

# 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**

Tuesday, May 4, 1965

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

Prayer by the Rev. Mr. George Whittier of Augusta.

The members stood at attention during the playing of the National Anthem by the Lawrence High School Band of Fairfield.

The journal of the previous session was read and approved.

The SPEAKER: On behalf of the House the Chair would like to thank the sixty-six members of the Lawrence High School Band of Fairfield under the supervision of their director, John W. Henderson, for the very fine concert presented prior to the convening of the Legislature this morning. This band has played all over Maine, New Hampshire and Massachusetts on various exchange concerts.

Mr. Henderson is also band director of Dirigo Boys State Band at the University of Maine. He does a commendable job with this group of boys from all over the state and by the second day has them playing as though they were one unit. The group is together at the University for just one week.

Again I wish to thank the members of the band for their performance and for their rendition of the Star Spangled Banner which is played on the first legislative day of each week. (Applause, members rising)

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

Report of the Committee on Legal Affairs reporting "Ought not to pass" on Bill "An Act Permitting Municipalities to Raise Money for Blood Service Programs" (S. P. 96) (L. D. 263)

Report of same Committee reporting same on Bill "An Act relating to Nonprofit Blood Donor Service Corporations" (S. P. 120) (L. D. 487)

Came from the Senate read and accepted.

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

**Ought to Pass in New Draft**

Report of the Committee on Highways on Bill "An Act to Provide for Partial Discontinuance of Highways" (S. P. 365) (L. D. 1132) reporting same in a new draft (S. P. 488) (L. D. 1451) under title of "An Act relating to Discontinuance of Highways and Town and County Roads" 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 tomorrow assigned.

**Divided Report**

Majority Report of the Committee on Inland Fisheries and Game reporting "Ought not to pass" on Bill "An Act Regulating Fly Fishing in Certain Portion of Kennebec River" (S. P. 425) (L. D. 1360)

Report was signed by the following members:

Messrs. MANUEL of Aroostook  
McDONALD

of Piscataquis  
HOFFSES of Knox  
— of the Senate.

Messrs. ANDERSON of Ellsworth  
ROBERTS

of South Berwick  
COOKSON of Glenburn  
CHAMPAGNE

of Fairfield  
POULIN of Skowhegan  
GAUDREAU of Lewiston  
— of the House.

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

Report was signed by the following member:

Mr. BALDIC of Waterville  
— of the House.

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

In the House: Reports were read.

The SPEAKER: The Chair recognizes the gentleman from Moscow, Mr. Beane.

Mr. BEANE: Mr. Speaker, Ladies and Gentlemen of the House: I move that we accept the "ought not to pass" report.

The SPEAKER: The gentleman from Moscow, Mr. Beane, moves that we accept the Majority "Ought not to pass" Report.

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

Mr. GAUDREAU: Mr. Speaker, Ladies and Gentlemen of the House: This bill was to extend the fishing season into October. The Fish and Game Department is definitely against any extension of fishing seasons for game fish; two of the reasons are for conservation purposes and that the month of October is the spawning season. So, I heartily concur with the gentleman from Moscow, Mr. Beane.

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

Mr. ANDERSON: Mr. Speaker, I heartily concur with the remarks made by the gentleman from Lewiston, Mr. Gaudreau. As you probably all know, our trash fish spawn in the spring, while our game fish, smelt and salmon, spawn in October. If this law were passed it would be very detrimental to propagation. I certainly hope the "ought not to pass" report will be accepted.

Thereupon, the Majority "Ought not to pass" Report was accepted in non-concurrence and sent up for concurrence.

### Divided Report

Majority Report of the Committee on Legal Affairs reporting "Ought not to pass" on Bill "An Act Repealing Law Regulating Business on Sundays and Certain Holidays" (S. P. 165) (L. D. 495)

Report was signed by the following members:

Mrs. SPROUL of Lincoln  
Mr. JACQUES of Androscoggin  
— of the Senate.

Mrs. WHEELER of Portland  
Mr. LIBHART of Brewer  
Mrs. BAKER of Orrington  
Messrs. COTE of Lewiston  
HUNTER of Clinton

CONLEY of Portland  
BOISSONNEAU

of Westbrook  
— of the House.

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

Report was signed by the following member:

Mr. SHIRO of Kennebec  
— of the Senate.

Came from the Senate with the Majority Report accepted.

In the House: Reports were read.

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

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

The SPEAKER: The gentleman from China, Mr. Farrington, now moves we accept the Minority "Ought to pass" Report.

The Chair recognizes the gentleman from Westbrook, Mr. Boissonneau.

Mr. BOISSONNEAU: Mr. Speaker, Ladies and Gentlemen of the House: This bill has been up before this House many, many times. A few years ago, I was a member of the Legal Affairs Committee at that time, we thought we came out with a very good bill. I believe the people of Maine still believe this is a good bill. So I am going to ask today that we vote against the minority report and go along with the Senate. I am going to ask for a division on this motion.

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

Mr. FARRINGTON: Mr. Speaker, Ladies and Gentlemen of the House: I would like this morning to take a few moments of your time to review the present law which has been reproduced and is now on each one of your desks.

This provision provides that those stores who are less than five thousand square feet of selling space, or with five employees or less, may stay open for business. Now, if we go down through the law as written and note that the

original provision of the law provided that no one, no one should work or open his place of business on Sunday. Since this time there have been added several days, Memorial Day, Labor Day, November 11, Christmas Day, Thanksgiving Day and so forth. The next paragraph states that this shall not apply to so many exemptions—so many exceptions, that it is very hard to fathom just how much consistency this law has.

If you want to make a comparison, I don't think it takes very much consideration to see that as far as things of necessity go, most of us could understand that the Unity Raceways, which in fact has the largest crowd that I can recall in my area at any one time, is more important than selling a person a pair of pants, especially out of a store that happens to be over five thousand square feet.

Ladies and gentlemen, when we as individuals can think this way and act this way against what I call the basic concepts, the fact that we can think that the general public can read a law of this nature, it is almost saying that they cannot tell black from white. Now some would say that I might have an axe to grind. Well I will show this House that I not only do not have an axe to grind, at the present time I have no grindstone to grind it on.

This is not the issue. The issue is not, I believe, a question of wide open Sunday, which the opposition to this particular bill indicates. The issue is whether or not this House in its wisdom can pass laws which give every one equal opportunity and equal rights. I don't believe it takes a great deal of intellect to read this law and to determine that it's an unjust law. I believe there are many other ways in which we can solve this situation besides dividing and classifying the citizens of the State of Maine. I cite you a case in Belfast, Maine, Maine Textile Industries; this individual has a store that is four thousand nine hundred and some odd square feet. For the past several years he has wanted to make an addition. Due to the fact that this

law is on the books, then he does a better than a third of his business on a weekend, this is not possible for him.

Now, I don't wish to take up a great deal of your time, but I hope that each one of you will study this law as it is now on the books for what it's worth and I hope that you will realize that such laws with the system we have does set a precedent, does make a measurement by which all future legislation is guided. And our courts make reference to laws that are upheld on statute and say that we can discriminate, that we can discriminate to this level. And I ask you, ladies and gentlemen, where do we stop? I have heard in this House this session a great many comments on what are we going to do about our young people? Now certainly if this is a lesson for our young people and a standard set by this House, I think that we had better take a long, long look. Now, you vote the dictates of your conscience, but I do hope that you will read this law as it is now on the books and evaluate it for what it says. And I hope that the prevailing motion stands. Thank you.

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The SPEAKER: The Chair would like to recognize in the balcony of the House thirty-one pupils from the seventh and eighth grades of St. Teresa's School of Brewer attending today's session accompanied by Daniel E. Lambert, Executive Secretary of the Brewer Chamber of Commerce, Sister Mary Gracia, Principal, Sister Mary Veronica and parents of the children. They are the guests of the gentleman from Brewer, Mr. Libhart. On behalf of the House the Chair welcomes this group and we hope that your visit will be both educational and enjoyable. (Applause)

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

Mr. POULIN: Mr. Speaker, Ladies and Gentlemen of the House: This law when it was passed, I believe two or three years ago, I am not sure—two

years ago, reminded me of one of the Pilgrims landing on a rock in 1620. Now, we have enough outdated laws that limit the people to do what they choose to do. They say the Lord's Day. Some people practice the Lord's Day on Saturday, some on Sunday. Now, when it comes to the moral law there is no issue at all. The only time we saw the Good Lord get mad was when they were doing business in church. And I believe the clergymen do business in church every Sunday when they pass the basket around.

Now, I think this should be repealed and let the individuals use their own conscience. If they do not wish to operate on Sunday, leave it up to them, and let those that do want to operate, leave them alone. We are competing with other states. People go into New Hampshire to buy on Sunday. It is only a short trip. We lose the business. We lose the money. And we are hollering for more money in this state. Now, if we are going to let it leak out that way, I can't see it.

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

Mr. CONLEY: Mr. Speaker and Ladies and Gentlemen of the House: I would just like to concur with the Chairman of the Legal Affairs Committee, the gentleman from Westbrook, Mr. Boissonneau, and I would like to very briefly say that as a member myself of the Legal Affairs Committee that this bill here and another one accompanying it was perhaps one of the most active bills that we have heard before our committee. I would say that this bill received more attendance from the people within the state who came to Augusta to voice their objections to this bill. I would say that in all the mail that I received since being a member of the 102nd that this bill without any doubt at all has responses somewhere around five hundred letters opposing this measure.

At the public hearing, I would also state that other than the two sponsors of these two particular

bills and the three or four lobbyists who were there to lobby these bills, they were the only proponents. And on the other side were at least between three hundred to four hundred people who were here to voice their objections. I hope that the House will in its wisdom reject this measure this morning.

The SPEAKER: The Chair recognizes the gentleman from Paris, Mr. Hammond.

Mr. HAMMOND: Mr. Speaker, and Ladies and Gentlemen: I rise in support of the remarks of the gentleman from China, Mr. Farrington. I cannot understand this present law. I was not able to understand it two years ago when it was passed. I call it unreasonable and unfair in the extreme. Just look at what is exempted in this bill and then look beyond that in regard to the number of people who are working in the store. It is just exactly as if you can say to the people, you can go out and catch five fish on Sunday but you can't catch more than five. You can say to a man, you can have five drinks on Sunday but you can't have more than five. This bill is unreasonable, unfair and it discriminates against free enterprise and business. I trust that this bill to repeal this completely unreasonable law is passed.

