

# 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

VOLUME II

1955

DAILY KENNEBEC JOURNAL  
AUGUSTA, MAINE

**HOUSE**

Monday, May 9, 1955

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

Prayer by the Rev. Mr. Charles H. Asplin of South Gardiner.

The members stood at attention during the playing of the National Anthem.

The journal of the previous session was read and approved.

**Reports of Committees of Conference**

Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill "An Act Providing for the Appointment of a Civil Engineer of the City of Lewiston by the Department of Public Works" (H. P. 436) (L. D. 482) reporting that they are unable to agree.

(Signed)

Messrs. JACOBS of Auburn  
COUTURE of Lewiston  
COTE of Lewiston

—Committee on part of House.

Messrs. WOODCOCK of Penobscot  
LESSARD of Androscoggin  
MARTIN of Kennebec

—Committee on part of Senate.

Report was read and accepted and sent up for concurrence.

Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill "An Act relating to the Board of Finance of the City of Lewiston" (H. P. 631) (L. D. 671) reporting that they are unable to agree.

(Signed)

Messrs. COTE of Lewiston  
COUTURE of Lewiston  
CIANCHETTE of Pittsfield

—Committee on part of House.

Messrs. WOODCOCK of Penobscot  
LESSARD of Androscoggin  
MARTIN of Kennebec

—Committee on part of Senate.

Report was read and accepted and sent up for concurrence.

**Papers from the Senate  
Reports of Committees of Conference  
Tabled**

Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill "An Act relating to Pensions for Dependents of Deceased Policemen of City of Lewiston" (S. P. 163) (L. D. 357) reporting that the Committee of Conference agreed with the earlier action of the House of Representatives by which that branch referred the above entitled matter to the 98th State of Maine Legislature for its consideration.

(Signed)

Messrs. WOODCOCK of Penobscot  
LESSARD of Androscoggin  
MARTIN of Kennebec

—Committee on part of Senate.

Messrs. DUMAIS of Lewiston  
COUTURE of Lewiston  
COTE of Lewiston

—Committee on part of House.

Came from the Senate recommit-  
ted to the Committee of Conference.  
In the House, the Report was read.  
(On motion of Mr. Childs of Port-  
land, tabled pending further consid-  
eration)

**Tabled**

Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill "An Act relating to Pensions for Dependents of Deceased Firemen of City of Lewiston" (S. P. 413) (L. D. 1176) reporting that the Committee of Conference agreed with the earlier action of the House of Representatives by which that branch referred the above entitled matter to the 98th State of Maine Legislature for its consideration.

(Signed)

Messrs. WOODCOCK of Penobscot  
MARTIN of Kennebec  
LESSARD of Androscoggin

—Committee on part of Senate.

Messrs. DUMAIS of Lewiston  
COUTURE of Lewiston  
COTE of Lewiston

—Committee on part of House.

Came from the Senate recommit-  
ted to the Committee of Conference.

In the House, the Report was read.

(On motion of Mr. Childs of Portland, tabled pending further consideration.)

From the Senate: The following Order:

ORDERED, the House concurring, in order that the records of the Gift by Percival Proctor Baxter to the State of Maine as Trustee in Trust of twenty-five thousand twenty-five (25,025) acres in township six (6) range ten (10) Piscataquis County W.E.L.S. State of Maine, be complete and in enduring form, the Communication dated May second, 1955, addressed by said Baxter to Honorable Edmund S. Muskie, Governor, and to the Honorable Senate and House of Representatives of the Ninety-seventh Legislature, together with the Message of Governor Edmund S. Muskie transmitting the said Communication to this Legislature be printed in the Laws of Maine for 1955 (S. P. 577)

Came from the Senate read and passed.

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

#### **Senate Reports of Committees Ought Not to Pass**

Report of the Committee on Appropriations and Financial Affairs reporting "Ought not to pass" on Bill "An Act relating to School Subsidy Allocations" (S. P. 455) (L. D. 1286)

Report of same Committee reporting same on Resolve Providing for the Construction of a Men's Dormitory at Farmington State Teachers' College (S. P. 146) (L. D. 340)

Report of same Committee reporting same on Resolve Providing for Purchase of Unity Town Histories (S. P. 291) (L. D. 801)

Report of same Committee reporting same on Resolve for Support of "Ruggles House" in Columbia Falls (S. P. 442) (L. D. 1234)

Report of the Committee on Labor reporting same on Bill "An Act relating to Compensation for Specified Injuries Under the Workmen's Compensation Law" (S. P. 128) (L. D. 323)

Report of same Committee reporting same on Bill "An Act relating to Compensation Benefits Under the

Workmen's Compensation Act" (S. P. 129) (L. D. 324)

Report of same Committee reporting same on Bill "An Act relating to Compensation for Partial Incapacity under The Workmen's Compensation Act" (S. P. 222) (L. D. 563) as it is covered by other legislation.

Report of same Committee reporting same on Bill "An Act relating to Compensation under The Workmen's Compensation Act for Death of Employee" (S. P. 223) (L. D. 564) as it is covered by other legislation.

Report of same Committee reporting same on Bill "An Act relating to Compensation for Specific Injuries under The Workmen's Compensation Act" (S. P. 374) (L. D. 1070)

Came from the Senate read and accepted.

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

#### **Ought to Pass**

Report of the Committee on Appropriations and Financial Affairs reporting "Ought to pass" on Bill "An Act to Reactivate a State Committee on Aging" (S. P. 282) (L. D. 793)

Report of same Committee reporting same on Resolve in favor of the Northern Maine Sanatorium (S. P. 143) (L. D. 342)

Report of same Committee reporting same on Resolve Authorizing a Survey of State Government (S. P. 441) (L. D. 1233)

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

In the House, the Reports were read and accepted in concurrence, the Bill read twice, Resolves read once and tomorrow assigned.

#### **Ought to Pass with Committee Amendment**

Report of the Committee on Appropriations and Financial Affairs on Bill "An Act Providing for Construction of a Women's Dormitory at the University of Maine and Appropriating Moneys Therefor" (S. P. 144) (L. D. 341) 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. 144, L. D. 341, Bill "An Act Providing for Construction of a Women's Dormitory at the University of Maine and Appropriating Moneys Therefor."

Amend said Bill by striking out in the Title thereof the words: "and Appropriating Moneys Therefor"

Further amend said Bill by inserting before the enacting clause, the following Emergency Preamble:

**'Emergency preamble.** Whereas, an acute shortage of housing facilities for women students now exists at the University of Maine; and

Whereas, because of such shortage and the increase in student population at the University, many students find it difficult to continue their educational pursuits; and

Whereas, this shortage is likely to continue for a substantial period of time unless immediately alleviated; and

Whereas, the housing facilities provided by this Act should be constructed as soon as possible; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine, and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,'

Further amend said Bill by striking out all of Sec. 3 thereof.

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

**'Emergency clause.** In view of the emergency cited in the preamble, this act shall take effect when approved.'

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

Report of the Committee on Appropriations and Financial Affairs

on Bill "An Act relating to Education of Physically Handicapped or Exceptional Children" (S. P. 147) (L. D. 338) 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. 147, L. D. 338, Bill "An Act Relating to Education of Physically Handicapped or Exceptional Children."

Amend said Bill by striking out in the 4th line from the end thereof the words "the unappropriated surplus of"

Further amend said Bill by striking out in the 3rd line from the end thereof the figure "\$75,250" and inserting in place thereof the figure "\$40,000"

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

**'Sec. 4. Intent.** It is the intent of the Legislature that Sections 207-A to 207-I, inclusive, shall not supplant services available to handicapped children by any other department of the State.'

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

#### Tabled

Report of the Committee on Appropriations and Financial Affairs on Bill "An Act relating to Driver Education" (S. P. 214) (L. D. 555) 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. 214, L. D. 555, Bill "An Act relating to Driver Education."

Amend said Bill by adding after the underlined word "and" in the last line of that part designated as "Sec. 218-A." the following: "/or"

Further amend said Bill by striking out in the last line of that part designated as "Sec. 218-A." the underlined words "as described in section 105"

Further amend said Bill by inserting after the underlined word "personnel" in the 3rd line of that part designated as "Sec. 218-B." the following underlined words: 'subject to the terms of the Personnel Law,'

(On motion of Mr. Childs of Portland, the Bill with accompanying papers was tabled pending adoption of Committee Amendment "A".)

Report of the Committee on Appropriations and Financial Affairs on Bill "An Act relating to Publication of State Financial Reports" (S. P. 473) (L. D. 1342) 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. 473, L. D. 1342, Bill "An Act relating to Publication of State Financial Reports."

Amend said Bill by striking out the following underlined words: "and in all monthly newspapers of general state-wide circulation, whether or not such newspapers are organizational" and inserting in place thereof the following underlined sentence: 'Monthly newspapers may be used for this purpose upon authorization of the governor and council.'

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

Report of the Committee on Appropriations and Financial Affairs on Resolve in favor of Portland University (S. P. 316) (L. D. 885) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

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

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

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

COMMITTEE AMENDMENT "A" to S. P. 316, L. D. 885, Resolve in Favor of Portland University.

Amend said Resolve by adding after the word "from" in the 1st line thereof the following:

'the unappropriated surplus of'

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

Report of the Committee on Appropriations and Financial Affairs on Resolve relating to a Water System for the Penobscot and Passamaquoddy Indians (S. P. 318) (L. D. 884) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

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

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

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

COMMITTEE AMENDMENT "A" to S. P. 318, L. D. 884, Resolve relating to a Water System for the Penobscot and Passamaquoddy Indians.

Amend said Resolve by striking out the figure "\$20,000" and inserting in place thereof the figure '\$18,375'

Committee Amendment "A" was adopted in concurrence and the Re-

solve assigned for second reading tomorrow.

Report of the Committee on Labor on Bill "An Act Creating the Board of Construction Safety Rules and Regulations" (S. P. 347) (L. D. 956) 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. 347, L. D. 956, Bill "An Act Creating the Board of Construction Safety Rules and Regulations."

Amend said Bill in the 11th line of section 5 by striking out the underlined figure "7" and inserting in place thereof the underlined figure '8'

Further amend said Bill in the 19th line of Section 5 by inserting after the underlined words "Labor and Industry" and before the period, the underlined words 'and the 8th member shall be the Insurance Commissioner'

Further amend said Bill in that part of Section 5 designated "Sec. 88-B", by striking out the last sentence and inserting in place thereof the following underlined sentence: 'The term "construction" shall only apply to persons and corporations engaged for hire, or by virtue of a contract, who have 5 or more employees, and shall not apply to construction for self use.'

Further amend said Bill in that part of Section 5 designated "Sec. 88-C" by striking out of the 2nd line the underlined words and punctuation " , or adopt by reference."

Further amend said Bill in that part of Section 5 designated "Sec. 88-E" by striking out the underlined figure "2" in the 3rd line and inserting in place thereof the underlined figure '3'

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

### Ought to Pass Amended in Senate

Report of the Committee on Towns and Counties reporting "Ought to pass" on Bill "An Act relating to the Salary of Register of Probate, Cumberland County" (S. P. 278) (L. D. 708) which was recommitted.

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, the 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. 278, L. D. 708, Bill "An Act relating to the Salary of Register of Probate, Cumberland County."

Amend said Bill by striking out all the Title thereof and inserting in place thereof the following Title: 'An Act Relating to the Salaries of Register of Deeds and Register of Probate, Cumberland County, and Clerk Hire in Office of Register of Deeds.'

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

"Sec. 1. R. S., c. 89, Sec. 215, amended. That part of section 215 of chapter 89 of the revised statutes which relates to the salary of register of deeds of Cumberland county is hereby amended to read as follows:

'Cumberland, \$4,100 \$4,500,'

Sec. 2. R. S., c. 89, Sec. 254, amended. That part of section 254 of chapter 89 of the revised statutes which relates to the clerk hire in the office of register of deeds, Cumberland county, is hereby amended to read as follows:

'for clerks in the office of register of deeds, \$25,000 \$28,000;'

Sec. 3. R. S., c. 153, Sec. 22, amended. That part of section 22 of chapter 152 of the revised statutes which relates to the salary of register of probate of Cumberland county is hereby amended to read as follows:

'Cumberland, \$4,000 \$4,200,' "

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

**Ought to Pass  
in New Draft  
Amended in Senate**

Report of the Committee on Business Legislation on Bill "An Act to Revise the Laws Relating to Savings Banks" (S. P. 74) (L. D. 180) reporting same in a new draft (S. P. 552) (L. D. 1501) 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 as amended by Senate Amendments "B", "C" and "D".

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

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

SENATE AMENDMENT "B" to S. P. 552, L. D. 1501, Bill "An Act to Revise the Laws Relating to Savings Banks."

Amend said Bill in the 1st line of paragraph F of subsection II of section 19-D by striking out the underlined words "for banking premises"

Senate Amendment "B" was adopted in concurrence.

Senate Amendment "C" was then read by the Clerk as follows:

SENATE AMENDMENT "C" to S. P. 552, L. D. 1501, Bill "An Act to Revise the Laws Relating to Savings Banks."

Amend said Bill by striking out, in the 1st line of Paragraph F of that part designated "Sec. 19-H", the underlined words "capable of being transferred" and inserting in place thereof the underlined words 'which may now be mortgaged to a savings bank under the provisions of paragraphs A to E, inclusive, of this subsection'

Further amend said Bill in said Paragraph F by adding at the end thereof the following underlined blocked paragraph:

**'The provisions of this paragraph shall apply to all banks and trust companies.'**

Senate Amendment "C" was adopted in concurrence.

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

SENATE AMENDMENT "D" to S. P. 552, L. D. 1501, Bill "An Act to Revise the Laws Relating to Savings Banks."

Amend said Bill in paragraph F of subsection V of section 19-G by striking out the period at the end of paragraph F and adding thereto the following underlined punctuation and words:

**‘; except that the provisions of paragraphs B, C, D and E, as to brothers and sisters, shall apply only to accounts opened after September 1, 1955 and to accounts opened prior to September 1, 1955 which may be brought within the provisions of these paragraphs by written declaration, in form prescribed by the Bank Commissioner, executed by all such depositors or share owners, and delivered to any such bank, savings bank, trust company or loan and building association, which declaration shall bind each and every signer thereof, his heirs, executors, administrators and assigns. In case such declaration be signed by one or more, but not all of the depositors named in such account or share owners, such declaration shall be effective as against the person or persons signing the same, his and their heirs, executors, administrators and assigns; but shall not be effective as against those not so signing.’**

Senate Amendment "D" was adopted in concurrence and the Bill assigned for third reading tomorrow.

**Ought to Pass  
Indefinitely Postponed in Senate**

Report of the Committee on Appropriations and Financial Affairs reporting "Ought to pass" on Bill "An Act Repealing the Merit Award Board" (S. P. 240) (L. D. 673)

Came from the Senate indefinitely postponed.

In the House, the Report was read and the House voted to concur with the Senate in the indefinite postponement of the Report and Bill.

**Indefinitely Postponed in Senate**

Report of the Committee on Towns and Counties reporting "Ought to pass" on Bill "An Act Increasing Salary of Register of Probate for Piscataquis County" (S. P. 383) (L. D. 1079)

Came from the Senate indefinitely postponed.

In the House, the Report was read and the House voted to concur with



the Senate in the indefinite postponement of the Report and Bill.

### **Indefinitely Postponed in Senate**

Report of the Committee on Towns and Counties reporting "Ought to pass" on Bill "An Act Increasing the Salary of Register of Deeds for Piscataquis County" (S. P. 384) (L. D. 1080)

Came from the Senate indefinitely postponed.

In the House, the Report was read and the House voted to concur with the Senate in the indefinite postponement of the Report and Bill.

### **Divided Report**

#### **Indefinitely Postponed in Senate**

Majority Report of the Committee on Labor on Bill "An Act relating to Medical Services under the Workmen's Compensation Act" (S. P. 205) (L. D. 499) which was re-committed, reporting same in a new draft (S. P. 560) (L. D. 1516) under same title and that it "Ought to pass"

Report was signed by the following members:

Messrs. FARRIS of Kennebec

ST. PIERRE of

Androscoggin

— of the Senate.

Messrs. ROSS of Bath

LETOURNEAU of Sanford

WALLS of Millinocket

WINCHENPAW

of Friendship

— of the House.

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

Report was signed by the following members:

Mr. HILLMAN of Penobscot

— of the Senate.

Messrs. BROWN of Baileyville

CALL of Cumberland

JONES of South Portland

— of the House.

Came from the Senate with the Reports and Bill indefinitely postponed.

In the House: The Reports were read.

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

Mr. ROSS: Mr. Speaker and Ladies and Gentlemen of the House: This is the bill whereby an employee under the Workmen's Compensation Act can use a doctor of his choice. The redraft, which is L. D. 1516, specifies three things. It says that an employee may select a physician other than the one provided by the employer; the reasonable costs will be paid by the employer subject to the approval of the commission; and third, that the commission will have the authority to order a change of physician.

To me, this just seems fair to employees. Sometimes half of the cure of any illness is in the confidence that a person has in the doctor. But I will admit that this is a very unpopular bill as far as industry is concerned. Many of the industries in our State have their own hospitals and also their own private doctors and not only would this bill make it more expensive for them but they claim it is not fair to the workers' health. They claim that quite often the worker would go to a physician who did not know exactly how to treat that particular case. They maintain that some employees would get into the hands of unscrupulous doctors that would keep them coming indefinitely without ever effecting a cure but I think that the safeties provided above whereby only the reasonable costs will be paid and also that the commissioner can order a change, I believe that those take care of the things that industry finds wrong.

Now Massachusetts, at the present time, is doing just what this redraft suggests and certainly, but unfortunately, they have more industry there than we have in the State of Maine and as far as I know they are and have been getting along all right.

I honestly feel that 90 per cent of employees that were injured in these types of industrial accidents would use the company doctors anyhow. And I still think that it is fair to let an employee have his own selection when it comes to a doctor and I now move the acceptance of the "Ought to pass" report.

