926) (L. D. 1308) which was passed to be engrossed as amended by House Amendment "A" in the House on April 22.

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

In the House:

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

Mrs. KNAPP: Mr. Speaker and Members of the House: I feel I must rise in support of our pharmacy bill and also in the interests of our qualified assistants. This is a good bill without the amendment. I am sorry I cannot support the amendment of my brother druggist, Representative Danes, and I commend him for sticking to what he believes. However, my first certificate was a Q-A. In due time I took the examination for a registered pharmacist and I feel, among others, I have qualified for forty-three years to carry on a commendable service to my community.

These qualified assistants who wish to try for full registration have five years now as Q-A's. Are we going to hold them back with their certificates of full registration another three years? Think this over, two registered pharmacists certificates hanging side by side of equal value but over a period of three years costing the owner of the pharmacy between fifteen and eighteen thousand dollars to keep his registered pharmacist. This to me is very unfair. To be sure, some will keep them anyway but let us make it a choice and not a must.

These who now hold Q-A certificates would never end up in chemi-

cal plants and such without further study. They only want a chance to have their own pharmacy and render a real service to their community and make a modest living for their family and are sorely needed today.

I feel sure there are those Q-A's who could pass a better exam today than a man fresh out of college. We must have practice as well as theory. We have two books in our pharmacies that are a must, the Pharmacopoeia and the Dispensatory, which are the pharmacist's bibles. We can rely on them at a moment's notice.

If you had a loved one who needed medication, you would not hesitate to call your druggist in the wee hours of the morning to open the store for the life saving drug. He too would not hesitate to gladly do this for you. Then why do we hesitate to further hamper the cause of humanity by holding them back from their just rights?

Mr. Speaker, I move we recede and concur with the Senate.

The SPEAKER: The question now before the House is the motion of the gentlewoman from Yarmouth, Mrs. Knapp, that the House recede and concur.

The Chair recognizes the gentleman from South Portland, Mr. Danes.

Mr. DANES: Mr. Speaker, Ladies and Gentlemen of the House: I have all the respect and regard in the world for the gentlewoman from Yarmouth, Mrs. Knapp. I feel that she is one of the finest pharmacists we have in the State. I have no quarrel with Mrs. Knapp at all.

There are two phases to this particular bill. The bill in itself I have no objection to, I think it is fine. On the other hand, the registered pharmacist, who has adhered to all the laws as are on our present Statutes, should be given some consideration. They have spent their time in college and passed the examinations. Those few individuals who would like to take this examination are possibly very competent, I have one, as I said before, working for me that I know is a very competent young man and should be given this opportunity, and I do not desire to keep it from him. However, I feel that to make this matter

fair for both sides that we should insist on our former action and request a committee of conference.

The SPEAKER: The Chair must advise the House that the motion taking priority and the question now before the House is the motion of the gentlewoman from Yarmouth, Mrs. Knapp, that the House recede and concur. Is the House ready for the question?

Will all those in favor of the motion to recede and concur, please say aye; those opposed, no.

A viva voce vote being taken, the motion prevailed.

The SPEAKER: At this time the Chair is going to indulge in one of the more pleasant prerogatives that goes with the office, and will request the Sergeant-at-Arms to escort to the rostrum the Speaker's wife, Mrs. Edgar.

Thereupon, Mrs. Joseph T. Edgar was escorted to the rostrum by the Sergeant-at-Arms amid the applause of the House, the Members rising.

The SPEAKER: We are not finished yet. The Chair is going to indulge in an equally pleasant prerogative, and request the Assistant Sergeant-at-Arms to escort to the rostrum the Speaker's daughter.

Thereupon, Miss Margaret Edgar was escorted to the rostrum by the Assistant Sergeant-at-Arms amid the applause of the House, the members rising.

Non-Concurrent Matter Tabled and Assigned

Bill "An Act Exempting Hospital Thrift Shops from Sales Tax" (H. P. 700) (L. D. 1000) which was passed to be engrossed in the House on April 3.

Came from the Senate indefinitely postponed in non-concurrence.

In the House: On motion of Miss Cormier of Rumford, tabled pending further consideration and specially assigned for Tuesday, May 5.

Orders

On motion of Mrs. Smith of Falmouth, it was

ORDERED, that Mr. Wheaton of Princeton be excused from attendance for the remainder of the week because of illness in the family; and that Mr. Healy of Portland be

excused from attendance for the remainder of the week because of illness.

The SPEAKER: At this time the Chair would recognize the presence in the gallery of the House of a group of seventy grade eight High School pupils from Freeport accompanied by their teachers Mrs. Webber and Mrs. DeRoche. On behalf of the House, the Chair extends to you ladies and gentleman a most hearty and cordial welcome, and we hope you will enjoy and profit by your visit here today. (Applause)

House Reports of Committees Ought to Pass in New Draft New Drafts Printed Tabled and Assigned

Mr. Morse from the Committee on Business Legislation on Bill "An Act Regulating Certain Insurance Sold in Connection with Credit Transactions" (H. P. 893) (L. D. 1262) reported same in a new draft (H. P. 947) (L. D. 1343) under same title and that it "Ought to pass"

Report was read.

(On motion of Mr. Jacques of Lewiston, tabled pending acceptance of the Committee Report and specially assigned for Friday, May 1.)

Mr. Mathieson from the Committee on Education on Bill "An Act Providing for Vocational Rehabilitation of Handicapped Individuals" (H. P. 282) (L. D. 429) reported same in a new draft (H. P. 951) (L. D. 1347) under same title and that it "Ought to pass"

Mr. Cote from the Committee on Legal Affairs on Bill "An Act relating to Licenses for Pari Mutuel Harness Horse Racing" (H. P. 814) (L. D. 1152) reported same in a new draft (H. P. 948) (L. D. 1344) under same title and that it "Ought to pass"

Mr. Rollins from the Committee on Taxation on Bill "An Act to Clarify the Excise Tax on Aircraft, House Trailers and Motor Vehicles" (H. P. 569) (L. D. 802) reported same in a new draft (H. P. 949) (L. D. 1345) 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 with Committee Amendment

Mr. Treworgy from the Committee on Labor on Bill "An Act Establishing Disability Due to Radioactive Properties as an Occupational Disease" (H. P. 833) (L. D. 1184) 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. 833, L. D. 1184, Bill, "An Act Establishing Disability Due to Radioactive Properties as an Occupational Disease."

Further amend said Bill by adding a new Section 70A, entitled "Special Provisions Relating to Disability due to Radioactive Properties."

"Notwithstanding any of the provisions of this chapter, the employee need not be exposed to radioactive substances for a period of 60 days or more, as otherwise stated under section 62, and the time for filing claims shall not begin to run in cases of incapacity under section 69, subsection 17, until the person claiming benefits knew, or by exercise of reasonable diligence should have known of the causal relationship between his employment and his incapacity, or after incapacity, whichever is later."

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

Divided Report

Majority Report of the Committee on Claims reporting "Ought to pass" on Resolve to Reimburse the Town of Swan's Island for Aid Extended to Leverett and Marie Carter (H. P. 437) (L. D. 643)

Report was signed by the following members:

Messrs. FOURNIER of York
WEEKS of Cumberland
— of the Senate.
Messrs. KENNEDY of Milbridge
CURTIS of Bowdoinham
GALLANT of Eagle Lake
MATHEWS of Berwick
HUGHES of St. Albans
— of the House.

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

Report was signed by the following members:

Mr. PARKER of Piscataquis
— of the Senate.

Messrs. DUFOUR of Old Town
JOHNSON of Stockholm
— of the House.

Reports were read.

The SPEAKER: The Chair recognizes the gentleman from St. Albans, Mr. Hughes.

