

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

LEGISLATIVE RECORD

OF THE

*Ninety-Seventh Legislature*

OF THE

STATE OF MAINE

1955

DAILY KENNEBEC JOURNAL  
Augusta, Maine

**HOUSE**

Thursday, March 31, 1955

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

Prayer by the Rev. Mr. George F. Bolster of Gardiner.

The journal of the previous session was read and approved.

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

Report of the Committee on Retirements and Pensions reporting "Ought not to pass" on Resolve providing Retirement Pension Increase, for Arthur L. Jordan of Augusta (S. P. 196)

Came from the Senate read and accepted.

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

**Ought to Pass  
in New Draft**

Report of the Committee on Judiciary on Bill "An Act relating to the Appointment of Conservators" (S. P. 124) (L. D. 320) reporting same in a new draft (S. P. 503) (L. D. 1385) under same title and that it "Ought to pass"

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

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

**Ought to Pass**

Report of the Committee on Sea and Shore Fisheries reporting "Ought to pass" on Bill "An Act relating to the Taking of Alewives in the Town of Columbia Falls" (S. P. 417) (L. D. 1178)

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

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

**Ought to Pass  
with Committee Amendment**

Report of the Committee on Judiciary on Bill "An Act relating to

Prior Convictions in Operating Motor Vehicles Under Influence of Liquor" (S. P. 287) (L. D. 798) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

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

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

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

COMMITTEE AMENDMENT "A" to S. P. 287, L. D. 798, Bill "An Act relating to Prior Convictions in Operating Motor Vehicles Under Influence of Liquor."

Amend said bill by striking out the last sentence thereof.

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

Report of the Committee on Judiciary on Bill "An Act relating to Preference in State Employment to Mothers of Veterans" (S. P. 297) (L. D. 805) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

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

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

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

COMMITTEE AMENDMENT "A" to S. P. 297, L. D. 805, Bill "An Act relating to Preference in State Employment to Mothers of Veterans."

Amend said bill by striking out the 2nd paragraph and inserting in place thereof the following:

"D. Ten-point preference is accorded to mothers, (who are widowed, divorced, separated, or whose husbands are permanently and totally disabled,) of veterans who died while in the active service of the armed forces during any war, or who died as a result of service-connected disabilities."

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

#### Tabled and Assigned

Report of the Committee on Liquor Control on Bill "An Act to Clarify the Liquor Laws" (S. P. 254) (L. D. 685) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

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

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

The SPEAKER: The Chair recognizes the gentlewoman from Presque Isle, Mrs. Christie.

Mrs. CHRISTIE: Mr. Speaker and Members of the House:—

The SPEAKER: For what purpose does the gentlewoman rise?

Mrs. CHRISTIE: Mr. Speaker, for the purpose of offering an amendment.

The SPEAKER: The Chair will request the gentlewoman to kindly defer until the two readings have been given.

Thereupon, the Bill was given its two readings.

The SPEAKER: The Chair recognizes the gentlewoman from Presque Isle, Mrs. Christie.

Mrs. CHRISTIE: Mr. Speaker, I would like to offer House Amendment "A" to this bill and move its adoption and I would like to explain my reasons for doing this and perhaps a little more about the amendment.

This amendment simply would make rule 65 of the present rules and regulations a part of our statutes. It does not change the present situation at all. It simply makes into law a regulation of the Liquor Commission at the present time.

Rule 65, I will read and anyone who would like to follow may see that that is just the same as the amendment which I have offered. Rule 65 of the latest copy of the Rules and Regulations: "No merchandise shall be considered to be reasonably compatible with a stock of malt liquor, for the purpose of licensing a retail store, which con-

sists of gasoline and oil; used or new cars, parts or accessories; clothing; hardware; paints or building materials; electric appliances or equipment; or household furniture or furnishings."

That is the present situation but it has been our experience that sometimes rules have been declared unconstitutional by our courts. That happened last summer on two rules in particular. In other cases, rules have been rescinded and we felt that this was an important rule to be a part of our statutes and for that reason we are offering this amendment.

The SPEAKER: The gentlewoman from Presque Isle, Mrs. Christie, offers House Amendment "A" and moves its adoption. The Clerk will read House Amendment "A".

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

HOUSE AMENDMENT "A" to S. P. 254, L. D. 685, Bill "An Act to Clarify the Liquor Laws."

Amend said Bill in "Sec. 10" by adding at the end thereof the following underlined sentence:

'No merchandise shall be considered to be reasonably compatible with a stock of malt liquor, for the purpose of licensing a retail store, which consists of gasoline and oil; used or new cars, parts or accessories; clothing; hardware; paints or building materials; electric appliances or equipment; or household furniture or furnishings.'

The SPEAKER: Is it the pleasure of the House that House Amendment "A" be adopted?

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

Mr. CHARLES: Mr. Speaker, for the benefit of the House members and in order to give them an opportunity to study the amendment carefully, I will not delay this too long but I would request that it be tabled until tomorrow's session.

The SPEAKER: The gentleman from Portland, Mr. Charles, moves that Bill "An Act to Clarify the Liquor Laws," Senate Paper 254, Legislative Document 685, with accompanying papers lie on the table pending adoption of House Amendment "A" and be specially assigned for tomorrow. Is this the pleasure of the House?

The motion prevailed and the Bill with accompanying papers was so tabled and assigned.

Report of the Committee on Liquor Control on Bill "An Act relating to Sales to and Consumption of Liquor by Minors" (S. P. 302) (L. D. 810) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

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

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

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

COMMITTEE AMENDMENT "A" to S. P. 302, L. D. 810, Bill "An Act relating to Sales to and Consumption of Liquor by Minors."

Amend said bill by striking out all of the next to the last line and the last line thereof and inserting in place thereof the underlined word and figures: 'than \$50.'

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

### Orders

On motion of Mr. Valley of Sanford was

ORDERED, that Mr. Letourneau of Sanford be excused from attendance this week because of the death of his father;

AND BE IT FURTHER ORDERED, that the Clerk of the House be directed to express the sympathy of the members of the House to Mr. Letourneau.

Miss Lawry of Rockland presented the following Order and moved its passage:

ORDERED, the Senate concurring, that there be paid to Indian Representatives, Joseph A. Nicholas of the Passamaquoddy Tribe of Indians and Francis Ranco of the Penobscot Tribe of Indians, the sum of One Hundred Dollars each, which is the balance due on their compensation. (H. P. 1169)

The Order received passage and was sent up for concurrence.

### House Reports of Committees Ought Not to Pass Tabled and Assigned

Mr. Cates from the Committee on Appropriations and Financial Affairs reported "Ought not to pass" on Resolve in favor of the University of Maine for a Law School (H. P. 771) (L. D. 856)

Report was read.

(On motion of Mr. Maxwell of Winthrop the Report and Resolve were tabled pending acceptance of the Committee Report and specially assigned for Thursday, April 7.)

Mr. Henry from the Committee on Appropriations and Financial Affairs reported "Ought not to pass" on Resolve in favor of the Town of Kittery (H. P. 288) (L. D. 301)

Mr. Jacobs from same Committee reported same on Resolve providing Funds for Operating Pilot Programs in Marine Commercial Fisheries and Maritime Occupations (H. P. 333) (L. D. 374)

Reports were read and accepted and sent up for concurrence.

### Tabled and Assigned

Mr. Stanley from the Committee on Appropriations and Financial Affairs reported "Ought not to pass" on Bill "An Act relating to Salaries of Superintendents of Schools" (H. P. 287) (L. D. 300)

Report was read.

The SPEAKER: Is it the pleasure of the House that the Report be accepted?

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

Mr. FULLER: Mr. Speaker, I move that this act lie upon the table and be specially assigned for Thursday, next, April 7.

The SPEAKER: The gentleman from South Portland, Mr. Fuller, moves that the Report and Bill lie on the table pending acceptance of the committee report and be specially assigned for Thursday, April 7. Is this the pleasure of the House?

The Chair recognizes the gentleman from Anson, Mrs. Thomas, for the purpose only of debating the time if she chooses of tabling.

Mrs. THOMAS: No, Mr. Speaker.

The SPEAKER: The question before the House is on the motion of

the gentleman from South Portland, Mr. Fuller, that the Report and Bill "An Act relating to Salaries of Superintendents of Schools," House Paper 287, Legislative Document 300, lie on the table pending acceptance of the Committee Report and be specially assigned for Thursday, April 7. Is this the pleasure of the House?

The motion prevailed and the Report and Bill were so tabled and assigned.