The SPEAKER: The gentleman from Bath, Mr. Ross, moves that the Majority Report "Ought to pass" be accepted.

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

Mr. FERGUSON: Mr. Speaker and Members of the House: I am going to be very brief in my remarks regarding this bill. I had, over the weekend, several small operators in my district approach me on this matter.

As you know woods operators are not compelled under the laws of the state to come under Workmen's Compensation but they are covered, the men, most of them.

They tell me that if this bill became law they would no longer cover their workmen. Inasmuch as they have a great many fellows from Canada come down here and operate for a brief period during the year who would select a doctor, perhaps, not only in this State but in Canada, they would be compelled to pay the price of the insurance that carried their compensation.

I think it is a very unfair bill to the workmen. I do not believe it does have much effect on the large operators, who supply their own doctors, inasmuch as the employees go to the doctor appointed by the company.

I am much concerned by what I have heard over the period since this bill first came before the committee. Therefore, with the information I have at hand I hope that the House will go along and concur with the Senate for indefinite postponement of this bill.

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

Mr. MCGLAULIN: Mr. Speaker and Members of the House: I think any workman should have the right to choose his own physician. I go along with the motion of the gentleman from Bath, Mr. Ross.

The SPEAKER: The Chair would state that the question before the House is on the motion of the gentleman from Bath, Mr. Ross, that the Majority Report "Ought to pass" be accepted.

The Chair recognizes the gentleman from Bath, Mr. Couture.

Mr. COUTURE: Mr. Speaker and Members of the House: I would like to concur with my colleague and good friend, the gentleman from Bath, Mr. Ross, and at this time I

would like to point out that he is an employer and that he favors this bill. I therefore hope that the House will go along with him.

The SPEAKER: The question before the House is on the motion of the gentleman from Bath, Mr. Ross, that the Majority Report of the Committee on Labor on Bill "An Act relating to Medical Services under the Workmen's Compensation Act", Senate Paper 205, Legislative Document 499, which was recommitted and reported in a new draft, Senate Paper 560, Legislative Document 1516 under same title and that it "Ought to pass". Is this the pleasure of the House?

The motion prevailed and the Majority Report was accepted in non-concurrence.

Thereupon, the Bill was given its two several readings and assigned for third reading tomorrow.

#### Non-Concurrent Matter

An Act relating to Definition and Duties of "Owner" in Motor Vehicle Laws (H. P. 1187) (L. D. 1450) which was passed to be enacted in the House on April 27, and passed to be engrossed on April 19.

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

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

SENATE AMENDMENT "A" to H. P. 1187, L. D. 1450, Bill "An Act relating to Definition and Duties of 'Owner' in Motor Vehicle Laws."

Amend said Bill in "Sec. 1" by striking out the last 2 lines and inserting in place thereof the following underlined words and punctuation:

"if such motor vehicle is properly registered by the owner or carrier in this or some other state;"

Thereupon, the House voted to recede and concur with the Senate.

#### Non-Concurrent Matter

Resolve for the Reappropriation of Unexpended Special Resolve Road Appropriations (H. P. 1232) (L. D. 1518) which was passed to be engrossed in the House on May 4.

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

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

**SENATE AMENDMENT "A"** to H. P. 1232, L. D. 1518, Resolve For the Reappropriation of Unexpended Special Resolve Road Appropriations.

Amend said Resolve by adding at the end thereof after the figure "1500.00", the following:

‘; and be it further

**Resolved:** That the sum of \$25,000, appropriated under the provisions of section 1 of chapter 219 of the private and special acts of 1951 be, and hereby is, reappropriated from the general highway fund to be paid to the Canadian National Railway Company to compensate it for the building of an approach to the highway from the International Ferry.’

The SPEAKER: The Chair recognizes the gentleman from Bar Harbor, Mr. Edgar.

Mr. EDGAR: Mr. Speaker, I move that we adopt Senate Amendment "A" in concurrence.

The SPEAKER: The Chair would state the gentleman's motion would be to recede and concur. Does the gentleman make that motion?

Mr. EDGAR: Mr. Speaker, I so move.

The SPEAKER: The gentleman from Bar Harbor, Mr. Edgar, moves that the House recede and concur with the Senate.

The Chair recognizes the gentleman from Lubec, Mr. Denbow.

Mr. DENBOW: Mr. Speaker, I would like permission to address the House briefly, if it is in order on this amendment?

The SPEAKER: The Chair would state that debate is in order. The gentleman may proceed.

Mr. DENBOW: Mr. Speaker, I think this amendment in the Senate is an unfair proposition. I think it calls, as it states here, for \$25,000.00 that has not been explained which would be taken from the general highway fund primarily to benefit the Canadian National Railways. And if you will remember correctly a couple of years ago we passed an act here to loan the Canadian National Railways three million dollars

to build a ferry landing. It was done quickly and perhaps was in the best interests of the State of Maine because it was a loan. However, I think if you will talk with the treasurer of the State of Maine you will find that it is still costing us a few hundred thousand dollars for interest.

It seems to me that this proposition benefits only Canadian National Railways. Canadian National Railways is allied with the Canadian Government, they have wealth many, many hundred times over that of the State of Maine and I think that it is silly to think that we should appropriate \$25,000.00 for some individual corporation for their benefit. I am not disputing the fact that this might indirectly benefit the State of Maine but it is primarily a business transaction for a foreign country. Although they are good neighbors, I do not think we should spend this \$25,000.00 when we are searching in all channels for money to put on small road resolves and other things that are needed here. And I hope that the motion of my good friend, the gentleman from Bar Harbor (Mr. Edgar) does not prevail.

The SPEAKER: The Chair recognizes the gentleman from Bar Harbor, Mr. Edgar.

Mr. EDGAR: Mr. Speaker and Members of the House: I would agree completely with the statements just made by my friend, the gentleman from Lubec, Mr. Denbow, if it were not for the fact that back in 1951, two sessions ago, this money was appropriated and mainly because it has not yet been used has to be reappropriated at each session as I understand it.

The session in 1953 did reappropriate it and this amendment is merely a reappropriation of money that was set up in 1951 and is still set up to be used and this amendment has met with the full and complete approval of the Highway Commission. In fact it was the Highway Commission who called to our attention the fact that nothing had been done to reappropriate this money.

As I stated before, the gentleman from Lubec, Mr. Denbow, would be perfectly right if this had not already been appropriated at one

time. I might also add that in figuring the costs of the construction of the ferry terminal, this \$25,000.00 was included in all figures and estimates and the appropriation in 1951 has been relied on throughout the entire matter. I see no reason why we should not adopt this amendment where the money has already been set up and the Highway Commission is ready, willing and able to pay it.

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

Mr. FERGUSON: Mr. Speaker and Members of the House: I did not know about this amendment until this morning when it was on the desk but I spoke with the gentleman from Bar Harbor, Mr. Edgar, about it and it is evidently part of the reappropriating of funds that should have gotten into 1518. On this bill L. D. 1518, it is money that has been previously appropriated over the years 1951 and 1953 and some that go back a good many years but in order to keep them alive they have to be reappropriated at each session. That is my understanding on the committee, unless they went along on the reappropriating of these funds in a blanket form as you see in 1518. That is my understanding of it; it applies to the same and it should have been in this blanket resolve that came out of the committee some time ago.

The SPEAKER: The question before the House is on the motion of the gentleman from Bar Harbor, Mr. Edgar, that the House recede and concur.

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

Mr. BRADGON: Mr. Speaker and Members of the House: It seems to me on the face of it, that I dislike the principle and I would like to ask, if I might, for a little more enlightenment, possibly by a question through the Chair, the gentleman from Bar Harbor, Mr. Edgar, might give me that information. I would like to know how far back it has been customary to go in reappropriating funds from previous years. But the question that I wish to ask of the gentleman from Bar Harbor, Mr. Edgar, is if he could enlighten us as to the reason why this money appropriated in 1951

has not up to the present been expended.

The SPEAKER: The gentleman from Perham, Mr. Bragdon, addresses a question through the Chair to the gentleman from Bar Harbor, Mr. Edgar, who may answer if he so desires.

Mr. EDGAR: Mr. Speaker and Members of the House: I will try to be as brief as I can in answering the question of the gentleman from Perham, Mr. Bragdon. To answer it, I will have to go very briefly into the history of this ferry proposition.

In 1951, when Bar Harbor had been chosen by the Canadians to be the site of the Maine terminal of this international car ferry, the Town of Bar Harbor, for obvious reasons, found itself in no position to supply the necessary amount of funds to construct the terminal. Because we felt that this ferry was of so great importance to the State of Maine, we turned to the State for financial assistance. We ended up with a bill which was passed by the Legislature in which the amount of \$25,000 was appropriated from highway funds and by virtue of which bill the Maine Port Authority was authorized and instructed to construct the terminal.

We left here very happily, thinking that we had the matter all settled but when we turned to the Maine Port Authority to request them to proceed with the construction, we found that the Maine Port Authority had absolutely no money and no way in which they could raise money.

Consequently, the entire project was delayed for approximately two years until they could come back to the 1953 session and try to rectify the lack of money on the part of the Port Authority. I will not take your time to go into the details of the bill that was passed two years ago in the last session but finally that bill was passed, the funds were made available, work began approximately one year ago and the reason that this \$25,000 has to be reappropriated and was not used prior to this time was because that stage in the construction program where it was needed has not up until now been reached. But it has now been reached, they are

working on the particular short stretch of approach to the terminal, which this \$25,000 was to cover and they are working on it in reliance on the appropriation of this amount. I do not know whether I have answered the question of the gentleman from Perham, Mr. Bragdon, completely but that, in brief, is an explanation of it.

The SPEAKER: The question before the House is on the motion of the gentleman from Bar Harbor, Mr. Edgar, that the House recede and concur with the Senate on Resolve for the Reappropriation of Unexpended Special Resolve Road Appropriations, House Paper 1232, Legislative Document 1518.

All those in favor of the motion will indicate by saying aye; those opposed, no.

A viva voce vote being taken, the motion prevailed.

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

#### Non-Concurrent Matter

Bill "An Act relating to Approval and Accreditation of Secondary Schools" (H. P. 343) (L. D. 422) which was passed to be engrossed as amended by Committee Amendment "A" in the House on May 4.

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

SENATE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to H. P. 343, L. D. 422, Bill "An Act relating to Approval and Accreditation of Secondary Schools."

Amend said Amendment by striking out the underlined figure "9" in the 7th line thereof and inserting in place thereof the underlined figure "8"

On motion of Mr. Fuller of South Portland, the House voted to recede and concur with the Senate.

#### Non-Concurrent Matter

Bill "An Act relating to Directors of Corporations" (S. P. 269) (L. D.

700) which was indefinitely postponed in non-concurrence in the House on May 4.

Came from the Senate with that body voting to insist on its former action whereby the Bill was passed to be engrossed as amended by Senate Amendment "A", and asking for a Committee of Conference.

In the House:

The SPEAKER: The Chair recognizes the gentleman from Dover-Foxcroft, Mr. Sanford.

Mr. SANFORD: Mr. Speaker, I move that we adhere.

The SPEAKER: The gentleman from Dover-Foxcroft, Mr. Sanford, moves that the House adhere. Is this the pleasure of the House?

The Chair recognizes the gentleman from Dover-Foxcroft, Mr. Sanford.

Mr. SANFORD: Mr. Speaker, perhaps it would be better to make another recommendation.

The SPEAKER: Does the Chair understand that the gentleman wishes to withdraw his motion?

Mr. SANFORD: No, Mr. Speaker, I think that is all right.

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

Mr. FULLER: Mr. Speaker, I move that we recede and join in a committee of conference.

The SPEAKER: The Chair understands that the gentleman from South Portland, Mr. Fuller, moves that the House insist and join the committee of conference. Is this the pleasure of the House?

A viva voce vote being taken, the motion prevailed.

The following members were appointed as Conferees on the part of the House:

Messrs. SANFORD

of Dover-Foxcroft  
ROSS of Brownville  
HANSON of Gardiner

#### Non-Concurrent Matter

Bill "An Act relating to the Issuance of Operators' Licenses From Date of Birth with Notification" (H. P. 30) (L. D. 40) on which the House accepted the Minority "Ought to pass" Report of the Committee and passed the Bill to be engrossed as amended by Committee Amendment "A" on May 4.

Came from the Senate with the Majority "Ought not to pass" Report of the Committee accepted in non-concurrence.

In the House: On motion of Mr. Anderson of Greenville, a viva voce vote being taken, the House voted to insist and request a Committee of Conference.

### Orders

Mr. Bibber of Kennebunkport presented the following Order and moved its passage:

ORDERED, The Senate concurring, that the Joint Standing Committee on Reference of Bills, be directed to survey the present system of Joint Standing Committees, and report such recommendations as they may deem necessary and desirable to effect a more equal distribution of Committee work, together with the necessary Order amending the rules to carry into effect their recommendations. (H. P. 1244)

The Order was read and passed and sent up for concurrence.

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

Mr. Bernier from the Committee on Public Utilities on Bill "An Act to Establish the Limerick Sewage District" (H. P. 932) (L. D. 1060) reported same in a new draft (H. P. 1242) (L. D. 1534) under same title and that it "Ought to pass"

Report was read and accepted, the Bill read twice and tomorrow assigned.

### Ought to Pass Printed Bills

Mr. Cates from the Committee on Appropriations and Financial Affairs reported "Ought to pass" on Bill "An Act relating to Airport Construction Fund" (H. P. 330) (L. D. 371)

Report was read and accepted, the Bill read twice and tomorrow assigned.

### Tabled

Mr. Jacobs from the Committee on Appropriations and Financial Affairs reported "Ought to pass" on Resolve in favor of Farmington State Teachers College (H. P. 865) (L. D. 977)

Report was read.

(On motion of Mr. Roundy of Portland, tabled pending acceptance of the Committee Report.)

Mr. Jacobs from the Committee on Appropriations and Financial Affairs reported "Ought to pass" on Resolve in favor of Knox Memorial Association, Inc. for Support and Maintenance of "Montpelier" (H. P. 954) (L. D. 1057)

Report was read and accepted, the Resolve read once and tomorrow assigned.

### Ought to Pass with Committee Amendment

Mr. Caswell from the Committee on Agriculture on Bill "An Act Providing for a Bounty on Porcupines" (H. P. 1158) (L. D. 1376) which was recommitted, 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. 1158, L. D. 1376, Bill "An Act Providing for a Bounty on Porcupines."

Amend said Bill by striking out the first 3 paragraphs of that part designated "Sec. 2-A" and inserting in place thereof the following underlined paragraphs:

'Sec. 2-A. Bounty on porcupine. A bounty of 50c shall be paid for each and every porcupine killed in organized territory of the State to the person killing the same by the treasurer of the municipality in which said porcupine was killed.

No bounty shall be paid unless the claimant, within 72 hours after he has killed such animal, exhibits to the town treasurer the 4 feet thereof and signs a certificate, which said treasurer may administer, stating that he killed such animal and the time and place within the State. The town treasurer shall then pay the bounty and take the claimant's receipt therefor upon the same paper with such certificates and the town treasurer shall make upon the same paper a certificate addressed to the Commissioner of Agriculture that all the require-

ments of law have been met by the claimant and that the bounty has been paid to him.'

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

Mr. Bean from the Committee on Appropriations and Financial Affairs on Resolve Appropriating Moneys for Construction and Repairs at the Maine Vocational-Technical Institute (H. P. 732) (L. D. 814) 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. 732, L. D. 814, Resolve Appropriating Moneys for Construction and Repairs at the Maine Vocational-Technical Institute.

Amend said Resolve by striking out in the 1st paragraph thereof the figure "\$43,500" and inserting in place thereof the figure "\$20,000"

Committee Amendment "A" was adopted and the Resolve assigned for second reading tomorrow.

The SPEAKER: The Chair at this time requests the Sergeant-at-Arms to kindly escort the gentleman from York, Mr. Hancock, to the rostrum for the purpose of presiding as Speaker pro tem.

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

Mr. Henry from the Committee on Appropriations and Financial Affairs on Resolve Appropriating Monies for the Purchase of "Voter's Manual" (H. P. 733) (L. D. 815) 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. 733, L. D. 815, Resolve Appropriating Monies for the Purchase of "Voter's Manual."

Amend said Resolve by inserting after the word "from" in the 1st

line thereof the words 'the unappropriated surplus of'

Committee Amendment "A" was adopted and the Resolve assigned for second reading tomorrow.

Mr. Ross from the Committee on Labor on Bill "An Act relating to Compensation Benefits Under Workmen's Compensation Law" (H. P. 670) (L. D. 746) 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. 670, L. D. 746, Bill "An Act relating to Compensation Benefits Under Workmen's Compensation Law."

Amend said Bill in "Sec. 1" by striking out the 7th line and inserting in place thereof the following: 'more than \$27 \$30 nor less than \$15 a week; and in no case'

Further amend said Bill in "Sec. 2" by striking out the underlined figure "\$33" in the 9th line and inserting in place thereof the underlined figure '\$30'

Further amend said Bill in "Sec. 3" by striking out the underlined figure "\$33" in the 7th line and inserting in place thereof the underlined figure '\$30' and by striking out the stricken out and underlined figures '\$15' '\$21' in the 8th line and inserting in place thereof the figure '\$15' and by striking out the underlined figure "\$9,500" in the last line and inserting in place thereof the underlined figure '\$9,000'

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

Mr. Bowie from the Committee on Agriculture on Bill "An Act relating to State Sealer of Weights and Measures" (H. P. 1120) (L. D. 1318) 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. 1120, L. D. 1318, Bill "An

Act Relating to State Sealer of Weights and Measures.”

