

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Ninety-Fifth Legislature

OF THE

STATE OF MAINE

VOLUME II

1951

DAILY KENNEBEC JOURNAL
AUGUSTA, MAINE

HOUSE

Thursday, May 17, 1951.

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

Prayer by Rev. Dr. Roundy of Portland, a member of the House of Representatives.

The journal of the previous session was read and approved.

**Papers from the Senate
Senate Report of Committee
Ought Not To Pass
Resolve Substituted for Report**

Report of the Committee on Judiciary reporting "Ought not to pass" on Resolve Granting a Pension to Alice B. Grant of Kittery (S. P. 216) (L. D. 469)

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

In the House:

On motion of Mr. Winchenpaw of Friendship, the Resolve was substituted for the Report, in concurrence.

Thereupon, the Resolve was given its first reading and was assigned for second reading at three o'clock this afternoon.

Matters Recalled from Files

Resolve in favor of Robert W. Traip Academy (S. P. 52) (L. D. 62)

Resolve in favor of Foxcroft Academy for Building (H. P. 800) on which the House accepted the Reports of the Committee on Appropriations and Financial Affairs reporting "Ought not to pass" and which were recalled to the Senate by Joint Order.

Came from the Senate recommended to the Committee on Appropriations and Financial Affairs in non-concurrence.

In the House: The House voted to recede and concur with the Senate in the recommitment of the two Resolves to the Committee on Appropriations and Financial Affairs.

Non-Concurrent Matter

Resolve Appropriating Moneys for Municipal Airport Construction (H. P. 956) (L. D. 568) on which the House accepted the Majority

Report of the Committee on Appropriations and Financial Affairs reporting "Ought not to pass".

Came from the Senate recommended to the Committee on Appropriations and Financial Affairs in non-concurrence.

In the House: The House voted to recede and concur with the Senate in the recommitment of the Resolve to the Committee on Appropriations and Financial Affairs.

Senate Conference Report

Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature, on Bill "An Act Regulating the Taking of Marine Worms" (H. P. 1131) (L. D. 698) reporting that they are unable to agree, which was accepted in the House.

Came from the Senate with the Report rejected and asking for a new Committee of Conference, and with the following Conferees appointed on its part:

Messrs. REID of Kennebec

CHRISTENSEN

of Washington

SAVAGE of Somerset

In the House:

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

Mr. WINCHENPAW: Mr. Speaker I move that the House now join with the Senate in another Joint Committee of Conference.

The SPEAKER: The gentleman from Friendship, Mr. Winchenpaw, moves that the House join with the Senate in another Joint Committee of Conference.

The Chair recognizes the gentleman from Vinalhaven, Mr. Barton.

Mr. BARTON: Mr. Speaker, I am opposed to the motion of the gentleman from Friendship, Mr. Winchenpaw, as I still feel that this is a bad law and we will be sacrificing a good portion of our clam industry for the sake of a smaller industry. It is going to make practically unenforceable the town clam laws, and I feel that we should give to the residents of the town the resources which that town has.

I hope that the motion will not prevail, and if you will go along with me in killing that motion, I shall make a new motion to ad-

here to our former action and we will have heard the last of the marine worms for this session. Thank you.

The SPEAKER: Is the House ready for the question?

The Chair recognizes the gentleman from Damariscotta, Mr. Gay.

Mr. GAY: Mr. Speaker and Members of the House: I hope sincerely for the last time, that it will be necessary for me to have to stand upon my feet before this body of just men fighting for a principle. The principle involved is the whole issue of this particular bill, a principle whereby citizens of this State who desire to go out in the mud of these flats of our municipalities to earn their livelihoods, having paid to the State a sum of \$3.00 for that God-given right.

New evidence has been presented that only about one-sixth of the riparian land owners along the municipality coastline of this State have titles that run to the low water mark.

In answer to the gentleman from Vinalhaven (Mr. Barton) relating to the clam industry, I think you are well aware of the fact, as I have said repeatedly, that the marine worm and the clam do not inhabit the same portion of the flats. Your marine worm is found nearer to the lapping waters of the sea. Your clam area is back of that.

However, I concede that over the entire length and breadth of the shore line of the State of Maine there is overlap of only five per cent where the marine worm and the clam are found in the same areas.

For the information of the members of the House, two weeks ago an order was placed with the diggers of the State of Maine, and the only source of supply for this marine bait on the entire Atlantic coastline which comes entirely from the State of Maine, an order for 59,000 worms. The diggers of this State were only able to get a little more than 16,000, due entirely to the flats being in the control of the municipalities.

As I said before, it is not fair; it is not just, that Kennebec County, as an example, should say to the rest of the counties of the State: "We are going to close Kennebec County to deer hunting and

nobody else shall come in here." The principle is the same.

I am not going to take any more time at this moment. I sincerely trust that we will go along with a Committee of Conference.

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

Mr. SENTER: Mr. Speaker and Members of the House: I believe this is the fourth time that we have acted on this measure. It would seem to me that four times should be sufficient to decide any matter.

I am not going to give the same speech I gave before. Most of you have memorized all of the speeches that you have heard on the marine worms.

The other day I got a call from the Chairman of the Board of Selectmen in Brunswick, and he said that there were thirty-five clam diggers and marine worm diggers in Brunswick that were going to march on Augusta with their boots and picks. I said: "They won't accomplish anything. They will lose a day's pay. They cannot talk, but," I said, "I think this group of just men will decide the issue again, as they have before." We have decided this matter four times. Four times should be enough.

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

Mr. WINCHENPAW: Mr. Speaker, I would like to appeal to this group of just men and just remind them that on page 57 of the Joint Rules, Rule 12, according to the report that came in here the other day from that Committee of Conference, entitles this House and the people who are interested in this bill to another Committee of Conference.

The SPEAKER: The Chair recognizes the gentlewoman from Bath, Mrs. Moffatt.

Mrs. MOFFATT: Mr. Speaker and Members of the House: First of all, as I start off, I will call attention to the fact that I am very well aware of the fact that anything a person says on the floor of this House is immune to lawsuit or anything else. I will also state, here and now, that whenever I speak on the floor of this House, in the cor-

ridors of this House, or anywhere else, pertaining to legislation, I am sticking absolutely to the truth. I am not bothering with any immunity.

My neighbor spoke of using harsh words. I could use very harsh words if I should say what was behind this whole thing.

I know that the clam worm is nothing but a disguise to open up the whole seacoast for quahogs, clams, and by the time they get through with that they will go into the seamoss industry and Heaven only knows where they will go from there.

You are probably very well aware of the fact that the poor clam-worm digger wouldn't have all of this attention paid to him. Behind this thing is a man who has said: If I cannot control the clam industry in the State of Maine, no one else will. That man wants to go on the flats, buy clams from the clam diggers at the rate of \$3.00 a barrel, which is \$1.00 a bushel, 25c a peck, or 12c a quart, shucked out. Along with him is a company who wants to come in here and have control of the quahog industry.

I said the other day that the men who had dug the quahogs had put their money back into small quahogs, had seeded them; they had now grown to a point where they are ready to be harvested.

The company and the canning factory behind this want the right to go in and take the quahogs and clams which the people in these towns have planted, the same as you folks plant your gardens. These quahogs and these clams are not exactly what you would call a Gift of God any more than your gardens and your homes are a Gift of God. They were planted. The seed clams were bought by these men from their earnings.

One more thing that perhaps you folks inland are not aware of is the fact that the best seamoss in the United States is in Casco Bay, and there are companies from out of the State of Maine who would like to come into the State of Maine and harvest the seamoss by their own men, thereby bypassing our people along the coast who have been able to make a pretty good living raking the seamoss.

Also they have disguised that by saying that the seamoss is a food, but it is true that the seamoss contains a very important element for ammunition.

Now I am calling your attention to the fact that these are true statements and these are facts. I have stated before that this is an economic picture. It is an economic picture for the folks along the seacoast, and the idea of saying that it is clam worms is just a disguise for you folks to say: "Well, what difference does it make about the clam worms?" The gentleman from Damariscotta, Mr. Gay, admitted to me himself that the clam worm was a test to see if we could break down these laws. He has stated they couldn't get enough clam worms to fill the order for bait. Mr. Hammond, of Wiscasset, called me and said the biggest reason he couldn't fill his order was the fact that the biggest number of his worm diggers had gone back into the shipbuilding industry work.

One of the nicest things that I can think of in Legislature is the fact that this is where the small person comes to get honest and fair treatment. For the last ten or twelve years the people along the seacoast have been trying to do that very thing. It hasn't cost the State any money; they have put their own money into it; they have built up an industry. I think they depend upon us who know what they have been doing to explain to you folks up here the fair and honest thing that they have done, explain it to you folks in such a way that you will realize that by breaking this down you will be penalizing the group along the seacoast in a most unfair and unjustifiable manner, for the sake of a few people who have a lot of money, who want to make more money from people who haven't much money. Thank you.

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

Mr. MARCH: Mr. Speaker and Members of the House: We have put in a lot of time and heard this matter discussed pro and con. I think we must have heard it from every possible angle. While I am interested in the county and that

problem, I cannot absorb any more; this worm has turned, and I, not meaning to be discourteous, but for the benefit of the sixteen counties, move the previous question.

The SPEAKER: The gentleman from Bridgton, Mr. March, moves the previous question. In order for the Chair to entertain the motion for the previous question it requires the consent of one-third of the members present.

All those in favor of the Chair entertaining the motion for the previous question will please rise and stand in their places until counted and the monitors have made and returned the count.

A division of the House was had.

The SPEAKER: Obviously more than one-third of the members present having arisen, the motion for the previous question is entertained.

The question before the House now is: Shall the main question be put now? All those in favor will say aye; those opposed, no.

A viva voce vote being taken, the main question was ordered.

The SPEAKER: The question before the House is on the—

Mr. BAILEY of Woolwich: Mr. Speaker—

The SPEAKER: For what purpose does the gentleman rise?

Mr. BAILEY: To ask for a division of the House, Mr. Speaker.

The SPEAKER: The question before the House is on the motion of the gentleman from Friendship, Mr. Winchenpaw, that the House insist and request and join in a further Committee of Conference; and the gentleman from Woolwich, Mr. Bailey, has requested a division.

All those in favor of joining in another Committee of Conference will please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Forty-nine having voted in the affirmative and thirty-four having voted in the negative, the motion prevailed.

The SPEAKER: The Chair will appoint the following Conferees: The gentleman from Island Falls, Mr. Crabtree, the gentleman from Portland, Mr. Gilman, and the gentleman from Whitefield, Mr. Chase.

On motion of Mrs. Moffatt of Bath, Rule 25 was suspended for the remainder of today's session.

Non-Concurrent Matter

Resolve Providing Funds for Nursing Attendant Education (H. P. 795) (L. D. 474) on which the House accepted the "Ought not to pass" Report of the Committee on Appropriations and Financial Affairs.

Came from the Senate with the Resolve substituted for the Report and passed to be engrossed in non-concurrence.

In the House:

The SPEAKER: The Chair recognizes the gentleman from Caribou, Mr. Bearce.

Mr. BEARCE: Mr. Speaker, I move we recede and concur.

The SPEAKER: The gentleman from Caribou, Mr. Bearce, moves that the House recede and concur with the Senate.

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

Mr. JACOBS: Mr. Speaker, in regard to Item 6, this seems to set up another department in the Educational Department, and we feel, in the Appropriations Committee, that this can be handled in Health and Welfare where it really belongs, and I hope the motion of the gentleman who has just spoken will not prevail. I think we can do away with this and handle it in the Health and Welfare Department, where it really belongs.

The SPEAKER: The question before the House is on the motion of the gentleman from Caribou, Mr. Bearce, that the House recede from its former action whereby it accepted the "Ought not to pass" report on Resolve Providing Funds for Nursing Attendant Education and concur with the Senate in substituting the Resolve for the report.

The Chair recognizes the gentleman from Island Falls, Mr. Crabtree.

Mr. CRABTREE: Mr. Speaker and Members of the House: I think that we should give some serious consideration to this action taken by the Senate and the motion of the gentleman from Caribou, Mr. Bearce. If ever there was a time, aside from an active all-

out war, when we needed nursing attendants as well as medical men in this state and country, it is now, and I was somewhat perturbed at the original action of the House and I don't think that we gave it nearly enough consideration when it appeared before us. I was indeed happy to learn that the Senate had reversed that action.

The situation in the nursing field is critical, to say the very least. I know not how long it will be, and neither can any of the hospitals or medical men seem to tell me, when the shortage of registered nurses will be alleviated. It will be a long time I am sure. Almost every hospital, and certainly the medical profession and the nursing profession, agree that the situation is critical, that something should be done, and quickly, to help this situation. I think that a great many members in this House have had the experience of needing within their family circle a nurse badly, very badly, and have had difficulty in obtaining such services. While this measure that is before us now will not help alleviate the registered nurse shortage at all, it will help to relieve the burdens those worthy people carry in providing for the hospitals and some private cases an attendant nurse who can do much of the work.

I feel this is a very important measure and I hope that we will recede and concur with the Senate. I know of nothing more vital than the health of our people and this goes a long way in alleviating a situation which has become, I think most of us realize, very critical indeed.

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

MR. JALBERT: Mr. Speaker and Members of the House: The gentleman from Auburn, Mr. Jacobs, covered the matter very well. It not only sets up another department; it is a recurring affair; it starts with \$21,000 the first year of the biennium and \$38,000 the second year of the biennium. When the Committee reported out "Ought not to pass" unanimously, it felt that where it is on a recurring basis, it can very well mushroom into quite a project, and that the Health and Welfare

Department can well take care of it and handle it; they have been doing it. The hospitals being sympathetic to the project, I think, that if you will check the new Ways and Means Committee report, you will see that we are somewhat sympathetic to the hospitals.

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

MR. CAMPBELL: Mr. Speaker and Members of the House: In support of our committee report "Ought not to pass" I want to assure the Members of the House that we did, in the committee, give this bill serious consideration and we fully recognized the merits of it, but as the gentleman from Lewiston (Mr. Jalbert) has told you, there is a price tag of \$59,000 for the biennium, and we took the matter up with some of the members of the Senate and others who are interested in health and welfare, and we feel that the matter can be handled in the Health and Welfare Department without, perhaps, this appropriation.

THE SPEAKER: Is the House ready for the question?

The Chair recognizes the gentleman from Standish, Mr. Center.

MR. CENTER: Mr. Speaker and Members of the House: I think that any of us who have had anything to do with the care of the sick realize the problem of nursing care. It is often true that people require care for their comfort without actually needing the care of a completely professional nurse.

This bill, if enacted, would enable nursing attendants to be trained which are sorely needed throughout our State. It gives me great pleasure this morning to place the Maine Medical Association squarely behind this bill, and I hope that the motion to concur with the Senate will prevail.

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

MR. LOW: Mr. Speaker and Members of the House: As a trustee of the Knox County General Hospital, I am acutely aware of the shortage of nurses. I think this bill is important, and I hope we recede and concur with the Senate.

The **SPEAKER**: Is the House ready for the question?

The Chair recognizes the gentleman from Caribou, Mr. Bearce.

Mr. **BEARCE**: Mr. Speaker, I believe this is an exceptionally good bill. We have raised money for Health and Welfare, we have raised money for Dependent Children, we have done most everything possible within the limits of the State to help needy people. This goes beyond that point; it helps sick people. We all know the problem today of trying to get help in case of sickness. This bill will use our normal schools which the State already has and these prospective students will gain their training; from there they will go to hospitals to receive additional training.

We are now facing a crisis which we know not how far it is going to go, in that we may get into a shooting war whereby we may be invaded, and I think certainly we need to prepare to take care of the sick and the wounded should that happen, and owing to the shortage which everyone knows exists in the help in the nursing field — I understand this also has the endorsement of the State Nursing Association — I believe it is needed. I believe it will save money in the end in the Health and Welfare Department, and I hope that the motion does prevail.

The **SPEAKER**: The Chair recognizes the gentleman from Whitefield, Mr. Chase.

Mr. **CHASE**: Mr. Speaker and Members of the House: I think this has been covered very well, but I am only too happy to go on record in favor of this resolve. I have been very hesitant in the past about setting up new agencies in our State, but this is one that will affect every man, woman and child in the State of Maine, and with the world situation as it is today, I think that this legislation is the best that I have seen.

The **SPEAKER**: The Chair recognizes the gentleman from Liberty, Mr. Cole.

Mr. **COLE**: Mr. Speaker and Members of the House: I somewhat agree with the proponents of this bill, that it is a good bill, but it is a recurring item, and as you all know, in the second year of our

biennium we are in the red by a half million dollars, more than a half million dollars. This calls for \$21,000 the first year and \$38,000 for the second year. It seems to me, if we are going to have a balanced budget, that Education and Welfare will have to be cut further. If you pass this bill, you are just adding to your load.

As to the gentleman from Caribou, Mr. Bearce, in case of a war or in any emergency, we have set up in Civilian Defense \$350,000, and we have gone along all the way on Civilian Defense. It seems to me that we are setting up another department that is going to be hard to handle as far as the budget is concerned. Thank you.

The **SPEAKER**: The question before the House is on the motion of the gentleman from Caribou, Mr. Bearce—

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

Mr. **JACOBS**: Mr. Speaker and Members of the House: I don't want, as a member of the Appropriations Committee, to enter into any lengthy debate on this matter, but we are simply setting up another agency in the Educational Department to do the same thing that the Health and Welfare Department are now doing, and I feel that we should not do this at this time.

We recognize the need of extra nurses that we call "house nurses," not registered nurses, but we believe that this can be handled and is handled by the Health and Welfare Department, and not get another agency in another department to do the very same thing.

Now there are others higher up in this Legislature, in this State House, that feel the same way, and it may be embarrassing to someone if we pass this bill at this time. I honestly feel that the Health and Welfare Department is all set up to do this work, can do it and will do it.

The **SPEAKER**: The question before the House is on the motion of the gentleman from Caribou, Mr. Bearce, that the House recede and concur with the Senate.

The Chair recognizes the gentleman from Portland, Mrs. Fay.

Mrs. FAY: Mr. Speaker and Members of the House: This is not an issue on which I like to stand publicly and tell you that I am opposed to it.

Two years ago the Council of Social Agencies in Portland came to me and urged me to support a nursing bill such as this. They came again six weeks ago and mentioned that if we could transfer this program to the Department of Education, two years hence it would be a program for which they could have Federal Aid grant.

I can fully realize that the medical profession and the people in the hospitals see the need for nursing attendants. If you members will read the record of the Senate yesterday, Senator Barnes made a very good case for the need, but in making out his case for the need for nursing attendants, he also brought out the fact that the requirements for a Public Health Nurse in our Health and Welfare Department have been so high as to eliminate your private hospital training program, so that over a period of the last ten years, by their standards, whether they be right or wrong, they have eliminated your private hospital training program, so that today you have the need that they are saying that we must create a new program and transfer it to the Department of Education because unless we do, it will not be recognized for Federal Aid grant, and that, I wish to tell you, because it seems unfair that the Appropriations Committee members should carry the burden of this thing.

The SPEAKER: The question before the House is on the motion of the gentleman from Caribou, Mr. Bearce, that the House recede from its former action whereby it accepted the "Ought not to pass" report of the Committee on Appropriations and Financial Affairs on Resolve Providing Funds for Nursing Attendant Education.

The Chair recognizes the gentleman from Orono, Mr. Bates.

Mr. BATES: Mr. Speaker and Members of the House: I rise to support the motion to recede and concur with the Senate. This resolve implements the program set up two years ago which passed both branches of the Legislature but

failed because of insufficient funds at that time. At that time there was no provision, and at this time I can see no reason why it becomes a Health and Welfare problem; it is an educational training program set up primarily, as has already been expressed, for the implementation and the securing of nursing personnel, not to take the place of registered nurses, but to take the place in the homes and as assistants in the hospitals in a very, very badly needed situation.

The SPEAKER: Is the House ready for the question?

The Chair recognizes the gentleman from Standish, Mr. Center.

Mr. CENTER: Mr. Speaker and Members of the House: I can go along with the remarks of the gentlewoman from Portland, Mrs. Fay, that the tendency has been, in the opinion of some members of the medical profession, that the standards and training of nurses are getting so high and so technical that some of us feel they are training near-doctors rather than women to take care of the needs of the sick.

But, be that as it may, I would like to point out that there still is a very great need for people who are trained to give their patients a bath, give them a hypo and carry a bed pan.

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

Mr. LOW: Mr. Speaker and Members of the House: I am considerably confused about this question. I move that we table it until this afternoon session so that we can all find out more about it.

The SPEAKER: The question before the House is on the motion of the gentleman from Rockland, Mr. Low, that Resolve Providing Funds for Nursing Attendant Education lie on the table pending the motion of the gentleman from Caribou, Mr. Bearce, that the House recede and concur and that the matter be specially assigned for this afternoon.

All those in favor of the motion to table will say aye; those opposed, no.

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

The SPEAKER: The question before the House, is on the motion of the gentleman from Caribou, Mr. Bearce, that the House recede from its former action whereby it accepted the "Ought not to pass" report on Resolve Providing Funds for Nursing Attendant Education and concur with the Senate in substituting the Resolve for the Report.

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

Mr. TOTMAN: Mr. Speaker and Members of the House: This is a subject that I had no previous knowledge was going to be so controversial, but I am entirely sympathetic with the gentleman from Rockland (Mr. Low). I have heard two sides of this question this morning and both sides seem to have a reasonably good point.