The SPEAKER: The Chair at this time would like to recognize in the rear of the House Representative Carl Scott of the Vermont Legislature and Jasper Sanville, a former representative. Representative Scott is representing Governor Hoff and is doing special research on reapportionment. On behalf of the House the Chair welcomes you two gentlemen and we hope that you will enjoy your visit with the Maine House of Representatives and the Maine State Senate. (Applause)

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

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

Mr. FARRINGTON: Mr. Speaker, Ladies and Gentlemen of the House: In rebuttal to the gentleman who spoke about the committee hearing on this matter, I would hate to think, ladies and gentlemen, that we were pressured by groups with special interests to the extent that we cannot use our own judgment and wisdom and evaluate any legislation. We are familiar with Alabama marches and other types of marches. We are also familiar with the fact that there is a great deal of subversion throughout the country and if we cannot use our own minds and judgments in these matters rather than to be pressured by groups with special interests, I think that we better again take another look.

Of course, people, individuals who want a particular measure passed and have the wherewithal to muster up sufficient amount of talent against the bar bill, that can come down here to the State House or take the time to come down here to the State House and lobby the various representatives, are going to turn some heads. But I again ask you to decide on this matter on the merits of how this particular law reads and whether or not you wish this to be a guide line for all future legislation. Thank you very much.

The SPEAKER: Is the House ready for the question? The question before the House is on the motion of the gentleman from China, Mr. Farrington, that we accept the Minority "Ought to pass" report and the gentleman from Westbrook, Mr. Boissonneau, has requested a division.

All those in favor of accepting the Minority "Ought to pass" Report on Bill "An Act Repealing Law Regulating Business on Sundays and Certain Holidays," Senate Paper 165, L. D. 495, will kindly rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Forty-seven having voted in the affirmative and eighty-three having voted in the negative, the motion did not prevail.

Thereupon, the Majority "Ought not to pass" Report was accepted in concurrence.

#### Non-Concurrent Matter

Bill "An Act Increasing Fees of Register of Deeds" (H. P. 763) (L. D. 1000) which was passed to be engrossed in the House on April 7.

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

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

#### Non-Concurrent Matter Tabled and Assigned

Bill "An Act Authorizing Public Utilities Commission to Require the Interchange of Electric Energy" (H. P. 846) (L. D. 1147) which was passed to be engrossed as amended by House Amendment "A" in the House on April 28.

Came from the Senate with House Amendment "A" indefinitely postponed and the Bill passed to be engrossed without Amendment in non-concurrence.

In the House:

The SPEAKER: The Chair recognizes the gentleman from York, Mr. Ervin.

Mr. ERWIN: Mr. Speaker and Members of the House: First, may I make a parliamentary inquiry, is the motion to adhere debatable?

The SPEAKER: The motion to adhere is in order.

Mr. ERWIN: I move that the House adhere to its former action and I would like to speak briefly to it.

The SPEAKER: The gentleman may proceed.

Mr. ERWIN: Mr. Speaker and Members of the House: This is not as complicated a matter as the amendment filed under H-264 would lead you to believe, and I think perhaps the original motivation behind the bill has disappeared and the parties in interest, which would be the people engaged in the generation and

transmission of electricity, according to my information have come to an agreement which is embodied in the amendment which was adopted in this House last week. The amendment makes it possible for the Public Utilities Commission to order the interchange of power from one system to another, or from one company to another, under emergency situations, provided that the company which is ordered to supply the power to the company which is without it is not impaired in its own operation and does not have to enlarge its own generating facilities for such purposes. Now both of these features were left out of the original bill and as the original bill reads today the Public Utilities Commission would have the power on non-emergency circumstances to order one company to provide power to another company, either indefinitely or for as long as the Public Utilities Commission might see fit.

This does two things. It opens the whole question up to politics and it also in effect puts the Public Utilities Commission on the Board of Directors of every power company in the State of Maine with the ultimate power if it is ever used to this extent of perhaps determining that one company shall generate electricity but not transmit it and then another company shall transmit it but not generate it. In effect you put the Public Utilities Commission in a position of too much power and possibly in a situation where in future years it can cause a great deal of dislocation.

It is my understanding that the problem of a network of electricity throughout the State of Maine is going to be solved in the not too distant future. There are certain interests in the State of Maine who apparently feel that there is necessity for a power grid which would come under compulsion if it doesn't come voluntarily. I for one believe it is coming and coming voluntarily very soon and therefore this legislation without the amendment is bad legislation. The amendment brings it into line with reason and it makes it pos-

sible for the Public Utilities Commission to protect all of the consumers—and after all they are the ones we should be thinking about, all of the consumers of electricity who may be without power through emergency situations, by ordering a company which has power to provide it temporarily to the company which may be without power.

I hope that the House will go along with my motion to adhere because the bills are two very different things if the amendment is not adopted.

The SPEAKER: Is the House ready for the question? The question before the House is the motion of the gentleman from York, Mr. Erwin, that we adhere.

Whereupon, on motion of Mr. Mills of Eastport, tabled pending the motion of Mr. Erwin of York to adhere and specially assigned for Thursday, May 6.

The SPEAKER: The Chair would like to recognize in the balcony of the House fifty pupils from the Junior Class at the Waldoboro High School, accompanied by their teachers Mr. Blodgett, Mr. Thompson, and Mrs. Philbrook. They are the guests of the gentleman from Waldoboro, Mr. Waltz. On behalf of the House the Chair welcomes this group and we hope that your visit will be both educational and enjoyable. (Applause)

#### **Non-Concurrent Matter Tabled and Assigned**

Bill "An Act to Clarify the Motor Vehicle Laws" (H. P. 1093) (L. D. 1489) which was passed to be engrossed in the House on April 27.

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

In the House:

The SPEAKER: The Chair recognizes the gentleman from Moscow, Mr. Beane.

Mr. BEANE: Mr. Speaker and Members of the House: I move that we recede and concur.

The SPEAKER: The gentleman from Moscow, Mr. Beane, moves that we recede from our former action and concur with the Senate.



Whereupon, on motion of Mr. Dickinson of Mars Hill, tabled pending the motion of Mr. Beane of Moscow to recede and concur and specially assigned for Thursday, May 6.

#### **Non-Concurrent Matter**

Bill "An Act relating to Registration Fee for Motor Vehicles Operated Exclusively on Certain Islands" (H. P. 1024) (L. D. 1387) on which the House accepted the Minority "Ought to pass" Report of the Committee on Transportation and passed the Bill to be engrossed on April 23.

Came from the Senate recommended to the Committee on Transportation in non-concurrence.

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

#### **Messages and Documents**

The following Communication:

THE SENATE OF MAINE  
AUGUSTA

April 27, 1965

Hon. Jerome G. Plante  
Clerk of the House  
102nd Legislature  
Sir:

The President of the Senate today appointed the following Senators to join with members of the House in a Committee of Conference on the disagreeing action of the two branches on Bill, An Act Relating to Coercion in Placing Insurance on Real and Personal Property (S. P. 510) (L. D. 1480)

Senators:

BROWN of Hancock  
CARTER of Kennebec  
BERNARD of Penobscot

Respectfully,

(Signed) EDWIN H. PERT  
Secretary of the Senate

The Communication was read and ordered placed on file.

#### **Petitions, Bills and Resolves Requiring Reference**

The following Bill, approved by a majority of the Committee on Reference of Bills for appearance on House Calendar, less than one-

tenth of the members present objecting, was received and referred to the following Committee:

#### **Sea and Shore Fisheries**

Bill "An Act relating to Taking of Alewives in Little River and Boyden Stream" (H. P. 1105) (Presented by Mr. Mills of Eastport)

(Ordered Printed)

Sent up for concurrence.

#### **House Reports of Committees Ought to Pass in New Draft New Draft Printed**

Mr. Eussiere from the Committee on Transportation on Bill "An Act relating to Inspection of Certain Farm Trucks" (H. P. 874) (L. D. 1171) reported same in a new draft (H. P. 1104) (L. D. 1508) under same title and that it "Ought to pass"

Report was read and accepted, the New Draft read twice and tomorrow assigned.

#### **Ought Not to Pass Covered by Other Legislation**

Mr. Edwards from the Committee on State Government on Resolve Proposing an Amendment to the Constitution to Reduce the Voting Age to Twenty Years (H. P. 376) (L. D. 478) reported "Ought not to pass," as covered by other legislation.

Mr. Pitts from same Committee reported same on Resolve Proposing an Amendment to the Constitution to Reduce the Voting Age to Nineteen Years (H. P. 255) (L. D. 325)

Reports were read and accepted and sent up for concurrence.

#### **Passed to Be Engrossed**

Bill "An Act relating to Game Management Areas under Fish and Game Laws" (H. P. 1080) (L. D. 1463)

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

#### **Amended Bills**

Bill "An Act Increasing Salaries of Members of Industrial Accident Commission" (S. P. 24) (L. D. 36)

Bill "An Act Creating Special Legislative Committee to Study Need for Bridge and Causeway to Chebeague Island, Cumberland County" (S. P. 110) (L. D. 337)

Bill "An Act Increasing Salary of Commissioner of Agriculture" (S. P. 224) (L. D. 683)

Bill "An Act relating to Compensation of Representative of Indian Tribes at the Legislature" (S. P. 406) (L. D. 1229)

Bill "An Act Increasing Retirement Benefits under State Retirement System" (H. P. 88) (L. D. 97)

Bill "An Act relating to Retirement Benefits for Fire Fighters under State Retirement System" (H. P. 534) (L. D. 708)

Resolve Appropriating Funds for Ramp and Docking Facilities at Long Island Plantation (H. P. 392) (L. D. 504)

Resolve Appropriating Moneys to Maine Educational Television Network for Outside Audience Training (H. P. 448) (L. D. 602)

Resolve Appropriating Moneys for Improvements at Indian Reservation at Pleasant Point (H. P. 609) (L. D. 801)

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.

#### **Passed to Be Enacted Emergency Measure**

An Act Continuing the Committee on Aging (H. P. 1094) (L. D. 1490)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a division was had. 125 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

#### **Passed to Be Enacted**

An Act to Provide Aerial Photos of Maine's Forest Lands (S. P. 279) (L. D. 841)

An Act relating to Exemption from Sales Tax of Boats Sold to Nonresidents (S. P. 504) (L. D. 1470)

An Act Appropriating Moneys to Supplement Loans by Maine School Building Authority (H. P. 298) (L. D. 401)

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 Chairman and Membership of Board of Finance of City of Lewiston (H. P. 354) (L. D. 457)

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

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

Mr. BUSSIÈRE: Mr. Speaker and Members of the House: I would like to table this until Friday, May 7.

The SPEAKER: The gentleman from Lewiston, Mr. Bussiere, now moves that this matter lie upon the table assigned for May 7 pending its passage to be enacted.

Mr. Cote of Lewiston requested a division.

The SPEAKER: The gentleman from Lewiston, Mr. Cote, asks for a division. All those in favor of this matter lying upon the table assigned for May 7 will kindly rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Fourteen having voted in the affirmative and seventy-nine having voted in the negative, the motion did not prevail.