Mr. HUGHES: Mr. Speaker and Members of the House: It has been said a few times that anything that would get by the Claims Committee with a report "Ought to pass" deserves some merit. We didn't come out with this one one hundred per cent ought to pass, but it was seven to three, and I move acceptance of the Majority "Ought to pass" Report.

The SPEAKER: The gentleman from St. Albans, Mr. Hughes, moves that the House accept the Majority "Ought to pass" Report. Is this the pleasure of the House?

The motion prevailed, the Resolve was read once and tomorrow assigned.

Divided Report Tabled

Majority Report of the Committee on Legal Affairs reporting "Ought not to pass" on Bill "An Act relating to Election of Council Members of City of Portland" (H. P. 211) (L. D. 302)

Report was signed by the following members:

Messrs. MARTIN of Kennebec
CHARLES of Cumberland
— of the Senate.

Messrs. TRUMBULL of Fryeburg
LINNELL of South Portland
BROWN of Cape Elizabeth
HUTCHINSON of Carthage
GOOD of Sebago
— of the House.

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

Report was signed by the following members:

Mr. MacDONALD of Oxford
— of the Senate.

Messrs. COTE of Lewiston
KELLAM of Portland
— of the House.

Reports were read.

(On motion of Mr. Briggs of Portland, tabled pending acceptance of either Report and unassigned.)

Divided Report Recommitted

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. 701) (L. D. 1001)

Report was signed by the following members:

Messrs. WILLEY of Hancock
WYMAN of Washington
— of the Senate.

Messrs. ROLLINS of Belfast
PARSONS of Hartford
MAXWELL of Jay
BAXTER of Pittsfield
— of the House.

Minority Report of same Committee on same Bill reporting same in a new draft (H. P. 950) (L. D. 1346) under same title and that it "Ought to pass."

Report was signed by the following members:

Mr. FOURNIER of York
— of the Senate.

Messrs. CYR of Augusta
COUSINS of Bangor
WALSH of Verona
— of the House.

Reports were read.

On motion of Mr. Rollins of Belfast, recommitted to the Committee on Taxation and sent up for concurrence.

Divided Report

Majority Report of the Committee on Taxation reporting "Ought to pass" on Bill "An Act Exempting Certain Motor Vehicle Fuel from the Sales Tax" (H. P. 799) (L. D. 1131)

Report was signed by the following members:

Messrs. WILLEY of Hancock
Messrs. WILLEY of Hancock
FOURNIER of York
— of the Senate.

Messrs. MAXWELL of Jay
CYR of Augusta

COUSINS of Bangor
BAXTER of Pittsfield
— of the House.

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

Report was signed by the following members:

Messrs. ROLLINS of Belfast
WALSH of Verona
PARSONS of Hartford
— of the House.

Reports were read.

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

Divided Report Tabled and Assigned

Report "A" of the Committee on Taxation reporting "Ought to pass" on Bill "An Act relating to the Amount of the Annual Excise Tax on Railroads" (H. P. 254) (L. D. 365)

Report was signed by the following members:

Messrs. WILLEY of Hancock
FOURNIER of York
— of the Senate.

Messrs. MAXWELL of Jay
ROLLINS of Belfast
BAXTER of Pittsfield
— of the House.

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

Report was signed by the following members:

Mr. WYMAN of Washington
— of the Senate.

Messrs. CYR of Augusta
PARSONS of Hartford
— of the House.

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

Report was signed by the following member:

Mr. WALSH of Verona.
— of the House.

Reports were read.

The SPEAKER: The Chair recognizes the gentleman from Pittsfield, Mr. Baxter.

Mr. BAXTER: Mr. Speaker and Ladies and Gentlemen of the House:

The bill before you at this time is L. D. 365, "An Act relating to the Amount of the Annual Excise Tax on Railroads," which I am sure you have all heard of since you have been here this session.

At the committee hearing on this bill, the railroads presented their case very ably and logically and there were no opponents. The formula which they proposed for figuring the tax on their operations would reduce the tax income to the State somewhat over a million dollars a year.

In reporting out this bill, the Committee was faced with the problem of deciding upon a highly technical question on the basis of testimony submitted by those affected by the tax, with little time or technical assistance to evaluate the implications of the tax formula presented.

In this connection it should be remembered that railroad taxation has been a subject of considerable controversy and puzzlement for a great many years, starting as far back as 1845. Different laws and formulae were developed over the years until 1881 when the gross receipts tax was hurriedly instituted for fear that a property tax formula promulgated the year before would be declared unconstitutional. This gross receipts tax was used until 1927 when after several years of bitter controversy it was changed to the so-called gross-net tax currently in effect.

Maine was one of the first states to institute this tax, which was a product of the combined efforts of the National Tax Association, the U. S. Chamber of Commerce, and the Special Tax Commission of the State of New York. While this tax did result in lower railroad taxes and a somewhat different taxation level for profitable and unprofitable lines, it did not go as far as was hoped in reducing taxes during periods of very low earnings or losses to the lines. Neither did it adequately handle the problem of the inflation of gross receipts due to national monetary inflation accompanied at the same time by a static or deteriorating net earnings position in relation to these gross receipts.

Railroad taxation has, over the years, been based on three concepts. First, the taxing of the monopoly type franchise granted by the states to the railroads; second, the taxing of property exempted from taxation to the localities such as right of way, roadbed, track, fixtures within the right - of - way and rolling stock; and three, a handy source of state income when railroads were what we would today call a growth industry.

Now the Taxation Committee recognizes the fact that all three of these categories have changed radically over the years, changed for the most part unfavorably for the roads and thus indicating that some formula resulting in lower taxes is entirely justifiable. The Committee also recognizes that it is quite possible that the gross-net method now used should be discarded completely in favor of some other method of taxation which would accomplish the purpose of taxing the railroads, so that they would not only be not overtaxed but in fairness to the citizens of the State not be undertaxed in comparison with the taxation philosophy of the State in relation to business in general and public utilities in particular.

The formula presented by the railroads is a net income tax so long as their net earnings are less than 5¼% of investment, providing that in no case will they pay less than 1% of gross receipts and that they will pick up the existing gross-net formula when their earnings are over 5¼%, a rather unlikely circumstance under present conditions.

The Committee in reporting out the bill did not feel that it should attempt to forecast the financial condition of the state with regard to the loss or gain of tax revenue, but that it should guide you as best it could under the circumstances with regard to the basic tax and tax situation involved.

You will notice that there are three reports: Ought to pass; ought to pass with committee amendment, which would reduce the tax relief by a little more than two-thirds; and ought not to pass. Common to all of these reports was a very strong feeling that the subject of railroad taxation required close pro-

fessional study to develop a solution fair to both the roads and the State, whether that solution be finally the formula presented by the railroads in L. D. 365 or some other solution; and for this reason the Committee will introduce before the end of the session some means of carrying out such a study.

The two ought to pass reports indicate, however, that those making those reports feel that serious consideration should be given to some measure of immediate relief if it is within the financial ability of the State to do so.

Actually a tax reduction bill of this magnitude is in the nature of an appropriation bill in reverse in that reduction in expected revenue is really the same as spending, and so as far as the Legislature is concerned this is a fiscal problem as well as a problem of the soundness of a particular tax.

In summary, the feeling of the Taxation Committee is as follows:

One, the existing tax formula is imperfect in its operation and outmoded in its concept.

Two, the railroads are almost surely paying more than their fair share of state taxes.

Three, we can not adequately judge the soundness from the standpoint of the State of the plan developed by the roads in L. D. 365.

Four, we recommend immediate relief up to the total amount in one case and up to a little less than one-third of the total amount in the other case, if budgetary considerations so warrant.

Five, this should be treated as an appropriations bill.

Six, we will provide for a study of the subject during the biennium.

