

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Second
Legislature*

OF THE

STATE OF MAINE

1965

DAILY KENNEBEC JOURNAL
AUGUSTA, MAINE

HOUSE

Friday, March 19, 1965

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

Prayer by the Rev. Mr. Lewis Pendleton of the Methodist Church, Vassalboro.

The journal of the previous session was read and approved.

Papers from the Senate Conference Committee Report

Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill, "An Act Increasing Fees of Innkeepers and Victualers" (S. P. 226) (L. D. 685) reporting that they were unable to agree.

(Signed)

JUTRAS of York
BERNARD of Penobscot
CASEY of Washington

—Committee on part of Senate.

BLOUIN of Sanford
FAUCHER of Solon
POULIN of Skowhegan

—Committee on part of House.

Came from the Senate read and accepted.

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

Senate Reports of Committees Leave to Withdraw

Report of the Committee on Judiciary on Bill "An Act relating to Conflicts of Interest in Municipal and Quasi-Municipal Contracts" (S. P. 291) (L. D. 853) reporting Leave to Withdraw.

Came from the Senate read and accepted.

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

Ought to Pass in New Draft

Report of the Committee on Education on Bill "An Act relating to Age of Compulsory Education" (S. P. 85) (L. D. 229) which was recommitted, reporting same in a new draft (S. P. 456) (L. D. 1392) under same title and that it "Ought to pass"

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

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

Ought to Pass

Report of the Committee on Taxation reporting "Ought to pass" on Bill "An Act relating to Use Tax on Personal Property Withdrawn from Inventory" (S. P. 270) (L. D. 818)

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

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

Ought to Pass With Committee Amendment

Report of the Committee on Claims on Resolve in favor of the Town of Anson (S. P. 302) (L. D. 916) 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 and accepted in concurrence and the Resolve read once.

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

COMMITTEE AMENDMENT
"A" to S. P. 302, L. D. 916, Resolve, in Favor of the Town of Anson.

Amend said Resolve by striking out all of the first line and inserting in place thereof the following:

"That the sum of \$1,000 is appropriated from the Unappropriated Surplus of the General Fund to"

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

Report of the Committee on Legal Affairs on Bill "An Act relating to Dogs Doing Damage to

Livestock and Poultry" (S. P. 41) (L. D. 212) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

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

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

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

COMMITTEE AMENDMENT
"A" to S. P. 41, L. D. 212, Bill,
"An Act Relating to Dogs Doing
Damage to Livestock and Poultry."

Amend said Bill by inserting at the beginning of the first line the underlined abbreviation and figure 'Sec. 1.'

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

"Sec. 2. R. S., T. 7, §3652, amended. The 6th paragraph of section 3652 of Title 7 of the Revised Statutes is amended to read as follows:

'When the claim is approved by the commissioner or his duly authorized agent, the State shall accept liability and adjust the damage, and the same shall be paid by the State to the person sustaining such damage.' "

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

Divided Report

Majority Report of the Committee on Judiciary reporting "Ought to pass" on Resolve Authorizing the Estate of Frank E. Lemli, Formerly of The Forks, Maine, to Sue the State of Maine (S. P. 150) (L. D. 391) which was recommitteed.

Report was signed by the following members:

Messrs. GLASS of Waldo
VIOLETTE of Aroostook
STERN of Penobscot
—of the Senate.

Messrs. BISHOP of Presque Isle
DANTON
of Old Orchard Beach

BRENNAN of Portland
DAVIS of Calais
—of the House.

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

Report was signed by the following members:

Messrs. BERMAN of Houlton
GILLAN
of South Portland
RICHARDSON
of Cumberland
—of the House.

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

In the House: Reports were read. The Majority "Ought to pass" Report was accepted in concurrence, the Resolve read once and assigned for second reading the next legislative day.

Divided Report Tabled and Assigned

Majority Report of the Committee on State Government reporting "Ought to pass" on Resolve Proposing an Amendment to the Constitution Changing the Tenure of Office of Sheriff to Four-Year Terms (S. P. 101) (L. D. 268)

Report was signed by the following members:

Messrs. WILLEY of Hancock
STERN of Penobscot
MAXWELL of Franklin
—of the Senate.

Messrs. DOSTIE of Lewiston
EDWARDS of Portland
STARBIRD
of Kingman Township
PITTS of Harrison
—of the House.

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

Report was signed by the following members:

Messrs. BERRY of Cape Elizabeth
KATZ of Augusta
LIBHART of Brewer
—of the House.

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

In the House: Reports were read.

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

Mr. BERRY: Mr. Speaker, I move we accept the Minority "Ought not to pass" Report.

The SPEAKER: The question before the House is on the motion of the gentleman from Cape Elizabeth, Mr. Berry, that we accept the Minority "Ought not to pass" Report.

Mr. Levesque of Madawaska requested a division.

The SPEAKER: The Chair recognizes the gentleman from Brewer, Mr. Libhart.

Mr. LIBHART: Mr. Speaker, I move we table this matter until next Friday, a week from today.

The SPEAKER: The question before the House is on the motion of the gentleman from Brewer, Mr. Libhart, that this matter now lie upon the table assigned for March 26 pending acceptance of the Minority "Ought not to pass" Report. All those in favor of the tabling motion will kindly say aye; those opposed, no.

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

Seventy-six having voted in the affirmative and thirty-two having voted in the negative, the tabling motion did prevail.

Divided Report

Majority Report of the Committee on State Government reporting "Ought to pass" on Bill "An Act Authorizing the Appointment of the Commissioner of Agriculture by the Governor" (S. P. 219) (L. D. 678)

Report was signed by the following members:

Messrs. STERN of Penobscot
MAXWELL of Franklin
— of the Senate.

Messrs. PITTS of Harrison
DOSTIE of Lewiston
EDWARDS of Portland
STARBIRD
of Kingman Township
LIBHART of Brewer
— of the House.

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

Report was signed by the following members:

Mr. WILLEY of Hancock
— of the Senate.

Messrs. BERRY of Cape Elizabeth
KATZ of Augusta
— of the House.

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

In the House: Reports were read.
On motion of Mr. Levesque of Madawaska, the Majority "Ought to pass" Report was accepted in concurrence, the Bill read twice and assigned for third reading the next legislative day.

On motion of the gentlewoman from Orrington, Mrs. Baker, 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 State Government reporting "Ought to pass" on Resolve Proposing an Amendment to the Constitution Providing for the Appointment of the Attorney General by the Governor (S. P. 220) (L. D. 679)

Report was signed by the following members:

Messrs. STERN of Penobscot
MAXWELL of Franklin
— of the Senate.

Messrs. PITTS of Harrison
EDWARDS of Portland
DOSTIE of Lewiston
STARBIRD
of Kingman Township
LIBHART of Brewer
— of the House.

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

Report was signed by the following members:

Mr. WILLEY of Hancock
— of the Senate.

Messrs. BERRY of Cape Elizabeth
KATZ of Augusta
— of the House.

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

In the House: Reports were read.

On motion of Mr. Anderson of Orono, the Majority "Ought to pass" Report was accepted in concurrence, the Resolve read once and assigned the next legislative day.

Non-Concurrent Matter Tabled and Assigned

Bill "An Act relating to Improper Conditions for Industrial Safety" (H. P. 420) (L. D. 532) which was passed to be engrossed as amended by House Amendment "A" in the House on March 2.

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

In the House: On motion of Mr. Brewer of Bath, tabled pending further consideration and specially assigned for Tuesday, March 23.

Non-Concurrent Matter

Bill "An Act relating to Religious Confessionals as Privileged Communications" (H. P. 1013) (L. D. 1352) which was passed to be engrossed in the House on March 10.

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

In the House: On motion of Mr. Ross of Bath, the House voted to recede and concur with the Senate.

Orders

Mr. Levesque of Madawaska presented the following Order and moved its passage:

ORDERED, the Senate concurring, that when the House and Senate convene they convene at the time of their pleasure. (H. P. 1038)

The Order received passage and was sent up for concurrence.

Mr. Rackliff of Easton presented the following Order and moved its passage:

WHEREAS, Easton High School and Phillips High School contested for the Maine State Class S Basketball Championship and thereby displayed outstanding sportsmanship;

BE IT ORDERED, that the members of the House of Representatives extend their congratulations to both teams, Easton, for its victory and Phillips, for its competitive spirit;

AND BE IT FURTHER ORDERED, that the Clerk of the House be directed to send an attested copy of this Order to both High Schools.

The Order received passage.

House Reports of Committees Leave to Withdraw

Mr. Graham from the Committee on Education on Bill "An Act Authorizing the Municipalities of Boothbay and Boothbay Harbor to Form a School Administrative District" (H. P. 404) (L. D. 516) reported Leave to Withdraw.

Mrs. Hanson from same Committee reported same on Bill "An Act Authorizing the Municipalities of Cushing, Friendship, St. George and Thomaston to Form a School Administrative District" (H. P. 467) (L. D. 620)

Mr. Gillan from the Committee on Judiciary reported same on Bill "An Act relating to Payment of Accident and Health Insurance Claims" (H. P. 974) (L. D. 1324)

Mrs. Baker from the Committee on Legal Affairs reported same on Bill "An Act to Permit the Citizens of School Administrative District No. 17 to Vote on Dissolving said District" (H. P. 466) (L. D. 696)

Same member from same Committee reported same on Bill "An Act relating to Display of Flashlights by Pedestrians on Ways After Dark" (H. P. 709) (L. D. 947)

Mr. Lowery from the Committee on Sea and Shore Fisheries reported same on Bill "An Act relating to the Merchandising of Maine Sardines." (H. P. 898) (L. D. 1208)

Reports were read and accepted and sent up for concurrence.

Covered by Other Legislation

Mr. Anderson from the Committee on Appropriations and Financial Affairs reported Leave to Withdraw on Bill "An Act Provid-

ing Funds to Create a Division of Indian Affairs within the Department of Health and Welfare" (H. P. 720) (L. D. 958), as covered by other legislation.