Amend said Bill by striking out the 2nd paragraph of that part designated “Sec. 316” and inserting in place thereof the following underlined paragraph:

‘When any person, firm, association or corporation engaged in a business or trade requiring the use of any weighing or measuring device requests an inspection of any weighing or measuring device, the State Sealer, deputy or inspector is authorized to charge an amount sufficient to cover the cost of actual expense incurred in performing this special service, including mileage, lodging and meals, in addition to inspection fees herein described.’

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

#### Divided Report Tabled

Majority Report of the Committee on Appropriations and Financial Affairs reporting “Ought not to pass” on Bill “An Act relating to Reimbursement to Municipalities for Extraordinary Hospital Expenses” (H. P. 462) (L. D. 507)

Report was signed by the following members:

Messrs. COLLINS of Aroostook  
CHAPMAN of Cumberland  
SINCLAIR of Somerset  
— of the Senate.

Messrs. JACOBS of Auburn  
STANLEY of Bangor  
CATES of East Machias  
BEAN of Winterport  
HENRY of North Yarmouth  
ROGERSON of Houlton  
— of the House.

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

Report was signed by the following member:

Mr. EDWARDS of Raymond  
— of the House.

Reports were read.

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

Mr. EDWARDS: Mr. Speaker, this was included in the original supplemental appropriation presented to us by the Governor. It

provides payment of hospitalization of city and town charges after expenses have exceeded two-tenths of one per cent of the city or town state valuation. This would be of help to the hospitals and would be protection for the small towns in our State. If you should feel that this would be of help to your town and support the “Ought to pass” report, I will prepare an amendment setting up the sum of \$25,000 for each year for the next two years and I move that the “Ought to pass” report be accepted.

The SPEAKER pro tem: The gentleman from Raymond, Mr. Edwards, moves that the Minority Report “Ought to pass” be accepted.

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

Mr. JACOBS: Mr. Speaker, we discussed this at some length in our committee and we felt that under the circumstances concerning this, as you will find later on this same page, I believe, or nearby, on page 7 of the calendar for today, another bill which reverts this expense back to the counties and for that reason the majority of the committee voted “Ought not to pass.”

The SPEAKER pro tem: The question before the House is on the motion of the gentleman from Raymond, Mr. Edwards, to accept the Minority Report “Ought to pass”.

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

Mr. EDWARDS: Mr. Speaker, do I understand that the gentleman from Auburn (Mr. Jacobs) said that this would put the cost of this bill back on the counties?

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

Mr. JACOBS: Mr. Speaker, any expense of hospitals goes back to the county.

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

Mr. EDWARDS: Mr. Speaker and Members of the House: I am afraid that the gentleman from Auburn, Mr. Jacobs, is mixed up with this one and the one which is coming under Item 12. Item 12 puts the cost back onto the towns. The one that we are on is all State money.



The SPEAKER pro tem: The Chair recognizes the gentleman from Medway, Mr. Potter.

Mr. POTTER: Mr. Speaker and Members of the House: Having come from a small town where occasionally we have had a series of accidents which have cost the town a lot of money in hospital expenses, I would like very much to go along with my friend, the gentleman from Raymond, Mr. Edwards, in supporting the minority "Ought to pass" report. Some of these small towns have very little to tax, the valuation is small and yet the cost of the hospital expenses is as large per day as a city and I think that these small towns in many cases almost meet financial ruin through a series of hospital expenses.

The SPEAKER pro tem: The question before the House is on the motion of the gentlemen from Raymond, Mr. Edwards, to accept the Minority "Ought to pass" Report. The Chair recognizes the gentleman from Perham, Mr. Bragdon.

Mr. BRAGDON: Mr. Speaker, I too would like to go along at least temporarily with the motion of the gentleman from Raymond, Mr. Edwards, because I agree with what has already been said in regard to the fact that the small towns and also the hospitals do need aid and until possibly we can get a little more information on this matter, until we act on one later in the day, I will now make a motion that this lie on the table.

The SPEAKER pro tem: The gentleman from Perham, Mr. Bragdon, moves that the two Reports and Bill "An Act relating to Reimbursement to Municipalities for Extraordinary Hospital Expenses", House Paper 462, Legislative Document 507, lie on the table pending the motion of the gentleman from Raymond, Mr. Edwards, that the Minority "Ought to pass" Report be accepted. Is this the pleasure of the House?

The motion prevailed and the two Reports and Bill were so tabled.

#### Divided Report

Report "A" of the Committee on Public Health reporting "Ought to pass" on Bill "An Act Transferring State Sanatoriums from Department

of Institutional Service to Department of Health and Welfare" (H. P. 1134) (L. D. 1332) which was re-committed.

Report was signed by the following members:

Mrs. LORD of Cumberland  
Mr. ST. PIERRE of Androscoggin  
—of the Senate.

Messrs. BIBBER of Kennebunkport  
STILPHEN of Rockland  
MALENFANT of Lewiston  
—of the House.

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

Report was signed by the following members:

Mr. BOYKER of Oxford  
—of the Senate.

Messrs. DICKER  
of Lakeville Plantation  
CURTIS of Bowdoinham  
Mrs. MICHAUD of Madawaska  
Mr. COYNE of Waterville  
—of the House.

Reports were read.

The SPEAKER pro tem: The Chair recognizes the gentleman from Kennebunkport, Mr. Bibber.

Mr. BIBBER: Mr. Speaker and Members of the House: Through a technicality or misunderstanding L. D. 1332, Bill "An Act Transferring State Sanatoriums from Department of Institutional Service to Department of Health and Welfare" was recommitted by me to the Committee on Public Health.

Ladies and gentlemen of the House, the "horse and buggy" days for the system of control of tuberculosis in this State are outmoded and old-fashioned. Your Legislative Research Committee during the interim of the 96th Legislature to the convening of this session of the 97th Legislature made a full and complete study of all phases of the TB problem in the State. It was very apparent to the Research Committee in considering the problem of tuberculosis that generally the State's interest in and involvement with patients commences with the diagnosis, and in some cases earlier, and continues after the disease is arrested and patients are restored to self-sufficiency in their respective communities. This re-

quires an integration and coordination of all program activities for the tuberculosis which will make possible a smooth and efficient flow of service.

It has been pointed out how the TB control and public health nurse is involved in the case-finding process which I spoke to you about last week in trying to get the state to absorb the full amount of the patients in our state hospitals. The public health educator is drawn in through need to educate and orient patients and families as to the nature of the disease and what must be done.

The clinician is involved in diagnosis and consultation. The social worker helps solve outstanding family problems. The sanatorium physician must provide treatment and the sanatorium staff must correlate information and services with others providing services.

The rehabilitation worker assists in preparing patients for a new life. The public health nurse at the graduate level must provide follow-up supervision. The flow of information and cooperation between all these workers must be easy, coordinated and constant. Therefore, the Research Committee recommended to this Legislature and I quote:

"We recommend that the State Sanatoria be removed from the Department of Institutions and placed under the jurisdiction and administration of the Department of Health and Welfare." It is apparent that this step would provide the most effective and efficient manner of coordinating the free flow of information and interlocking services in the treatment of tuberculosis and the protection of the public from the spread of this disease.

Not only was the treatment of TB in its present form of great concern to the Research Committee, but also to former Governor Cross whereby he set into motion a special committee to survey and study this problem. It was the duty of this special committee known as the "Tuberculosis Study Committee" to study all aspects of the tuberculosis problem in the State of Maine and to make recommendations for the further development of control and effect.

This committee consisted of the following men: Brinton T. Darlington, M.D., a chest specialist practicing in Augusta; William F. Mahaney, M.D. of Saco, President of the Maine Medical Association; Edward A. Greco, M.D. of Portland, Chairman of The Tuberculosis Committee of the Maine Medical Association; Edward W. Colby, M.D., City Health Officer in Portland; A. P. Reynolds, M.D. of Presque Isle; Frederick T. Hill, M.D. of Waterville, a former President of the Maine Medical Association; Howard L. Cousins, a lawyer of Bangor; Brooks Brown, Jr., Mayor of Augusta; Frank Curran, administrator of the Eastern Maine General Hospital in Bangor.

You will notice that there were no State Departmental members on this committee. In this way it was hoped that any report made by the committee would be a disinterested and an objective one.

This committee did select two outstanding men to act as its consultants and to carry on certain parts of the study. These men are William G. Childress, M.D., Superintendent of the Westchester County Tuberculosis Sanatorium, Valhalla, New York, and Leon H. Hetherington, M.D., the Director and head of the Bureau of Tuberculosis of the State of Maryland.

The fine committee with the two consultants appeared before your Public Health Committee of this Legislature and in their opinion the State Sanatoriums should be transferred to the Department of Health and Welfare because under the present system there is a divided responsibility and it should be correlated and function under one head within a Department of Health and Welfare. It was also their opinion that if this procedure was followed that it would bear no extra burden of cost upon the taxpayers of the state in adopting this new, modern and effective program of tuberculosis control.

Also, it must be remembered that the State is already expending large sums on tuberculosis control, apart from maintaining the sanatoriums under the Department of Institutions. By creating a departmental barrier to full treatment and isolation, the

efforts and benefits achieved through case-finding, public health nursing, health education and other aspects of public health are negated and are a financial loss to the State in many instances.

In considering this piece of legislation, it is necessary to bear in mind the medical, the sociological and economical factors of tuberculosis. Medically, it is a debilitating chronic disease, highly infectious, spreading from the sick to the well, and usually requiring extended periods of treatment.

Sociologically it is primarily a disease attacking people in the lower economic levels of society and contributing much to the problems of indigency, broken homes and juvenile delinquency.

Economically it is the most costly public health communicable disease problem that we face in our state.

In further considering these three important factors, it must be understood that it has been demonstrated that tuberculosis can be prevented, cured, and eventually, by the application of necessary tools and techniques, it can be controlled.

Therefore, knowing these things, and the annual tribute tuberculosis demands of our society in sickness and in death, in social disaster and in high economic cost, all that can be done to limit its spread and hasten its eradication is desirable, humane, and economical, and I believe we have all of the tools, the techniques, and the personnel within the two departments if correlated under one head to eradicate this er, I move that the Report A, the dread disease. Therefore, Mr. Speaker, I move that the Report A, the "Ought ot pass" report of the committee be adopted and when the vote is taken it be taken by division.

The SPEAKER pro tem: The gentleman from Kennebunkport, Mr. Bibber, moves that Report "A" "Ought to pass" be accepted.

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

Mr. CURTIS: Mr. Speaker, Ladies and Gentlemen: After that very fine essay of my good friend and of our committee, it about bowled me over. I have nothing left except the facts in the case.

Now this situation is so fraught with consequences that affect everyone in the State of Maine, it seems only fair that we should give it our most careful consideration. And for your consideration, I would just like to touch on a few things that the gentleman in his fine address did not seem to touch upon.

A former governor, whatever he may have had in mind, set up a research committee. He did say that he thought it might be well for the consolidation of the sanatoriums and doing away with one or more. Whether that was what was in his mind in setting up this committee, I do not know. But he did set up this research committee, as the gentleman has told you, and they have never reported to the Governor, which they were supposed to do. But the gentleman from Kennebunkport, Mr. Bibber, called to see the present Governor and he said it would be all right with him, although he had never seen the written report from this committee, if they wanted to they could come before the Public Health Committee and give a verbal report, which they did.

I think at first we were all pretty well satisfied, even as the gentleman from Kennebunkport, (Mr. Bibber) is, that this would be a fine thing. But then some of us began to make a study and a research. Perhaps all did. But the more some of us dug into it the more we thought that this would not be advisable at this time for this reason: First we found that these institutions were once in the Department of Health and Welfare and that the job, the former Legislatures had seen fit, I will not go into the reasons why, but they saw fit in their judgment to set them up as they are set up now.

I will just remark a little from one man who has worked in the department a great many years and he said it took a number of years to get the buildings back into shape after coming out of that other committee.

If you have looked over the thing pretty seriously, and undoubtedly you have, you will realize that the Health and Welfare Department

title is sort of a misnomer anyway. The greatest part, 99 per cent, of the business of the Health and Welfare Department is concerned with welfare. And while they do have a health nurse in the localities, and that was the reason why at first we all thought that this change should be made because this nurse in the Health and Welfare Department on the local level could perhaps find more cases of incipient tuberculosis and have them committed to the sanatoriums where they might be healed.

Now it would seem to me perhaps at some future date, perhaps the next Legislature, that there should be some provision made inasmuch as we need to set up a department exclusively of these institutions, the tuberculosis and the mental hospitals as well and then set them up in districts where we could have someone, not too many, we would need as many as we have in Health and Welfare, but to set the State up in districts where perhaps five or six people would put in their time looking up these tubercular cases because I have known of several who have died because they did not come in time and probably you know too. It would seem at that time that something might be done.

But I just do not feel qualified at this time to go along with my good friend, the gentleman from Kennebunkport (Mr. Bibber) and I wish that you all, before you make up your mind to vote on this thing, I wish you all would take the next 24 hours or so and look into the thing and find out for yourself because it is a big problem affecting many, many people and the lives of many people and for that reason, Mr. Speaker, I move you that this be tabled until Wednesday, the 11th of May.

The SPEAKER pro tem: The gentleman from Bowdoinham, Mr. Curtis, moves that the two Reports and Bill lie on the table pending the motion of the gentleman from Kennebunkport, Mr. Bibber, that Report "A" "Ought to pass" be accepted. Is this the pleasure of the House?

(Cries of "No")

The SPEAKER pro tem: The Chair recognizes the gentleman from Bowdoinham, Mr. Curtis.

Mr. CURTIS: Mr. Speaker, Ladies and Gentlemen: I am not doing this to be contrary. I voted for this thing first "Ought to pass", then after making this research I just could not help but change my mind to give the rest of you folks the chance to look it over. Now if you are really interested and intend to look this over, table it. If you think you know enough about it to go ahead with it now, I am willing to go along with you. But I move that when the vote is taken, it be taken by division on the tabling.

The SPEAKER pro tem: The question before the House is on the motion of the gentleman from Bowdoinham, Mr. Curtis, that the two Reports and Bill "An Act Transferring State Sanatoriums from Department of Institutional Service to Department of Health and Welfare", House Paper 1134, Legislative Document 1332, lie on the table pending the motion of the gentleman from Kennebunkport, Mr. Bibber, that Report "A" "Ought to pass" be accepted and be specially assigned for Wednesday, May 11.

The gentleman from Bowdoinham, Mr. Curtis, has requested a division.

All those in favor of the motion of the gentleman from Bowdoinham, Mr. Curtis, will kindly rise and remain standing in their places until the monitors have made and returned the count.

A division of the House was had.

Thirty-seven having voted in the affirmative and fifty-eight having voted in the negative, the motion to table did not prevail.

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

Mr. EDWARDS: Mr. Speaker and Members of the House: I feel we should not do anything in regard to the transferring of our State Sanatoriums until we have had the survey of the State Government.

I, therefore, move that this Bill be indefinitely postponed.

The SPEAKER pro tem: The gentleman from Raymond, Mr. Edwards, moves that the two Reports and Bill be indefinitely postponed.

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

Mr. COOK: Mr. Speaker and Ladies and Gentlemen of the House: I hope that this motion to indefinitely postpone does not prevail and that we vote that down and go along with the gentleman from Kennebunkport, Mr. Bibber. There is an amendment in the process of preparation at the present time which will eliminate the objections of at least one member of the minority report and I hope that we can go along with the gentleman from Kennebunkport, Mr. Bibber, so that we can consider that amendment.

The SPEAKER pro tem: The Chair recognizes the gentleman from Rockland, Mr. Stilphen.

Mr. STILPHEN: Mr. Speaker, Ladies and Gentlemen of the House: I hope that the motion to indefinitely postpone does not prevail. I was amazed to hear that motion coming from my good friend, the gentleman from Raymond, Mr. Edwards, indicating that we should wait until after we have a survey of State Government. Now we have had a survey of this particular Department, this particular phase of State Government and if we go against the recommendations of a very competent survey committee, I cannot see how we can go along with the recommendations for further survey of other departments.

Now we have a report from a very competent committee, an unbiased committee of investigation which surveyed this problem and I, as a signer of the "Ought to pass" report on this particular bill, felt that they had done a fine job and to me that indicated some efficiency in survey of state government. And I hope that the motion to indefinitely postpone does not prevail so that we may go along with the motion of the gentleman from Kennebunkport, Mr. Bibber.

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

Mr. MALENFANT: Mr. Speaker, Ladies and Gentlemen of the House: Who do you want to be a head of our tuberculosis sanatoriums? A civil engineer or a medical doctor? At the present time the head of our tuberculosis sanatoriums is a civil engineer. No doubt he is a very fine

man in his line of work but he does not know anything about tuberculosis. What we need, we need medical doctors. If we had a medical doctor as head of our tuberculosis sanatoriums he would cooperate much better with a doctor in each sanatorium because medical doctors know the need of the tuberculosis patient.

I visit in the sanatorium often, almost every month because I know a good many poor, unfortunate patients are there.

Some have been there for the last 13 years and they complain very much against the head of our tuberculosis sanatoriums. I have had many arguments with him because he refused to buy what the sanatoriums need. Not very long ago, I had to go to the Governor's Council to try to force them to buy a refrigerator for the Hebron Sanatorium to install in the cottage where all the very sick people are.

The head of our tuberculosis sanatoriums, at the present time, told me there was no money in the budget. Finally I found out there was money enough to buy 5 or 6 refrigerators. We need what they call a reviewing board for the extra department in Hebron Sanatorium. He refused to buy it. They need an addition to install extra machines. He refused to build an addition that would not cost very much.

Are you going to keep a man as head of our tuberculosis sanatoriums that does not know anything about tuberculosis?

We had better transfer him into the engineering department.

Now I hope that the motion of the gentleman from Raymond, Mr. Edwards, does not prevail.

The SPEAKER pro tem: The question before the House is on the motion of the gentleman from Raymond, Mr. Edwards, that the two Reports and Bill be indefinitely postponed.

The Chair recognizes the gentleman from Pittsfield, Mr. Cianchette.