I think the gentlewoman from Portland, Mrs. Fay, has raised a point, though, that makes me inclined to go along with the gentleman from Standish, Mr. Center. The Appropriations Committee says that the Health and Welfare Department is very capable and has the money to pay nurses.

As I understand Mrs. Fay, and I repeat this, so I may be corrected so I can vote on a measure which I think is extremely important, this appropriation for the Department of Education will allow us to train nurses, as the gentleman from Standish, Mr. Center says, to give patients baths and carry bed pans. I believe that is the distinction. The Department of Health and Welfare is training highly technical nurses. This bill asks to be able to train people to at least help out the trained nurses. Knowing the tremendous shortage of nurses, as everyone else in the House does I think, I certainly am going to be in favor of going along with this measure.

The SPEAKER Is the House ready for the question?

Mr. CENTER: Mr. Speaker, I ask for a division.

The SPEAKER: The question before the House is on the motion of the gentleman from Caribou, Mr. Bearce, that the House recede from its former action whereby it accepted the "Ought not to pass" report on Resolve Providing Funds for Nursing Attendant Education, H. P.

795, L. D. 474, and concur with the Senate in substituting the resolve for the report; and the gentleman from Standish, Mr. Center, has requested a division.

All those in favor of receding and substituting the resolve for the report will please rise and remain standing until counted and the monitors have made and returned the count.

A division of the House was had.

Fifty-five having voted in the affirmative and fifty having voted in the negative, the motion prevailed, and the resolve was substituted for the report of the committee.

Thereupon, the Resolve was given its first reading and was assigned for second reading at three o'clock this afternoon.

Non-Concurrent Matter

Bill "An Act relating to Exemption from Taxation" (H. P. 336) (L. D. 194) which was passed to be engrossed as amended by House Amendments "B" and "C" in the House on April 19.

Came from the Senate passed to be engrossed as amended by House Amendments "B" and "C" and Senate Amendment "A", (L. D. 1399) in non-concurrence.

In the House: On motion of Mr. Perry of Chelsea, the House voted to insist on its former action of April 19 whereby it passed the Bill to be engrossed as amended by House Amendments "B" and "C" and ask for a Committee of Conference.

The SPEAKER: The Chair will appoint the following members as conferees on the part of the House on the disagreeing action of the two branches of the Legislature on House Paper 336, Legislative Document 194, Bill "An Act relating to Exemption from Taxation": The gentleman from Chelsea, Mr. Perry; the gentleman from Dixmont, Mr. Jacoby, and the gentleman from Rockland, Mr. Low.

Non-Concurrent Matter

Resolve Creating a Fund for Scholarships for Vocational and Technical Schools (H. P. 798) (L. D. 476) on which the House substituted the Resolve for the "Ought not to pass" Report of the Com-

mittee on Appropriations and Financial Affairs, and passed the Resolve to be engrossed on March 22.

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

In the House: The House voted to recede and concur with the Senate in the acceptance of the "Ought not to pass" Report of the Committee.

Non-Concurrent Matter

Bill "An Act relating to Elderly Teachers' Pensions" (H. P. 738) (L. D. 425) which was passed to be engrossed in the House on May 1.

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

In the House: On motion of Mr. Campbell of Guilford, the House voted to recede from its action of May 1 whereby it passed the Bill to be engrossed.

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

COMMITTEE AMENDMENT "A" to H. P. 738, L. D. 425, Bill "An Act Relating to Elderly Teachers' Pensions."

Amend said Bill by striking out in the 5th and 18th lines thereof the underlined figures "\$900" and inserting in place thereof the underlined figures '\$800'

Further amend said Bill by striking out in the 5th and last lines of section 2 thereof the underlined figures "\$800" and inserting in place thereof the underlined figures '\$700'

Further amend said Bill by striking out in the 5th and last lines of section 3 thereof the underlined figures "\$700" and inserting in place thereof the underlined figures '\$600'

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

"Sec. 4. R. S., c. 60, §6-E, additional. Chapter 60 of the revised statutes, as revised by chapter 384 of the public laws of 1947, and as amended, is hereby further amended by adding thereto a new section to be numbered 6-E, to read as follows:

'Sec. 6-E. Application. The increases in pensions hereinbefore authorized shall apply to all teachers who have heretofore or shall hereafter retire under the

provisions of sections 6-B, 6-C and 6-D of chapter 60 of the revised statutes, formerly sections 212, 213 and 214 of chapter 37 of the revised statutes.'

Committee Amendment "A" was adopted and the Bill as amended was passed to be engrossed in concurrence.

Non-Concurrent Matters

An Act relating to Payments to Towns by State in Lieu of Taxes (S. P. 549) (L. D. 1305) which was passed to be enacted in the House on May 2, and passed to be engrossed on April 25.

Came from the Senate indefinitely postponed in non-concurrence.

In the House: On motion of Mr. Edwards of Raymond, the House voted to insist on its previous action and ask for a committee of conference.

The SPEAKER: The Chair will appoint as members of the Committee of Conference on the part of the House on the disagreeing action of the two branches of the Legislature on Senate Paper 549, Legislative Document 1305, An Act relating to Payments to Towns by State in Lieu of Taxes the following: The gentleman from Raymond, Mr. Edwards, the gentleman from Yarmouth, Mr. Knapp, and the gentleman from Casco, Mr. Hancock.

Non-Concurrent Matter

Bill "An Act to Authorize the Construction of a Toll Bridge Across the Androscoggin River Between the Cities of Lewiston and Auburn" (H. P. 462) (L. D. 282) which was passed to be engrossed as amended by House Amendment "A" (L. D. 1373) on May 11.

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

In the House: On motion of the gentleman from Auburn, Mr. Jacobs, the House voted to recede from its former action whereby it passed the Bill to be engrossed as amended by House Amendment "A", L. D. 1373, on May 11; and on further motion of the same gentleman, the House voted to re-

cede from the adoption of House Amendment "A".

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

SENATE AMENDMENT "A" to HOUSE AMENDMENT "A" to H. P. 462, L. D. 282, Bill "An Act to Authorize the Construction of a Bridge Across the Androscoggin River."

Amend said Amendment by striking out the period at the end of the 1st sentence of that part designated "Sec. 2" and inserting in place thereof the following: 'and all the expenses incurred hereunder shall be paid.'

Further amend said Amendment by inserting after the word "act" in that part designated "Sec. 6" the following: 'and the tolls collected hereunder.'

Further amend said Amendment by striking out in that part designated "Sec. 7" the words: "from the general highway fund" and by adding at the end of said "Sec. 7" the following sentence: 'The interest charges on the bonds issued hereunder that accrue before sufficient funds are available from tolls to pay them in full shall be paid from the general highway fund until such time as the tolls of the bridge, applicable for the payment of interest, are sufficient for this purpose; and such sums as are necessary for this purpose are hereby appropriated out of the general highway fund; provided, however, that all sums so paid shall be returned and repaid to said general highway fund from the tolls received on said bridge as soon as the same shall be available.'

Further amend said Amendment by striking out the question at the end of the 1st paragraph of the Referendum and inserting in place thereof the following question:

"Shall a bond issue be ratified in an amount not to exceed \$3,000,000 as set forth in 'An Act to Authorize the Construction of a Toll Bridge Across the Androscoggin River Between the Cities of Lewiston and Auburn,' passed by the 95th legislature?"

Senate Amendment "A" to House Amendment "A" was adopted in concurrence.

Thereupon, House Amendment

"A" as amended by Senate Amendment "A" thereto was adopted.

The Bill as amended by House Amendment "A" as amended by Senate Amendment "A" thereto was passed to be engrossed in concurrence.

Non-Concurrent Matter

Bill "An Act to Create a Public Body in the City of Portland to be Known as the Slum Clearance and Redevelopment Authority" (H. P. 1228) (L. D. 807) which was passed to be engrossed as amended by Committee Amendment "A" on May 11.

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

In the House: On motion of Mr. McGlauffin of Portland, the House voted to recede from its former action whereby it passed the Bill to be engrossed as amended by Committee Amendment "A" on May 11; and on further motion of the same gentleman, the House voted to recede from the adoption of Committee Amendment "A".

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

SENATE AMENDMENT "A" to H. P. 1228, L. D. 807, Bill "An Act to Create a Public Body in the City of Portland to be Known as the Slum Clearance and Redevelopment Authority."

Amend said Bill by striking out subsection (b) of section 3 and inserting in place thereof the following blocked paragraph:

'(b) "Public body" shall mean the state of Maine, or any agency or instrumentality thereof, or any board, commission, authority or district within the territorial boundaries of the city of Portland.'

Further amend said Bill by striking out in the 3rd line of section 5 the words "or convenient"

Further amend said Bill by striking out in the 4th and 5th lines of subsection (c) of section 5 the words and punctuation "notwithstanding anything to the contrary contained in this law or any other provision of law,"

Further amend said Bill by striking out in the 2nd line of subsec-

tion (d) of section 5 the punctuation and words “, eminent domain”

Further amend said Bill by striking out the last sentence of subsection (d) of section 5 thereof.

Further amend said Bill by striking out in the 6th and 7th lines of subsection (f) of section 5 the words and punctuation “, notwithstanding the provisions of any other law,”

Further amend said Bill by striking out in the 3rd and 4th lines of subsection (j) of section 5 the words and punctuation “without regard to any other laws pertaining to the making and approval of appropriations and expenditures,”

Further amend said Bill by striking out the 1st sentence of subsection (c) of section 8 thereof.

Further amend said Bill by striking out in the 10th line of subsection (b) of section 10 the words “or statutory”

Further amend said Bill by striking out subsection (d) of section 10 and inserting in place thereof the following:

‘(d) The bonds may be sold by the Authority at public or private sale at not less than par plus accrued interest; provided that the city council shall approve by resolution any private sale of such bonds.’

Further amend said Bill by striking out paragraph (10) of subsection (a) of section 11 and inserting in place thereof the following blocked paragraph:

‘(10) To exercise all or any part or combination of the powers herein granted; to make such covenants and to do any and all such acts and things as may be necessary in order to secure its bonds or to make its bonds more marketable, notwithstanding that such covenants, acts or things may not be enumerated herein.’

Further amend said Bill by striking out section 13 thereof and inserting in place thereof the following:

‘Section 13. **Bonds as legal investments.** All public officers, municipal corporations, political subdivisions and public bodies, all banks, trust companies, bankers, savings banks and institutions,

building and loan associations, savings and loan associations, investment companies and other persons carrying on a banking business; all insurance companies, insurance associations and other persons carrying on an insurance business; and all executors, administrators, curators, trustees and other fiduciaries may legally invest any sinking funds, moneys or other funds belonging to them or within their control in any bonds or other obligations issued by the Authority pursuant to this law, and such bonds and other obligations shall be authorized security for all public deposits. It is the purpose of this section to authorize any persons, political subdivisions and officers, public or private, to use any funds owned or controlled by them for the purchase of any such bonds or other obligations. However, nothing contained in this section with regard to legal investments shall be construed as relieving any person of any duty or exercising reasonable care in selecting securities.’

Further amend said Bill by striking out in the 4th and 5th lines of section 14 the words and punctuation: “notwithstanding any other laws,”

Further amend said Bill by striking out in the 1st line of paragraph (6) of subsection (a) of section 16 the words: “or convenient”

Further amend said Bill by striking out in the 2nd and 3rd lines of paragraph (9) of subsection (a) of section 16 the words: “notwithstanding any provision or rule of law to the contrary”

Further amend said Bill by striking out sections 20 and 21 thereof, and renumbering section 22 to be section 20.

Further amend said Bill, in the Referendum clause at the end thereof, by striking out the last sentence of the 1st paragraph of said referendum clause.

Senate Amendment “A” was adopted in concurrence.

Committee Amendment “A” was then adopted and the Bill as amended was passed to be engrossed in concurrence.

Non-Concurrent Matter

Bill "An Act to Increase the Salaries of Members of the State Police" (H. P. 1809) (L. D. 1386) which was passed to be engrossed in the House on May 14.

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

In the House: On motion of Mr. Lackee of Addison, the House voted to recede from its former action whereby it passed the Bill to be engrossed on May 14.

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

SENATE AMENDMENT "A" to H. P. 1809, L. D. 1386, Bill "An Act to Increase the Salaries of Members of the State Police."

Amend said Bill by striking out all after the 1st paragraph thereof and inserting in place thereof the following underlined paragraphs:

'On appointment as a trooper, the member shall receive a salary of \$53 per week during the 1st year of service; during the 2nd year of service he shall receive a salary of \$57 per week; during the 3rd year of service he shall receive a salary of \$60 per week; during the 4th year of service he shall receive a salary of \$63 per week; during the 5th year of service and thereafter he shall receive a salary of \$66 per week.

On appointment as a sergeant, the member shall receive a salary of \$63 per week, and thereafter he shall receive an increase in salary of \$3 per week at the beginning of each fiscal year until a maximum salary of \$78 per week is reached.

On appointment as a lieutenant, the member shall receive a salary of \$72 per week, and thereafter he shall receive an increase in salary of \$3 per week at the beginning of each fiscal year until a maximum salary of \$85 per week is reached.

On appointment as a captain, the member shall receive a salary of \$79 per week, and thereafter he shall receive an increase in salary of \$3 per week at the beginning of each fiscal year until a maximum salary of \$95 per week is reached.

On appointment as a major, the member shall receive a salary of \$86 per week, and thereafter he shall receive an increase in salary

of \$4 per week at the beginning of each fiscal year until a maximum salary of \$107 per week is reached.

On appointment from one grade promotion to another, the member shall receive the salary in the new classification which is the next step above that which he received before he was promoted.'

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

**Non-Concurrent Matter
Tabled and Assigned**

Resolve in favor of Veterans of Spanish American War (H. P. 36) (L. D. 797) which was passed to be engrossed in the House on March 2.

Came from the Senate indefinitely postponed in non-concurrence.

In the House:

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

Mr. BERRY: Mr. Speaker and Members of the House: After conferring with several of the members of the committee, I would like to table this matter until tomorrow afternoon.

THE SPEAKER: The gentleman from South Portland, Mr. Berry, moves that the 14th item on today's calendar, Resolve in favor of Veterans of Spanish American War, H. P. 36, L. D. 797, lie on the table and be specially assigned for tomorrow morning.

All those in favor of the motion will say aye; those opposed, no.

A viva voce vote being taken, the motion prevailed and the Resolve was so tabled and assigned.

**Senate Reports of Committees
Ought to Pass**

Report of the Committee on Judiciary on Bill "An Act relating to Definition of 'Average Final Compensation' Under State Employees' Retirement Law" (S. P. 235) (L. D. 506) reporting "Ought to pass" as amended by Committee Amendment "A."

Came from the Senate with the Report read and accepted, Committee Amendment "A" indefinitely postponed and the Bill passed to be engrossed.

In the House: On motion of Mrs. Fay of Portland, the House voted to accept the Report of the Committee on Judiciary.

The Bill was then given its two several readings.

On motion of Mrs. Fay of Portland, Committee Amendment "A" was indefinitely postponed in concurrence, and the Bill was assigned for third reading at three o'clock this afternoon.

Ought to Pass

With Committee Amendment

Report of the Committee on Claims on Resolve in favor of La Cie Etchemin Ltee of Quebec (S. P. 472) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

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

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

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

COMMITTEE AMENDMENT "A" to S. P. 472, Resolve in Favor of La Cie Etchemin Ltee of Quebec.

Amend said Resolve by striking out the figures "\$1,483" in the 2nd line thereof, and inserting in place thereof the figures "\$741.50".

Committee Amendment "A" was adopted in concurrence and the Resolve was assigned for second reading at three o'clock this afternoon.

Conference Committee Report

Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature, on Bill "An Act Repealing the Merit Award Board" (H. P. 1252) (L. D. 826) reporting that they are unable to agree.

(Signed)

Messrs. BROWN of Wayne

JALBERT of Lewiston

FULLER of Bangor

—Committee on part of the House.

WARD of Penobscot

HASKELL of Penobscot

BARNES of Aroostook

—Committee on part of the Senate.

The SPEAKER: The Chair recognizes the gentleman from Wayne, Mr. Brown.

Mr. BROWN: Mr. Speaker and Members of the House: Although the conferees couldn't agree on this bill, the conferees who were most interested in continuing the Merit Award Board did agree that two years from now, if the same criticism continues, unless more progress can be reported, they, themselves, will ask for its repeal and I now move the acceptance of the committee's report.

The SPEAKER: The gentleman from Wayne, Mr. Brown, moves that the House accept the Conference Committee Report. Is this the pleasure of the House?

The motion prevailed and the Report was accepted and sent up for concurrence.

Ought to Pass with Senate Amendment

Report of the Committee on Education reporting "Ought to pass" on Bill "An Act relating to Education in Unorganized Territory" (S. P. 352) (L. D. 880)

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

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

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

SENATE AMENDMENT "A" to S. P. 352, L. D. 880, Bill "An Act Relating to Education in Unorganized Territory."

Amend said Bill by striking out the figures "1½%" where they appear in the 6th and 10th lines of that part of said Bill which is designated as Sec. 148-C and inserting in place thereof the figure "1%."

Senate Amendment "A" was adopted in concurrence and the Bill was assigned for third reading at three o'clock this afternoon.

Consolidated Resolve Ought to Pass

Report of the Committee on Education on the following Resolves:

S. P. 96, L. D. 148, Resolve in favor of Stevens Academy in the Town of Blue Hill

H. P. 1526, Resolve in favor of Foxcroft Academy

H. P. 1472, Resolve in favor of Hartland Academy

H. P. 1610, Resolve in favor of Leavitt Institute

S. P. 884, Resolve in favor of Lee Academy

H. P. 1527, Resolve in favor of Limington Academy

H. P. 820, Resolve in favor of Monmouth Academy

H. P. 116, Resolve in favor of Monson Academy

H. P. 459, Resolve in favor of Somerset Academy in the town of Athens

reporting a Consolidated Resolve (S. P. 585) (L. D. 1395) under title of Resolve in favor of the Several Academies, Institutes and Seminaries and that it "Ought to pass."

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

In the House, Report was read and accepted in concurrence, and the Resolve read once and assigned for second reading this afternoon at three o'clock.

Order

On motion of Mr. Jacobs of Auburn, it was

ORDERED, that the Clerk of the House be directed to have installed a Public Address System before the next session of the Legislature which shall include individual microphones for the members and necessary control board facilities.

House Reports of Committees Leave to Withdraw

Mr. Clements from the Committee on Welfare on Bill "An Act relating to Constables for Indian Tribes" (H. P. 1248) (L. D. 803) reported leave to withdraw

Same gentleman from the same Committee reported same on Bill "An Act relating to Lease Privileges for Penobscot Tribe of Indians" (H. P. 1247) (L. D. 802)

Reports were read and accepted and sent up for concurrence.

Ought Not to Pass

Mr. Clements from the Committee on Welfare reported "Ought not

to pass" on Bill "An Act relating to Removal of Persons from Tribal Reservation of Penobscot Indians" (H. P. 562) (L. D. 320)

Same gentleman from the same Committee reported same on Bill "An Act relating to the Registering of Dogs by the Penobscot Tribe of Indians" (H. P. 769) (L. D. 451)

Same gentleman from the same Committee reported same on Bill "An Act relating to Council in Penobscot Tribe of Indians" (H. P. 1246) (L. D. 800)

Same gentleman from the same Committee reported same on Bill "An Act relating to Membership in Penobscot Tribe of Indians" (H. P. 563) (L. D. 321)

Mr. Patterson from the same Committee reported same on Bill "An Act relating to Recording of Death of Owner of Lands in Penobscot Tribe of Indians" (H. P. 1450) (L. D. 1055)

Reports were read and accepted and sent up for concurrence.

Refer to 96th Legislature Tabled and Assigned

Mr. Jacobs from the Committee on Appropriations and Financial Affairs on Resolve Providing for a Men's Dormitory at Gorham State Teachers' College (H. P. 571) (L. D. 377) reported that it be referred to the 96th Legislature.

Report was read.

(On motion of Mr. Sanborn of Gorham, a viva voce vote being taken, the report and accompanying papers were tabled pending acceptance of the report and specially assigned for this afternoon.)

Tabled and Assigned

Mr. Jacobs from the Committee on Appropriations and Financial Affairs reported that it be referred to the 96th Legislature on Resolve Providing for a Classroom and Library Building at Farmington State Teachers' College (H. P. 799) (L. D. 492)

Report was read.

(On motion of Mr. Winchenpaw of Friendship, a viva voce vote being taken, the report with accompanying papers was tabled pending acceptance of the report and specially assigned for this afternoon.)

Ought to Pass in New Draft

Mr. Clements from the Committee on Welfare on Bill "An Act relating to By-Laws by Penobscot Tribe of Indians" (H. P. 1332) (L. D. 895) reported same in a new draft (H. P. 1820) (L. D. 1402) under title of "An Act relating to Jurisdiction Over Highways on Indian Island" and that it "Ought to pass"

Report was read and accepted and the Bill, having already been printed, was read twice under suspension of the rules and assigned for third reading at three o'clock this afternoon.

Ought to Pass

Mr. Patterson from the Committee on Welfare reported "Ought to pass" on Resolve Appropriating Moneys for Repairs on Convent on Indian Island Reservation (H. P. 1143) (L. D. 675)

Report was read and accepted and the Resolve, having already been printed, was read once under suspension of the rules and assigned for second reading at three o'clock this afternoon.

