

# 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**

Saturday, May 21, 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 journal of the previous session was read and approved.

**Conference Committee Report**

Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill "An Act relating to Frontage Roads on Controlled Access Highways" (H. P. 649) (L. D. 726) reporting that they are unable to agree.

(Signed)

CROCKETT of Freeport  
CHARLES of Portland

— Committee on part of House.

PARKER of Piscataquis  
SINCLAIR of Somerset  
COLE of Waldo

— Committee on part of Senate.

Report was read and accepted and sent up for concurrence.

**Conference Committee Report**

Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature on Resolve for a Recess Committee to Study All Phases of Stream and Water Pollution with a View toward Determining a Practical Solution and the Cost Thereof (H. P. 966) (L. D. 1092) reporting that they are unable to agree.

(Signed)

LIBBY of Camden  
PIERCE of Bucksport  
LAMB of Eastport

— Committee on part of House.

BUTLER of Franklin  
FARLEY of York  
WYMAN of Washington

— Committee on part of Senate.

Report was read and accepted and sent up for concurrence.

**Paper from the Senate**

From the Senate: The following Communication:

**STATE OF MAINE  
SENATE CHAMBER  
OFFICE OF THE SECRETARY**

May 21, 1955

Honorable Harvey R. Pease  
Clerk of the House of  
Representatives  
Ninety-seventh Legislature  
Sir:

The Senate today voted to insist on its former action on Bill "An Act Providing for a Director of Recreation Under the State Park Commission" (H. P. 1121) (L. D. 1319) and to join a Committee of Conference. The President appointed the following conferees on the part of the Senate:

Senators:

COLLINS of Aroostook  
CHAPMAN of Cumberland  
SINCLAIR of Somerset

Respectfully,

(Signed) Chester T. Winslow  
Secretary of the Senate

The Communication was read.

On motion of Mr. Childs of Portland, on division eighty-three to three the House voted to place the Communication on file.

**(Off Record Remarks)**

The SPEAKER: While the House is proceeding off the record, the Chair requests the Sergeant-at-Arms to escort the gentleman from Lewiston, Mr. Malenfant, to the rostrum for the purpose of presiding as Speaker pro tem.

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

**(Off Record Remarks)**

At this point, Speaker Trafton returned to the rostrum.

Thereupon, the Sergeant-at-Arms conducted the gentleman from Lewiston, Mr. Malenfant, to his seat on the floor, amid the applause of the House and Speaker Trafton resumed the Chair.

The SPEAKER: The Chair would like to thank the gentleman from Lewiston, Mr. Malenfant, for his grand sense of humor while the

House waited for enough members to arrive to act on the enactors.

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

An Act to Appropriate Moneys for Legislative Expenditures for the Fiscal Year Ending June 30, 1955 (S. P. 592) (L. D. 1562)

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

#### **Emergency Measure**

An Act to Make Allocations from the General Highway Fund for the Fiscal Years Ending June 30, 1956 and June 30, 1957 (S. P. 594) (L. D. 1556)

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. 109 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 Providing for Non-Lapsing of Expenditures for Airports (S. P. 108) (L. D. 269)

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. 109 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 Granting a Complimentary Fishing License to the President of the United States of America (H. P. 1266)

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. 110 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 Descent of Real Estate in Divorce Cases (S. P. 38) (L. D. 27)

An Act relating to Official Court Reporters (S. P. 109) (L. D. 270)

An Act relating to Pensions for Dependents of Deceased Policemen of City of Lewiston (S. P. 163) (L. D. 357)

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

An Act relating to Powers of the Greater Portland Public Development Commission (S. P. 595) (L. D. 1559)

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

#### **Enactor**

#### **Passed Over Temporarily**

An Act relating to Checking Speed of Motor Vehicles by Electrical Devices (H. P. 109) (L. D. 117)

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

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

Mr. DUMAIS: Mr. Speaker and Ladies and Gentlemen of the House: I see that this radar bill is back here. I do not like the looks of it. I mean, I think it is just putting your foot into the door and I would like —

The SPEAKER: The Chair would inquire if the gentleman would like the matter laid aside at this time?

Mr. DUMAIS: Mr. Speaker, I would like to indefinitely —

The SPEAKER: The Chair would request the gentleman to simply defer his motion and move to have

this matter laid aside and it will be taken up separately.

Mr. DUMAIS: That is right, Mr. Speaker, that is what I would like.

The SPEAKER: The gentleman from Lewiston, Mr. Dumais, requests that Item 9 be passed over at this time.

An Act Repealing Statement of Contributions and Expenses by Certain Municipal Candidates (H. P. 191) (L. D. 196)

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

An Act relating to Joint Ownership Re Inheritance Tax Law (H. P. 912) (L. D. 1020)

An Act relating to Qualifications for Real Estate Brokers' Licenses (H. P. 1043) (L. D. 1218)

An Act Classifying Additional Surface Waters in Maine (H. P. 1230) (L. D. 1513)

An Act Amending Laws on Water Pollution Control (H. P. 1231) (L. D. 1514)

An Act relating to Bonds for the Treasurer of State, His Deputy and Employees (H. P. 1263) (L. D. 1561)

#### Finally Passed

Resolve in favor of Matinicus Island (H. P. 1267) (L. D. 1563)

Resolve in favor of Elizabeth J. Stevens, of Augusta (S. P. 257) (L. D. 686)

Resolve in favor of the Eastport Highway Bridge (S. P. 310) (L. D. 849)

Resolve relating to Anticipation of State Aid Funds by Town of Bremen (H. P. 775) (L. D. 858)

