

# MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Second  
Legislature*

OF THE

STATE OF MAINE

VOLUME II

MAY 17 - JUNE 4, 1965

DAILY KENNEBEC JOURNAL  
AUGUSTA, MAINE

**HOUSE**

Tuesday, May 18, 1965

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

Prayer by the Rev. Mr. Clayton F. Child of Augusta.

The journal of yesterday was read and approved.

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

Report of the Committee on Inland Fisheries and Game reporting "Ought not to pass" on Bill "An Act relating to Hunting Buck Deer" (S. P. 522) (L. D. 1503)

Came from the Senate read and accepted.

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

**Bill Substituted for Report**

Report of the Committee on State Government reporting "Ought not to pass" on Bill "An Act Increasing Compensation of Members of Employment Security Commission" (S. P. 166) (L. D. 496)

Came from the Senate with the Bill substituted for the Report and passed to be engrossed.

In the House: Report was read.

On motion of Mr. Pitts of Harrison, the Bill was substituted for the "Ought not to pass" Report in concurrence, the Bill read twice and tomorrow assigned.

**Ought to Pass in New Draft**

Report of the Committee on Taxation on Bill "An Act relating to Allocations from Gasoline Tax for Public Facilities for Boats" (S. P. 344) (L. D. 1089) which was recommitted, reporting same in a new draft (S. P. 545) (L. D. 1542) under title of "An Act relating to Allocations from Gasoline Tax for Public Facilities for Boats and to Commissioner of Sea and Shore Fisheries" 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.

**Ought to Pass with  
Committee Amendment  
Passed to Be Engrossed**

Report of the Committee on Judiciary on Bill "An Act Increasing Salaries of Official Court Reporters" (S. P. 164) (L. D. 494) which was recommitted, reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

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

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

The Bill was then passed to be engrossed as amended by Committee Amendment "A" in concurrence.

Report of the Committee on Judiciary on Bill "An Act relating to Possession of Firearms by Felons" (S. P. 198) (L. D. 579) reporting "Ought to pass" as amend by Committee Amendment "A" submitted therewith.

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

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

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

**COMMITTEE AMENDMENT "A"**  
to S. P. 198, L. D. 579, Bill, "An Act relating to Possession of Firearms by Felons."

Amend said Bill by striking out all of the first sentence of that part designated "§393." of section 2 and inserting in place thereof the following:

'It shall be unlawful for any person who has been convicted of a felony under the laws of the United States or of the State of Maine, or of any other state, to have in his possession any pistol, revolver or any other firearm capable of being concealed upon the person until the expiration of 5 years from the date of his discharge or release from prison or termination of probation.'

Committee Amendment "A" was adopted in concurrence and the

Bill assigned for third reading tomorrow.

### Divided Report

Majority Report of the Committee on Appropriations and Financial Affairs on Bill "An Act Creating the State Airport Authority" (S. P. 359) (L. D. 1139) reporting same in a new draft (S. P. 542) (L. D. 1540) under title of "An Act Creating a State Transportation Commission" and that it "Ought to pass"

Report was signed by the following members:

Messrs. DUQUETTE of York  
HARDING of Aroostook  
—of the Senate.

Messrs. HEALY of Portland  
BISHOP of Presque Isle  
ANDERSON of Orono  
BIRT of East Millinocket  
JALBERT of Lewiston  
—of the House.

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

Report was signed by the following members:

Mr. BROWN of Hancock  
—of the Senate.

Messrs. BRAGDON of Perham  
DUNN of Denmark  
of the House.

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

In the House: Reports were read.

On motion of Mr. Bishop of Presque Isle, the Majority "Ought to pass" Report was accepted in concurrence, the New Draft read twice and tomorrow assigned.

### Divided Report

Majority Report of the Committee on Appropriations and Financial Affairs on Bill "An Act Establishing an Inter-Agency Committee of State Government" (S. P. 392) (L. D. 1217) reporting same in a new draft (S. P. 543) (L. D. 1541) under title of "An Act Authorizing Department of Economic Development Advisory Council to Develop a Master Economic Plan for the State" and that it "Ought to pass"

Report was signed by the following members:

Messrs. DUQUETTE of York  
HARDING of Aroostook  
BROWN of Hancock  
—of the Senate.

Messrs. HEALY of Portland  
BISHOP of Presque Isle  
ANDERSON of Orono  
JALBERT of Lewiston  
—of the House.

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

Report was signed by the following members:

Messrs. BRAGDON of Perham  
DUNN of Denmark  
BIRT of East Millinocket  
—of the House.

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

In the House: Reports were read.

On motion of Mr. Bishop of Presque Isle, the Majority "Ought to pass" Report was accepted in concurrence, the New Draft read twice and tomorrow assigned.

### Divided Report

Majority Report of the Committee on Judiciary reporting "Ought not to pass" on Bill "An Act relating to Foreclosure of Bonds for Deeds and Contracts for Sale of Real Estate" (S. P. 209) (L. D. 590)

Report was signed by the following members:

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

Messrs. DAVIS of Calais  
BISHOP of Presque Isle  
DANTON  
of Old Orchard Beach  
BRENNAN of Portland  
BERMAN of Houlton  
GILLAN

of South Portland  
RICHARDSON  
of Cumberland  
—of the House.

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

Report was signed by the following member:

Mr. STERN of Penobscot  
—of the Senate.

Came from the Senate with the Majority Report accepted.

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

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

Bill "An Act relating to Qualifications for Practice of Hair-dressing and Beauty Culture" (S. P. 491) (L. D. 1456) which was passed to be engrossed in the House on May 12.

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.

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

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

Bill "An Act relating to Powers of Board of Trustees of Maine Maritime Academy" (H. P. 877) (L. D. 1173) which was passed to be engrossed as amended by House Amendment "B" in the House on May 13.

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

In the House: On motion of Mr. Levesque of Madawaska, tabled pending further consideration and specially assigned for Thursday, May 20.

#### **Orders**

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

Mr. LEVESQUE: Mr. Speaker, may I inquire if the House is in possession of House Paper 741, Legislative Document 978?

The SPEAKER: Under Orders the gentleman from Madawaska, Mr. Levesque, inquires if the House has in its possession House Paper 741, L. D. 978, Bill "An Act Protecting the Right of Public Employees to Join Labor Organ-

izations," and the answer is in the affirmative.

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

Mr. LEVESQUE: Mr. Speaker and Ladies and Gentlemen of the House: I now move that we reconsider our action whereby the Majority "Ought not to pass" Report was accepted yesterday.

The SPEAKER: The gentleman from Madawaska, Mr. Levesque, moves we reconsider our action whereby we accepted the Majority "Ought not to pass" Report.

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

Mr. JALBERT: Mr. Speaker and Members of the House: I presume that in making his motion the gentleman from Madawaska, Mr. Levesque is making it as a member of the Committee on Labor. Mr. Speaker, in hoping very strongly and seriously that this reconsidering motion does not pass I will state my reasons why.

I could talk a few facts. Over seventy-two hundred state employees now have their own organization. It has been functioning very well for over twenty-three years. The State Employees Association has earned a New England wide reputation for its efforts on behalf of all state workers and has programs and a full-time staff that are known to be the most productive for all concerned.

What has happened over the years? Three times in the last twelve years an out-of-state union, and again this gem stems from out-of-state, has tried to organize state employees and each time they've failed. And they've tried without legislation of this type that we are discussing this morning. This year the same out-of-state union served notice on the State Employees Association that it plans to raid their ranks. The State Employees Association an annual treasury looks most inviting to this Boston-based union. They'd like to have some of this income but, my friends, instead of the twenty-five cents a week that the State Employees Association charges for dues, the union would

start at seventy-five cents a week. No wonder this foreign union wants the right to work on state, county and municipal employees.

This bill, therefore, is nothing more or less than an attempt by a Massachusetts-controlled union to come into Maine and swell their thin New England ranks. They have been mesmerized by the big unions. The union doesn't need this bill. Insofar as I personally am concerned, I can stand here and state that in twenty years my pro-labor voting record is perfect. It's been declared such time and again, when pamphlets have been made up, they have so stated.

Now as far as this bill is concerned, let's just read, it's just a very small one page bill, just about two paragraphs. Those are the dangerous bills. The big ones this thick, don't worry about them. "No such employee shall be discharged or discriminated against because of his exercise of such right, nor shall any person or group of persons, other than a labor organization, directly or indirectly, by intimidation or coercion." Nobody can intimidate or coerce but a labor organization, and I don't think that that is the labor organization that I belong to and I've held a union card for over thirty years. This bill stinks.

Mr. Levesque of Madawaska requested a division.

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

Mr. KENNEDY: Mr. Speaker and Ladies and Gentlemen of the House: I find myself, this morning, in complete agreement with the gentleman from Lewiston, Mr. Jalbert. If our state employees had been laboring under difficulties and were not in a position of arbitration, which they have been through the years in the State of Maine I feel, and the Legislatures of Maine have been very kind to the State employees, I feel that this too is a bad, bad bill.

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

Mr. LEVESQUE: Mr. Speaker and Ladies and Gentlemen of the

House: This document before you this morning for reconsideration is not to say that these people will have to join a labor organization. This is only to give them the right and the prerogative that if they so choose to come under a labor organization in the State of Maine that they will have that choice. And the words read by the gentleman from Lewiston, Mr. Jalbert, that there will be no intimidation or coercion, that's only for the protection of the employees should they wish to start proceedings of joining a labor organization. They don't have to join if they don't want to, but this is opening the door for them to act on their own behalf and if some labor organization wants to come in and wishes to organize them this will give them that right and prerogative to do so.

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

Mr. JALBERT: Mr. Speaker, I rise again because I feel so strongly about this thing. I would like to state that not one labor leader, not one member of any labor organization has approached me on this bill, and believe me, I see them often; and if they are interested on any bills, I don't only see them but my phone starts ringing.

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

Mr. BREWER: Mr. Speaker, Ladies and Gentlemen of the House: I'm glad that some of the other boys have taken up the cudgel today. When I spoke last week about a bill that was before us that had all the earmarks of forcing a segment of our municipal employees under unionism, I will have to agree today with the gentleman from Lewiston, Mr. Jalbert, that this is a bad bill and you want to think it over carefully, along with some of the other bills that will be back before us. Thank you.

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

Mr. ANDERSON: Mr. Speaker, I want to go on record as being in concurrence with the gentleman from Lewiston, Mr. Jalbert.

The SPEAKER: The Chair recognizes the gentleman from Saco, Mr. Bedard.

Mr. BEDARD: Mr. Speaker, Ladies and Gentlemen of the House: This is a bill to stop the practice of stamping our public servants as second class citizens, a bill to give the people who work for all of us the Civil Rights we all boast about here in Maine.

Since 1937 all workers have had an accepted right to organize. They have had a right to speak as a group, the right to have someone appear at a bargaining table for them and discuss their troubles, their wishes and their working conditions. But, here in Maine, thousands of working men and women, working for you and me, don't have this right. So what we are really saying to them is that we think they should give up their liberty for the public good.

How can this happen here in this great State of Maine? How can the taking away of rights be for the public good? Aren't these workers giving their entire career to help you and me, part of the so-called public? We know they are. So what is good for you and for me is good for them; and what is good for them is also good for us.

So if we refuse to let these men and women have the right to join a labor organization, we should abolish all labor organizations. After all, the same rules should apply to everyone. Now, we know we can't do this. We can't wipe out everyone's right to join a labor group . . . and we don't want to. And since we can't, we have no choice. We must allow Maine's public employees to join labor organizations. This is a good bill for the public workers.

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

Mr. BENSON: Mr. Speaker and Ladies and Gentlemen: I would just like to read in part from a statement from the Attorney

General's office, and I quote, "Employees are free"—and excuse me I will backdress for just a moment. This is in direct relation to the bill that we are discussing. I quote "Employees are free to have representatives of their own choice present salary proposals and other matters to the employing authority, the personnel board, or the legislature. Hence it would appear that L. D. 978 does not add any new rights which state employees do not already have." Thank you.

The SPEAKER: Is the House ready for the question? The question before the House is on the motion of the gentleman from Madawaska, Mr. Levesque that we reconsider our action whereby we accepted the Majority "Ought not to pass" Report, and a division has been ordered. All those in favor of reconsidering our action whereby we accepted the majority ought not to pass report will kindly rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Thirty-three having voted in the affirmative and seventy-nine having voted in the negative, the motion to reconsider did not prevail.