Ought to Pass with Committee Amendment

Mr. Jacobs from the Committee on Appropriations and Financial Affairs on Resolve Appropriating Moneys for Moving Maine Vocational-Technical Institute (H. P. 958) (L. D. 570) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Resolve, having already been printed, was read once under suspension of the rules.

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

COMMITTEE AMENDMENT "A"
to H. P. 958, L. D. 570, Resolve Appropriating Moneys for Moving Maine Vocational-Technical Institute.

Amend said Resolve by inserting after the figures "\$90,000" in the 2nd line of the 1st paragraph thereof the words 'for the fiscal year ending June 30, 1952'.

Further amend said Resolve by striking out the words and figures "and the sum of \$30,000 for the

fiscal year ending June 30, 1953" in the 3rd and 4th lines of the 2nd paragraph thereof.

Further amend said Resolve by adding at the end thereof, before the period the following: "; and be it further

Resolved: That any unexpended balances shall not lapse but shall remain a continuing carrying account.'

Committee Amendment "A" was adopted and the Resolve was assigned for second reading at three o'clock this afternoon.

Mr. Patterson from the Committee on Welfare on Resolve in favor of Indians at Pleasant Point Reservation for Building and Repair of Homes (H. P. 1146) (L. D. 678) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Resolve, having already been printed, was read once under suspension of the rules.

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

COMMITTEE AMENDMENT "A"
to H. P. 1146, L. D. 678, Resolve in Favor of Indians at Pleasant Point Reservation for Building and Repair of Homes.

Amend said Resolve by striking out, in the 3rd and 4th lines thereof, after the comma in the 3rd line, the following words and figures, "and the sum of \$5,000 for the fiscal year ending June 30, 1953."

Committee Amendment "A" was then adopted and the Resolve was assigned for second reading at three o'clock this afternoon.

Mr. Patterson from the Committee on Welfare on Resolve in favor of Indians on the Indian Island Reservation at Old Town for Building and Repair of Homes (H. P. 1145) (L. D. 677) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith

Report was read and accepted and the Resolve, having already been printed, was read once under suspension of the rules.

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

COMMITTEE AMENDMENT "A"
to H. P. 1145, L. D. 677, Resolve in Favor of Indians on the Indian Is-

land Reservation at Old Town for Building and Repair of Homes.

Amend said Resolve by striking out, in the 3rd and 4th lines thereof, after the comma in the 3rd line, the following words and figures, "and the sum of \$5,000 for the fiscal year ending June 30, 1953."

Committee Amendment "A" was adopted and the Resolve was assigned for second reading at three o'clock this afternoon.

Mr. Patterson from the Committee on Welfare on Resolve in favor of Indians at Peter Dana Point Reservation for Building and Repair of Homes (H. P. 1144) (L. D. 676) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted, and the Resolve, having already been printed, was read once under suspension of the rules.

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

COMMITTEE AMENDMENT "A"
to H. P. 1144, L. D. 676, Resolve in Favor of Indians at Peter Dana Point Reservation for Building and Repair of Homes.

Amend said Resolve by striking out, in the 3rd and 4th lines thereof, after the comma in the 3rd line, the following words and figures, "and the sum of \$5,000 for the fiscal year ending June 30, 1953."

Committee Amendment "A" was adopted and the Resolve was assigned for second reading at three o'clock this afternoon.

Passed to be Engrossed

Bill "An Act relating to the Sanford Sewerage District" (S. P. 592) (L. D. 1400)

Bill "An Act relating to Tax Stamp Discounts in Cigar and Tobacco Products Law" (H. P. 1818) (L. D. 1398)

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

Indefinitely Postponed

Resolve in favor of Joseph T. Sewall of Wiscasset (S. P. 146) (L. D. 1401)

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

The SPEAKER: The Chair recognizes the gentleman from Calais, Mr. Hall.

Mr. HALL: Mr. Speaker, I have been waiting for the gentleman from Damariscotta, Mr. Gay, to come back in because it was on his motion yesterday that the minority report on this bill was accepted.

The SPEAKER: Will the gentleman please defer for just a moment until the first two items are passed to be engrossed.

The SPEAKER: The Chair recognizes the gentleman from Calais, Mr. Hall.

Mr. HALL: Mr. Speaker and Members of the House: This particular resolve has to deal with a highway problem. During the reconstruction of a piece of road over in Wiscasset, temporarily last summer it became difficult during the period of reconstruction for customers to get to Mr. Sewall's place of business. He has come in asking that we, on the Claims Committee, pay him for what he considers loss of business while that reconstruction period was going on.

I am opposed to it on two grounds. In the first place: The W. H. Hinman Company was doing the constructing and they should be responsible and not the State because the W. H. Hinman Company was working under contract for the State.

In the second place, it is a bad precedent to be set up for the State to pay for loss of business because loss of business, anticipated business, is not allowable in a court. In other words, Mr. Sewall has taken the figures that he did in his business for the year previous to this construction program. He has anticipated that he would have done as much business or more in the year in which this construction was taking place. He has taken his actual figures of the business he did and subtracted them and come up with the amount of this resolve which he wants the State to pay. If you were to stop and consider the number of times that new highways by-pass stores or places of business, overnight camps, in some cases they by-pass entire towns, and if anyone saw fit they could come in the next

year to this Legislature and say: "Here, my business dropped off \$2,000 and I blame it on the fact that the State Highway Department came down and put a road across this field in front of my store and I insist that you pay me the difference in business." That could go on for years.

For those two reasons, I move the indefinite postponement of the resolve.

The SPEAKER: The gentleman from Calais, Mr. Hall, moves that Resolve in favor of Joseph T. Sewall of Wiscasset, S. P. 146, L. D. 1401, be indefinitely postponed.

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

Mr. SPEAR: Mr. Speaker and Members of the House: The Committee on Highways is deeply concerned with this matter. I think you can readily see that it would be a very dangerous precedent for the State of Maine to pay claim to any individual who might put in a claim for loss of business or even inconvenience. There are certain people living along the highway who are inconvenienced by construction work which is going on and it is allowable for them to put in a claim, I presume, and if the State sets a precedent here in this case, it should pay all claims in all cases and it would run into thousands or even hundreds of thousands of dollars to be paid by the Highway Department. The Highway Department is only indirectly responsible maybe for this work as much of it is done by the contractor and the contractor can be obliging or unobliging to the parties who are living on a right of way. And if claims are paid, it will be, as I said before and repeat, a very dangerous precedent. Your Highway Department and your Highway Committee are very much concerned about this and it has not been brought up before because it was reported out by the Claims Committee and not considered by the Highway Committee, but was reported out by your Claims Committee in a divided report of eight to two that it "Ought not to pass". So, I am not speaking for the committee but only as a member of the

committee and I shall support the motion to indefinitely postpone this measure.

The SPEAKER: The Chair recognizes the gentleman from Damariscotta, Mr. Gay.

Mr. GAY: Mr. Speaker, having signed the minority report of "Ought to pass" I feel that I should defend my position on the thing. However, at this time and despite all adverse arguments that you have heard, this having been taken care of this long by our State Department, I think I shall not make any further comments.

The SPEAKER: Is the House ready for the question?

The question before the House is on the motion of the gentleman from Calais, Mr. Hall, that Resolve in favor of Joseph T. Sewall of Wiscasset, S. P. 146, L. D. 1401, be indefinitely postponed.

All those in favor of the motion will say aye; those opposed, no.

A viva voce vote being taken, the motion prevailed and the Resolve was indefinitely postponed in non-concurrence and sent up for concurrence.

Amended Bill

Bill "An Act relating to Use Fuel Tax" (S. P. 244) (L. D. 513)

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

Finally Passed Constitutional Amendment

Resolve Proposing an Amendment to the Constitution to Liberalize Limitation of Municipal Indebtedness (S. P. 579) (L. D. 1390)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being a Constitutional Amendment and a two-thirds vote of the House being necessary, a division was had. 117 voted in favor of the same and none against, and accordingly the Resolve was finally passed, signed by the Speaker and sent to the Senate.

Passed to Be Enacted Emergency Measure

An Act relating to Non-resident Commercial Fishing Licenses (S. P. 578) (L. D. 1391)

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 the same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Finally Passed Emergency Measure

Mr. Jacobs of Auburn was granted unanimous consent to call up from the Special Calendar, Item 3, Resolve Appropriating Moneys to Effectuate Salary Plan for State Employees, H. P. 804, L. D. 477, pending final passage; and the same gentleman then moved that it be finally passed.

This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a division was had. 125 voted in favor of same and none against, and accordingly the Resolve was finally passed, signed by the Speaker and sent to the Senate.

Passed to Be Enacted

An Act relating to a State Police Barrack in the County of Somerset (S. P. 294) (L. D. 653)

An Act relating to the Flander's Bay Community School District (S. P. 414) (L. D. 975)

An Act relating to Open Time on Rabbits in Somerset County (S. P. 507) (L. D. 1218)

An Act relating to the Greater Portland Public Development Commission (S. P. 527) (L. D. 1252)

An Act relating to Definition of "Teacher" Under Maine State Retirement Law (H. P. 926) (L. D. 528)

An Act Appropriating Moneys for Revision of State Valuation (H. P. 1066) (L. D. 646)

An Act to Incorporate the "Paris Company" (H. P. 1662) (L. D. 1231)

An Act to Provide Facilities for the Peaceful Settlement of Indus-

trial Disputes Through Mediation (H. P. 1734) (L. D. 1293)

An Act relating to the Liquor Commission (H. P. 1786) (L. D. 1346)

Finally Passed

Resolve in favor of Julius Moskowitz of Presque Isle (S. P. 142) (L. D. 1371)

Resolve Appropriating Moneys for Wing at State Police Building in Augusta (S. P. 220) (L. D. 495)

Resolve in favor of Timothy J. Murphy of Hallowell (S. P. 298) (L. D. 1368)

Resolve in favor of Folsom Brothers of Monticello (H. P. 1074) (L. D. 1339)

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

Tabled

Resolve Authorizing a Tax and Cutting Practice Committee (H. P. 1672) (L. D. 1240)

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

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

Mr. CHASE: Mr. Speaker, the sponsor of this measure, being absent, has asked me to table it until he has returned. This will not delay the procedure, I am advised. I so move.

The SPEAKER: The gentleman from Cape Elizabeth, Mr. Chase, moves that Resolve Authorizing a Tax and Cutting Practice Committee, H. P. 1672, L. D. 1240, lie on the table pending final passage. Is this the pleasure of the House?

The motion prevailed and the Resolve was so tabled.

Orders of the Day

The SPEAKER: Under Orders of the Day, the Chair lays before the House the 1st tabled and today assigned matter, Majority Report "Ought not to pass" and Minority Report "Ought to pass" of the Committee on Judiciary on Bill "An Act Proposing an Amendment to the Constitution to Reduce the Voting Age to Eighteen Years,"

H. P. 1368, L. D. 959, tabled on May 16th by the gentleman from Lewiston, Mr. Delahanty, pending acceptance of either report; and the Chair recognizes that gentleman.

Mr. DELAHANTY: Mr. Speaker and Members of the House: I am fully aware of the initial conduct of the House, yesterday, when I asked that this measure be tabled. I have taken that as an admonition that brevity is the spice of life and verbosity is not the order of the day.

I have taken advantage of the respite to marshal my facts and assemble and digest my thoughts for your benefit that they would not go into the night as they probably would have if we had gone into this measure yesterday.

I want you to be sure, Members of this House, that the inclusion in this measure to give the youth from eighteen years of age and upwards to twenty-one the right of suffrage is not, on my part, an idle gesture. It merits, in my opinion, no less consideration than did Woman's Suffrage when it was adopted back in 1913. I would reflect with you for a moment on the past and I am sure that there are skeptics among us who even believe today that the Woman's Suffrage was not the proper thing to have take effect. There were those who believed then that Woman's Suffrage would lead to the decline of good government. It is my opinion that the adoption of Woman's Suffrage has been one of the bright and illuminating spots in our history. Have not the women fully accepted their responsibility as electors? We are most fortunate to have women in nearly all of our state governments and in our national government. What finer example of this assuming of responsibility have we than the gentlewomen in this House? From what source have we heard a more sound appraisal of a controversial piece of legislation than from one of the gentlewomen in this House, the lady with whom I had the pleasure of signing this minority report, the gentlewoman from Portland, Mrs. Fay?

The men and women for whom I speak today are silent. There is no great public clamor, I will say,

for the adoption of this measure but it is in my opinion that these young men and women for whom I speak today are endowed with the splendid faculties of good minds and healthy bodies. We should, then, elevate them to a position of responsibility equal to their mental ability and physical stamina.

We demand of these young people of whom I speak today a great deal. Let us, for a moment, consider some of these demands. We have demanded of our youth that they remain in school until they are at least sixteen years of age and then to their honor and credit, we allow many of them to remain in school until they finish high school at least. It is then that they have attained the age of eighteen. There are those among them, who, after finishing high school are not as fortunate as their brothers and sisters to be able to carry on to even higher education but while they have been in high school they have participated in the many courses of political science. These courses have been given to them at great expense and with considerable effort. They have absorbed political science; they have indicated at all times that they are aware of the type of government that we have. That they believe in a democracy. However, when these young people leave their formal education, if they do not carry on to college, they are left in a so-called vacuum period, a period of time in which their pent-up energy to participate in government is bound to wane. Evidence of this is the fact that when these young people arrive at the age of twenty-one, it is difficult to rekindle their interest in government after it has waned through the years from the time they have got their formal education.

A recent lecture which it was my privilege to give at one of the colleges in the citizenship laboratory indicated to me that the young people of today have a keen interest in the government; that they understand it fully as well, and I say this with all due respect to the Members of this House, they understand it as well as we do. They have not yet had the op-

portunity to practice what they have been taught.

If the educational demands that we ask of our children were the only demands, I would say that my argument is sound on that basis alone; yet above and beyond this, we ask these young people, after leaving their formal education, to assume a position in the community and in the State. To this responsibility, it is my opinion that they have been responsive. They contribute much to the social and financial well-being of the State. It is their interest, with ours, that leads to a successful life in the community; and, if we can give them this right of franchise, it will cause them, I believe, to have even a greater interest in their government and will lead them to a more abundant and successful life in their individual lives.

Then we expect and know that many of them marry before they arrive at the age of twenty-one. What more important role is there that two young people can take than that of marriage? It is my candid opinion that the importance of that married state plus the responsibility that they assume in marriage is more important than a single vote that they might cast in a political affair. We ask them, as they marry, to contribute to the home life of their community. The home life of the community is the basis of community government and the foundation of our state government. Where we find good homes we will find good government. Where you find a decline in the home you find a decline in the government.

I say then, that if they assume that responsibility, and they do assume that responsibility, then we should give them the right to participate in the operation of their government.

Each and every day we see and we learn of men and women who are now joining the armed forces of our country to give us the freedom which our ancestors enjoyed and which I hope that posterity will always enjoy. These young people have become a symbol of our national defense; they are willing to do their part. I think it is for us

to give them an opportunity to do their part in state government.

The young men and women of today have lived their lives in a succession of crises. They were born in the midst of a depression, reared during World War II, and they have come of age during a cold war, one that is now hot, a situation that is now a personal threat to their own lives. In my opinion, this is an outright repudiation of the honor of these young people to say of them that in the military they are subject to direction and control and not called upon to rely upon their individual judgment. It is their judgment that keeps the military standard so high, their judgment that has saved the lives of their fellow men, and their independent judgment that has led any number of our youths to heroic efforts, causing to be bestowed upon them the greatest of all honors to be given to a fighting man, that of the Congressional Medal of Honor. They, being worthy recipients of this honor and others nearly as great, then it is my firm conviction that when we ask them to give of their blood we should be willing to give them in return a vote.

It is with these considerations that I ask you to bear in mind and reflect these considerations in your conscience, and that you join with me in my motion to accept the minority "Ought to pass" report.

The SPEAKER: The gentleman from Lewiston, Mr. Delahanty, moves that the House accept the Minority "Ought to Pass" Report.

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

Mr. MCGLAUFFLIN: Mr. Speaker and Members of the House: I have listened with much interest to the fine address that my fellow-member on the Judiciary Committee has given on this matter. I cannot, however, go along with him. His illustration compared this to women's suffrage. In my mind it is not a parallel case.

I recall a debate that took place many years ago at Ricker Classical Institute, where the question was upon how women and the men stood mentally, and one of the speakers who was arguing for the men said, "The men have bigger heads than

the women," to which his woman opponent immediately replied: "Yes, men have bigger heads. A calf has a bigger head than a dog, but the dog has more brains." (Laughter)

The women have got brains equal to the men, as we readily admit; but down through the ages it has been recognized that twenty-one years was a pretty good average age for men to be recognized as mature. If you should pass this measure, the contract of this voter would still be voidable: he can void his contract until he is twenty-one years of age. Under the law, his services, his earning capacity, belongs to his parents.

They state that these young men are mature enough to be soldiers. That is true. But let me call your attention to the fact that the soldiers are not the ones, for the most part, that are doing the thinking. They are under orders and they obey orders. Twelve-year-old boys or fourteen-year-old boys could become soldiers so far as obeying orders are concerned.

I recognize the fact that you can find many exceptions to the general rule. The Quiz Kids, children six to ten years old, can answer questions that none of the members of this Legislature can answer. They are remarkably precocious. There are some minors, soldiers that have rendered remarkable service, and they have shown great mental power without any question; but on the whole it has been found that twenty-one years is a good age to recognize maturity. I therefore move that this bill be indefinitely postponed.

The SPEAKER: The question before the House is on the motion of the gentleman from Portland, Mr. McGlauffin, that the Reports and Bill be indefinitely postponed.

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

Mr. LETOURNEAU: Mr. Speaker, when the vote is taken I ask for a division.

The SPEAKER: The question before the House is on the motion of the gentleman from Portland, Mr. McGlauffin, that the Reports and Bill "An Act Proposing an Amendment to the Constitution to Reduce the Voting Age to Eighteen

Years," H. P. 1368, L. D. 959, be indefinitely postponed.

All those in favor of the motion that the Reports and Bill be indefinitely postponed will please rise and remain standing until the monitors have made and returned the count.

A division of the House was had. Seventy-eight having voted in the affirmative and thirty in the negative, the motion prevailed and the Reports and Bill were indefinitely postponed and sent up for concurrence.

The SPEAKER: The Chair lays before the House the 2nd tabled and today assigned matter, House Order relative to Striking out Rule 25 from House Rules, tabled under the rules yesterday.

The question is on the passage of the order. All those in favor of the order receiving passage will say aye; those opposed, no.

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

The SPEAKER: Sixteen having voted in the affirmative and seventy-one in the negative, the order does not receive passage.

The SPEAKER: The House is proceeding under Orders of the Day.

(Mr. Chase of Cape Elizabeth was granted unanimous consent to address the House)

Mr. CHASE: Mr. Speaker and Fellow Members: There are a few things which I should like to say to the House before we come to the day of final adjournment, and perhaps this time is as appropriate as any.

When I think of the zeal and vitality with which we come to the Legislature in January and consider the difference in that zeal in the days approaching final adjournment when we are all anxious to get through and get home, I am reminded of a little poem about the difference between the spirit of youth and age. It goes like this:

"When I was young and brave
and strong,
Oh, right was right and wrong
was wrong;
My plume on high, my flag
unfurled,
I rode away to right the world.

'Come out, you dogs, and fight,'
cried I,
And grieved I had but once to
die.

Now I am old, and good and
bad

Are woven in a crazy plaid;
I sit and say, "The world is so,
And he is wise who lets it go;
A battle lost, a battle won,
The difference is slight, my
son.'

Inertia rides and riddles me,
And calls itself philosophy."

(Laughter and applause)

Before inertia completely over-
comes my momentum, I should like
to mix a little philosophy with
reminiscence.

We are told in Ecclesiastes that
"For everything there is a season
and a time for every purpose under
heaven; a time to keep silent and
a time to speak." Ecclesiastes even
goes on to remind us that there is
a time to embrace and a time to
refrain from embracing. And if
we apply this last counsel to legis-
lative causes and political oppor-
tunities, the Bible still seems to
say to us: "Take 'em when they're
hot!" (Laughter)

Now for me the times have never
been politically too hot. In fact I
doubt if anyone ever lived more
out of tune with his times political-
ly than I have lived.

I first came to the State House
fifty years ago with my father,
and I have been around the Legis-
lature more or less ever since, so
naturally I have a sentimental
attachment for this State House
and especially for this House.

I was seated at the desk of the
Assistant Clerk of this House when
World War I was declared, and if
anyone ever tells you that World
War I was futile, you can always
remember that if it had not been
for World War I, I might be Clerk
of this House today. (Laughter)
So you can see that it wasn't quite
futile after all, because it removed
me to some extent from the capacity
to do infinite damage.

My father had political ambi-
tions, which unfortunately, consid-
ering the times, I inherited. Practi-
cally all of my public service has
been in appointive and unsalaried
positions. Whenever during my life
I have tapped the people on the

shoulder and said to them, "Do you
need me?" the answer has always
been, "Not if we can get anyone
else." (Laughter) In fact, so far as
I can now recall, the only elective
office I ever held in which there
was a contest was as party Floor-
leader in this Legislature, so per-
haps this is my time. (Laughter.)

The word "leadership" was ap-
plied to me yesterday, and I should
like to say just a word about the
conception of leadership which I
have tried to apply in the work in
this House.