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

Mr. BUSSIÈRE: Mr. Speaker, I would like to table this bill until tomorrow.

The SPEAKER: The gentleman from Lewiston, Mr. Bussiere, now moves that this matter lie upon the table assigned for tomorrow.

Mr. Gaudreau of Lewiston requested a division.

The SPEAKER: The gentleman from Lewiston, Mr. Gaudreau, requests a division. All those in favor of this matter lying upon the table assigned for tomorrow will kindly rise and remain standing until the minitors have made and returned the count.

A division of the House was had.

Eighty-one having voted in the affirmative and twenty-seven having voted in the negative, the motion to table prevailed.

An Act Appropriating Moneys for Study of Maine Motor Vehicle Laws (H. P. 388) (L. D. 871)

An Act relating to Boards of Registration in Certain Towns (H. P. 471) (L. D. 624)

An Act Providing for Election of School Board of City of Old Town (H. P. 506) (L. D. 659)

An Act relating to Fees of Clerks of the Judicial Courts (H. P. 632) (L. D. 839)

An Act relating to Junk Yards (H. P. 832) (L. D. 1059)

#### Finally Passed

Resolve Appropriating Money to Continue Review of Maine Criminal Statutes (S. P. 445) (L. D. 1384)

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

#### Orders of the Day

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

Bill, "An Act Establishing Daylight Saving Time for all Year." (H. P. 998) (L. D. 1330)

Tabled—April 20, by Mr. Jalbert of Lewiston.

Pending — Passage to be Engrossed.

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

Mr. JALBERT: Mr. Speaker and Members of the House: I think most of you received the state-

ment concerning the Legislative Document 1330 by Maine Association of Broadcasters. It is a very brief statement but extremely to the point. It would put us out of line with all the radio and TV programs. It would put us out of line with other industrial programs. We would be in conflict generally because we would be the only state in the Union that would have this. Until such time as these New England States get together and New York possibly, why this legislation should not go on the books. Some additional information that I might give you is that seventy-nine thousand Maine students take educational TV programs and two-thirds of these programs are made up out-of-state, and they have been made up, and if this went through these programs would have to be retaped on time. So for the reasons that were distributed to you and several other reasons I now move the indefinite postponement of this bill and its accompanying papers.

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

Mr. BERNARD: Mr. Speaker and members of the House: Last week, as you will note, I got up on the floor of the House and I pointed my views on this bill why I was for this bill. I always understood that generally the people, the working people of the State of Maine, were one hundred per cent for this bill and that the farmers of the State of Maine were against the bill. I went home last weekend. I talked to many people on the street. I found no one in favor of this bill. The working people of the State of Maine are against the bill as well as the farmers of the State of Maine. I would like to go along with Mr. Jalbert, who moved for indefinite postponement of this bill.

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

Mr. ANDERSON: Mr. Speaker, Ladies and Gentlemen of the House: I am the sponsor of L. D. 1330. I sponsored two similar bills in this session. One was heard by the State Government Commit-

tee. I think if I can remember right there were two proponents, no opponents against the bill. This was the double daylight saving time. Then I introduced this daylight saving time all year around and at the same time this went to Legal Affairs and it was not attended by any of the opposition which you have heard at this present time, radio, TV, transportation or any one else. This bill has a lot of support, especially by the hunters, fishermen, and there are many other people that like to have a little extra time when they get home in the evening. Here are some of the facts that might interest some of the people that I think we are always interested in, the extra hours of daylight at the end of the day for your favorite hobbies or working around the house. I heard many people mention, I wish we had a little more daylight so we could do these favorite hobbies. Driving home in the daylight hours, in the winter-time, as you know, it begins to get dusk at four o'clock so this would enlighten and give you more light at those hours. And I think one of the biggest things is the elimination of the confusion of twice a year when we change our clocks from standard time to daylight having time and vice versa from daylight back to standard again. And if you will look over the rest of the country you will see many of the other states have part daylight saving time, some have standard time, and some have I guess their own local time. So I would hope that the House would not vote at this time for indefinite postponement.

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

Mr. ANDERSON: Mr. Speaker, I don't often see eye to eye with the gentleman from Lewiston, Mr. Jalbert, but this morning I heartily concur with him and I certainly hope that the motion to indefinitely postpone does prevail.

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

Mr. CONLEY: Mr. Speaker, Members of the House: I would

like to say that this bill was reported out of committee five and five. An A and B report was filed. I would state that my position was that I signed the A report, that it "ought to pass." To clarify this I would state, as the gentleman from Orono has made known here this morning, that the only proponents for this bill was the gentleman himself and the gentleman from the University of Maine. There was no opposition to the bill. When this bill was taken up in Executive Session, I agreed with some of my cohorts that this might be a good bill for the state. However, since that time I would like to go on record as being opposed to this measure and hope that the motion to indefinitely postpone prevails.

The SPEAKER: The Chair recognizes the gentleman from Kingman Township, Mr. Starbird.

Mr. STARBIRD: Mr. Speaker, Members of the House: I think perhaps a little background here would be in order. Probably most of you are aware that back in the 1880's due to a vast confusion of local times, practically each and every town had its own time differing, sometimes only a few minutes from the town next to it. And due to the railroads principally, the time zone system was established in this country and in Canada. Now, it so happens that as time went on, the idea of daylight saving was brought up and adopted in many localities during the First World War. I think the national government adopted it nationwide and then some localities continued this after the war. Mostly because in some places, such as Maine, on the extreme eastern side of a time zone their true sun time actually was approximately a half an hour different from the meridian they were operating on.

Now, in the case of Maine, our sun time is roughly half way between the eastern standard and Atlantic standard. The daylight saving that we are considering here is actually Atlantic standard time, sun time of the sixtieth meridian of longitude and we differ from that sun time by half an hour. We are a half an hour

slower than that sun time; we are a half an hour, yes, slower than that sun time. Our sun time is a half an hour faster than the seventy-fifth meridian which goes roughly through Philadelphia which is the meridian for eastern standard. So, eastern standard is roughly a half an hour slower than the sun here. Atlantic standard is roughly a half an hour faster than the sun. Actually, it makes no difference as far as the sun is concerned whether we are a half an hour before it or a half an hour after it.

For our convenience, for the convenience of people not wanting to switch the clock back and forth twice a year, for lessening the confusion because of this in the state, I have heard many people support this measure and I would like to go on record supporting this daylight saving measure myself.

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

Mr. SULLIVAN: Mr. Speaker, Members of the Legislature: Some of these learned legislators like my good friend, Mr. Anderson, in opposing, not wanting this bill killed, he makes certain statements which have no basis in fact. He makes a great deal of the fact that this bill had no opponents. Many bills have come in here that have no opponents because those who would be opponents they have no knowledge of what's happening or they can't afford to keep running down here to oppose our ridiculous bills like this one is. And it also enables certain special interests to get bills through this Legislature when a great many of them, a great many people, a great many legislators including myself have no knowledge of what's happening and speaking very frankly I am a little bit shall I say disgusted at the number of bills that have gone through here when in my humble opinion a great part of the Legislature do not know what they are voting for. I thank you. This bill should be killed like Mr. Jalbert suggests. Thank you.

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

Mrs. RUBY: Mr. Speaker and Ladies and Gentlemen of the House: As much as I hate to oppose my good friend from Orono, Mr. Anderson, I would like to remind each and every one of you that educational TV in our public schools is utilized to the fullest. Most of them are live. Now, it's going to be a big expense to those TV producers to have to re-tape all these things because they will not be presented live until after school is out and if school is out they don't need to be presented. The eleven o'clock news in our area would probably be eliminated and I feel the TV stations and the radio stations have been most co-operative to all of us as far as free publicity is concerned. True, they do have to give so much, but many times they bend over backwards and give us a little more. But I am more concerned about the educational TV in our schools. Therefore, I would request a division.

The SPEAKER: The Chair recognizes the gentleman from Rockland, Mr. Huber.

Mr. HUBER: Mr. Speaker, Members of the House: I rise in defense of Mr. Jalbert's motion and as a broadcaster would speak briefly on behalf of the Maine Association of Broadcasters. There are thirty-two AM commercial radio stations in the State of Maine serving — or rather in twenty-six communities and serving of course the entire state. There are seven FM stations belonging to the Maine Association of Broadcasters and there are six television stations. Now, all of us operate in a little different manner. Many of us are in network operations which are programs originating in New York and Chicago, these are the radio stations. Sixteen of those thirty-two have network affiliations and all six of the television stations have network operations where their programs originate in New York and Chicago and elsewhere around the country. Now, I think that what you are going to do is disrupt your own listening habits and the folks who have spoken about taping the educational programs, this

is truly a chore. Particularly where you can't play the tape back and the recording on the same day in which you have it since it comes so late.

The television people, you are going to impose an economic hardship upon, I am certain because of the method of payment of the television networks and the rating of time. There are several classifications of time and of course the most important television time falls in the evening hours between seven and eleven. You are going in the many instances, in fact I suspect all instances, to force the television stations to discontinue what has become traditional in this part of the country, your eleven o'clock news at night which also is an economic factor as far as the TV boys are concerned. So, as far as you are concerned, you are going to find yourselves six months of the year scrambling one way or the other for your favorite TV programs that were on at ten o'clock in the month of October and show up on your TV screen at eleven o'clock from November through April. This becomes a factor for everyone who has a network operation in the broadcasting business.

Now there are also ten communities in the State of Maine that are serviced by daytime radio stations. Now this is the sun up to sun down in which the FCC issues an average hour for on the air and an average hour for off the air for each month. Now these stations, at the present moment operating under standard time for the months of December and January, go on the air at 7:00 a.m. in December and on the air at 7:15 a.m. in the month of January. And I would caution you that when you push that clock ahead to 8:00 a.m. for your local stations to get on the air in the month of December at 8:15 a.m., in the month of January you are destroying a tremendous service particularly in those months as far as weather conditions are concerned, as far as no school announcements are concerned. And all in all as far as the broad-

casters are concerned, we have had experience with this several years ago when Maine was out of step with the east coast and for the month of October we had to juggle our programs the best we could network wise. Believe me, it is an extreme difficulty in the broadcasting industry as we try to serve you with the consistent time of the programs that you are listening to. And I certainly hope that Mr. Jalbert's motion will prevail.

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

Mr. LIBHART: Mr. Speaker, Ladies and Gentlemen of the House: Mr. Anderson of Orono's first bill came before the State Government Committee. I joined the "Ought not to pass" report on that bill. When I got home that weekend my life was made miserable and I, on hearing the second of Mr. Anderson's bills, joined the "ought to pass" report. I think that I should explain this inconsistency, and the reason for my inconsistency is the misery that I am going through at home. My wife hates to get up in the morning almost as bad as she hates to go to bed at night and somehow she figures this bill is going to give her an extra hour's sleep and that's why I am going to vote for it.