Seven, we recommend that the bill be tabled while these considerations are developed; and I therefore move that L. D. 365 and all accompanying papers be tabled until two weeks from today.

THE SPEAKER: The question before the House is the motion of the gentleman from Pittsfield, Mr. Baxter, that with respect to Bill "An Act relating to the Amount of the Annual Excise Tax on Railroads," House Paper 254, Legislative Document 365, all the committee reports be tabled and specially assigned for Wednesday, May 13, pending ac-

ceptance of any report. Is this the pleasure of the House?

The motion prevailed.

Passed to Be Engrossed

Bill "An Act relating to Administration on Estates of Persons Confined to Imprisonment for Life" (S. P. 335) (L. D. 911)

Bill, "An Act relating to Definition of Misbranded Food" (S. P. 426) (L. D. 1244)

Bill "An Act relating to Employment of Minors" (S. P. 449) (L. D. 1302)

Bill "An Act to Clarify the Liquor Laws" (S. P. 466) (L. D. 1330)

Bill "An Act relating to Intent to Injure under Unfair Sales Act" (S. P. 471) (L. D. 1333)

Bill "An Act to Permit the Eastern Maine Electric Cooperative to Exercise Eminent Domain" (H. P. 818) (L. D. 1156)

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

Amended Bill

Bill "An Act relating to Local Option for Sale of Wine and Spirits in Clubs" (H. P. 424) (L. D. 608)

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

Passed to Be Enacted Emergency Measure

An Act to Incorporate the Town of Wiscasset School District (H. P. 918) (L. D. 1296)

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. 118 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 to Incorporate the East Boothbay Water District (S. P. 319) (L. D. 881)

An Act relating to Duties of the Clerk of the House of Representatives (S. P. 419) (L. D. 1203)

An Act relating to Investment of Certain Charitable Trust Funds (S. P. 462) (L. D. 1315)

An Act relating to Covered Bridges (S. P. 463) (L. D. 1322)

An Act relating to Permits for Outdoor Advertising (H. P. 84) (L. D. 131)

An Act relating to Protection of Weirs (H. P. 366) (L. D. 525)

An Act to Prohibit Excessive Noise from Mufflers on Motor Vehicles (H. P. 417) (L. D. 601)

An Act relating to Fishing in Waters of Piscataquis County (H. P. 491) (L. D. 704)

An Act relating to Free Hunting, Trapping and Fishing Licenses for Indians (H. P. 639) (L. D. 930)

An Act to Incorporate the Jay Village Water District (H. P. 667) (L. D. 959)

An Act Creating the Lewiston-Auburn Transit Authority (H. P. 881) (L. D. 1255)

An Act relating to Extension of Water Service in Town of Falmouth (H. P. 932) (L. D. 1318)

An Act Regulating Commercial Fishing for Smelts (H. P. 934) (L. D. 1320)

Finally Passed

Resolve Opening Waters in Lincoln County to Taking of Salt Water Smelts (S. P. 311) (L. D. 857)

Resolve Closing Long Cove Brook, Moxie Cove Brook and Monroe Brook, Lincoln County, to Smelt Fishing (H. P. 933) (L. D. 1319)

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

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

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

Orders of the Day

The SPEAKER pro tem: Under Orders of the Day, the Chair lays before the House the first tabled and today assigned matter, House Divided Report, Majority "Ought not to pass" and Minority "Ought to pass" of the Committee on Inland Fisheries and Game on Bill "An Act Providing for Open Season on Moose," House Paper 714, Legislative Document 1019, tabled on April 21 by the gentleman from Cape Elizabeth, Mr. Brown, pending acceptance of either report.

The Chair recognizes the gentleman from Greenville, Mr. Harris.

Mr. HARRIS: Mr. Speaker, Ladies and Gentlemen of the House: I move that we accept the Minority Report and I would like to speak briefly. We had three moose bills in the Fish and Game Committee. The three bills are not too far apart in length of time for open season. Two of them were reported out ought not to pass and one that we have before us a divided report.

The day after the public hearing on the moose bills we had a short executive session and at that time it was unanimous ten to nothing ought to pass on the moose bill, but we could not agree whether it was to be three days or five days, so we postponed our decision for a few days until the next session. Between that time and the next session, a few editorials appeared in some of the newspapers against the moose season and letters began to come to some of the members, so quite a number of the Committee members changed their minds; thus the divided report.

Now strange as it may seem, this is one item that the Fish and Game Department and myself agree on. They would like to see an open season on moose for a short period. The game management boys in the department and the other members of the department do not know how many moose there are in the State of Maine, and they have no definite way of finding out. It was testified before the Committee in public hearing that they estimate, the members of the Department, between 4,000 and 6,000 moose in the State of Maine, but that is just a guess. They count tracks and they count moose and coordinate the game

wardens' count with the biologists' count and that is the figure they came up with. But they think if there was a short season, and I believe the same, that they might have more definite understanding of how many moose we do have in the State of Maine.

I also have an amendment to this bill which is the first one on the clipped bunch of amendments that I think would eliminate some of the objections to the original bill, and I would like to see the Minority Report "Ought to pass" accepted, and when the vote is taken I would like a division.

The SPEAKER pro tem: The question before the House is the motion of the gentleman from Greenville, Mr. Harris, that the House accept the Minority "Ought to pass" Report.

The Chair recognizes the gentleman from Sangerville, Mr. Edgerly.

Mr. EDGERLY: Mr. Speaker, Ladies and Gentlemen of the House: When this bill — these three bills came out on the opening of the season on moose, I was very much in favor of them. I thought how I would go out and get me a moose. I always kind of wanted to shoot one and thought perhaps I could this time. Well, I began to think where I was going to get my moose the same as most everybody else will. I figured I would go out where I knew there was some moose about three days before the season opened and locate them, get up and let them get acquainted with me, they would think I was out to take a picture of them, and then I would go home, and next to the last day of open season I would go back to see if the moose were in the same locality where I could find them the next morning and probably would find them pretty handy, they don't roam much at that time of year, and then the next morning I would be there early and I would get my moose.

After I got that thought over, I kept thinking about it, that I wasn't the only fellow that was going to think of that. We have hundreds of them in the state and out of the state that would come in here and locate their moose the same as I would ready to shoot them

the opening of the season that morning.

Of course you all know that now our woods are perforated with woods roads bulldozed in, takes in practically most of our woods, there are not many but what you can get to on some of them roads. I am afraid everyone would get out there and shoot these moose and kill them all off. Then I got to thinking about my grandchildren and great-grandchildren, they would grow up and wouldn't know what a moose was, and I don't feel as though at this time we should have an open season on them. My good friend Mr. Harris, from Greenville, tells how many thousand they have, but it wouldn't take them long to count them after they had two or three days open, they could count them pretty fast what was left, so I shall go along against having an open season on moose, and I hope there will be more think about it whether we want to exterminate our moose or have them for the out of state people to come in and take pictures of. That's about all they are good for here now is to take pictures of. I guess that's all for now.

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

Mr. BROWN: Mr. Speaker, I rise in opposition to the motion of the gentleman from Greenville, and to befriend the moose. There are certain factors affecting the moose situation in this State that should not be forgotten nor disregarded. The history of the moose I won't go into to any extent, but there has been no appreciable increase in moose in this State since the turn of the century. It is entirely possible that the moose will disappear from our scene within the next fifty years, and if anyone says that is not possible, I would ask him what became of the caribou that outnumbered the moose a century ago about five to one?

Now the moose and the deer cannot be compared. The gentleman from Greenville, Mr. Harris, has told you that the Fish and Game Department has no estimate of the number of moose in the State, they make a guess. Well, they're liberal with their guesses, I think.