Recurring throughout history, we
have had this period when a con-
ception of leadership has been cen-
tered in one man. We are today in
such a period, and it is one of the
worst things which ails us.

The true conception of leader-
ship, as I see it and as I have tried
to apply it here, is a leadership
which develops from the ground up,
a leadership which is based on the
spirit of the soldiers, the courage of
the corporals, the constancy of the
captains, but, by no means, on
orders issuing from one who might
be compared to the commanding
General. You cannot lead men
where they do not want to go. The
best that anyone can do is to utilize
these unit leaders who arise every-
where, as in this House, through a
process of natural selection based
on confidence. All that one who
possesses the titular leadership in
such a group can do is to try to
keep those leaders moving toward
an objective with a common pur-
pose, keeping them from fighting
with each other and avoiding group
jealousy. It is on this conception
of leadership, giving everyone a
show within his own field of oppor-
tunity and capacity, that I have
tried to guide the procedure in this
House.

We have had very few wrangles
here of a partisan character. I can-
not remember a Legislature where
party considerations have played a
smaller part. The minority party
and the majority party have worked
together.

I want to pay tribute especially
to the leader of the minority party,
"Tom" Delahanty, who has been
extremely cooperative with me and
has always been safe to talk to. I
have never hesitated to disclose to

him my own plans of procedure even when they involved party consideration. I have tried to be absolutely and completely fair to the minority party here, and naturally I was greatly pleased yesterday when "Tom" Delahanty said he thought I had been. He has never been disposed to make an issue or to stir up controversy merely for the sake of a party wrangle, and he certainly deserves my thanks and all our thanks for his very cooperative effort. (Applause)

I want to thank Curtis Taylor for the order which he introduced yesterday, also Judge McGlauffin, my friend of long time legislative experience, for his very kindly speech, and again "Tom" Delahanty, for what he said. I am greatly indebted to Dr. Bates, and to the members of the steering committee, for their loyal support and hard work. And the Speaker has been extremely cooperative and has made a difficult task easier, and so have many others who are too numerous for me to name individually.

This House has always been kind to me if not always kind to all my personal causes, and I am pleased to think from what was said here yesterday that you are fairly well satisfied with the way we have worked here together and the results which we have achieved. Thank you very much for your support throughout the session. (Prolonged applause, members rising)

The SPEAKER: The Chair at this time notes the presence in the balcony of the Hall of the House of Haskell Memorial School of Bath, in charge of Doris Thistle, teacher, and in behalf of the House the Chair at this time bids you a cordial welcome. (Applause)

The SPEAKER: The Chair would inform the members that we have all matters attended to at the moment, and there is nothing more for the House to do until something is reproduced from the other branch or more work can be taken care of here in our own office.

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

Mr. CHASE: Mr. Speaker, I ask

unanimous consent that unless previous notice is given to the Clerk of the House of intention to move reconsideration that the Clerk be authorized to send to the Senate one hour and thirty minutes after the House recesses all matters acted upon this morning that were passed to be engrossed or that require Senate concurrence, and after that time no motion to reconsider any such matters shall be entertained.

The SPEAKER: Is there any objection? The Chair hears none, and it is so ordered.

On motion of Mr. Chase of Cape Elizabeth,

The House recessed until 2:00 P. M., E. S. T.

Afternoon Session—2:00 P. M. E. S. T.

Called to order by the Speaker.

Mr. STEVENS of East Boothbay:
Mr. Speaker —

The SPEAKER: For what purpose does the gentleman rise?

Mr. STEVENS: For a point of order, Mr. Speaker.

The SPEAKER: The gentleman may state his point.

Mr. STEVENS: Mr. Speaker, this morning a committee of conference was reappointed on the digging of marine worms and under Rule 13 in Joint Rules, I feel that the appointments were wrong and I would like to have the rule read and the members appointed asked how they voted.

The SPEAKER: The Chair will inform the gentleman that the point is not well taken at this time.

The following papers from the Senate were taken up by unanimous consent:

Ought Not to Pass

Report of the Committee on Claims reporting "Ought not to pass" on Resolve in favor of the C. C. Smith Company, Inc. (S. P. 475)

Report of the same Committee reporting same on Resolve in favor of Russell E. Foster of Augusta (S. P. 473)

Came from the Senate read and accepted.

In the House, read and accepted in concurrence.

Ought to Pass

Report of the Committee on Appropriations and Financial Affairs reporting "Ought to pass" on Resolve Providing for Indexing and Filing Old Probate Records (S. P. 513) (L. D. 1232)

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

In the House, Report was read and accepted in concurrence, and the Resolve read once and tomorrow assigned.

Divided Report Tabled and Assigned

Majority Report of the Committee on Re-apportionment reporting "Ought not to pass" on Resolve to Apportion One Hundred and Fifty-one Representatives Among the Several Counties, Cities, Towns, Plantations and Classes in the State of Maine (S. P. 596)

Report was signed by the following members:

Messrs. HASKELL of Penobscot
LEAVITT of Cumberland
ELA of Somerset
MARSHALL of York
CROSBY of Franklin
—of the Senate.
CHASE of Cape Elizabeth
CASWELL of New Sharon
HAYES of Dover-Foxcroft
BRADEEN of Waterboro
SINCLAIR of Pittsfield
LATNO of Old Town
BAILEY of Woolwich
STEWART of Paris
—of the House.

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

Report was signed by the following members:

Messrs. SLEEPER of Knox
CHRISTENSEN of
Washington
—of the Senate.
JACOBS of Auburn
MARTIN of Augusta
DICKEY of Brooks
LACKEY of Addison
DORSEY of Fort Fairfield
DUNHAM of Ellsworth

HARDING of Rockland
CHASE of Whitefield

—of the House.

Came from the Senate with the Majority Report accepted.

In the House: Report was read.

The SPEAKER: The Chair recognizes the gentleman from Island Falls, Mr. Crabtree.

Mr. CRABTREE: Mr. Speaker and Members of the House: This is the resolve that puts into effect the apportionment plan directed by the previous vote of this House. The "Ought to pass" report of the committee is the report which follows the dictates of this House and I move acceptance of that report.

The SPEAKER: The gentleman from Island Falls, Mr. Crabtree, moves that the House accept the minority "Ought to pass" report of the Committee on Re-Apportionment.

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

Mr. CHASE: Mr. Speaker, speaking entirely in my personal capacity as a Representative from Cape Elizabeth and Scarborough in Cumberland County, whose constitutional rights are involved in this resolve, as a member of the Committee on Re-Apportionment, I followed the direction of this House in helping to prepare this resolve. The resolve doesn't have a leg to stand on constitutionally and I am now opposed to its passage, which I believe to be within my rights and I think those of us whose rights are involved in this matter want to go on record now to show that we did what we could to defend the rights of our respective communities.

I hope that the motion of the gentleman from Island Falls (Mr. Crabtree) will not prevail and when the vote is taken I ask for a division.

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

Mr. MCGLAULIN: Mr. Speaker, the apportionment under the minority report is clearly against the Constitution. I, too, am opposed to the motion of the gentleman to accept the minority report.

You can't carry on business and ignore the Constitution of the State of Maine.

The SPEAKER: Is the House ready for the question?

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

Mr. JACOBS: Mr. Speaker and Members of the House: I think all of us here took an obligation to defend the Constitution of Maine. However, there are limitations to some of these and I feel that those who signed the minority report have a justifiable position and have the right to state that position and the laws specifically specify "as near as may be." Someone will go on and say something following this, but I believe that when we take from Washington County two of its members, the population of which is scattered all over the eastern part of this State, and give it to some other populated center, I do not think it is fair.

I believe we have our rights on this minority report just the same as those others who claim their rights on the majority report. I believe it is not fair to take from the smaller community and give it to a larger one and I hope the minority report will be accepted.

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

Mr. DUNHAM: Mr. Speaker and Members of the House: I signed the minority report and I am proud of it. I can't believe that this thing should not be apportioned according to the size of a community. I can't believe that we should take anything away from Washington County or Aroostook County and that is the reason why I signed this minority report.

Somehow or other I just can't conceive of this thing being apportioned according to population. I think that we ought to consider the size of the district from which the people come. Therefore, that is the reason why I signed it.

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

Mr. MARCH: Mr. Speaker and Members of the House: Maybe I am misinformed, if I am I would like to be corrected, but I don't

understand that this report takes anything from any county, it reapportions within each county. It seems to me it is sort of misleading to the House to have that statement made. As I understand it, each county is reapportioned within the county. We are not taking anything from any county. I do not understand it that way. Perhaps the gentleman from Cape Elizabeth, Mr. Chase, will explain that to me.

The SPEAKER: The gentleman from Bridgton, Mr. March, asks a question of the gentleman from Cape Elizabeth, Mr. Chase, which the gentleman may answer if he chooses.

Mr. CHASE: Mr. Speaker, the resolve on which I signed the "Ought not to pass" report allocates twenty-four representatives to Cumberland County in accordance with Plan A, which was approved by the House. My contention is, of course, that a constitutional apportionment would have allocated a larger number. I do not know if that is the question which the gentleman has in mind.

The SPEAKER: Does that answer the gentleman's question?

Mr. MARCH: Mr. Speaker, my remarks were made to make it clear that Cumberland County was going along with Plan A just as the House voted a while ago and we would just merely reapportion in Cumberland County and I suppose the other counties will reapportion. The number of representatives for each county has not changed. We have just what we would have had. If we had accepted Plan "B," which we didn't accept, it left it as was, I understand it. I don't know that I am right and if it left the representation just as it was it was just linking up groups, as I understand it, the smaller towns and rearranging the representation but not changing the number in each county. Perhaps I am wrong; if I am, I would like to have it clear myself.

Mr. CHASE: Mr. Speaker, I think the answer to the gentleman's question probably lies in the resolve itself in the recommended allocation of towns in the class that he represents.

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

Mr. HAND: Mr. Speaker and Members of the House: As I understand the situation now before the House, I believe that it makes no difference whether we accept the minority "Ought to pass" report or the majority "Ought not to pass" report as far as apportionment of representatives state wide. It doesn't make any difference which we do; there isn't going to be any reapportionment. But, if we accept the minority "Ought to pass" report, certain counties then have the right to reapportion their own representatives.

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

Mr. TURNER: Mr. Speaker and Members of the House: I can see no harm in laying this on the table until tomorrow morning and having this thing printed so that we will know what we are voting on. I don't understand it. I know I am pretty thick-headed but I would like to see the thing in black and white so we would know what we are voting on and I so move.

The SPEAKER: The Chair would inform the gentleman that it could be printed and be back here by 7:30 Daylight Saving Time this evening.

Mr. TURNER: What is that, Mr. Speaker?

The SPEAKER: The Chair would inform the gentleman that the resolve could be printed and appear in the House at 7:30 this evening.

Mr. TURNER: Well, 7:30 would be O.K. with me, Mr. Speaker.

The SPEAKER: Does the gentleman so move that it be tabled?

Mr. TURNER: Yes, Mr. Speaker.

The SPEAKER: The gentleman from Auburn, Mr. Turner, moves that the matter lie on the table pending the acceptance of either report and that the resolve be printed.

All those in favor of the motion will say aye; those opposed, no.

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

The SPEAKER: The Chair recognizes the gentleman from Whitefield, Mr. Chase.

Mr. CHASE: Mr. Speaker and Members of the House: We voted

on this issue once and the House voted for Plan "A," which was to keep the number of representatives for each county the way they have been for the last ten years. Now, the thing is twisted around and it comes back to us in another form and we are apt to get mixed up on this thing and vote to reapportion, so if we all vote for the minority report, we will be safe. (Laughter)

The SPEAKER: Is the House ready for the question?

The Chair recognizes the gentleman from Clinton, Mr. Keene.

Mr. KEENE: Mr. Speaker and Members of the House: I think there is definitely some misunderstanding in some of our minds, at least, I know there is in my mind, and I would like to know when I vote just what I am voting for.

Now, the gentleman from Bridgton, Mr. March, has asked our very able floor leader a question. I don't think he has answered it specifically. I would like to know whether when we vote on this resolve that is now before us if we accept the majority report, are we taking any representatives away from Aroostook and Washington Counties, the same as the report which was in here before. I would like to know that definitely.

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

Mr. HARDING: Mr. Speaker, I will try to answer that question.

We voted here quite a while ago by a considerable majority not to reapportion to the counties. That is, the counties would have the same number of representatives. But that the counties might reapportion within their own borders. The minority report on this present bill does just that; it doesn't take any representative from any county. That is the minority "Ought to pass" report. It does not take any representative from any county but I understand that there are four counties which have reapportionment within the counties and that intra-county reapportionment is included in this bill and, of course, I feel that those counties that have reapportionment within the county should be allowed to do so and that this bill should receive its passage.

Does that make it clear?

Now, Mr. Speaker, I thought while I was up on my feet I might as well keep on talking.

The SPEAKER: The gentleman may proceed.

Mr. HARDING: Mr. Speaker, the majority "Ought not to pass" report is something that happened in the Senate this morning before anybody came to what was going on. It was a motion by the Senator from Penobscot County who is apparently a master of confusion and he certainly has confused the issue in there, and done a fair-sized job of confusing the issue in here.

The acceptance of the majority report, what would be done would be to undo the work that the committee has done. It would be to vote exactly opposite to what the House has already voted to do and would leave the matter in a complete state of confusion.

While I am up here, I would like to offer a few words of sympathy to the gentleman from Cape Elizabeth, Mr. Chase, who, I understand, drew up the constitutional amendment in regard to reapportionment. And I say I would like to offer a few words of sympathy because I do sincerely sympathize with him. I have done things myself and after I have done them, it is absolutely impossible for me to see where they are wrong and I can see no flaw in it whatsoever. I can thoroughly appreciate the situation in which he finds himself in this step-child of his which he has drawn up and he can't see the flaws in it. Of course, that is the only argument Cumberland County has for grabbing three representatives from the smaller counties anyway. He may be able to see the flaws in it, but I doubt if he can. I think he sincerely feels that this is unconstitutional. I will say to you that it isn't unconstitutional. If you will read the constitution, you will see that there is one method provided for apportioning senators and another method provided for apportioning representatives and what we have done here is not unconstitutional and again with sympathy to Mr. Chase, I will sit down.

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

Mr. CHASE: Mr. Speaker, I wish to say to the gentleman that his remarks are inaccurate and somewhat offensive.

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

Mr. DAVIS: Mr. Speaker and Members of the House: It was my understanding that if we accept this "Ought not to pass" report, we do not reapportion anything. That is, it remains as it is within the State and within the Counties.

Now, if we are not going to reapportion state wide, I don't see any reason why we should make any reapportionment within the counties. In other words, you are going to take away from the smaller towns within the other counties, my own district, and I hope that the "Ought not to pass" report will be accepted. I assume that by not making any reapportionment, this matter will be referred to the next Legislature to act as they see fit.

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

Mr. JALBERT: Mr. Speaker and Members of the House: Like many other members here present, I, too, am confused. What I would like to do is vote to reapportion within the counties. I would like to ask this question before I make a few remarks. If I am going to vote to reapportion geographically within each county, how do I vote? Do I vote with the committee report headed by Mr. Haskell of Penobscot or do I vote with the committee headed by Mr. Sleeper of Knox? I would like to ask Mr. Harding. He seems to be very well-versed on this thing.

The SPEAKER: The gentleman from Lewiston, Mr. Jalbert, asks a question of the gentleman from Rockland, Mr. Harding, and the gentleman from Rockland, Mr. Harding, may answer if he chooses.

Mr. HARDING: Mr. Speaker, my hearing being somewhat impaired, I didn't catch the question. Will the gentleman please repeat it.

The SPEAKER: Would the gentleman repeat his question?

Mr. JALBERT: Mr. Speaker, the question is: I want to vote to reapportion geographically within the county.

Mr. HARDING: Mr. Speaker, then the gentleman wants to vote to accept the minority "Ought to pass" report of the committee.

Mr. JALBERT: Mr. Speaker, it says here that it came from the Senate with the majority report accepted. Do I vote with the committee headed by Senator Haskell or headed by Senator Sleeper?

Mr. HARDING: I beg your pardon, Mr. Speaker?

Mr. JALBERT: Mr. Speaker, on page 1, the report was signed by the following members. Which group do I vote with here?

Mr. HARDING: Mr. Speaker, the gentleman would vote with the group that is headed by Senator Sleeper.

Mr. JALBERT: Mr. Speaker, if I want to vote to reapportion within the county?

Mr. HARDING: That is right, Mr. Speaker. That is the only opportunity you will have to vote to reapportion within the county because if you accept the other report this thing is out the window.

Mr. JALBERT: Mr. Speaker and Members of the House: This is as confusing as a report of the Judiciary Committee. We have got to retract, I believe. After hearing some remarks this afternoon, I am almost sorry I went along with Plan "A" originally.

I feel this way: I cannot help but mention, on my left is seated Representative Plummer and Representative Wood. Representative Plummer represents the Town of Lisbon, and directly across the river where the Androscoggin narrows down, it is only a few feet, you can hurdle it if you move fast, is the Town of Durham. Representative Wood represents the Town of Durham and, to get to his own home that he also represents, the Town of Webster, he has got to go through Lewiston and there are five of us representing there. I am wondering just how often he contacts—and I know that he is a very able representative—but it might be that if he would just move into the next town to him instead of going through the City of Lewiston which is the second largest city in the State, it might be a little better if our own county was reshaped geographically. He wouldn't have to

spend so much time travelling through Lewiston and back and forth. I also see the Representative from Casco, apparently the policy would be that they would alternate between Casco and Harpswell. The Representative from Casco, Mr. Hancock, lives fifty miles away from Harpswell. I am wondering just how much time he can spend, trying to spend a little time at home, a little time in his own business, and spending a great deal of time here and having to take care of the affairs of Casco, just how much time he is going to have to go over and visit his constituents in Harpswell.

I was hoping that the motion of the gentleman from Auburn, Mr. Turner, would prevail to table this thing until this evening. There are, seriously, some very interesting figures pertaining to this reapportionment within the counties geographically and I think it might be well to look into this thing and reapportion. I might inform the gentleman from Whitefield that in one of my frequent trips to Lincoln County that I cannot pick up the Lincoln County News without seeing an editorial asking for reapportionment. The Democrats there would like to have a reapportionment geographically, the Young Republican Club would like to have a reapportionment geographically, and every paper in the county wants a reapportionment geographically.

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

Mr. McGLAULIN: Mr. Speaker, the confusion has arisen from the fact that the apportionment in the first place wasn't according to the Constitution.

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

Mr. HAWKES: Mr. Speaker, it has been very interesting, ladies and gentlemen of the House, to listen to this particular bit of argument this afternoon by some of the gentlemen who want both their cake and to eat it too. It would seem to me only fitting and proper, regardless of the technical arguments that the gentleman from Rockland presents, that if you are

going to make your bed, you should sleep in it.

Some two or three months ago, this House, through means with which we are all familiar, saw fit to go directly contrary, if not to the wording of the Constitution, to the spirit of the Constitution. Now, it would certainly seem to me that this House would be in a most ridiculous position if they suddenly attempt to accept this so-called minority "Ought to pass" report. First, they want to divide geographically and then, in the next instance, they don't want to do that, they want to take into account the population. It is extremely interesting to me, also, that the members of the minority party in this House certainly weren't aware of what they were doing two or three months ago. Thank you.

The SPEAKER: The Chair recognizes the gentleman from Waterboro, Mr. Bradeen.

Mr. BRADEEN: Mr. Speaker and Members of this House: It has been said, and I think with a considerable degree of accuracy, that the Constitution of the United States is what the Supreme Court says it is. Now some weeks ago I saw among the elected representatives of the people of this State a disposition to go on record to the effect that the Constitution of the State of Maine should be what the State Legislature says it is. I say to you this afternoon, my friends, that is a most disturbing tendency. When you leave the Constitution of the State of Maine, when you fail to recognize its phraseology and to recognize its definite intent, I ask you what you propose to give to the people of this State in its place? For that reason, I will go along with the majority report of the Apportionment Committee.

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

Mr. SINCLAIR: Mr. Speaker and Members of the House: I am fully aware of the position the House took some time ago in regard to apportionment. I have a great deal of respect for the gentleman from Rockland, Mr. Harding, but I still cannot understand how, in order to vote for reapportionment

within the county, we must vote for the minority report, and if we vote for the majority report we are undoing what took place some time ago. It would appear to me to be two bills in one.

Now, in defense of the gentleman from Cape Elizabeth (Mr. Chase) I do not think it is hardly fair to say that this apportionment is his brain-child. This Apportionment Committee is a committee that is appointed every ten years, and the Apportionment Committee did exactly what it was supposed to do. Now I appreciate the remarks of the gentleman from Auburn, Mr. Jacobs, and I appreciate the remarks of the gentleman from Ellsworth, Mr. Dunham, in regard to the fairness of reapportionment. Nobody likes to lose a representative, and there are some sections within a county that are not desirous of reapportionment. At the same time, I feel that the Constitution says it must be done.

If you go back to 1860, I believe, right up to 1930, there were 151 representatives in this House, and every ten years the State was reapportioned. That number, 151, remained constant, but the number of representatives in each county did not remain the same; some counties jumped from three to seven, some from seven to ten; but every time one county jumped from three to seven or another county jumped from seven to ten some other county lost. And because the Constitution says the State shall be reapportioned on the basis of population and not districts or areas is the reason why I signed the majority report and intend to go along with that majority report.

The SPEAKER: The Chair recognizes the gentleman from Casco, Mr. Hancock.