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

Item 9, which was passed over temporarily, An Act relating to Checking Speed of Motor Vehicles by Electrical Devices (H. P. 109) (L. D. 117)

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

Mr. DUMAIS: Mr. Speaker and Members of the House: We have

heard about this radar I think when the gentleman from Portland, Mr. Fuller, mentioned the Gestapo methods that this would create. I am given to understand that the State Police have borrowed a radar from the Highway Department. It would be better for us, instead of spending this money at this time to let them experiment with the one that they have and wait until the next session before we go fully into this. My experience with radar, especially on planes, they have been very bad to maintain and I understand that the scope on the ground, the humidity makes it obsolete at very short notice. Naturally, I think where I am speaking against this, it will probably make it quite bad for me for the next two years to be living with all these State Police knowing that I have opposed this measure. But I am certainly convinced that this is not something we should use to scare people away from slowing down at certain intersections and then speeding up again.

I think that when the gentleman from South Portland, Mr. Fuller, got up, he gave us a good explanation as to what this thing would do and I would move for indefinite postponement.

The SPEAKER: The gentleman from Lewiston, Mr. Dumais, moves that the Bill be indefinitely postponed.

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

Mr. QUINN: Mr. Speaker, through the Chair I would like to ask the gallant gentleman from Lewiston, Mr. Dumais, if he cares to answer, how fast he travels on the highways?

The SPEAKER: The gentleman from Bangor, Mr. Quinn, addresses a question through the Chair to the gentleman from Lewiston, Mr. Dumais, who may answer if he so chooses.

Mr. DUMAIS: Mr. Speaker, that is just about like answering how far is up? I will go fifty, I will go ninety, and sometimes I may wind up to one hundred and ten but I travel fifty and sixty thousand miles a year. I have a 1950 car and it depends on what I am driving. When I am driving my good one

I go fast and when I am driving a dog then I go like a dog. (Laughter) I do not believe that this means everything. I have been stopped and I have had letters written to me from the State Highway. I do not mind confessing that. I do not think it is a sin. But with this here, I am not looking out for myself because I can usually get myself out of these jams. It is for the poor unfortunate who has not got anything to say when he is stopped. And even though he should get a lawyer on this thing, the scope will take a picture of him and it is like batting your head up against a wall. What can he say? They say it is so and it usually comes out like when you get pinched in Canada. You are pinched and you are guilty until you have proven yourself innocent. (Laughter)

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

Mr. McGLAUFFLIN: Mr. Speaker and Members of the House: This matter has been thoroughly gone over by both branches of the Legislature and it seems to me rather late to start in a new argument on this matter. I think that we should pass this without delay.

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

Mr. OLPE: Mr. Speaker, through the Chair I would like to have a question answered whether or not these radar stretches are required by law to be posted with a sign that the radar is in effect.

The SPEAKER: The gentleman from Brownfield, Mr. Olpe, addresses a question through the Chair to anyone who cares to answer.

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

Mr. QUINN: Mr. Speaker and Ladies and Gentlemen of the House: I had the privilege of serving on the conference committee in non-concurrence. When this matter originally came into the House, I was under the impression that these were going to be stationary things; that you were going to know where they were and you were going to act accordingly. But I understand that they are going to be portable

and they post a dozen or so roads all around the main roads where speeding occurs as being radio controlled. The machine will be portable. It will only be in one place an interval of time so that the road will be posted: "This road is radio controlled". And at times it will be so it will have an effect of retarding speed on all the main highways that are posted.

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

Mr. WADE: Mr. Speaker and Members of the House: I certainly hope that the motion of the gentleman from Lewiston, Mr. Dumais, does not prevail. Another point that I would like to make is the strong point in favor of this type of law enforcement that the gentleman from Lewiston, Mr. Dumais, made. He has just pointed out that this kind of violation as established by this sort of a machine would be very difficult to fix. I think that is a good point.

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

Mr. MARTIN: Mr. Speaker and Ladies and Gentlemen of the House: I would like to point out that this bill we are now considering is already a compromise. Originally, I believe, there were two of these radar requested. It is a compromise to go for just one. And I do not think that I have ever heard a more eloquent argument in favor of anything than I have just heard from the excellent gentleman from Lewiston, Mr. Dumais. How anyone could listen to what he said and not vote against him I can not understand and therefore I hope you do.

The SPEAKER: Is the House ready for the question? The pending question is on the motion of the gentleman from Lewiston, Mr. Dumais, that An Act relating to Checking Speed of Motor Vehicles by Electrical Devices, House Paper 109, Legislative Document 117, be indefinitely postponed.

As many as are in favor of the motion for indefinite postponement will kindly signify by saying aye; those opposed, no.

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

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

(Off Record Remarks of the Speaker)

The SPEAKER: There is no further business before the House at this time.

If any member has anything to bring up, he may do so, otherwise the House will recess for one hour.

Is there any further business to come before the House at this time?

Thereupon, the House recessed until 11:30 A. M., Eastern Daylight Time.

#### After Recess

11:30 A.M., E.D.T.

The House was called to order by the Speaker.

#### Conference Committee Report

Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill "An Act relating to Officers of the Legislature" (S. P. 461) (L. D. 1305) reporting that both branches recede and concur in passing the Bill to be engrossed as amended by Conference Committee Amendment "A" submitted herewith.

(Signed)

BIBBER of Kennebunkport  
SHAW of Bingham  
QUINN of Bangor

—Committee on part of House.

COLLINS of Aroostook  
SINCLAIR of Somerset

CHAPMAN of Cumberland

—Committee on part of Senate.

Report was read and accepted and sent up for concurrence.