Mr. Richardson from the Committee on Education reported same on Bill "An Act Authorizing the Municipalities of Franklin, Gouldsboro, Sorrento, Steuben, Sullivan and Winter Harbor to Form a School Administrative District" H. P. 330) (L. D. 433), as covered by other legislation.

Reports were read and accepted and sent up for concurrence.

The SPEAKER: Will the gentleman from Milbridge, Mr. Kennedy, approach the rostrum for the purpose of acting as Speaker pro tem?

Thereupon, Mr. Kennedy assumed the Chair as Speaker pro tem and Speaker Childs retired from the Hall.

Ought Not to Pass

Mrs. Hanson from the Committee on Education reported "Ought not to pass" on Bill "An Act Authorizing the Municipalities of Bremen, Bristol, Damariscotta, Jefferson, Newcastle, Nobleboro and South Bristol to Form a School Administrative District" (H. P. 327) (L. D. 430)

Report was read and accepted and sent up for concurrence.

Mr. Conley from the Committee on Legal Affairs reported "Ought not to pass" on Bill "An Act relating to Time of Abolition of Urban Renewal Authorities" (H. P. 746) (L. D. 983)

Report was read.

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

Mr. BUSSIÈRE: Mr. Speaker, Ladies and Gentlemen of the House: On this particular bill here I think the committee report should not be accepted. It has been proved that the committee that had to deal with this bill here is a prejudiced committee, and they went in there with their minds all made up. And I am not going to name anyone here, but one par-

ticular member in this House here, I don't object to his conviction but I hope that the gentleman restricted his decision to the town where he comes from and not for the whole State of Maine. It is unfair for anyone to go in there with his mind all made up. It is—I have never seen anything in my life, Mr. Chairman, . . .

The SPEAKER pro tem: Will the gentleman restrain his remarks in criticizing the committee's report. If he wishes to make a motion he . . .

Mr. BUSSIÈRE: I move that the committee report be tabled until . . .

The SPEAKER pro tem: The Chair would remind the gentleman that he has debated his tabling motion; therefore he is not in order.

Mr. BUSSIÈRE: Mr. Speaker, you mean to tell me that I am not in order if I want to table the report?

The SPEAKER pro tem: The Chair will advise the gentleman that he is not in order as he has debated his tabling motion.

Would the gentleman withdraw his motion and continue his remarks—

Mr. BUSSIÈRE: I would like to table this motion until two weeks from today.

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

Mr. CONLEY: Mr. Speaker, are we now going under a tabling motion?

The SPEAKER pro tem: No motion for tabling has been entertained.

Mr. CONLEY: Mr. Speaker, I move that we accept the report of the committee that this bill ought not to pass.

The SPEAKER pro tem: The gentleman from Portland, Mr. Conley, moves that the House accept the committee report.

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

Mr. BUSSIÈRE: I would like a division on this motion.

The SPEAKER pro tem: A division has been requested. Is the House ready for the question?

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

Mr. CONLEY: Mr. Speaker and Ladies and Gentlemen of the House: This bill was given a very fair and lengthy hearing before the Legal Affairs Committee. In fact, it was two bills here that took a good portion of the afternoon; I think it was almost close to four hours. It seems that this is—that people that seemed to find fault with these bills or this particular bill are located in one area of the state. I would like to say in fairness to this particular area that the two representatives representing this town were not even contacted about this bill that was put before us; it took a gentleman from a town just outside of this region. We found, after listening to both sides, that actually this bill wants to destroy urban renewal as a whole and we feel that a great deal can be accomplished through urban renewal; so that is why we all voted along this line to kill this particular bill.

The SPEAKER pro tem: Is the House ready for the question?

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

Mr. BUSSIERE: I am surprised, Mr. Speaker, that the gentleman—I don't know his name, but the gentleman that just spoke, would come out with such a statement on the floor of the House. This committee is made—it is nothing but a prejudiced committee. It is unfair for anyone here.

The SPEAKER pro tem: The Chair would warn the gentleman once more to restrain his remarks in criticizing the committee.

Mr. BUSSIERE: I wish that we in Lewiston should be allowed to make decisions for our own city. I really don't think that this decision on the part of the committee was a fair decision for our own city. And I very strongly object to this—these remarks made here on this floor. I think the City of Lewiston is represented by intelligent people right here in the House and we should be able to decide what we want, and I very strongly object to this remark that was made on the floor and I still insist that the committee report should be tabled until two weeks from today.

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

Mr. HARVEY: Mr. Speaker, Members of the House: This is my bill, this particular bill, and I would like to go along with the committee report.

The SPEAKER pro tem: The gentleman may proceed.

Mr. HARVEY: The intent of my bill was not to abolish or harm in any way urban renewal. However, I do want the right of referendum and that will come up in the next bill. Thank you.

The SPEAKER pro tem: Is the House ready for the question? The question before the House is on the motion of the gentleman from Portland, Mr. Conley, that we accept the Committee Report "Ought not to pass" on Bill "An Act relating to Time of Abolition of Urban Renewal Authorities," House Paper 746, L. D. 983. A division has been requested. All those in favor of accepting the "Ought not to pass" Report will rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

One hundred twenty-three having voted in the affirmative and none having voted in the negative, the motion prevailed.

The SPEAKER pro tem: The Chair recognizes the gentleman from Lewiston, Mr. Bussiere, and inquires for what purpose he rises.

Mr. BUSSIERE: Out of order I would like to address the House.

The SPEAKER pro tem: The gentleman from Lewiston, Mr. Bussiere, requests unanimous consent to briefly address the House. Is there objection?

The Chair hears objection, the gentleman may not proceed.

Mr. BUSSIERE: That's a very fair treatment—

The SPEAKER pro tem: The gentleman is out of order. He will take his seat.

Tabled and Assigned

Mr. Conley from the Committee on Legal Affairs reported "Ought not to pass" on Bill "An Act relating to Approval of Urban Renewal Plans" (H. P. 747) (L. D. 984)

Report was read.

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

Mr. BUSSIÈRE: Mr. Speaker, same thing. Once again I would like to repeat that we should at least be given the right to decide as to what we want. I don't object to anyone who wants to have urban renewal in their city or towns, but once again I will repeat, we in Lewiston should be allowed to decide for ourselves what we want. I think it's unfair for anyone here in this House to decide for us what we want. We are in trouble in Lewiston and I am brave enough to say so and I don't like anyone to decide for the City of Lewiston what we should have. It is unfair and I will move again that this report be tabled.

The SPEAKER pro tem: The gentleman is out of order. Is the House ready for the question?

The Chair recognizes the gentleman from Brewer, Mr. Libhart.

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

The SPEAKER pro tem: The gentleman from Brewer, Mr. Libhart, now moves that we accept the "Ought not to pass" Report.

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

Mr. HARVEY: Mr. Speaker, I move that L. D. 984 lie upon the table until the 26th of March pending acceptance.

The SPEAKER pro tem: The gentleman from Woolwich, Mr. Harvey, moves that Item 11, L. D. 984, be tabled until March 26 pending acceptance of the report.

Mr. Conley of Portland requested a division.

The SPEAKER pro tem: A division has been requested by the gentleman from Portland, Mr. Conley, on the motion. All those in favor of tabling this matter until March 26 will rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Eighty-seven having voted in the affirmative and twenty-five having voted in the negative, the motion prevailed.

Thereupon, the Bill was tabled until Friday, March 26, pending

acceptance of the "Ought not to pass" Report.

Ought to Pass in New Draft New Draft Printed

Mr. Gilbert from the Committee on Agriculture on Bill "An Act relating to Payment by Dealers to Producers for Milk Purchased" (H. P. 790) (L. D. 1067) reported same in a new draft (H. P. 1037) (L. D. 1408) under same title and that it "Ought to pass."

Report was read.

The SPEAKER pro tem: Is it the pleasure of the House to accept the Committee Report?

The Chair recognizes the gentleman from Eastport, Mr. Mills.

Mr. MILLS: Mr. Speaker, if I am in order, I would like to request some member of the committee to explain this titling. It seems to be a little vague to me.

The SPEAKER pro tem: The gentleman from Eastport, Mr. Mills, poses a question through the Chair to any member who may answer if he so desires, as to the change in the bill.

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

Mr. GILBERT: Mr. Speaker, Ladies and Gentlemen of the House: This is Mr. Lane's bill; insofar as I know there are no dealers that it applies to, there are no dealers, that don't. Originally he said in it that every dealer should pay his producer at least once in every sixty days. Now it says they should pay them once in every forty-five days, which means that they would have to give them a check every two weeks instead of once a month which they now do. I was looking at this myself. There is some question in my own mind as to the phraseology of that. I was going to check it out before it got passed to be enacted. Does that answer the gentleman's question?

The SPEAKER pro tem: Does the gentleman consider his question properly answered?

Mr. MILLS: Yes, sir.

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

Thereupon, the motion prevailed, the New Draft was read twice and assigned the next legislative day.

Ought to Pass Printed Bills

Mr. Boissonneau from the Committee on Legal Affairs reported "Ought to pass" on Bill "An Act relating to Pensions for Beneficiaries of Members of Lewiston Police and Fire Departments" (H. P. 355) (L. D. 458)

Mr. Cote from same Committee reported same on Bill "An Act relating to Adoption of Ordinances by Tribal Indians" (H. P. 787) (L. D. 1040)

Mrs. Wheeler from same Committee reported same on Bill "An Act relating to Hours of Moving Pictures on Sunday" (H. P. 421) (L. D. 533)

Mr. Cote from the Committee on Liquor Control reported same on Bill "An Act Clarifying the Offense of Procuring Liquor for Certain Persons" (H. P. 890) (L. D. 1187)

Mr. Meisner from same Committee reported same on Bill "An Act relating to Delivery of Liquor by Manufacturers for Sales Promotion Purposes" (H. P. 841) (L. D. 1142)

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

Ought to Pass with Committee Amendment

Mrs. Baker from the Committee on Legal Affairs on Bill "An Act Providing for a Mayor-Council Charter for the City of Westbrook" (H. P. 344) (L. D. 451) 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. 344, L. D. 451, Bill, "An Act Providing for a Mayor-Council Charter for the City of Westbrook."