The difference between the moose and the deer situation is very marked and I don't think I would be presuming upon you too much if I went into that subject. It is the first time in my experience here, it is the first time in my life I ever spoke to an audience that was paid to hear me, and I don't feel too bad about it.

Now the birth rate of the moose is very much lower than that of the deer. The moose will be three years old before birth takes place at least. The average is one young one, one calf. With the deer, after the first year they will breed on the second year, the normal is two; moose will have twins just about as often as the deer will have triplets. The deer have learned to get along with civilization, and they live in your back pastures and thrive almost under the eaves of our residences. The moose, no, he has never learned to get along with civilization. Why Nature did that to him. He is a tremendous big animal, he knows no fear, he is afraid of nothing. He has an ingrown curiosity of course, and when you meet him in the woods sometime with a nice shiny coat and he looks at you with a glint in his eye, that is the way he takes to laugh. You know the moose never learned to laugh like we did, and some of the things the moose see in their ordinary life, if he had learned to laugh, I am sure he would laugh himself to death.

Now he has a limited mental capacity, very limited, with a brain about the size of a goose egg, so outside of the breeding season the only thing he ever thinks about is food. The poor critter is to be pitied and not shot. With the low birth rate and the fear of nothing, he gets himself in the way of trains and will stand there and let the train run over him. That isn't good for his health. He will get in the way of automobiles or any other thing, and it is not because he wants to attack those objects, it is because he knows no different, he doesn't think that anything should be able to move him. I have even known of a moose giving a black bear a whale of a good licking, a bull moose doing that. He is subject to all of the

diseases of our cattle, all but one or two that we know for sure. The death rate from natural causes is high. Every effort has been made to find out what these causes are to no avail. The University of Maine has spent a lot of money on this subject. The State of Michigan has spent five times as much as we have on this subject to no avail. We have gotten nowhere with it.

Now when you see the moose walking down the street in your town far from his natural habitat, he is sick, he wouldn't be there if he wasn't sick, and when he becomes sick to a certain point he goes looking for some relief, and he looks to you for that relief right now. Many moose are killed of course — I say many, a few moose are killed wantonly and with disregard of the law, but this is not very many. Some are killed by the impulsive hunter and it is a good thing it is a moose he sees instead of a human being because he would shoot just the same. Now with all of the elements against the moose, he is barely holding his own in this State. And this bill seeks to sell our moose for \$15.00 apiece. They aren't worth much, are they? As Mr. Edgerly, the gentleman from Sangerville, has stated, the chief value of these critters is for the scenery they create. One photograph of a moose taken by an out of state party is worth \$5,000 in advertising and don't you think otherwise. They will show that photograph to every friend they have and with the showing of that photograph goes a full description of their vacation in this State. We have on the books an appropriation that we may make of \$70,000 to advertise the State of Maine, that's only fifteen moose. Can we afford it? My thought is that the moose are too valuable to kill. I also am convinced that if another moose is never killed by gunfire in the history of the State of Maine, the day will come when there will be no moose in the State of Maine.

Now ladies and gentlemen of the House, to the left of the Speaker's rostrum stands a flag of the State of Maine upon which is embroidered the great seal of the State of Maine. Underneath the pine tree on that seal is resting a bull moose.

Do you ladies and gentlemen want to hasten the day when that moose will be the only one in the State of Maine? Thank you very much.

The SPEAKER pro tem: The Chair recognizes the gentleman from Patten, Mrs. Harrington.

Mrs. HARRINGTON: Mr. Speaker and Members of the House: I live with these wild animals, I live up there in the north, and I assure you that we have no desire to extinct the moose. However, with our own observations and the study of the biologists we feel that a few days of open season will be the right step in the right direction as far as conservation goes.

This is not to be only a kill, it is also to be a study. We hope and the Department hopes that the biologists will be on hand when these moose are brought to the stations to be tagged, and to determine whether they are sick, what diseases they have, their ages and so on and so forth. You will find on your desks these amendments that the gentleman from Greenville, Mr. Harris spoke of. They are protective amendments.

I have talked with trappers and with men that have spent their entire lives in the woods, and they claim that it is no easy job to locate a moose in the hunting season. Now the biologists, and a lot of people don't like to talk about the biologists, but, if we are going to believe the biologists as far as the bear bounty is concerned and the dividing of the State into zones, surely we must give them a little credit of knowing a little something on their study about the moose, and in our area they claim that there is an over-population of moose, and in that area alone last fall they found forty moose that either died a natural death or had been killed. Now you people that live in the thickly populated part of the State I hope that you will not kill this bill today. If you do not want it, it could have its third reading, you could put an amendment in and exclude your part, but we in the north surely would like to see a few days open season on moose.

The SPEAKER pro tem: The Chair recognizes the gentleman from Jay, Mr. Maxwell.

Mr. MAXWELL: Mr. Speaker, I would like to move for indefinite postponement of this bill and all accompanying papers. At this time we cannot afford to shoot one single moose in the State of Maine.

The SPEAKER pro tem: The question now before the House is the motion of the gentleman from Jay, Mr. Maxwell, that this bill and both reports be indefinitely postponed.

The Chair recognizes the gentleman from Eagle Lake, Mr. Gallant.

Mr. GALLANT: Mr. Speaker, I move for a division.

The SPEAKER pro tem: A division has been requested. The Chair recognizes the gentleman from Bowdoinham, Mr. Curtis.

Mr. CURTIS: Mr. Speaker and Ladies and Gentlemen of the House: While we don't live entirely in the woods, we don't live entirely out of the woods either. Down in my area there is a sanctuary and I think we probably have as many moose down there, or did have, as any place in the State. I was born and raised in the northern woods, and I knew something about moose, I have shot them in the north woods, but there are less moose today down in our area than there were five years ago or ten years ago. Now what has become of them I don't know, but what I fear about this bill is that if we should pass it we will not get a chance at them but very little. We have hunters and guides whose business it is not to guide the people of the State of Maine so much as it is to guide the people from outside of the state who have the money and really can pay for it, and what I am afraid of is that these folks once this bill is passed they will know all about it and when the open season comes they will be right down here and of course the guides will want them to get a moose and they will try to locate it for them before they come, and they will get out and the moose that are taken, and this amendment provides that only three hundred can be taken; probably two hundred and fifty of them at least will go to New York or Boston or somewhere out of state, and we won't get any of them. Now the way the moose are disappearing down in

our area and mind you we have a sanctuary right near, I am just wondering what is going to happen to the moose after that first three hundred kill.

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

Mr. MONROE: Mr. Speaker, I signed the Majority Report on that bill, and as the gentleman from Greenville, Mr. Harris said, we waited and decided. At first we thought it would be a majority report and later it was not. Well, it got out around that we were talking about this bill, and I met several people in that period and no one was in favor of shooting the moose. Probably I think if we had open season on the moose for three days or six days or five days, probably would be nil of the moose in the State. In the last ten years I have been around in the woods a lot, travelled in the woods, seen several bear, seen a lot of deer, but never a moose. I hunted quite a bit last fall and up in one section I saw one moose track, and that was all I saw for the fall. I was told by the Department that they had records of sixty-eight moose being shot last fall, some of them were shot accidentally, some of them were killed accidentally, some of them were shot perhaps in self defense or some by mistake, but there were sixty-eight that they had records of being killed, and I think that that is all the toll that our moose can stand and still be with us. I hope they stay with us a long time. Other states will spend considerable money in bringing in animals so that the people travelling in that state can see them. Here we have a few moose left which is one of the most valuable animals for people to see, and we want people to come in and shoot them off. I hope this bill does not pass.

The SPEAKER pro tem: Is the House ready for the question? The Chair recognizes the gentleman from Lubec, Mr. Pike.