The SPEAKER: Is the House ready for the question? The question before the House is on the motion of the gentleman from Lewiston, Mr. Jalbert, that this Bill "An Act Establishing Daylight Saving Time for All Year," House Paper 998, L. D. 1330, be indefinitely postponed. The gentlewoman from Bangor, Mrs. Ruby, has requested a division.

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

A division of the House was had.

One hundred eight having voted in the affirmative and fifteen hav-

ing voted in the negative, the motion prevailed.

Sent up for concurrence.

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

SENATE REPORT—"Ought to pass"—Committee on Education on Bill, "An Act relating to Fixing the Number of Personnel at the State Teachers Colleges and State Vocational - Technical Institutes." (S. P. 189) (L. D. 554) (In Senate, Report accepted)

Tabled—April 23, by Mr. Dunn of Denmark.

Pending—Acceptance in concurrence.

The SPEAKER: The Chair recognizes the gentleman from Denmark, Mr. Dunn.

Mr. DUNN: Mr. Speaker, Members of the House. While this bill is not strictly line budgeting it is definitely closely concerned with the personnel section in the line budgets. And in this bill and two others that will come before us, we are being asked to abolish line budgeting in some areas. It is my belief that we need it as much or more now than in the past considering the steady expansion of our various departments. This bill before us would do away with the figures in parentheses in the personnel column in the budget documents and in the accounts dealing with teachers colleges and vocational schools. If this is done the Legislature will lose control over the number of employees and at the same time over the cost of operating the different institutions. The figures in parentheses set a limit on the number of personnel—of permanent employees that any department may have on their payroll. They can hire temporary employees if they have money available.

If this limit is removed any department can with any saving they have at the end of the biennium go out and hire extra personnel and put them on in the months of May and June, the last of the biennium, and when they come up for budget hearings for the next biennium, those people are on

as permanent employees and there is no recourse but to furnish the funds to pay them or else ask—the next Legislature could say you will have to get rid of them, you'll have to fire them.

Now, there would be no problem at all if we had plenty of money to do with, but this is not always the case. We have to try to hold expenditures to what is absolutely essential. This can only be done if we keep the control where it is now, right here in the Legislature. We should also keep in mind the fact that we have passed this year an act for study of higher education. And certainly it would seem unwise to me to make any major changes, especially changes that could have far reaching consequences; before we get the results of this study. So, I now move indefinite postponement of this bill and all its papers and request a division when the vote is taken.

The SPEAKER: The Chair recognizes the gentleman from Limerick, Mr. Carroll.

Mr. CARROLL: Mr. Speaker, Ladies and Gentlemen of the House: I am quite concerned about this bill here because you are comparing your state teachers colleges with all other departments. Now, we had a situation these past few years, our state teachers colleges, where they could have taken additional students, but they could not because they had no faculty. They have a situation in Gorham where they have had a problem in regard to feeding their students. They found out that they could take on approximately fifty or fifty-five additional students yet they had to turn all this money into the General Fund and then they found out that they had too many students for the money available to feed these students.

Now I can assure you that if you have no confidence in the people that are running these colleges, fire them. Get somebody else to run them. But let's give them a hand here. Let's give them the opportunity to go ahead and run a business. What business in the country is being run today that has to keep running in here to Au-

gusta and asking you for a few more dollars or an opportunity to do something? Let's give these people a chance here. All they want is enough personnel to run their college and I think if you have no confidence in them you should fire them, get somebody else.

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

Mr. JALBERT: Mr. Speaker, Members of the House: I very rarely disagree with the gentleman from Limerick, Mr. Carroll. In this instance, I could never more disagree with him, because if we don't have the reins to check here I shudder what would happen to our tax rate. Now, I have a great deal of respect for all of our teachers colleges. It is a known fact my first love as far as education is concerned is vocational training. I do, however, agree wholeheartedly with the remarks of the gentleman from Denmark, Mr. Dunn, because if this bill would become law, we can forget all about line budgeting, which has been our salvation for many years since its inception in 1955.

Now it is true as the gentleman from Limerick, Mr. Carroll, says that for instance at Gorham they have had space but no teachers. In other state teachers colleges they had teachers but no space. Now through the proper medium of legislation we are trying to correct those situations by passing bond issues, by construction, and by also giving more teachers in our supplemental budget as well as our other budgets. I don't think this is the way to do it and I wholeheartedly concur with my colleague from Denmark, Mr. Dunn, in moving the indefinite postponement of this measure.

The SPEAKER: The Chair recognizes the gentleman from Presque Isle, Mr. Bishop.

Mr. BISHOP: Mr. Speaker, Members of the House: Briefly I want to support the remarks of the gentleman from Denmark and the gentleman from Lewiston, perhaps for slightly different reasons. These three bills, this one and the other two mentioned by the gentleman from Denmark, are quite

radical departures from the controls which are on these and other departments at the present time. We are now advocating a fifty thousand dollar study of post high school education and I think it would be unwise to make any radical changes such as these would produce until we see the results of this study. For that reason I support the indefinite postponement.

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

Mr. BIRT: Mr. Speaker, I would also like to concur with the previous speakers who have spoken in opposition to this bill, as I do feel that the enactment of this bill could be the first step in the eventual destruction of all budgetary controls in the state. Since I have been on the Appropriations Committee I can't help but develop a good deal of admiration for the various heads of the teachers colleges and the vocational schools that have come before that committee, but I have also realized that we have some very competent personnel at the head of many of the other state departments, such as Pineland, Augusta State Hospital, Bangor State Hospital and many of the others.

When Dr. Bowman, who is the head of Pineland, came before the Appropriations Committee, this was his main gripe that he wished to have the personnel removed from the budget. Now if we were to initiate the same program, if we were to allow this program to develop in the teachers colleges and the vocational schools, he and the heads of many of the other departments would immediately come before either the Governor and Council, the Appropriations Committee or some group of this type wherever they could and request the same thing. And they certainly would be entitled to it.

I feel that Dr. Bowman and these people are fully as competent as the heads of our teachers colleges, and if we start in one area where do we stop? I'm afraid that this thing would have no place to stop and we eventually would eliminate all forms of line budgeting and all budgetary con-



trols. In talking with finance people in the state, I also do find that this form or some similar program of this type is in vogue in practically every state in the country. And it certainly would seem that we would make a serious mistake if we moved away from this area at the present time.

The SPEAKER: The Chair recognizes the gentleman from Madawaska, Mr. Levesque.

Mr. LEVESQUE: Mr. Speaker and Ladies and Gentlemen of the House: If I remember correctly when this document was heard, it was heard with the pretense that the present system now being used was used under the direction of somebody saying that this was an economical move as far as the teachers colleges were concerned by limiting the number of people that they hire. Although when they appeared before us, they pointed out beyond any reasonable doubt that this was not an economical way to run a teachers college or a vocational school. And they pointed out facts that in some areas they could have gotten rid of some of the people that they had on their staff because of changing time, changing facilities and then they could have gone in and hired somebody else to take care of some of their other needs. But, because of the present system of not being able to add onto their staff they were unable to do this and they had to retain the staff that they didn't need at the time until such time as the Legislature made some adjustment.

So it was the consensus of the committee at the time that if this group of teachers colleges under the State Board of Education could revise some of their personnel at midyear or at the end of one period that it would prove more economical and not necessarily requesting any additional monies for the teachers college from the Appropriations Committee or from the State Board of Education.

So on that basis that is why the committee felt that this was going to be a good bill for the teachers colleges and with the approval of the State Board of

Education. So with those remarks I hope the House will accept the committee report.

The SPEAKER: The Chair recognizes the gentleman from Freeport, Mr. Graham.

Mr. GRAHAM: Mr. Speaker and Members of the House: I would like to support the gentleman from Madawaska, Mr. Levesque and the gentleman from Limerick, Mr. Carroll. We hold the purse strings and we should let the heads of these colleges use the money in the most economical manner possible. This is a question of economy.

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

Mr. COTTRELL: Mr. Speaker, Ladies and Gentlemen of the House: I don't like to get in any discussion about budgets with the experienced men on the Appropriations Committee, but I feel I must say something in behalf of Dr. Brooks and the teachers colleges. The teachers colleges, as we all know, have grown up from the normal schools when they — and the normal school didn't enjoy much prestige in amongst our educational institutions at one time. But now we have a different situation. We have our teachers colleges and the one in my area, Gorham Normal, which is regionally and nationally accredited, have nine hundred students there. It is comparable to a university. The University of Maine operates the way Dr. Brooks would like to operate; Maine Maritime does. He has a budget, an operating budget there of a million twenty-eight thousand dollars, I believe it is, and all that he is asking is to be able to hire another secretary if he wants, to hire another teacher in this department, to run his institution as a business, and we know that he has developed Gorham Normal to a very efficient operating institution.

There has been a loophole in this line budgeting operation. For instance, they have permitted him to give extension courses and he can run it as he sees fit. He can operate it as a business and he has done that. He has two

hundred and fifty students in an evening school that more than pays the expenses, their tuition more than pays the expenses of the evening school, and he makes money on it to use as he sees fit. This doesn't increase the budget. I don't know whether the purpose of line budgeting is to have lapsed budgets to increase the surplus, but it seems to me that under these conditions when all of the states in New England, except Connecticut, allow this practice and Connecticut is this year passing legislation to allow teachers colleges to operate like the universities, it seems to me that if you hire a man, a president, like Dr. Eilliot to run his institution, and a person like Dr. Brooks to run his institution, give him a little flexibility. If you are afraid he will jumble and misspend this operating expense, at least give him a hundred thousand dollar flexibility so that if he wants to hire a teacher or wants to increase or redistribute his secretarial staff, he may be able to do it.

**THE SPEAKER:** The Chair recognizes the gentleman from Portland, Mr. Healy.

**MR. HEALY:** Mr. Speaker and Ladies and Gentlemen of the House: I rise to ask the Legislature to be consistent here. The University of Maine and the Maine Maritime Academy have full control over the budgets and make disposition where it is proper to be made, and I should like to call your attention to some of the other states who permit their land grant schools to operate without any shackles. State of New Hampshire, Vermont, Massachusetts, Rhode Island have all been granted the freedom of operation requested in this bill. The higher education survey for the State of Connecticut is on record as follows:

"It is recommended that the shackles of restraint be removed from the State colleges. These institutions should be free to respond with vitality to the needs of the people in their areas, but under present conditions, there are too many people who can say 'no'

for one bureaucratic reason or another. It is wrong when a person uninformed about higher education can make a decision harmful to the educational program from behind the formidable wall of finance, personnel or purchasing."

Now, I should like to make a further quote from Chairman Herbert R. Brown of the State Board of Education who appeared before the Appropriations and Finance Committee. Said he referring to the former President Sills of Bowdoin, once said,

"That his college would have to fold up if forced to operate under such restrictions."