The House receded from its action of yesterday whereby the Bill was passed to be engrossed as amended by Committee Amendment "A" as amended by House Amendment "A" thereto.

Committee Amendment "A" as amended was indefinitely postponed.

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

CONFERENCE COMMITTEE AMENDMENT "A" to S. P. 461, L. D. 1305, Bill, "An Act Relating to Officers of the Legislature."

Amend said Bill by striking out all of section 2 and inserting in place thereof the following:

"Sec. 2. R. S., C. 10, Sec. 4, amended. The last sentence of the first paragraph of section 4 of chapter 10 of the revised statutes is hereby amended to read as follows:

'He shall receive a salary of \$4,000 \$5,000 in full for all official services by him performed during the regular session of the Legislature.'

Further amend said Bill by striking out all of the underlined sentence beginning with the words "When the" and ending with the words "of the Legislature" in the 4th to 9th lines of that part designated as Sec. 7 and inserting in place thereof the following underlined sentence: 'In the months of November and December next preceding the convening of the regular sessions of the Legislature, he shall keep open his office each Wednesday and Thursday for the convenience of the public and members-elect of the Legislature.'

Further amend said Bill by striking out the underlined figure "\$6,000" in the 5th line from the end thereof and inserting in place thereof the underlined figure '\$5,000'

Further amend said Bill by striking out the underlined figure "\$4,000" in the 4th line from the end thereof and inserting in place thereof the underlined figure '\$1,000'

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

The following paper from the Senate was taken up out of order and under suspension of the rules:

#### Senate Report of Committee Ought to Pass

Report of the Committee on Highways, pursuant to Joint Order (S. P. 591), reporting a Bill (S. P. 602) under title of "An Act to Make Supplemental Allocations from the General Highway Fund for the Fiscal Years Ending June 30, 1956 and June 30, 1957" and that it "Ought to pass"

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

In the House, the Report was read and accepted in concurrence, the Bill given its three several readings under suspension of the rules and passed to be engrossed in concurrence.

#### Conference Committee Report

Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature on Resolve in favor of George A. Bragdon of Lincoln (H. P. 157) reporting that they are unable to agree.

(Signed)

OLPE of Brownfield

ALBERT of Augusta

— Committee on part of House.

BUTLER of Franklin

SINCLAIR of Somerset

DUNHAM of Hancock

— Committee on part of Senate.

Report was read and accepted and sent up for concurrence.

#### Conference Committee Report

Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature on Resolve Granting a Pension to Katharine M. Rolfe of Bridgton (H. P. 388) (L. D. 1509) reporting that they are unable to agree.

(Signed)

CHARLES of Portland

WALSH of Brunswick

PALMETER of

Meddybemps

— Committee on part of House.

BUTLER of Franklin

SINCLAIR of Somerset

DUNHAM of Hancock

— Committee on part of Senate.

Report was read and accepted and sent up for concurrence.

The following papers from the Senate were taken up out of order and under suspension of the rules:

#### Non-Concurrent Matter

Resolve in favor of Helen M. Madson of Portland (H. P. 1171) (L. D. 1406) on which the House insisted on its action whereby the Resolve was finally passed.

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

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

From the Senate: The following Communication:

STATE OF MAINE

SENATE CHAMBER

OFFICE OF THE SECRETARY

May 21, 1955

Hon. Harvey R. Pease

Clerk of the House of

Representatives

Ninety-seventh Legislature

Sir:

The Senate today voted to insist on its former action on Bill "An Act relating to Hospitalization of the Mentally Ill." (S. P. 551) (L. D. 1489) and to join a Committee of Conference. The President appointed the following Conferees on the part of the Senate:

Senators:

REID of Kennebec

SILSBY of Hancock

WEEKS of Cumberland

Respectfully,

(Signed) Chester T. Winslow

Secretary of the Senate

The Communication was read and ordered placed on file.

#### Conference Committee Report

Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill "An Act relating to Hospitalization of the Mentally Ill" (S. P. 551) (L. D. 1489) reporting that they are unable to agree.

(Signed)

FINEMORE of Bridgewater

MALENFANT of Lewiston

CURTIS of Bowdoinham

— Committee on part of House.

REID of Kennebec

WEEKS of Cumberland

SILSBY of Hancock

— Committee on part of Senate.

Report was read and accepted and sent up for concurrence.

The following papers from the Senate were taken up out of order and under suspension of the rules:



From the Senate: The following Order:

ORDERED, the House concurring, that the Members of the Joint Standing Committees on Judiciary and Legal Affairs be sold the copies of the Revised Statutes of 1954 that they have used this session; such used copies to be sold, at the request of such members, by the State Librarian at  $\frac{1}{2}$  the retail price (S. P. 604)

Came from the Senate read and passed.

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

#### Non-Concurrent Matter

Bill "An Act relating to the Use of Artificial Lights for Lighting Game" (S. P. 570) (L. D. 1523) which was passed to be enacted in the House on May 17 and subsequently recalled to the Senate from the Governor by Joint Order.

Came from the Senate indefinitely postponed in non-concurrence.

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

The following Enactor was taken up out of order and under suspension of the rules:

#### Passed to Be Enacted

An Act Directing Review of General Statutes of Towns (S. P. 596) (L. D. 1557)

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

#### House at Ease

Called to order by the Speaker.

The SPEAKER: The Clerk has informed the Chair that the only notice he has is that there will be a brief Republican caucus in the Hall of the House immediately after recess.

Is there any further business to come before the House at this time?

The SPEAKER: The Chair would request the gentleman from Greenville, Mr. Anderson, to kindly ap-

proach the rostrum escorted by our good Clerk.