Mr. PIKE: Mr. Speaker, it sticks in my mind that I have been through this same performance before. I think it was fifty-eight years ago I was up here as a little boy with my father, and over the objection

of quite a few folks in the northern part of the State, they finally got through a closed season on caribou. I don't believe there was a caribou ever seen in the State after that, and my memory was that nobody had seen one for two years before. We haven't been too late in putting a closed season on moose. I think it would be a horrible mistake to open it up again.

The SPEAKER pro tem: The Chair recognizes the gentleman from Sangerville, Mr. Edgerly.

Mr. EDGERLY: Mr. Speaker, Ladies and Gentlemen of the House: I can't go along with the biologists figuring out on the moose. They can raise fish and take care of them pretty well, but I don't know how they are going to have enough moose left to study on after this is over. You take seventy-five hundred hunters out in the woods, there probably would be that many, what chance has three or four thousand moose going to have of living? Stop and think it over before you figure out how you are going to vote on it.

The SPEAKER pro tem: Is the House ready for the question? The question before the House is the motion of the gentleman from Jay, Mr. Maxwell, that both Reports be indefinitely postponed on Bill "An Act Providing for Open Season on Moose," House Paper 714, Legislative Document 1019.

A division has been requested.

As many as are in favor of the motion to indefinitely postpone 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 nineteen having voted in the negative, the motion prevailed, the Reports were indefinitely postponed and sent up for concurrence.

The SPEAKER pro tem: The Chair now lays before the House, the second tabled and today assigned matter, Bill "An Act relating to Uniforms for Deputy Sheriffs," Senate Paper 453, Legislative Document 1303, tabled on April 21 by the gentleman from Portland, Mr. Miller, pending passage to be engrossed.

The Chair recognizes the gentleman from Augusta, Mr. Beane.

Mr. BEANE: Mr. Speaker, I notice that the gentleman from Portland, Mr. Miller, doesn't seem to be in the House, I don't know just what his reason was for tabling this, but I think it would be fair to the gentleman if this bill now be retabled until later in the day.

Thereupon, the Bill was tabled until later in today's session.

The SPEAKER pro tem: The Chair now lays before the House the third tabled and today assigned matter, Bill "An Act relating to Cancellation of Automobile Physical Damage Insurance," House Paper 930, Legislative Document 1316, tabled on April 22 by the gentleman from Ellsworth, Mr. Brown, pending passage to be engrossed; and the Chair recognizes that gentleman.

Thereupon, Mr. Brown of Ellsworth offered House Amendment "B" and moved its adoption.

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

HOUSE AMENDMENT "B" to H. P. 930, L. D. 1316, Bill, "An Act Relating to Cancellation of Automobile Physical Damage Insurance."

Amend said Bill by adding at the end, before the period, the following underlined words and punctuation: ' and in the event, the interest of any person mentioned in the loss payable clause is released, such person shall forthwith notify the company'

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

The SPEAKER pro tem: The Chair now lays before the House the fourth tabled and today assigned matter, House Divided Report, Majority "Ought not to pass" and Minority "Ought to pass" of the Committee on Appropriations and Financial Affairs on Bill "An Act Providing Funds to Construct a Sanatorium at Lewiston," House Paper 707, Legislative Document 1012, tabled on April 23 by the gentleman from Lewiston, Mr. Jacques, pending acceptance of either Report; and the Chair recognizes that gentleman.

Thereupon, on motion of that gentleman, the Bill and accompanying Reports were retabled until Friday, May 1, pending acceptance of either Report.

The SPEAKER pro tem: The Chair now lays before the House the fifth tabled and today assigned matter, House Report "Ought to pass" of the Committee on Taxation on Bill "An Act to Tax Highway Equipment Brought into the State After April First," House Paper 675, Legislative Document 967, tabled on April 23 by the gentleman from Pittsfield, Mr. Baxter, pending acceptance; and the Chair recognizes that gentleman.

Thereupon, on motion of that gentleman, the "Ought to pass" Report was accepted.

The Bill was then given its two several readings.

Mr. Baxter of Pittsfield then offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to H. P. 675, L. D. 967, Bill, "An Act to Tax Highway Equipment Brought into the State After April First."

Amend said Bill, in the Title, by striking out the word "Highway".

Further amend said Bill in the 4th line, by striking out the underlined words "Highway equipment tax" and inserting in place thereof the underlined words 'Equipment tax'.

Further amend said Bill, in the 5th and 6th lines, by striking out the underlined words and punctuation "used in the construction or repair of highways, bridges, buildings or other structures,"

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

At this point, Speaker Edgar returned to the rostrum.

SPEAKER EDGAR: The Chair would thank the gentleman from Auburn, Mr. Wade, for his services as Speaker pro tem.

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

The SPEAKER: The Chair now lays before the House the sixth tabled and assigned matter, House Divided Report, Majority "Ought not to pass" and Minority "Ought to pass" of the Committee on Appropriations and Financial Affairs on Bill "An Act Providing Moneys for Construction of Patient Building at Western Maine Sanatorium," House Paper 599, Legislative Document 859, tabled on April 24 by the gentleman from Lewiston, Mr. Jacques, pending acceptance of either Report; and the Chair recognizes that gentleman.

Mr. JACQUES: Mr. Speaker, I yield to the gentleman from Poland, Mr. Dunn.

The SPEAKER: The gentleman may not yield but the Chair will recognize the gentleman from Poland, Mr. Dunn.

Mr. DUNN: Mr. Speaker and Ladies and Gentlemen: I introduced this bill and I would ask that it be laid on the table until one week from today.

The SPEAKER: With respect to Bill "An Act Providing Moneys for Construction of Patient Building at Western Maine Sanatorium," the gentleman from Poland, Mr. Dunn, moves that both Reports be tabled and specially assigned for one week from today pending acceptance of either Report. Will those who favor the tabling motion please say aye; those opposed, no.

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

Forty-five having voted in the affirmative and forty-eight having voted in the negative, the motion to table did not prevail.

The SPEAKER: The Chair awaits a motion.

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

Mr. CALL: Mr. Speaker, I now move the indefinite postponement of the Report and all its accompanying papers.

The SPEAKER: The gentleman from Cumberland, Mr. Call, moves that both Reports be indefinitely postponed. Will those in favor of indefinite postponement please say aye; those opposed, no.

A viva voce vote being taken, both Reports were indefinitely postponed and sent up for concurrence.

The SPEAKER: The Chair now lays before the House the seventh tabled and today assigned matter, House Report "Ought to pass" in New Draft, House Paper 943, Legislative Document 1335, of the Committee on Taxation on Bill "An Act relating to Exemption from Taxation of Veterans Estates," House Paper 180, Legislative Document 251, tabled on April 27 by the gentleman from Pittsfield, Mr. Baxter, pending acceptance of the Report; and the Chair recognizes that gentleman.

Thereupon, on motion of that gentleman, the "Ought to pass" in New Draft Report was accepted.

The New Draft was then given its two several readings and assigned for third reading tomorrow.

The SPEAKER: The Chair now lays before the House the eighth tabled and today assigned matter, Bill "An Act relating to Cutting of Christmas Trees," House Paper 794, Legislative Document 1126, tabled on April 27 by the gentleman from Friendship, Mr. Winchenpaw, pending passage to be engrossed; and the Chair recognizes that gentleman.

Mr. WINCHENPAW: Mr. Speaker and Ladies and Gentlemen of the House: I hate to stand here every session and oppose my good friend from Milo, Mr. Brockway, but I have to represent the people who send me here, so I move indefinite postponement of this bill.

The SPEAKER: The question now before the House is the motion of the gentleman from Friendship, Mr. Winchenpaw, that this Bill be indefinitely postponed.