Mr. CIANCHETTE: Mr. Speaker and Members of the House: I am in firm agreement with the signers of the "A" report on this bill but for the reasons that have been stated here, because the survey

of state government may include these departments as well as all the other departments, and in that they may suggest other methods, I would feel that possibly this thing would be better to be indefinitely postponed at this time. It might be very possible that another survey would show the same results but it may be very possible that rather than transferring it to this Health and Welfare Department, it might even be a sub-department by itself. There is no knowing what might be shown in that survey. Therefore, I hope the motion to indefinitely postpone prevails.

The SPEAKER pro tem: The Chair recognizes the gentleman from Kennebunkport, Mr. Bibber.

Mr. BIBBER: Mr. Speaker and Members of the House: I was in hopes that the human needs of the people of the State of Maine affected with tuberculosis would not become a political issue. But I feel in my own mind and conscience I must tell you what transpired.

The report that was to come from this unbiased committee was to report directly to the Governor. And in the interim, of course, Governor Muskie was elected and I felt it only fair and fitting that I should ask Governor Muskie if the committee could hear an oral report before he received a written report and he consented that we should hear the oral report from this committee. That is what we did do pertaining to this phase of the tuberculosis program where it was to be transferred from one department to another.

I also will state that in that meeting that we had, Governor Muskie asked me if I did not think it would be wise to wait until another survey was made and I can see no good being done by another survey committee when this outstanding committee with two outside consultants with an unbiased report, the report they have given.

So I hope the motion of the gentleman from Raymond, Mr. Edwards, does not prevail, and when the vote is taken I ask for a division.

The SPEAKER pro tem: The question before the House is on the motion of the gentleman from Raymond, Mr. Edwards, that the two

Reports and Bill be indefinitely postponed.

The gentleman from Kennebunkport, Mr. Bibber, has requested a division.

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

Mr. CURTIS: Mr. Speaker, Ladies and Gentlemen: This is not a political issue and let us not so consider it. I have been, as required by our committee, to these institutions and I have every praise in the world for the way they are conducted. Undoubtedly they might be as well conducted under Health and Welfare. The interest that I have taken in it is the interest back on the local level where we could get these people in.

Now we have come ahead by leaps and bounds in the last few years in treating tuberculosis. You can see that by the number of patients we have there. They have gone down and down until it has really become a question whether they should be consolidated or not. But back on the local level, there are many, many that should be there to save their lives and to keep from spreading the disease to their families and to those whom they come in contact with.

So let us vote, when we vote, with our hearts and with our heads and not physical-wise or whatever. If we are contented in our own minds that this bill should become law, all well and good. I think we would gain much by having another survey.

The SPEAKER pro tem: The Chair recognizes the gentleman from Warren, Mr. McCluskey.

Mr. McCLUSKEY: Mr. Speaker, I would like to ask any member of the committee to answer a question if they can or if they will. Throughout the state we have various County Tuberculosis Associations and I am familiar with what the one in Knox County does. They are familiar with the patients and the work going on to better the condition of the tuberculosis patients. I would like to ask the Committee if they took any stand on this Bill.

The SPEAKER pro tem: The Chair recognizes the gentleman from Kennebunkport, Mr. Bibber.

Mr. BIBBER: Mr. Speaker, I can answer the gentleman's question

fully, completely and very quickly. Last Thursday afternoon, the Maine Tuberculosis Association Board of Directors voted unanimously to go along with this committee's report to transfer the sanatoriums.

The SPEAKER pro tem: The Chair recognizes the gentleman from Bridgewater, Mr. Finemore.

Mr. FINEMORE: Mr. Speaker and Members of the House: I want to speak from a different angle and speak as a member of the Correctional Institution Committee. We believe in that committee that we hope some day that the correctional institutions would have a commissioner and the other institutions a commissioner. And we hope some day to see that take effect. But what I would question here in this bill is whether Health and Welfare can take care of this because, as you remember, on January the 1st there was a new law that took effect to take care of the total disability people in the State of Maine. The Health and Welfare, up to this date, has never been able to process one single application for that pension. Therefore, I would doubt very much if the sanatoriums would get as much help through this system of being under Health and Welfare as they are getting at the present time under the present commissioner.

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

The question before the House is on the motion of the gentleman from Raymond, Mr. Edwards, that the two Reports and Bill "An Act Transferring State Sanatoriums from Department of Institutional Service to Department of Health and Welfare", House Paper 1134, Legislative Document 1332, be indefinitely postponed.

The gentleman from Kennebunkport, Mr. Bibber, has requested a division.

All those in favor of the indefinite postponement of the two Reports and Bill will kindly rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Twenty-two having voted in the affirmative and seventy-five having voted in the negative the motion did not prevail.

The SPEAKER pro tem: The question now before the House is on the motion of the gentleman from Kennebunkport, Mr. Bibber, that Report "A" "Ought to pass" be accepted. Is this the pleasure of the House?

The motion prevailed and the Bill was then given its two several readings and assigned for third reading tomorrow.

#### Divided Report Tabled and Assigned

Majority Report of the Committee on Appropriations and Financial Affairs reporting "Ought not to pass" on Bill "An Act Creating Hospital Service for the Indigent" (H. P. 1093) (L. D. 1276)

Report was signed by the following members:

Mr. SINCLAIR of Somerset  
— of the Senate.

Messrs. EDWARDS of Raymond  
STANLEY of Bangor  
BEAN of Winterport  
JACOBS of Auburn  
HENRY

of North Yarmouth  
— of the House.

Minority Report of same Committee on same Bill reporting same in a new draft (H. P. 1243) (L. D. 1535) under title of "An Act Relieving the Burden of Indigent Costs Now Assessed to Paying Hospital Patients" and that it "Ought to pass"

Report was signed by the following members:

Messrs. COLLINS of Aroostook  
CHAPMAN of Cumberland  
— of the Senate.

Messrs. CATES of East Machias  
ROGERSON of Houlton  
— of the House.

Reports were read.

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

Mr. ROSS: Mr. Speaker and Ladies and Gentlemen of the House: Legislative Document 1276 "An Act Creating Hospital Service for the Indigent" and its redraft 1535 which you received this morning, "An Act Relieving the Burden of Indigent Costs Now Assessed to Paying Hospital Patients." This is a state-wide problem of major importance. The

suggested solution is not a haphazard recommendation of any minority group, but it is the result of an extensive study of our Legislative Research Committee. There, there was a report and I think all of you had this report from that Committee entitled "Hospital Aid." I would like to review certain aspects of this most important problem. First of all, if you would examine the preamble of the redraft which you received just this morning, and it starts off: "Whereas, State aid to hospitals falls short by 60 per cent of meeting the cost of medically indigent patients; and

"Whereas, hospitals can only meet one-third of this cost through endowments, Community Chests, drives, etc.; and

"Whereas, hospitals have no means of absorbing the remainder of this loss other than by over cost charges to paying patients; and

"Whereas, the sick, as a class, are least of all able to carry this burden; now, therefore," and it goes on to the law.

First of all, what is the definition of a medically indigent person. We claim that this is a person who is normally able to meet all of their living expenses, but when it comes to emergencies that necessitate hospitalization, they are no longer able to pay those bills. Now these are not paupers and we certainly feel that they should not be forced into this class. Fifteen per cent of all of the patients admitted to hospitals fall into this category. This State has recognized this problem for many years. As far back as 1876 the State used to give outright grants to hospitals. This was primarily to aid the hospitals rather than aid any one group of individuals, but since specific amounts were given as you may well realize there was a great deal of lobbying done around the halls, and consequently this was not found to be sound, and in 1929 a Division of Hospital Aid was set up in the Department of Welfare, and a private act was established, an act creating the hospital aid program. A common fund was put into effect whereby the State could pay \$2.50 per diem to hospitals, but since there was no time limit, these funds always ran out after about

six months. But four years later in 1933 the idea was considered very sound, so the private act became a public law and it was stipulated that the amounts should be paid quarterly so the funds did not run out. In 1943 the minimum or maximum of \$2.50 per day was removed, and that gave the department a great many wider powers. In 1947 the Division of Hospital Services was set up in the Bureau of Health. Now this is where we stand at the present time. We have the mechanism set up in the department, a person upon going to a hospital fills out a specified form, and each of the cases are individually screened and the hospitals are reimbursed according to the individual merits of each case, but unfortunately, only 55 per cent of these costs is available. So for the reason of the uncertainty of payment, patients in this class actually needing hospitalization are in certain instances being turned away now. Now the recommendation of our Research Committee was really in three parts. First they determined that it was the responsibility of the community wherein the patient lived to care for the medically indigent, but since many of our counties were small and relatively poor, they realized that those counties were not able to discharge that responsibility, so they determined that the State should continue to do their part, but that an equitable state-wide program should be established. Now for the past biennium \$1,100,000 per year has been spent by the state in five ways. First of all for what they called the categorical cases. These are aid to dependent children, old age assistance, aid to the blind and aid to the totally disabled, and then aside from that, aid to the indigent, but for the next two years it is recommended that \$550,000 be spent for the categorical cases so that we can get \$125,000 from the Federal Government. Now that will leave only \$550,000 for the indigent. But since the indigent patients are 70 per cent of all of these patients, you can see that the hospitals will now be reimbursed from the State not 55 per cent, but only 40 per cent. Now if they are only going to be reimbursed 40 per cent, who pays the rest? As the preamble says, 20 per



cent can be made up by the hospitals themselves through drives and community chests and trust funds, but they have not been able to get more than that so 40 per cent of this aid for this particular type of person must come from increased cost to the paying patients. And in the majority of cases, who in the world is less able to pay for extra costs like this than a sick person? The rates already, as many of you realize, are fast reaching the point of diminishing returns.

Some people might ask the question of "what about Blue Cross" would not that help? Blue Cross unfortunately cuts down on this because a person that has Blue Cross does not pay himself but pays through his insurance thereon.

Now our hospitals must certainly be kept going, they have one of two alternatives, they can either charge more or they can curtail their services; certainly the latter course is not sound. We maintain that it is the duty of the towns through their counties to assume part of this burden like they do other municipal obligations. The county tax assessed herein is on a percentage of the financial evaluation of each county. The tax, as you can see by looking at this Act, is not leveled in the year 1955 but to be leveled first in the year 1956 and the proceeds derived therefrom to be administered by the Department of Health and Welfare starting January 1957 so that no county will get in difficulties by not collecting their taxes when the amounts became due.

Some counties are, right now, voluntarily doing approximately this type of thing. In Oxford County, the towns are contributing. In Knox County 16 out of 18 of their towns contribute to a general fund that is used for this purpose alone.

Now the opposition that we saw at the public hearing and that you have heard about, and perhaps have received mail from, came mainly from the City of Portland and the Maine Municipal Association. Both of these people claimed that they certainly were not opposed to hospitals and they realized the need did exist and that they probably did need more money but they were opposed to the method provided in this

Act for raising the money. They claimed that it was the same thing as re-creating the property tax for state needs. We maintain that it is not for state needs but that it is for community needs and these needs must be met and met fairly just as much as the community needs for school, fire protection and police protection. The larger cities in our state seem to be the most disturbed. The counties in which these larger cities are located are, under this Act, going to get back more than they pay in so it is difficult to follow that line of reasoning. For instance, because these larger counties have more hospitals and people from all over the state have to go to them, the county of Cumberland will pay in \$122,000.00 but the hospitals there will receive in this aid \$162,000.00. In Penobscot, they will pay in \$62,600.00 and the hospitals will receive \$86,000.00. In Androscoggin, \$49,300.00 will be paid in by the county but their hospitals will receive \$93,000.00. In Aroostook, \$47,000.00 paid in and they will receive \$56,000.00.

I think perhaps you all had a letter by Mr. Julian Orr, the City Manager of the City of Portland and he said that in his city alone it was going to cost \$64,000.00. In the City of Portland, being our largest city, we have more hospitals than any other place, consequently that city will receive more money than any other city in the State, of course. And the City of Portland alone, for their city hospital, and he has mentioned that, their city hospital will receive a grant of \$25,000.00. So the figure of \$64,000.00, which he says that it will cost his taxpayers, is not an accurate figure because the \$25,000.00 will be a direct offset to that.

Also from the City of Portland, you received that letter from Julian Orr, several of you, I think, received a letter of petition. I will grant the fact that letters of petition may not mean too much but this was signed by 78 taxpayers who were all affiliated, not with all of the hospitals there but with just one hospital, the Mercy Hospital.

In summary we maintain that it is not fair to have just one group, especially a group of sick people, made to pay higher rates for those who are unable to pay. The prob-

lem is not just a local problem or a state problem, it is a nation-wide problem. Several states have already adopted similar programs for some of their counties. It is a problem that certainly must be faced in the over all public interest. We maintain that to keep the standards of our hospitals something must be done because we must have a place for our sick people to go and someone must pay that. And if the cities are not willing to assume their city-wide municipal obligation at the same time they are willing to say, we are willing to let our citizens who become sick pay more than their share, that does not seem to us to be equitable. And at this time, I would like to move the acceptance of the minority "Ought to pass" report and ask for a division when the vote is taken. Thank you.

The SPEAKER pro tem: The gentleman from Bath, Mr. Ross, moves that the minority "Ought to pass" in a new draft Report be accepted.

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

Mr. McGLAULIN: Mr. Speaker and Members of the House: I believe that every poor citizen in this State should have an opportunity to have hospital treatment if he needs it. We spend millions of dollars taking care of the old age people, we certainly ought to be willing to spend something to take care of the unfortunate sick. I think the State should make some provisions whereby this is possible, that the poorest man may get treatment instead of staying at home and dying because he cannot afford to be treated. I am willing to pay my additional share of the tax to have this come about. I have heard it stated this morning that this was getting back to the State Property Tax by the back door. I do not agree with that statement at all. It does make more real estate taxes, but the State itself receives none of it. I go along with the motion of the gentleman from Bath, Mr. Ross, to accept the minority report.

The SPEAKER pro tem: The Chair recognizes the gentleman from North Yarmouth, Mr. Henry.

Mr. HENRY: Mr. Speaker and Members of the House: I would like to make it clear the position of the signers of the majority "Ought not to pass" report. We certainly have no quarrel whatsoever with the purposes of this act. Our only quarrel is as has been stated by those who wish the minority report to pass, is in the method of collecting the tax. We firmly believe that when the sales tax was originally passed in this House that it was a gentleman's agreement at least that the State would stay out of the property tax business, and this definitely is a foot in the door and we believe it is an opening wedge to put the State back in the property tax business. Thank you.

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

Mr. REED: Mr. Speaker and Members of the House: I favor this bill as presented by the gentleman from Bath, Mr. Ross, because it strikes me that it will correct situations such as we have had in the town of Fort Fairfield. We have a new hospital there, fine facilities, and we serve several neighboring communities and we are happy to do that, and we have many paying patients in our hospital from these towns and the relationship between the towns is very good, and one town, the Town of Limestone, makes a cash contribution to the hospital. However, because hospitals generally do not pay and our hospital is no exception, the deficit has to be made up by the taxpayers of the Town of Fort Fairfield, and in effect, we are paying for the cost of indigent patients from these neighboring towns, and expenses have to be met, and therefore our taxpayers have to pay for it and it is coming from the property tax now. I think putting it on a county basis is going to make it very equitable for all concerned, and the communities that have to maintain the hospitals are going to receive the money in a very fair and equitable fashion, and I certainly hope that the motion of the gentleman from Bath, Mr. Ross, prevails.

The SPEAKER pro tem: The Chair recognizes the gentleman from Fairfield, Mr. Osborne.

Mr. OSBORNE: Mr. Speaker, I would like to inquire from some member of the Appropriations and Financial Affairs Committee the tie-in between Bill 1276 and the one we received this morning on our desks 1535. I wonder if there is not a disparity between the two?

The SPEAKER pro tem: The gentleman from Fairfield, Mr. Osborne, makes an inquiry through the Chair of any member of the Appropriations Committee. Any member may answer if he so desires.

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

Mr. STANLEY: Mr. Speaker and Members of the House: As a member of the Appropriations Committee the bill that we have before us now, the 1535 I never have seen before, so to answer the gentleman's question, I am confused on it myself. My reason for signing the majority "Ought not to pass" report was as the gentleman from North Yarmouth, Mr. Henry, has stated, that we did not like the idea of getting back into the property tax, the State getting back into the property tax. Perhaps while I am on my feet I would ask the gentleman from Bath, Mr. Ross, just how much these cities received under the old form of aid to hospitals as opposed to what they will receive under this new bill.

The SPEAKER pro tem: The gentleman from Bangor, Mr. Stanley, addresses a question through the Chair to the gentleman from Bath, Mr. Ross who may answer if he so desires.

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

Mr. ROSS: Mr. Speaker, in answer to that last question, I mentioned that during the last biennium the hospitals then received fifty-five per cent of the cost, and as suggested in the current budget that we are studying they will only receive forty per cent. If this bill goes through they will receive eighty per cent of the cost.

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

Mr. BRAGDON: Mr. Speaker and Members of the House: I must oppose the motion of the gentleman from Bath, Mr. Ross, because I feel that this is a move on the part of the State to go back into the

property tax field. If appropriating two and a half million dollars and handing it out to the counties with no other method of getting it except to go out to the towns and municipalities on a property tax basis is not getting back into the tax field, I am far away in my thinking, and I must disagree with my friend the gentleman from Portland, Mr. McGlaulin, in that it is not. It definitely is in my opinion.

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

Mr. CHILDS: Mr. Speaker and Members of the House: Apparently there is some confusion on the two bills having been reported out of the Appropriations and Financial Affairs Committee. I was going to table the matter, but I think we can better expedite the matter in this fashion. I move we recess until 2:15 Daylight Saving Time, 1:15 Standard Time, and during that time perhaps this can be discussed.

The SPEAKER pro tem: The Clerk will read the notices.

Thereupon, on motion of Mr. Childs of Portland,

Recessed until one-fifteen o'clock in the afternoon, Eastern Standard Time.