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

Mr. Cottrell from the Committee on Taxation on Bill "An Act relating to Sales Tax on Fabrication Charges" (H. P. 858) (L. D. 1155) reported same in a new draft (H. P. 1132) (L. D. 1551) under title of "An Act relating to Definition of Sale Price under Sales Tax Law" and that it "Ought to pass"

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

#### **Passed to Be Engrossed Third Reader Amended**

Bill "An Act Increasing Clerical Assistance for Justices of Superior Court" (H. P. 415) (L. D. 527)

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

Mr. Bishop of Presque Isle offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to H. P. 415, L. D. 527, Bill, "An Act Increasing Clerical Assistance for Justices of Superior Court."

Amend said Bill by adding at the end the following:

'The breakdown shall be as follows:

DEPARTMENT 1965-66 1966-67  
Supreme Judicial  
and Superior Courts

ALL OTHER \$3,375 \$4,500'

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

Bill "An Act relating to Jurisdiction of Municipal Police Officers in Fresh Pursuit" (H. P. 589) (L. D. 781)

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

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

Mr. BRENNAN: Mr. Speaker, Ladies and Gentlemen of the House: I move for the indefinite postponement of House Paper 589, L. D. 781. I would like to speak briefly to that motion.

The SPEAKER: The question before the House now is the motion of the gentleman from Portland, Mr. Brennan, that item 2, House Paper 589, L. D. 781, and its accompanying papers be indefinitely postponed and the gentleman may proceed.

Mr. BRENNAN: This bill would permit municipal police officers to engage in high speed chases in order to catch someone who is guilty of a misdemeanor. My principal objections to the bill are safety reasons. I do not wish to denigrate the ability or the training of local police officers. Usually they are hardworking, sincere, underpaid public servants. But also, they usually are very poorly trained as distinguished from state police. The state police do this but they go to a school. They are professional policemen and this business of chasing cars

at high speeds is not proper work for amateurs.

And principally for safety reasons I oppose this bill. There have been many instances in the past few years where sheriffs and local policemen and state policemen themselves—but very rare as far as the state police are concerned, have been killed while engaged in these high speed chases. I think that the good that a bill such as this would do is far outweighed by its potential damage. For that reason, I move the indefinite postponement of this bill.

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

Mr. MILLS: Mr. Speaker and Ladies and Gentlemen of the House: This is the same bill we discussed and I explained yesterday. As far as this high speed maintenance is concerned, I wonder if the gentleman recognizes in his argument that he is promulgating to us here, the members of the House, that he is against the police trying to do the same thing which the hoodlums are doing, that in his argument he is pushing that they should go free and the police do nothing. I ask for a division on the motion.

The SPEAKER: The gentleman from Eastport, Mr. Mills, requests a division.

The Chair recognizes the gentleman from Houlton, Mr. Berman.

Mr. BERMAN: Mr. Speaker, Members of the House: This bill seems to have had a rather strange history. When this particular item was reached on the calendar yesterday, some of us were a little astonished at the form of the report, which strikes at the heart of our committee system, not only for this particular bill but for any other bill which may find itself in a similar situation. You see this bill was originally referred to our Committee on Judiciary and we had the usual hearing and we took it up in executive session and as I recall it was decided to report the bill out "Ought not to pass," just contrary to what happened yesterday. Well, the bill came back to the House with the com-



mittee report, I believe, "Ought not to pass" and then somebody got up and moved that it be recommitted. So back comes this item to us on the very same committee.

Now some of us on the committee, like Mr. Brennan and several others, were strongly concerned primarily for safety reasons about allowing the local constabulary to indulge in high speed chases for misdemeanors, outside the municipal jurisdiction. Our views were well known in the committee and were expressed. Now all of us know at this stage in the session, very few people can be at every executive session; and when the second executive session came up on this bill, it happened that several of us who were opposed to the bill were elsewhere.

However, instead of having the new committee report shown to each member before it was turned out, those favoring the bill apparently took the extraordinary, and I say they didn't do this deliberately, but it was an extraordinary maneuver of getting this report out in what seems to be a rather fast shuffle. Now, I don't think this was done deliberately, but it does make a little mockery out of established procedure as far as reporting bills out of committee. And perhaps for this reason alone the bill should be in jeopardy. For these procedures exist to protect all of us and if they are abused in any instance, the abuse is not a good reflection.

But the far more important point, ladies and gentlemen, is really the safety factor and yesterday a vital point was overlooked when this item came to the House on the shuffle because it took some of us quite by surprise. And the vital point is this, if a police officer of the state police in fresh pursuit in Maine carelessly kills or injures any man, woman or child, or damages property, the State of Maine is good enough to stand behind him with insurance to the extent of \$50,000. However, there seem to be some peculiar quirks in our

law when it comes to municipal officers. If you allow this little gem to become law, many of the local police are going to go out on a limb if they carelessly kill or injure any man, woman or child while on a fresh pursuit for a misdemeanor.

Under what seems to be an archaic law here in Maine, no municipality is responsible for the carelessness of its police officers while gunning motor vehicles up and down the highways in fresh pursuit. Now some of our municipalities are aware of this and they take out insurance in the same manner that the State of Maine takes out insurance, and the insurance company which does business with these municipalities very fairly agrees to waive the archaic municipal immunity. Now other communities take out insurance and they pay the taxpayers' hard earned money for premiums but the insurance policy does not agree to waive immunity.

So what happens when a policeman from town "A" barrels down the road over the line into town "B" on a misdemeanor and carelessly cripples a child for life? Your child or anybody's child. Well, if the town has no insurance the crippled child has recourse only against the careless policeman, and you can imagine what a financial responsibility some of these hard working and underpaid policemen have, and the crippled child has absolutely no legal recourse for hospital and doctor bills against the municipality. If by chance the town does have insurance, but the insurance company does not agree to waive the archaic immunity, the crippled child still gets nothing for her hospital and doctor bills.

All the young child gets is something like this — so sorry, yes, we crippled you. Yes, we bought insurance, but, but, the insurance company legally doesn't have to give you one nickel for your hospital and doctor bills because they are legitimately taking advantage of the old fashioned municipal immunity. Well, ladies and gentlemen, I don't think that

this is going to sit very well with people who are interested in the big picture and in fair play and I think for this second basic and vital reason is why you should refuse to go along with this bill and I sincerely support the motion of the gentleman from Portland, Mr. Brennan, for indefinite postponement.

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

Mr. ROSS: Mr. Speaker, Ladies and Gentlemen of the House: This recent turn of events rather surprises me. I thought I was getting a fifty-fifty break. I had two bills reported out of the Judiciary Committee yesterday, one of them unanimous "ought not to pass," that was driving while impaired, and this one I thought unanimous "ought to pass." Neither one of them were divided reports

Now to get down to the safety angle. The opponents of this bill are complaining that if a police officer is chasing somebody in fresh pursuit, and that is dangerous if he goes over a line. How about if he is chasing some guy who is really drunk and he stops at the line and the drunk goes on and kills somebody in the next town? That is just as dangerous to my way of thinking. And furthermore in these small towns where there's a line a town cop can chase a boy up to a line, the boy can turn around and make an indecent gesture towards the policeman and go on about his business once he gets across that line. I think it's a good bill and I hope the motion to indefinitely postpone is soundly defeated.

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

Mr. MILLS: Mr. Speaker, Members of the House: I submit to the members of this House that my good friend from Houlton, Mr. Berman, has offered you a defense of the hoodlum before he has been apprehended. As far as the theme of his safety talk was concerned on the child being hit by the police car, I will give you one question. How did the hoodlum car get by before the police

car got there without hitting this child?

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

Mr. PALMER: Mr. Speaker, Members of the House: I would like to make a little correction to Mr. Berman. In all of your insurance liability policies I think you will find out that it says to pay all sums which the insured shall be legally liable for. I think we still have courts in the State of Maine and if people are crippled the municipalities that have insurance certainly would have to pay regardless.

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

Mr. DUDLEY: Mr. Speaker, Members of the House: This is the very point that I would like to make. The insurance company does most certainly make these adjustments and so forth, but it sets forth in the law that municipalities are exempt. This is for sure and we would have to do some changing I am sure to change that law. And certainly they're not going to pay when they are exempt by statute, and all municipalities are exempt. I would like to further say that during my time as selectman in our town, I tried to make it easy for the officers in the Town of Howland to pursue into the Town of Enfield by appointing them as deputies in our town. Now my people didn't go along with this. They called a special town meeting and voted on that occasion that they didn't want officers from the Town of Howland or any other town in our town, our own deputies would take care of it. So I know how they feel about it and at the very next annual town meeting they had an article in the warrant to make sure that they didn't come into our town. Our own deputies would take care of our town and they didn't want them from Howland or Lincoln or any other town in our town. So I know how the people feel in the town that I represent. They don't want officers from these other towns.

We have state police that do a very good job in our area and in the whole State of Maine. And they want to keep our local officers. They pay them for what they get. They want them there on the job. And I feel as though I represent the Town of Howland. They have a full time paid man and they want to keep him within Howland so they can locate him if they have trouble or need him in a hurry. They want to know that he is in Howland, not down in Costigan or Greenbush or Old Town or some other place. And they feel strongly that they want him in their town and we feel strongly that we don't want him in ours, so I hope the motion to indefinitely postpone this will prevail.

The SPEAKER: The Chair recognizes the gentleman from Saco, Mr. Bedard.

Mr. BEDARD: Mr. Speaker, Members of the House: We have a situation between Biddeford, Saco and Old Orchard where the police cross their line to chase culprits that are over speeding or anything and we get along fine and nobody has been hurt.

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

Mr. LUND: Mr. Speaker, Ladies and Gentlemen of the House: This matter was debated somewhat in full yesterday and I don't intend to go over the points that were mentioned yesterday. However, Mr. Berman raises some questions today which make me wonder whether we are now debating the bill dealing with municipal liability which I understand is still in the committee or whether we are debating a measure dealing with police officers. Now I can't vouch for the procedures which are being utilized in the Judiciary Committee concerning the processing of their bills, but I do know something about the history of this bill. I was interested in it because I helped draft it.

When the bill first was reported out "ought not to pass," inquiry was made of committee members as to the reason for this report. I talked to three or four committee members at that time, none of

whom seemed to know what the reason was, and finally we learned that the committee was under the impression that there was already a statute which gave this right to police officers and therefore this law was unnecessary and that was the reason it was reported out. We were successful in getting it re-committed and I thought the matter was clear that there was no coverage in this state solving this problem although many other states — I would say probably most other states — do permit an arrest to be made in fresh pursuit.

Mr. Berman raises the point about insurance and I really can't see what that has to do with the bill. I think in general our municipalities insure and that insurance covers the employees of the municipality who are liable to suit. The employee himself, of course, does not have immunity. And the insurance would provide that type of coverage, I would suggest however, that if the problem is insurance, let us solve the insurance problem rather than trying to hamstring our officers. It follows with equal logic with the argument of Mr. Berman that we should therefore put speed limits on our police officers so that they cannot drive at a high speed and injure anybody. This, of course, would solve that aspect of the problem, but it wouldn't help in stopping the commission of crime.

We are talking about a bill that deals not only with high speed chases. I don't see where high speed chases got into this in such an important fashion. We are also talking about felonies. And it seems just a little ridiculous to me that under the laws of our state right now, if a police officer sees a felony committed, a murder or a shooting committed across his town line, if he makes an arrest beyond that town line he does so at his own peril and he may be sued by the person whom he has arrested.

I would suggest that if we had a problem with insurance coverage or financial responsibility let's try and solve that problem when it comes up and not try to solve it by hamstringing our officers.

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

Mr. BERMAN: Mr. Speaker, Members of the House: I would like to remind this House that the basic problem here is with safety on the highways in cases of misdemeanors. We have no quarrel so far as the felony is concerned and we certainly are not trying to hamstring the local police in carrying out their duties with regard to the far more serious crimes.

The SPEAKER: The question before the House is on the motion of the gentleman from Portland, Mr. Brennan, that this bill and its accompanying papers be indefinitely postponed. The gentleman from Eastport, Mr. Mills, has requested a division.

All those in favor of this Bill, "An Act relating to Jurisdiction of Municipal Police Officers in Fresh Pursuit," House Paper 589, L. D. 781, 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.

Fifty-five having voted in the affirmative and fifty-nine having voted in the negative, the motion did not prevail.

Thereupon, the Bill was passed to be engrossed.