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

Mr. WILLIAMS: Mr. Speaker and Members: It seems to me this deserves a better fate than is happening to it right now. Now last session there was a similar bill in here and that was indefinitely postponed though last year it had the unanimous ought to pass report of the Judiciary Committee. Now just why the Judiciary Committee was interested in Christmas trees I am not able to tell you. This session it went before the Natural Resources and we came out with a unanimous ought to pass report. We did con-

siderable work on this and hoped it was a better bill than it was last year.

Now I was over to Belfast to a meeting of the Christmas Tree Association with the gentleman from Friendship, Mr. Winchenpaw. We went to listen, but after awhile we dipped into the argument. I guess we didn't see eye to eye with some of the rest of them so one man after awhile said that Mr. Winchenpaw and I were aiding and abetting thieves. Now we didn't feel just that way about it but anyway the picture we got from those people was that a Christmas tree growing in the woods might be worth around a dollar each. A bundle of these, four of these trees packed together, at times was worth eight dollars, that would be all tied and out on the roadside. Now the trouble seemed to be that when a man gets his trees cut, tied up, it may be about dark and he has a hundred or a hundred and fifty bunches ready to go, many of them are on the back roads, he goes back the next morning and finds all or part of them gone. There seems to be no way to identify these stolen trees.

Now what we were attempting to do in this bill was to make it a little bit easier to identify these trees. This bill carried a — you would have to pay one dollar for a license, actually a dollar and a quarter, a quarter going to the person issuing the license, and when they got to Kittery or the border or perhaps a State Policeman would stop this man and he would have to show where he got his trees. The way it is now he can go in on one of these back roads and buy a few trees and probably clean up about all there is on the road and after he once gets them on the truck and gets going there doesn't seem to be any way to catch him very easy, so all this was was trying to give these fellows a little bit of relief which perhaps they could use a little better judgment, they would have anyway, but I would oppose the motion of my friend from Friendship, Mr. Winchenpaw.

The SPEAKER: The Chair recognizes the gentleman from Greenville, Mr. Harris.

Mr. HARRIS: Mr. Speaker, I believe these men that grow Christmas trees commercially should have a little protection, so therefore I go on record as against the motion.

The SPEAKER: The Chair recognizes the gentleman from Milbridge, Mr. Kennedy.

Mr. KENNEDY: Mr. Speaker and Members of the House: I am sorry to delay the operations of this House by the machinery not in good operation, but I rise in support of this bill. I have all the respect in the world for any member in the House who is defending his constituents, therefore, I hope that the same feeling will be extended to me, I am rising to defend my constituents. This bill is an association bill and the people in my area who are in the Christmas tree industry, and as we all know, this is a growing industry in Maine, and it should have some protection. I can't add to anything that the gentleman from Hodgdon, Mr. Williams has already stated to you, but I rise in support of this bill. I think it is a good bill and I think it should have the consideration of the House.

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

Mr. BROCKWAY: Mr. Speaker and Members of the House: I feel that a good deal that I had to say has already been said. The Committee reported unanimous ought to pass. This industry at the present time amounts to about three quarters of a million dollars a year, and it can be very readily built up to several million. I believe we need some regulations on this. A man going in and operating for Christmas trees he takes his axe and bucksaw, he needs no heavy equipment or chain saws that you can hear for miles, and if he is so minded he can steal a lot of trees in a short time and make away with them, and all we are asking in this bill is that the buyers—there are no regulations on cutting—he doesn't have to have any permit to transport them to the roadside but he does have to have a permit, a stumpage permit if he is cutting on land of another. Now with the amendment he can get a license from the town clerk which will cost him \$1.25. If he wants to get it from

the Forestry Commissioner it will cost him only \$1.00, the extra .25 is to pay the town clerk for issuing the license. He has to have proof of ownership in transportation and the Forest Commissioner can suspend the license for not more than two years, and I think I have covered some other notes I had here. At this moment I think of nothing more that I want to say.

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

Mr. WINCHENPAW: Mr. Speaker and Members of the House: I don't want to prolong the discussion but perhaps I should say a few words in self-defense because it seems as though that my good friend from Hodgdon, Mr. Williams, has sort of deserted me, and I am the only one left upholding the thievery of these Christmas trees. Well now in our area we felt that the Christmas tree business was a growing industry and it shouldn't be hampered by any restrictions. This permit of the landowner, we have several people who cut trees on their own land and haul them to Boston and retail them. Now how is he going to prove that he cut them on his own land unless he writes himself a permit, unless he goes to the trouble of writing himself a permit and taking it to the notary public, who would believe him? The State Police wouldn't believe him. Here is a permit that I wrote to myself. There are certain parts of that bill that the men that I represent do not like, and I certainly hope it is indefinitely postponed, and when the vote is taken, I request a division.

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

Mr. DODGE. Mr. Speaker and Members of the House: They have been telling us how people could take these trees without permission of the owner—I'm going to tell you that they have. In the town of Guilford we have some town land which is separated from the rest of the town so that people wouldn't notice it too much, and they lugged off three or four truckloads of Christmas trees off from that land, and by the time the town officials found out about it, the trees were gone.

Under this bill they couldn't have done such a thing.

The SPEAKER: The Chair recognizes the gentleman from Sherman, Mr. Storm.

Mr. STORM: Mr. Speaker and Members of the House: I want to go on record as being in favor of this bill. I own a little piece of woodland right back of the house, and several times in the past two or three years some enterprising youngsters just before Christmas go up there and cut Christmas trees and then come down and try to sell them to me.

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

Mr. JALBERT: Mr. Speaker and Members of the House: As a member of the Natural Resources Committee, this is one of the few times, if not the only time, that I can rise as a member of that Committee and know something about what I am talking about. When you listen to the experts on that Committee, believe you me many things go over your head. The Committee studied this bill, it came out ought to pass unanimously. I hope the motion of the gentleman from Friendship, Mr. Winchenpaw, does not prevail.

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

Mr. CURTIS: Mr. Speaker and Members of the House: I do have two or three hundred acres of land on which Christmas trees grow and I have cut them and banded them and no one has ever stolen any of them, although everybody in my town who wants a Christmas tree used to ask me for one and now they go get it anyway. So I presume this bill is going to be killed, so if any of you folks want a Christmas tree you come down to my place and get it and I won't call it stealing.

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

Mr. WILLIAMS: Mr. Speaker and Members: I would like to point out that this bill doesn't affect the kids that are out cutting a Christmas tree or perhaps as Mr. Storm, the gentleman from Sherman, mentioned, sell two or three. This is supposed

to affect the growers of wrapped Christmas trees and it doesn't affect the man that perhaps cuts a Christmas tree on somebody else's land and puts it on his car and takes it home.

The SPEAKER: The Chair recognizes the gentleman from Monroe, Mr. Monroe.

Mr. MONROE: Mr. Speaker, I am in a little predicament like my friend Mr. Storm, the gentleman from Sherman. I have a small woodlot and I have to get permission from a gentleman in order to go onto this woodlot, I can't get onto it, it is off of the road, and last fall I went up to get permission to go on my woodlot, and he says: "I don't know," he said: "You know that I am in the Christmas tree business and I buy trees every fall." He said: "Yet this year I noticed a man came here and without getting permission went down on your woodlot and cut a truckload of Christmas trees and hauled them off." He says: "I thought you would have sold them to me." Well I told him, I says: "I had no idea of that and didn't sell the trees to anybody," and I says: "If they took them, they took them without my permission and without consulting me on the subject." So I for one hope this bill passes. Perhaps I can save my own trees.

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

Mr. ROLLINS: Mr. Speaker and Members of the House: I am not particularly against this bill or for it. I have been furnishing Christmas trees to the neighborhood of my farm for some twenty-five years, but I was interested in one statement that the State Police would police it. I just wanted the members to think over about, if that should come out of highway funds.