Thereupon, Mr. Anderson approached the rostrum amid the applause of the House.

The SPEAKER: Maurice, it was with no intention to leave you out yesterday but it was due to simply mechanical delays.

The Chair is happy to present to you a certificate this morning and will apologize to the gentleman from Lewiston, Mr. Malenfant, for being retarded in that respect but it will follow up.

Thank you for doing a grand job as Speaker pro tem. (Applause)

The SPEAKER: If there is no other business to come before the House, a motion to recess until 1:30 is in order.

Thereupon, on motion of Mr. Childs of Portland,

Recessed until 1:30 Eastern Daylight Time this afternoon.

#### After Recess

1:30 P.M., E.D.T.

The House was called to order by the Speaker.

#### Conference Committee Report

Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill "An Act to Authorize the Issuance of Bonds in the Amount of Twenty Million Dollars for Bonus to Maine Veterans of World War II and the Korean Campaign" (H. P. 1143) (L. D. 1340) reporting that they are unable to agree.

(Signed)

DUMAIS of Lewiston  
JACQUES of Lewiston  
BROWN of Baileyville

—Committee on part of House.

FARLEY of York  
FULLER of Oxford

—Committee on part of Senate.

Report was read and accepted and sent up for concurrence.

#### Conference Committee Report

Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature on Resolve Proposing an Amendment to the Constitution to Provide for a Bonus to Maine Veterans of World

War II and the Korean Campaign (H. P. 1144) (L. D. 1341) reporting that they are unable to agree.

(Signed)

DUMAIS of Lewiston  
JACQUES of Lewiston  
BROWN of Baileyville

—Committee on part of House.

FARLEY of York  
FULLER of Oxford

—Committee on part of Senate.

Report was read.

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

Mr. DUMAIS: Mr. Speaker, I move that the report be accepted. The only thing, I would like to expedite matters a little bit, if it is in order, I would like to address the House very briefly.

The SPEAKER: The gentleman may proceed.

Mr. DUMAIS: Mr. Speaker and Members of the House: It seems that we here in the House had practically agreed to give the veterans a bonus but apparently it did not look that way after we came out of the committee of conference.

I would just like to state that I wanted this to happen two days ago for the simple reason that today being Armed Forces Day, I do not think that it shows too very much gratitude for us to treat the veterans this way.

I had to work hard and I want to make my position clear on this. I know that we are in need of money very badly. Still I can see millions being spent possibly to some of your thinking to better advantage. Of course, we can differ in opinion the same as this committee has differed.

But I also want to thank every member here that has worked with me on this and has helped me and I do not believe that I want another committee of conference as I do not believe that we would come out any better than we have with this one.

And I feel that in order to expedite matters, I move that we accept the committee's report and just call it quits at this legislative session. Thank you.

The SPEAKER: The gentleman from Lewiston, Mr. Dumais, moves that the Conference Committee Re-

port be accepted. Is this the pleasure of the House?

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

The following paper from the Senate was taken up out of order and under suspension of the rules:

#### Non-Concurrent Matter

Resolve Providing for Survey to Re-route the Maine Central Railroad in City of Portland (H. P. 1213) (L. D. 1484) which was passed to be engrossed in the House on April 26.

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

In the House: Mr. Childs of Portland moved that the House recede and concur with the Senate.

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

SENATE AMENDMENT "A" to H. P. 1213, L. D. 1484, Resolve Providing for Survey to Re-route the Maine Central Railroad in City of Portland.

Amend said Resolve by striking out everything after the Title and inserting in place thereof the following:

'Survey to re - route the Maine Central Railroad.

Resolved: That upon application of the municipal officers of the City of Portland the State Highway Commission is authorized to make a preliminary survey to determine the desirability and feasibility, including a preliminary estimate of the cost and traffic impact, of re-routing Maine Central Railroad Tracks and right of way, from its present location from the point where it leaves the Union Station in Portland to the area of the point where the same crosses the Grand Trunk Railroad lines. The cost for such preliminary survey shall be as determined by the State Highway Commission, and shall, if the survey be undertaken, be apportioned equally between the city of Portland and the State Highway Commission.'

Thereupon, the motion of Mr. Childs of Portland prevailed and the House voted to recede and concur with the Senate.

The SPEAKER: The Chair would inquire if any member has any business to bring before the House at this time.

If there is no further business to come before the House, a motion to recess until 2:30 is in order.

Thereupon, on motion of Mr. Childs of Portland,

Recessed until 2:30 P.M., Eastern Daylight Time, today.

**After Recess  
2:30 P.M., E.D.T.**

The House was called to order by the Speaker.

**Veto Message  
Tabled**

The Clerk read a Veto Message received from the Executive Department returning without approval An Act Increasing the Tax on Gasoline and Providing for Additional Construction and Reconstruction of State Aid Highways in Hardship Cases (H. P. 1251) (L. D. 1544). Full text of the Veto Message is incorporated in the Legislative Record of the Senate for this date on page 2567.

The Veto Message was ordered placed on file.

On motion of Mr. Childs of Portland, the matter was tabled pending further consideration.

**Conference Committee Report  
Tabled**

Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill "An Act relating to Eligibility for Old Age Assistance" (S. P. 141) (L. D. 333) reporting that they are unable to agree.

(Signed)

LAWRY of Rockland  
BABINEAU of Brunswick  
FILES of Portland

—Committee on part of House.

COLLINS of Aroostook  
SINCLAIR of Somerset  
CHAPMAN of Cumberland

—Committee on part of Senate.