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

Mr. Stilphen from the Committee on Public Health reported "Ought not to pass" on Bill "An Act relating to Fee for Licenses for Eating and Lodging Places, Recreational and Overnight Camps" (H. P. 928) (L. D. 1036)

Mr. Albert from the Committee on Retirements and Pensions reported same on Resolve in favor of Ernest C. Fuller of Bingham (H. P. 609)

Reports were read and accepted and sent up for concurrence.

#### **Tabled and Assigned**

Mr. Albert from the Committee on Retirements and Pensions reported "Ought not to pass" on Resolve in favor of George A. Bragdon of Lincoln (H. P. 157)

Report was read.

(On motion of Mr. Fuller of South Portland, the Report and Bill were tabled pending acceptance of the Committee Report and specially assigned for Thursday, April 7.)

Mr. Albert from the Committee on Retirements and Pensions reported "Ought not to pass" on Resolve in favor of Mabelle K. Toole of Bangor (H. P. 607)

Same gentleman from same Committee reported same on Resolve in favor of R. Clifton Burnell of East Sebago (H. P. 558)

Mr. Lindsay from same Committee reported same on Resolve providing for State Pension for Glendon Hardison of Franklin (H. P. 791)

Mr. Olpe from same Committee reported same on Resolve providing

for an Increase in State Pension for Hilda Ambrose of Masardis (H. P. 602)

Reports were read and accepted and sent up for concurrence.

#### **Ought to Pass Printed Bills**

Mr. Bean from the Committee on Appropriations and Financial Affairs reported "Ought to pass" on Resolve Appropriating Monies for Civil Defense Matching Funds (H. P. 772) (L. D. 857)

Mr. Cates from same Committee reported same on Bill "An Act relating to Sum Paid Superintendents of Schools of Towns Having More Than Seventy-five Teachers" (H. P. 328) (L. D. 369)

Mr. Edwards from same Committee reported same on Bill "An Act Appropriating Moneys for Anticipated Overdrafts in the Harness Racing Commission Due to Insufficient Appropriations" (H. P. 460) (L. D. 505)

Mr. Rogerson from same Committee reported same on Bill "An Act relating to Certain Funds Held by Colby College as Trustee" (H. P. 863) (L. D. 975)

Mr. Bibber from the Committee on Public Health reported same on Bill "An Act relating to Qualifications and License Fees for Practical Nurses" (H. P. 1033) (L. D. 1205)

Mr. Malenfant from same Committee reported same on Bill "An Act relating to Funeral Directors and Embalmers" (H. P. 1046) (L. D. 1221)

Mrs. Michaud from same Committee reported same on Bill "An Act relating to Apothecaries and the Sale of Poisons" (H. P. 1080) (L. D. 1263)

Mr. Cianchette from the Committee on Towns and Counties reported same on Bill "An Act relating to Land Taken by Municipalities for Parks, Playgrounds, etc." (H. P. 1056) (L. D. 1231)

Mr. Hilton from same Committee reported same on Bill "An Act to Permit Counties to Use Surplus Funds" (H. P. 946) (L. D. 1049)

Reports were read and accepted, the Bills read twice, Resolve read once, and tomorrow assigned.

**Ought to Pass with  
Committee Amendment  
Tabled and Assigned**

Mr. Jacobs from the Committee on Appropriations and Financial Affairs on Resolve relating to Construction of a Road and Terminal in City of Rockland (H. P. 518) (L. D. 581) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Resolve read once.

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

COMMITTEE AMENDMENT "A" to H. P. 518, L. D. 581, Resolve relating to Construction of a Road and Terminal in City of Rockland.

Amend said Resolve by striking out in the 12th line from the end thereof the stricken out figure "\$50,000" and the underlined figure "\$100,000" and inserting in place thereof the figure "\$50,000"

Thereupon, on motion of Mr. Stilphen of Rockland, the Resolve with accompanying papers was tabled pending adoption of Committee Amendment "A" and specially assigned for tomorrow.

Mr. Rogerson from the Committee on Appropriations and Financial Affairs on Bill "An Act relating to the Deposit of State Funds" (H. P. 814) (L. D. 906) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Bill read twice.

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

COMMITTEE AMENDMENT "A" to H. P. 814, L. D. 906, Bill "An Act relating to the Deposit of State Funds."

Amend said Bill by striking out all of the title thereof and inserting in place thereof the following title: 'An Act Relating to Investment of Temporary State Funds.'

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

Mr. Stanley from the Committee on Towns and Counties on Bill "An Act relating to Tuition Charges at the Maine School for the Deaf" (H. P. 971) (L. D. 1097) reported "Ought

to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Bill read twice.

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

COMMITTEE AMENDMENT "A" to H. P. 971, L. D. 1097, Bill "An Act relating to Tuition Charges at the Maine School for the Deaf."

Amend said Bill by inserting before the underlined word "privileges" in the 5th line thereof the underlined word "school"

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

**Passed to Be Engrossed**

Bill "An Act relating to Use of Dealer or Transit Motor Vehicle Registration Plates" (S. P. 259) (L. D. 688)

Bill "An Act relating to Registration Fees for Certain Motor Vehicles Used for Commercial Purposes" (S. P. 280) (L. D. 696)

Bill "An Act relating to Expenses of Persons Committed to State Prison for Safekeeping" (S. P. 392) (L. D. 1105)

Bill "An Act relating to Trespass Upon Lands Appurtenant to Maine State Prison" (S. P. 393) (L. D. 1107)

Bill "An Act relating to Authority of and Uniforms for Officers of the Maine State Prison" (S. P. 394) (L. D. 1108)

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

**Tabled and Assigned**

Bill "An Act relating to Local Option for Sale of Malt Liquor by Part-time Hotels" (H. P. 441) (L. D. 487)

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

The SPEAKER: The Chair recognizes the gentleman from Bucksport, Mr. Pierce.

Mr. PIERCE: Mr. Speaker, having been in consultation this morning with the election division of the Secretary of State and the Chairman of the Liquor Control Committee, it is possible that an amend-

ment to this bill may be needed. In view of the absence of the licensing director, Mr. Murphy, who is now in the hospital, I respectfully request that I be permitted to table this bill until Thursday, April 14, at which time the executive session of the Liquor Committee will be able to meet and discuss it. Therefore, I move it be tabled until Thursday, April 14.

The SPEAKER: The gentleman from Bucksport, Mr. Pierce, moves that Bill "An Act relating to Local Option for Sale of Malt Liquor by Part-time Hotels," House Paper 441, Legislative Document 487, lie on the table pending passage to be engrossed and be specially assigned for Thursday, April 14. Is this the pleasure of the House?

The motion prevailed and the Bill was so tabled and assigned.

Bill "An Act relating to Tuition of Students Living on Chebeague Island, Cumberland County" (H. P. 527) (L. D. 586)

Bill "An Act relating to Trespass on Land of Another" (H. P. 1166) (L. D. 1399)

Resolve in favor of Kathryn C. Douglas of Augusta (H. P. 640) (L. D. 717)

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

#### Amended Bills

Bill "An Act relating to Salaries of Council Members of City of Portland" (S. P. 97) (L. D. 228)

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

The SPEAKER: The Chair recognizes the gentleman from Portland, Mr. Childs. For what purpose does the gentleman rise?

Mr. CHILDS: Mr. Speaker, I rise for the purpose of making a motion.

The SPEAKER: The gentleman may state his motion.

Mr. CHILDS: Mr. Speaker, this bill is entirely of a local nature but I believe that my action should be explained to the rest of the members of the House. The bill calls for a salary increase in the City of Portland from \$500 to \$1,000. The bill did not originally have any ref-

erendum. The members of the Portland delegation and the members of the Legal Affairs Committee were of the opinion that this should go on referendum. Subsequent to that time, I talked with members of the Portland City Council and they said that they would be willing to take an increase of \$250. There is no question that they are underpaid as they are only receiving \$500. There are smaller cities in the State of Maine which are receiving larger salaries than the members of our City Council. The members of the City Council sometimes spend two or three days a week in session. The Legal Affairs Committee now concurs with me that this be changed from \$1,000 to \$750 and the members of the Portland delegation also concur with me.

Therefore, I now move that Committee Amendment "A" be indefinitely postponed.

The SPEAKER: The Chair understands that the gentleman from Portland, Mr. Childs, moves that the House reconsider its action whereby on March 30 of this year Committee Amendment "A" was adopted by the House. Is it the pleasure of the House to reconsider its action?

The motion prevailed, and on further motion of the same gentleman Committee Amendment "A" was indefinitely postponed.

Thereupon, the same gentleman offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to S. P. 97, L. D. 228, Bill "An Act relating to Salaries of Council Members of City of Portland."

Amend said Bill by striking out the underlined figure "\$1,000" in the second line of the second paragraph and inserting in place thereof the underlined figure "\$750"

House Amendment "A" was then adopted, and the Bill was given its third reading.