Amend said Bill in "Sec. 303," of Article III by striking out all of paragraph (e)

Further amend said Bill in "Sec. 804," of Article VIII by inserting after the word "mayor" in the 3rd line from the end of paragraph (a) the words 'for cause'

Further amend said Bill in "Sec. 806," of Article VIII by inserting after the word and comma "members," in the 2nd line the words and comma 'one from each ward,'

Further amend said Bill in "Sec. 905," of Article IX by striking out all of paragraph (a) and inserting in place thereof the following:

'(a) The board of assessment review shall have all and the same powers and duties of similar boards established under the Revised Statutes of 1964, Title 30, section 5351, subsection 2.'

Further amend said Bill in "Sec. 905," of Article IX by striking out all of paragraph (c)

Further amend said Bill in "Sec. 907," of Article IX by striking out all of the 3rd line and inserting in place thereof the following: 'be (1) approved by the board of assessment review and (2) reported in writ—'

Further amend said Bill in "Sec. 1003," of Article X by striking out all of the 2nd line of paragraph (d) and inserting in place thereof the following: 'as to what, if any, rates for entrance and other'

Further amend said Bill in "Sec. 1004," of Article X by striking out in the 8th, 9th and 10th lines the words "subject to the authority of the State Department of Health and Welfare, the Water Improvement Commission and the Public Utilities Commission"; and inserting in place thereof the following 'subject to the authority of the State Department of Health and Welfare and the Water Improvement Commission'; and by striking out all of the 12th line and inserting in place thereof the following 'establish such rates for entrance and other charges for the use'

Further amend said Bill in "Sec. 1506," of Article XV by adding at the end of paragraph (a) before the period the following 'provided, however, any change of

program of the school department must be approved by the school committee'

Further amend said Bill in "Sec. 1510," of Article XV by striking out all of the last line and inserting in place thereof the following 'any department, office or agency, except the school department, to another department, office or agency.'

Further amend said Bill in Article XVII by inserting after "Sec. 1710," the following section:

'Sec. 1711. **Exceeding appropriations prohibited.** No agent or officer of the city or any department or agency thereof, whose duty it is to expend money under an appropriation by the city council, shall contract any obligation on behalf of the city in excess of the appropriation unless approved by the city council.'

Further amend said Bill in Article XVII by renumbering "Sec. 1711," to be 'Sec. 1712.'

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

Mr. Boissonneau from the Committee on Legal Affairs on Bill "An Act Revising the Laws Relating to Plumbers" (H. P. 591) (L. D. 783) reported "Ought to pass" an 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. 591, L.D. 783, Bill, "An Act Revising the Laws Relating to Plumbers."

Amend said Bill by inserting after section 2, a new section, as follows:

"**Sec. 3. R. S., T. 32, §3502, amended.** Section 3502 of Title 32 of the Revised Statutes is amended to read as follows: '**§3502. Examination.**

Each applicant for license shall present to the executive officer of the board on blanks furnished by the board, a written application for examination and license, con-

taining such information as the board may require, accompanied by the fee provided for in sections 3503 and 3505. Examinations shall be in whole or in part in writing and shall be of a thorough and practical character, **but shall not include the wiping of lead joints.** They shall cover the theoretical and practical nature of plumbing and such branches thereof as the board may deem necessary.'"

Further amend said Bill, in section 3, by inserting after the underlined word and punctuation "year," in the 5th line the underlined words '**or has had equivalent training in the armed services for at least one year**'; and by adding at the end of said section 3, before the single quotation mark, the following underlined sentence: '**Time served out of the State or in the armed services for less than one year as herein provided shall be creditable in completing the one-year requirement herein provided.**'

Further amend said Bill, in section 5, by adding at the end, before the single quotation mark, the following underlined sentence: '**Time served out of the State or in the armed services for less than one year as herein provided shall be creditable in completing the one-year requirement herein provided.**'

Further amend said Bill by renumbering sections 3 to 8 to be sections 4 to 9, respectively.

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

Tabled and Assigned

Mr. Cote from the Committee on Legal Affairs on Bill "An Act Providing for Vacation Time for Employees of City of Lewiston" (H. P. 514) (L. D. 667) 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. 514, L. D. 667, Bill, "An Act Providing for Vacation Time for Employees of City of Lewiston."

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

"Sec. 1-B. Vacation time for employees. An employee who has worked one full year shall be entitled to 10 earned working days of vacation. An employee who has worked 10 years shall be entitled to 15 earned working days of vacation. This section shall apply to all employees of the City of Lewiston, except firemen and policemen."

Committee Amendment "A" was adopted.

(On motion of Mr. Gaudreau of Lewiston, tabled pending assignment for third reading and specially assigned for Friday, March 26.)

At this point, Speaker Childs returned to the rostrum.

SPEAKER CHILDS: The Chair at this time would like to thank the gentleman from Milbridge, Mr. Kennedy, for acting as Speaker pro tem; and one never knows what to expect when they are here.

Thereupon, the Sergeant-at-Arms escorted the gentleman from Milbridge, Mr. Kennedy, to his seat on the Floor, amid the applause of the House, and Speaker Childs resumed the Chair.

Divided Report

Majority Report of the Committee on Judiciary reporting "Ought not to pass" on Bill "An Act relating to Intoxication on Premises Licensed to Sell Liquor" (H. P. 922) (L. D. 1250)

Report was signed by the following members:

Messrs. GLASS of Waldo
STERN of Penobscot
VIOLETTE of Aroostook
—of the Senate.

Messrs. RICHARDSON
of Cumberland
DAVIS of Calais
DANTON
of Old Orchard Beach
BRENNAN of Portland
GILLAN
of South Portland
BISHOP of Presque Isle
—of the House.

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

Report was signed by the following member:

Mr. BERMAN of Houlton
—of the House.

Reports were read.

On motion of Mr. Danton of Old Orchard Beach, the Majority "Ought not to pass" Report was accepted and sent up for concurrence.

Divided Report

Majority Report of the Committee on Liquor Control on Bill "An Act relating to Malt Liquor Licenses" (H. P. 710) (L. D. 948) which was recommitteed, reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was signed by the following members:

Mr. JACQUES
of Androscoggin
—of the Senate.

Messrs. COTE of Lewiston
LUND of Augusta
HAYNES of Camden
BERNARD of Sanford
FAUCHER of Solon
ROY of Winslow
—of the House.

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

Report was signed by the following members:

Messrs. SOUTHARD of Penobscot
FALOON of Penobscot
—of the Senate.

Mr. MEISNER
of Dover-Foxcroft
—of the House.

Reports were read.

On motion of Mr. Edwards of Portland, the Majority "Ought to pass" Report was accepted and the Bill read twice.

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

COMMITTEE AMENDMENT
"A" to H. P. 710, L. D. 948, Bill,
"An Act Relating to Malt Liquor Licenses."

Amend said Bill by inserting after the underlined word "carrying" in the 6th line the underlined words "not less than 50"

Further amend said Bill by striking out all of the 8th and 9th lines and inserting in place thereof the following:

"Guard, and propelled by steam or otherwise and used only on waters other than inland waters."

Further amend said Bill by striking out all of the 18th and 19th lines and inserting in place thereof the following:

"of the fee of \$100 per year, covering all steamboats and cars supplying food operated by any one owner and \$100 per year for each vessel."

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

"Sec. 5. R. S., T. 28, Sec. 804, amended. Section 804 of Title 28 of the Revised Statutes is amended to read as follows:

'§ 804.—Public Service corporations

A public service spirituous, vinous liquor and malt liquor license shall not be issued to any railroad or steamship vessel company until the applicant therefor has filed with the commission a surety bond similar in form and amount to that required to be filed by a hotel or club licensee, except that in the case of a railroad company or steamship vessel company, one bond shall cover every dining car or steamboat vessel of such company."

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

Divided Report Tabled and Assigned

Majority Report of the Committee on Liquor Control reporting "Ought not to pass" on Bill "An Act Permitting Entrances from Class A Restaurants to Owners' Living Quarters" (H. P. 978) (L. D. 1316)

Report was signed by the following members:

Messrs. SOUTHARD of Penobscot
—of the Senate.

Messrs. HAYNES of Camden
LUND of Augusta
MEISNER of Dover-
Foxcroft
FAUCHER of Solon

ROY of Winslow
COTE of Lewiston

—of the House.

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

Report was signed by the following members:

Messrs. FALON of Penobscot
JACQUES of

Androscoggin

—of the Senate.

Mr. BERNARD of Sanford
—of the House.

Reports were read.

(On motion of Mr. Danton of Old Orchard Beach, the Reports and Bill were tabled pending acceptance of either Report and specially assigned for Friday, March 26.)

Passed to Be Engrossed

Bill "An Act relating to Commercial Driver Education Instructors Appointed by Secretary of State" (S. P. 199) (L. D. 580)

Bill "An Act relating to Authority of Water Companies to Acquire Property" (S. P. 322) (L. D. 1019)

Bill "An Act relating to Trespass on Lands of the University of Maine" (S. P. 357) (L. D. 1120)

Bill "An Act relating to Extending Hunting Season" (H. P. 63) (L. D. 74)

Bill "An Act relating to Taxation of Vehicles" (H. P. 668) (L. D. 895)

Resolve Proposing an Amendment to the Constitution to Eliminate the Office of Treasurer of State (H. P. 256) (L. D. 326)

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

Amended Bills

Bill "An Act relating to the Validation of Certain Instruments" (S. P. 312) (L. D. 1025)

Bill "An Act relating to Civil Actions Against Heads of State Institutions" (H. P. 817) (L. D. 1108)

Resolve Authorizing Mary Howe Goodall and Stanley Howe to Bring Civil Action Against the State of Maine (S. P. 196) (L. D. 575)

Resolve Proposing an Amendment to the Constitution to Abolish the Council and Make Changes in the Matter of Gubernatorial Appointments and Their Confirmation (H. P. 6) (L. D. 6)

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

Resolve Authorizing Margarete E. Putnam, Administratrix of the Estate of Weldon Putnam, to Bring a Death Action Against the State of Maine (S. P. 197) (L. D. 578)

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

Passed to Be Enacted Emergency Measure

An Act relating to Type of Dredge to Dig Clams in Town of Phippsburg (H. P. 539) (L. D. 713)

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. 117 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.