Report was read.

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

Mr. BABINEAU: Mr. Speaker, I request that this article lie upon the table until other legislation has

come up that might affect this later in the day.

The SPEAKER: The Chair understands that the gentleman from Brunswick, Mr. Babineau, moves that the Conference Committee Report lie on the table pending acceptance. Is this the pleasure of the House?

(Cries of "No")

The SPEAKER: As many as are in favor of tabling the Report will kindly signify by saying aye; those opposed, no.

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

Fifty-three having voted in the affirmative and fifty-two having voted in the negative, the motion prevailed and the Report was so tabled.

**Conference Committee Report**

Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill "An Act relating to Duties of State Park Commission as to Recreation" (H. P. 1121) (L. D. D. 1319) reporting that the Senate recede and concur with the House in passing the Bill to be engrossed as amended by the House.

(Signed)

CHILDS of Portland  
LAWRY of Rockland  
CORMIER of Rumford

—Committee on part of House.

COLLINS of Aroostook  
CHAPMAN of Cumberland  
SINCLAIR of Somerset

—Committee on part of Senate.

Report was read and accepted and sent up for concurrence.

The following Bill on its passage to be enacted was taken up out of order and under suspension of the rules:

**Enactor  
Reconsidered**

An Act to Make Supplemental Allocations from the General Highway Fund for the Fiscal Years Ending June 30, 1956 and June 30, 1957 (S. P. 602)

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

On motion of Mr. Childs of Portland, the House reconsidered its ac-

tion of yesterday whereby the Bill was passed to be engrossed.

The same gentleman then offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to Bill "An Act to Make Supplemental Allocations from the General Highway Fund for the Fiscal Years Ending June 30, 1956 and June 30, 1957." (S. P. 602)

Amend said Bill by striking out all of the Emergency Preamble.

Further amend said Bill by striking out all of the Emergency Clause.

House Amendment "A" was adopted.

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

The following additional papers from the Senate were taken up out of order and under suspension of the rules:

#### Non-Concurrent Matter

An Act relating to Weight Tolerances for Motor Vehicles Carrying Firewood, Pulpwood, Logs or Bolts (S. P. 418) (L. D. 1179) which was passed to be enacted in the House on May 16.

Came from the Senate in that body passage to be enacted failed and the Bill was indefinitely postponed in non-concurrence.

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

#### Divided Report

Majority Report of the Committee on Appropriations and Financial Affairs on Bill "An Act to Provide Training to Organized Fire Companies" (S. P. 73) (L. D. 166) reporting same in a new draft (S. P. 600) (L. D. 1558) under same title and that it "Ought to pass"

Report was signed by the following members:

Mr. CHAPMAN of Cumberland  
— of the Senate.

Messrs. EDWARDS of Raymond  
STANLEY of Bangor  
CATES of East Machias  
— of the House.

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

Report was signed by the following members:

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

Mr. HENRY of North Yarmouth  
— of the House.

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

In the House: The Reports were read.

On motion of Mr. Charles of Portland, the Majority Report was accepted in non-concurrence.

The Bill was then given its two several readings.

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

On further motion of the same gentleman, the House voted to insist on the above action and ask for a Committee of Conference.

The Speaker appointed the following Conferees on the part of the House:

Messrs. CHARLES of Portland  
CATES of East Machias  
EDWARDS of Raymond

#### House Orders Out of Order

Mr. Foster of Mechanic Falls presented the following Order out of order and moved its passage:

WHEREAS, Ralph E. Abbott of Mechanic Falls, Maine was a member of and served with distinction in the 96th Legislature, and

WHEREAS, as reward for his faithful and conscientious service to his constituents he was again elected as Representative from his district to the 97th Legislature, and,

WHEREAS, due to ill health he was unable to attend said Legislature, and with a view of curtailing many of his usual activities he did resign from its membership.

NOW THEREFORE, be it Ordered that the Members of this House and particularly those members that had the pleasure and privilege of serving with Mr. Ab-

bott, extend to him their deepest and heartfelt sympathy for his inability to serve in this Session with his many friends and colleagues,

AND BE IT FURTHER ORDERED, that the House go on record as having missed the association and companionship of a true and faithful friend and sincerely hope that a complete and speedy recovery is in the very near future for him.

BE IT FURTHER ORDERED, that an attested copy of this order be sent forthwith to him.

The Order was received out of order and under suspension of the rules, read and passed.

Mr. Pierce of Bucksport presented the following Order and moved its passage:

ORDERED, that the Members of the House of Representatives of the 97th Legislature extend their deep appreciation to Miss Edith Hary, Law and Legislative Librarian, for her invaluable cooperation and aid to the Members of the Legislature during this session; and be it further

ORDERED, that the Clerk of the House of Representatives send to Miss Hary a copy of this order.

The Order was received out of order and under suspension of the rules, read and passed.

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

Mr. CHILDS: Mr. Speaker, I would like to inquire from the Clerk if the Senate is still in session.

The SPEAKER: The Chair is informed by the Clerk that the Senate is not, at this moment, in session.

On motion of Mr. Childs of Portland, the House recessed until five-fifteen o'clock in the afternoon, Eastern Daylight Time.

After Recess  
5:15 P.M., E.D.T.

The House was called to order by the Speaker.

#### Conference Committee Report

Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature

on Bill "An Act Creating a State School Building Fund and Providing Moneys Therefor" (H. P. 1015) (L. D. 1167) reporting that they are unable to agree.

(Signed)

WALSH of Brunswick

ELWELL of Brooks

EDWARDS OF Raymond

—Committee on part of House

COLLINS of Aroostook

SINCLAIR of Somerset

LOW of Knox

—Committee on part of Senate

Report was read and accepted and sent up for concurrence.