#### After Recess 1:15 P.M., E.S.T.

The House was called to order by Speaker Trafton.

The SPEAKER: The pending question is on the motion of the gentleman from Bath, Mr. Ross, that the Minority "Ought to pass" in new draft Report of the Committee on Bill "An Act Creating Hospital Service for the Indigent", House Paper 1093, Legislative Document 1276, the new draft being House Paper 1243, Legislative Document 1535, under title of Bill "An Act Relieving the Burden of Indigent Costs Now Assessed to Paying Hospital Patients" be accepted. The same gentleman has requested a division.

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

Mr. ROSS: Mr. Speaker and Ladies and Gentlemen: I just want to clear up one technical point that has been raised. You will see on

your journal that there are two bills listed. The gentlemen signing the "Ought not to pass", the Bill known as 1276, the redrafted bill is 1535.

I am sure that this redrafted bill was shown to at least the majority of the members of the Appropriations Committee. The reason that we had a redrafted bill lies in the fact that many technical questions were asked at the committee hearing. The city solicitor of the City of Portland raised many technical points about the wording of the bill. The redraft states the same problem in simpler language. The method of taxation is exactly the same. The amounts of taxation are the same. The total amount for all counties in the State is \$550,000 and that is an average increase of approximately three-quarters of a mill per town. When the State was in the property tax field, it was over seven mills, as you recall.

The SPEAKER: The Chair recognizes the gentleman from Waldoboro, Mr. Walter.

Mr. WALTER: Mr. Speaker, I arise to oppose the motion of my colleague, the gentleman from Bath, Mr. Ross, and I wish to go along with the majority "Ought not to pass" as shown under L. D. 1276.

As an ex-county Commissioner, I know that the County Commissioners Association of Maine is very much opposed to this. If this bill should be passed, you are opening the door whereby there would be no end to requests of succeeding legislatures for increased appropriations.

The reaction or attitude of a certain class of people would be bad. We know that there is a certain class of people who would refuse to pay their hospital bill and would tell the hospital to get the money from the county because they contribute to the tax which goes to the county and eventually back to the hospital.

Most counties have increased their budgets by a substantial amount and this will be just one more item to add to the same. The towns and cities now are complaining about the increase that they have to pay on their county tax. I hope that the motion of the gentleman from Bath, Mr. Ross, does not prevail.

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

Mr. JACOBS: Mr. Speaker and Members of the House: Why I signed this bill "Ought not to pass" was that I did not want to have the State go back on the property tax. A few years ago, we eliminated this state tax proposition of 7-¼ mills and the State has paid for many years \$5,-500,000 as a State tax. This was done away with when we adopted the sales tax and now we are coming back to the same old proposition, in my opinion, that this State is going to assess the counties for this money and they, in turn, are going to assess the towns and cities for it. Every town in this State, every city in this State, will have to pay their proportionate part.

Now, I believe that if they want to take this out of the sales tax proposition, it is all right as far as I am concerned but to go back on the property tax is another entering wedge for that business. That is why I signed the "Ought not to pass" report.

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

Mr. MCGLAUFLIN: Mr. Speaker, it is the results that we want to obtain. The method does not matter so much. It is important that we take care of these helpless people.

The SPEAKER: The Chair recognizes the gentleman from Warren, Mr. McCluskey.

Mr. MCCLUSKEY: Mr. Speaker and Members of the House: My colleague, the gentleman from Bath, Mr. Ross, brought up the name of Knox County under this and I am one of the directors of the Knox County General Hospital. During the twelve months ending February 28, the indigent patient days spent in our hospital were 1521 days. And the hospital cost was \$19.32. The total deficit was \$29,386 against which the State paid \$13,000. The net loss was over \$16,000.

Some mention has been made about a state property tax and so forth. The first of the year, we asked each town in Knox County to include in their budget if they would their proportionate share of this debt and sixteen of the eighteen towns voted it. The two towns that did not vote it were close so that so far as the attitude of the people is con-

cerned, I am sure they are for this bill as I am.

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

Mr. COOK: Mr. Speaker and Ladies and Gentlemen of the House: I feel that we are facing a desperate situation on this thing. I know that it has been desperate in my locality. We have been in positions where we have not been able to get patients into the hospital simply because of this situation where the hospitals are losing money on these cases and losing a lot of money. Along this line, all of the towns that I represent are extremely in favor of helping to support this situation. I have had a call since we recessed from the town managers representing two of the towns in my area urging me to support this bill and I hope that we all support the gentleman from Bath, Mr. Ross, in his motion.

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

Mr. OSBORNE: Mr. Speaker and Members of the House: I arise to oppose this measure with all due respect to those who have spoken for it. I feel that it is the opening wedge to re-enter the State into the field of real estate taxes and that is the only reason that I am opposed to the bill because I certainly am sympathetic with the intent. If anyone in this House has paid any more hospital bills for somebody else or paying for someone in their family, I certainly sympathize with them because I have paid a very large and unproportionate share. So I am well acquainted with the fact that everyone who pays their hospital bills is paying for a proportion of the indigents, who are unable to pay.

I feel that the intent of the bill is noble but I do not feel that it is noble to give the opening wedge to put the State back into the field of real estate taxes. Even at this late date, if this bill could be so amended that the tax would be secured in another manner, I would get up just as quickly to support it.

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

Mrs. CHRISTIE: Mr. Speaker and Members of the House: I am not too much in sympathy with the tax feature of this bill but I am certainly in sympathy with the provisions which would help our local hospitals in an emergency. In Presque Isle, we have a hospital that is crowded to the doors and a great many of these cases are indigent cases and the hospital is not able to raise sufficient money to take care of these cases that come to them so we are always trying by other means to raise money.

I do not care about — yes, I do care about the method of taxation but I do feel that some provision should be made and that this Legislature should see that some provision is made to take care of these hospitals which are so overburdened. We have to, every fall, have a regular auction by which we raise twelve to fifteen thousand dollars to help our hospital. We need an addition to the hospital. We can not do it because we do not have the funds. And I hope that something will be done in this session to relieve the situation in our hospitals.

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

Mr. EDWARDS: Mr. Speaker, as a signer of the "Ought not to pass" report, I feel that we should help our hospitals but I do not feel that we should go back into the real estate tax to do it. This is one step to get the foot in the door by which in future sessions of the Legislature we would be back in the property tax field. This bill brings the county government into the welfare field, which I do not feel should be done.

Many of our small communities are today raising money at the local level for maintenance of the smaller hospitals in their communities. Once they are assessed this property tax, many of the towns might feel that they were doing enough for their hospitals and fail to continue to raise money for their support. This would hurt the small hospitals as the larger amount of this money raised by this bill would go to the larger hospitals. If we are going to help our hospitals, let's do it from the state level instead of the county level.

The SPEAKER: The Chair recognizes the gentleman from North Yarmouth, Mr. Henry.

Mr. HENRY: Mr. Speaker and Members of the House: I think the gentleman from Warren, Mr. McCluskey, brought out a very good point when he said that in his county, at least that is the way I understood him, that the towns voted on the question. Everybody had a chance to say whether they wanted to pay this tax or not. I do not see any provision in this bill for permitting the towns to vote on the question. The tax is just levied against every property owner in every town, and in a lot of our small towns the property tax is already all the people can stand.

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

Mr. QUINN: Mr. Speaker and Members of the House: A few years ago the sales tax was passed with the idea of leaving the property tax to the local taxation assessors, and when that was done the local assessors took advantage of the fact that they had a little more money to play with in the local communities. The result was that the real estate owner, instead of being relieved from the tax, the slack was taken up by the local assessors on the county group, so the relief was shortcoming. I go along with the idea that I believe that this is something that should be taken care of by the general over-all state tax. It is a problem that I am very sympathetic with. I do not think that any person that is hospitalized because of injury or illness should pay a bonus on his hospital bill to carry some of the people that are indigent and cannot pay their own bill. Those people should be hospitalized, they should be taken care of, and they should be taken care of out of the general fund of the State to which we all contribute. I would like very much to see this bill amended to make it paid out of the general fund, but I am so strong for the bill and in spite of that fact if it is not, I would go along on the bill even if it was on the property tax basis, because I think those people should be taken care of, they should be hospitalized but I would prefer to

have it done from the general fund as a state-wide proposition.

The SPEAKER: The Chair recognizes the gentleman from Charleston, Mr. Rich.

Mr. RICH: Mr. Speaker and Members of the House: I am in sympathy with the hospitals and with the problem that they have, but I am utterly opposed to imposing a further property tax on the county or state level. I believe this should be taken out of the general fund where everybody will pay their share. I hope that the motion of the gentleman from Bath, Mr. Ross, does not prevail.

The SPEAKER: The Chair recognizes the gentleman from Winterport, Mr. Bean.

Mr. BEAN: Mr. Speaker and Members of the House: As one who signed the majority report "Ought not to pass" I did so not because I am opposed to the hospitals, I sympathize with them, I know they have a problem, but as one who worked consistently for twenty-five years to get the State of Maine out of the property tax field, I cannot go along with this method of raising the money. I would go along with my good friend, the gentleman from Auburn, Mr. Jacobs, that if they take it out of the general fund through the sales tax, I will keep quiet and be willing to pay my proportional part of it. Property is the only method by which municipalities can raise the money necessary to carry on their business, and property is being taxed today in the State of Maine all it will stand at the local level. Let us not put the State back into the property tax field and break faith with the people.

The SPEAKER: The Chair recognizes the gentleman from Bar Harbor, Mr. Edgar.

Mr. EDGAR: Mr. Speaker and Members of the House: In complaining as some of us are about putting the State back in the property tax field, it seems to me that we are showing a rather remarkable lack of faith in the discretion and judgment of future Legislatures. I will agree with the gentleman from Portland, Mr. McGlauffin, that there are cases where the end justifies the means, and I think this is very definitely one of those cases. If, in the future, in future sessions

of this Legislature, other bills should be introduced which might further drive the wedge into the property tax field, I think we could very well trust the judgment and discretion of those future legislatures to judge those measures on their merits and decide then whether or not they should be passed, but I do definitely feel that whether or not this is a wedge or an opening of the door into the property tax field, that in this particular case the end definitely justifies the means.

The SPEAKER: The pending question is on the motion of the gentleman from Bath, Mr. Ross, that the Minority "Ought to pass" in new draft Report of the Committee on Appropriations and Financial Affairs on Bill "An Act Creating Hospital Service for the Indigent," House Paper 1093, Legislative Document 1276, the new draft being House Paper 1243, Legislative Document 1535, under title of Bill "An Act Relieving the Burden of Indigent Costs Now Assessed to Paying Hospital Patients" be accepted.

Mr. ROSS (of Bath): Mr. Speaker, I ask for a division.

The SPEAKER: The gentleman from Bath, Mr. Ross, has requested a division.

All those in favor of the acceptance of the Minority "Ought to pass" in new draft Report will kindly rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

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

Thereupon, Mr. Jacobs of Auburn, moved that the Majority "Ought not to pass" Report be accepted.

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

Mr. QUINN: Mr. Speaker, if this "Ought not to pass" report is accepted, the whole program is killed entirely and I would move that the matter might be placed on the table until perhaps tomorrow's session.

The SPEAKER: The gentleman from Bangor, Mr. Quinn, moves that the two Reports with accompanying papers lie on the table pending the motion of the gentleman from Auburn, Mr. Jacobs, that the Majority

"Ought not to pass" Report be accepted, and be specially assigned for tomorrow.

Is this the pleasure of the House?  
(Cries of "No")

The SPEAKER: All those in favor will kindly signify by saying aye; those opposed, no.

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

Sixty-two having voted in the affirmative and fifty-one having voted in the negative the motion prevailed and the two Reports with accompanying papers were so tabled and assigned.

### Passed to Be Engrossed

Bill "An Act relating to the Reorganization of the State Board of Arbitration and Conciliation" (S. P. 559) (L. D. 1515)

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

### Third Reader Tabled

Bill "An Act Repealing Obsolete Highway Laws and Clarifying Project Completion Dates" (S. P. 564) (L. D. 1521)

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

Mr. Elwell of Brooks offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to S. P. 564, L. D. 1521, Bill "An Act Repealing Obsolete Highway Laws and Clarifying Project Completion Dates."

Amend said Bill by adding at the end thereof the following:

"Sec. 6. R. S., c. 96, Sec. 87, repealed. Section 87 of chapter 96 of the revised statutes is hereby repealed."

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

Mr. ELWELL: Mr. Speaker and Members of the House: With all due respect to those on the Committee who have presented a 39 page re-draft of the taxation laws as they relate to towns, and to the Judiciary Committee who prepared an amendment, and the Committee on High-

ways who presented this redraft, I am reluctant to offer this amendment of an obsolete law which might have been included in either one of these reports. I find however, that inasmuch as this was not included in the light of discussions which we have had relating to weights and road limits on the highways, I should like to read section 87 of Chapter 95 which I propose to be repealed: "Wide wheels and watering troughs, abatement therefor, public drinking troughs and fountains.—A town at its annual meeting may authorize its assessors to abate not exceeding \$3 of the tax of any person, upon proof that he has owned and used on the ways during that year cart wheels having felloes not less than 6 inches wide. The said assessors shall abate \$5 from the tax of any inhabitant who shall construct, and during the year keep in repair a watering trough beside the highway, well supplied with water, the surface of which shall be 2 feet or more above the level of the ground and easily accessible for horses and carriages, if the assessors think such watering trough for the public convenience; if more than 1 person in the same locality claims to furnish it, the municipal officers shall decide where it shall be located. Such officers may establish and maintain such public drinking troughs, wells and fountains within the public highways, squares and commons of their respective towns as in their judgment the public necessity and convenience require; and towns may raise and appropriate money to defray the expense thereof." This is a probably unimportant law, but further in that same chapter there are laws which relate to the expenditure of money by road commissioners; further a law which sets the pay of the road commissioner at \$1.50 a day and also sets the date of settlement of the road commissioners at February 20. I would suggest that this bill lay on the table until these further corrections can be made.

The SPEAKER: The gentleman from Brooks, Mr. Elwell, moves that the Bill with accompanying papers lie on the table pending adoption of House Amendment "A". Is this the pleasure of the House?

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

Bill "An Act relating to Licensing of Auctioneers" (H. P. 749) (L. D. 230)

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

Bill "An Act relating to Boilers and Unfired Steam Pressure Vessels" (H. P. 1235) (L. D. 1525)

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

The SPEAKER: Does any member wish to offer an amendment with respect to Item 4?

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

Mr. CURTIS: Mr. Speaker and Members of the House: I had an amendment to offer but after discussing it with the committee I have decided not to offer it.

Thereupon, the Bill was passed to be engrossed and sent to the Senate.

Bill "An Act relating to the Appointment of the Fire Chief and the Chief of Police of the City of Saco" (H. P. 1236) (L. D. 1526)

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

### Third Reader Tabled and Assigned

Resolve Providing for Refund for Tobacco Tax Stamps (S. P. 565) (L. D. 1520)

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

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

Mr. ANDERSON: Mr. Speaker and Members of the House: I had an amendment prepared for this resolve. However, I am informed that the amendment is not correct and one is being prepared to correct the errors and omissions from my amendment and I would like to have this matter tabled and specially assigned for tomorrow.

The SPEAKER: The gentleman from Greenville, Mr. Anderson,



moves that the Resolve lie on the table pending second reading and be specially assigned for tomorrow. Is this the pleasure of the House?

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

#### Amended Bills

Bill "An Act Providing for Pocket Supplements to the Revised Statutes" (S. P. 406) (L. D. 1120)

Resolve to Purchase Additional Sets of the Revised Statutes of 1954 (S. P. 407) (L. D. 1121)

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

Bill "An Act Revising the Laws on Civil Defense and Public Safety" (S. P. 159) (L. D. 353)

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

The SPEAKER: The Chair recognizes the gentleman from Boothbay Harbor, Mr. Greenleaf.

Mr. GREENLEAF: Mr. Speaker and Members of the House: I would like to offer an amendment to this Senate Amendment "A". It is filing number 464 and at the same time I would like to say a few words about this bill, if I may.

The SPEAKER: The gentleman from Boothbay Harbor, Mr. Greenleaf, offers House Amendment "A" to Senate Amendment "A" and moves its adoption. The Clerk will read the proffered amendment.

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

HOUSE AMENDMENT "A" to SENATE AMENDMENT "A" to S. P. 159, L. D. 353, Bill "An Act Revising the Laws on Civil Defense and Public Safety."

Amend said Amendment by striking out all of the 2nd and 3rd paragraphs thereof.

The SPEAKER: The Chair understands that the gentleman from Boothbay Harbor, Mr. Greenleaf, moves that, under suspension of the rules, the House reconsider its action whereby on May 5 it adopted Senate Amendment "A". Is this the pleasure of the House?

The motion prevailed.

The SPEAKER: The gentleman from Boothbay Harbor, Mr. Green-

leaf, offers House Amendment "A" to Senate Amendment "A" and moves its adoption.

The Chair recognizes the gentleman from Boothbay Harbor, Mr. Greenleaf.

Mr. GREENLEAF: Mr. Speaker and Members of the House: I would like to take a few minutes to explain why I am doing this. When this bill was originally drafted there were a lot of municipal officials that objected to the part of the bill that made it possible for the town officials and city officials to be removed from office if they did not follow Civil Defense rules and regulations. Well that may have been a little harsh, so the Senate Amendment did away with this and put a \$20.00 fine as you can see in the amendment to every officer of a political subdivision who violates any of the CD laws. I believe this \$20.00 fine is about as good. I think maybe removing a man from office is too harsh, so the \$20.00 fine, there is not any municipal official who would want to go to court many times and pay \$20.00, so that will serve the same purpose, but the same part of the amendment sections 2 and 3 took away police powers from Civil Defense police in the time of alert. I know something about this because I am County Director in Lincoln County and when you send a policeman out during an alert if he has no authority, the way it is now he cannot stop cars, it is strictly voluntary. Every now and then you will run up against some joker that will say get out of the way, in fact they will run over you. As a matter of safety, after you have an emergency proclaimed by the Governor, they have full power like all other police. In fact there is no such thing as CD police as we used to remember them, they are police reserves, and in practically every town and city in this state they are sworn in with full police powers, and the only question is to give them, plus the regular police too, the right to direct traffic and so forth during an alert. That is the only reason I wanted to change this amendment because I think the police from a safety viewpoint and for other reasons should have these police powers during an alert.