Mr. Brown also quoted the State Board of Education's position taken in 1960. "The State Board of Education wishes to place in the record its preference for dedicated revenues in the teachers colleges in the firm belief that dedicated revenues safeguard objectives, particularly in a time of rapid expansion. The present administrative arrangement seems unnecessarily restrictive."

Ladies and gentlemen, I urge you to support the motion of the gentleman from Limerick, Mr. Carroll. Thank you very much.

**THE SPEAKER:** The Chair at this time would like to recognize in the balcony of the House seventeen pupils of the eighth grade of the Waterford Elementary School accompanied by Charles Fillebraun, James Tyler, Robert Grover and Walter Hamlin, who are their chaperones. They are the guests of the gentleman from Oxford, Mr. Wuori. On behalf of the House the Chair welcomes this will be both educational and enjoyable. (Applause)

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

**MR. JALBERT:** Mr. Speaker and Members of the House: I might state that the remarks of the gentleman from Presque Isle, Mr. Bishop, were well taken in that this entire program will be under thorough study and scrutiny anyway by the passage of this resolve which calls for such a study.

In answer to the gentleman from Freeport, Mr. Graham, this is an economy move, he is dead right. This means from four to five per cent as far as the sales tax is concerned.

Now, I don't like, and I don't mind being romanced and I don't mind being lobbied because I do some lobbying myself and I do it hard and I do it fast, but I can't stand petty politics crawling into our state government. Now, I could care less as to how you go on this thing because in its eventuality, I mean it is going to have to have a price tag anyway and I know where it is going to wind up. Now, I am certain that the gentleman from Denmark, Mr. Dunn, and I, don't see eye to eye and we probably won't see eye to eye throughout the program where it comes out of the Appropriations Committee. Right is right and wrong is wrong here. We are not indicting by the killing of this measure, Dr. Brooks of Gorham, he is a friend of mine, nor any other president of any other institution, or any other college. But I think that the heads of all our various departments who do not enjoy this so-called mis-privilege in my opinion, that they should be indicted either, that they should be placed on a lower level than these other individuals.

I can well remember when this program went into effect. As a matter of fact I was one of the sponsors of it. I can well remember that I wanted in the program, item by item line budgeting. I would shudder to stand here and spend about twenty minutes to tell you where some forty thousand dollars went a few years ago at a teachers college, Gorham incidentally, where instead of winding up fixing a store, we wound up finding out we were buying golf bags and golf balls. I don't want that to happen.

Now, this is a bad piece of legislation. It eliminates thoroughly any thinking of following up on line budgeting which is a fine and splendid program. Let's not compare ourselves with Connecticut, the richest state in the Union,

and believe me before they get through the way they are going they are going to be faced with a major tax. If you want to vote for a major tax, keep voting for items like this.

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

Mr. RICHARDSON: Mr. Speaker, Ladies and Gentlemen of the House: As a member of the Education Committee, I think I would be remiss if I didn't stand in defense of this bill. I gathered from the testimony which was given at the hearing that this would not only perhaps be an economical move, but it would also increase the efficiency of these various schools. In view of the fact that we are trying to build education in the State of Maine, I think that this would strengthen our position.

The SPEAKER: The Chair recognizes the gentleman from Denmark, Mr. Dunn.

Mr. DUNN: Mr. Speaker, Members of the House: I would like to say one more word here. The 97th session of the Legislature enacted the line budget and I would like to read from the record the recommendation of Senator Muskie who was Governor at that time concerning this item in his budget message. He says:

"Finally, I recommend that you adopt the principal of line budgeting for the general fund inasmuch as it is difficult to project expenditures two and a half years ahead. Some flexibility should be provided. I recommend therefore that the line budgeting be limited to personal services, capital expenditures and a third category to include all other expenditures. To provide still further flexibility, the Governor and Council under present law have sufficient authority to make transfers between categories. Line budgeting in accordance with these recommendations should give us better control of expenditures and in the long run ought to produce savings for the taxpayer."

The SPEAKER: Is the House ready for the question? The question before the House is on the motion of the gentleman from Den-

mark, Mr. Dunn, that this bill and its accompanying papers be indefinitely postponed, and he has requested a division.

All those in favor of this Bill, "An Act relating to Fixing the Number of Personnel at the State Teachers Colleges and State Vocational-Technical Institutes," Senate Paper 189, L. D. 554 and its accompanying papers being indefinitely postponed will kindly rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Seventy-eight having voted in the affirmative and forty-eight having voted in the negative, the Bill with accompanying papers was indefinitely postponed in non-concurrence and sent up for concurrence.

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

**HOUSE REPORT** — Committee on State Government on Resolve, Authorizing State of Maine to Transfer Western Maine Sanatorium to Town of Hebron. (H. P. 434) (L. D. 563) reporting same in New Draft (H. P. 1096) (L. D. 1493) under Title of Resolve, Repealing Authorization for Disposal of Western Maine Sanatorium, and that it "Ought to pass"

Tabled—April 27, by Mr. Benson of Mechanic Falls.

Pending—Acceptance.

Thereupon, the "Ought to pass" Report was accepted, the New Draft read once and tomorrow assigned.

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

**DIVIDED REPORT** — Report "A" — "Ought to pass" — Report "B" — "Ought not to pass" — Committee on Legal Affairs on Bill, "An Act Providing for a Mayor-Council Charter for the Town of Sanford." (H. P. 678) (L. D. 905)

Tabled — April 27, by Mr. Levesque of Madawaska.

Pending — Motion of Mr. Bernard of Sanford to accept Report "A", "Ought to pass."

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

Mr. **BERNARD**: Mr. Speaker and Members of the House: First of all, I want to thank all the members of the House and also I want to thank the members of the Legal Affairs Committee. The Legal Affairs Committee had a lot of hard work on this bill and the members of the House received many letters against this bill. Myself and Representative Blouin received many letters for the bill and also against the bill. This is not something that has just come overnight, ladies and gentlemen.

In 1951, pursuant to an article in the warrant of the Town of Sanford, the town meeting members voted to have a moderator appoint a committee of twenty-one to report back to the town meeting members a recommendation, should or should not the present form of government be changed? The following is the report from the Committee of twenty-one.

With the thought that such a plan would promote the highest degree of efficiency, progressiveness and economy in the administration of our municipal affairs the committee of twenty-one proposes: That we should make a major change in our form of local government and adopt a "strong mayor" or city manager plan; that the choice of which charter should be voted by the people of Sanford in a referendum. This report came from the committee of twenty-one, fourteen for and seven against a change in the form of government.

Prominent local men who served on the committee of twenty-one, these are just a few of them, former Senator Ralph Lovell, former Representative Rosaire Trembley, Armand Gendron, Mr. Moore Greenwood, our present Town Treasurer; Mr. Arthur Therrien, Mr. Norman Hall, now Chairman of the Board of Selectmen. Report of five members of this committee is that this report was taken by the selectmen of Sanford but never brought to a

town meeting. Report from our City Clerk is that it was brought before the town meeting, but after we went through the records of the town meeting we found out no such report had ever entered the books in the Town of Sanford.

After seeing their report, after all the hard work this committee has done, a few of these members signed a note and asked me to present to the 102nd Legislature a change, a mayor form of government for the Town of Sanford.

I have in my hand here a petition that the Selectmen of the Town of Sanford went around to get. They had eighty-five people that signed a petition against having a mayor form of government in Sanford. I have another petition that these members who presented the bill for had and they have one hundred and ninety people who signed for the bill.

Ladies and gentlemen of the House, I did not intend to go into the problems that we are having in our local government. This bill I have before you is permissive legislation and calls for referendum to let the people of Sanford have their choice of government for the people. I was contacted by people in Sanford to introduce this bill. First may I point out to you members of the House, a town meeting form of government is no longer adequate to meet the citizens' demands of Sanford. The population is now fifteen thousand. I must say before going into detail, that the Selectmen that sent you a letter against any present form of government voted before becoming selectmen in favor of a charter for the Town of Sanford.

Now the shoe is on the other foot. They are receiving over five thousand dollars a year for being selectmen, so they must oppose any change. I also must point out to you ladies and gentlemen, that the report of the committee of twenty-one was never voted by the town meeting. It is a common note of disgrace the way the town hall in Sanford is being run at the present time. Nobody is boss and everyone goes and comes as he pleases. But on the other hand,

some of them receive five thousand dollars a year and do not spend more than five hours a week. And I would like to point out the five hours a week.

Our present form requires two hundred town meeting members to be present in order to have a quorum. I do not believe ladies and gentlemen, in the last ten years that we have had a quorum present, but most acts have been passed.

We have had debates at the town meeting about road commissioners which the town meetings have passed and then the people rejected in referendum. We have had debates about Sampson's Supermarket. Sampson wanted to build a store in the Town of Sanford. The town meeting members, after the businessmen got together voted against Mr. Sampson coming into Sanford to build a store. This also went to referendum and the people of Sanford voted ten to one for the store to be built.

Then we came out with the business of consolidating both fire departments into one. This was one reason why I had a bill at one time for the—to cut out the unification. The town meeting members voted to consolidate the fire department into one department and have one chief. The people went into referendum and voted this three to one against this act, but this act became law because this vote was taken one week after our national election on a bad and stormy day and less than twenty percent of the people went to vote.

Our taxes, ladies and gentlemen, I do not have to debate all the taxes and all the bills; as you will note if you look in the tax records we have one of the highest tax rates in the State of Maine. Just to give you a little more detail on some items as to the way these people are running our government, two weeks ago there was a report after a request asked, there was a report in the Sanford paper that the selectmen had sent our bills, our tax bills, to be made in the City of Portland instead of Sanford. They told the people that we

would save money if the taxes were made up in Portland. The bill to make these taxes up in Portland, ladies and gentlemen, was three thousand six hundred dollars. Imagine, three thousand six hundred dollars just to make the tax bills up. This would pay a secretary for a full year's work.

Then, I would like to point out that you received a letter from the Chamber of Commerce also voting to oppose the bill. Ladies and gentlemen, why shouldn't they oppose it? I don't know if you people are familiar, but the Chamber of Commerce in Sanford receives twenty thousand dollars a year from the Town of Sanford. I believe Lewiston, Portland, Westbrook, I don't think any one of these towns, I don't believe any one of these towns gives a thousand dollars or more to the Chamber of Commerce. On top of giving the twenty thousand dollars, we have absolutely no control over the money and the way it is spent. There are no trustees attached to this twenty thousand dollars. The twenty thousand dollars goes to the Chamber and the directors do as they see fit with it. I say to you that the people of Sanford are being bled to death by this government and also the Chamber of Commerce.