The following papers from the Senate were taken up out of order and under suspension of the rules:

#### Non-Concurrent Matter

An Act relating to Registration Fees for Certain Motor Trucks (H. P. 768) (L. D. 844) which was passed to be enacted in the House on May 11, and subsequently recalled from the Governor to the Senate by Joint Order.

Came from the Senate indefinitely postponed in non-concurrence.

In the House:

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

Mr. FINEMORE: Mr. Speaker and Members of the House: This is my bill and it is a good bill but I move that we recede and concur. (Laughter)

The SPEAKER: The gentleman from Bridgewater, Mr. Finemore, moves that the House recede and concur with the Senate. Is this the pleasure of the House?

The motion prevailed.

#### Non-Concurrent Matter

An Act relating to Weight of Commercial Vehicles (S. P. 452) (L. D. 1271) which was passed to be enacted in the House on May 12, and passed to be engrossed as amended by House Amendment "A" in non-concurrence on May 9.

Came from the Senate indefinitely postponed in non-concurrence.

In the House:

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

**Mr. FINEMORE:** Mr. Speaker and Ladies and Gentlemen of the House: This is another good bill and I want to thank each and every one of you for supporting it but due to the facts that we did not know, I move that we recede and concur. At this time, I believe that I owe the gentleman from Bingham, Mr. Shaw, an apology for making a motion on one of his bills in the previous session.

**The SPEAKER:** The gentleman from Bridgewater, Mr. Finemore, moves that the House recede and concur with the Senate. Is this the pleasure of the House?

The motion prevailed.

#### **Senate Report of Committee Ought Not to Pass**

Report of the Committee on Taxation reporting "Ought not to pass" on Bill "An Act relating to Tax Refund on Motor Fuel" (S. P. 334) (L. D. 898)

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

In the House: The Report was read and accepted.

The following papers were taken up out of order and under suspension of the rules:

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

An Act relating to Officers of the Legislature (S. P. 461) (L. D. 1305)

#### **Finally Passed**

Resolve in favor of Helen M. Madson of Portland (H. P. 1171) (L. D. 1406)

Resolve Providing for Survey to Re-route the Maine Central Railroad in City of Portland (H. P. 1213) (L. D. 1484)

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

An Act to Make Supplemental Allotments from the General Highway Fund for the Fiscal Years Ending June 30, 1956 and June 30, 1957 (S. P. 602)

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.

#### **Conference Committee Report**

Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill "An Act relating to Determination of Damages Caused by Taking of Land for Highway Purposes" (H. P. 1250) (L. D. 1543) reporting that the Committee was unable to agree on the Bill; and recommends that the subject matter be referred to the Legislative Research Committee.

(Signed)

QUINN of Bangor  
FOSTER of Mechanic Falls  
LORD of Augusta

—Committee on part of House.

PARKER of Piscataquis  
COLE of Waldo  
SINCLAIR of Somerset

—Committee on part of Senate.

Report was read and accepted and sent up for concurrence.

The following papers from the Senate were taken up out of order and under suspension of the rules:

#### **Senate Report of Committee Ought Not to Pass**

Report of the Committee on Appropriations and Financial Affairs reporting "Ought not to pass" on Bill "An Act relating to Automobile Travel by State Employees" (S. P. 388) (L. D. 1102)

Came from the Senate read and accepted.

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

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

Joint Order relative to Legislative Research Committee requested to Study Liquor Laws (H. P. 1264) which was passed in the House on May 20.

Came from the Senate indefinitely postponed in non-concurrence.

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

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

Joint Order relative to Legislative Research Committee requested to Study Labor Relations Law (H. P. 1256) which was passed in the House on May 13.

Came from the Senate indefinitely postponed in non-concurrence.

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

#### Non-Concurrent Matter

Joint Order relative to Legislative Research Committee requested to Study the Present Laws Relating to the Financing, Construction and Maintenance of State Aid Highways (H. P. 1265) which was passed in the House on May 20.

Came from the Senate indefinitely postponed in non-concurrence.

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

Mr. Allen of Chelsea was granted unanimous consent to address the House.

Mr. ALLEN: Mr. Speaker, I would just like to say that it was no pleasure to recede on that.

#### House at Ease

Called to order by the Speaker.

On motion of Mr. Babineau of Brunswick, the House voted to take from the table Report of the Committee of Conference on Bill "An Act relating to Eligibility for Old Age Assistance", (S. P. 141) (L. D. 333) which was tabled by that gentleman earlier in the day, pending acceptance.

On further motion of the same gentleman, the Report was accepted in concurrence.

On motion of Mr. Childs of Portland, the House voted to take from the table An Act Increasing the Tax on Gasoline and Providing for Additional Construction and Reconstruction of State Aid Highways in Hardship Cases (H. P. 1251) (L. D. 1544) which was vetoed by the Governor and which was tabled by that gentleman earlier in the day pending further consideration.

The SPEAKER: The pending question is, this Bill having been returned by the Governor together with his objections to the same, shall this bill become a law notwithstanding the objections of the Governor?

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

Mr. CHILDS: Mr. Speaker and Members of the House: In January of this year the Governor ap-

peared before this Legislature and informed us that to maintain an adequate highway program there would be need of new revenue. He stressed the point that this new revenue was needed to keep up a minimum program.