The SPEAKER: Is it the pleasure of the House that this Bill, which has had its three several readings in the House and upon which the Committee on Bills in the Third Reading has reported no further verbal amendments are neces-



sary, be passed to be engrossed as amended by House Amendment "A" in non-concurrence with the Senate?

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

Bill "An Act relating to Waiver of Indictment" (S. P. 216) (L. D. 557)

Bill "An Act to Extend the Power to Serve to Public Utilities Organized by Special Act of the Legislature" (S. P. 330) (L. D. 895)

Bill "An Act to Revise the Laws Relating to the State Library" (S. P. 369) (L. D. 1065)

Bill "An Act relating to Terms of the Superior Court in York County" (H. P. 667) (L. D. 743)

Resolve to Reimburse the Maine General Hospital for Care and Hospitalization of Leland Curtis (S. P. 243) (L. D. 676)

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

#### Tabled and Assigned

Bill "An Act relating to Hunting for Raccoons at Night" (H. P. 535) (L. D. 592)

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

(On motion of Mr. Brockway of Milo, tabled pending passage to be engrossed and specially assigned for Wednesday, April 6.)

Bill "An Act relating to Sirens on Automobiles Operated by Certain Officials" (H. P. 83) (L. D. 80)

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

#### Orders of the Day

The SPEAKER: Under Orders of the Day, the Chair lays before the House the first tabled and today assigned matter, House Report "Ought to pass" as amended by Committee Amendment "A" of the Committee on Judiciary on Bill "An Act relat-

ing to Parking Meter Fines", House Paper 908, Legislative Document 1016, tabled on March 23 by the gentleman from Bangor, Mr. Totman, pending acceptance of the Committee Report, and the Chair recognizes that gentleman.

Mr. TOTMAN: Mr. Speaker and Members of the House: With the consent of the House member of the Committee on Judiciary, which reported this bill out and in order to prevent the unnecessary detail of recommitting the bill to the committee, I move that this bill be specifically retabled and assigned to next Wednesday, April 6, for the purpose of offering an amendment.

The SPEAKER: The gentleman from Bangor, Mr. Totman, moves that the Report and Bill be retabled pending acceptance of the Committee Report and be specially assigned for Wednesday, April 6. Is this the pleasure of the House?

The motion prevailed and the Report and Bill were so tabled and assigned.

The SPEAKER: The Chair lays before the House the second tabled and today assigned matter, House Report "Ought not to pass" of the Committee on Claims on Resolve in favor of Francis Qualey of Benedicta, House Paper 703, Legislative Document 771, tabled on March 24 by the gentleman from Sherman, Mr. Storm, pending acceptance of the Committee Report and the Chair recognizes that gentleman.

Mr. STORM: Mr. Speaker and Members of the House: With the consent of the House Chairman and the Senate Chairman of the Committee on Claims, I now move that this be recommitted.

The SPEAKER: The gentleman from Sherman, Mr. Storm, moves that this Resolve with accompanying papers be recommitted to the Committee on Retirements and Pensions. Is this the pleasure of the House?

The motion prevailed.

The SPEAKER: The Chair understands that the gentleman from Sherman, Mr. Storm, moves reconsideration of the motion as put by the Speaker. Is this the pleasure of the House?

The motion prevailed.

Thereupon, on motion of Mr. Storm of Sherman, the Report with accompanying papers was recommitted to the Committee on Claims and sent up for concurrence.

The SPEAKER: The Chair lays before the House the third tabled and today assigned matter, House Report "Ought not to pass" of the Committee on Inland Fisheries and Game on Bill "An Act relating to Age of Inland Fisheries and Game Wardens," House Paper 894, Legislative Document 1002, tabled on March 24 by the gentleman from Bowdoinham, Mr. Curtis, pending acceptance of the Committee Report and the Chair recognizes that gentleman.

Mr. CURTIS: Mr. Speaker, in order to prepare an amendment to this, if it should come to that, I would like to retable this until Wednesday, the 6th of April.

The SPEAKER: The gentleman from Bowdoinham, Mr. Curtis, moves that the Report and Bill be retabled pending acceptance of the Committee Report and be specially assigned for Wednesday next, April 6. Is this the pleasure of the House?

The motion prevailed and the Report and Bill were so tabled and assigned.

The SPEAKER: The Chair lays before the House the fourth tabled and today assigned matter, House Report "Ought not to pass" of the Committee on Inland Fisheries and Game on Resolve Lowering Dam at Sheepscot Pond, Waldo County, House Paper 900, Legislative Document 1008, tabled on March 24 by the gentleman from Waterville, Mr. Bernier, pending acceptance of the Committee Report and the Chair recognizes that gentleman.

Mr. BERNIER: Mr. Speaker, I move the acceptance of the "Ought not to pass" Report.

The SPEAKER: The Chair thanks the gentleman. The gentleman from Waterville, Mr. Bernier, moves that the "Ought not to pass" Report be accepted. Is this the pleasure of the House?

The motion prevailed and the "Ought not to pass" Report was accepted and sent up for concurrence.

The SPEAKER: The Chair lays

before the House the fifth tabled and today assigned matter, House Divided Report, Majority "Ought not to pass" and Minority "Ought to pass" as amended by Committee Amendment "A" of the Committees on Highways and Taxation jointly, on Bill "An Act to Authorize the Issuance of Bonds in the Amount of Thirty Million Dollars on Behalf of the State of Maine for the Purpose of Building State Highways," House Paper 626, Legislative Document 666, tabled on March 24 by the gentleman from Biddeford, Mr. Nadeau, pending acceptance of either report and the Chair recognizes that gentleman.

Mr. NADEAU: Mr. Speaker and Members of the House: Let me thank you for extending me the privilege of tabling this matter until today. I am sorry but I was so busy this last week on account of shortage of help at home, on account of sickness and so forth and coming immediately to Augusta, I am obliged to come to you and ask the courtesy of extending me to next Wednesday, less than one week, for the purpose of getting more facts.

I realize you as well as I want to get our legislative business done as soon as possible but on the other hand we also want to make sure that we put in the necessary time to make a true study of a question that has a \$30,000,000 price tag.

For these reasons, I hope that the members of this Legislature will extend to me the privilege of tabling it until next Wednesday, April 6, and I so move.

The SPEAKER: The gentleman from Biddeford, Mr. Nadeau, moves that this matter lie on the table pending acceptance of either report and be specially assigned for Wednesday, April 6. Is this the pleasure of the House?

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

Mr. CHILDS: Mr. Speaker, I rise to debate this matter on the question of time only.

The SPEAKER: The gentleman may proceed.

Mr. CHILDS: Mr. Speaker, I am of the opinion that this should not be tabled for one week. I am of the opinion that it should be tabled to later on today's calendar and my

reasons are these, and I speak most reluctantly after listening to the gentleman from Biddeford, Mr. Nadeau, tell of his problems and so forth because I realize he has those problems and I realize we all have those problems but one week ago he realized that this was to be placed on the table for one week. During that period of a week, he had that time to prepare himself. We all place matters on the table and during that time we attempt to prepare ourselves, knowing they are coming up.

This is a very important matter. It is the Democratic construction program. We have no idea what it is. I am of the opinion that this matter is being placed on the table for dilatory purposes only.

Therefore, through the Chair, I request the gentleman if he will retract that to later on today's calendar.

The SPEAKER: The gentleman from Portland, Mr. Childs, makes a request through the Chair of the gentleman from Biddeford, Mr. Nadeau. The gentleman from Biddeford, Mr. Nadeau, may answer if he so chooses.

Mr. NADEAU: Mr. Speaker, I do not wish. I would like to table it until next Wednesday. This is not a Democratic question, it is a question for the State of Maine. I do not see any difference—

The SPEAKER: The Chair will state that the gentleman may debate the time.

Mr. NADEAU: Well, as far as I am concerned, Mr. Speaker, the time would be next Wednesday if it is agreeable to the House.

The SPEAKER: The Chair recognizes the gentleman from Portland, Mr. Childs. For what purpose does the gentleman rise?

Mr. CHILDS: Mr. Speaker, I rise for the purpose of requesting a vote of the yeas and nays when the vote is taken.

The SPEAKER: The gentleman from Portland, Mr. Childs, requests a ye and nay vote on the motion of the gentleman from Biddeford, Mr. Nadeau. 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.

A sufficient number arose.

The SPEAKER: Obviously more than one-fifth of the members present having arisen, the yeas and nays are ordered.

The House may be at ease while the Sergeant-at-Arms and pages distribute the tally sheets.

### House at Ease

Called to order by the Speaker.

The SPEAKER: The Chair recognizes the gentleman from Biddeford, Mr. Nadeau. For what purpose does the gentleman rise?