Finally Passed Emergency Measure

Resolve Transferring Corinna Union Academy to Town of Corinna (H. P. 610) (L. D. 802)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a division was had; 122 voted in favor of same and none against, and accordingly the Resolve was finally passed, signed by the Speaker and sent to the Senate.

Passed to Be Enacted

An Act relating to Approval of School Building Plans (S. P. 114) (L. D. 341)

An Act Regulating the Running and Training of Dogs in Training Areas Enclosed with Rabbit-Proof Fences (S. P. 244) (L. D. 754)

An Act Authorizing Use of Ditto Marks in Preparing Lists under Election Law (S. P. 281) (L. D. 843)

An Act relating to Time Polls Must Remain Open on Election Day (S. P. 282) (L. D. 844)

An Act relating to Service Retirement of Liquor Inspectors (S. P. 324) (L. D. 1046)

An Act relating to Use of Transporter Registration Plates by Wreckers and Service Vehicles (S. P. 443) (L. D. 1379)

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

Enactor Tabled and Assigned

An Act relating to Payments to the State by Municipalities for Winter Maintenance on State Highways (S. P. 455) (L. D. 1391)

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

The SPEAKER: The Chair recognizes the gentleman from Clinton, Mr. Hunter.

Mr. HUNTER: Mr. Speaker, Ladies and Gentlemen: I am back again on this snow removal bill. I have researched this very thoroughly and I am more convinced than ever that this redraft is not the best program. I would like to bring it to the attention of the members of this House so that they will have a chance to make a choice knowing the full facts. I have found that a great many of you are confused and do not understand the choices. We still do have a chance for a choice. L. D. 435 is on the table to come up today. That is the other choice.

Once again I'm going to compare L. D. 1391 and L. D. 435. This is what L. D. 1391 does. Under the present program on state roads, the towns reimburse the

state \$40 per mile. This covers state roads only and 3213 miles of them. Any state road that runs through a town is an asset and if they can be plowed and sanded for \$40 per mile they're just plain lucky. It costs on the average \$160 out of the pocket to do the same on the other town and state aid roads, and I say that is why we need the help. L. D. 1391 costs the state \$130,000, and this L. D. leaves out over fifty towns in the State of Maine.

Now L. D. 435, which is at present on the table. This covers town and state aid roads, 10,778 miles, three times the number of miles and covers three times the area. At present the state reimburses the towns \$65 per mile on town and state aid roads. It has been fourteen years since this has been adjusted. L. D. 435 proposes to raise this to \$80 to bring it up to date and help meet the present costs. L. D. 1391 covers 426 towns but, get this, 121 of those towns are under another program and should not be included in this one. They are the towns that are under 400,000 valuation and are very well, very adequately covered. It only costs them \$35 per mile to plow and sand and the state picks up the balance of the bill which on the average is approximately \$250 to \$270. I call that a pretty good bonus.

These 121 towns represent 1889 miles out of the 3213 and these towns with the 1889 miles would take \$75,560 out of that \$130,000. They are taking well over half. It would only leave \$54,440 for the rest of the state. Now that looks to me as if the big share is going where it doesn't belong. L. D. 435 covers 362 towns. It covers every town in the state except those 121 towns which are already covered under another program. Now L. D. 435 would cost \$160,000, L. D. 1391 would cost \$130,000; but this \$30,000 difference I don't think would break the Highway Department. They have a budget around \$170,000,000 so I don't think it is going to make too much difference to them. The choice is whether we want to leave those over fifty towns out of the program or whether we want to include these 121 that are already ade-

quately covered and take the money away from the rest of the state and give them the lion's share. Thank you.

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

Mr. ROSS: Mr. Speaker, Members of the House: As some of you might have gathered by now, I am a member of the Committee on Highways, and I am up again to defend our position. As I told you before we heard five of these bills. We turned down all five unanimously ought not to pass and we came up with this one unanimously ought to pass and I am not going to belabor the question any longer.

The SPEAKER: The Chair recognizes the gentleman from Brewer, Mr. Libhart.

Mr. LIBHART: Mr. Speaker, Ladies and Gentlemen of the House: One of the five bills that were turned down was my bill. And it was the first one that was turned down, and I did not defend the bill at that time because at the time it went down, my colleague from Brownville, Mr. Ross, suggested that the committee was going to come up with a bill that would take care of this problem; and those are the words he used if I recall correctly. So I have looked into the substitute bill which they have—the Committee on Highways have submitted and it doesn't help us very much at all. When I say us, it's the smaller towns that Mr. Hunter has been talking about and I am very much in sympathy with what Mr. Hunter has said. We have for all intents and purposes lost these five bills because we accepted the ought not to pass reports on four of them. One of them is on the table.

Now it seems to me that we've—that Mr. Hunter has made an awful lot of sense here. That what these five bills were trying to do, were trying to do the very thing that he is suggesting should be done. They have been turned down by the committee on an ought not to pass with the suggestion that committee would come up with a bill that would take care of the situation. So we went along with the committee and agreed with

their ought not to pass report. The bill they came up with after all the ought not to pass reports were accepted is a bill which doesn't help us very much at all. I am very much in sympathy with Mr. Hunter's suggestion.

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

Mr. ROSS: Mr. Speaker, Ladies and Gentlemen of the House: I would just like to remind you of one thing. In one of the prominent newspapers in the State of Maine within the past week was a very nice editorial, sniping away at the Highway Fund. It seems as though everybody wants to dig in little by little. Now this bill as the gentleman from Clinton, Mr. Hunter, says only costs \$30,000 more but you take several thirty thousand dollars and it soon adds up.

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

Mr. BRAGDON: Mr. Speaker, Members of the House: I have listened to the debate on this bill. However, I haven't taken the time to fully acquaint myself with just what happened. However, I am somewhat disturbed by the fact that there seems to be a lack of explanation on the part of the Highway Committee who has reported this bill out, as to what it actually does. For first instance, I went along with the committee; however I do feel that as a member of the House I am entitled to more explanation from that committee as to what this bill does. Listening to the debate this morning, Mr. Hunter, the gentleman from Clinton, I assume that if there is no more than \$30,000 difference in the two bills, I assume that it must be taking money away from towns that are now receiving it and giving it to those who are not. I would certainly welcome an explanation from the gentleman from Brownville or some other member of the Highway Committee somewhat clarifying this situation more than has been done.

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

Mr. DUDLEY: Mr. Speaker and Members of the House: I will endeavor to answer some of the many questions that have been asked. There were more than one asked. One, it takes nothing away which you now get. Let's make this clear. You now get X number of dollars a mile and you still get it. Now the committee took all of these bills into consideration and we had two executive sessions that lasted two whole afternoons. Now I assure you that we had nothing against anybody except trying to bring out something that would satisfy the most people. The bill we came out with satisfies 426 towns; this amendment he is talking about, this other bill, about 326 towns. Now what we were trying to do was to satisfy the most possible people without taking away anything that they now have.

One of the questions seemed to be directed, what does it take away from somebody? It takes nothing away. You still have what you've got. Granted, there are some times when there's no bill, no solution you can come up with to help every single town in this state. That would be an impossibility. In my opinion it would be almost impossible to pass all five of these bills too. So the committee did the best they could and it was said here this morning that it costs \$160 to plow the road, a state aid road, this I don't—it may in some towns, but if it does they should find some other method by letting them out to bid or something, because it doesn't cost nearly that in the town from which I come or anywhere in that neighborhood. And I am quite far north where we get as much snow as anybody and I say to you \$160 per mile is quite expensive plowing.

I assure you that this was a unanimous committee report. We did the very best we could. I know it can't satisfy everybody and it's impossible for this committee to satisfy everybody on these snowplow bills. We have done our very best. It gives \$40 a mile back to those towns that have this particular type road. It doesn't take anything away

from anybody, anything that you now get. This is an outright \$40 per mile and it takes nothing away from what you now get.

If there are any other questions I'll do my very best to answer them.

The SPEAKER: The Chair recognizes the gentleman from Harpswell, Mr. Prince.

Mr. PRINCE: Mr. Speaker, Ladies and Gentlemen of the House: I hold a great deal of respect for the Committee on Highways. I also hold a great deal of respect for the towns that I represent and I do concur with the gentleman from Clinton, Mr. Hunter, and until I can be thoroughly convinced that I am not confused, I would like to table this for one week.

The SPEAKER: The question before the House is the enactment of this bill. The gentleman debated the tabling motion.

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

Mr. MILLAY: Mr. Speaker, Ladies and Gentlemen of the House: Both L. D. 1391 and L. D. 435 are give back bills. In other words they are going to turn back \$130,000 or \$160,000 back to the towns. The only question here is whether or not one is equitable, or both are equitable, or which is more equitable. You can't help but believe in a man when he debates a thing this long. And I looked into it ten minutes, ten minutes research by any member of the House will clear this bill up very well. Just go into your Revised Statutes, sections 2301, 2305. I am convinced that L. D. 435 certainly does offer us a more equitable way of turning this money back to the towns. In my own case, I represent five towns. Under L. D. 1391 four towns receive money, one town does not. How do I explain to the other town that they're not going to get any money because we didn't happen to see things that way? Under 435 all towns do receive a certain share of this turn back money and they receive it proportionally, the number of miles of roads they have, and that to me is sensible thinking.

I would certainly hope that this

bill would be tabled until each and every member of the House has had a chance to look at their Revised Statutes for ten minutes and they can decide for themselves which is the more equitable way. There is no question in my mind.

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

Mr. ANDERSON: Mr. Speaker, I request that this bill be tabled until March 26 and I so move.

Thereupon the Bill was tabled pending enactment and specially assigned for Friday, March 26.