The SPEAKER: Is the House ready for the question? The question before the House is the motion of the gentleman from Friendship, Mr. Winchenpaw, that Bill "An Act relating to Cutting of Christmas Trees" House Paper 794, Legislative Document 1126 and all accompanying papers be indefinitely postponed. A division has been requested.

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

A division of the House was had.

Ten having voted in the affirmative and ninety-eight having voted in the negative, the motion did not prevail.

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

The SPEAKER: At this time the Chair would recognize the presence in the gallery of the House of the Senior Government Class of Skowhegan High School accompanied by Robert Brown. On behalf of the House, the Chair extends to you ladies and gentlemen a most hearty and cordial welcome, and we hope that you will enjoy and profit by your visit here today. (Applause)

The SPEAKER: The Chair now lays before the House the ninth tabled and today assigned matter, Bill "An Act to Make Allocations from the General Highway Fund for the Fiscal Years Ending June 30, 1960 and June 30, 1961," House Paper 946, Legislative Document 1341, tabled on April 28 by the gentleman from Raymond, Mr. Edwards, pending passage to be engrossed; and the Chair recognizes that gentleman.

Mr. EDWARDS: Mr. Speaker and Members of the House: I wish to thank you folks for the opportunity of tabling this until I had an opportunity to present to you an amendment. I am going to say that we had a little difficulty this morning, but the amendment, if you have not already received it, is on its way.

As I said yesterday, I am interested in a good highway program for the rural areas of the State of Maine, and I believe that through this amendment that program will come forth. I think of a number of years ago when I had the opportunity for three years to serve in a capacity in a local unit in our community, in which it was my duty for two meetings each week to formulate a program of an hour's length, and I think of the advice that was given to me by a gentle-

man from Palmyra, whom I have great respect for, and he said to us in our conferences, "I don't want you to have a program, I want you to have a program." And applying that to this, the matter of your special state aid and state aid roads construction, that is what I want to give to the people living in the rural areas, a program.

I feel that in giving a program you have got to get everybody in the act. Under the special state aid construction, only a few are getting in the act. But under the program which I have outlined through this amendment, everyone is given an opportunity to get in the act. And they tell me if you want to have a good group, if you want to have a good working group, if you want to have a good program you have got to get them all in, and that is what this amendment does.

As I said yesterday, this increases the unit by approximately fifty per cent, and I am interested in these small rural communities. And by increasing their units, I will state again for reference, all those under \$400,000. By increasing that unit by half, you have changed the unit from \$300 to \$450. And if they should continue or wish to enter into a four unit program for reconstruction, they would receive each year approximately \$10,000.

Now, to me, an appropriation of \$1,800 and adding enough State funds to that, it seems as though that they are getting a good deal. Someone said to me this morning that "We wanted to help the rural communities." That is what I want to do. Someone said this morning that the units have been cut down from year to year. I want to put those units back to where they originally were. As I understand it, they were originally about this amount, so I don't think that I am going backwards, I think that I am going ahead. And certainly if we are going to save money in our Highway Department, one of the places in which we must save that is through the maintenance of our highways, and I believe that this will lead to a saving in our Highway Account as years go by.

Now, what does the amendment do?

The SPEAKER: Has the gentleman offered his amendment yet and moved its adoption?

Mr. EDWARDS: I have not. I will at this time.

The SPEAKER: The Chair understands that the gentleman from Raymond, Mr. Edwards, offers House Amendment "A" and moves its adoption. The gentleman may speak to his motion.

Mr. EDWARDS: This amendment does not change the first year of your special state aid. It did not seem advisable. Most of the towns or municipalities in our State have their program all set up, and it was questionable whether many would change. But in the second year of the biennium it would do away with a million dollars of special state aid, and it would add to the appropriation which we have already made by a previous act a million dollars for the second year. That would bring us up to three million dollars.

Then under Section 5, Revised Statutes, Chapter 23, Section 44, I propose to amend that to cover the increases of the units. Now, by so doing this, there is money enough so that we may increase the twenty per cent bonus for reconstruction to twenty-five per cent. Thus, I feel that I have outlined to you a program for the rural areas of the State of Maine. I believe, as I said yesterday, that this program as outlined will stand the test of time, and I would say that if any of you feel that perhaps this might work a hardship upon someone, by one year's trial that will come out to its application. That would give the next legislature an opportunity to correct any hardships which this might bring about onto our rural, small rural towns. And I am going to ask that when the vote is taken that it be taken by a division.

The SPEAKER: The Chair recognizes the gentleman from Lee, Mr. Frazier.

Mr. FRAZIER: Mr. Speaker, I think I am in sympathy with the gentleman from Raymond, Mr. Edwards, but I am not certain that I understand this particular amendment, and therefore, would ask permission to address a question through the Chair to that gentleman.

The SPEAKER: The gentleman may state his question.

Mr. FRAZIER: Under Section 5 at the bottom of the page of the proposed amendment, there is included the amounts which the individual towns may raise as specific units, and referring to towns of which I am most familiar in my legislative district, most of them fall into the category where they may raise \$533 as units, and under existing laws they may even raise parts of those units if they so desire. Those in turn are matched by the State to the amount of exactly double that, which would be \$1,066 if they were to raise one particular unit. Now, it appears to me that this amendment would allow them to raise \$800, which they already can do, and I do not see included in this amendment where they would receive a greater percentage on their matching funds. With that \$800 in that particular class town, they match to the tune of \$1,600, and if so, that is possible now under the present law, I believe.

The SPEAKER: The gentleman from Lee, Mr. Frazier, has addressed a question through the Chair to the gentleman from Raymond, Mr. Edwards, who may answer if he chooses.

Mr. EDWARDS: I will try and answer the question. As I understand the state aid program as it is now, any municipality may raise up to two units for new construction, and the State will match that amount by the formula set up. If you wish to, I think I am right, I hope that I am right, but any amount for reconstruction, the State will match it and give you a bonus of twenty per cent.

Now, if you wish to go into the four unit class, and put it all into reconstruction, you must raise the four units. Now, what this does pertaining to the class of towns for \$400,000 in one mill to \$1,600,000, it changes the unit from \$533 to \$800 a unit. And that town or municipality could raise two units which the State would match, up to two units, any sum up to two units the State would match according to the formula.

Now, for every dollar that those municipalities raise, the State will give to them two dollars according

to this plan I have here. I hope that I have answered the question.

The SPEAKER: Does the gentleman from Lee, Mr. Frazier, consider his question answered?

Mr. FRAZIER: Not in entirety, because, as I understand it, I am under the assumption that that is exactly what happens now, that if we don't raise over the total number of units for new reconstruction, that we are matched now two to one. I thought that this proposed amendment was going to increase that formula, and as I see it, it only increases the number of units. So, I won't make the motion, now, but before this amendment is adopted, I would later, after the discussion has been finished, move that it be tabled for one day. I won't do it at this time, however.

The SPEAKER: The Chair recognizes the gentleman from Raymond, Mr. Edwards.

Mr. EDWARDS: Mr. Speaker, I will try again. The amount under the old plan, or the plan that is in effect now, the town that would raise \$533, they receive \$1,066. The State gives them \$1,066. Under my plan if the Town raised \$800 the State would give them \$1,600, that is for one unit. If you raise two units the municipality would raise \$1,600 and the State would give them \$3,200.

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

Mr. CLARK: Mr. Speaker, not wishing to cut off debate on this, I think we would all like to study into this a little more with our respective communities, and I would ask that this be tabled until Monday next, giving us the weekend to check into this with our communities and find out just where we stand on this.

The SPEAKER: With respect to Bill "An Act to Make Allocations from the General Highway Fund for the Fiscal Years Ending June 30, 1960 and June 30, 1961," House Paper 946, Legislative Document 1341, the gentleman from Scarborough, Mr. Clark, moves that the bill be tabled and specially assigned for Monday next pending adoption of House Amendment "A".