Mr. NADEAU: Mr. Speaker, I would like to know if I would be in order to say a few words.

The SPEAKER: The Chair will state that it is not in order at this time. The roll call has been ordered.

The Chair recognizes the gentleman from Bangor, Mr. Browne. For what purpose does the gentleman rise?

Mr. BROWNE: Mr. Speaker, for the purpose of pairing my vote.

The SPEAKER: The Chair will state that the pairing of votes is not in order under the procedure of the House.

Does the gentleman request unanimous consent to make a remark with respect to that?

Mr. BROWNE: Yes, Mr. Speaker. I request unanimous consent—

The SPEAKER: The Chair will inquire if the gentleman wishes to make a motion with respect to pairing of votes?

Mr. BROWNE: Yes, Mr. Speaker.

The SPEAKER: Will the gentleman kindly state his motion.

Mr. BROWNE: Mr. Speaker, I move that—

The SPEAKER: The Chair will request the gentleman to kindly approach the rostrum.

(Conference at the rostrum)

Mr. BROWNE: Mr. Speaker, by agreement between the majority and minority floor leaders; I now ask consent of the House to be excused from voting when my name is called because of the fact that I have paired my vote with that of the gentleman from Rumford, Mr. MacDon-

ald, who is unavoidably absent today.

If present, the gentleman from Rumford, Mr. MacDonald, would vote yea; and if I voted, my vote would be nay.

The SPEAKER: Does the Chair hear objection to the request of the gentleman from Bangor, Mr. Browne, to be excused from voting for that reason? The Chair hears none and the gentleman is excused from voting.

The question before the House is on the motion of the gentleman from Biddeford, Mr. Nadeau, that House Divided Report, Majority "Ought not to pass" and Minority "Ought to pass" as amended by Committee Amendment "A" of the Committees on Highways and Taxation jointly on Bill "An Act to Authorize the Issuance of Bonds in the Amount of Thirty Million Dollars on Behalf of the State of Maine for the Purpose of Building State Highways", House Paper 626, Legislative Document 666, lie on the table pending acceptance of either report and be specially assigned for Wednesday, April 6.

All those in favor of the matter lying on the table and being specially assigned for Wednesday, April 6, will respond to the roll call by saying yea, all those opposed to the matter lying on the table and being specially assigned for April 6 will, when the Clerk calls their name, respond by saying nay.

The Clerk will call the roll.

#### ROLL CALL

YEA — Albert, Allen, Babineau, Beal, Bernier, Brewster, Brown, Baileyville; Cianchette, Cole, Cormier, Cyr, Davis, Westbrook; Denbow, Dostie, Dudley, Duquette, Edwards, Elwell, Flynn, Foster, Fuller, China; Gilmartin, Greenleaf, Hanson, Gardiner; Haughn, Jacques, Lamb, Latno, Malenfant, Mann, Nadeau, Palmeto, Pierce, Pike, Potter, Ross, Brownville; Sanborn, Seward, Shaw, Skolfield, Staples, Valley, Wadleigh, Walls, Walsh, Whiting, Woodworth.

NAY — Alden, Anderson, Anthoine, Baird, Bean, Bibber, Blanchard, Bowie, Briggs, Brockway, Call, Carter, Etna; Carter, Newport; Caswell, Cates, Charles, Childs, Christie, Cook, Courtois, Couture, Bath; Coyne, Crockett, Curtis, Dicker, Dunn,

Earles, Edgar, Fay, Ferguson, Files, Finemore, Foss, Fuller, So. Portland; Gardner, Getchell, Hancock, Harn-den, Higgins, Hilton, Howard, Jack, Jacobs, Jennings, Jones, Kimball, Knight, Lawry, Lindsay, Lord, Martin, W. Gardiner; Maxwell, McCluskey, McGlauffin, Michaud, Olpe, Osborne, Pullen, Quinn, Reed, Rich, Roberts, Brooklin; Roberts, Dexter; Rogerson, Ross, Bath; Roundy, Soule, Stanley, Bangor; Stanley, Hampden; Stanwood, Stilphen, Storm, Thomas, Totman, Wade, Walter, Willey, Williams, Winchenpaw.

ABSENT — Bragdon, Cote, Lewiston; Cote, Madison; Couture, Lewiston; Davis, Calais; Dumais, Evans, Greene, Hatfield, Henry, Kinch, Letourneau, Libby, MacDonald, Madore, Martin, Eagle Lake; Needham, Porell, Reynolds, Sanford, Sansoucy.

EXCUSED — Browne, Bangor.

Yes 47, No 79, Absent 21, Excused 1.

The SPEAKER: Forty-seven having voted in the affirmative, seventy-nine having voted in the negative, twenty-one being absent and one excused, the motion to table and specially assign to Wednesday, April 6, does not prevail.

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

Mr. CHILDS: Mr. Speaker, I now move that this matter lie on the table and be specially assigned as the last item on today's calendar.

The SPEAKER: The gentleman from Portland, Mr. Childs, moves that House Divided Report, Majority "Ought not to pass" and Minority "Ought to pass" as amended by Committee Amendment "A" of the Committees on Highways and Taxation jointly on Bill "An Act to Authorize the Issuance of Bonds in the Amount of Thirty Million Dollars on Behalf of the State of Maine for the Purpose of Building State Highways", House Paper 626, Legislative Document 666, lie on the table and be specially assigned as the last matter on today's calendar as a special order of the day.

For a special order of the day, it requires unanimous consent. Does the Chair hear objection to the request of the gentleman from Portland, Mr. Childs, that this matter lie

on the table and be specially assigned as the last matter on today's calendar as a special order of the day? The Chair hears none and it is so ordered.

The SPEAKER: The Chair lays before the House the sixth tabled and today assigned matter, Bill "An Act relating to Fees for Motor Vehicle Inspections", Senate Paper 235, Legislative Document 571, tabled on March 24 by the gentleman from Searsmont, Mr. Knight, pending third reading and the Chair recognizes that gentleman.

Mr. KNIGHT: Mr. Speaker and Members of the House: It has been my belief that legislation should be enacted to place the administration and the enforcement of the motor vehicle inspection law in the hands of the State Police. I have asked and received permission to twice table this bill thereby giving the opportunity to give ample and exhaustive consideration to this matter. However, due to the fact that the legislative days are now at a premium, I will leave this exhaustive task to another legislature. I now move that L. D. 571 be given its third reading.

The motion prevailed and the Bill was given its third reading, passed to be engrossed as amended by Committee Amendment "A" and sent to the Senate.

The SPEAKER: The Chair lays before the House the seventh tabled and today assigned matter, Bill "An Act relating to Excise Tax on Seven-Ounce Bottles of Malt Liquor," House Paper 672, Legislative Document 748, tabled on March 30 by the gentlewoman from Presque Isle, Mrs. Christie, pending adoption of House Amendment "A".

House Amendment "A" was read by the Clerk.

The SPEAKER: The Chair recognizes the gentlewoman from Presque Isle, Mrs. Christie.

Mrs. CHRISTIE: Mr. Speaker and Members of the House: The purpose of my tabling this bill was simply to find out what this would mean to us as revenue and in talking with Mr. Heslton, the attorney for the Liquor Commission, I find that this change would make a difference, he said, of anywhere from

fifteen to twenty-five thousand dollars a year in revenue. It would mean a loss of that much if this amendment went through. I am not going to debate this bill. I simply bring this to the attention of the House and leave it with you members to decide what you want to do about it.

The SPEAKER: The question before the House is on the motion of the gentleman from Portland, Mr. Charles, that House Amendment "A" be adopted.

The Chair recognizes that gentleman.

Mr. CHARLES: Mr. Speaker and Members of the House: Possibly this needs a little explanation. It is a mathematical question rather than a loss of revenue as being the principal issue. Apparently at the time a seven-ounce bottle was introduced in the market, legislative relief was not available. Therefore, in order to apply an excise tax on that size bottle the next size was the only provision available. Therefore, the Liquor Commission had no other alternative than to apply the tax for the twenty-four 12 ounce bottles to take care of the seven-ounce bottle situation.

As you will notice in the spelled out statute as it is now the proportions prorated are equivalent to 16 cents per gallon. I have been figuring here mathematically for the past half hour and I think I have come up with a figure, which represents the fact that the seven-ounce bottle would figure out about 28 cents per gallon while all the other sizes are at the proportion of 16 cents a gallon. Therefore, it is not the purpose in submitting such a bill at this time to reduce the revenue but to correct an inequity in the application of excise taxes on these bottles.

The SPEAKER: The question before the House is on the motion of the gentleman from Portland, Mr. Charles, that House Amendment "A" be adopted.

The Chair recognizes the gentleman from Portage Lake, Mr. Cook.