Sent to the Senate.

#### Amended Bills

Bill "An Act relating to Employment of Minors under 16 Years of Age" (H. P. 342) (L. D. 445)

Resolve Authorizing Estate of Grace Haskell to Sue the State of Maine (H. P. 339) (L. D. 442)

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

#### Amended Third Reader Indefinitely Postponed

Bill "An Act Regulating Fly Fishing in Certain Portion of Kennebec River" (S. P. 425) (L. D. 1360)

Was reported by the Committee

on Bills in the Third Reading and read the third time.

The SPEAKER: The Chair recognizes the gentleman from Madison, Mr. Stoutamyer.

Mr. STOUTAMYER: Mr. Speaker, Ladies and Gentlemen of the House: I now move that this bill, Senate Paper 425, L. D. 1360, and all its accompanying papers be indefinitely postponed.

The SPEAKER: The question before the House now is on the motion of the gentleman from Madison, Mr. Stoutamyer, that this bill and its accompanying papers be indefinitely postponed. The gentleman may proceed.

Mr. STOUTAMYER: Mr. Speaker, Ladies and Gentlemen of the House: As a resident of the Kennebec valley and representing the people in Kennebec valley, I am definitely opposed to this bill. The Fish and Game Department is opposed to it as contrary to good conservation practices and I submit that if this bill read, An Act Allowing the Taking of One Deer of Either Sex in Certain Portions of the Kennebec Valley, it would make just as much sense.

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

Mr. COOKSON: Mr. Speaker and Ladies and Gentlemen of the House: I rise in support of the gentleman, Mr. Stoutamyer. This bill has been kicked around here back and forth between the House and the Senate. It originally came out "Ought not to pass" in Committee and I understand one of the amendments in the Senate, that first roll call, was to amend it to our yellow perch or something. I think it is time that we do away with it and I would like to concur with Mr. Stoutamyer.

Mr. Binnette of Old Town requested a division.

The SPEAKER: The gentleman from Old Town, Mr. Binnette, requests a division. The question before the House is on the motion of the gentleman from Madison, Mr. Stoutamyer, that this bill and its accompanying papers be indefinitely postponed. All those in favor of this bill and its accompanying papers being indefinitely postponed will kindly rise and re-

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

A division of the House was had. Seventy-five having voted in the affirmative and thirty-four having voted in the negative, the Bill was indefinitely postponed in non-concurrence and sent up for concurrence.

Bill "An Act relating to Property Tax Exemption for Pleasure Boats in the State for Storage or Repair" (H. P. 760) (L. D. 997)

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

The SPEAKER: The Chair recognizes the gentleman from Kennebunkport, Mr. Pendergast.

Mr. PENDERGAST: Mr. Speaker and Members of the House: After talking with several members of the Tax Committee, I now move that this bill be passed to be engrossed.

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

### Third Reader Amended

Bill "An Act relating to Length of Certain Motor Vehicles" (S. P. 489) (L. D. 1452)

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

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

Mr. GIFFORD: Mr. Speaker, I now offer House Amendment "B" under Filing No. H-331 and move its adoption.

The SPEAKER: The gentleman from Manchester, Mr. Gifford, now offers House Amendment "B" and moves it be adopted. The Clerk will read the amendment.

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

HOUSE AMENDMENT "B" to S. P. 489, L. D. 1452, Bill, "An Act Relating to Length of Certain Motor Vehicles."

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

"No motor vehicle, or combination of motor vehicle and trailer

or semi-trailer, except fire department vehicles, shall exceed in length 55 feet over all including all structural parts thereof, permanent or temporary, and any load carried thereon or therein: **except any load carried thereon shall not overhang the allowable limit by more than 5 feet."**

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

### Passed to Be Enacted Emergency Measure

An Act to Amend the Charter of the Searsport Water District (S. P. 508) (L. D. 1478)

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

### Emergency Measure

An Act Making Supplemental Appropriations for the Expenditures of State Government and for Other Purposes for the Fiscal Years Ending June 30, 1966 and June 30, 1967 (S. P. 534) (L. D. 1524)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a division was had. 126 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

### Emergency Measure

An Act to Increase Cigarette Tax Two Cents (H. P. 606) (L. D. 798)

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

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

Mr. ROSS: Mr. Speaker, Ladies and Gentlemen of the House: I

sponsored this piece of legislation. It is a major piece of taxation, but it has come this far without anyone saying a word about it. Probably I should let it go by in the same way, but I had been expecting a fight on it so I did do quite a lot of research and before the Taxation Committee I made quite a long presentation. Now, if only to launch it properly, I feel that brief excerpts from this might well be in order before we vote on the enactment.

Even though some of us have given up the habit, nevertheless we must be practical. Smoking is here to stay. Many people agree with the home blown philosophy that tobacco is the poor man's friend; it calms his mind, soothes his temper, makes him patient under difficulties, and in general has made more good kind men than any other thing on earth. Tobacco is one of the very few products given to the entire world by the natives of our country.

However, here we had a product which was scheduled for world wide prominence. The attention given this crop had far reaching social and economic implications. It became unique among the products of the soil.

Sir Walter Raleigh is credited with first bringing it to England and Ireland. At that time he persuaded Shakespeare, Bacon and Ben Johnson to try his new discovery. Upon so doing Johnson remarked, "Tobacco I do assert, without fear of contradiction, is the most soothing, sovereign and precious weed that mother earth tendered to the use of man."

Let's now look at the product. It was once written, "It is true that tobacco in some measure augments our power of judgment by exciting the nerves of the brain. This plant is, however, a veritable poison, and in the long run affects the sense of smell and sometimes the nerves of the eye. But man is always ready to impair his physical constitution provided he can strengthen his intellectual sentiment thereby."

Seventy percent of our tobacco crop is used domestically for the production of cigarettes, cigars and other tobacco products. Ninety-

five percent of this crop is sold to the highest bidder at warehouse auction. Approximately 700,000 farm families earn their living from the production of this item. The gross income for these farmers alone totals well in excess of one billion dollars. This crop requires much more than the usual percentage of farm labor. Approximately 400 man hours are needed to produce an acre of tobacco in contrast to 8 hours for an acre of wheat.

Cigarettes account for 83% of all tobacco consumed today. They came into their own when the cigarette machine was invented at the latter part of the 19th century. At the turn of the century, the annual production of cigarettes was four billion. Sixty years later, this had reached the astonishing figure of five hundred and seven billion. One of the other factors attributable to this remarkable increase was the blending of cigarette tobaccos. At the present time over 95% of the cigarettes made in this country are produced by the top six companies.

We have discussed the product a bit. Now let's consider the tax angle. Tobacco has always been the subject of taxation in most of the countries of this world. It has been a federal tax in the United States for nearly a century. At the present time our country receives a revenue from tobacco taxes in excess of two billion dollars. In addition, 47 states impose a tax on this product with receipts of over one billion dollars. This year many states propose to increase cigarette taxes. California suggests a five cent increase, Colorado—two cents, Iowa—two cents, New York—five cents, South Dakota—two cents, and Texas and Vermont—one cent. We recommend that our tax be increased from six to eight cents. Other totals are not much different than ours, New York's is now ten cents, Texas and Vermont—nine cents, Colorado—eight cents, and in addition fourteen others are now at the maximum of eight cents.

In conclusion, let me now quote a poem published many years ago by an unknown author:

Yes, dear—I fear,  
 I love another, strange to say.  
 Brunette—this pet,  
 And I am with her night and day.  
 Just now—I vow,  
 I pressed her fondly to my lips  
 The Kiss—was bliss,  
 And thrilled me to my fingertips!  
 Don't pout—she's out,  
 And you are sweeter, love my pet,  
 Altho—by Joe!  
 "She" was a darn good cigarette.

Thereupon, An Act to Increase Cigarette Tax Two Cents, H. P. 606, L. D. 798, being an emergency measure and a two-thirds vote of all members elected to the House being necessary, a division was had. 120 voted in favor of same and 5 against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

#### **Emergency Measure**

An Act to Correct Errors and Inconsistencies in Uniform Commercial Code and to Amend Certain Statutes to Conform There-to (H. P. 816) (L. D. 1107)

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

#### **Emergency Measure**

An Act relating to Borrowing Powers of East Corinth Academy (H. P. 1065) (L. D. 1443)

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. 124 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.

#### **Bond Issue Emergency**

An Act to Authorize the Construction of Housing for the Uni-

versity of Maine and the Issuance of not Exceeding \$6,000,000 Bonds of the State of Maine for the Financing Thereof (H. P. 264) (L. D. 346)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. In accordance with the provisions of Section 14 of Article IX of the Constitution a two-thirds vote of the House being necessary, a division was had. 121 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 Appropriating Money to Match Federal Funds Provided under Titles III and V-A of the National Defense Education Act (S. P. 56) (L. D. 117)

An Act relating to Use of Moneys Received from the Potato Tax (S. P. 490) (L. D. 1453)

An Act Relating to Compensation of and Per Diem Fees of Deputy Sheriffs (H. P. 261) (L. D. 331)

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.

An Act for Shrinkage Allowance on Motor Fuel for Service Stations (H. P. 557) (L. D. 873)

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

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

Mr. ROSS: Mr. Speaker, Ladies and Gentlemen of the House: At this late date I wouldn't want to step out of character. I have been defending the Highway Fund since the beginning of the session as you are probably well aware and I just want to warn the members of this House that this particular bill to the best available figures is going to cost the highway program two hundred and thirty-five thousand dollars for the biennium plus no end of auditing and bookkeeping

work. I will take a chance and move its indefinite postponement.

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

Mr. Lent of Scarborough requested a division.

The SPEAKER: The gentleman from Scarborough, Mr. Lent, requests a division.

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

Mr. BERNARD: Mr. Speaker, Members of the House: I was working on another amendment. About a week ago, we passed a bill in here allowing the exemption of the sales tax on the Bath Iron Works. We keep helping all our industries. We keep helping all big business, but just because this bill is for the small businessman of the state, we want nothing to do with it. I think this is one of the best bills that we ever had. I sincerely hope that when you vote you will think of the small businessman in the State of Maine.

The SPEAKER: Is the House ready for the question? The question before the House is on the motion of the gentleman from Brownville, Mr. Ross, that this bill and its accompanying papers be indefinitely postponed. The gentleman from Scarborough, Mr. Lent, 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.

Thirty-four having voted in the affirmative and seventy-five having voted in the negative, the motion did not prevail.

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

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An Act relating to Unlawful Practices under Unfair Sales Act (H. P. 989) (L. D. 1334)

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

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

Mr. FARRINGTON: Mr. Speaker, Ladies and Gentlemen of the House: I can well understand the proponents of this measure wanting this sort of protection. However, after talking with those in the Attorney General's Department, although this measure would be constitutional, they tell me it would be almost impossible to enforce. If you are familiar with laws now on the books that are almost impossible to enforce, visualize a person making a complaint, a businessman then having public money used against him for the purpose of trying to prove a point on an almost impossible measure. I could mention a great many instances, a great many cases, take up a great deal of your time here this morning, but I only say to you that we should not give our law enforcement officials and our judicial branch legislation or laws which are practically impossible to enforce.

I now move indefinite postponement of this bill.

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

Mr. Fecteau of Biddeford requested a division.

The SPEAKER: The gentleman from Biddeford, Mr. Fecteau, requests 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.

Forty-four having voted in the affirmative and sixty-five having voted in the negative, the motion did not prevail.

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



### Enactor Tabled and Assigned

An Act Establishing Maine Scale Rule for Logs (H. P. 1120) (L. D. 1530)

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

(On motion of Mr. Martin of Eagle Lake, tabled pending enactment and specially assigned for Thursday, May 20.)

An Act relating to the Exemption of Aeronautical Fuel from the Sales Tax (H. P. 1122) (L. D. 1532)

### Finally Passed

Resolve in favor of Development of State Park on Lower Range Pond, Poland, Androscoggin County (H. P. 303) (L. D. 406)

Were reported by the Committee on Engrossed Bills as truly and strictly engrossed, Bill passed to be enacted, Resolve finally passed, both 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:

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

Tabled—May 4, by Mr. Bishop of Presque Isle.

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 25.

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

HOUSE REPORT—"Ought not to pass"—Committee on State Government on Bill, "An Act Increasing Salary of Commissioner of Labor and Industry." (H. P. 23) (L. D. 26)

Tabled—May 11, by Mrs. Kilroy of Portland.