The SPEAKER: The question before the House is on the motion of the gentleman from Boothbay Harbor, Mr. Greenleaf, that House Amendment "A" to Senate Amendment "A" be adopted. Is this the pleasure of the House?

The motion prevailed.

Thereupon, Senate Amendment "A" as amended by House Amendment "A" thereto was then adopted.

The Bill was then given its third reading, passed to be engrossed as amended by Senate Amendment "A" as amended by House Amendment "A" thereto in non-concurrence and sent up for concurrence.

Bill "An Act Amending the Maine Employment Security Law as to Disqualifications and Benefits" (S. P. 412) (L. D. 1181)

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.

Bill "An Act relating to Payments by Town of Georgetown for Mac-Mahan Island" (S. P. 253) (L. D. 694)

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

Bill "An Act relating to Weight of Commercial Vehicles" (S. P. 452) (L. D. 1271)

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" in non-concurrence and sent up for concurrence.

Bill "An Act relating to the Salary of the Judge and the Recorder of the Portland Municipal Court" (S. P. 84) (L. D. 173)

Bill "An Act relating to Compulsory Commitment of Persons Infected with Tuberculosis" (S. P. 367) (L. D. 1063)

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

### **Passed to Be Engrossed Without Amendment**

Bill "An Act relating to Equipment of Rail Track Motorcars Used by Railroad to Transport Employees" (S. P. 162) (L. D. 356)

Bill "An Act to Incorporate the Maine Fidelity Life Insurance Company" (S. P. 571) (L. D. 1524)

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

### **Third Reader Tabled**

Bill "An Act relating to the Salary of the President of the Senate, the Speaker of the House of Representatives, and the Members of the Legislature" (H. P. 86) (L. D. 97)

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

Thereupon, Mr. Albert of Augusta offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to H. P. 86, L. D. 97, Bill "An Act relating to the Salary of the President of the Senate, the Speaker of the House of Representatives, and the Members of the Legislature."

Amend said Bill by striking out the underlined figure "\$2,000" in the 5th line and inserting in place thereof the underlined figure "\$1,250"

Further amend said Bill in the 5th line by inserting after the word "Legislature" the following underlined words: 'plus \$10 expense allowance each day that the Legislature is in regular or special session'

Further amend said Bill by indicating the striking out of the figure "5c" in the 7th line by drawing a line through said figure and by inserting immediately after said stricken out figure the underlined figure '8c'

Further amend said Bill by striking out the underlined figure "\$2,300" in the 15th line and inserting in place thereof the underlined figure '\$1,500'

Further amend said Bill in the 16th line by inserting after the word "Legislature" the following underlined words: 'plus \$10 expense allowance each day that the Legislature is in regular or special session'

Thereupon, on motion of Mr. Fuller of South Portland, the Bill with accompanying papers was tabled pending the motion of Mr. Albert of Augusta, that House Amendment "A" be adopted.

Bill "An Act Increasing Potato Tax and Disposition Thereof" (H. P. 1239) (L. D. 1528)

Resolve Providing Pensions for Soldiers and Sailors and Dependents and Other Needy Persons (H. P. 1240) (L. D. 1529)

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

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

An Act relating to an Aerial Timber Survey (H. P. 770) (L. D. 855)

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

#### **Emergency Measure**

An Act relating to Pari Mutuel Pools at Harness Horse Race Meets (H. P. 1222) (L. D. 1496)

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

#### **Emergency Measure**

An Act relating to Records for Running Horse Race Meets (H. P. 1223) (L. D. 1497)

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 divi-

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

#### **Finally Passed Emergency Measure**

Resolve in favor of Caribou Armory Project (S. P. 33) (L. D. 28)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a division was had. 119 voted in favor of same and none against, and accordingly the Resolve was finally passed, signed by the Speaker and sent to the Senate.

#### **Emergency Measure**

Resolve in favor of Calais Armory Project (H. P. 33) (L. D. 50)

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. 120 voted in favor of same and none against, and accordingly the Resolve was finally passed, signed by the Speaker and sent to the Senate.

#### **Emergency Measure**

Resolve in favor of Westbrook Armory Project (H. P. 88) (L. D. 99)

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. 120 voted in favor of same and none against, and accordingly the Resolve was finally passed, signed by the Speaker and sent to the Senate.

#### **Emergency Measure**

Resolve in favor of Sanford Armory Project (H. P. 87) (L. D. 98)

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 divi-

sion was had. 119 voted in favor of same and none against, and accordingly the Resolve was finally passed, signed by the Speaker and sent to the Senate.

#### Emergency Measure

Resolve in favor of Fort Kent Armory Project (H. P. 135) (L. D. 137)

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. 120 voted in favor of same and none against, and accordingly the Resolve was finally passed, signed by the Speaker and sent to the Senate.

#### Emergency Measure

Resolve in favor of Skowhegan Armory Project (H. P. 336) (L. D. 377)

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. 120 voted in favor of same and none against, and accordingly the Resolve was finally passed, signed by the Speaker and sent to the Senate.

#### Emergency Measure

Resolve in favor of Houlton Armory Project (H. P. 701) (L. D. 769)

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. 120 voted in favor of same and none against, and accordingly the Resolve was finally passed, signed by the Speaker and sent to the Senate.

#### Emergency Measure

Resolve in favor of Auburn Armory Project (H. P. 1059) (L. D. 1232)

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. 121 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 the Custody of State Funds (S. P. 241) (L. D. 674)

An Act to Clarify the Liquor Laws (S. P. 254) (L. D. 685)

An Act to Revise the Laws Relating to Loan and Building Associations (S. P. 368) (L. D. 1064)

An Act Providing for a Record of Veterans of World War II and Korean Campaign by Division of Veterans Affairs (S. P. 389) (L. D. 1103)

An Act relating to "Antique Auto" Plates (S. P. 472) (L. D. 1315)

An Act relating to Salary of Judge of Probate of Androscoggin County (H. P. 565) (L. D. 613)

An Act relating to Funeral Expenses for Recipients of Old Age Assistance (H. P. 571) (L. D. 631)

An Act Amending the Maine Employment Security Law as to Advisory Council (H. P. 671) (L. D. 747)

An Act Increasing the Compensation of Aldermen of the City of Lewiston (H. P. 922) (L. D. 1030)

An Act Creating a Board of Assessment Review for Town of Brunswick (H. P. 1000) (L. D. 1148)

An Act Increasing Salaries of County Officers of Oxford County (H. P. 1054) (L. D. 1229)

An Act relating to Election of Chairmen of State Committees of Political Parties (H. P. 1128) (L. D. 1326)

An Act relating to the Employment of Females (H. P. 1173) (L. D. 1411)

An Act relating to Discontinuance of Vaughan Bridge and Approaches Thereto as a Public Way (H. P. 1225) (L. D. 1506)

#### Finally Passed

Resolve Providing for Survey of Railroad Crossings on College Avenue and Front Street in City of Waterville (S. P. 554) (L. D. 1503)

Resolve in favor of the Town of New Gloucester (H. P. 573) (L. D. 633)

Resolve in favor of Abigail D. Flynn, of Waldoboro (H. P. 735) (L. D. 817)

Resolve in favor of Harold B. Gross, of Waldboro (H. P. 736) (L. D. 1437)

Resolve Classifying Road from Rockwood to Jackman as State Highway (H. P. 1124) (L. D. 1322)

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.

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

An Act Making Supplemental Appropriations for the Expenditures of State Government and for Other Purposes for the Fiscal Years Ending June 30, 1956 and June 30, 1957, and to Provide Additional Revenue to General Fund (H. P. 1229) (L. D. 1512)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure a two-thirds vote of all the members elected to the House was necessary.

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

Mr. CIANCHETTE: Mr. Speaker, Is this open for debate?

The SPEAKER: The Chair would state that it is open for debate.

Mr. CIANCHETTE: Mr. Speaker, Ladies and Gentlemen of the House: I am very much amazed to see the leaders of the majority party in this Legislature take the stand and use the methods for carrying out that stand that have been so evident here lately. It would not be hard to understand the leaders of the majority party in trying to set up a program to combat the thinking of a Democratic Governor, but when a program as sound for the people as that which he presented and which is actually an adjustment of a Republican tax measure passed four years ago, it seems odd indeed that now they would present a patchwork system or, as the sponsors like to refer to it, a readjustment program. Where is there any readjustment or equity in a measure where taxes are raised in every instance on certain groups of people without any thought of their ability to pay? I would remind you that the Gover-

nor's program adjusts taxes downward for the lower income brackets. Is it fair to raise the tax on cigarette smokers by 25 per cent when those people are now paying 15 per cent of general fund revenues and when at the same time cigar and pipe smokers contribute nothing?

The Governor said in his budget message in effect that his mind would be open to any logical tax measures that would finance the minimum program, and I believe that he was 100 per cent sincere in those statements. I ask the members of this body if they believe the measure before us meets the requirements of fair taxation to meet the minimum needs? I believe the great majority of the citizens of our state, if their voices would be heard, would agree with their Governor in his recommendations and his statements made here a few days ago. I believe that if they are not heard now that they will be heard strongly in the next election.

We were told by the Governor last week that he would be forced to veto this measure in the form that it then stood because it would not produce revenues that were needed to carry out the spending program contained in the same document, to say nothing of many L. D.'s that are pending. Apparently he must have been correct in his statement because within a very few hours a part of that objection was removed by adding the emergency clause. I believe that that alone should prove to you people that the measure certainly has not had the soundness of thinking that a measure of this type must have.

I would point out here that this measure, with the emergency, would leave \$326,000.00 to use for L. D.'s and special resolves the first year, and \$189,000.00 the second year. Breaking this down in so far as pending legislation is concerned, the special resolves presented by the various members that are fast becoming law amount to \$16,000.00 each year. There are approximately \$100,000.00 worth of L. D.'s carrying a price tag that have had either a favorable committee report, are third readers, or are on the table in the other branch pending enactment. Also involved is an addi-

tional \$50,000.00 each year for the new MDC set-up.

Also pending passage an L. D. which should and undoubtedly will have our support, that is the new educational subsidy formula. This item has a price tag of \$296,000.00 for the second year of the biennium.

Another educational program that should have very serious consideration is the vocational rehabilitation program. By providing an additional \$26,400.00 the first year and \$52,600.00 in the second year, we will receive in federal matching funds \$60,092.00 in the first year and \$115,873.00 in the second year.

Other items worthy of your consideration that have been cut out of the Governor's program are as follows: Civil Defense, 1955-56, \$13,600.00, 1956-57, \$14,900.00; Bureau of Purchases, 1955-56, \$6,050.00, 1956-57, \$6,200.00; Water Improvement Commission, 1956-57, \$25,000.00; The Maine Port Authority, for each year of the biennium, \$37,000.00.

The foregoing suggested legislation based upon revenues and appropriations contained in this measure would leave a balance in the first year of \$103,000.00 and a deficit in the second year of \$356,000.00 making a net deficit for the biennium of \$252,000.00.

There are many other worthy considerations I have not mentioned. To name one, to provide salary increases to our state department heads. These salaries were not adjusted by the last session of the Legislature and certainly should be adjusted now if we hope to keep well qualified individuals.

It is obvious that emergency or no emergency, applying the majority party leadership's formula we would be operating with an unbalanced budget. It should be remembered that some good legislation introduced by members of this Legislature would have to be passed by if this measure were passed for lack of available funds.

I have mentioned one of the two major tax revenues in this measure and would like to mention another one briefly, namely \$1,000,000.00 by increased liquor taxes. This sounds fine on the surface, but figures from the Maine State

Liquor Commission would tend to prove that these projections will not produce the estimated revenue. In 1951, spirits were 71 per cent of total gallonage and wines 29 per cent. In November 1951, a federal tax increase was imposed on liquors. Since that time, gallonage has increased steadily, but in 1954 spirits were 67 per cent of total gallonage and wines 33 per cent. If another tax were imposed and this same trend holds true, we could very easily wind up with no increase in net revenue to the state.

I would ask you people who are soon to vote on this measure to ask yourselves these two questions and answer them to yourselves sincerely: Has the Governor, in any part of his program, been anything but open, sincere and honest? 2. Do I understand the complications of the measure now before me?

Having answered these questions to yourselves and voting your own convictions, I firmly believe that you will defeat this measure.

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

Mr. CHILDS: Mr. Speaker and Members of the House: I shall not go into details again on the present allocations and the present form of taxation. I think our Appropriations Committee and our Taxation Committee have given it a lot of consideration. They have attempted to do for the people what they think the people can afford. Apparently, members of the minority party are of the opinion that the people are in favor of a sales tax. I feel quite strongly that they are wrong.

The Republican party has attempted to tax the people where it hurts the least. These new taxes are on luxuries, cigarettes and alcohol and beer. An increase in the sales tax without question cannot help but reflect itself on the necessities of life. I think that the Republican party has given this a lot of consideration in trying to do what is best for the people.

I did not understand the gentleman's second question, but I want to say to his first question that as far as I am concerned the Repub-

lican party is just as honest and just as open and just as sincere in their feelings. And they are also trying to do what is right for the people. And I certainly hope that this matter will be passed today.

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

Mr. WALSH: Mr. Speaker and Ladies and Gentlemen of the House: I just want to again make a statement that I have made here before concerning just one institution. It seems to be that the big difference between this Bill and the Governor's supplemental budget lies in the long-range building program, chiefly. The other things he told you of, and told you of very thoroughly last week when he addressed the joint session of this House and the Senate.

Last week I stood up and stated that there was full acknowledgment on the part of the Appropriations and Taxation Committee of the necessity and the need in education and in our institutions. And I would just ask you to turn to Filing No. 473 of an amendment that was put on your desk today, filed by the Committee on Appropriations and Financial Affairs concerning just one building at one institution, in this State. When it says "emergency preamble, Whereas an acute shortage of housing facilities for women students now exists at the University of Maine, and, Whereas because of such shortage and the increase in student population at the university, many students find it difficult to continue their educational pursuits, and, Whereas this shortage is likely to continue for a substantial period of time unless immediately alleviated, and, Whereas the housing facilities provided by this Act should be constructed as soon as possible", and so forth, I ask you if that is not acknowledgment. And your teacher's colleges are in the same condition, and your institutions are in the same condition.

You are not dealing in dollars and cents, you are dealing in human beings. That is what we are up here to represent, some of whom are not able to come over here and represent themselves. Any of you

who have had the good fortune of taking the proposed capital expenditure program of the University of Maine alone in the next ten years and looked at it and realized that even though they are borrowing around a half a million dollars a year to help this program out and to find that they have to depend upon the Legislature to raise an average of pretty close to a million dollars a year through this session and the next four sessions of Legislature in order that they may meet the minimum needs of education in order that we can give education, the college education at least, to the many fine young people in this state and turn them away, I ask you if we are meeting the requirements that you acknowledged are theirs.

I could prolong this a great length of time, but I think it was most ably and adequately covered by our Governor last week. I just want to point out those two things to you and again I sincerely believe that we are not meeting the needs of the people under this Bill. I have no doubt that the Republican party, as expressed by the majority leader, are sincere in their efforts to do just one thing, to hope that we will get by and let the 98th and the 99th and the 100th sessions of Legislature handle a problem that we do not apparently have the courage and the backbone to stand on our own feet and face and shoulder at this moment.

I am not mad, and I am not excited, you have a right to your opinion, and I have a right to mine. I am sorry to seem as though I get steamed up on this, but I have been associated with education all my life, and I know what it means, and I know what it means to refuse admission to a college. There is not anything that can hurt a parent or hurt a youngster any more deeply, or perhaps alter his whole life any more in my opinion, than being refused the right to go to college.

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

Mr. JACOBS: Mr. Speaker, Members of the House: I spoke quite thoroughly on this subject a few days ago and I want it to be per-

fectly understood by everyone here that these two committees met together and formulated this Bill with all sincerity for the betterment of Maine. If you do not pass this Bill, it does not become a law, you are going to deprive every town and city in the State of Maine of what really belongs to them on the subsidy of the school question.

The institutions need it, and we have tried our level best to meet all the needs necessary in the next two years.

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

Mr. TOTMAN: Mr. Speaker and Members of the House: I am frankly quite impressed by the remarks of the gentleman from Brunswick, Mr. Walsh; neither am I steamed up or angry, but I am a little bit surprised to think that my party is being criticized today for attempting to pass a supplemental budget measure which, in my opinion, sincerely reflects without any degree of politics, a desire to raise money without raising the sales tax.

I think three sessions ago in 1951 those of us who were here remember very clearly that the sales tax was passed over very bitter and solid opposition from that very same party who is now saying that the sales tax should be raised. I think that it is most ironical that when that sales tax was passed in 1951 we had hardly finished the roll call vote before a member of the minority party arose to his feet and made the prediction that the Republicans would be the first to come back here and attempt to raise the sales tax to three, four, and I think the remark was made in jest "Lord knows where and to what extent". I repeat, I am proud that my party at this point has not abused the sales tax, did not abuse it last session and is not abusing it this session in view of what the minority party themselves accused us of wanting to do and what they themselves are now suggesting we do, starting to raise it slowly.

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

Mr. COOK: Mr. Speaker and Ladies and Gentlemen: I am sorry that the gentleman from Portland,

Mr. Childs, refrained from going into details on this budget, I think that is the one thing that we have lacked. I wish to remind you also of a statement, I believe you can check your record, that was made by the gentleman from Auburn, Mr. Jacobs, admitting that this taxation program was not the ideal answer by any means.