Mr. COOK: Mr. Speaker, I would like to ask through the Chair if the gentleman from Portland, Mr. Charles, would be good enough to retable this measure to see if he could, in conference with the gentle-

men at the Liquor Commission, go over this amendment again to see if there would be some way to be assured that we will not lose any revenue because of this amendment.

The SPEAKER: The gentleman from Portage Lake, Mr. Cook, addresses a question through the Chair to the gentleman from Portland, Mr. Charles. The gentleman from Portland, Mr. Charles, may answer if he so chooses.

Mr. CHARLES: Mr. Speaker, I am very happy to oblige the gentleman from Portage Lake (Mr. Cook). I approve of his request.

The SPEAKER: The Chair understands that the gentleman from Portland, Mr. Charles, moves that this matter lie on the table pending adoption of House Amendment "A" and be specially assigned for tomorrow. Is this the pleasure of the House?

The motion prevailed and Bill "An Act relating to Excise Tax on Seven-Ounce Bottles of Malt Liquor," House Paper 672, Legislative Document 748, was so tabled and assigned.

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

Mr. CHARLES: Mr. Speaker, the purpose for which I rise is to be fair to the gentlewoman from Presque Isle, Mrs. Christie, who informed me earlier today that she would not be available tomorrow. Unless she wishes to relinquish that privilege —

The SPEAKER: Does the gentleman wish to move reconsideration?

Mr. CHARLES: Yes, Mr. Speaker.

The SPEAKER: The Chair is informed that that motion is out of order on a tabling motion.

Mr. CHARLES: Then I withdraw my motion, Mr. Speaker.

The SPEAKER: The Chair would suggest that the gentleman from Portland, Mr. Charles, might make arrangements with that gentlewoman about tabling it tomorrow when it comes up tomorrow.

The SPEAKER: The Chair lays before the House the eighth tabled and today assigned matter, Bill "An Act relating to Funds for Minors Not Having Guardian", House Paper 746, Legislative Document 827,

tabled on March 30 by the gentleman from Raymond, Mr. Edwards, pending third reading and the Chair recognizes that gentleman.

Thereupon, on motion of the same gentleman the Bill was given its third reading.

The SPEAKER: This Bill having had its three several readings in the House and the Committee on Bills in the Third Reading having reported that no further verbal amendments are necessary, is it now the pleasure of the House that it be passed to be engrossed?

It was so ordered and the Bill was passed to be engrossed and sent to the Senate.

The SPEAKER: The Chair will call attention to the fact that there are in the balcony of the House today a group of students from the Vienna Grade School under the leadership of their teacher, Mrs. Kelly.

On behalf of the House, to you the Chair extends a hearty and cordial welcome. (Applause)

The SPEAKER: The Chair lays before the House the ninth tabled and today assigned matter, Bill "An Act to Amend the Paris Village Corporation", House Paper 1073, Legislative Document 1268, tabled on March 30 by the gentleman from Portland, Mr. Childs, pending third reading and the Chair recognizes that gentleman.

Thereupon, on motion of the same gentleman the Bill was given its third reading.

The SPEAKER: This Bill having had its three several readings in the House and the Committee on Bills in the Third Reading having reported that no further verbal amendments are necessary, is it now the pleasure of the House that it be passed to be engrossed.

It was so ordered and the Bill was passed to be engrossed and sent to the Senate.

The SPEAKER: The Chair now lays before the House a matter previously taken from the table this morning and made a special order, House Divided Report, Majority "Ought not to pass" and Minority "Ought to pass" as amended by Committee Amendment "A" of the Committees on Highways and Taxation

jointly on Bill "An Act to Authorize the Issuance of Bonds in the Amount of Thirty Million Dollars on Behalf of the State of Maine for the Purpose of Building State Highways", House Paper 626, Legislative Document 666.

The Chair recognizes the gentleman from Hanover, Mr. Ferguson.

Mr. FERGUSON: Mr. Speaker and Members of the House: The joint committee on this as you see by the vote, after considering this issue for a great length of time, decided it was not a sound policy. As you will see by this bill it does not make any provision for any income to take care of the bonds in any way or interest rates. The bill was amended in committee to limit the payments to 25 years. Originally this bill was — the original bill called for the issuance starting payments in 1969. We on the Committee felt that the price tag in interest rate alone was enough to discourage this sort of financing.

To begin with, the State would lose its very good credit rating it now enjoys, as you know we enjoy one of the highest credit ratings of any state in the Union. In fact, we were able to borrow money in the past at a low rate of interest and let it out and enjoy some income over and above the amount of the interest we were paying. The Committees particularly so the Committee on Highways, realized there was need for funds, we still believe there is need of funds, but we certainly felt that this is not the way to finance a program. When you borrow thirty million dollars and pay even at the present rate of interest that we enjoy the huge sum of \$7,940,000 in interest rates plus the bond issue, it would create a tremendous load on the taxpayers of the State. It certainly does not improve the situation, it makes a bad situation worse, this sort of financing. We as a body feel that we have other plans that are much superior to this for financing a program, and at this time I am going to move for the acceptance of the majority report "Ought not to pass" on this bill.

The SPEAKER: The gentleman from Hanover, Mr. Ferguson, moves that the majority "Ought not to pass" report on Bill "An Act to Authorize the Issuance of Bonds in the Amount of Thirty Million Dollars"

be accepted. Is this the pleasure of the House?

The Chair recognizes the gentleman from Brooks, Mr. Elwell.

Mr. ELWELL: Mr. Speaker and Members of the House: Before we vote to kill this bill as apparently the House is predetermined to do, I would like to go into the background of the proposal and how it came to be. First I would like to say that it was conceived last November as a possible long-range need, not to apply to this biennium, but to serve as enabling legislation, as it were, to match any federal program that might later become effective. Then I would like to state that the administration feels that there is no need for any new revenue from any source during this biennium. The estimated revenue for the biennium comes within \$730,000 of financing highway construction in line with federal matching funds, and against that deficiency we have an estimated surplus in the Highway of \$900,000. This, granted, is a tight budget, but I think that is a pretty good recommendation for any budget. Without appearing to support or oppose any of the three proposals before Congress, I should like to point out what they mean to Maine, and whatever one, if any, might become effective, I would like to see that the State of Maine is in a position for once, ready, willing and able to take advantage of it. I would say here that when you live in Rome you do as the Romans do. I think that what the Governor had in mind when he proposed this legislation was just that. Now let us say for example that if the Gore Bill were to become effective it would mean that Maine could afford a \$22,600,000 highway program if they supplied the matching funds of \$11,100,000 as compared to the \$7,200,000 now required to match the federal program. That means that even a 3 cent increase in the gasoline tax would not be sufficient to match this program after the present bonds are exhausted. Therefore, you can see the logic behind the suggestion of referring this to the people by the way of referendum. Certainly if they are opposed to a one cent gas tax now which I think they are, they should be given a chance to choose among the several alterna-

tives available to them at that time. And that is a possible increase of even 3 cents in the gas tax, or a 1 cent or 2 cent increase and a bond issue. Then on the other hand, if the President's proposal were to become a law, our required matching funds would be reduced by nearly a million dollars, and our construction program would be stepped up 50%. Naturally an acceleration of construction at this rate would mean a decreased maintenance cost and make money available from this source for matching purposes. We might then support let us say a 1 cent increase in the gasoline tax, or possibly a \$3,000,000 bond issue for whatever period of time we intended to finance. Then if the Gore proposal were to apply, then the federal 2 cent gas tax would be returned to the state, and this would supply us with \$5,400,000 to be expended in Maine under the Maine standards and it certainly would be welcome. I am sorry the House did not see fit to afford the gentleman from Biddeford Mr. Nadeau, the courtesy of tabling the bill. While I probably would be the last man in the House to vote for a bond issue to take effect today, I think it is unwise to kill the measure without having the advantage of knowing what Congress will do and also studying it in the light of the two other proposals which are still in committee.

I would like to say here too that I hope the Legislature will see fit to go along with the Governor's recommendation calling for a survey of State Government, with particular emphasis on the Highway Department that we may be able to face this problem and other problems more intelligently two years from now. Personally, I think that any progressive highway program is dependent first upon the confidence of the public, and in those who are to administer it. I think that this study and securing of these facts would make possible having more confidence of the people. Thank you.

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

Mr. REED: Mr. Speaker and Members of the House: As a member of the Taxation Committee, I studied this bill with particular note and I took time to talk it over with

a considerable number of my constituents, and I gathered from my conversation with these folks that they felt that this plan where it did not show any means of paying the money back was not a sound one, and I felt that that was the conclusion that most of them came to. Therefore, I hope at this time to motion of the gentleman from Hanover, Mr. Ferguson, prevails.