Pending—Acceptance.

The SPEAKER: The Chair recognizes the gentlewoman from Orrington, Mrs. Baker.

Mrs. BAKER: Mr. Speaker, I move that the bill be substituted for the report.

The SPEAKER: The question before the House now is on the motion of the gentlewoman from Orrington, Mrs. Baker, that we substitute the bill for the report. The gentlewoman may proceed.

Mrs. BAKER: Mr. Speaker, Members of the House: This department head has not had a salary commensurate with the work of the department and is far behind the other department heads.

Is it appropriate at this time to offer an amendment?

The SPEAKER: First we have to substitute the bill for the report and then the amendment may be presented after the second reading.

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

Mr. SULLIVAN: Mr. Speaker, I would like to ask through the Chair how much this particular head of the department draws for salary now.

The SPEAKER: The gentleman from Portland, Mr. Sullivan, has posed a question through the Chair to any member of the House. Any member of the House may answer the question if they so desire.

The Chair recognizes the gentlewoman from Orrington, Mrs. Baker.

Mrs. BAKER: Mr. Speaker, according to L. D. 26, the present salary is nine thousand dollars as commissioner and one thousand is for services as member of the Industrial Accident Commission.

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

Mr. SULLIVAN: Mr. Speaker, it appears to me that she, like a lot of the heads of other departments, are pretty well paid. In fact, in my opinion, some of them are overpaid. Thank you.

The SPEAKER: The Chair would like to recognize at this time in the balcony of the House, thirty-nine pupils of the eighth grade of Upper Kennebec Valley Memorial High School in Bingham, and they are accompanied by their teachers, Mr. Coval Conant, Social Studies and Mr. James Lewis, Mathematics. They are the guests of the gentleman from Moscow, Mr.

Beane. On behalf of the House the Chair welcomes this group and we hope that your visit will be both educational and enjoyable. (Applause)

The SPEAKER: Is the House ready for the question? The question before the House is on the motion of the gentlewoman from Orrington, Mrs. Baker, that we substitute the bill for the report. All those in favor of substituting the bill for the report will say aye; all those opposed will say no.

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

Seventy-five having voted in the affirmative and thirty-two having voted in the negative, the motion prevailed and the Bill was read twice.

Mrs. Baker of Orrington offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to H. P. 23, L. D. 26, Bill, "An Act Increasing Salary of Commissioner of Labor and Industry."

Amend said Bill by striking out in the 5th line the underlined figure "\$2,000" and inserting in place thereof the underlined figure "\$1,500"

Further amend said Bill, in section 2, by striking out in the 2nd line the figure "\$1,600" and inserting in place thereof the figure '\$1,125'; and by striking out in the 3rd line the figure "\$2,000" and inserting in place thereof the figure '\$1,500'

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

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

DIVIDED REPORT — Majority (8) — Committee on Retirements and Pensions on Bill, "An Act to Liberalize Credit for Out-of-State Service Under State Retirement Law." (H. P. 367) (L. D. 469) reporting same in New Draft (H. P. 1047) (L. D. 1418) under title of "An Act to Liberalize Credit for

Out-of-State Service for Teachers Under State Retirement Law," and that it "Ought to pass" — Minority (2) — "Ought not to pass."

Tabled — May 11, by Mr. Buck of Southport.

Pending — Motion of Mr. Kennedy of Milbridge to accept Minority "Ought not to pass" Report.

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

Mr. BUCK: Mr. Speaker, Members of the House: Whether or not it ought to be tabled again until the sponsor of the bill is present bothers me.

The SPEAKER: Is the gentleman making a tabling motion?

Mr. BUCK: I don't know the date when the lady will again be present and can any member —

Thereupon, on motion of Mr. Levesque of Madawaska, retabled pending motion of Mr. Kennedy of Milbridge to accept Minority "Ought not to pass" Report and specially assigned for Friday, May 21.

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

HOUSE REPORT — Committee on Labor on Bill, "An Act relating to Time of Payments of Benefits Under Employment Security Law" (H. P. 824) (L. D. 1054) reporting same in New Draft (H. P. 1092) (L. D. 1488) under same title, and that it "Ought to pass"

Tabled — May 11, by Mr. Gifford of Manchester.

Pending — Acceptance.

On motion of Mr. Gifford of Manchester, retabled pending acceptance and specially assigned for Friday, May 21.

The Chair laid before the House the fifth 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—May 11, by Mr. Levesque of Madawaska.

Pending—Acceptance of Either Report.

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

Mr. COTTRELL: Mr. Speaker and Ladies and Gentlemen of the House: The sponsor of this bill is not here, but in the interest of moving business along, I am going to attempt to defend her position and also the position of the teachers of the state in regard to this bill.

This is a very short little bill, apparently very innocuous looking and reading. It adds a sub-section to Title 20 dealing with powers of school boards. This bill would permit each school board in the state to make its own retirement rules and regulations concerning the retirement of teachers who have reached age 65. I think this bill is too loosely drawn and could lead to a great deal of confusion because you see you might have at least several hundred different sets of retirement rules for those teachers over sixty-five. At present and for a long time, our twelve thousand teachers have been living with most of the eight thousand state employees under the understanding that the terminal age will be age seventy for those teachers who might wish to continue to that age.

The present status now is that ten percent of our teachers are between the ages of sixty-one and seventy. There are a few who even are teaching beyond the age of seventy. The formula for retirement and retirement contribution is based on age seventy. And this bill really is not necessary. You might not know this, but teachers really do not have tenure in this state. Any school board with a six months notice can retire any teacher from year to year. Since it is unnecessary and since it is a bill which does not have the approval of the teachers and since there are many teachers who might have barriers thrown before them when they reach sixty-five in teaching further if they wish to. I might cite this example.

At Deering High School we have a very fine teacher, science teach-

er, sixty-seven years old who is going strong. We have another outstanding head of an English department who is getting toward the retirement age, who does not feel like retiring and who should not retire. There are many of us who have been fortunate enough to have our health and our interest. We have seemingly the ability to hold the interest of our students and believe me, if you don't hold the interest of your students, you're going to retire at fifty because that's just the way the teaching profession is. And so under these conditions with the Portland Teachers Association and the teaching in Portland griping to me about this bill I feel that I must move its indefinite postponement.

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

Mr. BERRY: Mr. Speaker and Members of the House: The gentleman from Portland phoned in a message and asked me to read it to you this morning in connection with this bill which supports the position of the gentleman from Portland, Mr. Cottrell. "Mr. Speaker and Members of the House As House Chairman of the Retirements and Pensions Committee, I would like to explain to you just what happened to L. D. 995, L. D. 995, if passed, would result in many injustices to capable teachers, well-trained and mentally alert enough to continue teaching to the present retirement age of seventy. Teachers are individuals with varying mental capacities and abilities. We should not pass legislation which would place all teachers in one category and let school boards give them one big shove out the school door at age sixty-five. I will give the following example of another serious matter for consideration. One teacher may be sixty and another teacher may be sixty-four. When the sixty-four old teacher becomes sixty-five she reaches the grand finale of her career with all of her friends in her age bracket, regardless of how their financial responsibilities have been budgeted. About five years later the school board changes membership and begins to realize the unfair situation

existing and recognizes the predicament the retired teacher is in. The new school board makes different retirement rules and changes them to seventy. So the sixty year old teacher who five years later is now sixty-five can work another five years and therefore this shows the injustice to all teachers previously retired. There is no justice in such legislation.

"School boards should have the courage to retire the individual who is no longer capable of doing the job. They should not be asking to hide behind the legislative skirts to do their own work. Teachers have budgeted and planned their financial situation according to their jobs and this legislation is not constitutional. The Committee on Retirements and Pensions in an executive session with Mr. Wallace from the retirement board at one time voted nine ought not to pass. Since then they have had another session and I cannot understand their reasoning for this unjust committee report, signed Mrs. Catherine Carswell."

I would like ladies and gentlemen of the House to add my own personal support to this and hope that the measure will be defeated. We are faced with a shortage of teachers in the State of Maine and certainly some of them are at the pinnacle of their teaching ability when they are age sixty-five. I hope the motion prevails.

The SPEAKER: The question before the House is on the motion of the gentleman from Portland, Mr. Cottrell that this bill and its accompanying papers be indefinitely postponed. All those in favor of this bill and its accompanying papers being indefinitely postponed will say aye; all those opposed will say no.

A viva voce vote being taken, the motion prevailed.

Sent up for concurrence.

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

HOUSE REPORT — Committee on Health and Institutional Services on Bill, "An Act relating to Practical Demonstrations Without Fee in Schools of Hairdressing and Beauty Culture." (H. P. 804)

(L. D. 1096) reporting same in New Draft (H. P. 1127) (L. D. 1537) under same title and that it "Ought to pass"

Tabled—May 13, by Mr. Gaudreau of Lewiston.

Pending—Motion of Mr. Poulin of Skowhegan to Indefinitely Postpone.

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

Mr. GAUDREAU: Mr. Speaker, Ladies and Gentlemen of the House: I am the sponsor of this bill and will try to explain it as briefly as possible.

This bill will only change the present practice of a majority of the beauty schools. The so-called clinics will be clinics in the true sense of the word, where the emphasis will be on the training of the student instead of on the money taken in from the model who is, in reality, a paying customer.

Information from reliable sources reveal that the growing menace is taking place all over the nation regarding the welfare of these students and suggests that a method must be found to correct these abuses. Furthermore, the present system of operating a school destroys the opportunity for the student to obtain a job and build up a following, the result being that the school ends up with the students tuition, plus the customers which she needs to establish her job and build her following. This is the reason why we find a high percentage of the graduates ending up in other types of work.

The present training system I believe is detrimental, as it does not allow the free exchange of constructive criticism so necessary between the student and the instructor, due to the fact that at all costs the model must be treated as a customer, so that she will return regularly.

It is my opinion that a great majority of the schools are operating as cut-rate beauty parlors, with the net result that the student suffers and the industry of hairdressers and cosmetologists suffers.

This bill came out of committee unanimous ought to pass. I hope

that the motion to indefinitely postpone does not prevail and I ask for a division.

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

Mr. POULIN: Mr. Speaker, Ladies and Gentlemen of the House: This is a bill between the hairdressers and less than a dozen schools in this state. Now we're all for training schools as a matter of taking care of dropouts, giving the poor people a chance to get a little better education. Now if this bill goes through your tuition fees are going to be doubled. Now for example in Skowhegan, which is a nine months course, would be approximately twelve hundred dollars instead of five hundred and fifty. All the other fees that they charge—the fees that they do charge are to keep this tuition fee down. Two-thirds of these people that apply to the school to learn the trade have to have a part time job to remain there. They do not all have sponsors that can afford the 12 or 14 hundred dollars a year. The people that are serviced are people that cannot afford to go to a fancy beauty parlor and drop twenty-five or thirty dollars. A lot of these, instead of buying two Toni kits at \$1.98 apiece, will save too and go to one of these schools to let people practice on their heads. Not everybody is willing to let somebody else practice on their hair. The girls do make mistakes. That is expected when you go into a school.

So the only thing the bill would do would be not to help the girls, it wouldn't hurt the schools because the schools will get their money eventually, but it will be detrimental to these young people. Thank you.

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

Mr. BINNETTE: Mr. Speaker, Ladies and Gentlemen of the House: As the House Chairman, Mrs. Carswell, is presently out due to illness I will try to justify our Committee's action, in reporting this bill unanimous ought to pass.

We had an excellent hearing, in fact that hearing lasted about four hours. We had a room filled

up with beauticians and school operators, we had many proponents and many opponents. And we had that in our committee for deliberation for considerable time. It was redrafted and at the redraft I believe that the committee was unanimous in accepting that new draft. And therefore I believe that we should not go along with that motion to indefinitely postpone.

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

Mr. HAUGEN: Mr. Speaker, Ladies and Gentlemen of the House: I would like to concur with the gentleman from Old Town, Mr. Binnette and as a member of the Committee, no other bill before our committee this session had more thought and more deliberations than this one. It was very thoroughly gone over and we think that in this new draft we've come up with a new draft that's fair to all concerned. With the permission of the House I would read a statement from Representative Carswell, who is ill, which was telephoned in this morning.

"As House Chairman of the Committee on Health and Institutional services, may I take this opportunity to defend the unanimous ought to pass committee report of L. D. 1096 in the new draft 1537.