Also I must point out — then came the question of the Legal Affairs Committee. The Legal Affairs Committee not seeing that many people came up on this bill, asked the selectmen that the town have a meeting, a citizens meeting. I was notified and attended this meeting and presented my bill. I told the moderator that again the people would be afraid to participate in this bill on their feet. Only the same people who came to Augusta participated in the debate and one of these men was the same man who put the article in the warrant asking for a change study committee to be formed.

This committee has been formed and now in the paper it has been noticed that a prominent member of this committee is the treasurer for the Town of Sanford. Would you call this report again a fair report?

Another thing I must bring to your attention, is a special back-tax kitty that our present administrators are carrying on the books. A year ago, we had over a hundred thousand dollars in a back-tax special kitty. I recommended this be put in the special fund as a member of the warrant committee. This was not done. I was told this was impossible. We couldn't do this. Well, out of the special committee came thirty-five thousand dollars, out of the special tax fund, came thirty-five thousand dollars to add a wing on the present town hall. Now, when this thirty-five thousand was recommended for the police station the selectmen and the members told the people of Sanford that they didn't have to worry, this thirty-five thousand dollars did not affect the taxes of the people of Sanford. I say to you ladies and gentlemen, any amount of money you spend from a dollar up affects the tax revenues. I want you to believe that I have no future political ambitions, only that of serving the people of my town and state in this 102nd Legislature.

If you believe in your hearts that I have worked for my people you will vote with me on this bill. I would also like to say in closing that I have been a town meeting member for over ten years, also a member of the Warrant Committee and many other department trustees in the Town of Sanford.

I want to thank Representative Blouin for bearing out with me during this long struggle we have been having since January the fourth. This isn't something new and I have investigated, investigated and ladies and gentlemen this is my recommendation. In concluding, ladies and gentlemen you have heard these reports from Sanford in much more detail than a usual charter report. This is a serious matter for my constituents. I feel with this report, however, the taxpayers of Sanford will now study their form of government like they have never studied it before.

I believe that they will attend in great numbers their next annual town meeting. They finally

realize, I believe, that if they don't come to the town meetings this is what can happen, ladies and gentlemen. The report of the committee of twenty-one was way back in 1951. This was some fourteen years ago and in this period of time many things have changed in our town. I believe this bill to be an instrument that will awaken the people who have always said in the past let the other guys go, let the other guys do the work. To the members of the Committee of twenty-one, I now say to you gentlemen, you have not shown by your actions and have not proved to me that we should have a change now until the new committee that has been formed reports, and I emphasize the word reports, their finding. And I say to you ladies and gentlemen, that I will see that this report goes to the town meeting.

Ladies and gentlemen, the purpose for which this bill has been presented has served the people of Sanford well. They have awakened and listened to the pros and cons about their town government like never before. And to the town meetings of Sanford, I say to you gentlemen, don't be afraid to stand up and vote for the people who have elected you. This is why you have been elected. You have a job to do and do it without reservation. Remember, don't say you will let the other guy do it; you are the other guy.

I now move, ladies and gentlemen, indefinite postponement of this bill and all its accompanying papers and when the vote is taken, I ask for a division and I hope that you will vote with me unanimously.

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

Mr. BLOUIN: Mr. Speaker, Members of the House: I am sorry to say I don't have about a twelve page report on this, but I would like to make myself clear, why I did not interfere with this bill up to now. My mind was pretty well made up this morning which way I was going to go. I didn't interfere with this bill, I didn't appear at the committee hearings because I felt that my good colleague, Mr.

Bernard, should be given a chance in a fair manner on his bill. Of course, with the opposition that appeared on the committee against him, against his bill I mean, I didn't think he had much of a chance from then on, especially when a meeting was called in Sanford. But yet I waited to see what the outcome would be. When the meeting was recommended by one of the gentlemen who was sitting on the committee of Legal Affairs, a meeting was held and Mr. Bernard was defeated a three to one margin. He was also the only proponent of that bill.

This morning I wasn't in agreement with Mr. Bernard. Right now it looks like I am in agreement with him, because he did move for indefinite postponement of his own bill. And I am glad he did so, because I was ready to do so myself, because our people do not want this bill at this present time. And I am sure that in Sanford in the future there are many people who are intelligent enough to take care of our own affairs in the Town of Sanford. So, therefore, I am going along with Mr. Bernard's motion for indefinite postponement of this bill.

The SPEAKER: All those in favor of this Bill "An Act Providing for a Mayor-Council Charter for the Town of Sanford," House Paper 678, L. D. 905, and its accompanying papers being indefinitely postponed will kindly rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

One hundred fourteen having voted in the affirmative and one having voted in the negative, the motion prevailed.

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

Mr. BLOUIN: Mr. Speaker, if I am in order, I would like to move we reconsider our former action and I hope that you will vote against me.

The SPEAKER: The gentleman from Sanford, Mr. Blouin, now moves that we reconsider our action where by this bill was indefinitely postponed. All those in favor

say aye; all those opposed say no.

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

Sent up for concurrence.

The SPEAKER: The Chair will request the Page to escort the gentleman from Milbridge, Mr. Kennedy, to the rostrum for the purpose of acting as Speaker pro tem.

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

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

Bill, "An Act Reactivating the Governor's Committee on Children and Youth." (H. P. 387) (L. D. 500) (C. "A" H-246)

Tabled—April 27, by Mrs. Harvey of Windham.

Pending—Passage to be Engrossed.

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 sixth tabled and today assigned matter:

Bill, "An Act Revising the Savings Banks Laws." (H. P. 620) (L. D. 857) (C. "A" H-233)

Tabled—April 27, by Mr. Fortier of Waterville.

Pending—Passage to be Engrossed.

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 seventh tabled and today assigned matter:

An Act relating to Driving a Vehicle to Endanger. (S. P. 381) (L. D. 1197) (C. "A" S-118)

Tabled—April 27, by Mr. Danton of Old Orchard Beach.

Pending—Passage to be Enacted.

On motion of Mr. Bishop of Presque Isle, retabled pending

passage to be enacted and specially assigned for Tuesday, May 18.

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

HOUSE REPORT — "Ought to pass" as Amended by Committee Amendment "A" — Committee on Towns and Counties on Bill, "An Act Authorizing County Commissioners for York County to Make a Loan for Construction of a Sewage Treatment and Disposal System for its Courthouse and Jail." (H. P. 571) (L. D. 741) (C. "A" H-153)

Tabled — April 27, by Mr. Carroll of Limerick.

Pending — Acceptance.

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

Mr. BERNARD: Mr. Speaker and Members of the House: We debated this thing often with the County Delegation of York. At the last County Delegation we had, they appointed a sub-committee to go and see the County Commissioners, meet with them and meet with the people of the town of Alfred. I can say to you now, the committee got no satisfaction at all of meeting with the citizens of Alfred and also the county commissioners. Their recommendation is that a sewage treatment plant for the jail and the courthouse would cost over \$100,000 and this is what they are asking in the budget of York County. We debated it fully with the people of Alfred, whom I don't blame want their rivers and streams cleaned up, but they don't want to have anything to do with any treatment plant or any money.

The Water Improvement Commission in Augusta quoted us figures that this treatment plant would cost \$46,000. We finally came out with the conclusion that the county commissioners were never forced or never sent a letter telling them that they had to do this work. The sub-committee reporting to the committee recommends that this be studied further and that if they want a bill with a good study introduced



in the Legislature that they can do this in the 103rd Legislature. Ladies and gentlemen, on the report of this committee, I move that we indefinitely postpone this bill and all its accompanying papers.

The SPEAKER pro tem: The question before the House is on the motion of the gentleman from Sanford, Mr. Bernard, that the Report and Bill be indefinitely postponed.

On motion of Mr. Pendergast of Kennebunkport, tabled pending the motion of Mr. Bernard of Sanford to indefinitely postpone, and specially assigned for Thursday, May 13.

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

DIVIDED REPORT — Majority (8) — "Ought to pass" — Minority (2) — "Ought not to pass" — Committee on Retirements and Pensions on Bill, "An Act relating to Rules Regarding Retirement of Teachers." (H. P. 758) (L. D. 995)

Tabled — April 28, by Mr. Cottrell of Portland.

Pending — Acceptance of Either Report.

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

Mr. COTTRELL: Mr. Speaker and Members of the House: There have been ten bills pertaining to teachers retirement in this session, and they were heard by three different committees. Two have gone through the legislative process and are now lying on the appropriations table. Three have been withdrawn. One has not been reported out of committee. This morning we passed in its third reading, item 6 on page 4, another bill pertaining to the increase and rearrangement of teachers retirement amounts and schedules.

If this bill, L. D. 97 on page 4, item 6, passed, the teachers would have no objection about not passing this bill which I am talking about now on page 7, L. D. 995. They are more or less companion bills. However, as House Chairman of the Taxation Com-

mittee, and since these bills do require appropriations and having not seen thus far great enthusiasm for increasing our taxes in a major way, it is quite possible that this other bill here, 97 from page 4, will end up on the appropriations table. I talked this situation over the weekend with the teachers of Portland, the teachers association and other teachers, and under these conditions, they would like to have an amendment on this bill L. D. 995, and so I hope that someone will table this matter until Friday so that an amendment can be prepared.

Thereupon, on motion of Mr. Martin of Eagle Lake, tabled pending acceptance of either report and specially assigned for Friday, May 7.

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

Resolve, Appropriating Moneys for Location of Vocational Educational Institute in Kennebec County. (H. P. 1097) (L. D. 1494)

Tabled—April 28, by Mr. Roy of Winslow.

Pending—Passage to be Engrossed.

On motion of Mr. Fortier of Waterville, retabled pending passage to be engrossed and specially assigned for Thursday, May 6.

At this point, Speaker Childs returned to the rostrum.

SPEAKER CHILDS: The Chair thanks the gentleman from Milbridge, Mr. Kennedy, for acting as Speaker pro tem and for the fine job that he did.

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

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

Resolve, Proposing an Amendment to the Constitution Providing for Annual Legislative Sessions. (S. P. 44) (L. D. 215) (C. "A" S-68)

Tabled—April 28, by Mr. Richardson of Cumberland.  
Pending—Final Passage.

On motion of Mr. Ross of Bath, the House voted to suspend the rules and to reconsider its action whereby this Resolve was passed to be engrossed on March 30.

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 26, and to indefinitely postpone Committee Amendment "A."

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

Mr. ROSS: Mr. Speaker, I now offer House Amendment "A" under filing number H-258. This amendment limits the sessions as to time only. It does not limit the short session to the study of finances only. I realize that probably some persons are opposed to this, but since this is a Constitutional amendment, I would humbly suggest that we defer debate until the enactment stage which requires a two-thirds vote and I now move that House Amendment "A" be adopted.