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

Mr. EDWARDS: Mr. Speaker and Members of the House: I want to add my regrets to those of my colleagues on the refusal of this body to postpone consideration of this highway measure.

As the gentleman from Brooks, Mr. Elwell, has pointed out, we are not in a position to act intelligently on a program which can be related to a Federal Program. We do not know what the Congress will enact at the present session. We should realize that whatever they decide will have the greatest effect on our highway plans.

It is also unfortunate that certain leaders in this legislature have decided to dispose of this bill so quickly. They have asked us, in effect, to consider one highway proposal, without knowing what other proposals the Highway Committee will report out. By so acting, they have forced us to consider one measure without all the facts.

If this move is successful, it will be one more instance of this same leadership refusing to allow the people of this state to decide on an issue which is of critical importance to their future.

If this legislature enacts the highway bill as proposed by the gentleman from Biddeford, Mr. Nadeau, it will go to the people for referendum in 1956. They will be able to decide, on the basis of the facts then available, whether or not they want this bond issue.

In asking you to vote for passage of this bill, I am asking you to vote to give the people the opportunity to vote on this program. I am asking you to vote for a bill which would enable us to be ready for an accelerated highway program from the Federal Government.

If you kill this bill, you will be de-



nying yourselves the opportunity to consider the measure in the light of information which should be available later this spring. If you kill this bill you will be throwing a positive program out, without having an alternative in mind and you know and I know that there is no alternative available and acceptable to the legislature at this time.

If you kill this bill, you will be saying to the citizens of Maine, your constituents, "We don't trust your judgment." You will also be denying the next legislature the opportunity to consider an intelligent highway program, based on known revenues. We have delayed on too many things in this House. We do not, it is true, need to have new revenues during the next biennium. But we do need to have those funds for 1957. Postponement of this question will only force a crisis on us at that time.

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

Mr. ANDERSON: Mr. Speaker and Members of the House: I would like to ask a question through the Chair of the gentleman from Brooks, Mr. Elwell, and to ascertain whether or not I heard him correctly when he said that the administration feels that there is no need for additional funds in the next biennium.

The SPEAKER: The gentleman from Greenville, Mr. Anderson, addresses a question through the Chair to the gentleman from Brooks, Mr. Elwell, who may answer if he so chooses.

Mr. ELWELL: Mr. Speaker and Members of the House: In answer to the question I would say "yes", that was the idea that I intended to convey. While I am on my feet I would like to make a statement Mr. Speaker, if I may.

The SPEAKER: The gentleman may proceed.

Mr. ELWELL: For the benefit of the record, in reply to the statement of the gentleman from Hanover, Mr. Ferguson, that there is no allowance made in the program for repayment of the bonds, as you members of the House know, the highway revenue from the gas tax is dedicated revenue. The first use of this revenue is for highway maintenance, and after having paid for the maintenance, then the money, according to

Chapter 23, Section 133, is to be used to amortize the bonds. Now then for example, if the President's highway program were to go into effect, and we would be expending some \$24,000,000 annually on our roads which are in the worst need of repair and reconstruction, we would have approximately \$8,000,000 more than we now have to spend on those highways. It would be only logical to assume that this maintenance cost would be reduced thereby making funds available from the maintenance account to handle the payments on the bonds. That is just for the record.

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

Mr. ANDERSON: Mr. Speaker and Members of the House: It is quite evident to me that I have been out of this Legislature too long this year, and from what is going on around here it is probably just as well for me and the Legislature itself if I were out the remainder of the session. We have heard reference today to the fact that we do not know what is going to happen to the two other measures that are in the committee. If I read this Senate Advance Calendar correctly, and I think I can use the word "Senate" in this reference, it is quite evident what is going to happen to the fifteen million dollar bond issue. However, there is one thing that I would like to point out. I may be forgetting what I had read two or three days ago, but it seems to me that there were those who believed in the thirty million dollar bond issue, and they cannot believe in the fifteen million dollar bond issue. Now the question that comes to my mind is this, is it better to impose or to refer to the people the thirty million dollar bond issue to vote upon than it is a fifteen million dollar bond issue, and I am going to wholeheartedly agree with the statement that was made by Mr. Edwards, the gentleman from Raymond, that this is a costly program, and I agree that if we were to adopt the thirty million dollar bond issue, that it would be a d--- costly program.

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

Mr. WALSH: Mr. Speaker and

Ladies and Gentlemen of the House: I recognize the fact that I am a freshman in politics and do not quite know what this game is all about as yet, but I full well believe that every member of this House believes in good roads for the State of Maine. It is very apparent that there is a disagreement as to how money to supply those roads should be raised.

It was pointed out that this bill had received long consideration in the executive committee session. I beg to differ with that statement because I am a member of the Taxation Committee and it did not receive long deliberation in the executive committee session. I would like to keep the record straight. Politics is not a dirty business unless we allow it or wish it to become so. Politics really should be a joyous companionship dedicated toward the advancement and welfare of human man, no matter whether it is the State of Maine or a Republican, an Independent or a Democrat. There is no one who realizes what power means any more than I do. I have been up against it all the days of my life, and I have had my ears pinned back in a good many ways, and it is not that it is apparent that this bill is wanted to be defeated and has been ever since it was put on the docket that I rise to speak.

It seems only common sense and good judgment to me that this bill and any other bill of a similar nature should lay on the table as long as we can keep it on the table until we have some idea of what the federal highway program is going to be like, so that we have some idea of how much money we have to waste and then get our shoulders to the wheel as we should and raise that money in the most economical, efficient and best manner that we as 151 legislators here can so do. After all, this bill is submitted to a referendum of the people just as any other bill of a similar nature is. I wonder sometimes when people rise on the floor here and make statements as they do, if they really believe them. I sometimes wonder even in politics, even when the power is great and you know you are licked, I still think there is such a thing as sportsmanship that should exist, and the greatest essence and

the very essence of sportsmanship is having a good wholesome respect for the other fellow and the other fellow's point of view.

Do not forget that we were elected by the people back home to come up here as their servants, or now that we have been elected to this office do we consider ourselves as their masters?

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

Mr. CHILDS: Mr. Speaker: I have before me the State of Maine Budget Document of 1956 and 1957 and I would like to read a paragraph from our Governor's address. It says: "Since July 1952, the Highway Commission has authorized a highway construction program of approximately \$15,000,000 per year. This represents the minimum program necessary to effectuate the accelerated highway program. It is currently producing about 100 miles of new roads per year. This is less than the minimum necessary over the long run if we are to replace our state highways and state aid highways in the federal secondary system as they wear out. It is admittedly a program compromised to fit the limits of presently available funds. And yet, within the next biennium, we will not be able to finance even this program. Within estimated income and the allocations recommended in the highway budget, we can provide \$14,985,959.00 for construction in the first year of the biennium and only \$11,470,801.00 in the second year. This means that we will be unable to match approximately \$1,600,000 of federal funds which will be available in the second year."

Now through the Chair I would like to ask the gentleman from Brooks, Mr. Elwell, is the Governor of the opinion now that we should not keep up our \$16,000,000 construction program, or is he of the opinion that there is sufficient revenue to take care of that program?

The SPEAKER: The gentleman from Portland, Mr. Childs, addresses a question through the Chair to the gentleman from Brooks, Mr. Elwell. The gentleman may answer if he so chooses.

Mr. ELWELL: Mr. Speaker and Members of the House: I think that

I mentioned in my previous remarks that there would be a shortage of \$730,000 to match federal funds during the next biennium. Against that we have a projected highway surplus of \$900,000. Now without taking into consideration the projected surplus of \$900,000, if we were not to match these federal funds, what would it mean? There seems to be some who are of the opinion that we would lose the benefit of these matching funds. They would merely be postponed to the next biennium. That is the first point.

The second point is that if there were a shortage of \$730,000 would this Legislature propose that we impose upon the people a tax that would collect 2.7 million dollars to cover the \$700,000? I think that we are in no immediate need during the rest of this biennium. That at the end of this biennium we might well consider, in the light of the federal program, either an increase in the tax or the bond issue, and that is precisely what this proposal would do, it is merely enabling legislation that would place this two years forward on the ballot so that the people may consider it and we will then have it in conjunction with the possibility of an increase in the gas tax.

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

Mr. CHILDS: Through the Chair I would like to ask the gentleman from Brooks, Mr. Elwell, if he knows the answer, does the Governor still believe we should have a \$16,000,000 construction program per year?

The SPEAKER: The gentleman from Portland, Mr. Childs, asks the same question again of the gentleman from Brooks, Mr. Elwell. The gentleman may answer if he chooses.