Much of the information at the public hearing indicated that some schools were emphasizing the business aspect rather than student training. It seemed to be feared that schools were operating on the basis of cut-rate beauty salons and overloading the students with work on customers even to the extent of taking them out of class when the so-called customers arrived for hairdos. This being a nationally recognized problem according to trade magazines, shop owners who hire girls when they leave school complained that students are not properly trained for shop work.

I believe that each member of the committee made up his or her mind on the testimony presented at the hearing and from the mail received complaining about this problem.

The student who has paid money for this training course stands to

lose a great deal by such practices and I believe the problem should be legislated out of existence.

Signed, Mrs. Catherine Carswell"

I certainly hope that the motion of the gentleman from Skowhegan, Mr. Poulin, to indefinitely postpone does not prevail.

The SPEAKER: The Chair at this time would like to recognize in the balcony of the House 27 pupils of the Journalistic and Civics group at Penobscot Valley High School at Howland, accompanied by their teacher, Mrs. Gladys Holmes. They are the guests of the gentleman from Enfield, Mr. Dudley and the gentleman from Kingman Township, Mr. Starbird.

On behalf of the House the Chair welcomes you and we hope that your visit will be both educational and enjoyable. (Applause)

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

Mrs. RUBY: Mr. Speaker and Ladies and Gentlemen of the House: This is one bill which I feel should be debated to the fullest. Hairdressing is called a trade. I feel that it is a profession and one that is outstanding. It is a profession that carries a great deal of responsibility. A poorly trained hairdresser is a danger to the community. It is his or her responsibility not only to make the ladies beautiful, but in this day and age when tints and dyes are used one has to be thoroughly and properly trained. Now let us turn to the newly graduated young thing just out of school. She has had the required number of hours under the supervision of a qualified instructor, but now she is on her own. She must make her own decisions, something she has not had to do much before. This bill has been designed to protect her. Many a young girl has gone into debt to own her own shop only to later file bankruptcy or put her parents in debt. In order to be successful she must have a following. Now the patrons are not going to be

there the minute the sign goes on the door. It takes time to build up a following. The first customer has got to walk in, she must be satisfied and tell her friends and this takes time. Can she afford this wait?

Now we have to keep in mind that she has gone in debt to the tune of perhaps 15 hundred dollars to get the equipment and open up this shop. She has had no experience in running a shop, how much it is going to cost for rent, how much she has got to earn to pay off her debts. Now this is what is going to protect this little girl. If she has to work under a trained operator for one year she is going to gain practical experience that she has not had in the school. Now there are no two heads of hair alike. There are many tricks in this trade, ladies and gentlemen, that a young girl must recognize and the only way she is going to recognize them is through practical experience with someone who has had more experience than has she. It's too bad for these young girls to come out of these schools with that certificate in their hand, because when it's in their hand they feel that they have earned and are as good as a seasoned operator and they are not.

Now, let us get down to the schools. Are they in this business to make money or are they interested in the finished product? I am beginning to wonder. I attended the hairdressers examinations yesterday and believe me I was thoroughly disappointed. These girls are not ready. They just are not ready to go out on their own and open up their own shop and run it. They haven't had the experience, many of the youngsters yesterday failed because they didn't even know how to hold the implements to give a manicure. I saw heads of hair rolled with fish hooks that never should be. When that head of hair comes out from underneath the dryer it is going to be all frizz. But this is practical experience. They need this, they need this guidance in a shop and I think ladies and gentlemen if we indefinitely postpone this bill we

are making a very, very, very serious mistake and we are going to hurt these young kids that are coming out of school. We're trying to protect them; they need this protection so I ask you, think about it seriously and let's give these girls a real chance. Experience for a year. Thank you.

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

Mr. POULIN: Mr. Speaker, speaking of experience. I don't believe the hairdressers that we have today pulled their trade out of the sky. They had to go to school also. Now as far as schools go. The school that isn't competent, doesn't produce graduates that can pass the state exam, I believe will lose their place due to the fact that a person who gets a diploma and it turns out that he hasn't got the proper education will certainly not recommend that school to neighbors or anyone else. So I think this is an injustice to the young girls. You can't buy experience. You've got to get it and you're going to have to go through school to get it. And when you start out on your own you're going to have to gamble, anybody who goes into any kind of a business you involve yourself in a gamble. If you prove yourself incompetent you just lose, but unless you try, if you don't succeed at least you've had the satisfaction of saying well, I tried. Thank you.

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

Mr. BERMAN: Mr. Speaker, I've been looking at this new draft 1537 from the legal point of view perhaps so I would like to pose a question through the Chair to any member of the House as to why this bill is limited to beauty schools and apparently is not applicable to barber schools.

The SPEAKER: The gentleman from Houlton, Mr. Berman, poses a question to any member of the House. Any members of the House may answer if he so desires. The Chair recognizes the gentleman from South Portland, Mr. Haugen.

Mr. HAUGEN: Mr. Speaker, Ladies and Gentlemen of the House: To answer the gentleman from Houlton's question, Mr. Berman, I would answer in this way. In the state at the present time there is only one barber school and there are eleven beauty schools and I — there is a completely different problem concerning competition here than there would be between barbering and hairdressing.

The SPEAKER: The question before the House is on the motion of the gentleman from Skowhegan, Mr. Poulin, that this Bill and all of its accompanying papers be indefinitely postponed. The gentleman from Lewiston, Mr. Gaudreau has requested that when the vote is taken it be taken by a division. All those in favor of this Bill "An Act relating to Practical Demonstrations Without Fee in Schools of Hairdressing and Beauty Culture," H. P. 1127, L. D. 1537 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.

Thirty having voted in the affirmative and ninety-one having voted in the negative, the motion did not prevail.

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

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

**DIVIDED REPORT** — Majority (6)—Committee on State Government on Bill, "An Act Creating the Land Compensation Board Relating to Soil Conservation" (H. P. 302) (L. D. 405) reporting that it "Ought not to pass"—Minority (4) —reporting same in a New Draft (H. P. 1125) (L. D. 1535) under title of "An Act relating to Condemnation by Soil and Water Conservation Committee," and that it "Ought to pass"

Tabled—May 13, by Mr. Storm of Sherman.

Pending—Acceptance of Either Report.

The SPEAKER: The Chair recognizes the gentleman from Harrison, Mr. Pitts.

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

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

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

Mr. ANDERSON: Mr. Speaker, I concur with the gentleman Mr. Pitts. It seems to me that we are going too far in our interpretation of eminent domain. In essence, this bill, if passed, would mean that any farmer with a nice rich acreage of cultivated soil would be in danger of losing it. I heartily concur with the motion to indefinitely postpone.

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

Mr. LIBHART: Mr. Speaker, Ladies and Gentlemen: Explaining the committee's minority report, the people on this board feel that some of their efforts have been stymied because they lack the power of eminent domain. So that when a landowner who has a small piece of land that they're desirous of buying for a legitimate purpose under the law refuses to sell unless a very large price is paid, they feel that the power of eminent domain just being on the books would be a valuable one to them because if the landowner knew that under the proper circumstance the land could be taken by eminent domain the price would become reasonable. It seemed to us that signed the minority report in the new draft, which by the way we feel takes care of many many problems which were presented at the committee hearing, it seemed to us that if we're going to have a law on our books establishing the committee, establishing the work for the committee in setting up the criterion they're supposed to use and actively backing their work

with State of Maine money as well as Federal money, that they should have sufficient power to do the work they are entrusted to do. That in a nutshell is the feeling of the four man minority who signed the minority report.

All kinds of arguments were made against the bill that it was another encroachment on the rights of the individual. I want to remind you folks that when we're speaking of eminent domain, there must be a public purpose before any eminent domain can be entertained. The eminent domain provided in this bill could not be used in the case of a power company or public utility owning land. I think if you read the bill carefully you'll see that it was very carefully drafted to protect as many rights as possibly could be protected and still give this Soil Conservation Committee the powers it needs to do the work assigned to it by the statutes. It seems to me that if we're going to have state functions in this area that we should give them the powers they need to function properly.

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

Mr. STORM: Mr. Speaker and Members of the House: As an organizer and for many years a supervisor of the first Soil Conservation District that was organized in the State of Maine, I have many times defended them and their programs on the floor of this House. Today, I find myself rising in support of the motion for indefinite postponement. And I would like to explain why.

When this Soil Conservation setup came into being some 25 or more years ago, it served a very definite need in the farming communities. We got some technical supervision and aid to individual farmers. It was wholly a voluntary deal. We worked with farmers if they wanted us to work with them. If they didn't, all they needed to do was to say so. And to me that is the way it should be. This program, like many others which are partially financed and partially supervised by federal funds and federal men, has tended



to grow and to mushroom in many directions which none of us at that time could foresee.

Two years ago a similar bill was introduced to the legislature. I was not a member of the legislature at that time and one day in the middle of the winter I received a telephone call from one of the supervisors of the district in our area asking me to accompany a group of them down to Augusta to the hearing on this bill and appear for it. I agreed and we came down here. I had not had a chance to see the bill until I got into the State House. After sitting through that hearing I not only did not speak for it, but I came away thoroughly opposed to it because I felt that it was too broad and too far reaching. It had a very long and a very involved hearing and both sides had a chance to present their case very thoroughly. On the way home that evening there were four of us in the car. Three of them were supervisors, presently supervisors of our district and I was a visitor. Two of those supervisors agreed with me that this bill went a lot further than they had any idea of and they hoped it would be defeated. And I have studied this one and it not only calls for taking in a whole area, that is, we might say go in on a road and take every farm on the road into the project. It will allow them to cross town lines and county lines. And it seems as if it is altogether too sweeping a deal to go into at this time and I heartily support the motion to indefinitely postpone.

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The SPEAKER: The Chair would request the Sergeant-at-Arms to escort the gentleman from Madawaska, Mr. Levesque, to the rostrum to serve as Speaker pro tem.

Thereupon, Mr. Levesque of Madawaska assumed the Chair as Speaker pro tem and Speaker Childs retired from the Hall of the House.

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Mr. Anderson of Ellsworth requested a division.

The SPEAKER pro tem: The gentleman from Ellsworth, Mr. Anderson, requests a division. The

Chair recognizes the gentleman from Portland, Mr. Edwards.

Mr. EDWARDS: Mr. Speaker and Ladies and Gentlemen of the House: I was a signer of the Minority Report and I would like to give you my reasons for signing it.

In the first place these watershed projects are not started by the state, they are initiated in the communities where they take place. The people there in the community must get together and request the state to come in and start a watershed project. Now, watershed project covers thousands of acres of land many times, and it means building several small dams in various spots throughout this acreage for flood control and for control of the water shed. Now this project can be approved by the community. It can be started by the state and one farmer, one man, can hold up the entire project against the good of the entire community. This is not a sweeping or far-reaching thing. It simply guarantees to the state that once they get into one of these projects they will be able to complete it and that it will be effective, because these dams are like a chain and each dam is a link in that chain. And the project is only as good as its weakest link and if they have a dam missing the whole project might as well go down the drain.

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

Mr. COOKSON: Mr. Speaker, Members of the House: Two years ago we had this almost identical bill before us and we went over it and over it. And being from a rural area and representing rural people who are directly working with these conservation people all the time, we firmly feel that this is a very bad bill because they can come in, they can take your land, they can do anything they want to, and you cannot do a thing about it. It started very moderate like and as each session of this Legislature goes on they try to add a little more. It is in direct competition

as the way we feel as far as dams on streams, as far as building fishways. It will disrupt a great many things. So I am definitely in favor of its indefinite postponement.

The SPEAKER pro tem: Is the House ready for the question? The question before the House is on the motion of the gentleman from Harrison, Mr. Pitts, that this bill and all its accompanying papers be indefinitely postponed. A division has been requested. All those in favor of this Bill "An Act Creating the Land Compensation Board Relating to Soil Conservation," House Paper 302, L. D. 405 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 four having voted in the affirmative and sixteen having voted in the negative, the Bill and accompanying papers was indefinitely postponed and sent up for concurrence.

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

Bill, "An Act Amending the Pittsfield School District." (S. P. 506) (L. D. 1474)

Tabled—May 13, by Mr. Beane of Moscow.

Pending—Passage to be En-grossed.

Mr. Beane of Moscow offered House Amendment "A" and moved its adoption.

House Amendment "A", being Legislative Document 1543, Filing H-320, was read by the Clerk.