An Act Creating a Sewer District in the Town of Medway (H. P. 153) (L. D. 176)

An Act relating to Applications for School District Formation (H. P. 580) (L. D. 772)

An Act Regulating Manufacture and Sale of Stuffed Toys (H. P. 590) (L. D. 782)

An Act relating to Reimbursement of Daily Travel Expenses in Lieu of Housing Expenses (H. P. 601) (L. D. 793)

An Act relating to Out-of-State Service Credit for Teachers under State Retirement System (H. P. 653) (L. D. 881)

An Act relating to Free Access to Waters Stocked with Fish Raised by State (H. P. 735) (L. D. 1009)

An Act Concerning Insider Trading of Domestic Stock Insurance Company Equity Securities (H. P. 796) (L. D. 1073)

An Act to Clarify Certain Portions of Election Laws Relating to Ballots (H. P. 907) (L. D. 1235)

An Act Prohibiting the Solicitation of Votes from Persons in Mental Hospitals (H. P. 909) (L. D. 1237)

Finally Passed

Resolve Providing Retirement Benefit for D. Irene Carlson (H. P. 287) (L. D. 369)

Resolve Authorizing State Tax Assessor to Convey Land in Portland to Edward F. Lally of Winthrop, Massachusetts (H. P. 604) (L. D. 796)

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 following paper from the Senate was taken up out of order:
From the Senate: The following Order:

ORDERED, the House concurring, that when the Senate and House adjourn they adjourn to meet on Tuesday, March 23, at 10 o'clock in the morning. (S. P. 469)

Came from the Senate read and passed.

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

On the part of the House, the Speaker appointed the following Conferees on the disagreeing action of the two branches of the Legislature on Bill "An Act Regulating Liquor Salesmen," House Paper 755, Legislative Document 992:

Messrs. LUND of Augusta
COTE of Lewiston
ROY of Winslow

The Chair laid before the House the first tabled and today assigned matter:

HOUSE REPORT—"Ought not to pass"—Committee on Highways on Bill "An Act to Amend the Powers and Duties of the State Highway Commission." (H. P. 807) (L. D. 1099)

Tabled — March 10, by Mr. Bishop of Presque Isle.

Pending—Acceptance.

On motion of Mr. Mills of Eastport, retabled pending acceptance and specially assigned for Friday, March 26.

The Chair laid before the House the second tabled and today assigned matter:

Bill "An Act to Provide for Establishment of a Veterans Memorial Cemetery." (S. P. 157) (L. D. 397) (C. "A" S-24)

Tabled—March 10, by Mr. Poulin of Skowhegan.

Pending — Passage to be Engrossed.

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

Mr. POULIN: Mr. Speaker and Ladies and Gentlemen of the House: My reason for tabling that act was I was slightly, I should say, very confused as to the amount of monies to be spent for the establishment and maintenance of the cemetery.

After conferring with the sponsors of the bills and I was given rather favorable talks on it, and the American Legion, VFW had a conference last weekend in Waterville, of course I got a call and they wanted to know if I was going to kill the bill and I said no, I was in doubt. I believe the biggest objection is to wanting to call that a pauper's grave. I am fortunate, I have my own grave, but there are people that have jeopardized their lives for the country, and I believe the way they end doesn't make a darn bit of difference; it is to remember their action in former wars. Now we have no memorial for any of them. Maybe some of us who are fortunate enough to be back here and be able to stand up and speak ourselves, might have got a few medals, I mean that's no memorial, but some of these other unfortunate people that have been abandoned by their own people, relatives and friends and left to the discretion of the state, should have an appropriate place to be buried in memory of their services.

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

Mr. SULLIVAN: Mr. Speaker, this veterans' cemetery, there are 110,000 veterans in this state, and if they want that cemetery, I make them this suggestion: that would be approximately one dollar apiece. Now they have a great organization in these various veterans' organizations. Why should they load this onto the taxpayers of the State of Maine? In other words, talking with all kinds of veterans in the greater Portland area and many of them up here in the Augusta area, the rank and file of the veterans had no opportunity to vote on this, and this bill is slanted, distorted and col-

ored and I suspect that behind this bill certain people probably have, shall I say, a material interest in it? This bill is a big joke, and I suggest if they are so anxious to get this through, they go out and raise the money, and they can ask the general public to contribute to it and they can charge that off on their income taxes for charitable purposes. Thank you.

The SPEAKER: The Chair recognizes the gentleman from Glenburn, Mr. Cookson.

Mr. COOKSON: Mr. Speaker and Members of the House: I am not always ready to rise for some of these veterans' bills, even though I am a veteran as much probably as anybody in the House, but this one, I feel that I must go along with Mr. Poulin on his motion. I do feel that they do have a big problem in Togus as to some of these veterans as to where they will be put, and I just would like to say that I would like to support representative Poulin in his motion.

The SPEAKER: The Chair recognizes the gentlewoman from Portland, Mrs. Carswell.

Mrs. CARSWELL: Mr. Speaker and Members of the House: I talked to a cemetery superintendent, and he says that it is definitely a crime when a veteran cannot be made a pauper but actually he ends up in pauper's field, that's where he lands if his family has no money to buy a cemetery plot; so I hope you favor this bill.

The SPEAKER: The Chair recognizes the gentleman from China, Mr. Farrington.

Mr. FARRINGTON: Mr. Speaker and Ladies and Gentlemen of the House: I expect you all realize by now that I too am a veteran, and I think the state and I think we as a whole in the House here, this 102nd Legislature must bear in mind that we will always be paying for wars. It seems to me that this is little enough that we can do for these veterans who have no place to be buried. We are talking about the veterans that do not have their own cemetery lots. We are talking about those veterans in Togus, and there have been many

of them in the past and there will be many in the future that have nobody to take care of them. I think it is little enough if the State of Maine would recognize this fact and create a perpetual remembrance if nothing else. Thank you, very much.

The SPEAKER: The Chair recognizes the gentleman from Brewer, Mr. Libhart.

Mr. LIBHART: Mr. Speaker, I am a member of the Brewer American Legion, and I was criticized for voting against this bill when it came up before. I haven't changed my mind. I am a veteran of World War II and the Korean Conflict.

The reason I voted against it is because I feel that most of my veteran friends would rather have us spend \$50,000 this year and whatever it costs in the ensuing years for education of our children, rather than have it spent on a memorial of this kind. There are methods for burying veterans who die indigents in their localities, and I think that this is preferable to a memorial of this kind. That's why I voted against it, I think that we can very well spend the money for something else that will do the veterans' children more good, and we are going to have to find money for this type of thing and all the other things that we have seen here, all the studies we have seen and what have you. When the end of this session comes we are going to be sore put to finding it, and you know as well as I do that it very well may mean that if this session of the Legislature doesn't do it, the next one will, we will have to pass the income tax to finance all these things. It is time we started becoming responsible. The place that I think we should draw the line is whether or not we can afford this. If we can afford it, let's do it; but if we can't afford it and we need the money somewhere else for education particularly, let's not do it. This is why I voted against it, and I think this is the way we are going to have to start thinking. We have spent an awful lot of little bits of money here so far this session, and we are going to spend a lot of big bits of money before

it is over. I think it is time now in the middle of the session to start deciding where this money is coming from.

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

Mr. BRAGDON: Mr. Speaker and Members of the House: I too voted against this bill the last time and I have not changed my thinking. I think the main reason that I continue to take the position that I did is that I find an amazing lack of interest on the part of veterans' organizations in this proposal.

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

Mr. POULIN: Mr. Speaker and Ladies and Gentlemen of the House: If I remember, a few years back when I came out of the service, the great State of Maine was going to get a bonus for the veterans, for which they raised the cigarette tax or gasoline tax, I don't remember which; anyhow, they did raise the tax but the bonus did not materialize. Now I am not interested in a bonus, but why not replace—take that bonus money that they use on something else and take care of our poor veterans; the unfortunate veterans, the ones that have to be stuck in Section 8, and their parents won't even recognize them. Now let's be a little bit human on this, huh?

The SPEAKER: Is the House ready for the question? The Chair recognizes the gentlewoman from Portland, Mrs. Carswell.

Mrs. CARSWELL: Mr. Speaker and Members of the House: Referring to the gentleman from Perham, Mr. Bragdon, his remarks on there is lack of interest, this vote was taken at the America Legion Convention, and every Post in the State was represented and they voted in favor of this proposal.

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

Mr. BERNARD: Mr. Speaker and Members of the House: I did not want to get up this morning to debate this bill because my colleague, Mr. Blouin from Sanford, is not present, but I made a survey in the Town of Sanford and

I will go along with Representative Carswell that the officers of the American Legion did vote in favor of this bill. Ladies and gentlemen, after making a survey in the Town of Sanford, I find that the officers are in favor of the bill, but that the veterans in the Town of Sanford are not in favor of this bill.

Now we all know that if this cemetery is created, it will be created in a centrally located part of the State. I do not believe that the families of the veterans from Fort Kent all the way to Kittery want their veterans three hundred or four hundred miles away. I think this bill should be — I don't want to make any motion on this bill but I would ask for a division when this vote is taken.

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

Mr. SULLIVAN: Mr. Speaker, Members of the House: I move for an indefinite postponement of this bill.

The SPEAKER: The question before the House now is the motion of the gentleman from Portland, Mr. Sullivan, that this bill and its accompanying papers be indefinitely postponed.

Mr. Cookson of Glenburn requested a division.

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

Mr. COTE: Mr. Speaker and Members of the House: I was not prepared to speak on this bill this morning, but I say this: let's be practical, let's keep this bill alive. It is going to land on the appropriations table anyway, and if and when there is money at the end of the session, we know just how much money we have, if we can afford it, let's enact this bill; if we can't afford it, let's kill it at that time.

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

Mr. KENNEDY: Mr. Speaker and Members of the House: I rise in opposition to the motion of the gentleman from Portland, Mr. Sullivan, to indefinitely postpone

this bill. I made my sentiments known when this bill was before this body recently, and I haven't changed my position.