Mr. ELWELL: I believe the Governor proposes that we match the federal dollars in the manner that I have outlined here, that we afford enough money to match the federal dollars, and that would be a program slightly in excess of \$14,000,000 a year.

The SPEAKER: The Chair recognizes the gentleman from Hanover, Mr. Ferguson.

Mr. FERGUSON: Mr. Speaker and Members of the House: I would

like to add a few words to the money available here, perhaps I didn't bring it out too clear. The gentleman from Brooks, Mr. Elwell, states that we have \$898,000 in the surplus account. That is the estimated balance as of July 1 1955. We are operating a thirty million to thirty-five million dollar program. This surplus account is only working capital, that is what it amounts to. And certainly our highway department cannot go ahead operating successfully meeting payrolls, buying materials and such many items as they have got to have during the next two years on this amount of working capital. My figures here show and I believe them to be accurate, that we are going to be \$1,217,000 short of matching federal funds for the fiscal year ending 1957. We have available for that year in bond issues \$2,256,000. In order to carry on any kind of a program we will have to transfer the \$2,256,000 to our capital working fund which is going to leave us short according to my figures by five or six million dollars. The Committee on Highways has got a plan that we think is sound and good. We are basing our plan on a fifteen million dollar bond issue that has been reported out of the Committee. I fear "Ought not to pass" but we feel we need new revenue, roads being available for the people getting the benefit of the highways as soon as they are built that they are willing to pay for good highways. If we enact some sort of a gasoline tax we can have, the fiscal year ending 1957, we can have that five million dollars ready to carry on our program. The Washington affair of the Gore Bill and the administration bill in Washington we have heard so much about and nobody seems to know very much about, it is very doubtful it will get any such a program through Washington by all the latest available reports. I would rather make provisions on a more or less pay as you go basis, provide the money now and not burden our children, in fact, I am too old to burden my children but my grandchildren, with this thirty million dollar bond issue. I have discussed this with my constituents, both Democrats and Republicans, back in my district and they just wouldn't buy this thirty million dol-

lar bond issue, in fact I know they would not. That is why today I hope my motion to accept the majority "Ought not to pass" bill prevails.

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

Mr. ROSS: Mr. Speaker and Ladies and Gentlemen of the House: Multitudes of figures are often very confusing, but let me just point out briefly the basic idea down to a lower level. Deficit financing certainly is nothing new. In 1865 a group of very progressive citizens from the city of Bath decided that they would like to build a railroad east of Portland through Bath, Wiscasset, Damariscotta and Thomaston to Rockland. At that time their estimate was \$370,000 and they commenced work. Now their funds ran out in two years and something like the highway programs we have been talking about instead of \$360,000 the road finally cost \$2,400,000. The share to the City of Bath was \$1,026,000 and they financed that with bonds and they had no specific means of paying the money back. Eighty years later when I joined the City Council in 1946 the City of Bath still owed \$150,000 on that Knox and Lincoln railroad bond issue. They had paid back hundreds of thousands of dollars in interest. They did have the railroad, but because of this deficit financing the City of Bath was not able to do other things that they should have done.

I certainly do not want my children on a state level saddled with the situation that the little City of Bath was saddled with on a city level. I certainly concur with the motion of the gentleman from Hanover, Mr. Ferguson, and at this time I would like to move the question.

The SPEAKER: The Chair might state the correct way, if someone wishes to move the previous question is to use those words, at a later time.

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

Mr. WALSH: Mr. Speaker, Thank you, I too want to get out of here, but since figures were brought up I just want to point out one thing that has not been stated by any one of the speakers yet to the best of my knowledge. In order to keep this — this is according to figures given

me by the Highway Commission, by the Highway Commissioners as well as by the Governor, and that is this, if we are to build the roads that we should build, in comparison to the roads as they are wearing out, we would have to construct 170 miles of highway per year. We are constructing, as you have been told and as you can find out in your budget book, far less than that. The happy medium between the two was the 130 miles per year that we would need to construct to somewhere near catch up, which is what it really amounts to, with the work that we were absolutely unable to do or the state was unable to do during that war period. That is the thing that has placed us in the hole, and if we attempt to borrow enough money to do all the work that is necessary, the State of Maine absolutely could not finance it. You know it and I know it too. Since there are so many of these things, this or any other bill as I stated before, it seemed only sensible to me that we hold onto them as long as we can until we see what the federal issue is, submit it to the people and if they feel that they can afford it, they are the ones that are going to have to pay.

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

Mr. TOTMAN: Mr. Speaker and Members of the House: I am one of those few individuals who likes to look around apparently outside the borders of the State of Maine to see what our fellow Legislators are doing, and consequently, I will probably be accused of bringing in a rather irrelevant issue. However, criticism or not, since misery loves company, I am going to quote from the most recent issue of Business Week Magazine published March 26, and incidentally I hope to have this graph that they quote reprinted. They make a summary under the title of "A 1955 Look at State Legislation", where it stands. There are four major departments that they make a survey of, taxes, highways, marketing and labor. Under taxes, to me it is most interesting to note that we evidently, despite what the petroleum industry has been telling us and scolding us and making us

feel very much as an odd stick, have considerable company. There are twenty-one states in state legislatures presently meeting and not all legislatures have yet started, who have gasoline tax increases before them, opposed to only seventeen states who have bond issues before them. Of the twenty-one gasoline bill increases, four have been passed, and in fairness I should add two have been killed. Of the seventeen bond issues, two have been passed. I would say for those prophets of dire consequences who say that we would be most foolish to judge a bond issue so early, that evidently we have four sister states at this date who are also very foolish, and I am most pleased to see that the majority of states are concentrating on raising gas taxes rather than on concentrating on having bond issues, and consequently I repeat, it is nice to have a little company.

The SPEAKER: The Chair recognizes the gentleman from New Sharon, Mr. Caswell.

Mr. CASWELL: Mr. Speaker and Members of the House: I cannot go into details of these figures, and the possibilities of what the Congress may do. In the first place, the figures are too large for me to comprehend. I have to get down to figures that are in the range of my own experience.

Now originally this thirty million dollar bond issue was to start the payments on the bond issue at the end of fifteen years. An amendment, I understand, has been placed in the bill which states that the bond issue shall be paid within twenty-five years. Well now I will be long dead before twenty-five years is up so I do not want to take that into consideration. I have thought of this in this way. I will have to cut the figures down as I say because these millions do not mean anything to me. Supposing I should decide, or any citizen, that he needed to make extensive repairs on his home. I would go to a carpenter or contractor with my suggestions of what I wanted to do. Let us suppose that he makes an estimate, and he says it will cost \$2700 to do this job, and I look over my finances and I determine that with my current income, and my credit is fairly good,

I can borrow that money, I have not got it at hand, but I can borrow it, and that with my current income that I can pay the interest on it and repay the notes in a reasonable length of time. So I decide to do this. He goes ahead with his plans, he hires his men and he starts in on the repairs and after a time he comes to me and he says it is costing more than I expected. Lumber has gone up, building materials have gone up and I am having to pay my hired men more wages and it is going to cost a lot more if we do all the things that you want to do, and perhaps it will not cost as much more as you have borrowed, but it is going to cost quite a bit. Well, I will consider that and well, perhaps I have already extended my credit, I cannot certainly pay any interest, I cannot borrow this money at the bank because they do not like to let money on long terms like that, but perhaps I can find somebody who is not interested in anything but the interest and he will let me have this if I can pay the interest. The only safe way to do that if I cannot pay interest out of current funds will be to pay it out of the principal. Well, I know about how much the carpenter thinks I will need, and I have got to have \$3,000, so — well, \$3,000 the interest on that for fifteen years, I probably cannot get this for less than 3%, the interest on that is \$90.00 a year. Supposing I up that, perhaps I will not get it for 3%, perhaps I will have to pay a little more, let us call it \$100 for easy figuring. That will take \$1500 of this \$3,000, but of course if I take that out of the principal and put it in interest perhaps I can do as well with that so I will have \$1500 to put at interest. Well, that is going to depreciate each year, so that actually I will have \$750 for the full term. Well, the interest on that is \$22.50 a year if my reckoning is right, let us call it \$25.00. Perhaps I can invest it for a little more than 3 per cent. And that will give me \$1875 to finish the job with. Well I scout around and finally I find a man who will lend me \$3,000 for fifteen years so as to have the first installment come at the end of that time. And, well, I have got the money, but he will say now here, with this interest coming all right because you will

have that in some bank and they will pay the interest each year, but at the end of fifteen we will want to send you the notice of the first installment of the note that has become due, now do you expect to be at your present address at the end of fifteen years, and if I am honest and consider my grey hairs I will tell him that I don't expect to be there in fifteen years, and that the proper place to send that first notice will be to my estate. Now let us assume that the fifteen years have passed and I can take the role of my heirs. I never was an heir to an estate but supposing I should fall heir to an estate of that sort with a \$3,000 mortgage on it. Of course I would go down and look at the home, probably it would look nice to me, it has all been fixed up, and I would pass through the various rooms and I would come down to the living room or den and over the fireplace probably I would see a portrait of my benefactor up over the fireplace. You know the first thing I would want to do would be to stand up and turn that picture face to the wall. I would not want that old boy looking down at me and grinning as much as to say you are behind the eight-ball, I fixed this place up for my own pleasure while I was living, and you have got to pay the bill.