He proposed paying for this by a \$30,000,000 bond issue and deferred retirement of this bond issue until 1969. Such a proposition as this is nothing but a case of playing politics. Imposing such a burden on future generations for political expediency makes me question the sincerity of the Governor's remarks in January of 1955 when he stated in his budget address — "I pledge all that is in me to this end — I know that you will do likewise". We, the members of the Republican Party have attempted to do just that by offering a program which will take care of federal matching funds and fill in that gap in our highway program which at the present time, is not being taken care of. We also have attempted to finance this program which is something the Governor neglects to do.

As I analyze Governor Muskie's Veto Message, he makes two arguments.

(1) That the vetoed bill L. D. 1544 "An Act Increasing the Tax on Gasoline and Providing for Additional Construction and Reconstruction of State Aid Highways in Hardship Cases" does not provide for the long range state highway needs. He suggests he would rather have bond money to take care of such future needs at this time.

(2) That the Act Appropriation of \$1,000,000 for state aid highways, allocated by the State Highway Commission according to need, would be better distributed in the same manner as previous state aid highway funds have been distributed.

As to his first argument I believe he completely misses the point. The vetoed bill does not pretend to be a solution of the long range problem of our state highway construction. Perhaps it is impossible to plan many years ahead, but certainly we should plan to make available funds to retire in reasonable time any money borrowed. A thing the Governor does not seem to worry about.

The bill does provide increased funds for the next biennium suffi-

cient to permit a supplementary highway appropriation of \$1,367,000 which is S. P. 602, and it does provide additional money to build up the dangerously low highway surplus. The Governor in his veto message completely ignores the fact that the state tax assessor's figures of expected highway revenue indicate a deficiency in construction funds for the next biennium. This bill does not ignore the possibility of short range needs.

As to his second argument, in fact, the vetoed bill provides a double barrel method of handling state aid highway construction and reconstruction, when combined with other legislation.

I believe it is better to provide only part of the state aid highway construction funds in the old way, to the extent of \$1,700,000 a year. That money is allocated in the regular highway appropriations bill according to the partnership, incentive principles, mentioned by the governor.

The additional \$1,000,000 a year of state aid highway construction money provided by this bill is properly allocated, we believe, on an entirely different principle.

The principle is this — that the state should make any money available to do state aid highway construction or reconstruction in those cases where the general public is interested in travel on a particular designated state aid road but the town involved cannot construct or reconstruct it.

From a long range point of view of state aid highway construction needs, the bill does not begin to provide the amount of funds which in future bienniums will be needed to build and rebuild state aid roads to the standards that our people want. It is, however, with respect to the state aid funds, in combination with the general highway appropriation bill, a step in the right direction.

Finally, another thing the Governor completely ignores, this bill appropriates \$500,000 a year more to the town road improvement fund, which will provide a real help to our cities and towns already hard pressed to raise money for schools and roads.

Because this bill, in combination with the regular highway appropriation bill realistically meets present needs of all three parts of our state aid road network, we believe it is an accomplishment of which the 97th Legislature can rightfully be proud.

And there is only one question before this House, and that is whether this bill shall become law notwithstanding the veto of the Governor. It is certainly my sincere desire that when the vote is taken that you vote "yes".

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

Mr. DENBOW: Mr. Speaker and Members of the House: I have the utmost respect for the Governor in his veto and I am very sure that he is sincere in all his desires. However, a few things that I would like to point out which is this. This program was sound before the veto and it is sound after. I spent long and tedious hours without too much publicity on this program, and I believe that my experience in business and my past history has indicated that perhaps my judgment is as sound as even the Governor's. I have no party interest either way and I hope this shall never become a party issue. I think my past has also proven that if it were either a Republican or a Democratic issue that I would vote whichever way I thought would bring the most good for the greatest number. I think this is a sound bill, I think the program is sound and self-supporting, and at the same time will provide necessary funds for the Highway Commission for future needs. I feel that the Governor, even in all his wisdom, can make an error as well as the rest of us, and I hope that you people will see fit to go along with the motion of Mr. Childs, the gentleman from Portland, that we go along with the bill in spite of the Governor's veto.

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

Mr. KNIGHT: Mr. Speaker and Members of the House: We of the small towns have for years supported the various accelerated road programs in this State. We have been glad to support the twenty odd



million dollar bond issue a few years ago. We have wholeheartedly endorsed the multi - million dollar road program and bridge program in the City of Portland, the Bangor-Brewer Bridge and other programs of like nature. We of the small towns where good roads are few and far between have shared the joy of those cities which have directly benefited by these many road programs. Now a program has been approved by this House, a program which will correct many of the hardship road cases in our small towns, a program which has been set up by men who know our road needs better than we often times know ourselves, and this program has now been vetoed by our Governor. The veto message which was read in this House this afternoon would curtail this road reconstruction program, specifically mentioned Waldo County as an example of inequitable distribution of funds under our program. For the record, ladies and gentlemen, instead of three or four miles of town roads in Waldo County being benefitted by our program, I can state that 15½ miles of town roads which are definitely hardship cases will be reconstructed under our program at a cost at the most of \$225,000, and I quote from the Highway Commission's figures: The road in Belmont-Searsmont on Route 131, 2.2 miles; the town of Monroe, Route 139, 1.2 miles; the town of Montville, Route 220, 4 miles; the town of Palermo, Freedom Road, 5½ miles; the town of Troy, Route 220, 2.6 miles. This program of the Republican Party is the answer to a long existing need of our small town roads.

In closing, ladies and gentlemen, I say that we can build our super highways from Kittery to Fort Kent, but unless we consider the needs of our rural farmer for passable roads, roads which have been designated to be rebuilt by men who know our needs, we will jeopardize the economy of the State of Maine.