I would also like to remind you of the talk given by my colleague, the gentleman from Bath, Mr. Ross, last week on this Bill where he pointed out the inequities of the cigarette tax provided for by this Bill. I know that there are a great number of you that believe as he does, that this is a grossly unfair and unequitable tax; especially where the tax has been removed from cigars and other products. The attempt is being made to recover this sum that has been lost by doing this by imposing an additional tax on one single tobacco product, namely, cigarettes. It is calculated to recover two times what has been lost by repealing the cigar and tobacco tax.

I know that many of you do not believe this to be right because many of you have told me so, but you have been convinced that you should swallow it because of political expediency. Speaking for myself, I am tired and disgusted with the so-called political expediency. There is nothing that is better politics than good government and this Bill is not good government. A vote against this Bill will be a vote against so-called political expediency and poor government. When the roll is called up yonder I hope we shall see that we have many a strong conscience.

The SPEAKER: The Chair recognizes the gentleman from Dover-Foxcroft, Mr. Sanford.

Mr. SANFORD: Mr. Speaker, Ladies and Gentlemen of the House: The majority of the Taxation Committee think that the Appropriations Committee did a fine job and the Appropriations Committee told the Taxation Committee how much money they needed to do this job. The Taxation Committee put this bundle together and the majority was greatly in favor of it. We think it does not hurt anyone and we know it will do the job.



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

Mr. WALSH: Mr. Speaker, Members of the House: I would just like to answer two things that were referred back to me directly or indirectly. Number 1 by the gentleman from Auburn, Mr. Jacobs, that this measure would meet the requirements of the University of Maine during the next two years. Just what happened to the wings on the chemistry building for the pulp and paper industry and the general lecture rooms for physics and chemistry to the amount of \$370,000.00? I do not see that included.

And to answer the gentleman from Bangor, Mr. Totman, I would merely say this: As an American-born citizen and as a tax-paying resident of this State, I have a right to my own opinion, whether it be for a sales tax measure or any other measure and may God always give me the courage to stand on my feet to back the courage of my own convictions. If I am for one measure I am going to stand for it regardless of who orders the suggestion, if I believe it is good for the people of the State and for the State of Maine; and if I feel it is bad I will vote against it. I am not a "yes" man, I do not believe, and I hope that I never will be, but I believe I have that right to go for a sales tax increase with its exemptions if I so choose. If I was here in 1951, I may have done the same thing, and I may not, but I was not here in 1951. But I am here at the present time and feel that I have a right to express myself; I have a right to vote whichever way I want and I know he sees fit that I do the same.

The SPEAKER: The Chair recognizes the gentleman from Hodgdon, Mr. Williams.

Mr. WILLIAMS: Mr. Speaker, and Members of the House: I was here in 1951 and I went through this bitter debate that the gentleman from Bangor, Mr. Totman mentioned. I was one of 22 Republicans that joined 22 Democrats and voted against the sales tax. I did not think much of the sales tax then for one main reason that it was very easy to raise the sales

tax, which apparently some people are going to do. But I am just wondering now whether the rest of the people that voted against the sales tax are going along with me and vote against it this time.

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

Mr. EDWARDS: Mr. Speaker and Members of the House: I would like to call your attention to the original L. D. 43 and in that the Governor had requested a two million dollar capital reserve fund for each of the next two years. That has not been brought up today and I would like to again state to you the reasons for it.

The surplus estimates that fluctuated from a deficit in 1951 of \$198,000.00 plus to an all time high of eight million plus this year. In 1951 we had the state property tax assessed which was thrown into this surplus which helped out in the last four years in bringing it up.

I would also like to call your attention to the fact that the 96th Legislature left unfilled needs for capital improvement of three million and three hundred thousand dollars; the 95th left an unfilled need in capital improvement of three million, eight hundred and seventy-three thousand; and the 96th Legislature left capital unfilled needs of nine million, eight hundred and thirty-six dollars. To me that shows the need of looking toward the future and making plans to fulfill these capital needs.

This Bill on which we are about to vote at the present time does not fulfill that need. It also does not fulfill one other very important need which I feel that we should have and that is to have extra help in the Bureau of Purchases. Here is a place where a lot of the tax money is being lost. As I stated the other day, two instances, one was where a carload of tomatoes was bought, it was stored before it was checked and when they came to use it, it was unfit to be used. And another case was in the buying of flour for one of our sanatoriums, they did not have space to put the flour and keep it for a very long time and half of that was lost. To me something should be done to

stop this waste. And I ask that when the vote is taken, it be taken by roll call.

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

Mr. REED: Mr. Speaker, Members of the House: I would just like to once again endorse the tax program as presented and given to you by the majority of the Tax Committee and would just like to say that as I understand the increase from the sales tax as presented by the minority party would exempt such articles as mink coats and evening gowns while increasing by 50 per cent the tax on restaurant meals, matches and baby powder.

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

Mr. BROWN: Mr. Speaker, Ladies and Gentlemen of the House: I understand the Taxation committee has done a wonderful job on this. I really do not know how we will vote when the roll call is called up yonder, but considering that they are all opposed to it, or the most of the inhabitants are opposed to it, I think what should concern us most is how we vote when the roll call is here in the 97th Legislature.

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

Mr. ELWELL: Mr. Speaker and Members of the House: I believe that in this matter our Governor has fulfilled the responsibilities that rest upon him in as forthright and straightforward a manner as is humanly capable for any man to do.

His program is tailored to meet the minimum needs of our State within the means of our people. It is a progressive program and as such it will cost money. He has recognized that fact at the outset and has provided a sound tax principle to finance it. That the public is reconciled to this tax was manifested at the hearing when they failed to appear against it.

Our people no longer care to get along by going without. They recognize that the future belongs to those who prepare for it, and they are willing to pay their fair share of

the price of progress in any fair and equitable manner that can be devised.

We should consider here that his tax program meets both our needs and meets with the will of the people. In looking for any new source of tax revenue we should remember that all that glitters is not gold. This stop-gap tax measure has been weighed in the balance and found wanting.

It is wanting in that it provides for our needs only partially and then only temporarily. It is not a program of readjustment but maladjustment. It could open the door to an increase in the gasoline tax by not providing relief to the highway fund by sharing more of the cost of the state police. I have at times, I will admit, looked at this bill as a compromise. But in that sense we would be compromising not a program but a principle. We would be compromising those unfortunates in the institutions who are not here to speak for themselves. We would be compromising our youth to whom we owe a decent education, and we would be compromising those towns to whom we had promised an equitable subsidy law if we do not furnish the funds to pay 100 per cent of that law.

This piecemeal tax program would leave a sting, and a bitter resentment upon which the finances of our state would rest, not permanently but only as upon quicksand.

The Governor has left with us and with the people a sound, conscientious and humanitarian program. The people are with him, and the people will not be denied, they want as he does no part in playing politics with human destiny.

The Governor has cited the needs of our schools, our institutions, and for industrial development. His words are oaks in acorns. They are words that the State of Maine has been waiting a long time to hear.

I hope that we can reconcile our differences while there is still time left to do so. Thank you.

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

Mr. HAUGHN: Mr. Speaker, I do not wish to see anybody shut off but I think we have discussed this amply enough and I move the previous question.

The SPEAKER: The gentleman from Bridgton, Mr. Haughn, 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 stand in their places 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? All those in favor will say aye; those opposed, no.

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

The SPEAKER: The gentleman from Raymond, Mr. Edwards, has requested a ye and nay vote. The yeas and nays must be taken if one-fifth of the members present desire it. All those desiring that the vote be 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 signified their desire for the yeas and nays to be taken, the yeas and nays are ordered.

The pending question before the House is: Shall An Act Making Supplemental Appropriations for the Expenditures of State Government and for Other Purposes for the Fiscal Years Ending June 30, 1956 and June 30, 1957, and to Provide Additional Revenue to General Fund, House Paper 1229, Legislative Document 1512, be passed to be enacted as an emergency measure.

A ye and nay vote has been ordered. All those in favor of the passage of this Bill to be enacted as an emergency measure will,

when the Clerk calls their name, answer yes; those opposed will answer no.

The Clerk will call the Roll.

### Roll Call

YEA—Allen, Anderson, Anthoine, Baird, Bean, Bibber, Bowie, Bragdon, Brewster, Briggs, Brockway, Brown, Baileyville; Browne, Bangor; Carter, Etna; Carter, Newport; Caswell, Cates, Charles, Childs, Christie, Couture, Bath; Crockett, Curtis, Davis, Calais; Denbow, Dicker, Dunn, Edgar, Evans, Fay, Ferguson, Files, Finemore, Foss, Foster, Fuller, China; Fuller, So. Portland; Getchell, Gilmartin, Hancock, Hanson, Harnden, Hatfield, Haughn, Henry, Hilton, Howard, Jack, Jacobs, Jennings, Kimball, Knight, Lawry, Libby, Lindsay, Lord, Mann, Martin, W. Gardiner; Maxwell, McCluskey, McGlaufflin, Michaud, Needham, Olpe, Osborne, Palmeter, Pierce, Pike Potter, Quinn, Reed, Rich, Roberts, Brooklyn; Roberts, Dexter; Rogerson, Ross, Bath; Ross, Brownville; Roundy, Sanborn, Sanford, Seaward, Shaw, Skolfield, Stanley, Bangor; Stanley, Hampden; Stanwood, Staples, Stilphen, Storm, Tarbox, Thomas, Totman, Wade, Wadleigh, Walter, Whiting, Willey, Williams Winchenpaw, Woodworth, Trafton.

NAY — Albert, Alden, Babineau, Bernier, Cianchette, Cook, Cormier, Cote, Lewiston; Cote, Madison; Courtois, Couture, Lewiston; Coyne, Cyr, Dostie, Dudley, Duquette, Edwards, Elwell, Flynn, Greenleaf, Jones, Kinch, Lamb, Latno, Nadeau, Porell, Reynolds, Valley, Walls, Walsh.

ABSENT—Beal, Blanchard, Call, Cole, Davis, Westbrook; Dumais, Earles, Gardner, Greene, Higgins, Jacques, Letourneau, MacDonald, Madore, Malenfant, Martin, Eagle Lake; Pullen, Sansoucy, Soule.

Yes 101; No 30; Absent 19.

One hundred and one having voted in the affirmative, thirty having voted in the negative, nineteen being absent, the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

An Act relating to Corporate Mergers (S. P. 404) (L. D. 1118)

An Act to Require Public Buildings to be Safely Constructed (S. P. 420) (L. D. 1171)

An Act relating to Size of Fish and Number and Weight of Catch (S. P. 550) (L. D. 1488)

An Act relating to Fees of Bail Commissioners (H. P. 484) (L. D. 529)

Resolve in favor of John J. McDonough of Westbrook (H. P. 96) (L. D. 1511)

Resolve Providing for Construction of a Substitute Road in Howland (H. P. 356) (L. D. 394)

Resolve Designating New Bridge at Guilford as "Guilford Memorial Bridge" (H. P. 1233)

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

The SPEAKER: The Chair requests the Sergeant-at-Arms to kindly escort the gentleman from Orono, Mr. Needham, to the rostrum for the purpose of presiding as Speaker pro tem.

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

### Orders of the Day

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

Mr. FAY: Mr. Speaker and Members of the House: As a new member of the Legislature perhaps I should not be speechmaking. I am not a master of the forensic art, nor am I an expert on Government. But as the weeks have rolled by, the pieces of the pattern that make up the State Government have begun to fit together in my mind. Of course I do not agree with anyone on everything, that I expected. Nevertheless, the general picture was becoming somewhat clearer, or at least less dim.

Then last week Governor Muskie came before us supposedly to clarify the issues. He suggested that maybe I am confused. After listening to him I am willing to freely admit that I am confused. I am not

only confused, I am perplexed, puzzled and bewildered.

Governor Muskie started off by saying that he would be objective and non-partisan. Then he spent more than half his time telling what his goals for the state are, the principles he has supported in the past, and what appropriation measures of his the Legislature was not providing for.

I had expected Governor Muskie's purpose in asking the Legislature to convene was to argue for every last drop of his program. Certainly we have gone way beyond half way to meet him. But apparently I was wrong. It was an objective and non-partisan speech, for the Governor said so.

Governor Muskie said he is for economy and that the people cannot afford luxuries and yet he would appropriate \$79½ million for this biennium compared to \$66½ million appropriated by the 96th Legislature, and if my primary school arithmetic is still correct, that is \$13 million more.

I would have thought Governor Muskie was a good phrase maker when he said that his supplemental budget recommendations were "the rock-bottom price of progress". Apparently it must be the objective and non-partisan truth.

Governor Muskie says that his proposed increase in the Sales Tax with added exemptions would relieve the tax burden of those least able to pay. I had thought our objective was to make the tax burden as easy as possible for the average citizen. But I must be mistaken for Governor Muskie gave us a completely honest analysis, he said so himself.

Governor Muskie said he conceived it his duty to place the facts before us Legislators. I had hoped that he would bring us back new light on the proposed Federal Highway Legislation, new light which he had gathered from his recent Washington trip. It seemed to me that would have been a real help. I guess I am new in politics.

However, on the contrary, I cannot help but wonder if perhaps he may not be somewhat confused.

The SPEAKER pro tem: The Chair lays before the House the first item of unfinished business, House Report, "Ought not to pass" of the Committee on Highways on Resolve to Construct Portions of Pequawket Trail, Oxford County, House Paper 355, Legislative Document 393, tabled on April 29 by the gentleman from Brownfield, Mr. Olpe, pending acceptance.

The Chair recognizes the gentleman from Brownfield, Mr. Olpe.

Mr. OLPE: Mr. Speaker and Ladies and Gentlemen of the House: Originally when I heard that this bill came out "Ought not to pass" I had planned to ask for a substitution of the bill for the report. However, since then I have consulted with the Highway Commission and they inform me that they will not deviate from their present program for the next two years, and far be it from me to upset the budget by any request. However, I would like it to become clear and on the record that this resolve has been agreed upon by the Highway Committee as well as the Highway Commission that this portion of road should be constructed. It is in dire need of rebuilding, it is an important road, and as previously stated it carries much of the Canadian traffic which means great revenue to the state. I also mention that a bill coming out such as this "Ought not to pass" might tend these members to believe that it is not important and should not be passed, and it was mentioned by a member of the Committee that they felt also that that might be the case, and perhaps it should have come out as "Leave to Withdraw". This is just another example of highways that should be done, and we do not have sufficient funds to carry them through. I do hope that this Legislature when the proper time comes sees fit to pass legislation whereby this and other needy highways can be constructed in the near future. Reluctantly I move we accept the report of the Committee.

The SPEAKER pro tem: The gentleman from Brownfield, Mr. Olpe, moves that the "Ought not to pass" Report of the Committee 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 pro tem: The Chair now lays before the House the second item of unfinished business, Resolve to Simplify the Open Water Fishing Laws by Counties, House Paper 1220, Legislative Document 1499, tabled on May 5 by the gentleman from Auburn, Mr. Wade, pending second reading.

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

Mr. COTE: Mr. Speaker and Members of the House: The gentleman from Lewiston, Mr. Dumais, has an amendment to put on this bill. He is not here today so I move that this be tabled until tomorrow.

The SPEAKER pro tem: The gentleman from Lewiston, Mr. Cote, moves that the Resolve with accompanying papers lie on the table pending second reading and be specially assigned for tomorrow, Tuesday, May 10. Is this the pleasure of the House?

For what purpose does the gentleman from Medway, Mr. Potter, arise?

Mr. POTTER: Mr. Speaker, I would like to ask a question of the Chair or the Clerk. Would it be possible for the gentleman from Lewiston, Mr. Cote, to put on the amendment tomorrow that the gentleman from Lewiston, Mr. Dumais, has been waiting for two days? Could he put on the same amendment himself?

The SPEAKER pro tem: The Chair would state that if the gentleman from Lewiston, Mr. Cote, wishes to present an amendment, the House will act on it.

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

Mr. COTE: Mr. Speaker and Members of the House: If I am in order, I would like to present the amendment of the gentleman from Lewiston, Mr. Dumais, the same amendment. If the order is reproduced, I will present it.

The SPEAKER pro tem: The question before the House is on the motion of the gentleman from Lewiston, Mr. Cote, that the Resolve with accompanying papers be tabled

pending second reading and be specially assigned for tomorrow. Is this the pleasure of the House?

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

The SPEAKER pro tem: The Chair lays before the House the third item of unfinished business, Resolve to Simplify the Ice Fishing Laws by Counties, House Paper 1221, Legislative Document 1500, tabled on May 5 by the gentleman from Auburn, Mr. Wade, pending second reading, and the Chair recognizes that gentleman.

Mr. WADE: Mr. Speaker, this resolve was also tabled in my name because I believed someone else had some other amendments pending. If there are no further amendments, I would move that the resolve be given its second reading.

The SPEAKER pro tem: The gentleman from Auburn, Mr. Wade, moves that the Resolve be given its second reading.

For what purpose does the gentleman from Medway, Mr. Potter, arise?

Mr. POTTER: Mr. Speaker, may I address the House briefly in regard to these two bills?

The SPEAKER pro tem: The gentleman may proceed.

Mr. POTTER: Mr. Speaker, this bill and the previous bill are long involved bills. Your committee does not care regarding the number of amendments put on them but we would, as I stated two weeks ago, like to see all the amendments made before the bill is passed to be engrossed. If there are any further amendments, the gentleman from Auburn, Mr. Wade, thinks anyone has in mind, I think it should be tabled. On the other hand, if we keep them tabled too long, it is going to take considerable time to have them engrossed, and they still have to be passed by the Senate. It can very well tie up our work here waiting for these long bills to be engrossed unless we get them finally amended and sent to the Senate as they should be.

Thereupon, the motion prevailed and the Resolve was given its second reading, passed to be engrossed as amended by House Amendments

“A”, “B”, “C”, “D”, “E”, “F”, “G”, “H”, and “I” and sent to the Senate.