Now I do not expect my heirs to point with a great deal of pride to my accomplishments, at least I would like to have them think kindly of me after I am gone, and that is the feeling that I think my constituents would have about this thirty million dollar bond issue. It seems to me that there is a rather close parallel between the condition that I have outlined and this bond issue, except perhaps that as a state, of course, we can hire money at a slightly lower rate of interest than a private individual.

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

Mr. COURTOIS: Mr. Speaker and Members of the House: If you look at the tally sheet, I think I am the only minority member that voted "no". For the record, I wish to clarify my position. The gentleman from Biddeford, Mr. Nadeau, immediately after I voted "no"

thought that I had misunderstood what the Chair had proposed and the motion that was before the House, but from the observation that has gone on after this debate on both sides I believe that both sides were very well prepared to present their case but as we are going into legislation whereby we have got a lot of problems to come up before us whether we borrow thirty million dollars and we can not live to see it paid off or whether we borrow fifteen and probably live to see it paid off, that is not the question now. The question before us is will we accept it or will we reject it. I move the question be voted on.

The SPEAKER: The Chair will inquire if the gentleman wishes to move the previous question?

Mr. COURTOIS: Yes, Mr. Speaker, the previous question.

The SPEAKER: The gentleman from Saco, Mr. Courtois, 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 kindly rise and remain standing until the monitors have made and returned the count.

A sufficient number arose.

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

The question now before the House is: Shall the main question be put now? That motion is debatable; each member being allowed to speak no more than five minutes.

The Chair recognizes the gentleman from Kennebunkport, Mr. Bibber.

Mr. BIBBER: Mr. Speaker, I move that when the vote is taken, it be taken by division.

The SPEAKER: The question before the House is: Shall the main question be put now? The gentleman from Kennebunkport, Mr. Bibber, has requested a division.

As many as are in favor of the main question being put now will kindly rise and remain standing until the monitors have made and returned the count.

A division of the House was had. One hundred and six having voted in the affirmative and none in the negative, the main question was ordered.

The SPEAKER: The question before the House is on the motion of the gentleman from Hanover, Mr. Ferguson, that the Majority "Ought not to pass" Report of the Committees on Highways and Taxation jointly on Bill "An Act to Authorize the Issuance of Bonds in the Amount of Thirty Million Dollars on Behalf of the State of Maine for the Purpose of Building State Highways," House Paper 626, Legislative Document 666, be accepted.

The Chair understands that the gentleman from Portland Mr. Childs, requests a division.

As many as are in favor of the acceptance of the Majority "Ought not to pass" Report will kindly rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Ninety-eight having voted in the affirmative and nineteen having voted in the negative, the motion prevailed and the Majority "Ought not to pass" Report was accepted and sent up for concurrence.

Mr. McGlaulin of Portland was granted unanimous consent to address the House.

Mr. McGLAULIN: Mr. Speaker, a day or two ago I tabled House Paper 520, L. D. 583, a report of the Claims Committee and it is the fourth item on next Tuesday.

I have been requested by the Chairman of the Claims Committee to have that bill returned. I therefore ask leave to take it from the table at this time and have it returned to the Claims Committee.

The SPEAKER: The Chair will request the gentleman from Portland, Mr. McGlaulin, to kindly approach the rostrum.

(Conference at the rostrum)

### House at Ease

Called to order by the Speaker.

Mr. McGLAULIN: Mr. Speaker, it seems that my motion might lead to some difficulty so I will withdraw my motion.

The SPEAKER: The gentleman from Portland, Mr. McGlaulin, now withdraws his motion.

The Chair will state that the gentleman's motion is perfectly in order but it might establish a rather awkward precedent if the House keeps removing items that have been specially assigned for a later date.

The motion is in order and the Chair thanks the gentleman for withdrawing his request for unanimous consent.

The SPEAKER: The Chair recognizes the gentlewoman from Paris, Mrs. Mann.

Mrs. MANN: Mr. Speaker, I ask permission to present a bill in spite of the cloture rule and I also ask permission to briefly address the House—

The SPEAKER: The Chair understands that the gentlewoman from Paris, Mrs. Mann, requests unanimous consent to address the House, after which time she will make a request. Does the Chair hear objection?

The Chair hears none and the gentlewoman may proceed.

Mrs. MANN: Mr. Speaker and Ladies and Gentlemen of the House: In presenting a bill of this kind, the people before me have claimed that their face is very, very red for having to do this out of order and I will say that mine is the same. I will also say that if you do not pay attention to me that some of my constituents will not only have a red face but they are going to burn up, I am afraid.

Through a mistake in a bill that was passed four years ago, one of my towns, the Milton Plantation, was left out of the bill which provided for fire protection. Of course, as you all know, the unorganized towns pay taxes which go to the State of Maine and they come back in the form of schooling for the children and roads and supposedly fire protection. There are three unorganized towns in my county. There is Mason, Albany and Milton Plantation. Milton Plantation is the one I am especially interested in because that is the one that got left out of the fire protection part. They have no fire protection and I want

to tell you a little bit about the condition that they got into as a result of that.

Now, a year ago, at this time, there was a fire in one of the houses there in this little village and they had no fire protection at all, no fire engine or anything, so they called the nearby town of Bryant Pond which did have a fire engine. They came and put the fire out. Just a short time ago, they had another fire, another slow-burning fire luckily. They called the same fire department and they said they would not come because they had not been paid for the previous fire. Well, that, of course, was a very bad situation so they called another town, the town of Rumford and they did come but they said they would refuse again so they would like permission to have a couple of mills perhaps added to their taxes so they will be taken care of. Now, that would not require any appropriation from this body at all. It is just to simplify this affair and make it possible for them to pay for their own fire protection through a small additional tax. It is really to clarify and make them equal to the other two plantations in my district. I hope you will see fit to let me put in this bill.

The SPEAKER: The gentlewoman from Paris, Mrs. Mann, requests unanimous consent to introduce a bill, notwithstanding the cloture order. The Clerk will read the title of the bill.

The CLERK: Bill "An Act to Provide Fire Protection for Milton Township, Oxford County."

The SPEAKER: Does the Chair hear objection to the reception of this bill notwithstanding the cloture order?

The Chair hears none and the bill is received.

Thereupon, on motion of the same gentlewoman the Bill (H. P. 1170) was referred to the Committee on Towns and Counties, ordered printed and sent up for concurrence.

---

Mr. Fuller of South Portland was granted unanimous consent to address the House.

Mr. FULLER: Mr. Speaker and Members of the House: This is not a pleasant task and I gave the matter a great deal of serious consideration before I decided to try to get a resolve introduced by unanimous consent.

I have no interest in this resolve whatsoever except to help some person who is much more unfortunate than I. I think if I read the statement of facts, you will understand better what I mean than any words that I might say.

"Miss Madsen fell on November 30, 1950, while working as the State Director of school lunch programs and received a head injury which eventually resulted in blindness in both eyes causing her to be totally incapacitated for work since May 11, 1954. She is now receiving Workmen's Compensation at the rate of \$24 per week, which was the maximum allowed under the law at the time a determination was made on her case. Her maximum under the liberalized law would be \$27 per week but legislative action is required to make her eligible to the increase and to authorize payment for the time between the effective date of the new law and June 30, 1955. Now, this was brought to my attention only yesterday and, Mr. Speaker, I ask unanimous consent to present this resolve notwithstanding the cloture order.

The SPEAKER: The gentleman from South Portland, Mr. Fuller, requests unanimous consent to introduce a resolve by unanimous consent notwithstanding the cloture order.

The Clerk will read the title of the Resolve.

The CLERK: Resolve in Favor of Helen M. Madsen of Portland.

The SPEAKER: Does the Chair hear objection to the reception of this resolve notwithstanding the cloture order?

The Chair hears none and the resolve is received.

Thereupon, on motion of the same gentleman, the Resolve (H. P. 1171) was referred to the Committee on Retirements and Pensions and was sent up for concurrence.

---

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



If there is no further business to come before the House at this time, the Clerk will read the notices.

On motion of Mr. Couture of Bath, Adjourned until one-thirty o'clock tomorrow afternoon.