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 was so tabled.

The SPEAKER: The Chair now lays before the House the tenth tabled and today assigned matter, An Act relating to Lands Needed by the State, Senate Paper 280, Legislative Document 742, tabled on April 28 by the gentleman from Augusta, Mr. Barnett, pending passage to be enacted; and the Chair recognizes that gentleman.

Thereupon, on motion of that gentleman, the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

The SPEAKER: The Chair now lays before the House the eleventh tabled and today assigned matter, Bill "An Act Authorizing Red Blinker Light for Volunteer Fire Department Vehicles," House Paper 841, Legislative Document 1192, tabled on April 28 by the gentleman from Van Buren, Mr. Lebel, pending the motion of the gentleman from Perham, Mr. Bragdon, that the Bill be indefinitely postponed.

The SPEAKER: Does the gentleman speak with the agreement of the gentleman from Van Buren?

The Chair will recognize the gentleman from Perham, Mr. Bragdon.

Mr. BRAGDON: Mr. Speaker and Members of the House: In order that the gentleman from Van Buren, Mr. Lebel, may present an amendment, if I am in order, I would ask to withdraw my motion to indefinitely postpone.

The SPEAKER: The Chair would advise the gentleman from Perham that under the priority of motions, a motion to amend takes priority over a motion to indefinitely postpone, so the gentleman from Van Buren may offer an amendment without the gentleman withdrawing his indefinite postponement.

The Chair recognizes the gentleman from Van Buren, Mr. Lebel.

Mr. LEBEL: Mr. Speaker, I would like to present House Amendment "C" to L. D. 1192.

The SPEAKER: The gentleman from Van Buren, Mr. Lebel, offers

House Amendment "C" to Bill "An Act Authorizing Red Blinker Light for Volunteer Fire Department Vehicles," and moves its adoption. The Clerk will read House Amendment "C".

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

HOUSE AMENDMENT "C" to H. P. 841, L. D. 1192, Bill, "An Act Authorizing Red Blinker Light for Volunteer Fire Department Vehicles."

Amend said Bill by striking out all of that part designated "Sec. 144-A" and inserting in place thereof the following:

"Sec. 144-A. Signal lights for volunteer fire departments authorized. When authorized by the municipal officers of a municipality, countersigned by the fire chief, a red blinker or flash-red signal light, not more than 5 inches in diameter, may be mounted as near as practicable above the registration plate on the front of a motor vehicle operated by a member of a volunteer Fire Department. Such light may be displayed while such vehicle is in use for fire or other emergency service. No volunteer fireman shall display a red blinker or flashing red signal light upon such motor vehicle, except while actually enroute to the scene of a fire or other emergency requiring his services and unless he shall be an active member of such department."

The SPEAKER: Is it now the pleasure of the House that House Amendment "C" shall be adopted?

The Chair recognizes the gentleman from Kennebunk, Mr. Emmons.

Mr. EMMONS: Mr. Speaker, reading this amendment, I would like to address one question to the gentleman from Van Buren, Mr. Lebel. In the last sentence it says "No volunteer fireman shall display a red blinker or flashing red signal light upon such motor vehicle." Now, I am wondering whether displaying a red blinker would mean if he had it on the car, whether it was being operated or not? I am just raising that question as to the interpretation of that word "display."

The SPEAKER: The gentleman from Kennebunk, Mr. Emmons, has addressed a question through the Chair to the gentleman from Van

Buren, Mr. Lebel, who may answer if he chooses.

Mr. LEBEL: As I understand the question, the lights should be displayed when we are going to a fire, to be flashing on and off when we are going to a fire. Does that answer the question?

The SPEAKER: Does the gentleman consider his question answered?

Mr. EMMONS: Well, I doubt that that is the way I would interpret it, I would think that that might read instead: "No volunteer fireman shall operate a red blinker or flashing red signal light." It is just a question of interpretation, I am not objecting to the amendment.

The SPEAKER: The question before the House is on the adoption of House Amendment "C". Is there further discussion?

The Chair recognizes the gentleman from Fairfield, Mr. Lemelin.

Mr. LEMELIN: Mr. Speaker and Ladies and Gentlemen of the House: I have been a member of the fire department for sixteen years and was Chief six years, and I think that this is a very good bill. I know in a lot of towns that when you start off to go to a fire, it seems every car in town follows you or tries to get ahead of the fire company, and a lot of times when we arrive at a fire the chief will order one of the members to stop the traffic, and in doing so, perhaps in that line back there, there might be five or six or more firemen that their services are really needed at the fire. And with a flashing light on there, I think it would help them to arrive at the fire.

Now, I understand this amendment that Mr. Lebel has presented, that before a light could be placed on a vehicle it would have to be authorized by the municipal officers and countersigned by the chief and that the red blinker light should be no more than five inches across and that that light should be set down near the number plate on the front of the vehicle and not, as was stated here the other day, on the top of the vehicle that might interfere with some other signals. This would be situated a good deal where the fog lights are sometimes used on the front of a car.

I see that this amendment also says: "except while actually enroute to the scene of the fire or other emergency requiring his services. . . ." I would go along and move that the amendment be adopted.

The SPEAKER: The question before the House is the motion of the gentleman from Van Buren, Mr. Lebel, that House Amendment "C" be adopted.

The Chair recognizes the gentleman from Farmingdale, Mr. Weston.

Mr. WESTON: Mr. Speaker, I believe this amendment would create confusion. I think it should be worded a little different here. For that reason I would like to table this until tomorrow morning so that we might correct this wording.

The SPEAKER: The question now before the House is the motion of the gentleman from Farmingdale, Mr. Weston, that Bill, "An Act Authorizing Red Blinker Light for Volunteer Fire Department Vehicles," House Paper 841, Legislative Document 1192, be tabled and specially assigned for tomorrow pending the adoption of House Amendment "C".

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 was so tabled.

The SPEAKER: The Chair now lays before the House the second tabled and today assigned item which was tabled earlier in today's session and specially assigned for later in today's session, Bill, "An Act relating to Uniforms for Deputy Sheriffs," Senate Paper 453, Legislative Document 1303, which was tabled by the gentleman from Augusta, Mr. Beane, pending passage to be engrossed; and the Chair recognizes that gentleman.

Mr. BEANE: Mr. Speaker, I merely tabled this earlier this morning for the convenience of the gentleman from Portland, Mr. Miller, who was not here at that time, and I now ask that the Chair recognize that gentleman.

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

Mr. MILLER: Mr. Speaker and Ladies and Gentlemen of the House: I do want to thank the gentleman for looking out for my interests. If I had been here I meant to let the bill go along to be passed to be engrossed, and so I make that motion now.

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

On motion of the gentleman from Auburn, Mr. Wade, the House voted to take from the table the tenth tabled and unassigned matter, House Order relating to Table Clearance, tabled on April 16 by that gentleman pending passage.

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

The SPEAKER: The Chair will advise the House that pursuant to the authority granted to the Chair by this order, the Chair will start to exercise that authority as of tomorrow.

The SPEAKER: The House is proceeding under Orders of the Day. Are there any members who wish to remove any tabled and unassigned matters from the table at this time?

Mr. Barnett of Augusta was granted unanimous consent to address the House.

Mr. BARNETT: Mr. Speaker and Members of the House: I have made arrangements for a group from Freeport to go through Fort Western today, and I have also been informed that there is now a committee available. They would appreciate a two days' notice and they can arrange for any group to go through Fort Western in Augusta for the balance of the session. Thank you.

On motion of Mr. Brown of Ellsworth,

Adjourned until nine o'clock tomorrow morning.