The SPEAKER pro tem: The Chair lays before the House the fourth item of unfinished business, An Act relating to Deception as to Retail Prices of Motor Fuel, House Paper 1219, Legislative Document 1495, tabled on May 5 by the gentleman from Kennebunkport, Mr. Bibber, pending passage to be enacted.

The Chair recognizes the gentleman from Cornish, Mr. Evans.

Mr. EVANS: Mr. Speaker, under suspension of the rules, I move that we reconsider our action whereby we passed L. D. 1495 to be enacted.

The SPEAKER pro tem: The Chair understands that the gentleman from Cornish, Mr. Evans, moves that under suspension of the rules the House reconsider its action whereby the Bill was passed to be engrossed on April 28, 1955. Is this the pleasure of the House?

The motion prevailed.

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. 1219, L. D. 1495, Bill “An Act relating to Deception as to Retail Prices of Motor Fuel.”

Amend said Bill by striking out from next to last line the underlined word “and” and inserting in place thereof the underlined words ‘or displayed’

Further amend said Bill by striking out from the next to the last and the last line thereof the underlined words “or reservation”

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

The SPEAKER pro tem: The Chair now lays before the House the fifth item of unfinished business, Senate Divided Report, Majority Report “Ought to pass” in New Draft under new title “An Act to Provide Special Disability Compensation for Members of Organized Fire Companies”, Senate Paper 561, Legislative Document 1517, and Minority

Report "Ought not to pass" of the Committee on Labor on Bill "An Act to Provide Disability Compensation for Members of Organized Fire Companies", Senate Paper 299, Legislative Document 807, tabled on May 6 by the gentleman from Friendship, Mr. Winchenpaw, pending acceptance of either report, and the Chair recognizes that gentleman.

Mr. WINCHENPAW: Mr. Speaker, I move that we accept the majority "Ought to pass" in new draft report of the committee.

The SPEAKER pro tem: The gentleman from Friendship, Mr. Winchenpaw, moves that the Majority Report "Ought to pass" in New Draft be accepted in concurrence. Is this the pleasure of the House?

The motion prevailed.

Thereupon, the Bill was given its two several readings.

On motion of Mr. Charles of Portland, under suspension of the rules, the Bill was given its third reading and passed to be engrossed in concurrence.

The SPEAKER pro tem: The Chair lays before the House the sixth item of unfinished business, Resolve Designating Road from Fort Kent to Allagash Plantation as a State Road, House Paper 889, Legislative Document 997, tabled on May 6 by the gentleman from Hanover, Mr. Ferguson, pending passage to be engrossed, and the Chair recognizes that gentleman.

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

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

HOUSE AMENDMENT "A" to H. P. 889, L. D. 997 to Resolve Designating Road from Fort Kent to Allagash Plantation as a State Road.

Amend said Resolve by deleting therefrom the following underlined words "**Fort Kent to Allagash Plantation**" and substituting in place thereof the following underlined words:

**'the State Highway in Fort Kent, westerly to the Allagash River bridge in Allagash Plantation.'**

House Amendment "A" was adopted and the Resolve was passed to be engrossed as amended by

House Amendment "A" in non-concurrence and sent up for concurrence.

The SPEAKER pro tem: The Chair lays before the House the first tabled and today assigned matter, Senate Report of the Committee on Towns and Counties reporting "Ought to pass" on Bill "An Act relating to Clerk Hire in Office of Register of Probate of Cumberland County", Senate Paper 279, Legislative Document 709, tabled on May 6 by the gentleman from Portland, Mr. Charles, pending acceptance.

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

Mr. BIBBER: Mr. Speaker, evidently the gentleman from Portland, Mr. Charles, has left the Hall for a little while. I move that this lie on the table and be definitely assigned for tomorrow. I believe he has an interest in it.

The SPEAKER pro tem: The gentleman from Kennebunkport, Mr. Bibber, moves that the Report and Bill lie on the table pending acceptance of the Committee Report and be specially assigned for tomorrow. Is this the pleasure of the House?

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

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

On motion of the gentleman from Bangor, Mr. Quinn, the House voted to take from the table the sixth tabled and unassigned matter, An Act Providing for Maintenance of Certain Road in Baxter State Park, House Paper 704, Legislative Document 772, tabled by that gentleman on March 30 pending passage to be enacted.

On further motion of the same gentleman, the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

On motion of the gentleman from Freeport, Mr. Crockett, the House voted to take from the table the second tabled and unassigned matter, House Report "Ought not to pass" of the Committee on High-

ways on Bill "An Act relating to Service Roads on Controlled Access Highways", House Paper 648, Legislative Document 725, tabled on March 23 by that gentleman, pending acceptance.

The SPEAKER pro tem: The Chair recognizes the gentleman from Freeport, Mr. Crockett.

Mr. CROCKETT: Mr. Speaker, I now move that the Bill be substituted for the Report.

The SPEAKER pro tem: The gentleman from Freeport, Mr. Crockett, moves that the Bill be substituted for the "Ought not to pass" Report of the Committee. Is this the pleasure of the House?

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

Mr. TOTMAN: Mr. Speaker and Members of the House: I am in a very embarrassing position in rising here. Inasmuch as I feel that this is a Highway Committee measure, I did attend the hearing. I do know how the department feels on this bill. I notice that the committee has reported it out "Ought not to pass" and I would hope at this time that some member of the Highway Committee would speak on the bill. If not, if there is no member present, I would definitely request that this bill be tabled until tomorrow.

The SPEAKER pro tem: The Chair would inquire if the gentleman wishes to table it?

Mr. TOTMAN: Yes, Mr. Speaker.

The SPEAKER pro tem: The gentleman from Bangor, Mr. Totman, moves that the Report and Bill be tabled pending the motion of the gentleman from Freeport, Mr. Crockett, that the Bill be substituted for the Report and be specially assigned for tomorrow. Is this the pleasure of the House?

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

On motion of the gentleman from Raymond, Mr. Edwards, the House voted to take from the table the forty-seventh tabled and unassigned matter, An Act relating to Installations Within Highway Limits, Senate Paper 93, Legislative Document 223,

tabled by that gentleman on May 3 pending passage to be enacted.

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

Mr. EDWARDS: Mr. Speaker, I now move that it be passed to be enacted.

The SPEAKER pro tem: The gentleman from Raymond, Mr. Edwards, moves that the Bill be passed to be enacted. Is this the pleasure of the House?

The motion prevailed and the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

The SPEAKER pro tem: The Chair recognizes the gentleman from Kennebunkport, Mr. Bibber.

Mr. BIBBER: Mr. Speaker, a few moments ago, I laid on the table Senate Report, number one on page twelve and assigned it for tomorrow. I would now like to move that we reconsider our action and take it from the table.

The SPEAKER pro tem: The Chair would request the gentleman to kindly defer.

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

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

The SPEAKER pro tem: The gentleman from Kennebunkport, Mr. Bibber withdraws his motion.

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

Mr. TOTMAN: Mr. Speaker, I apologize to the House. The gentleman who wished to speak on the bill I am now going to move came back in and got away again. But I am still going to go ahead and move that Item 43, page 18, L. D. 1163, be taken from the table at this time and before I make a motion I would like to speak to my plan of action on this bill so that we may possibly save time.

The SPEAKER pro tem: The gentleman from Bangor, Mr. Totman, moves that the forty-third tabled and unassigned matter, Bill "An Act relating to Lights on Rear of Trucks", House Paper 1023, Legislative Document 1163, tabled by



that gentleman on April 28 pending third reading be taken from the table. Is this the pleasure of the House?

The motion prevailed.

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

Mr. TOTMAN: Mr. Speaker and Members of the House: I would now move that we reconsider our action whereby we adopted the amendment shown on our calendar, filing 358, in order that I may offer House Amendment A which meets with the approval and consent of a majority of the Committee. I might state before taking a vote on this measure, that it was my sincere intention to take this bill off of the table in the presence of the gentleman from Pittsfield, Mr. Cianchette, but he left the House just before I made the motion, and I believe that he will wish to speak on this at a little later date. I now make the motion that we reconsider our action whereby we passed amendment, filing 358.

The SPEAKER pro tem: The gentleman from Bangor, Mr. Totman, moves that under suspension of the rules, the House reconsider its action whereby Committee Amendment "A" was adopted on April 27. Is this the pleasure of the House?

(Cries of "No")

The SPEAKER pro tem: All those in favor of the motion of the gentleman from Bangor, Mr. Totman, will say aye; those opposed, no.

A viva voce vote being taken, the motion prevailed.

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

Mr. TOTMAN: Mr. Speaker and Members of the House: I would now present House Amendment "A" and I note that the gentleman from Pittsfield, Mr. Cianchette, has returned. I would like to explain briefly this House Amendment "A" which is filing 415. In an attempt to improve the highway safety of the majority of the large trucks that operate on the highway, I contacted the Public Utilities Department for State Government, and from my conversation with the Public Utili-

ties it was agreed that our State of Maine Statutes are lacking and have a loophole for the lighting required on the rear of trucks. Statistics show that we have had during the past year 917 rear-end collisions, and of the 917 rear-end collisions, 611 occurred in rural areas. The point of rural rear-end collisions is that obviously those that might have occurred in the urban area could have been traffic lights or not related to lack of lights on the rear of vehicles. Now I am not prepared to say that all these rear-end collisions were caused by failure of vehicles to have lights, and I further wish to state quite honestly that of the 917 accidents, there is not available a breakdown of those that are passenger cars and those that are trucks. However, there was a very distinct accident which occurred in the Hainesville Woods area in which two people were killed because a pulp truck was parked at night without lights, did not have proper rear end lights. I think there have been sufficient accidents wherein people have hit the rear end of trucks at night because of improper lighting, that this bill endorsed by the Public Utilities Commission would certainly aid highway safety, and in talking with the gentleman from Pittsfield, Mr. Cianchette, he pointed out to me that he in his business and others in a similar business, have difficulty keeping lights on the rear of construction trucks and that those trucks do not operate at night. As a consequence I went down and talked with the Secretary of State in an endeavor to draw up an amendment that would meet the requirements of these people and have discovered if we try to amend the bill at this late date it would take the entire teeth out of the law as it now stands. I would like to point out that the amendment I would offer requires only one more red light which can be part of the present signal lights on trucks than is presently required, and it will bring the Maine Statutes into conformity with the I.C.C. regulations and the Public Utilities Commission regulations, and at this time I move the adoption of House Amendment A, filing 415.

The SPEAKER pro tem: The gentleman from Bangor, Mr. Totman,

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 H. P. 1023, L. D. 1163, Bill "An Act relating to Lights on Rear of Trucks."

Amend said Bill by striking out all of the underlined words and punctuation in the 19th, 20th and 21st lines and inserting in place thereof the following underlined words and punctuation: **'on the rear, 2 red clearance lamps or 2 red tail lamps; one red or amber stop lamp and 2 red reflectors, one at each side'**

The SPEAKER pro tem: The Chair recognizes the gentleman from Pittsfield, Mr. Cianchette.

Mr. CIANCHETTE: Mr. Speaker and Ladies and Gentlemen of the House: I am sorry to have to get up here at this time. I thought that this thing had been taken care of before, or would have been taken care of. I do have objections to this amendment as written as the previous speaker has pointed out, and I am not the only one who has objection. There is one part of this—I missed part of this conversation and I hope I am not out of order here in stating that the amendment, the part of it that reads: "one red or amber stop lamp", the State Police have voiced very definite objection to that part of the amendment in the hearing. I did attend the hearing on this matter. I feel that the Committee in whole gave the matter very serious consideration, and they reported the bill out as best they saw fit. I understand the gentleman's endeavor here, I do not disagree with him, and his intent, but I would like to point out again that this amendment is very hard to comply with. As a matter of fact, I am willing to go on record here in saying that we as contractors and many of the farm trucks and logging trucks do not comply with even the present statute. I may get pinched for that statement but it is the truth. We comply with them about two weeks out of the year, the week following inspection. We have to inspect them, we have to get these extra lights put on, but as to any of you who are

familiar with the problem, I ask you how long you can keep a light on the back of a truck that a bulldozer is pushing three or four times a day. It is impossible to do so. The amendment that I had hoped would be offered which would make it agreeable and let everyone live within the law, I understand the over-the-road highway users do comply with this law and have no strenuous objections. They are in that position because their trucks are not put to the use and abuse that some of the others are. I want to make it clear too that I am not speaking just for myself, there are many other trucks besides mine that come under these regulations. I feel it is too bad to have a law on the books that people just cannot live with, it is impossible to do so. The State Police recognize this fact. I have talked about it many times with them. I will be frank about it, the State Police are usually pretty good with us, they understand the situation and they do not penalize us every time they catch one of those trucks so long as they are operated within the daylight hours. In the case of my trucks because I know them better than others, 95 per cent of the time or even more than that they are not on the road after dark. If I have trucks on the road after dark I would expect to comply with the statute like anyone else, but I think it is too bad to penalize people who have trucks that are used only during the daylight hours to have to maintain these lights. Therefore, I am forced to move that this amendment be indefinitely postponed.

The SPEAKER pro tem: The gentleman from Pittsfield, Mr. Cianchette, moves that House Amendment "A" be indefinitely postponed.

The Chair recognizes the gentleman from Cornish, Mr. Evans.

Mr. EVANS: Mr. Speaker and Members of the House: I think I would have to concur with the gentleman from Pittsfield, Mr. Cianchette, on this motion where running a garage I find with the gravel trucks it is really impossible to keep a light in working condition on the back where they are pushed around as was stated by a bulldozer, and as to the amber stop lamp, it has been the practice of

the State Department for years to recognize an amber or a green light reflector on the front of a truck, and the red is definitely in the rear, so I am afraid that would cause a lot of confusion and might lead to more accidents by people thinking they had the front end when they were really coming up behind the truck.

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

Mr. DUDLEY: Mr. Speaker and Members of the House: I find that most accidents are caused from no lights, lights being out altogether, and two or three more lights on the back and them out also, does not better the situation a bit. Most of the trucks in my area are pulp trucks, and they haul wood out of the woods and it is nearly impossible to keep one light on there. I would like to see this bill indefinitely postponed along with its accompanying papers.

The SPEAKER pro tem: The Chair recognizes the gentleman from Pittsfield, Mr. Cianchette.

Mr. CIANCHETTE: Mr. Speaker, will the motion just made take precedence over the one that I made?

The SPEAKER pro tem: The Chair would state that it does not. The motion is to indefinitely postpone House Amendment "A".

Mr. CIANCHETTE: Mr. Speaker, I will withdraw that motion and restate the motion to indefinitely postpone the amendment with accompanying papers.

The SPEAKER pro tem: The Chair will entertain a motion to indefinitely postpone the amendment but not a motion to indefinitely postpone the bill, at this time.

Mr. McGLAUFILIN of Portland: Mr. Speaker, I rise to a point of order.

The SPEAKER pro tem: The gentleman may state his point of order.

Mr. McGLAUFILIN: Mr. Speaker, I do not understand that the amendment has yet been adopted. You can not postpone an amendment which has not been adopted.

The SPEAKER pro tem: The question before the House is on the motion of the gentleman from Bangor, Mr. Totman, that House Amendment "A" be adopted, the

gentleman from Pittsfield, Mr. Cianchette, having withdrawn his motion to indefinitely postpone the amendment. Does the gentleman wish to renew that motion?

Mr. CIANCHETTE: Mr. Speaker aren't we discussing this bill? Isn't the bill under debate as well as the motion?

The SPEAKER pro tem: The question before the House is on the motion of the gentleman from Bangor, Mr. Totman, that House Amendment "A" be adopted.

The Chair would state that the motion to indefinitely postpone is below in precedence to the motion to amend.

Does the gentleman wish to indefinitely postpone the amendment, only?

Mr. CIANCHETTE: Mr. Speaker, at this time, I will move to indefinitely postpone the amendment. Later on, I will move to indefinitely postpone the rest of it.

The SPEAKER pro tem: The gentleman from Pittsfield, Mr. Cianchette, moves that House Amendment "A" be indefinitely postponed.

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

Mr. CURTIS: Mr. Speaker and Members of the House: I am quite concerned with what the amendment might do to farm trucks. I do heartily believe that all farm trucks should have a light and it should be in working order if they happen to be caught out at night which they seldom are, a great majority of them. I also believe they should have reflectors. Some farm trucks, practically all of them, have to have signal lights, and the amendment as it is written, I do not see how it could help out anything except to put on another light, and I do not believe we need it on farm trucks and I was in hopes there would be something to cover that if we were going to have an amendment, because one light going and a directional light seems to be all that you can possibly keep going on a farm truck, and I do not see what good any more lights would be.

The SPEAKER pro tem: The Chair recognizes the gentleman from Fairfield, Mr. Osborne.

Mr. OSBORNE: Mr. Speaker, I would like to inquire through the

Chair if a motion at this time to amend the bill and all accompanying papers would take precedence?

The SPEAKER pro tem: The Chair will state that the House must pass on the amendment first.

The question before the House is on the motion of the gentleman from Pittsfield, Mr. Cianchette, to indefinitely postpone House Amendment "A". Is this the pleasure of the House?

The motion prevailed.

Thereupon, Committee Amendment "A" was indefinitely postponed.

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

Mr. TOTMAN: Mr. Speaker, my chief objective in bringing this bill before the House frankly was to clean up the calendar so, therefore,

I make the motion that the Bill be indefinitely postponed because without the amendment frankly it is of little value and my sole aim is to speed up legislation.

The SPEAKER pro tem: The gentleman from Bangor, Mr. Totman, moves that the Bill be indefinitely postponed. Is this the pleasure of the House?

The motion prevailed and the Bill was indefinitely postponed and sent up for concurrence.

---

Thereupon, the Clerk read the notices not on the printed sheet.

---

On motion of Mr. Bibber of Kennebunkport,

Adjourned until eight-thirty o'clock tomorrow morning, Eastern Standard Time.