Mr. HANCOCK: Mr. Speaker and Members of the House: I would like to add a little bit to the confusion. Members of the House, regardless of whether you vote for the majority report or for the minority report, the number of representatives in your individual counties will remain exactly the same. The acceptance of this majority report will keep things in precisely the same state as they

have been for the last twenty years. I believe that my able friend from Rockland, Mr. Harding, referred to that as an area of confusion. I agree with him and therefore I can't see why he voted to keep on the confusion for the next ten years. Now, we have refuted the people of the State of Maine here this year when we voted to accept Plan "A". We have refuted the Constitution of the State of Maine when we voted to accept Plan "A". The only possible, decent solution to this problem, at the present time, as I can see it, is to vote for the majority "Ought not to pass" report so that possibly, at an early date, some Legislature may be able to correct the mistakes that we have made here.

No, I would like to say one word to the gentleman from Lewiston, Mr. Jalbert, and his associates in Androscoggin County. I gathered that he was interested in a reapportionment in that county without any extra representatives coming in. He cannot get that reapportionment, none of you can get it, if you vote for this minority report or either report, because those counties which have asked for reapportionment within the county with the same number of representatives that they now have, have got that reapportionment in this bill and unless it is in there and Androscoggin County is not in there, they cannot get it. So, the only solution for Mr. Jalbert and any other gentleman who thinks as he does is to vote for the majority "Ought not to pass" report so that maybe at an early date, instead of waiting for ten years, this difficulty that we are in may have some solution. Thank you.

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

Mr. SPEAR: Mr. Speaker and Members of the House: I am a little bit concerned about this report of the committee. In South Portland, we have grown quite rapidly within the county and we would be entitled to one more representative in South Portland. But you may be sure it is not my desire or the desire of my people to exact the pound of flesh from anybody. But, the one thing that

concerns me and I think it is of vital importance is this fact that we look to our Constitution for certain rights. It has been ridiculed here that our Constitution doesn't give us this or it doesn't give us that but the Constitution is for the strong and also for the weak. We in Cumberland County are regarded by you other members here as being a strong county but, as the gentleman from Rockland, Mr. Harding, has described to you the Reapportionment Committee by a large majority desire not to reapportion. That is very satisfying to us. I want to assure you that I am with this measure, my people have no vital interest in this thing. I don't think that one representative would either make or break us but by the same token, if you desire to cut our representation down from 24 to 15, you have the right to do it. You don't give us any protection. We are a weak county. By a large majority, you could cut our representation down. I think that is why we say that we must rely on our Constitution and it is only quite natural that I and I hope the other members of Cumberland County will vote with the majority "Ought not to pass" report.

The SPEAKER: The Chair recognizes the gentleman from Standish, Mr. Center.

Mr. CENTER: Mr. Speaker and Members of the House: This all seems to be very confusing, and yet I doubt that it is nearly as confusing as it appears. As I understand this report, if we adopt the majority "Ought not to pass" report we are leaving things exactly as they were and have been since 1941.

This Committee on Reapportionment, as I understand it, has two jobs to do—one to reapportion the membership of the State and secondly to reapportion within the counties. They brought in a report which we acted upon some time ago and on which we decided that we would not reapportion the State. Now, this report comes in which has to do with reapportionment within the several counties of the State, at least within a few counties. This report has been brought in in the closing hours of the Legislature. I can say that as far as Cumberland County is con-

cerned, which is one of these counties which is being reapportioned under this particular minority report, that the county is not at all unanimous in its feeling. I believe that if such a matter had been brought in earlier in the session, then the Representatives might have gone back to their class towns, called together the town committees, both Republican and Democrat, and worked out a gentleman's agreement between their small towns that then maybe we would have gotten together in Cumberland County and agreed county-wide on the distribution. That was not possible and has not been done and there is absolutely no confusion, as I see it, between the State reapportionment and this. We are still on the old basis of reapportionment as we have been since 1941, and, if we vote for the majority report, we are still that way and so are the counties the same way. I believe we should go along with the majority "Ought not to pass" report and leave the whole thing as it has been for the time being.

The **SPEAKER**: The Chair recognizes the gentleman from Norway, Mr. Lord.

Mr. **LORD**: Mr. Speaker, I do not believe that the members of the House are as confused as some would make us believe. It has been said here that if the minority report is not accepted that the whole thing would be out the window. I would like to suggest that somebody open the window and we go along with the majority report and abide by the Constitution.

The **SPEAKER**: The Chair recognizes the gentleman from Blaine, Mr. Bubar.

Mr. **BUBAR**: Mr. Speaker, there has been a great deal said about constitutionality in the vote that was taken earlier in this session and that especially the Aroostook boys were against the Constitution.

I do not take the ground that the Constitution is unconstitutional the same as some of you do, but as I recall, and I think I am correct, it says that the State shall take a census, and I think we are going along with the federal census. If the census were taken at the present time it would be very difficult,

because at least twelve thousand have moved into the County of Aroostook since the Federal census was taken. They went out to different places, but at least twelve thousand are in Aroostook County, as any of the Aroostook boys will tell you, these twelve thousand have moved back into Aroostook County. That is the reason I voted as I did. I did not vote against the Constitution. You will find that Aroostook County has gained twelve thousand citizens since that federal census was taken.

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

Mr. **HARDING**: Mr. Speaker and Members of the House: I have got my legs pretty well worn out trying to get up to apologize to our floor leader, if I owe him an apology. I do not know what it was I said that was offensive to him. In the first place, I do not attribute to him the drawing of this apportionment bill. In the second place, I may have been misinformed as to his role in drawing the constitutional amendment which was passed two years ago. If that is so, I apologize to him, and if it is not so he needs no apology, because, as it was reported to me, he had done a very good job on it, and certainly he would not want an apology for that reason. If I was misinformed, I offer my apology to the gentleman from Cape Elizabeth, Mr. Chase.

The **SPEAKER**: The Chair recognizes the gentleman from Fairfield, Mr. Woodworth.

Mr. **WOODWORTH**: Mr. Speaker, I don't know anything about the contents of this resolve, but, on general parliamentary precedence, if we accept the "Ought not to pass" report in concurrence, I should say the resolve was dead. If we do not concur and accept the "Ought to pass" report, that leaves the two branches in concurrence and the bill will die in conference. In other words, we have a dead duck here either way you look at it.

The **SPEAKER**: Is the House ready for the question?

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

Mr. DELAHANTY: Mr. Speaker and Members of the House: A few moments ago some allusion was made to the fact that the Democrats might have been asleep a few weeks ago when there was accepted in this House Plan "A". I want to say now that if the gentleman who caused that remark to be made will consult the records he will find that I as forcefully as possible made every effort for the adoption of Plan "B" which would have changed the apportionment of this House according to the Constitution and the will of the people as they expressed in the last election.

Concerning the matter that is before us, I favor the majority "Ought not to pass" report. I want to say now that, as far as my delegation is concerned, I have not been consulted concerning the matter of reapportionment within our county. I feel that I was entitled to it because I spoke in favor of Plan "B" in the reapportionment bill. At the present time and under the Constitution, the City of Lewiston is entitled to six representatives rather than the five they now have. I feel that the City of Lewiston should get what they are entitled to as well as the other places who claim what they are entitled to. The number of representatives will not change in Androscoggin County. The City of Lewiston will get one representative at the expense of the outside towns. I think the City of Lewiston is entitled to that as much as you other gentlemen feel that your county is entitled to keep what you already have.

The SPEAKER: The Chair recognizes the gentleman from Limestone, Mr. Burgess.

Mr. BURGESS: Mr. Speaker and Members of the House: We have heard at least six different versions of this report, and I want to frankly admit that some of them may be correct but they cannot all be correct. So I would move you, sir, that in the interests of good legislation that you grant me the privilege of tabling this until the evening session and until we can get an accurate answer and then vote wisely and not have to reconsider.

The SPEAKER: The gentleman

from Limestone, Mr. Burgess, moves that this matter lie on the table pending the motion of the gentleman from Island Falls, Mr. Crabtree, to accept the minority "Ought to pass" report, and be specially assigned for the evening session.

All those in favor of the motion will say aye; those opposed, no.

A viva voce vote being taken, the motion prevailed and the matter was so tabled and so assigned.

Mr. BURGESS: Mr. Speaker—

The SPEAKER: For what purpose does the gentleman rise?

Mr. BURGESS: Mr. Speaker, I would like to ask a question of the Chair.

The SPEAKER: The gentleman may ask the question.

Mr. BURGESS: Mr. Speaker, will it be in order for me to further move that this be printed?

The SPEAKER: The gentleman from Limestone, Mr. Burgess, further moves that the matter now under consideration be printed. Is this the pleasure of the House?

The motion prevailed.

Non-Concurrent Matter

Bill "An Act Providing for General-Purpose Educational Aid to Cities, Towns, Plantations and Community School Districts" (S. P. 263) (L. D. 551) which was passed to be engrossed as amended by Committee Amendment "A" as amended by Senate Amendment "A" as amended by House Amendment "A" thereto, and House Amendment "B" in non-concurrence on May 16.

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

In the House: On motion of the gentleman from Brooks, Mr. Dickey, a viva voce vote being taken, the House voted to recede and concur with the Senate.

Non-Concurrent Matter

Resolve in favor of George S. Bradbury of West Franklin (H. P. 1483) (L. D. 1090) on which the House substituted the Resolve for the Report of the Committee on Judiciary reporting "Ought not to pass" and passed the Resolve to be

engrossed as amended by House Amendment "A" on May 16.

Came from the Senate with that body insisting on its former action whereby the Report was accepted and asking for a Committee of Conference, with the following Conferees appointed on its part:

Messrs. BARNES of Aroostook
HASKELL of Cumberland
FULLER of Oxford

In the House: On motion of the gentleman from Ellsworth, Mr. Dunham, the House voted to insist on its former action and join in a Committee of Conference.

The SPEAKER: Will the gentleman from Ellsworth, Mr. Dunham, approach the rostrum, please.

The SPEAKER: The Chair will appoint the following Conferees: The gentleman from Ellsworth, Mr. Dunham, the gentleman from Brooks, Mr. Dickey, and the gentleman from South Portland, Mr. Fuller.

Conference Committee Report

Report of the Committee on Conference on the disagreeing action of the two branches of the Legislature, on Bill "An Act relating to the Importation of Poisonous Snakes" (H. P. 327) (L. D. 187) reporting that the House recede from its action whereby it passed the Bill to be engrossed, and adopt Committee Amendment "A", submitted herewith, and pass the Bill to be engrossed as amended by Committee Amendment "A", that the Senate recede from its action whereby it accepted Report B, concur with the House in accepting Report A, adopt Committee Amendment "A", and pass the Bill to be engrossed as amended by Committee Amendment "A".
(Signed)

Mrs. MOFFATT of Bath
Messrs. BEARCE of Caribou
CRABTREE of Islands Falls
—Committee on part of House.

HASKELL of Penobscot
SAVAGE of Somerset
BARNES of Aroostook
—Committee on part of Senate.

The report of the committee was read and accepted.

Thereupon, the House voted to recede from its former action whereby it passed the bill to be engrossed.

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

COMMITTEE AMENDMENT "A" to H. P. 327, L. D. 187, Bill "An Act Relating to the Importation of Poisonous Snakes".

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

'R. S., c. 128, §7-B, additional. Chapter 128 of the revised statutes is hereby amended by adding thereto a new section to be numbered 7-B, to read as follows:

'Sec. 7-B. Possession of poisonous snakes a public nuisance; exception. The possession of poisonous snakes shall be a public nuisance except where poisonous snakes shall be continuously confined in such type of enclosure as may be determined to be escape proof.'

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

Conference Committee Report

Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature, on Bill "An Act relating to Greely Institute" (H. P. 1070) (L. D. 604) reporting that they are unable to agree
(Signed)

Messrs. DOW of Falmouth
PATTERSON of Freeport
BRADEEN of Waterboro
—Committee on part of House.

HASKELL of Penobscot
ELA of Somerset
WEEKS of Cumberland
—Committee on part of Senate.

The report of the committee was read and accepted and sent up for concurrence.

Conference Committee Report

Report of the Committee of Conference on the disagreeing action of the two branches of the Legisla-

ture, on Bill "An Act relating to Fire Protection Tax in Unorganized Territory" (H. P. 1327) (L. D. 890) reporting that they are unable to agree
(Signed)

Messrs. CARTER of Bethel
PARKER of Sebec
KEENE of Clinton
—Committee on part
of House.

ELA of Somerset
REID of Kennebec
HASKELL of Penobscot
—Committee on part
of Senate.

The report of the committee was read and accepted and sent up for concurrence.

Conference Committee Report

Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature, on Bill "An Act relating to Public Burying-Grounds in Unincorporated Places" (H. P. 1240) (L. D. 792) reporting that they are unable to agree

(Signed)

Messrs. PARKER of Sebec
CARTER of Bethel
BURGESS of Limestone
—Committee on part of House.
HASKELL of Penobscot
ELA of Somerset
BARNES of Aroostook
—Committee on part of Senate.

The report of the committee was read and accepted and sent up for concurrence.

Passed to Be Engrossed Tabled and Assigned

Bill "An Act relating to Definition of 'Average Final Compensation' Under State Employees' Retirement Law" (S. P. 235) (L. D. 506)

Was reported by the Committee on Bills in the Third Reading.

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

Mrs. FAY: Mr. Speaker, in view of the fact that the session may be counted two or three more days, I should like to have the House extend me the courtesy of tabling this matter until tomorrow.

The SPEAKER: The gentlewoman from Portland, Mrs. Fay, moves that Bill "An Act relating to Defini-

tion of 'Average Final Compensation' Under State Employees' Retirement Law" be tabled pending third reading and specially assigned for tomorrow morning.

All those in favor of the motion will say aye; those opposed, no.

A viva voce vote being taken, the motion prevailed and the matter was so tabled and so assigned.

Bill "An Act relating to Jurisdiction Over Highways on Indian Island" (H. P. 1820) (L. D. 1402)

Resolve in favor of the Several Academies, Institutes and Seminaries (S. P. 585) (L. D. 1395)

Resolve Providing Funds for Nursing Attendant Education (H. P. 795) (L. D. 474)

Resolve Appropriating Moneys for Repairs on Convent on Indian Island Reservation (H. P. 1143) (L. D. 675)

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

Amended Bill and Resolves

Resolve in favor of La Cie Etchemin Ltee of Quebec (S. P. 472)

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

Resolve Appropriating Moneys for Moving Maine Vocational-Technical Institute (H. P. 958) (L. D. 570)

Was reported by the Committee on Bills in the Third Reading.

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

Mr. MARTIN: Mr. Speaker and Members of the House: This resolve concerns the moving of the Maine Vocational and Technical School from Augusta to outside of Portland, for more spacious and suitable quarters.

If I should speak on this resolve selfishly, I, as a Representative from Augusta, would urge you not to make this change. However, the citizens that I represent, although naturally they came to the hearing and opposed the change, do not wish to stand in the way of the

betterment of this school, and therefore stand in the way of the youth of Maine who wish to take advantage of this. I wish that the youth of Maine have every opportunity to avail themselves of this school, which in the new location would be far better, probably, than it has been here, and I therefore move that this resolve have final passage. (Applause)

Thereupon, the motion prevailed, the Resolve was given its second reading and was passed to be engrossed as amended by Committee Amendment "A" and sent to the Senate.

Resolve in favor of Indians at Pleasant Point Reservation for Building and Repair of Homes (H. P. 1146) (L. D. 678)

Was reported by the Committee on Bills in the Third Reading.

The SPEAKER: The Chair recognizes the gentleman from Baileyville, Mr. Brown.

Mr. BROWN: Mr. Speaker, I offer an amendment to this bill and after the amendment is read I would like to say a few words. The words that I will say will also cover the following two resolves too.

The SPEAKER: The gentleman from Baileyville, Mr. Brown, presents House Amendment "A" and moves its adoption. The Clerk will read the amendment.

HOUSE AMENDMENT "A" to H. P. 1146, L. D. 678, Resolve, in Favor of Indians at Pleasant Point Reservation for Building and Repair of Homes.

Amend said Resolve by striking out the figures "\$5,000" in the 2nd line thereof and inserting in place thereof the figures '\$10,000'

The SPEAKER: The Chair recognizes the gentleman from Baileyville, Mr. Brown.

Mr. BROWN: Mr. Speaker and Members of the House: I don't know whether any of you people in the House here are aware of the situation that does exist on the two reservations in my area. I know we all look on the Indian as possibly someone, if they were busy, could do a whole lot more for themselves. That is true, but on these reservations we have got a lot of elderly people; we have got a lot of widows who are living there with their families, and I am going

to tell you right here and now that the conditions are deplorable.

For years and years we have ignored the Indian problem in this State, and even in this session of the Legislature your committee who is supposed to check into your Indian affairs and see what the actual conditions are has not as yet visited these two reservations.

A short time ago I called our Councilor who covers the Seventh Councilor District in the State of Maine, to come down and view the situation that does exist on these two reservations. Before we went in there he said: "Brownie, I think we are going to find some tough conditions." Well, after coming out he said: "I did not realize that we were going to find conditions such as they are." Some of the houses that they live in there are completely down in the mud, the foundations are gone completely out from under them, the roofs leak like a sieve, there has been nothing done toward repairs on those houses or to attempt in any way to build any new abodes there for these people since the W.P.A. was in operation way back a number of years ago or during the depression.

I have no particular interest in the Indians. I am not a descendant of any of those people down there, but I think that this is a problem that the State of Maine and the people of the State of Maine should be interested in. We have been sending millions and millions and millions of dollars overseas to rehabilitate people who mean no more to us than the Indians do, who are, in reality, the rightful Americans.

Now this amendment which I am offering here gives to each reservation \$10,000 in the first year of the biennium. Now the resolve that was in called for \$5,000 for the first year; it called for \$5,000 the second year. Now you people are well aware how far \$5,000 will go to repair and put into condition for fit abode for human people to live in. How far will it go today?

Now the reason that these buildings are in just the shape they are in today is the fact that we have not spent any money down in those areas. Here is what takes place: When a roof is gone, the Indian

Agent goes up with some cheap roofing paper and they tack it on, and the first big wind that comes along blows it off. Now those buildings should be shingled so that when something is done to them, it will last for a little while. But that is the way they are being taken care of.

I might also offer this explanation, that the Amendment which was offered to these bills this morning cuts out the \$5,000 appropriation for the second year of the biennium. I have been told why that was done, but if we have got to save money in the State of Maine, why are we continuing to take it out on those people? Let's save a little all along the line, but we cannot save on people such as these when they have got nothing there, no conditions whatsoever that are fit for human beings to live in.

Now I trust that for the sake of humanity, and for the sake of the good name of the State of Maine, that you will support these amendments.

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

Mr. **ROUNDY**: Mr. Speaker and Members of the House: I am making no extended statement, but I do think we have a right to listen to the characterization of the situation as the gentleman from Baileyville, Mr. Brown, has given it to us. At any rate, we are undertaking to do something, and it seems to me it is little enough, the amount that would be provided by the amendments that he is introducing. I certainly hope that we shall follow his motion.

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

Mr. **COTE**: Mr. Speaker and Members of the House: Last Friday I was privileged, as a member of this House, to go down along with the committee to Old Town and the Indian reservation. I was not familiar with the situation, but the deplorable condition I saw there was amazing to me, that this State had so long neglected these people. I would like to go on record here this afternoon in supporting the gentleman from Baileyville, Mr.

Brown, with his amendments. Especially since they have a new bridge in Old Town, and, as I understand it, many people coming to the State of Maine make it a point to visit this particular reservation as they can drive onto the island where these people are situated. The roads are terrible; the condition of the houses is worse. If we of the State of Maine are proud to have these people come into our state, especially to visit our historical places, it seems to me that we should have them in condition so that we can be proud of them and so that these people, when they drive back to their states, will say that we are taking care of our own people.

The **SPEAKER**: Is the House ready for the question?

The Chair recognizes the gentleman from Blaine, Mr. Bubar.

Mr. **BUBAR**: Mr. Speaker and Members of the House: I visited this Indian reservation last Friday, and I do not want to tell what I saw. It is deplorable. Talk about slaves, the old slave days, the slave pens! I do not want to talk about them. But I was ashamed to be known as a member of the Legislature, the Welfare Committee, when they showed me some of the conditions in some of the houses which these people live in. I want to go along with anything that will do something for these people. Talk about illegitimacy! How can they help it, living in there like cattle, four, five, six, eight, ten to a room? It is an awful thing for the State of Maine to allow that to go on.

Talk about \$10,000! You cannot fix those houses up for \$20,000 so they will be decent for human beings to live in. And so far as the road goes, people can go over there any time they have a mind to. The road is just wide enough for one car to go along, and they will go through there, they tell me, forty miles an hour, and they have to just keep dragging the children out of the road. There are no laws to prohibit them, no signs up. I want to do something for those Indian people down there.

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

Mr. HAWKES: Mr. Speaker, I would merely like to state I have been voting almost continually with the so-called economy bloc in this House. As everyone knows, I probably voted against the sales tax and a few other measures. But it does seem to me this afternoon, after having had the pleasure of listening to the Indians when they came down here before the committee, that with the temper of the House being as it is, whereby they have granted considerable sums of money to causes which at least some of us do not feel are particularly adequate, it certainly does not seem to me that it behooves the House at this particular time to take it out on the poor Indians, and I think that these very few thousand dollars could well be found somewhere to give to these people.