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

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

HOUSE REPORT—"Ought not to pass"—Committee on Appropriations and Financial Affairs on Resolve, to Provide Funds for Additional Personnel for the

Southern Maine Vocational-Technical Institute at South Portland." (H. P. 390) (L. D. 502)

Tabled—May 14, by Mr. Haugen of South Portland.

Pending—Acceptance.

Thereupon, the "Ought not to pass" Committee Report was accepted and sent up for concurrence.

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

HOUSE REPORT—"Ought to pass" as Amended by Committee Amendment "A"—Committee on Legal Affairs on Bill, "An Act Providing for Registration of Land Surveyors." (H. P. 925) (L. D. 1215) (C. "A" H-334)

Tabled—May 17, by Mr. Peaslee of Farmingdale.

Pending—Acceptance.

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

Mr. DUMONT: Mr. Speaker, I now move that this item lay upon the table until Thursday, May 20.

The SPEAKER pro tem: The gentleman from Augusta, Mr. Dumont, now moves that this lie upon the table until May 20.

Mr. Berry of Cape Elizabeth requested a division.

The SPEAKER pro tem: The gentleman from Cape Elizabeth, Mr. Berry, requests a division on the tabling motion. All those in favor of this lying upon the table until May 20, will rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Sixty-seven having voted in the affirmative and forty-two having voted in the negative, retabled pending acceptance and specially assigned for Thursday, May 20.

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

Bill, "An Act Amending the Banking Laws." (S. P. 379) (L. D. 1216) (C. "A" S-196)

Tabled—May 17, by Mr. Boissonneau of Westbrook.

Pending — Passage to be En-grossed.

Mr. Bernard of Sanford offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to S. P. 379, L. D. 1216, Bill, "An Act Amending the Banking Laws."

Amend said Bill, in section 8, by striking out in the 2nd line of paragraph B of subsection 5 the underlined word "Class" and inserting in place thereof the underlined word "Group"

Further amend said Bill, in section 8, by inserting before the semi-colon in the 2nd line of paragraph C of subsection 5 the following underlined words "and within the limitations thereof"

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

At this point, Speaker Childs returned to the rostrum.

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

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

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

DIVIDED REPORT — Majority (9)—Committee on Labor on Bill, "An Act to Provide for Fair Minimum Wages for Construction of Public Improvements." (H. P. 743) (L. D. 980) reporting same in New Draft (H. P. 1124) (L. D. 1534) under same title, and that it "Ought to pass"—Minority (1)—"Ought not to pass"

Tabled—May 17, by Mr. Levesque of Madawaska.

Pending—Motion of Mr. Benson of Southwest Harbor to Indefinitely Postpone.

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

Mr. DUMONT: Mr. Speaker, Ladies and Gentlemen of the House: I rise in support of the majority of nine, minority of one "ought to pass" report on this L. D. This bill was given a fair and lengthy hearing and the redraft came about to meet the objections of some of the opponents at the public hearing. And I hope that this body will see fit to support this strong majority report.

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

Mr. BENSON: Mr. Speaker, Ladies and Gentlemen: Very simply and quickly this bill will increase the cost of the general public improvements and I will read from the bill just what these improvements are. "... construction of buildings, roads, highways, bridges, streets, alleys, sewers, ditches, sewage disposal plants, waterworks, airports and all other structures or works whether private or public on which construction work, . . . is performed."

It seems to me that this is rather complete language. I think that this is all I'll say now in support of the indefinite postponement motion.

The SPEAKER: The Chair recognizes the gentleman from Madison, Mr. Stoutamyer.

Mr. STOUTAMYER: Mr. Speaker, Ladies and Gentlemen of the House: I contacted the town officials of the towns I represent last evening and they are all definitely opposed to this bill. Some of the construction projects included, or areas included, in this bill are those areas that I'm engaged in and personally I resent being treated as a dumb driven oxen that needs protection. I feel that I am capable of taking care of myself and I am no more than average.

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

Mr. LEVESQUE: Mr. Speaker, Ladies and Gentlemen of the House: It has been the feeling of the Committee on Labor that has heard this document that granted in some areas there might be an increased cost due the municipali-

ties, although most municipalities in this state, or the biggest majority of municipalities in this state, that now have construction of this nature have neither the equipment nor the facilities to go into these construction programs. It has been pointed out before the committee that in some instances the contractors that have gone into these different towns have used strictly and solely imported labors at inferior wages to do this type of labor in our own state.

Now it has been the feeling of the committee and by the committee report, it was reported nine to one in favor of this report that these should be somewhat restricted. And because of these towns having these different construction projects, not having the facilities, not having the sufficient available laborers that these bids are put out on contract throughout the course of the year. Some of it can be done in the spring, some of it has to be done in the summer, and some in the late fall. So it is the feeling of the committee that this would not necessarily create too many burdens throughout the state but would only make for these constructions an even cost throughout the State of Maine and eliminate some of these inequities. So I hope that you will vote against the motion to indefinitely postpone.

Mr. Stoutamyer of Madison requested a division.

The SPEAKER: The gentleman from Madison, Mr. Stoutamyer, requests a division.

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

Mr. BENSON: Mr. Speaker, I would like to pose a question through the Chair to any proponent of this measure. I have noticed in the original bill, which is L. D. 980, there is an appropriation of \$8,382 called for in the 65-66 year and in 66-67 there is \$9,951 called for. In the redraft, I find that an appropriation of \$1,000 is called for to carry out the purposes of this act. I would like to know why the large discrepancy in figures.

The SPEAKER: The gentleman from Southwest Harbor, Mr. Ben-

son, has posed a question to any member of the House and any member of the House may answer if he so desires. The Chair recognizes the gentleman from Augusta, Mr. Dumont.

Mr. DUMONT: Mr. Speaker and Members of the House: In answer to that question, it was found while the redraft was in process that most of the figures that the Department of Labor would necessitate in arriving at fair minimum wages are now on record at the Employment Securities Commission. So it would just be a matter of copying records or a little effort on the part of one clerk to transcribe these different rates and also to clarify the point Mr. Levesque brought out the redraft of 980 excludes municipal work.

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

Mr. MARTIN: Mr. Speaker, Members of the House: I would read one section from the bill itself which is section 1305 for the benefit of the members of the House who have not read it. It says and I quote: "It is declared to be the policy of the State of Maine that a wage of no less than the prevailing hourly rate of wages for work of a similar character in this State in which the construction is performed, shall be paid to all workmen employed by or on behalf of any public authority engaged in the construction of public improvements."

Certainly, Mr. Speaker and ladies and gentlemen of the House, this is not unjust. I would point out to the members of the House that thirty-four states of the fifty states has statutory provisions which require payment of prevailing wages on public works. Certainly Maine cannot be so right as far as the present situation is concerned. I certainly hope that every member of the House votes against indefinite postponement of this bill.

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

Mr. BREWER: Mr. Speaker, Members of the House: I have

some figures that have just been brought down here from the Department of Labor and Industry and they are in contrast to the thousand dollars that is asked for in the redraft. And the Department of Labor and Industry say that the provisions of this act cannot be administered for that amount of money. The amount of money which they say they need to administer is \$83,082 for the first year of the biennium and \$9,951 in the second year of the biennium, which are the figures that were in the original bill.

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

Mr. LEVESQUE: Mr. Speaker, Ladies and Gentlemen of the House: The figures now stated by the gentleman from Bath, Mr. Brewer, were correct in the original bill. In the original bill it called for the Department of Labor and Industry to determine the prevailing wage on a county or regional basis. That's why it was felt that those two sums of money were needed so that the department could go into the area and determine what were the prevailing wages in the area or the county. In this new draft this has been changed and they are going to use the official figures from the Employment Security Office which covers state-wide figures. So, it is the feeling of the committee that for a thousand dollars a lot of correspondence could be done between the Department of Labor and the Employment Security Commission to get these figures and establish a prevailing wage rate for the State of Maine.

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

Mr. HUNTER: Mr. Speaker, Ladies and Gentlemen of the House: I have checked on this and I have come to the conclusion that this is a bad bill for the towns and when the vote is taken I request a roll call.

The SPEAKER: The gentleman from Clinton, Mr. Hunter, has requested that when the vote is taken that it be taken by the yeas and nays. For the Chair to order

a roll call it must have the expressed desire of one-fifth of the members present. All those in favor of the vote being taken by the yeas and nays will kindly rise and remain standing until the monitors have made and returned the count.

A sufficient number arose.

The SPEAKER: Obviously more than one-fifth having arisen, the yeas and nays are in order.

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

Mr. COOKSON: Mr. Speaker, Members of the House: I would just like to remind the members of this House that especially in these smaller towns and smaller communities this is going to be very unpopular, this bill, with the taxpayers. You just can't give it to them until you take it away from them. Let's remember that.

The SPEAKER: The Chair would like to recognize at this time in the balcony of the House, ten pupils of the Senior Class at Andover High School, accompanied by Charles Cutting, their teacher and selectman at Andover. They are the guests of our very distinguished gentlewoman from Bethel, Mrs. Lincoln.

On behalf of the House the Chair welcomes this group and we hope that your visit will be both educational and enjoyable. (Applause)

The SPEAKER: Is the House ready for the question? The question before the House is on the motion of the gentleman from Southwest Harbor, Mr. Benson, that this Bill "An Act to Provide for Fair Minimum Wages for Construction of Public Improvements," House Paper 1124, L. D. 1534, and its accompanying papers be indefinitely postponed. If you are in favor of this Bill and its accompanying papers being indefinitely postponed, when your name is called you will answer either yes or yea; if you are opposed to this Bill and its accompanying papers being indefinitely postponed, when your name is called you will

answer either no or nay. The Clerk will call the roll.

### Roll Call

YEA — Anderson, Ellsworth; Avery, Baker, Orrington; Beane, Benson, Southwest Harbor; Berman, Berry, Bishop, Boissonneau, Bradstreet, Bragdon, Brewer, Buck, Burwell, Carter, Cookson, Crosby, Davis, Doyle, Dunn, Erwin, Evans, Farrington, Gifford, Hanson, Gardiner; Harriman, Harvey, Windham; Hawes, Hawkes, Haynes, Huber, Hunter, Clinton; Jewell, Kennedy, Lang, Lewis, Libhart, Lincoln, Littlefield, Lund, Lycette, Meisner, Millay, Mosher, Norton, Payson, Pendergast, Pike, Pitts, Prince, Rackliff, Richardson, Cumberland; Richardson, Stonington; Roberts, Ross, Brownville; Sahagian, Sawyer, Scott, Storm, Stoutamyer, Susi, Waltz, Watts, White, Guilford; Wight, Presque Isle; Young.

NAY — Anderson, Orono; Baker, Winthrop; Baldic, Bedard, Benson, Mechanic Falls; Bernard, Binnette, Birt, Blouin, Bourgoin, Brennan, Bussiere, Carroll, Champagne, Conley, Cote, Cottrell, Curran, Cushing, D'Alfonso, Danton, Dostie, Drigotas, Drouin, Dumont, Edwards, Eustis, Faucher, Fecteau, Fortier, Fraser, Mexico; Fraser, Rumford; Gaudreau, Gauvin, Gilbert, Gillan, Glazier, Graham, Hammond, Harvey, Bangor; Haugen, Healy, Hunter, Durham; Jalbert, Katz, Keyte, Kilroy, Kittredge Knight, Laberge, Lane, Lebel, Lent, Levesque, Lowery, Martin, McKinnon, Mills, Mitchell, Nadeau, Palmer, Peaslee, Poulin, Ross, Bath; Roy, Ruby, Searles, Sullivan, Truman, Wheeler, Whittier, Wood, Wuori.

ABSENT — Carswell, Cressey, Crommett, Dickinson, Dudley, Hanson, Lebanon; Harvey, Woolwich; Hoy, Jordan, Starbird, Ward.

Yes, 66; No., 73; Absent, 11.

The SPEAKER: Sixty-six having voted in the affirmative and seventy-three having voted in the negative, and eleven being absent, the motion to indefinitely postpone does not prevail.

Thereupon, on motion of Mr. Levesque of Madawaska, the Majority "Ought to pass" Report was

accepted, the New Draft read twice and tomorrow assigned.

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

SENATE REPORT—Committee on State Government on Bill, "An Act Increasing Compensation of Members of the Legislature" (S. P. 460) (L. D. 1396) reporting same in New Draft under title of "An Act Increasing Compensation of Members of the Legislature, the Governor, Court Justices and Certain Department Heads." (S. P. 520) (L. D. 1497), and that it "Ought to pass".