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

HOUSE AMENDMENT "A" to S. P. 44, L. D. 215, Resolve, Proposing an Amendment to the Constitution Providing for Annual Legislative Sessions.

Amend said Resolve by striking out all of the 6th paragraph and inserting in place thereof the following:

**'Beginning with the year 1968 sessions shall be held, commencing on the first Wednesday of January and each even-numbered year thereafter for a session of not more than thirty legislative days.'**

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

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

HOUSE REPORT—"Ought not to pass"—Committee on Appropriations and Financial Affairs on Bill, "An Act Repealing the Law Requiring Assessment of Municipalities in Aid to Dependent Children Grants." (H. P. 445) (L. D. 599)

Tabled—April 28, by Mr. Bragdon of Perham.

Pending—Acceptance.

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

Mr. BRAGDON: Mr. Speaker and Members of the House: I tabled this bill last week because of the absence of the House Chairman of the Appropriations Committee. I have no particular objection perhaps to this bill except that it calls for \$900,000 that I wondered where we were going to find, and now I see that the House Chairman is here and I'll let him handle it from here on.

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

Mr. FARRINGTON: Mr. Speaker, I now move that we substitute the bill for the report. I will first inform you that this bill was entered by myself as the result of a great many municipalities desiring this type of legislation. We had a hearing at which time there were no opponents to this measure. I suspect that the reason for the committee's report is primarily because it has a price tag of \$900,000, but I would hope that you would follow me in explaining somewhat the mechanics of this particular measure, and how the municipalities have no control over the funds.

In the first place, the agents of the state will grant monies to various cases in the municipalities. The provision or the contract between the state and the federal government provides that only one agent shall be involved, and that is the Commissioner of Health and Welfare, and his agents; that the municipal officers do not have anything to say about these grants, even though previous legislatures have passed permissive legislation. We maintain that on the local level that the taxpayer should

have control of their tax dollars, and that they shouldn't be getting blind bills from the State of Maine not knowing how much these bills will be in any one year, realizing that if these bills are not paid, it is the prerogative of the department to take these funds from subsidies, such as road monies or school subsidies and which they do.

Actually, ladies and gentlemen, this is taxation without representation, and I am sure, as indicated to me, that these municipalities would much rather pay through some other method the equivalent amount of money that they would have control over, and they have so indicated to me. There are staggering figures in the larger cities supporting this program. It has even been indicated if this body decides to support uniform effort that they would just as soon take a little bit less on uniform effort and have this package out of the hands of their municipal government. I would hope that each one of you would consider the various ramifications of this matter, because without control of the local tax dollars, I think it is a very, very poor situation.

Now if this matter could at least get as far as the appropriations table, I am sure if major taxes were imposed this year, that this should be one of the first considerations. Thank you very much.

The SPEAKER: The Chair recognizes the gentleman from Presque Isle, Mr. Bishop.

Mr. BISHOP: Mr. Speaker, Ladies and Gentlemen of the House: This matter came from the Appropriations Committee with a unanimous ought not to pass report, and as the gentleman from China, Mr. Farrington, correctly states, it was the price tag primarily that scared us, and the price tag is not \$900,000, but \$900,000 per year of the biennium. This would require the finding of approximately two million dollars more in the budget, when we are having a great deal of trouble finding money for matters that we consider at least as important as this, and most of us more so.

I sincerely hope that you will defeat the motion to substitute the bill for the report. Just in passing on the merits of the thing, I feel that it should be commented that this is a program which was brought about by federal aid. It is something which the municipalities did not have previously, and the assessment is certainly a small price to pay for the good which this program is doing in their communities.

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

Mr. YOUNG: Mr. Speaker and Ladies and Gentlemen of the House: I too have had a great deal of contact with selectmen and managers in my area, and they were in support of this bill, and I agree with the remarks of the gentleman from China, Mr. Farrington, and I would like to see the bill substituted for the report and at least have it go so it would end up on the appropriations table and as he said, if there was a major tax or something, why perhaps the money would be available, so I hope the motion prevails.

The SPEAKER: The Chair recognizes the gentleman from Lebanon, Mrs. Hanson.

Mrs. HANSON: Mr. Speaker and Members of the House: My husband is a selectman. He asked me to vote for this bill. He said that on these ADC cases the state controls them. They ask the advice of the town selectmen as to whether the case should be accepted or not and then proceed to accept them regardless of what the town selectmen say, so he says if they can't have the say of what they are going to do, they might just as well skip the whole thing, so I would like to see this bill passed.

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

Mr. HUNTER: Mr. Speaker, Ladies and Gentlemen of the House: I was selectman for my town for the past sixteen years and this has always been a sore spot, and with all the other town officials that I have been in contact with

it has been a sore spot all the way around. Of course it is taxation without representation, and I am sure that they would rather have some other type where they would have representation of the money that they are going to spend, and I support the gentleman from China, Mr. Farrington on this substituting the bill for the report.

The SPEAKER: The question before the House is on the motion of the gentleman from China, Mr. Farrington, that the Bill "An Act Repealing the Law Requiring Assessment of Municipalities in Aid to Dependent Children Grants," H. P. 445, L. D. 599, be substituted for the ought not to pass committee report. All those in favor of substituting the bill for the report will say aye; those opposed, no.

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

Seventy-three having voted in the affirmative and forty-two having voted in the negative, the motion did prevail, the Bill was read twice and tomorrow assigned.

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

HOUSE REPORT — "Ought not to pass"—Committee on Appropriations and Financial Affairs on Bills, "An Act to Create a Maine State Board of Human Research and Development." (H. P. 904) (L. D. 1232)

Tabled—April 29, by Mr. Roy of Winslow.

Pending—Acceptance.

The SPEAKER: The Chair recognizes the gentleman from Winslow, Mr. Roy.

Mr. ROY: Mr. Speaker, this bill appeared before the Appropriations Committee and had overwhelming support. The reason why I would like to have it tabled again is to prepare an amendment. The problem is financing.

Thereupon, on motion of Mr. Binnette of Old Town, tabled pending acceptance and specially assigned for Wednesday, May 5.

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

HOUSE REPORT—"Ought not to pass" — Committee on Legal Affairs on Bill, "An Act Describing Boundaries of Town of West Paris." (H. P. 356) (L. D. 459)

Tabled—April 29, by Mr. Hammond of Paris.

Pending—Acceptance.

On motion of Mr. Hammond of Paris, the "Ought not to pass" Report was accepted and sent up for concurrence.

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

Bill, "An Act Providing for a Limited Open Season on Moose in Aroostook County for Conservation Research Purposes." (S. P. 518) (L. D. 1492)

Tabled—April 30, by Mr. Kirtledge of South Thomaston.

Pending — Passage to be Engrossed.

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

Mr. ANDERSON: Mr. Speaker, Ladies and Gentlemen of the House: I am appealing to you today to help me save from extinction one of the continent's most noble animals, the moose, majestic monarch of the forest.

Long before the white man came, the crafty redskin hunted these animals with their crude weapons, not for the lust of killing, but to sustain life. The flesh was smoked and stored to keep the spark of life burning when the warmth of the sun had left their hunting grounds. The skins of these life saving animals provided warmth and shelter throughout the long cold winters when the drifting snows lay heavy on the forest floor. The redman was a true conservationist. He killed only that he might live. The white man could have learned much from the Indian, but he would not listen. Now, I ask you, will the moose go like the buffalo?

In spite of what anybody says, these animals are not plentiful

enough to warrant an open season. They are barely holding their own. Many die of old age, disease, and other natural causes. Many die from contact with cars and trains, but the biggest threat on the road to extermination is the two-legged predator, the poacher. Time and time again game wardens have found these magnificent animals rotting in the woods with only a hind quarter or a choice chunk of meat taken.

This animal, as a rule, seems to have no fear of humans. There are many incidences where they have followed closely behind men in the woods, and once their curiosity is satisfied, they amble off about their business. You have many hunters here in this House who can corroborate this statement. So you see, with an open season, it would be like shooting cows in a pasture.

These animals are worth much more to the state living than they are dead. They are one of Maine's biggest attractions. Thousands of visitors hunt them with cameras, not bullets.

We would be horrified if a bill came into this honorable body to blow up a dam which would put one of our few industries out of business. Is there a difference? I don't think so.

This bill was signed out of committee nine to one, kill the moose; nine to one, slaughter the moose; nine to one, destroy the moose. I signed my report save the moose, preserve the moose, help the moose.

Ladies and gentlemen, I would remind this honorable House that one vote on the side of righteousness is the true majority when right and wrong is at stake. Now I lay no claim to superior intelligence, but I yield to no man in this House, or elsewhere, in my sincere desire to preserve for my children and my children's children and for all posterity, the magnificent heritage with which the supreme architect of the universe endowed the State of Maine.

These men signing the ought to pass report, did so out of sympathy for the committee member who sponsored it. As sure as I stand here, deep down in their hearts,

they are against this destructive measure.

The title of the original bill was "An Act Providing for a Limited Season on Moose"; the title in the new draft reads: "An Act Providing for a Limited Season on Moose in Aroostook County for Conservation Research Purposes." Very clever. The sponsor would have you believe that the Inland Fisheries and Game Department favor an open season. The Department is definitely opposed to an open season. The Department is going to conduct a research program on both moose and deer and report their findings to the Fish and Game Committee at the next session in 1967. Perhaps this will answer the question posed by the gentleman from Southwest Harbor at last Friday's session.

Ladies and Gentlemen of the House: I implore you not to make a party issue of this document. I beseech you to join with me in saving this noble animal now struggling for survival. Save him for posterity, for our children and our children's children, that they may see him in the living flesh in his natural setting in the forests of our beloved State of Maine.

Mr. Speaker, I now move indefinite postponement of this act, L. D. 1492, and when the vote is taken, I move it be taken by division.

The SPEAKER: The Chair recognizes the gentleman from Houlton, Mr. Lycette.

Mr. LYCETTE: Mr. Speaker and Members of the House: As a resident of Aroostook County and a lover of nature, I go along with my contemporary, Mr. Anderson's motion to indefinitely postpone this bill.

I don't think that there is any fellow of my age that has travelled more through the wilds of Aroostook County than I have. I have travelled the whole length of St. John, the Allagash. I can almost name you most any pond that you can find in Aroostook County that I haven't been to at some time. I go up into the Baxter Park now just to see the moose up there, and I don't see them harming anyone. I don't note that the population is increasing appreciably.

I think that we would be making an awful mistake if we opened the season in any respect to the killing of moose. Thank you.

The SPEAKER: The Chair recognizes the gentleman from Eagle Lake, Mr. Martin.

Mr. MARTIN: Mr. Speaker, Ladies and Gentlemen of the House: I first wish to thank the gentleman from Ellsworth, Mr. Anderson, who allowed the bill to be tabled last Friday while I was recuperating. I will, however, disagree with him from this point on.