The SPEAKER: The question before the House is on the adoption of House Amendment "A" to Resolve in favor of Indians at Pleasant Point Reservation for Building and Repair of Homes (H. P. 1146) (L. D. 678)

All those in favor of adopting House Amendment "A" will say aye; those opposed, no.

A viva voce vote being taken, the motion prevailed and House Amendment "A" was adopted.

Thereupon the resolve was given its second reading and passed to be engrossed as amended by Committee Amendment "A" and House Amendment "A" and sent to the Senate.

Resolve in favor of Indians on the Indian Island Reservation at Old Town for Building and Repair of Homes (H. P. 1145) (L. D. 677)

Was reported by the Committee on Bills in the Third Reading.

Mr. Brown of Baileyville, offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to H. P. 1145, L. D. 677, Resolve, in Favor of Indians on the Indian Island Reservation at Old Town for Building and Repair of Homes.

Amend said Resolve by striking out the figures "\$5,000" in the 2nd line thereof and inserting in place thereof the figures '\$10,000'

House Amendment "A" was adopted.

Thereupon, the Resolve was given its second reading, passed to be engrossed as amended by Committee Amendment "A" and House Amendment "A" and sent to the Senate.

Resolve in favor of Indians at Peter Dana Point Reservation for Building and Repair of Homes (H. P. 1144) (L. D. 676)

Was reported by the Committee on Bills in the Third Reading.

The gentleman from Baileyville, Mr. Brown, offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to H. P. 1144, L. D. 676, Resolve, in Favor of Indians at Peter Dana Point Reservation for Building and Repair of Homes

Amend said Resolve by striking out the figures "\$5,000" in the 2nd line thereof and inserting in place thereof the figures '\$10,000'

House Amendment "A" was adopted, the Resolve was given its second reading, passed to be engrossed as amended by Committee Amendment "A" and House Amendment "A" and sent to the Senate.

Bill "An Act relating to Education in Unorganized Territory" (S. P. 352) (L. D. 880)

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

The SPEAKER: The Chair recognizes the gentleman from Norway, Mr. Lord.

Mr. LORD: Mr. Speaker, I would now like to move, if it is in order, that H. P. 795, L. D. 474, Resolve Providing Funds for Nursing Attendant Education, be indefinitely postponed.

The SPEAKER: The gentleman from Norway, Mr. Lord, moves that the House reconsider its action whereby earlier in this afternoon's session it passed Resolve Providing Funds for Nursing Attendant Education to be engrossed. Is it the pleasure of the House to reconsider?

All those in favor of the motion will say aye; those opposed will say no.

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

The SPEAKER: Is there any objection to taking up a report of a Committee out of order? The Chair hears none. The Clerk may read the report.

House Divided Report Tabled and Assigned

Majority Report of the Committee on Natural Resources reporting "Ought not to pass" on Bill "An Act relating to Interstate Water Pollution Control" (H. P. 936) (L. D. 534)

Report was signed by the following members:

Messrs. LARRABEE of Sagadahoc
CROSBY of Franklin
WARD of Penobscot
—of the Senate.

BROWN of Wayne
PHILBROOK of Greene
TAYLOR of Norridgewock
HANCOCK of Casco
BRADEEN of Waterboro
—of the House.

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

Report was signed by the following members:

Messrs. MOULTON of Sweden
WILLIAMS of Hodgdon
—of the House.

Reports were read.

The SPEAKER: The Chair recognizes the gentleman from Wayne, Mr. Brown.

Mr. BROWN: Mr. Speaker, I move that we accept the majority report of the Committee on Natural Resources on Bill "An Act relating to Interstate Water Pollution Control" and also, Mr. Speaker, as the gentleman from Orono, Mr. Bates, is the sponsor of this bill, and is unable to be here this afternoon, but as I understand he will be with us this evening, I would like to table my motion at this time, to give him an opportunity to debate on this bill.

The SPEAKER: The gentleman from Wayne, Mr. Brown, moves that the House accept the majority

"Ought not to pass" report on Bill "An Act relating to Interstate Water Pollution Control," and the same gentleman further moves that the matter lie on the table pending the motion that the majority report be accepted, and be specially assigned for tomorrow morning. Is this the pleasure of the House?

All those in favor of the motion will say aye; those opposed, no.

A viva voce vote being taken, the motion prevailed.

Mr. JACOBS of Auburn: Mr. Speaker —

The SPEAKER: For what purpose does the gentleman rise?

Mr. JACOBS: Mr. Speaker, for the purpose of amendment I would like to take up Article 11, which we have already passed to be engrossed. I have an amendment which is very vital to the bill which was possibly unnoticed. The matter is Legislative Document 880, Bill "An Act relating to Education in Unorganized Territory."

The SPEAKER: The gentleman from Auburn, Mr. Jacobs, moves that the House reconsider its action taken earlier in this afternoon's session, being Item 11, Page 3 of the supplemental calendar on Bill "An Act relating to Education in Unorganized Territory," which was amended by Senate Amendment "A". Is it the pleasure of the House to reconsider?

The motion prevailed.

Mr. WINCHENPAW of Friendship: Mr. Speaker —

The SPEAKER: For what purpose does the gentleman rise?

Mr. WINCHENPAW: Mr. Speaker, I would like to inquire about Item 11. It seems there is some misunderstanding there on Item 11.

The SPEAKER: The gentleman may state his inquiry.

Mr. WINCHENPAW: Mr. Speaker, it is my understanding that Item 11 is a taxation bill taxing wild lands, and I understood Mr. Jacobs to say that we were going to put the appropriations in the first year rather than the second year. I may have the numbers wrong—

The SPEAKER: The Chair would inform the gentleman that Item 11 is Bill "An Act relating to Education in Unorganized Territory."

Mr. WINCHENPAW: That is right, Mr. Speaker, but it calls for the taxation of wild land at 15 mills, and I was informed yesterday—is the L. D. number right, No. 880?

The SPEAKER: The L. D. number is 880.

Mr. JACOBS: Mr. Speaker, would there be any harm in reading that amendment? It is a short one.

The SPEAKER: The Clerk will read the amendment.

The CLERK: It has not been reproduced.

HOUSE AMENDMENT "A" to S. P. 352, L. D. 880, Bill "An Act Relating to Education in Unorganized Territory."

Amend said Bill by striking out that part designated "Sec. 148-A" of section 3 thereof and inserting in place thereof the following underlined paragraph:

'Sec. 148-A. Unorganized territory capital working fund; appropriation. There is hereby created the unorganized territory capital working fund, hereinafter referred to as the "fund," which shall be a continuing fund in the books of the state, and for which there shall be appropriated the sum of \$140,000 during the fiscal year 1951-52 to be used as provided in section 148-B. Any unexpended balances shall not lapse, but shall remain a continuing carrying account.'

Mr. JACOBS: I now offer the amendment to the bill. It simply gives the money the first year and none the second year; it satisfies the Appropriations Committee on the first year's allotment.

The SPEAKER: The amendment not having been reproduced, the matter will lie on the table.

The SPEAKER: The Chair now lays before the House the 1st tabled and this afternoon assigned matter on today's supplemental calendar, House Report "To be referred to 96th Legislature" of the Committee on Appropriations and Financial Affairs on Resolve Providing for a Men's Dormitory at Gorham State Teachers' College (H. P. 571) (L. D. 377) tabled earlier in today's session by the gentleman from Gorham, Mr. Sanborn, pending acceptance of the report.

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

Mr. FULLER: Mr. Speaker and Members of the House: I introduced this resolve because I felt that there is a definite need for a men's dormitory at Gorham Teachers' College. I wonder if you ladies and gentlemen realize that we do not have a men's dormitory in any one of our teachers' colleges or normal schools. I also wonder how many of you realize that not a single one of our teachers' colleges are accredited institutions. It is regrettable and a stigma on the good State of Maine.

Knowing full well that this is probably not the time to branch out on an extensive building program, and being ready and willing at all times to do what is best for the State of Maine, and realizing that we must balance the State budget, I am going to move that we accept the report of the committee. I do hope that you ladies and gentlemen that return to the 96th Legislature will give this resolve and the companion resolve the consideration which is due them. I thank you.

The SPEAKER: The gentleman from South Portland, Mr. Fuller, moves that the House accept the report of the committee on Appropriations and Financial Affairs on Resolve Providing for a Men's Dormitory at Gorham State Teachers' College. Is this the pleasure of the House?

The motion prevailed and the report was accepted and sent up for concurrence.

The SPEAKER: The Chair lays before the House the 2nd tabled and this afternoon assigned matter on the supplemental calendar, House Report "To be referred to 96th Legislature" of the Committee on Appropriations and Financial Affairs on Resolve Providing for a Classroom and Library Building at Farmington State Teachers' College (H. P. 799) (L. D. 492), tabled on May 17 by the gentleman from Friendship, Mr. Winchenpaw; and the Chair recognizes that gentleman.

Mr. WINCHENPAW: Mr. Speaker, regardless of the fact I yelled in a

loud voice when 551 went by, I hope that I am still considered a friend of education, and I can add very little to what Mr. Fuller said, but I felt that this resolve should not be passed by without calling it to the attention of the members of the House, and this is probably what most of us would call a department bill, and the Department of Education has had the plans for this building for several years now. The cost of the building is \$520,000, and I would like to read just a brief statement of facts on the back of the bill:

"The college has an insufficient number of classrooms. More space must be created.

"The present library facilities of the Farmington State Teachers' College are inadequate to serve the needs of such a program. More room is needed to accommodate the student enrolment and the increased number of volumes made possible by the perpetual income from a recent bequest of \$50,000.

This building would greatly facilitate the training of teachers. We seem to be in need of more teacher training, more inductive training, as I should say, to induce young people to enter the teaching profession, but in view of the fact that the budget is pretty well exhausted, I move the acceptance of the committee's report, that the matter be referred to the 96th Legislature.

The SPEAKER: The gentleman from Friendship, Mr. Winchenpaw, now moves that the House accept the report of the Committee on Appropriations and Financial Affairs, "To be referred to 96th Legislature" on Resolve Providing for a Classroom and Library Building at Farmington State Teachers' College. Is this the pleasure of the House?

The motion prevailed and the report was accepted and sent up for concurrence.

Mr. TOTMAN of Bangor: Mr. Speaker—

The SPEAKER: For what purpose does the gentleman rise?

Mr. TOTMAN: Mr. Speaker, I rise to ask to introduce a resolve, and I ask for the privilege of reading the resolve before I hand it to the Clerk.

The SPEAKER: The gentleman

from Bangor, Mr. Totman, requests unanimous consent to address the House. Is there any objection? The Chair hears none and the gentleman may proceed.

Mr. TOTMAN: Mr. Speaker and Members of the House: This noon I received a long-distance telephone call from a company in Canada, and they had a message they wished to have me read to you, and I hope you will bear with me. It is only two lines and I will have to read it in French, as it was given to me, and retranslate the message as it was received over the telephone.

"RESOLUE: Quoique il eyait en face de grandes difficultes et qu'il sait conduire dans une maniere grandoise—

Il s'est prove digne de la situation devant lui, le titre distingue -homme de lettres - et la position honoraire de l'interprete de la langue francaise de la legislature soit attitue a le honorable secretaire (Harve R. Pease.) de la maison."

Now for the benefit of the members who haven't had the higher education of one of our colleagues, shall I say, I would be pleased to translate the message as follows:

Whereas, in the face of tremendous odds, and whereas he has shown himself capable of conducting himself in a most commendable manner - whereas he has proven himself worthy of the predicament before him:

The distinguished title - Master of Arts - and the honorary position of Legislative Interpreter of the French language is bestowed on the worthy secretary of the House-Harvey R. Pease. (Laughter)

The Resolution received a passage.

The SPEAKER: The Chair will declare a recess for ten or fifteen minutes, until the sound of the gong.

After Recess 4:20 P.M. (E.S.T.)
Called to order by the Speaker.

On motion of Mr. Chase of Cape Elizabeth,

Recessed until 7:00 o'clock this evening, Eastern Standard Time.

After Recess**Evening Session - 7:00 P.M., E.S.T.**

The House was called to order by the Speaker.

The SPEAKER: The Chair recognizes the gentleman from Auburn, Mr. Jacobs.

Mr. JACOBS: Mr. Speaker, out of order, I would like to take from the Special Calendar Item 4.

The SPEAKER: The gentleman from Auburn, Mr. Jacobs, calls up from the Special Calendar, Item 4, Resolve, in Favor of the Town of New Sharon for School Building, H. P. 109, L. D. 83, pending final passage.

Mr. JACOBS: Mr. Speaker, I now move that this be recommitted to the Appropriations Committee to be included in a consolidated resolve now pending.

Thereupon, the House voted to reconsider under suspension of the rules its action of May 9th whereby the Resolve was passed to be engrossed; and on further motion of Mr. Jacobs, the Resolve was recommitted to the Committee on Appropriations and Financial Affairs and sent up for concurrence.

The following papers from the Senate were taken up by unanimous consent:

Ought Not to Pass

Report of the Committee on Agriculture reporting "Ought not to pass" on Bill "An Act Limiting Milk Control to Producers" (S. P. 388) (L. D. 937)

Came from the Senate read and accepted.

In the House, was read and accepted in concurrence.

Non-Concurrent Matter

An Act to Authorize the Liquor Research Commission to Initiate an Educational Program (S. P. 274) (L. D. 613) which was passed to be engrossed as amended by Committee Amendment "A" on May 5.

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

In the House: The House voted to recede from its action of May 5 whereby the Bill was passed to be

engrossed as amended by Committee Amendment "A" and further to recede from the adoption of Committee Amendment "A".

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

SENATE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to S. P. 274, L. D. 613, Bill "An Act to Authorize the Liquor Research Commission to Initiate an Educational Program."

Amend said Amendment by striking out the figures "\$12,500" in the 7th line thereof and inserting in place thereof the figures '25,000.'

Further amend said Amendment by striking out the words and figures 'and the sum of \$12,500 for the fiscal year 1952-1953' in the 7th and 8th lines thereof.

Thereupon, Senate Amendment "A" to Committee Amendment "A" was adopted. Committee Amendment "A" as amended by Senate Amendment "A" thereto was adopted and the Bill was passed to be engrossed as amended in concurrence.

Conference Committee Report

Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature, on Bill "An Act relating to Driving of Deer" (H. P. 1753) (L. D. 1297) reporting that the House recede from passing the Bill to be engrossed, adopt Committee Amendment "A" submitted herewith, and pass the Bill to be engrossed as amended by Committee Amendment "A".

That the Senate recede from its action whereby it accepted the Majority Report, accept the Minority Report in concurrence with the House, and pass the Bill to be engrossed as amended by Committee Amendment "A".

(Signed)

Messrs. PLUMMER of Lisbon
PATTERSON of Freeport
BAILEY of Woolwich

—Committee on part
of House.

ELA of Somerset
WIGHT of Penobscot

—Committee on part
of Senate.

Report was read.

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

COMMITTEE AMENDMENT "A" to H. P. 1753, L. D. 1297, Bill "An Act Relating to Driving of Deer".

Amend said Bill by striking out all of that part of the Bill entitled "Sec. 83. Driving deer prohibited." and inserting in place thereof the following:

'Sec. 83. Driving deer prohibited. It shall be unlawful to drive deer by use of horns, whistles or other noise-making devices. **Whoever in conjunction with 6 or more other persons shall go through the woods shouting or making other noises with the human voice or with any other sound-making device shall be construed to be driving deer.** It shall also be unlawful for any person to hunt deer after he has killed one during the open season of that calendar year.'

The SPEAKER: The Chair awaits a motion. Is it the pleasure of the House to accept the report of the committee?

The Chair recognizes the gentleman from Eustis, Mr. Carville.

Mr. CARVILLE: Mr. Speaker and Members of the House: I hadn't seen this or read it over before but I think if you will all read this over you will see that it is an impossibility to ever police such a bill.

I move the indefinite postponement of the entire bill.

The SPEAKER: The question before the House is on the acceptance or rejection of the Committee Report.

The Chair recognizes the gentleman from Lisbon, Mr. Plummer.

Mr. PLUMMER: Mr. Speaker and Members of the House: This report of the committee follows very closely the bill which was passed by the House and I see no reason for changing our minds. We have made some concessions to the other body which met with the approval of the committee from the other body and I think that our stand was entirely just. This gives some law whereas now there is no law. It probably won't be carried out, enforced one hundred per cent, but it puts in a little teeth so that the wardens can use it when the privilege is abused.

I hope that the motion of the gentleman does not prevail.

The SPEAKER: The question before the House is on the acceptance or rejection of the committee report.

Mr. PLUMMER: Mr. Speaker, I move the committee report be accepted.

The SPEAKER: The gentleman from Lisbon, Mr. Plummer, moves that the Conference Committee Report be accepted.

The Chair recognizes the gentleman from Eustis, Mr. Carville.

Mr. CARVILLE: Mr. Speaker and Members of the House: I hope you will all read this. If any of you have ever hunted or ever been in the woods, I don't think you will have to read it more than once, because "Whoever in conjunction with 6 or more other persons shall go through the woods shouting or making other noises with the human voice"—in other words, you couldn't even talk. And then it states that you cannot hunt deer, if you have already shot one. That's an answer, but how are you going to prove that you are hunting deer? You can still hunt, you can be hunting rabbits, you could be hunting birds, you could be hunting anything.

I think it is a stupid thing to ever put into our laws and I hope that the committee's report will not be accepted. I would hate to think that that came out of the Fish and Game Committee.

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

Mr. PATTERSON: Mr. Speaker and Members of the House: I think we had this pretty thoroughly thrashed out right here in the House, and I don't like to have to go over it again, but the situation is this: Most all of the sportsmen ask for a certain limit or something to put on that to stop them from driving deer to a certain extent and most all of those who met there in Freeport and other places agreed on that situation.

Now in a case down in Washington County, they came up there to drive in thirty-one to a party and forty and drive the deer all out of the territory so that a legitimate hunter, so far as that goes, has to

wait perhaps three or four days or a week and perhaps two weeks before those deer come back in that territory; they drive them right out of the territory, so that a lot of people that pay for their license and so forth cannot get a deer; and that would eliminate part of this big driving of deer.

Now as I mentioned once before, right down there in Washington County, they drove right down there, thirty-one or forty and, in a horseshoe proposition, drove right down and shot one of their own party. The fact is a lot of us had to get out and get behind rocks and get behind the trees and two of our own party, as I mentioned before, had to lie right down there with the bullets going over them and this would eliminate those big drives, anyway. I don't know as it would stop the whole business; it would kind of clear up the situation so that there wouldn't be so much of that done. I do not know of any objection to three or four.

Now, as far as making a noise goes, as the gentleman just said, they don't go through driving deer in that time of year as he was talking about as far as I know, rabbits or anything else. I think he is all out of line in that proposition. I don't think that any legitimate hunter likes really to drive deer. Perhaps he may have a bunch up to camp to drive deer and then they drive them, but I think the majority of sportsmen in this State of Maine are absolutely opposed to the driving of deer proposition and I move that the report of the committee be accepted.

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

Mr. MARCH: Mr. Speaker and Members of the House: As I read this: "Whoever in conjunction with 6 or more other persons shall go through the woods shouting or making other noises" and so forth "with any other sound-making device shall be construed to be driving deer." That is what shall be construed, they are driving deer. Five would not be construed as driving deer. It seems to me that spoils the whole thing. It has got to be six or more to be construed as driving deer. I don't believe in

driving deer but this says it has got to be six or more to be construed as driving deer. That is just a point I wish to bring out.

The SPEAKER: Is the House ready for the question?

The Chair recognizes the gentleman from Eustis, Mr. Carville.

Mr. CARVILLE: For the third time, Mr. Speaker. I just want to answer one or two things here. There is already a law on our books. I am as much opposed to driving deer. It is only from things we learned while serving on the Fish and Game Committee that we have tried to find a way to get around this so that we could stop the driving of deer. There is already on our statutes a law against driving deer and it doesn't say there has to be six, even one going through the woods making any noise would be termed as driving deer as already against the law. This would repeal that and you would have to have six or more before you would even take them into consideration as driving deer. If you were out in the pasture making a noise whether you had a gun or not, if you were making a noise, or six or more of you going through the woods, it says you would be considered as driving deer. The thing is stupidly written from my way of looking at it and I certainly hope that this will not pass.

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

Mr. DUNHAM: Mr. Speaker and Members of the House: It seems to me that this is much ado about nothing. I want to go along with the gentleman from Eustis, Mr. Carville.

The SPEAKER: The Chair recognizes the gentleman from Lisbon, Mr. Plummer.

Mr. PLUMMER: Mr. Speaker and Members of the House: I would just like to state that all the foolishness about this bill and it not having any meaning and all that, it was drawn up by our Chief Warden, Col. Lester Brown, the Chief Warden of the State. He drew the bill up and it seems to me that he put in there what he wanted to have in there as the law.

The SPEAKER: Is the House ready for the question?

The question before the House is on the motion of the gentleman from Lisbon, Mr. Plummer, that the House accept the report of the Conference Committee on the disagreeing action between the two branches of the Legislature on Bill "An Act relating to Driving of Deer," H. P. 1753, L. D. 1297.

The Chair recognizes the gentleman from Freeport, Mr. Patterson.

Mr. PATTERSON: Mr. Speaker, I ask for a division.

The SPEAKER: The gentleman from Freeport, Mr. Patterson, has requested a division.