Tabled—May 17, by Mr. Bragdon of Perham.

Pending—Acceptance in concurrence.

Thereupon, the "Ought to pass" Committee Report was accepted in concurrence and the New Draft read twice.

Mr. Kennedy of Milbridge offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to S. P. 520, L. D. 1497, Bill, "An Act Increasing Compensation of Members of the Legislature, the Governor, Court Justices and Certain Department Heads."

Amend said Bill by striking out in the Title the words and punctuation "Members of the Legislature, the Governor,"

Further amend said Bill by striking out all of sections 1, 2 and 3.

Further amend said Bill, section 5, by striking out in the 5th line the underlined figure "\$19,000" and inserting in place thereof the underlined figure '\$18,000'; and by striking out in the 7th line the underlined figure "\$20,000" and inserting in place thereof the underlined figure '\$19,000'; and by striking out in the 8th line the figure "\$9,000" and inserting in place thereof the figure '\$4,500'; and by striking out in the 9th line the figure "\$12,000" and inserting in place thereof the figure '\$6,000'

Further amend said Bill by striking out in the 5th line of section 6 the underlined figure "\$18,500"

and inserting in place thereof the underlined figure '\$17,500'; and by striking out in the 7th line the figure "\$13,500" and inserting in place thereof the figure '\$6,750'; and by striking out in the 8th line the figure "\$18,000" and inserting in place thereof the figure '\$9,000'

Further amend said Bill by striking out all of section 9.

Further amend said Bill by renumbering sections to read consecutively.

The SPEAKER: The gentleman may proceed.

Mr. KENNEDY: Mr. Speaker, Ladies and Gentlemen of the House: I would prefix my remarks by saying that this House Amendment is offered by the individual, the gentleman from Milbridge, Mr. Kennedy, rather than a member of the Republican Party. And I want this very emphatically emphasized.

You will note in this amendment, which is under Filing H-309, it strikes out all of the increases as proposed by the legislative document 1497. The reason I am asking that the increase in the salary for the individual legislator be struck is because of the fact that the last session of the Legislature was very generous to its membership. They did not increase the salary of the individual legislator, but they did in fact allow us a per diem amount for room and board; and I'll also call to your attention that this will amount to a sum approximating one thousand dollars bringing our salary up to twenty-seven hundred for this session. I will also call to your attention, have you not noticed it already, that we also increased the legislator's mileage from five cents to nine cents per mile, which I think was very generous and has been most helpful to the membership. The nine cents a mile now has brought our mileage up comparable to that received by state employees.

Now I'll also call your attention to the other matter that has been struck out by this amendment, and that is the salary of the Governor from fifteen thousand dollars a year to twenty thousand. My feeling relative to this is

that the Governor now receives a fifteen thousand dollar salary and a fifteen thousand dollar expense account per annum, making thirty thousand dollars per year. We have able citizens of Maine seeking the office of Governor, not primarily for the salary that they may receive, but for the honor that is placed upon that office. If this bill should pass, we would be paying our Governor thirty-five thousand dollars a year. Frankly, I am conservative to the point of feeling that this is too much money and having compassion on the taxpayers of the State of Maine, I am standing here this morning objecting to this increase.

This increase would involve an appropriation at the next session of two hundred and forty-three thousand three hundred and sixty dollars, just for the increases alone. The bill calls for our judges receiving \$2,000 per annum increase in salary. I have reduced this amount to a \$1,000 increase per annum, which I think perhaps is justified, but I don't feel that a \$2,000 increase per annum is justified considering the State of Maine with a million people paying the bill.

This is for your individual conscience to decide whether I am right or wrong. This is not a Republican amendment. This is an amendment offered by the individual who sat two sessions in seat 122. Now I do hope you will bear in mind the fact that this increase is going to involve an appropriation in the next session of \$243,360. I hope you will consider that the members of this Legislature were granted not a raise in salary, but even so, a consideration of about \$1,000, which is in per diem and for your room, plus five cents to nine cents in mileage.

Mr. Speaker and ladies and gentlemen, I move that this amendment be adopted.

The SPEAKER: The question before the House now is on the motion of the gentleman from Milbridge, Mr. Kennedy, that we adopt House Amendment "A".

The SPEAKER: The Chair recognizes the gentlewoman from Bethel, Mrs. Lincoln.

Mrs. LINCOLN: Mr. Speaker, Ladies and Gentlemen of the House: I am opposed to a \$900 pay raise for the legislators. As the gentleman from Milbridge, Mr. Kennedy has said, we have received more expense money, four cents more a mile which was due us, I'll grant you that, five dollars a day for food and up to seven dollars a night for lodging. This certainly is a considerable raise even though it is considered expense. We all know what the pay is before we run for this office, and there are always plenty of candidates willing to run, and they know what the pay scale presently is.

I am not saying that some of you don't sacrifice financially by being here, because I know most of us do, and some to a great extent, but we should consider it a privilege and a duty and not a monetary matter.

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

Mr. SULLIVAN: Mr. Speaker, I would like a little information. Who are the heads of departments in this bill that are getting the raises?

The SPEAKER: The gentleman from Portland, Mr. Sullivan, poses a question through the Chair to any member of the House who may answer if he so chooses.

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

Mr. BERRY: Mr. Speaker and Members of the House: The bill provides for increasing the salary of the justices of the Supreme and Superior Courts, the Governor, the Legislators and the members of the Public Utilities Commission and I believe the Forest Commissioner. The amounts are set forth in the bill.

If I may, Mr. Speaker, so I can proceed here and not have this counted against me, I would like to move indefinite postponement of House Amendment "A" and I would explain the thinking of the Committee in this connection.

The SPEAKER: The question before the House now is the mo-

tion of the gentleman from Cape Elizabeth, Mr. Berry, that House Amendment "A" be indefinitely postponed.

Mr. BERRY: Mr. Speaker and Members of the House: The State Government Committee gave this bill a lot of thought, and I agree a great deal of course with what has been said by the gentleman from Milbridge, Mr. Kennedy, but I would encourage him and the gentlewoman from Bethel, Mrs. Lincoln, and those of us who have been in previous sessions to look at this perhaps through the eyes of the newcomers, the members of the 102nd Legislature who have not been here before. I think this just underscores the horrible situation which existed prior to the 102nd and perhaps not so much what this bill will do.

The merits of the bill we feel are considerable. Our justices are perhaps the most important people and the last resort that we have in the state in our political system. The salaries proposed in the bill are not exorbitant. Some of us feel they are just beginning to approach what they should be. I think perhaps the most critical matter is the matter of legislative salaries.

I have heard many genuine comments from the new members this year that they are suffering because of the low pay, and I would invite your attention to the fact that we have reached the point where no longer will we be receiving pay checks. You can just go back one term to think of the situation that existed then, but to the new members, this is even equally or more intolerable to them than it was to us then. Many people here have families to support; for the retired people, the people with independent means, it may not be so difficult, but I urge your consideration of those of us who do have family responsibilities and business responsibilities. The new wage of \$2,500 for the legislators will still be not enough to properly support them in their absence from home. It may seem large to some of us who have been here before, but in the eyes of



those who are here for the first time, it is not. I urge your support of my motion for indefinite postponement of House Amendment "A."

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

Mr. LIBHART: Mr. Speaker, Ladies and Gentlemen of the House: My friend from Milbridge, Mr. Kennedy, suggests I think in his talk that the Governor of the State somehow because he gets a \$15,000 a year expense account, should be able to bank this. He most certainly does not, he can't, he can't even maintain his expenses on that amount of money. I think the Portland papers did all of the state a service when they published a few short months ago the facts and figures as to the number of people employed by the state who are getting more money than the Governor. I think it is time that we as legislators recognized the fact that the people in the State of Maine, the vast majority of the people in the State of Maine, are sick and tired of having us pay ourselves second rate wages down the line, and when I have opposed wage bills here, I opposed them because they have been discriminatory in one aspect or another, not because I am opposed to minimum wage scales of any kind. I will prove that by supporting the minimum wage bills when they come out if they are properly drawn.

In this particular area, the question it seems to me as far as legislators are concerned, is not the fact that they knew what they were going to get when they were running. It seems to me this is a debating argument. What difference does this make? The question is, would we attract people qualified to run for this office if we paid them enough money to maintain themselves during the session? You and I know that there are people here who don't need any compensation at all, many of us probably don't need any compensation to come over here and represent our constituency, but there are many

more here who do need to be paid, and they need to be paid enough to maintain their families while they are here. My observation of these people during the term of this legislature is that they are very dedicated people. They are here. You and I know some of the people that have been to every committee meeting and who are here every day in their seats and they are working nights and Sundays to maintain their families. Why do we have to do this in the State of Maine? It seems to me that it is time we recognized this fact that we are generally throughout the state underpaying, our state employees are fantastically underpaid. We have got to face that proposition before long. We have got to do something about it. And we have got to do something about the pay of the legislators here, and the judges. We have people sitting on our benches, and there are very few of these people you understand, and they do—they are the judges for the whole state and the whole million people. We have people sitting on the bench who have taken cuts in pay by a two-thirds to sit on the bench. Now how much dedication do you ask, and where along the line do you lose good people simply because the wages that we are paying is so small to be niggardly? Now I very much support the motion to indefinitely postpone House Amendment "A."

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

Mr. KENNEDY: Mr. Speaker, Ladies and Gentlemen of the House: I can't argue against the gentlemen that have spoken previous to my rising in defense of my amendment because they are stating true facts. I am merely here this morning hoping to have some feeling for the taxpayers in the State of Maine.

I think if you will notice the bill, it allows the legislative pay to be raised \$900 over and above what we receive now plus the \$1,000 that we are receiving this session which was over and above last session. I will point out to you again that I have not attacked

many of the raises, I have merely suggested that the judges be allowed a thousand dollar increase each year of the biennium instead of the \$2,000 each biennium. I want very much, and I am serious about this, to go back to my constituents and be able to tell them how I have voted and I am opposed to the indefinite postponement motion and I move that when the vote is taken it be taken by the yeas and nays.

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

Mr. KATZ: Mr. Speaker and Members of the House: I would welcome a roll call vote on this issue. As one of the unanimous signers of the committee on State Government, I had already taken the issue to my constituents, and I can encourage you by telling you that of the two hundred odd people I have polled on this, support is better than two to one for legislative pay increases. Most of these polls were taken in writing and I didn't know who was voting what and I think this is a true expression of my constituents, that they feel that the sum of \$1600 is not adequate.

Now it is a little difficult when you read editorially that I get tremendous advantages from postage stamps, that I get free telegraph privileges. I have used none. That I get free telephone calls, I have used six. But nowhere is mentioned the fact that the \$1600 that you get is not sacrosanct. By the time you are elected this amount has been depleted by some hundreds and hundreds of dollars in election expenses. I am personally extremely concerned that perhaps somewhere along the way the state is not getting a fair shake by the severe limitations it places upon the ability of people to offer themselves for service in this House. If you are not retired, if you do not have independent means, either you do not offer yourself for election or you do come in here and your family takes a licking. I am not quite sure to what extent that my wife and my children should be obli-

gated to pick up the tab for the people of the State of Maine because I am in the legislature. This was a unanimous report. It was not an arbitrary offhanded report of the — I think though that the increase for the governor was passed unanimously because the Democrats on the committee kind of felt that they might have a Democratic governor, we Republicans just winked and let it go at that. (Laughter) But I hope that you do indeed have the courage of your convictions looking ahead to those who will follow us and vote for indefinite postponement of the amendment.

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

Mr. COTTRELL: Mr. Speaker, Ladies and Gentlemen of the House: I am going to state exactly how I feel about this. I am very much in favor of raising the governor's salary and the judges' salary. On the other salaries of the legislators, I think it would be in very bad political taste to consecutively in sessions, consecutive sessions to continue to raise the salaries. I know that they are inadequate, but I think that we ought to take another step first and get in line in proportion with what they do in other state legislatures.

Number one, raise the salary of the Speaker of the House. Increase the salary of the minority and majority leaders, and as they do in other states they give an increased salary to the Chairmen of the important Committees, like the Chairman of the Appropriations Committee. I am going to vote against the indefinite postponement of this amendment. I am going to vote for the amendment and I hope the amendment can be further amended and I hope the State Government Committee can do a little more thorough research about salaries paid to the legislators, all the offices of the legislature, the members, the chairmen and others, and I think that should be the first step, to get into proportion, before we go ahead and give us lugs

who don't do too much around here an increase in salary.