It seems that the gentleman from Ellsworth and myself are always on the opposite side of the fish and game matters affecting Aroostook County. I would point out that I live there and to some degree I know what is going on in such matters.

I might point out that during the session the gentleman from Ellsworth has been concerned about the revenue for the Inland Fish and Game Department, and I might add that I am too. This bill of course would provide some revenue that the department badly needs in order to increase enforcement and experimentation. This legislation is limited to two years. One year would be definite. The other year would not be open unless determined so by the Inland Fish and Game Committee. It would provide for a six day season in November in Aroostook County only. Those applying for licenses would have to be individuals who have not been successful on the regular hunting season, and therefore to some degree would have an incentive to pay \$35.00 extra fee.

An amendment is to be offered later reducing the number of licenses to 100 rather than the suggested 200. The original figure had been for all of the State. However, since this has been reduced to Aroostook County, the figure would be dropped to 100. I would point out a few things to the members of this House. This bill would allow the moose population to be harvested properly in the area. As you all know, and as the gentleman from Ellsworth, Mr. Anderson has pointed out, many have

been dying from old age, and many would not have to if this bill were passed. Conservation is written into this bill. It is not my intention to be against it. I would point out that only 100 licenses will be offered and you realize that out of the 100 licenses offered, it is very doubtful whether any amount over fifty percent will be successful, and even if fifty percent were successful, this would mean fifty moose. I would point out that the bill would provide for experimentation that the department and the State of Maine badly needs. I would further point out that many of us here in this House in the past two months have been arguing and saying many things about free publicity that Maine could have gotten out of changing the day of the election back to September. I would point out that this bill would give Maine free publicity that it could not buy. Many writers would come to Maine simply to observe it, if nothing else, and to write about it. If you are interested in vacationland to any degree, then I am sure that you will allow the bill to pass. It would create more interest in vacationland showing that the State of Maine offers everything for the vacationer.

As the gentleman from Ellsworth, Mr. Anderson pointed out, this is a nine to one ought to pass report and I don't think they were doing it out of sympathy for the chairman of the committee. The only dissenter was that gentleman.

In commenting on the remarks by that gentleman, I would point out that there is no need to worry about the 100 licenses offered, as our neighbor New Brunswick has been doing this for the past two years and it has not hurt the herd to any degree, but rather has improved the conditions of the moose population in New Brunswick, and according to the reports, they now have more than they have ever had before.

Therefore, I would hope that you would vote against the motion for indefinite postponement.

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

Mr. ROSS: Mr. Speaker and Members of the House: When I die, I hope I die like the moose, of old age. I think that the moose population is one of the biggest assets we have from a tourist standpoint. I know from personal experience they love to take movies of them. Even those that don't have cameras like to go out in the evening in a boat or a canoe and watch them. I think it would be a crime to kill them. We are not overrun with any moose, and I've got to go along with the gentleman from Ellsworth, Mr. Anderson. I think this is a termite piece of legislation and should be exterminated.

The SPEAKER: The Chair recognizes the gentleman from Fort Kent, Mr. Bourgoïn.

Mr. BOURGOÏN: Mr. Speaker and Members of the House: In some ways I agree with Mr. Anderson from Ellsworth, but in some others, we have had for fifty years we have had two short sessions of moose, and twice in fifty years is not enough to have helped the moose herd. The moose herd would be helped a lot by removing fifty or sixty of the big animals in the winter yards, where maybe four young ones starve because of that big bull, and he should be removed, and it would not hurt the State of Maine. It would increase our moose herd which has had no chance to increase in the last fifty years. Thank you.

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

Mr. FARRINGTON: Mr. Speaker and Members of the House: I would like to pose a question through the Chair to the sponsor of the bill. I understood him to say, I haven't read the bill, that there would be only 100 licenses issued for the killing of moose. He may answer if this is correct.

The SPEAKER: The gentleman from China, Mr. Farrington, has posed a question through the Chair to the gentleman from Eagle Lake, Mr. Martin, who may answer if he so desires.

Mr. MARTIN: Mr. Speaker, in response to the question, I would point out that the bill itself at the

present time says 200. However, if the motion for indefinite postponement does not prevail, I will then table the bill for one day in order to reproduce the amendment.

The SPEAKER: The Chair recognizes the gentleman from York, Mr. Erwin.

Mr. ERWIN: Mr. Speaker and Members of the House: I always enjoy the way we debate for an hour or more on our natural resources and nothing on millions of dollars.

I would like to comment on the moose population myself. To me, and I have great respect for the gentleman from Ellsworth, Mr. Anderson, I think we can over-sentimentalize the problem. To me the moose are nothing but a cursed nuisance. Where my wife and I run commercial hunting and fishing camps, they are a positive danger in September, and it is all very well as the gentleman from Brownville, Mr. Ross says, to go out and watch them, but you want to stay a good distance from any bull moose in September, or you'll go up a tree or your canoe will get overturned. This happens, regardless of what the publicity people tell you.

The point of all this, however, is that we don't know, sitting here, whether or not the moose herd can stand being harvested. The next item number sixteen on the calendar originally was a study which was at least favored if not sponsored by the Commissioner of Inland Fisheries and Game, and to me this is the intelligent way to go about it, which would be to pass the item 16 without that silly amendment on it and to defeat this bill so that we can have a concentrated all-in-one study over what the moose population is in the State of Maine in all sixteen counties. I assume that there are as many moose per acre in Piscataquis as there are in Aroostook. I think probably there are areas where the moose can be harvested. I would like to think sometime that they can take the whole bunch of them out where we are and ship them off in trucks to Aroostook County and we would

like it. They are not necessarily all a blessing.

I am not sentimental about them. I think they are a magnificent beast and perhaps should have the benefit of some intelligence in determining what their fate should be. Obviously, if we allow shooting now in Aroostook County it won't be long before individual bills will be in to allow moose killing in every other county where they exist. I suggest that we support the motion of the gentleman from Ellsworth, Mr. Anderson, and defeat this bill and keep the next one alive.

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

Mr. BRAGDON: Mr. Speaker and Members of the House: As I am a representative from Aroostook County, I would feel remiss in my duty if I do not go on record as being in favor of the indefinite postponement of this bill. I sort of resent having Aroostook County set up as an experimental county in this thing; more than that, I feel that these animals are more valuable, I agree that they are more valuable to maintain them in their present state as a tourist attraction. I am confident that an open season would practically eliminate them in a very short time.

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

Mr. JALBERT: Mr. Speaker, Members of the House: It certainly is not my intention to get tangled up in an argument about moose, although I think this is a good bill. However, I might comment to the gentleman from Perham, Mr. Bragdon, that in the years that he and I have been here, I think he will have to agree with me that his County of Aroostook, the Garden Spot of Maine, has often times been the experts on experiments.

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

Mr. GAUDREAU: Mr. Speaker, I move this be tabled until tomorrow morning.

The SPEAKER: The question now before the House is the motion of the gentleman from Lewiston, Mr. Gaudreau, that this matter be tabled until tomorrow.

Mr. Anderson of Ellsworth requested a division.

The SPEAKER: A division has been requested. All those in favor of the tabling motion will please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Thirty having voted in the affirmative and eighty-seven having voted in the negative, the tabling motion did not prevail.

The SPEAKER: The Chair recognizes the gentleman from Southwest Harbor, Mr. Benson.

Mr. BENSON: Mr. Speaker and Members of the House: I will have to agree that the moose in Aroostook County are somewhat removed from Southwest Harbor, but I would be just as opposed to them shooting buffalo on the western plains as I would the moose in Aroostook.

I think there are several departures from the norm in this bill, one being a sentence under section 2355-A which would say in any event—in any even numbered year the joint standing legislative committee on Inland Fisheries and Game will determine whether there will be an open season or not. Later on it says that the number—the people who will be licensed will be drawn by lot. Still later on it specifies that no person may lawfully kill more than one antlered moose during the open season and it shall be unlawful to kill moose calves. It says nothing about the cows; apparently you can take as many of those as you want. I think if we are going to seriously consider passage of this measure, we should certainly pin down these areas.

The SPEAKER: The Chair recognizes the gentleman from Phillips, Mr. Palmer.

Mr. PALMER: Mr. Speaker, I feel that I should speak on this also, and it seems to me as though it is time that a study of the moose population in Maine was



done. I also feel that the other bill providing for a limited open season on moose fits in very well with this study on the moose population. How are we to know what an open season on moose would do until after we have had one, and as long as we are directing a study towards this end, it would seem to me that both of these bills should pass.

The SPEAKER: The Chair recognizes the gentleman from Moscow, Mr. Beane.

Mr. BEANE: Mr. Speaker, Ladies and Gentlemen of the House: Somerset County, which bounds Aroostook County on the north, I would like to give you a few figures on the moose population there. Since the year of 1956-57 there have been 75 moose either killed or died one way or another. Fourteen by sickness, twelve by auto, four by train, thirty by illegal hunting and fifteen unknown, a total of seventy-five. I think I will favor this bill.

The SPEAKER: The question before the House is the motion of the gentleman from Ellsworth, Mr. Anderson, that this Bill "An Act Providing for a Limited Open Season on Moose in Aroostook County for Conservation Research Purposes," S. P. 518, L. D. 1492, be indefinitely postponed, and he has requested a division. 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.

Eighty-one having voted in the affirmative and thirty-eight having voted in the negative, the Bill was indefinitely postponed in non-concurrence and sent up for concurrence.

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

Resolve, Directing a Study of the Moose Population in Maine.

(H. P. 226) (L. D. 293) (C. "A" H-270)

Tabled — April 30, by Mr. Ross of Brownville.

Pending — Adoption of Committee Amendment "A."

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

Mr. COOKSON: Mr. Speaker and Members of the House: This bill with the amendment came out on the Floor of the House somewhat different than what I expected it was going to when it left the Committee. I thought that it was going to come out in a new draft without my name on it, so I just wanted to bring that to the attention of some of the people here who know that I am violently against an open season on moose, at least in my county, but I have agreed with the good folks from Aroostook County if they felt they had moose enough in their county to warrant an open season, I would go along with it. They assured me they wouldn't try to call them across the county line in Penobscot County and I thought that was nice of them. So now at this point, I would move for the indefinite postponement of this amendment so that the bill for the moose study may go through.

The SPEAKER: The question before the House is on the motion of the gentleman from Glenburn, Mr. Cookson, that Committee Amendment "A" be indefinitely postponed. Is it the pleasure of the House that Committee Amendment "A" be indefinitely postponed?

The motion prevailed and the Resolve was assigned for second reading tomorrow.

The SPEAKER: We are proceeding under Orders of the Day. Notices were read.

On motion of Mr. Levesque of Madawaska,

Adjourned until ten o'clock tomorrow morning.