All those in favor of accepting the Conference Committee Report will please rise and remain standing until the monitors have made and returned the count.

A division of the House was had. Sixty-two having voted in the affirmative and twenty-eight in the negative, the motion to accept the Conference Committee Report prevailed.

Thereupon, the House voted to recede from its action whereby it passed the Bill to be engrossed.

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

Mr. WOODWORTH of Fairfield: Mr. Speaker—

The SPEAKER: For what purpose does the gentleman rise?

Mr. WOODWORTH: Mr. Speaker, I wish to make a motion to request, under suspension of the rules—

The SPEAKER: The gentleman may make his motion.

Mr. WOODWORTH: Mr. Speaker, I move that we reconsider Item 2, whereby we voted on Legislative Document 613, An Act to Authorize the Liquor Research Commission to Initiate an Educational Program.

I will say that I make this motion to reconsider for the purpose of moving the indefinite postponement of the measure. I will get this down to brass tacks right now.

I find quite a bit of sentiment in this division to reconsider and I will mention also the fact that next year's budget is about \$900,000 in the hole. Something is going to get cut and there aren't too many places we can cut, and everybody

here knows they are, and the more we cut on some of these unnecessary bills the less we will be cutting on the general education and welfare.

I have explained why I have made my motion and the House can consider.

The SPEAKER: The gentleman from Fairfield, Mr. Woodworth, moves that the House reconsider its action taken earlier in tonight's session whereby Bill "An Act to Authorize the Liquor Research Commission to Initiate an Educational Program," S. P. 274, L. D. 613, was passed to be engrossed as amended in concurrence.

The Chair recognizes the gentleman from Island Falls, Mr. Crabtree.

Mr. CRABTREE: Mr. Speaker and Members of the House: I continue to be thoroughly amazed. I don't believe that I care very much for things that have happened in the last mile of our trip. After thorough consideration of this measure, so important to me, so important to the hundreds and thousands of sick alcoholic men and women in our State, that we should be asked to reconsider this matter after the hearings that we have had, the beautiful support it received in this House. I am amazed.

I certainly hope you will not vote to reconsider this very important matter which has to do with the proper care and rehabilitation of sick men and women, the alcoholics of our State.

The SPEAKER: Is the House ready for the question?

The question before the House is on the motion of the gentleman from Fairfield, Mr. Woodworth, that the House reconsider its action taken earlier in tonight's session whereby Bill "An Act to Authorize the Liquor Research Commission to Initiate an Educational Program," S. P. 274, L. D. 613, was passed to be engrossed as amended.

All those in favor of reconsidering will say aye; those opposed, no.

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

Mr. JALBERT of Lewiston: Mr. Speaker—

The SPEAKER: For what purpose does the gentleman rise?

Mr. JALBERT: Mr. Speaker, under suspension of the rules, I present an order and move its passage.

The SPEAKER: The gentleman from Lewiston, Mr. Jalbert, out of order by unanimous consent presents an order and moves its passage. The Clerk will read the order.

ORDERED, that the House expresses its appreciation to our Minority Floor Leader for the ability that he has demonstrated in leading his Party and his fairness in meeting and handling the issues that have come before this Legislature.

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

Mr. JALBERT: Mr. Speaker and Members of the House: I have known the young man of whom I speak for many and many a year. After succeeding in earning himself an education, at Washington, D. C. he came back to Lewiston, practiced law for 3 years, left for Washington again, joined the F.B.I., which certainly is indicative of his character and reputation.

He spent four years in the service in that branch, came back home and as I stated to you the many successes he has attained, you will agree with me that his rise has been certainly meteoric. He became corporation counsel for the City of Lewiston. Within the next two years he became assistant county attorney of the County of Androscoggin. In 1949, he became a member of the City Council in Lewiston, also 1950, this present year, he is the President of that Council.

In 1950, he was named the outstanding young man of the City of Lewiston, Past President of the Parent-Teachers Association, Vice President of the Tuberculosis Association of Maine, and I could be here until tomorrow morning to tell you the many civic activities in which he partakes.

As leader of our party, I had in my mind some doubt as to whether a freshman could become acquainted with the members of the House, become acquainted with the doings of the Legislature as a first-termer

and become a leader of our party. He certainly has handled himself as you all know in an admirable way. Being from my own home city, it is indeed a privilege for me to afford myself the privilege to say that he has done a splendid job.

Speaking, I know for the members of my party, as a former leader, speaking, I know, for the members of the majority party, and certainly speaking for myself, I say to you, Tom, "A job well done." (Prolonged Applause, Members rising)

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

Mr. MCGLAUFLIN: Mr. Speaker, I didn't know that this resolve was to be presented. Therefore, I am not prepared to make the speech that I would like to but I will concur as a Republican in praise of the Floor Leader of the Democratic Party.

I have been associated with him in the Judiciary Committee. He has been eminently fair. He has, from time to time, supported measures of the opposite party when he thought it was for the best interests of this State.

Yesterday, when I made some remarks regarding our Floor Leader, representing as I hoped to, the whole House, while I knew that I was talking about the Republican Floor Leader, Mr. Delahanty very gallantly came in and assisted to make that unanimous.

I am going to express my appreciation and love for the man that you have just honored with this resolve, Mr. Delahanty. (Prolonged Applause)

Thereupon, the order received passage.

Non-Concurrent Matter

An Act Establishing a Tri-State Authority to Enable the Collective Construction and Operation of Institutions in Maine, New Hampshire and Vermont (H. P. 928) (L. D. 541) which was passed to be enacted in the House on May 16, and passed to be engrossed as amended by Committee Amendment "A" on April 13.

Came from the Senate passed to be engrossed as amended by Committee Amendment "A" and Senate

Amendment "A" in non-concurrence.

In the House: The House voted to recede from its action of May 16 whereby it passed the Bill to be enacted and from its action of April 13 whereby the Bill was passed to be engrossed.

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

SENATE AMENDMENT "A" to H. P. 928, L. D. 541, Bill "An Act Establishing a Tri-State Authority to Enable the Collective Construction and Operation of Institutions in Maine, New Hampshire and Vermont."

Amend said Bill by striking out Section 10 of that part designated "Chapter 25-A" thereof and inserting in place thereof the following:

'Sec. 10. Appropriation. There is hereby appropriated from the funds of the department of institutional service the sum of \$1,000 for the fiscal year ending June 30, 1952, and the sum of \$1,000 for the fiscal year ending June 30, 1953, to carry out the purposes of this chapter.'

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

Mr. MARCH: Mr. Speaker—

The SPEAKER: For what purpose does the gentleman rise?

Mr. MARCH: To make an inquiry, Mr. Speaker.

The SPEAKER: The gentleman may state his inquiry.

Mr. MARCH: Mr. Speaker, the amendment which has just been adopted reads "hereby appropriated from the funds of the department of institutional service the sum of \$1,000 for the fiscal year ending June 30, 1952, and the sum of \$1,000 for the fiscal year ending June 30, 1953." Is that correct; is that as it was intended? It seems a small amount for that purpose.

The SPEAKER: The Chair would inform the gentleman that it is according to the amendment which was signed by the gentleman who offered it.

Mr. MARCH: Thank you, Mr. Speaker.

Resolve Providing Funds for Maintenance at Teachers' Colleges and Normal School, S. P. 224, L. D. 499, pending final passage.

The SPEAKER: The Chair recognizes the gentleman from Auburn, Mr. Jacobs.

Mr. JACOBS: Mr. Speaker, I think there is an amendment to be added to this.

The SPEAKER: The gentleman from Auburn, Mr. Jacobs, moves under suspension of the rules to reconsider its action of April 6 whereby it passed to be engrossed Resolve Providing Funds for Maintenance at Teachers' Colleges and Normal Schools, S. P. 224, L. D. 499. Is this the pleasure of the House?

The motion prevailed.

Mr. Jacobs of Auburn then offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to S. P. 224, L. D. 499, "Resolve, Providing Funds for Maintenance at Teachers' Colleges and Normal Schools."

Amend said Resolve by striking out the 7th paragraph thereof and inserting in place thereof the following paragraph:

'Funds for maintenance at teachers colleges and normal schools.

Resolved: That the sum of \$100,000 be, and hereby is, appropriated for the fiscal year ending June 30, 1951, and the sum of \$125,000 for the fiscal year ending June 30, 1952, to the department of education out of the current revenues of the general fund for deferred maintenance at the teachers' colleges and normal schools, to be expended at the several schools in the following amounts:

	1950-51	1951-52
Aroostook State Normal School	\$ 8,533	\$ 10,667
Farmington State Teachers' College	32,222	40,278
Gorham State Teachers' College	29,778	37,222
Madawaska Training School	11,867	14,833
Washington State Normal School	17,600	22,000
	<hr/>	<hr/>
	\$100,000	\$125,000

and be it further'

Mr. Jacobs of Auburn called up from the Special Calendar, Item 1,

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

Mr. Jacobs of Auburn called up Item 2 on the Special Calendar, Resolve for Development of State Park Facilities, H. P. 1125, L. D. 697, pending final passage.

Thereupon, on motion of Mr. Jacobs of Auburn, under suspension of the rules, the House voted to reconsider its action of April 25 whereby the Resolve was passed to be engrossed.

The same gentleman then offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to H. P. 1125, L. D. 697, Resolve, for Development of State Park Facilities.

Amend said Resolve by striking out everything after the Title and inserting in place thereof the following:

'Development of state park facilities. Resolved: That the sum of \$100,000 be, and hereby is, appropriated from the general fund for the development and improvement of state park facilities, to be expended by and under the supervision of the Maine state park commission; and be it further

Resolved: That the funds hereby appropriated shall not lapse, but shall remain a continuing carrying account until such time as the purposes of this resolve have been completed; and be it further

Resolved: That this appropriation shall be expended for the development of each state park and memorial as listed below, for the purposes enumerated and for such construction and alterations as may be necessary in connection therewith under their names in the amounts set forth for such state park or memorial:

1951-52	
Bradbury Mt. State Park	\$549
Campground land acquisition.	
Campground development — toilets, tables, fireplaces, gravel roads, parking and water supply.	

	1951-52
Mt. Blue State Park	\$2,194
Campground expansion—tables, fireplaces, gravel roads, parking and water supply.	
Sebago Lake State Park	\$13,167
Expansion of parking facilities at Songo Beach	
Expansion of campground to Witch Cove beach, toilets, tables, fireplaces, roads, parking, water and sewage system.	
Aroostook State Park	\$7,790
Expand picnic area, tables, fireplaces, roads, parking and water supply.	
Rebuild garage, drain springs under floor.	
Picnic shelter.	
Repairs to dam on lake outlet.	
Service building, 22'x36'.	
Fort Knox State Park	\$7,132
Water system.	
Expand parking area and relocate entrance.	
Checking station.	
Restoration and repairs, masonry, pointing and waterproofing.	
Reid State Park	\$62,036
Toilets with bathhouse stalls, showers, first aid and concession facilities.	
Sewage disposal for above.	
Water system with reservoir.	
Electric power and communications.	
Checking station.	
Roads and parking.	
Latrines and sewage disposal in picnic areas.	
Headquarters building.	
Service building.	
Camden Hills State Park	\$1,646
Concrete well curb on Upper Sagamore water system, 10,000 gallons.	
Tower pitch of drainage at Upper Sagamore pumphouse and construct cess pool.	
Expand campground with roads, tables and fireplaces.	

	1951-52
Fort McClary Memorial	\$5,486
Rebuild toilet, bath-house.	
Build parking area at fort.	
Temporary toilets at fort.	
Expand picnic area, parking area and relocate children's playground.	
Construct picnic shelter.	
Total	\$100,000'

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

The SPEAKER: The Chair now lays before the House the 1st item on the Second Supplemental House Calendar assigned for this evening, Majority Report "Ought not to pass" and Minority Report "Ought to pass" of the Committee on Re-apportionment on Resolve to Apportion One Hundred and Fifty-one Representatives Among the Several Counties, Cities, Towns, Plantations and Classes in the State of Maine, S. P. 596, L. D. 1406, tabled on May 17 by the gentleman from Limestone, Mr. Burgess, pending the motion of the gentleman from Island Falls, Mr. Crabtree, to accept the Minority Report; and the Chair recognizes the gentleman from Limestone, Mr. Burgess.

Mr. BURGESS: Mr. Speaker and Members of the House: Before making any comment on the item before us, I would like to thank the House for its kindness in allowing me to table this item late this afternoon in hopes that we might clear up some of the confusion that existed at that time.

Now during the recess I haven't any doubt but what a great many of you have arrived at the decision which you will want when this matter comes up for a vote, but if you will permit me,—I promise you I will be very brief—I would like to explain, with the honest intent to take neither side, but only in the hope that when I have finished I will have explained it fairly enough and plainly enough so that at least you will know what we are voting for.

To make this explanation, may I go back to the original report of the Committee on Apportionment and say that the original report consisted of two suggested plans, neither of which was in the form of a resolve or bill, namely, Plan "A", which would leave the apportionment throughout the State as it has been for the last ten years and as it is as of this moment. In other words, Plan "A" was saying that the population of Maine had not changed during the last ten years.

Plan "B" would have provided a reapportionment of the representatives throughout the various counties based on the federal census. Now, I am not attempting to discuss whether or not any action that the House may take would be constitutional. I did look into the Constitution and find this to be true that it specifically states that the Legislature shall determine during the ten year period the number of inhabitants in the State of Maine, which was not done to my knowledge.

Plan "A" was accepted in this House. It was accepted in due course by the other branch of the Legislature and, following the acceptance of Plan "A" in both branches, it was referred to the Committee on Re-Apportionment. That Committee then made it known to the various counties that should they wish to reapportion within the confines of their respective counties, they should submit their plans to the committee for that purpose. Four counties in the State brought to the Legislative Committee on Re-Apportionment plans for reapportionment and you will note the four counties in the printed resolve, which is before you.

Now, the report which we had presented to us this afternoon is a divided report on Plan "A". The majority "Ought not to pass" report, I think, is self-explanatory from what I have said. If that report were accepted there would simply be no legislation in effect and enacted with respect to apportionment. The minority "Ought to pass" report would be Plan "A" plus permissive legislation for the

four counties to reapportion within their own confines.

Now, it is my personal opinion, take it for whatever it may be worth, that if the House were to accept the majority "Ought not to pass" report, this subject would re-occur at the next session of the Legislature. Nothing would have been done towards reapportionment throughout the State. If the House were to accept the minority "Ought to pass" report, it would have said, in effect, what it said a few weeks ago that that is the plan it wishes. But, I believe I should point out to you that in case of a disagreeing action between the two branches, which could possibly occur, you would arrive at the same position as though you had accepted the majority "Ought not to pass" report.

Now if you wish to send to the other branch Plan "A" in the hope that they will reconsider, and should they reconsider and concur with this House, you will have solved the problem, in my opinion, for the next ten years. I assume that that is the course which you desire, having voted as you did several days ago.

I hope that I have made it plain enough so that there will be no confusion or misunderstanding. I am not suggesting how you should vote. I have only intended to point out what seems to be the possibilities of what might happen.

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

Mr. DICKEY: It doesn't seem to me, Mr. Speaker and Members of the House, that we needed a split report in here.

I was amused at the words of confusion that the different gentlemen used. The gentlemen who voted on a recommendation to the Re-Appportionment Committee here several days ago, several weeks ago, they weren't confused this afternoon and they aren't confused now. They are going to hold the line; they are going to vote for the minority report "Ought to pass" because they know it is right.

These gentlemen trying to hide behind the cloak of confusion and then they resort to the Constitution. They tried that before. With

an amendment that has been handed on my desk, it seems to answer the confusion that arose this afternoon because they were confused in their own County of Cumberland.

This bill, if you pass on the "Ought not to pass" report, it simply means that we have to go through this whole mess every two years and the gentlemen who proposed it knew what was going to happen.

If you vote the minority report "Ought to pass", it will at least settle it for 6 years, possibly 10, and I am sure that that is what the members of this House voted on before and I am sure that is what they are going to vote on now.

The SPEAKER: The Chair recognizes the gentleman from Addison, Mr. Lackee.

Mr. LACKEE: Mr. Speaker, it seems to me that the gentleman from Limestone, Mr. Burgess, has thoroughly explained this situation but I would like to call to your attention the fact that Plan "A" that you accepted nearly six weeks ago is contained within this document and also contained therein are any reapportionments within the counties' desire. It's all in there and it is Plan "A".

That was accepted nearly six weeks ago. I want it understood that this is Plan "A" containing also the desired changes within the counties.

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

Mr. MARCH: Mr. Speaker and Members of the House: The proponents of Plan "A" so far as I have been able to determine have based their arguments wholly on an incorrect census, incorrect federal census. If they wish to have it right, the next Legislature, if it sees fit, can conduct a state census and have it right if that is really what they want.

This, at the present, is a reapportionment of the counties. A larger population in Cumberland County make a vast change in the apportionment in the county on account of the large number that each Representative has to represent and if it is their contention that the census figures are wrong,

I should think they would be very glad to have those corrected at a later session of the Legislature, which would iron out all difficulties. As it is now, we leave it with the Plan "A" in effect and merely have to reapportion our counties which affects us very badly.

The SPEAKER: Is the House ready for the question?

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

Mr. CHASE: Mr. Speaker, when the vote is taken, I ask for the yeas and nays.

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

Mr. DELAHANTY: Mr. Speaker, I was asked by two members of the House who find it imperative to be absent this evening if when the vote is taken that I might record for them how they would vote on this particular measure without their votes, of course, being counted into the actual count. They merely wanted to be recorded on the record in the voting.

The SPEAKER: Does the Chair understand that the gentleman requests to vote for other members?

Mr. DELAHANTY: Merely for the record, Mr. Speaker, to state how they would vote if they were here.

The SPEAKER: The gentleman may proceed to debate the issue.

Mr. DELAHANTY: Mr. Speaker, I have been asked to state for the gentleman from Casco, Mr. Hancock, that were he here he would vote for the majority "Ought not to pass" report and that the gentleman from Rumford, Mr. Parent, if he were here would vote for the minority "Ought to pass" report.

The SPEAKER: Is the House ready for the question?

The gentleman from Cape Elizabeth, Mr. Chase, has requested that when the vote is taken, it be taken by the yeas and nays. In order for the vote to be taken by the yeas and nays, it requires the consent of one-fifth of the members present.

As many as are in favor of having the vote taken by the yeas and nays will kindly rise and remain

standing until the monitors have made and returned the count.

Twenty-three members arose, one hundred fourteen being present, and the yeas and nays were ordered.

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

Mr. SPEAR: Mr. Speaker, I wish to be excused from voting.

The SPEAKER: Would the gentleman state his reason?

Mr. SPEAR: Mr. Speaker, if the gentleman from Fort Fairfield, Mr. Dorsey, were here, he would vote "yes" on this question. He has not been excused from the House but I have agreed to pair with him and, if the House would give their consent and allow me not to vote, it would conclude my agreement with Mr. Dorsey.

The SPEAKER: Is it the pleasure of the House to excuse the gentleman from South Portland, Mr. Spear, from voting for the reasons which he has given?

Thereupon, Mr. Spear was excused from voting.

The SPEAKER: The question before the House is on the motion of the gentleman from Island Falls, Mr. Crabtree, that the House accept the Minority "Ought to pass" Report of the Committee on Re-Appportionment on Resolve to Apportion One Hundred and Fifty-one Representatives among the Several Counties, Cities, Towns, Plantations and Classes in the State of Maine, S. P. 596, L. D. 1406.

As many as are in favor of accepting the Minority "Ought to pass" Report will say yes when their name is called and those opposed will say no. The Clerk will call the roll.

ROLL CALL

YEA—Archer, Barton; Bearce, Caribou; Brown, Baileyville; Brown, Robbinston; Bubar, Bucknam, Burgess, Campbell; Chase, Belgrade; Chase Whitefield; Clapp, Clements, Cole, Crabtree, Daggett, Dennison, Dickey, Dunham, Emerson, Farley, Gay, Hall, Hand; Hanson, Machiasport; Harding, Hussey, Ingraham, Jacobs, Jacoby, Keene, Lackee, Lessard, Lovely, Low, Ludwig; Martin, Augusta; Maxwell, Moffatt, Morneault, Nowell, O'Dell, Parker, Patterson, Perry, Peterson, Philbrook, Phillips, Pierce, Plummer, Ricker, Robbins, Roberts, Story Taylor, Norridgewock; Thom-

as, Jr.; Turner, Vaughan, Watson, West, Williams, Winchenpaw, Wood, Woodcock, Woodworth.

NAY—Albee, Albert, Bailey; Bearce, Hebron; Berry, Boothby, Bradeen; Brown, Wayne; Burkett, Carter, Carville; Center, Standish; Chaples; Chase, Cape Elizabeth; Cobb, Davis, DeBeck, Delahanty; Dow, Falmouth; Edwards, Fay, Fenn, Fogg, Frechette; Fuller, Bangor; Fuller, South Portland; Gilman, Gosline, Gowell; Hanson, Lebanon; Hayes, Jalbert, Kelly, Knapp, Latno, Littlefield, Lord, Macomber, Madore, Maguire, March, McGlauffin, Moulton, Nadeau, Roundy, Sanborn, Sinclair; Taylor, Lyman; Wallace.