The SPEAKER: The Chair recognizes the gentleman from South Thomaston, Mr. Kittredge.

Mr. KITTREDGE: Mr. Speaker, Members of the House: Now when I requested retirement from the Navy I took a pay cut which went from \$18,000 down to my present retirement of about \$6,300 a year and I recognize that I am a very fortunate person indeed to have this. But also I think you have to realize when you take that sort of a pay cut you become very cost conscious, very cost conscious. So, this winter as most of you know, my wife and I were over in the hotel in the Augusta House and we had a suite over there of two rooms, that is a sitting room and a bedroom with a bathroom in between and I wanted to keep accounts whether or not we could live on this without touching my retirement pay. And the answer was, we could.

Now, I want to point out several things. The other day, I asked that this be tabled because I was concerned about old age assistance in this state, and I went over to the Department of Health and Welfare. They put out a very nice little pamphlet that tells about it. On page 4, it says: "Old age assistance payments may be from one dollar a month up to a maximum of a hundred and fifteen dollars a month, depending on individual circumstances." I would also refer to this study from Ernst and Ernst, constructive evaluation of the Department of Economic Development, and if you turn to page 13, you see under per capita income for 1963, the State of Maine, two thousand seven hundred dollars a year. The differential between the State of Maine and the United States is minus twenty-seven percent and the differential between the State of Maine and the rest of New England is minus eighteen percent. So, I would urge this House to go along with this amendment and think twice before we vote to increase our own pay when we have conditions like this existing throughout the state.

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

Mr. ROSS: Mr. Speaker and Ladies and Gentlemen of the House: I support the indefinite postponement of this amendment.

Most legislatures in this country are very old-fashioned. Without trying to be bi-partisan, this probably seems from the political philosophy of Thomas Jefferson. His model American would work in the fields all day, improve his mind in the evening, and take off a few cold weeks in the winter to enact some laws. Many people feel about the same way now.

Voters expect us to be honest, conscientious, hard working and subject to their every whim. Most legislators try their best to be all of these things. Still, some people don't want to pay them even as much as an unskilled laborer. They contend that we might become spoiled or even professionals. I feel that this argument is ridiculous. We might be better off if we had a few more well-trained political professionals. We want an expert in every other field from law to medicine, but when it comes to politics—a novice sometimes seems to fill the bill most adequately.

There are many reasons why more qualified people don't run for public office, but one of the chief ones has always been financial. Not many persons want to campaign hard for several months, leave their jobs for a like period and then receive \$60 or so a week for their efforts. In my opinion, this proposal is only a start in the right direction. Without adequate pay, we have a vicious circle starting with all sorts of temptations and leading to poor performance and public image. Certainly, no one could call this suggested increase either extravagant or unreasonable. In the final analysis, I support this legislation and I oppose the adoption of the amendment.

The SPEAKER: The Chair recognizes the gentleman from Westbrook, Mr. Knight.

Mr. KNIGHT: Mr. Speaker, Members of the House: I think that each and every one of us

should accept the fact that we are living in the twentieth century and because of this we certainly are in a definite need of twentieth century government and I certainly feel that this pay increase is one of the most important steps in the direction of obtaining twentieth century government.

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

Mr. EDWARDS: Mr. Speaker, Ladies and Gentlemen of the House: When you limit the pay of a legislator to sixteen hundred dollars you draw an arbitrary cut off point. I suggest that a person's ability is not necessarily reflected in his financial status. Many people have asked me, and I am sure they have many of you, do you plan to run again? And my answer to them has been I would like to, I don't know whether I can afford it. I won't know until this session is over. It is going to depend entirely on how long we stay here and just how far in debt I go. I am one of the people as has been many times referred to here today, in that I am attempting to live and support a wife and four children on the salary I receive here with no outside income. It isn't easy. I am practicing financial brakemanship. I haven't gone under yet. I don't know whether I will or not, but this will be the determining factor on whether or not I can come back and I am sure it is going to be the determining factor for others who are here.

So, I submit to you that if you want people of ability that you should pay them enough so that they can afford to come without having this added burden.

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

Mr. LYCETTE: Mr. Speaker, Ladies and Gentlemen of the House: As you know I typify the freshman representative, and I also typify the party who is identified as the retired person. I was doing some figuring last night as to trying to retire on this little job and a little bit of savings. You know what has happened to

the people who have tried to save a little with the inflation of prices. Now, I came down here to augment what little my savings and I am willing to go along with what compensation we are getting. On the other hand, I feel that the Governor and the judges and I suppose I am sticking my neck out, I'll probably land in court next week or something, I think these heads of government are getting pretty good wages. I worked for forty years for my constituents and I have no compensation, no pension. Now, these judges get a big pension and I realize that they are smart men and we need them, but I think there is a limitation to where it goes and I am willing to go along on this salary that they are getting, but I am not willing to go along with an amendment if they are going to leave the legislators out of it and pay more money to these other heads of departments.

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

Mr. BERNARD: Mr. Speaker, Members of the House: I concur with my friend from Portland, Mr. Russ. Maybe a lot of you people own large businesses in the State of Maine. Maybe you can afford to come up here for nothing. Mr. Kittredge said he came up here with his wife and lived in a hotel. I know that I couldn't come up here and live in a hotel with my children. Now, how can any member here be so presumptuous as to assume that he is increasing his own salary? To begin with, are you all sure that you are going to be elected again? We are raising a salary of future legislators and not our salaries and I think the future legislators that come up here deserve at least twenty-five hundred dollars a year.

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

Mr. BERRY: Mr. Speaker, Members of the House: In order to woo the support of the gentleman from Portland, Mr. Cottrell, I would like to advise him that the basic bill does increase the salary of the Speaker of the House

and the President of the Senate from an additional two hundred and fifty which it presently is over and above the regular legislator's salary to a five hundred dollar increase and this is along the line that the gentleman from Portland, Mr. Cottrell was speaking. This is a step in the right direction because we realize that the presiding officers have expenses far above that of the rest of us. Another progressive feature of the bill we feel is that there is contained in it the increase of the daily compensation for legislators for special sessions, an increase from ten dollars per day to twenty dollars per day.

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

Mr. BOURGOIN: Mr. Speaker, Members of the House: As a retiree, I wish to commend again the young legislators in the House who are giving so much of their time and salary that belongs to their family to come here and do the work and I notice that the representation of the State of Maine has improved with the little addition that we have had in the past and if we get another one it will still improve whether it is Democratic or Republican. Thank you.

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

Mr. ANDERSON: Mr. Speaker, Ladies and Gentlemen of the House: I have always been on the conservative side of the fence, from my first day here six years ago I preached economy and I am still preaching it. Perhaps, I am a little selfish in this as I do have a little retirement fund to take care of me and there is no question but what many members here can't get along on what they are getting. But, I still can't go along with it.

The SPEAKER: The question before the House is on the motion of the gentleman from Cape Elizabeth, Mr. Berry, that this House Amendment "A" be indefinitely postponed and the gentleman from Milbridge, Mr. Kennedy, has requested that when the vote be

taken that it be taken by the yeas and nays. For the Chair to order a roll call it must have the expressed desire of one-fifth of the members present. All those in favor of the vote being taken by the yeas and nays will kindly rise and remain standing until the monitors have made and returned the count.

A sufficient number arose.

The SPEAKER: Obviously more than one-fifth having arisen, the yeas and nays are in order.

### House at Ease

The House was called to order by the Speaker.

The SPEAKER: The Chair will state the question. The question before the House is on the motion of the gentleman from Cape Elizabeth, Mr. Berry, that House Amendment "A" to Bill, "An Act Increasing Compensation of Members of the Legislature, the Governor, Court Justices and Certain Department Heads," Senate Paper 520, L. D. 1497, be indefinitely postponed. If you are in favor of House Amendment "A" being indefinitely postponed, when your name is called you will either answer ye or yes; if you are opposed to House Amendment "A" being indefinitely postponed, when your name is called you will either answer nay or no. The Clerk will call the roll.

### ROLL CALL

YEA—Anderson, Orono; Baldie, Beane, Bedard, Benson, Mechanic Falls; Bernard, Berry, Binnette, Bishop, Blouin, Boissonneau, Bourgoin, Bradstreet, Brennan, Brewer, Buck, Bussiere, Carroll, Champagne, Conley, Cote, Curran, Cushing, D'Alfonso, Danton, Davis, Dostie, Doyle, Drigotas, Drouin, Dumont, Edwards, Erwin, Eustis, Evans, Faucher, Fecteau, Fortier, Fraser, Mexico; Fraser, Rumford; Gaudreau, Gauvin, Gilbert, Gillan, Glazier, Graham, Harvey, Bangor; Haugen, Hawes, Hawkes, Healy, Hunter, Durham; Jalbert, Katz, Keyte, Knight, Laberge, Lebel, Lent, Levesque, Lewis, Libhart, Lowery, Lund, Lycette, Martin, McKinnon, Millay, Mills, Mitchell, Palmer, Pike, Pitts, Pou-

lin, Rackliff, Ross, Bath; Roy, Ruby, Sawyer, Searles, Stoutamyer, Sullivan, Watts, Wheeler, Whittier, Wuori.

**NAY** — Anderson, Ellsworth; Avery, Baker, Orrington; Baker, Winthrop; Benson, Southwest Hbr.; Berman, Birt, Bragdon, Burwell, Carter, Cookson, Cottrell, Crosby, Dudley, Dunn, Gifford, Hammond, Hanson, Gardiner; Harriman, Harvey, Windham; Haynes, Huber, Hunter, Clinton; Jewell, Kennedy, Kittredge, Lane, Lang, Lincoln, Littlefield, Meisner, Mosher, Nadeau, Norton, Payson, Peaslee, Pendergast, Prince, Richardson, Cumberland; Richardson, Stonington; Roberts, Ross, Brownville; Sahagian, Scott, Storm, Susi, Truman, Waltz, White, Guilford; Wood, Young.

**ABSENT** — Carswell, Cressey, Crommett, Dickinson, Farrington, Hanson, Lebanon; Harvey, Woolwich; Hoy, Jordan, Kilroy, Starbird, Ward, Wight, Presque Isle.

Yes, 86; No, 51; Absent, 13.

The **SPEAKER**: Eighty-six having voted in the affirmative and fifty-one having voted in the negative, and thirteen being absent, the motion to indefinitely postpone House Amendment "A" prevails.

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

**SENATE AMENDMENT "A"** to S. P. 520, L. D. 1497, Bill, "An Act Increasing Compensation of Members of the Legislature, the Governor, Court Justices and Certain Department Heads."

Amend said Bill in section 8 by striking out in the 8th line the figure "\$2,250" and inserting in place thereof the figure "\$1,500" and by striking out in the 9th line the figure "\$3,000" and inserting in place thereof the figure "\$2,000"

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

(Off Record Remarks)

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

Bill, "An Act relating to Uniforms for Deputy Sheriffs." (H. P. 260) (L. D. 330) (C. "A" H-151)

Tabled — May 17, by Mr. Levesque of Madawaska.

Pending—Motion of Mr. Bernard of Sanford to reconsider Receding and Concurring with the Senate. (In Senate, Senate voted to Insist and Ask Committee of Conference)

Thereupon, the House voted to reconsider its action whereby on May 17 it receded and concurred with the Senate.

On further motion of Mr. Bernard of Sanford, the House voted to insist and join the Committee of Conference.

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

An Act Creating a Second Assistant County Attorney for Androscoggin County. (H. P. 867) (L. D. 1164)

Tabled—May 17, by Mr. Levesque of Madawaska.

Pending—Passage to be Enacted.

On motion of Mr. Drigotas of Auburn, passed to be enacted, signed by the Speaker and sent to the Senate.

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

**HOUSE REPORT—Committee on Legal Affairs on Bill, "An Act for Licensing Private Detectives and Watch, Guard and Patrol Agencies"** (H. P. 963) (L. D. 1298) reporting same in new Draft (H. P. 1130) (L. D. 1545) under same title, and that it "Ought to pass."

Tabled—May 17, by Mr. Levesque of Madawaska.

Pending—Acceptance.

Thereupon, on motion of Mr. Levesque of Madawaska, the House Report "Ought to pass" was accepted, the New Draft read twice and assigned for third reading tomorrow.

Notices were read.

On motion of Mr. Levesque of Madawaska,

Adjourned until nine - thirty o'clock tomorrow morning.