There have been many statements to the effect that the American Legionnaire does not want this bill. However, I would remind the members of the House that the officers elected by all bodies, whether it be the American Legion or the House and Senate of this State, are the representatives of the people. The officers having gone on record as supporting this bill as a living memorial to the veterans who have died in the support of the defenses of this great liberty that we enjoy, I feel that it is a fitting memorial. And I would remind also some of the members of the statement made by Colonel Stoddard, who was the Administrator of the Veterans Hospital at Togus, when he said that the amount that has been suggested for the upkeep of this cemetery is blown up beyond all proportions.

I have tremendous respect for Colonel Stoddard, and I think and feel that he knows somewhere near what he is talking about having had a cemetery at Togus. I merely rise in opposition to the motion this morning.

The SPEAKER: The Chair recognizes the gentleman from Orono, Mr. Anderson.

Mr. ANDERSON: Mr. Speaker and Members of the House: I rise in opposition to the indefinite postponement of the veterans memorial cemetery bill, and I would like to read a telegram which the Commissioner of the Department of Veterans Affairs received this morning: "Robert Washburn, Commissioner of the Department of Veterans Affairs, State House, Augusta, Maine: The Board of Directors of the Maine Funeral Directors Association meeting in executive session on March 18 voted that they were not in opposition to any legislation which would provide for a Maine Veterans Memorial Cemetery within the State of Maine. Signed: Joseph R. Labeau, Secretary." I

think that all these members in this honorable body ought to remember that this is a memorial for the veterans that served their country. Thank you.

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

Mr. ANDERSON: Mr. Speaker, I think that was a very good suggestion from the gentleman from Lewiston, Mr. Cote. Let's keep it alive. If we have the money at the end of the session, then we can buy it; if not, kill it.

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

Mr. SULLIVAN: Mr. Speaker, I withdraw my motion.

The SPEAKER: The motion has now been withdrawn. The question before the House now is on the passage to be engrossed of Bill "An Act to Provide for Establishment of a Veterans Memorial Cemetery," Senate Paper 157, L. D. 397 as amended by Committee Amendment "A." Is it the pleasure of the House that this Bill be passed to be engrossed as amended?

The motion prevailed and thereupon the Bill was passed to be engrossed as amended by Committee Amendment "A" and sent to the Senate.

The Chair laid before the House the third tabled and today assigned matter:

HOUSE REPORT—"Ought to pass" as Amended by Committee Amendment "A"—Committee on Inland Fisheries and Game on Bill "An Act relating to Hunting by Nonresident Aliens." (H. P. 699) (L. D. 937) (C. "A" H-65)

Tabled—March 12, by Mr. Levesque of Madawaska.

Pending—Acceptance.

On motion of Mr. Levesque of Madawaska, retabled pending acceptance of the Report and specially assigned for Friday, March 26.

The Chair laid before the House the fourth tabled and today assigned matter:

HOUSE REPORT—"Ought not to pass" as Covered by Other Legislation—Committee on Highways on Bill, "An Act Increasing Reimbursement to Towns for Snow Removal." (H. P. 332) (L. D. 435)

Tabled—March 12, by Mr. Hunter of Clinton.

Pending—Acceptance.

On motion of Mr. Hunter of Clinton, retabled pending acceptance of the Report and specially assigned for Tuesday, March 23.

The Chair laid before the House the fifth tabled and today assigned matter:

Bill, "An Act relating to Application of Federal Social Security to Firemen." (H. P. 104) (L. D. 112)

Tabled—March 12, by Mr. Danton of Old Orchard Beach.

Pending—Adoption of House Amendment "A". (H. "A" H-107)

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

Mr. DANTON: Mr. Speaker and Members of the House: I tabled this matter in order to look into it and see how it affected my home town. I am satisfied that it does not affect my town and I have no objection to it.

The SPEAKER: The Chair recognizes the gentleman from Millinocket, Mr. Crommett.

Mr. CROMMETT: Mr. Speaker and Ladies and Gentlemen of the House: I thank the gentleman from Old Orchard Beach, Mr. Danton. I would request that the Clerk read the amendment, because this amendment was offered to overcome the objections of two people on the committee that voted ought not to pass.

Thereupon, House Amendment "A" was read by the Clerk and adopted.

The SPEAKER: The Chair recognizes the gentleman from Millinocket, Mr. Crommett.

Mr. CROMMETT: Mr. Speaker, Ladies and Gentlemen of the House: In regards to this bill, Social Security to firemen, communication from the Maine State Retirement System, there are 43 local participating districts which have both the state retirement

plan and social security coverage. Also from the Maine State Retirement System, it says the following towns and cities have both social security coverage and Maine State Retirement System coverage, and in all cases, only those excluded are firemen: Millinocket, Camden, South Portland, Ellsworth, Kittery, Bar Harbor, Mount Desert, Rockland, Auburn, York, Belfast, Brunswick, Lewiston. The enactment of this permissive legislation would grant these towns by their vote if they are so minded to place their firemen under social security and the State Retirement System. The following towns have both social security and Maine State Retirement System coverage for all of their employees, and there are no exclusions: the Town of East Millinocket, Town of Orono, Baileyville and Mexico.

I say to you ladies and gentlemen, the passage of this bill is permissive legislation and when a grateful people by their vote indicate a desire to place their firemen under the Social Security provisions as well as the State Retirement System, their vote should be considered. The firemen by their calling do not ask whose house is on fire, only the direction in which to go. We have in this situation the Maine State Federation of Firefighters opposing permissive legislation requested by members of their profession. This bill came out of the committee seven to two ought to pass. I did not vote, I kept my word to Captain Temple, President of the Maine State Federation of Firefighters, and I urge you ladies and gentlemen to pass this permissive legislation.

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

The Chair laid before the House the sixth tabled and today assigned matter.

Bill, "An Act Authorizing Municipalities to Establish Park and Conservation Commissions." (H. P. 897) (L. D. 1207)

Tabled—March 16, by Mr. Cottrell of Portland.

Pending—Motion of Mr. Truman of Biddeford to Indefinitely Postpone.

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

Mr. FORTIER: Mr. Speaker, Ladies and Gentlemen of the House: As House Chairman of the committee hearing this bill, I would be lax in my responsibility to the signers of the majority "ought to pass" report and to the sponsor of this bill if I didn't rise in opposition to the gentleman from Biddeford, Mr. Truman's motion.

If we ask the proponents of a bill to appear before a committee, prepare proposals of their bill and subject themselves to the questions of the committee, I feel that the opponents should also be prepared to state their opposition at the committee hearing. However, this was not the case in this instance. This bill was heard before our committee on a day when only two bills were heard. We were not rushed and there was ample time for a complete and thorough hearing. There was no oral opposition to this bill.

The able gentleman from Biddeford, Mr. Truman, had ample opportunity to ask questions of the bill's sponsor or leave the committee table and appear as an opponent of the bill. Instead of this he chooses to hear the bill in the halls of this Legislature.

I would be the last to deny him the right to debate this bill on the floor of the House, because that is certainly his prerogative, but in this instance, in view of his silence at the hearing, I consider it rather unorthodox.

Ladies and gentlemen of the House, this is not a sinister bill as you would be led to understand. It simply enables a municipality to establish park and conservation commissions. If enabling a municipality to run its own affairs is contrary to sound government, then this is a sinister bill. However, a majority of the committee felt that establishing these commissions was an excellent idea in

view of the wide-spread enthusiasm for conservation.

I have before me quotations from President Johnson's State of the Union message directed to the 89th Congress, in January 1965 which made conservation one of the pillars of his foundation for "the Great Society." Stressing a quest for quality living, the Chief Executive said he soon would recommend legislation to prevent contamination of the environment, to set aside more outdoor recreation areas, and to preserve the beauty of America.

"We seek to establish a harmony between man and society which will allow each of us to enlarge the meaning of his life and all of us to elevate the quality of our civilization," he declared in setting the pace for the establishment of his program. After dwelling on the nation's position in world affairs, President Johnson explained: "We worked for two centuries to climb this peak of prosperity. But we are only at the beginning of the road to the Great Society. Ahead now is a summit where freedom from the wants of the body can help fulfill the needs of the spirit."

"We do not intend to live. . . in the midst of abundance . . . isolated from neighbors and nature, confined by blighted cities and bleak suburbs, stunted by a poverty of learning and an emptiness of leisure," he emphasized. "The Great Society asks not only how much, but how good; not only how to create wealth, but how to use it; not only how fast we are going, but where we are headed. It proposes as the first test for a nation: the quality of its people."

Among the items on a national agenda, he proposed that "we increase the beauty of America and end the poisoning of our rivers and the air we breathe."

It was with respect to the quality of American life, however, that the Chief Executive made the most pointed references to conservation. After hammering on the needs for education and health, he turned to the beauty of America. Here were his remarks:

"For over three centuries the beauty of America has sustained our spirit and enlarged our vision. We must act now to protect this heritage. In a fruitful new partnership with the states and cities, the next decade should be a conservation milestone. We must make a massive effort to save the countryside and establish . . . as a green legacy for tomorrow . . . more large and small parks, more seashores and open spaces than have been created during any period in our history.

"A new and substantial effort must be made to landscape highways and provide places of relaxation and recreation wherever our roads run.

"Within our cities imaginative programs are needed to landscape streets and transform open areas into places of beauty and recreation.

"We will seek legal power to prevent pollution of our air and water before it happens. We will step up our effort to control harmful wastes, giving first priority to the clean-up of our most contaminated rivers. We will increase research to learn more about control of pollution.

"More ideas for a beautiful America will emerge from a White House Conference on Natural Beauty which I will soon call."

Before turning to comments about the government, including observation about the Presidency, he said he will recommend programs to encourage basic science with one of the goals being "to bring closer the day when the oceans will supply our growing need for fresh water." This is the end of his remarks on the subject.

I am not going to debate the bill any further, as the sponsor is a Member of this House and able to debate it I'm sure. I'm sure its a good bill and worthy of the ought to pass report we gave it. Therefore, I sincerely hope the motion to indefinitely postpone does not prevail. Thank you.