ABSENT—Bates, Castonguay, Caswell, Cote, Couture, Dorsey, Dostie; Dow, Eliot; Duquette, Finnegan, Gerrish, Hamilton, Hancock, Hawkes, House, Jamieson, Jennings, Jones, Lacharite, Larrabee, Leavitt, Letourneau; Martin, Eagle Lake; Martin, Frenchville; Parent, Potter, Rollins; Senter, Brunswick; Stevens, Stewart, St. Pierre, Totman, Travis, Walls.

EXCUSED—Spear.

Yea 65, Nay 49, Absent 34, Excused 1.

Sixty-five having voted in the affirmative, forty-nine in the negative, thirty-four being absent and one excused, the Minority "Ought to pass" Report was accepted in non-concurrence.

Mr. MARCH of Bridgton: Mr. Speaker —

The **SPEAKER**: For what purpose does the gentleman rise?

Mr. MARCH: Mr. Speaker, I rise to offer an amendment which affects Cumberland County, only.

The **SPEAKER**: Will the gentleman please defer his motion until the Clerk has given the Resolve its first reading?

Thereupon the Resolve was read the first time.

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

Mr. MARCH: Mr. Speaker and Members of the House: I would like to offer an amendment which affects Cumberland County alone.

The **SPEAKER**: Does the gentleman offer the amendment?

Mr. MARCH: I offer an amendment, Mr. Speaker, House Amendment "A".

The **SPEAKER**: The gentleman from Bridgton, Mr. March, presents House Amendment "A" and moves its adoption. The Clerk will read the amendment.

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

HOUSE AMENDMENT "A" to S. P. 596, L. D. 1406, Resolve, to Apportion One Hundred and Fifty-One Representatives Among the Several Counties, Cities, Towns, Plantations and Classes in the State of Maine.

Amend said Resolve by striking out all of that paragraph that relates to the County of Cumberland and inserting in place thereof the following:

'The county of Cumberland shall choose 24 representatives to be apportioned as follows: Portland, 7 representatives; Westbrook, 2 representatives; South Portland, 3 representatives; Brunswick, 2 representatives; Gorham, 1 representative; Bridgton, 1 representative; Pownal and Freeport, 1 representative; Cumberland and Falmouth, 1 representative; Scarborough and Cape Elizabeth, 1 representative; Sebago, Baldwin, and Standish, 1 representative; Harrison, Otisfield and Windham, 1 representative; Gray, Raymond, and New Gloucester, 1 representative; Harpswell, Casco, and Naples, 1 representative; Yarmouth and North Yarmouth, 1 representative.'

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

Mr. CHASE: Mr. Speaker, as a member of the House on the Reapportionment Committee from Cumberland County and in compliance with the instructions of the House in adopting Plan "A," the members of the committee from Cumberland County did the best they could to adapt themselves to a situation which, as I have previously said here, we deemed to be unconstitutional.

We took the twenty-four Representatives allocated to us under Plan "A" and did the best we could, starting with an insufficient number, to allocate these Representatives properly in the county. Ten years ago, due to the failure of the Legislature to apportion or to make any changes in apportionment, there were grave injustices worked in Cumberland County. In my own town of Cape Elizabeth, the injustice was so apparent that they sought legal advice, not only on

the apportionment in the State but on the apportionment within the county.

Now, the gentleman's amendment proposes that everything be left as it is now. He represents the Town of Bridgton alone at the present time. The population of Bridgton is 2950 people. The population of Cape Elizabeth, today, is 3800 people and the population of Scarborough, within which he would class it, is 4600 people. We also have the problem in the county involving Mr. Hancock where there are two towns in the upper tiers of the county which have been classed with Harpswell, sixty miles away.

We have done the best we could with the twenty-four Representatives which were allocated to us and while I am well aware of the fact that under those circumstances nobody could possibly expect to be satisfied, the members of the committee feel that they have done the best they can in Cumberland County with the number of Representatives which you have allocated to us. I therefore move that the amendment be indefinitely postponed.

The SPEAKER: The gentleman from Cape Elizabeth, Mr. Chase, moves that House Amendment "A" to Resolve to Apportion One Hundred and Fifty-one Representatives Among the Several Counties, Cities, Towns, Plantations and Classes in the State of Maine, S. P. 596, L. D. 1406, presented by the gentleman from Bridgton, Mr. March, be indefinitely postponed.

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

Mr. DICKEY: Mr. Speaker and Members of the House: We can well understand now why we received this nice vote of 65 to 49 because these same gentlemen in Cumberland County can't even apportion 24 Representatives and in the beginning they wanted to apportion 151. They are the gentlemen who ground up this orange. I suggest they stew in their own juice. I hope that the gentleman's motion will not prevail for indefinite postponement.

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

Mr. MARCH: Mr. Speaker and Members of the House: With the

population of Cumberland County, the average number for each Representative is 4600. Bridgton has happened to be represented by one Representative ever since I was born and in the past ten years I am sure there has been no difference of 75 people. It is just due to the State apportionment that this change in Cumberland County is necessitated and I see no reason if we don't see fit to reapportion the State why any particular county should be reapportioned at this time.

The SPEAKER: Is the House ready for the question?

The question before the House is on the motion of the gentleman from Cape Elizabeth, Mr. Chase, that House Amendment "A" to Resolve to Apportion One Hundred and Fifty-one Representatives Among the Several Counties, Cities, Towns, Plantations and Classes in the State of Maine, S. P. 596, L. D. 1406, presented by the gentleman from Bridgton, Mr. March, be indefinitely postponed.

The Chair recognizes the gentleman from Falmouth, Mr. Dow.

Mr. DOW: Mr. Speaker and Members of the House: Since I was disappointed some time ago with the vote of some of the members in the northern part of the county regarding the taxation of boats, I should be opposed to this amendment.

The SPEAKER: Is the House ready for the question?

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

Mr. DAVIS: Mr. Speaker, when the vote is taken I ask for a division.

The SPEAKER: Is the House ready for the question?

The Chair recognizes the gentleman from Standish, Mr. Center.

Mr. CENTER: Mr. Speaker and Members of the House: I just want to briefly state that since this matter has been more or less under consideration I have had the opportunity to talk with representatives of some of the towns in the northern part of Cumberland County, and, to my knowledge, no one is interested in changing the present set-up.

I would like to point out that no agreement has been made and there

has been no opportunity to get these town committees in these various towns together. But this new apportionment bill really upsets Cumberland County almost completely, except for Portland, South Portland, Westbrook and Brunswick. There are bound to be what I feel will be inequities in representation. I can visualize two small towns like Baldwin and Sebago being joined in with a town the size of Bridgton. I do not believe you will see any Representatives in this Legislature from Baldwin or Sebago for a good many years to come. And, in defense of those small towns, I hope that the motion to indefinitely postpone this amendment does not prevail.

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

Mr. PATTERSON: Mr. Speaker and Members of the House: Since this apportionment came up here we have not even had time to see our own town representatives or the committees or anything else to straighten this thing out, and I think we should have a chance to take that up with them before any such action is taken, therefore I am going to support the motion of Mr. March, that we indefinitely postpone the change in Cumberland County.

The SPEAKER: Is the House ready for the question?

The question before the House is on the motion of the gentleman from Cape Elizabeth, Mr. Chase, that House Amendment "A" to Resolve to Apportion One Hundred and Fifty-one Representatives Among the Several Counties, Cities, Towns, Plantations and Classes in the State of Maine (S. P. 596) be indefinitely postponed, and the gentleman from Harrison, Mr. Davis, has requested a division.

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

Mr. SPEAR: Mr. Speaker and Members of the House: Of course this part of the apportionment really pertains to Cumberland County more than it does the other parts of the State. I know it will be boring to the other parts of the State to listen to what we have to say about our own towns within

the county and the class towns in the problem which confronts us now.

As the gentleman from Cape Elizabeth, Mr. Chase, says, he represents a group now which comprises more than eight thousand population, and Dr. March represents a group which comprises twenty-nine hundred of the population, which means that Mr. March will have to go into a class with two other towns, which he dislikes doing very much.

We are faced with this problem within Cumberland County: If we go along for another ten years, which we will be obliged to do, then within the county we are going to continue to have a change in population in certain towns where there is a migratory trend of the people in the civic centers to move out into the suburban areas, and some of the towns are becoming popular for year-round residences, and those towns are apt to gain and bound to gain very much in the number of people who reside in them permanently in the next ten years as the past ten years has shown a growth. So we are confronted with that problem within the county. If we do not do anything now, ten years from now we are going to be that much farther apart within the county, and so we would like to take the twenty-four Representatives which were allowed us and apportion them the best we can within the county; and that is what your Committee on Apportionment for the County has tried to do in the printed legislative document which has come out.

Now I have tried to make that plain. I cannot tell you what the consensus of opinion in the county is, because they would have to speak individually. Since the printed legislative document has come out and the new plan has been proposed, we have not had a county meeting so that we could get a consensus of opinion of the delegates from the county, but the intent is, in this new printed form, although it changes the classes it puts us nearer together in an equal distribution of the population as far as representation is concerned. I hope that the motion to indefinitely postpone will not prevail.

The SPEAKER: The Chair recognizes the gentleman from Addison, Mr. Lackee.

Mr. LACKEE: Mr. Speaker, I am perfectly sympathetic with Cumberland County, because I realize that if Plan "B" had been accepted Washington County would be in a much worse predicament than they are. We do not have the population but we have the area. Therefore I hope that the decision of the Legislature will be along the line of the majority of Representatives from Cumberland County. I think that is a problem of theirs. If it was in Washington, I would feel the same way. I would not want Cumberland to tell Washington how they should allocate within their county, therefore I hope that the decision will be along the line of the majority of the Cumberland County Representatives.

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

Mr. SPEAR: Mr. Speaker, maybe in my enthusiasm I really forgot what I was doing, but I was thinking of where the amendment was submitted from, and was not realizing that Mr. Chase had made the motion. I want to change my last remarks to the effect that I hope the motion to indefinitely postpone does prevail. Thank you.

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

Mr. PATTERSON: Mr. Speaker, I might have been in error in saying what I wanted to do, but I wanted to support the amendment that Mr. March offered, if that straightens it out. I do not know whether I was right before or not, but I think I am right this time. (Laughter)

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

Mrs. FAY: Mr. Speaker and Members of the House: Coming from a city, and, two years ago, having seen this over-all plan, I knew that it would never affect the City of Portland, whether it was involved in Plan "A" or Plan "B". At this time I feel we should follow the majority feeling of our county, and, even though I am in

opposition to our able floorleader, because I feel that neither South Portland, Cape Elizabeth nor Portland are the ones to make the final decision on a matter which involves other towns in the county, therefore I hope that the motion to indefinitely postpone will not prevail.

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

Mr. MARCH: Mr. Speaker and Members of the House: My amendment leaves everything just as it was. That was the intention of the original vote, and I have had no chance to contact my town as to what hook-up they would like best. I just simply had the thing assigned to me in the hope that I would swallow it.

The SPEAKER: Is the House ready for the question?

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

Mr. CHASE: Mr. Speaker and Members of the House: The recommendations for Cumberland County were submitted to the delegation and, with one minor change later made by Senator Leavitt and myself, which does not involve anyone who has spoken here, I received no indication whatever of their disapproval. I told the delegation that, having only twenty-four Representatives to apportion, we had a difficult task, and they would have to understand that we would do the best we could. I told them that if they could agree unanimously on an apportionment that Senator Leavitt and myself would consider it. I received no indication whatever that they had agreed or of their disapproval, and we went ahead and did the best we could, which is embodied in this resolve.

Mr. MARCH of Bridgton: Mr. Speaker —

The SPEAKER: For what purpose does the gentleman rise?

Mr. MARCH: I would like to say another word, if I may.

The SPEAKER: The gentleman has debated the issue twice under the rules.

Mr. MARCH: May I have unanimous consent, Mr. Speaker?

The SPEAKER: The gentleman from Bridgton, Mr. March, requests

unanimous consent to address the House. Is there any objection? The Chair hears none and the gentleman may proceed.

Mr. MARCH: Mr. Speaker, I want to say that I have not the slightest criticism for our floor leader. What he said is true. But I have not had an opportunity to contact my townspeople, and I told him that if I had to swallow whatever he offered I would do my best to swallow it, but I hate to.

The SPEAKER: The Chair recognizes the gentleman from Standish, Mr. Center.

Mr. CENTER: Mr. Speaker and Members of the House: I too will say to our floor leader that some time ago he suggested to our county delegation the possibility of some change that would be submitted by the Apportionment Committee. That was briefly discussed at this county delegation meeting. As I said before, I did go home and talk to some of the townspeople in the various towns that would be affected and I could find no one who was in accord with the suggestion.

At a subsequent county delegation meeting held about two weeks ago, the matter was discussed with more thoroughness, and I will say that had our beloved floor leader been present at that meeting, I think he would have found that there was a lot of opposition to the suggested plan. There was no formal vote taken that night, but I feel sure that had there been a formal vote that the majority present would have voted to go along with the old set-up, which I hope this House will vote to do tonight.

The SPEAKER: Is the House ready for the question? The Chair recognizes the gentleman from South Portland, Mr. Spear.

Mr. SPEAR: Mr. Speaker, when the vote is taken I ask for a division.

The SPEAKER: The Chair will inform the gentleman that a division has already been requested.

Is the House ready for the question?

The question before the House is on the motion of the gentleman from Cape Elizabeth, Mr. Chase, that House Amendment "A" to Re-

solve to Apportion One Hundred and Fifty-one Representatives Among the Several Counties, Cities, Towns, Plantations and Classes in the State of Maine, S. P. 596, L. D. 1406, presented by the gentleman from Bridgton, Mr. March, be indefinitely postponed and the gentleman from Harrison, Mr. Davis, has requested a division.

All those in favor of indefinitely postponing House Amendment "A" will please rise and remain standing until the monitors have made and returned the count.

A division of the House was had. Seventeen having voted in the affirmative and fifty-eight in the negative the motion to indefinitely postpone House Amendment "A" did not prevail.

The SPEAKER: The question now before the House is on the adoption of House Amendment "A".

All those in favor of adopting House Amendment "A" will say aye; those opposed, no.

A viva voce vote being taken, the motion prevailed.

Thereupon, under suspension of the rules, the Resolve was given its second reading.

Mr. Delahanty of Lewiston then offered House Amendment "B" and moved its adoption.

Thereupon, the amendment not having been reproduced, the House was put at ease at 8:50 P. M., E.S.T.

House at Ease

Called to order by the Speaker at 8:60 P. M., E.S.T.

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

HOUSE AMENDMENT "B" to S. P. 596, L. D. 1406, Resolve, to Apportion One Hundred and Fifty-one Representatives Among the Several Counties, Cities, Towns, Plantations and Classes in the State of Maine.

Amend said Resolve by striking out the 2nd paragraph thereof and inserting in place thereof the following:

"The county of Androscoggin shall choose 13 representatives to be apportioned as follows: Auburn, 3 representatives; Lewiston, 6 representatives; Lisbon and Durham, 1 representative; Livermore and Livermore Falls, 1 representative;

Mechanic Falls, Minot, Turner and Leeds, 1 representative; Webster, Poland, Greene and Wales, 1 representative.'

The SPEAKER: The question before the House is on the adoption of House Amendment "B."

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

Mr. JACOBS: Mr. Speaker and Members of the House: The first thing I am going to do is indefinitely postpone that amendment. (Laughter) They say, sit down; all right!

The SPEAKER: The gentleman from Auburn, Mr. Jacobs, moves that House Amendment "B" to Resolve to Apportion One Hundred and Fifty - one Representatives Among the Several Counties, Cities, Towns, Plantations and Classes in the State of Maine, S. P. 596, L. D. 1406, presented by the gentleman from Lewiston, Mr. Delahanty, be indefinitely postponed.

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

Mr. DELAHANTY: Mr. Speaker and Members of the House: I assumed that the motion made by the gentleman from Auburn (Mr. Jacobs) would be the last motion he would want to make in view of his voting on this measure as it has come before us. I have consistently argued in behalf of what is commonly referred to as Plan "B." Under either plan, the County of Androscoggin would retain its same number of Representatives, ten.

The argument here tonight is to keep things as they have been in the past. The majority of the House tonight has indicated to me that they don't want to do that and that is the reason that I am giving you the opportunity to give me what I want because when you accepted the "Ought to pass" report, you accepted the reapportionment of four counties, then you later changed your vote on one of them, that is Cumberland, and left it where it was. But yet you have three counties that you have not left in the so-called status quo.

I was not a member of the Re-apportionment Committee. The gentleman who has moved to indefinitely postpone this House Amendment "B" is the Androscoggin County Representative on the

Re-apportionment Committee. I know of no report that he has given directly to the county delegation indicating how the representation was to be split up in that county. At a recent meeting of the county delegation, I proposed that we consider the reapportionment of Androscoggin County as it would have been according to the Constitution, as it should be according to the number of people we have in the City of Lewiston and Auburn and the outlying towns. I feel that these cities and towns should get their representation. That is why I have presented this amendment. At the time I made that suggestion, the gentleman from Auburn (Mr. Jacobs) suggested that there was nothing we could do to reapportion Androscoggin County. That is why I have presented this amendment so that I can take advantage of the reapportionment of Androscoggin County in the manner that it should be.

I hope you will vote against the motion to indefinitely postpone.

The SPEAKER: The Chair recognizes the gentleman from Auburn, Mr. Jacobs.

Mr. JACOBS: Mr. Speaker and Members of the House: I don't think that I need to explain our position in Androscoggin County. The gentleman who presented this amendment comes from the City of Lewiston and each of those five members represent on the average of 8,000 people, There are three from Auburn, representing about the same number, 8,000 people, and then the rest of the county is divided up among five other members.

Now, to be fair, I believe these members from Androscoggin County, outside of the two cities of Lewiston and Auburn, should be recognized and have the same privileges in the future as they have had in the past. If we took a vote in the delegation we would defeat this amendment 8 to 5.

This is an Androscoggin County proposition and I hope when you vote—and I will ask for a division—you will vote to indefinitely postpone this amendment.

The SPEAKER: Is the House ready for the question?

The Chair recognizes the gentleman from Lisbon, Mr. Plummer.

Mr. PLUMMER: Mr. Speaker, I won't take but a moment; this amendment presented by Mr. Delahanty is just another one of those cases where those who have get and the little fellow gets what Dr. March had expunged from the record. (Laughter)

Mr. Jacobs has stated the case very clearly and I don't think it needs any more talk on my part but I surely hope that the gentleman's motion prevails, to indefinitely postpone.

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

Mr. JALBERT: Mr. Speaker and Members of the House: Referring to those that "has" gets, I wonder two years from now if the Republican members of the Androscoggin County delegation, four years from now it will be because we lose the council seat two years from now, if they will give us a little because we have never gotten; we have never even been invited to a meeting that was called for the election of the Governor's Councillor.

I realize my voice does not have the carriage of the gentleman from Brooks, Mr. Dickey, but I am willing to stew in my own juice without referring to the magic formula of Plan "B". I will go along with Mr. Delahanty.

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

Mr. DELAHANTY: Mr. Speaker and Members of the House: Speaking of the little man and what he gets and what he "ain't got," let me say this: that you have asked the big cities to accept Legislative Document 551. In doing so, you have taken the flat grant of \$3.00 away from the city. Is that a case of not getting in the smaller towns? You are here getting what you do not deserve under a constitutional amendment that was voted on by the people.

Under Plan "B" and remember, I went along for it very strongly, I knew that our delegation stood 8 to 5 as opposed to any reapportionment under "A" or "B" but I

was willing to take that chance that those gentlemen would be fair. I am sure that you all want to be fair now and give me the opportunity to see that Androscoggin County is reapportioned as it should be.

Mr. MAGUIRE of Auburn: Mr. Speaker—

The SPEAKER: The Chair must remind the gentleman that we have about two minutes under the rules before we must either recess or adjourn.

Mr. MAGUIRE: Mr. Speaker, all I have to say is that I go along with Mr. Jacobs of Auburn and I would like to ask Mr. Delahanty: is it true that his representatives are absent so they can't vote for reapportionment?

The SPEAKER: The question before the House is on the motion of the gentleman from Auburn, Mr. Jacobs, that House Amendment "B" to Resolve to Apportion One Hundred and Fifty-one Representatives Among the Several Counties, Cities, Towns, Plantations and Classes in the State of Maine, S. P. 596, L. D. 1406, presented by the gentleman from Lewiston, Mr. Delahanty, be indefinitely postponed, and the gentleman from Auburn, Mr. Jacobs, requests a division.

All those in favor of the indefinite postponement of House Amendment "B" will please rise and remain standing until the monitors have made and returned the count.

Eighty having voted in the affirmative and sixteen in the negative, the motion prevailed and House Amendment "B" was indefinitely postponed.

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

Mr. DOW of Falmouth: Mr. Speaker—

The SPEAKER: For what purpose does the gentleman rise?

Mr. DOW: For a question, please, Mr. Speaker. Will there be any opportunity to vote on this tomorrow?

The SPEAKER: The Chair will state that the matter will be sent to the Senate tonight. It will be

back to the House for final passage, we expect.

Mr. MARCH of Bridgton: Mr. Speaker—

The SPEAKER: For what purpose does the gentleman rise?

Mr. MARCH: Mr. Speaker, I would like to be excused from any further voting tonight. My sincerity and integrity have been

questioned and I just don't feel like it any further. (Laughter)

The SPEAKER: The Chair would inform the gentleman that we are about to adjourn.

Thereupon, on motion of Mr. Chase of Cape Elizabeth,

Adjourned until 8:30 A. M., Eastern Standard Time, tomorrow.