The SPEAKER: The Chair recognizes the gentleman from Hampden, Mr. Littlefield.

Mr. LITTLEFIELD: Mr. Speaker, Ladies and Gentlemen of the House: As a signer of the report, I wish to say that at the executive session I understood the gentleman from Biddeford, Mr. Truman, who objected to the bill and he gave some reasons and told the Chairman of the Committee that he wouldn't sign the ought to pass report. I say this in defense of his position, but as a signer of the "ought to pass" report on this bill, perhaps I should state my position. I believe it was first referred to the Committee on Legal Affairs so I did not give it thorough study that I usually give to bills that come to our committee. Mr. Lund, the gentleman from Augusta, sponsored the bill and he explained it very thoroughly. It is permissive legislation that a municipality may adopt if it wants to. In Section 1 of the bill it states "Any municipality, as such, may receive, hold and manage devises, bequests or gifts for the establishment, increase or maintenance of public parks and playgrounds . . ." then this bill adds "and open areas, including marsh lands, swamps, and other wet lands, . . ."

I have eleven acres of wood on a bog in Hermon which can only be reached when Tracy Pond overflows its banks and freezes over. I have paid taxes on it for twenty years and I thought the provisions of this bill might afford me a chance to dispose of it as a gift some time and end the payment of the yearly tax bill.

As this is permissive legislation I would oppose the motion to indefinitely postpone the bill.

The SPEAKER: The Chair recognizes the gentleman from Millinocket, Mr. Crommett.

Mr. CROMMETT: Mr. Speaker, Ladies and Gentlemen of the House: I would pose a question through the Chair to the gentleman from Portland, Mr. Cottrell, and ask him if this is not similar or what is the difference between this particular bill under discussion and L. D. 1340 which was heard by the Towns and Counties Committee.

The SPEAKER: The gentleman from Millinocket, Mr. Crommett, has addressed a question through the Chair to the gentleman from Portland, Mr. Cottrell. Mr. Cottrell may answer that question if he so desires.

Mr. COTTRELL: Mr. Speaker, Members of the House: I would be very delighted to answer that question if I could. I am not connected with this committee or the Reference of Bills Committee. I simply tabled this the other day to perhaps get a more full debate on the question.

The SPEAKER: The Chair recognizes the gentleman from Falmouth, Mr. Payson.

Mr. PAYSON: Mr. Speaker and Ladies and Gentlemen of the House: I do not enjoy being in opposition to members of my committee or the gentleman from Augusta, my friend, Mr. Lund. However, Falmouth now has a planning board, zoning board, a zoning board of appeals, the Committee for Economic Development among others with no pay. It also has a public housing inspector, plumbing inspector and an electrical inspector and tree inspector and a park commissioner. Among the duties of the park commissioner is to keep the park in good shape for picnickers and lovers of woods. It is a very fine group. These woods were originally known as Woodards Woods and were given to the town for a park. A short time ago, the town wanted to put a school there and the citizens got in touch with the heirs of the original donor and requested that they insist that the provisions remain the same. The park is still Pine Grove Park. Most of these gifts carry certain stipulations like the ex-Governor Baxter's Katahdin park to the state. According to L. D. 1207, now being considered, anybody that had a dismal swamp and all the mosquitoes in New Jersey wanted to come up and get in it, there was probably a lot of chance, the town would now have no way of draining it. No town would accept a never, never clause as in this bill. Of course preservation of natural resources and conser-

vation is a very worthy object. I believe that every city and town in Maine wants to preserve its beauty and better itself, and I see no need for a bill permitting what is already permitted.

The SPEAKER: The Chair recognizes the gentleman from Augusta, Mr. Lund.

Mr. LUND: Mr. Speaker, Ladies and Gentlemen of the House: In rising, I would first like to thank the gentleman from Portland, Mr. Cottrell for tabling this measure the other day in order to give me an opportunity to prepare some intelligent comments on it. I would like to thank the gentlewoman from Portland, Mrs. Carswell, for opposing the motion to end debate at that time. My purpose in rising at this time is not to debate this matter because I think others may do that, and it was perhaps done adequately the other day, but simply to point out to you the fact that this is additional — this bill would add to existing legislation. It is not something radically new, to try to point out to you what it would do to existing legislation.

The present law dealing with this problem applies only to towns, so that a town may accept a gift for the various purposes described, but it does not apply to other municipalities. This bill would permit other municipalities, that is to say our cities, to receive gifts, and it would increase the purposes for which those gifts might be given to not only public parks and playgrounds, but also open areas of marshlands, swamps and wet lands.

Under the present law cities and towns may establish park commissioners. These are three in number and hold office for three year terms. Under Section 2 of this bill if a town chooses to do so, it could establish a five-man park commission for a term of five years. This would not affect existing park commissions unless the town saw fit to make the change. The Conservation Commission would have the care and superintendence of parks and would seek to coordinate the activities of conservation bodies organized for

similar purposes. The commission could acquire land by purchase or by gift, but would have no right of eminent domain.

Section 3 of the bill would also broaden the existing law to include in addition to public parks, squares and playgrounds, to include open areas, marshlands and swamps and wet lands. Section 4 would permit a town to raise money for these purposes listed before.

Now one may ask: why should the municipality acquire marshes and wet lands, and I am sure that many of us have thought of the problems of preservation of wild life, recreation and so on. Perhaps what we have not thought of is the fact that many of our communities depend on individual water supply, and only if we preserve our marshlands can we also preserve our water supply. We may ask, what is the importance of open areas? Is it simply an attempt to give a town the right to unreasonably hold land? The bill defines open areas and it appears to me important that if we have a historic site or a park in our community or a water supply to be protected, there may be occasions that will arise where a town would see fit to preserve that historic site by acquiring the land and preventing it being developed for some use which would spoil the historic site, spoil the park or spoil the water supply. For these reasons, I hope that the motion to indefinitely postpone will be defeated.

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

Mr. BUSSIERE: Mr. Speaker, I in a way don't object to this bill, but as Mr. Fortier from Waterville mentioned, creating an enabling act to authorize municipalities to establish park conservation commission, I for one object to the wording of this bill. We did once in Lewiston pass an act like this, not knowing what was behind, and we realized that when we did pass this enabling act, we got into something that the people reacted very unfavorably about this act, and I wouldn't object to this bill if the gentleman

who sponsored this bill would make some change in the wording of this bill, such as referendum. I think the people should have something to say to creating — authorizing a municipality to establish a park and conservation commission. I for one don't buy anything blindfolded any more. We got burned once and I am not willing to settle for nothing but the best, Mr. Speaker, and I would suggest that this bill be retabled for one week to allow me a chance to speak and try to get the gentleman who introduced this legislation to change some of the wording in this bill, and I don't think I am asking too much, Mr. Speaker. I would like to table this bill until next Thursday.

The SPEAKER: The Chair will inform the gentleman that he is not asking too much, but his motion is out of order.

The Chair recognizes the gentleman from Eastport, Mr. Mills.

Mr. MILLS: Mr. Speaker, in looking over the agenda for the incoming week under Judiciary for Thursday, there is a Resolve there proposing an amendment to the Constitution to provide for municipal home rule. If I am in order, I would like to propose tabling this bill until the Judiciary has had time to determine that amendment to the Constitution, as I am of the opinion that that will take care of these matters without further argument.

The SPEAKER: The Chair recognizes the gentleman from Glenburn, Mr. Cookson.

Mr. COOKSON: Mr. Speaker, I move this be tabled for one week.

The SPEAKER: The gentleman from Glenburn, Mr. Cookson, now moves this matter lie upon the table assigned for one week from today pending the motion of the gentleman from Biddeford, Mr. Truman, that it be indefinitely postponed.

Mr. Fortier of Waterville requested a division.

The SPEAKER: All those in favor of this Bill and its accompanying papers lying on the table and specially assigned for Friday, March 26, will kindly rise and

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

A division of the House was had.

Sixty-three having voted in the affirmative and fifty having voted in the negative, the tabling motion did prevail.

The Chair laid before the House the seventh tabled and today assigned matter:

HOUSE DIVIDED REPORT — Majority (8) "Ought to pass" as Amended by Committee Amendment "A"—Minority (2) "Ought not to pass" — Committee on State Government on Resolve, Authorizing the Director of the Bureau of Public Improvements to Convey Certain Land in Hallowell to City of Hallowell. (H. P. 551) (L. D. 722) (C. "A" H-103)

Tabled—March 16, by Mr. Binnette of Old Town.

Pending—Motion of Mr. Gifford of Manchester to accept Majority Ought to pass Report.

The SPEAKER: The Chair recognizes the gentlewoman from Portland, Mrs. Carswell.

Mrs. CARSWELL: Mr. Speaker and Members of the House: If you will remember, I asked that this matter be tabled until I talked with Dr. McCready, Superintendent of the Girls Training Center. She is not in favor of having any of this land sold, and in reference to the amendment this was the lesser of two evils, so to speak, the heat was put on, the pressure was put on so she said well, if I have to I'll accept the amendment, but I talked to her on the telephone. She is not in favor of either. I hope that this bill and its accompanying papers are indefinitely postponed. She has planned a far future program for the school and this land is included in the plans. I feel that this is premature legislation and if it ever comes to pass this land is no longer of use to the state then a subsequent Legislature can decide it. I hope this bill is indefinitely postponed.

The SPEAKER: Is the gentlewoman making that a motion?

Mrs. CARSWELL: Yes.

The SPEAKER: The question before the House now is on the motion of the gentlewoman from

Portland, Mrs. Carswell, that this bill and its accompanying papers be indefinitely postponed.

The Chair recognizes the gentleman from Old Town, Mr. Binnette.

Mr. BINNETTE: Mr. Speaker, Ladies and Gentlemen of this House: Being a member of the Health and Institution Committee, when I tabled that motion I thought that I should get in touch with the commissioners relative to the disposal of that land and they gave me the information that at the present time they would rather hold it because they had some plans in the making which would be a benefit to their institution. Personally, I believe that our institutions do not have too much land to work with because they have programs of expansion, and I certainly agree with the gentlewoman from Portland, Mrs. Carswell, that this bill should received indefinite postponment.

The SPEAKER: The Chair recognizes the gentleman from Manchester, Mr. Gifford.

Mr. GIFFORD: Mr. Speaker and Ladies and Gentlemen of the House: I respect the time-honored proposition that a lady may change her mind and if the position of the Superintendent of Stevens Training Center is as the gentlewoman from Portland, Mrs. Carswell, has today presented it, then certainly that lady has changed her mind. I would like also to state that I somewhat resent the implication that pressure was placed upon her to go along with this particular bill. I believe that I have been present at every meeting with the Stevens Training Center Superintendent, Dr. McCready, in which there were conversations between her and the proponents of this measure, they being the officials of the City of Hallowell, and myself.

A preliminary conference, preliminary to the committee hearing, was held at the request of the city officials with Dr. McCready. I attended that conference. At its beginning I very clearly stated my position to city officials and to Dr. McCready as being one of placing the interests of the State of Maine ahead of all others in this particular matter, and that our purpose

in coming to talk with her was to determine whether or not she as Superintendent of the Training Center had any opposition to the measure we were proposing. City officials concurred with my feelings as to the State's interest and indicated that its interest was in acquiring this land for community—for development purposes at such time it ceased to be of value to the State of Maine and the Training Center.

If this constitutes pressure, then I certainly do not know the definition of the word. Certainly every opportunity was offered at this time for Dr. McCready to voice any objection which she might have and an atmosphere was established in which she could freely do this. She did state, in all fairness, that she had some concern over the general prospect of encroachment upon the land of the Training Center, in view of its location within a built-up section of a city. She explicitly stated at that time that she could not foresee any conceivable use for this particular piece of land in any future program of development and expansion of the Training Center. And if her position is now different, then it is inconsistent with her statement at that time.

At the time of the committee hearing, Dr. McCready appeared voluntarily without urging on the part of the proponents of this measure and reiterated very much the position that I have indicated to you this morning. I would certainly deny that she has been under pressure. No pressure was intended and none was exerted. The committee amendment which appears on this bill was in fact at her suggestion. The city officials and I as sponsor of the measure were most willing to submit the amendment and to be cooperative to the interests of the Center as she saw them and the interests of the State of Maine. This committee amendment, if adopted, would in effect make of this measure only a first refusal option for the City of Hallowell, for it makes the conveyance of the property contingent upon release by the Department of Mental Health and Corrections, and if the Department chooses to

take a position which is different from that which is indicated to us at this preliminary conference and at the hearing, it certainly can do so and block the conveyance of this property. Only if the Department chooses to release the land can it be conveyed under this bill.

I would hope this morning that you will go along with the proposal of L. D. 722 as amended by the committee amendment and would oppose, as I surely do, the motion to indefinitely postpone the bill and all its accompanying papers.

The SPEAKER: The Chair recognizes the gentlewoman from Portland, Mrs. Carswell.

Mrs. CARSWELL: Mr. Speaker and Members of the House: Those were the words of Dr. McCready, that the heat was put on. We all know that we all have different conceptions of the heat being put on. We also all know that there are different ways in which to do this to people. She did not say who put the heat on. However, she did say that the heat was put on and I still hope this measure is indefinitely postponed.

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

Mr. EDWARDS: Mr. Speaker, Ladies and Gentlemen of the House: The gentleman from Manchester, Mr. Gifford suggested that Dr. McCready exercised a lady's prerogative when she changed her mind. I'll submit that perhaps she was either misunderstood or for the first time is making her true views known. I, however, would like to borrow that prerogative from Dr. McCready. I am a member of the Committee on State Government, and I voted in the Majority with the ought to pass. I wish at this time that this House would consider my vote as ought not to pass on this bill.

The SPEAKER: The Chair recognizes the gentlewoman from Windham, Mrs. Harvey.

Mrs. HARVEY: Mr. Speaker, I am very interested in the mental health and welfare and I am very much opposed to selling state land, particularly any belonging to the state institutions. I don't think Stevens Training Center has had

very much done for it and if they have any plans whatsoever for future development, I think the land should remain where it is.

The SPEAKER: The Chair recognizes the gentleman from Augusta, Mr. Katz.

Mr. KATZ: Mr. Speaker, Ladies and Gentlemen: This was an eight to two report out of State Government. It now seems to be a seven to three report. It was a good hearing. If there was any pressure, it wasn't evident to me. It was an honest, sincere attempt to solve a problem of the smallest City in the State, Hallowell. Hallowell has only one industry, Hallowell Shoe, and all indications are there is an excellent chance they are going to lose it. There are forty acres sitting up there that have not been in use by the State School, which the Director of Mental Health, Walter Ulmer says the school has no plans for. The Director of Mental Health says there is an excellent chance within the next two years, and I am quoting him as exactly as I can, within the next two years there is an excellent chance that this property will be surplus to the school. Mr. Niran Bates of the Bureau of Public Improvements got up and he said that he had no objection to declaring this land surplus if there is no further use for it. He expressed a general misgiving as to disposing of any state land anywhere as against the ultimate use possibly some day, and Dr. McCready to whom my hat is raised today as always, is an effective and conscientious director of the school and I would expect her, I would expect her as a matter of principle, to express misgivings about any dissipation of state land under her, but this is not a dissipation, this is not a sale of state land. All it says is that if in the future this land does become surplus and the Director of Public Improvements and the Commissioner of Mental Health so declare it, the City of Hallowell has first option. It's that simple.

The SPEAKER: The Chair recognizes the gentlewoman from Guilford, Mrs. White.

Mrs. WHITE: Mr. Speaker, I am not often in disagreement with the opinions of the gentleman from Manchester, Mr. Gifford, for whom I have the greatest respect, but in this instance and at this time I truthfully feel that it would be unwise for the State of Maine to dispose of this land, and I hope the motion will prevail.

Mrs. Carswell of Portland was granted unanimous consent to speak a third time.

Mrs. CARSWELL: Mr. Speaker, Dr. McCready is the Superintendent of the Girls Training Center, and she is the person who has to plan the programs of rehabilitation, not the Commissioner, and she did state that she has plans for this land; and I will go a step further to say that if we are going to legislate, look around the state and see what land might be available, in a few years from now we could have quite a few bills in wanting to buy the land.

The SPEAKER: The Chair recognizes the gentlewoman from Bangor, Mrs. Ruby.

Mrs. RUBY: Mr. Speaker and Members of the House: I will try to restrain myself. I feel if Dr. McCready has plans for this land, let's let her have it.

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

Mr. EDWARDS: Mr. Speaker, Ladies and Gentlemen of the House: I would refer to the remarks of the gentleman from Augusta, Mr. Katz, when he said and I quote: "there is a chance in two years that this land may be surplus." I suggest that we leave this problem for two years until we find out one way or the other. Let the next session of the Legislature decide it at the time when we know.

The SPEAKER: Is the House ready for the question? The question before the House is on the motion of the gentlewoman from Portland, Mrs. Carswell, that Resolve Authorizing the Director of

the Bureau of Public Improvements to Convey Certain Land in Hallowell to City of Hallowell, H. P. 551, L. D. 722 and its accompanying papers be indefinitely postponed. A division has been requested.

All those in favor of this bill and its accompanying papers being indefinitely postponed will please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Ninety-three having voted in the affirmative and twenty-seven having voted in the negative, the motion did prevail.

Sent up for concurrence.

The Chair laid before the House the eighth tabled and today assigned matter:

An Act Authorizing Expenditure of Moneys by Oxford County for Economic and Recreational Development. (H. P. 176) (L. D. 197)

Tabled—March 16, by Mr. Fraser of Mexico.

Pending—Passage to be Enacted.

On motion of Mr. Fraser of Mexico, the House voted to suspend the rules and to reconsider its action whereby the Bill was passed to be engrossed on March 5.

On further motion of the same gentleman, the House voted to suspend the rules and to reconsider its action whereby Committee Amendment "A" was adopted on March 5. And on further motion, Committee Amendment "A" was indefinitely postponed.

Mr. Fraser of Mexico 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. 176, L. D. 197, Bill, "An Act Authorizing Expenditure of Moneys by Oxford County for Economic and Recreational Development."

Amend said Bill by striking out in the 10th line from the end the underlined figure "\$50,000" and inserting in place thereof the under-

lined figure '\$35,000'; and by inserting at the end of the 7th line the following underlined sentence: **'The Oxford County legislative delegation shall act as an advisory committee to the board of county commissioners of Oxford County in the administration of this section.'**

Further amend said Bill in the 5th line from the end by striking out the underlined word "**commissioner**" and inserting in place thereof the underlined words **'development agent whose office shall be in the Oxford County court house at South Paris'**; and by striking out in the 4th line from the end the underlined word "**assistance**" and inserting in place thereof the underlined word **'assistants'**

House Amendment "A" was adopted, the Bill passed to be engrossed as amended in non-concurrence and sent up for concurrence.

The SPEAKER: We are proceeding under orders of the day.

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

Mr. KATZ: Mr. Speaker and Members of the House: To end this week in a harmonious note, I have in front of me a pink covered copy, a Guide to Legislative Documents, that I feel is a tremendous step to making far, far more convenient the work of the members of the House trying to find the number of a particular bill. This was the work of our excellent Clerk and our Law Librarian, Edith Hary; and my hat is off to both of them. (Applause)

(Off Record Remarks)

The Clerk read a notice.

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

Mr. BUSSIÈRE: Mr. Speaker, out of order I would like permission to remove the bill that I tabled assigned for March 24, on page 11, item one.

The SPEAKER: The matter has been assigned for March 24 and your motion is not in order.

Mr. BUSSIERE: I would like to move that this bill be passed to be engrossed.

The SPEAKER: The gentleman's motion is not in order.

On motion of Mr. Keyte of Dexter,

Adjourned until Tuesday, March 23, at ten o'clock in the morning.