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

Mr. REED: Mr. Speaker and Members of the House: In this last ditch attempt to block additional highway grants to our towns, the Governor reveals that he is either

unaware of the financial problems of our smaller communities or does not care to acknowledge them. He talks of a partnership basis but does not that phrase indicate something like equal ability to participate? Does he not know that many of these small towns are already taxing themselves to the practical limit of their ability? Does he lack confidence in our State Highway Department to see that the money is spent to the best advantage. The Governor speaks of the impact of federal legislation on our highway problems in Maine, but is there any bill which has attracted substantial support in Congress which would meet the problems of our small towns. He implies that such legislation may relieve state funds for use on other state systems. What bill is that? What assurance do our rural people have that they will get the road improvements which they need so badly? How long does he want our people to wait for these roads? We must act, and act today. We have got a sound program, I am confident we are going to override the veto and accept the program.

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

Mr. EDWARDS: Mr. Speaker and Members of the House: I come from a small town, and I represent three small towns in my district. It has always been and will always be my intention to work for the interests of the small towns and the entire State of Maine. I firmly believe this bill will by the hardship case package tend to destroy the initiative of the towns to help themselves. I can sincerely say to you that I can go back home to those men and women whom I represent, that I can stand on my feet and look them in the face and say to them I have done what I felt is right for the State of Maine.

The SPEAKER: The Chair recognizes the gentleman from Rangeley, Mr. Harnden.

Mr. HARNDEN: Mr. Speaker and Members of the House: L. D. 1544 will not solve all of our road problems by any means, but many of us believe that it is a step in the right direction as it will rebuild some of the worst needed sections of our state aid roads and I am

sure that all our towns can use more revenue to good advantage in the town road improvement system.

It is estimated that a 1c increase in the gas tax will produce nearly 5½ millions in the next two years and after spending three million on state aid and town road improvement, we would have nearly 2½ million left of working capital or to match federal funds. It is my opinion that if we should need a larger amount of money with which to match federal funds which may be available, that we will have to resort to some other means to obtain these funds. I believe that every dollar we spend on our road system is a good investment.

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

Mr. ELWELL: Mr. Speaker and Members of the House: I rise only to ask a question as a point of clarification. I heard the question raised regarding Waldo County as to whether or not we would receive sufficient funds to build three or four miles of road, and it is my understanding that three or four miles of road would cost between \$45,000 and \$80,000 according to Highway Commission figures, and I understand from the gentleman from Searsmont, Mr. Knight, that we are to receive a minimum of \$225,000. I would like to ask a question through the Chair to the gentleman from Portland, Mr. Childs, if he read a figure in the debate on this issue on the floor that was somewhere in the vicinity of \$60,000 per year.

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

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

Mr. CHILDS: Mr. Speaker, are you referring to the figures I read four or five days ago which were the figures of what each and every county would get on a percentage-wise basis? I read figures for sixteen counties at that time. I do not have those figures available now, I cannot remember.

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

Mr. ELWELL: Mr. Speaker and Members of the House: In doing a little quick arithmetic in the absence of receiving a satisfactory answer to my question, I noticed that there are 7,978 miles of road in the State of Maine, 6 per cent of which are in Waldo County. Six per cent of one million dollars is \$60,000.

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

Mr. QUINN: Mr. Speaker and Ladies and Gentlemen of the House: One of the arguments that the Governor has set forth in his message for vetoing this fine program is the fact that he believes that we should be using more matching funds from the towns in our highway program. Now when we use matching funds from the towns we have to resort to real estate taxes to raise that money and we have established a very fine program here in Maine of having the people that use the highways pay for the maintenance and construction of those highways through the gas tax. It seems to me that that is the fair and equitable way of taking care of our road system. Our real estate property tax is well over-taxed now without building roads from that source. The Committee on Highways has worked hard for the last few months practically since we convened here as a Legislature, getting a well rounded program of road construction and maintenance for the good of the people of Maine. Now we have that program and let us all get behind it now and put it over so the people in the small towns can have some roads that are fit to call roads.

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

Mr. COOK: Mr. Speaker and Ladies and Gentlemen of the House: I heard some criticism here of the Governor's action in vetoing this bill, but I wish to state that I think if nothing else, the Governor has shown great courage in vetoing this bill, and in putting his principles above what might be the political implications.

Possibly the best way to explain my position on this is to read a few lines to you from this evening's paper, an article by Edward C. Schlick."

"The generous helping of 'pork' which persuaded the House legislators to pass the one cent increase in the gas tax will give the Highway Commission a bad case of indigestion for the next two years.

"Both Democrats and Republicans looked bad in the mad scramble to enlist the 101 votes necessary to push the gas tax through the House as an emergency measure. The tax hike may still be vetoed by the Governor but if he signs the bill the two-thirds vote of approval by both Houses eliminates the possibility of a referendum.

"When the idea of the gas tax hike was presented early in the session opposition seemed strong from the economy bloc of 'little guys' in the House.

"The Republicans first tried to sell the gas tax increase with a joint order allowing the legislative highway committee to spend some of the money on "hardship" stretches of road.

"Democrats screamed that this was the 'pork' the Republicans would use to buy votes for the gas tax.

"The order was revised and the Highway Commission was instructed to draw up a list of "hardship" projects. This list displeased many legislators because the 'pork' was not evenly divided.

"Officially the 'hardship' list was eliminated and the million dollars a year apportioned to the 16 counties on the basis of the mileage of state aid highways in each county. Androscoggin County, for instance, will get a \$34,000 slice of the money but it will be up to the highway commission to determine where the money will be spent.

"On top of this million dollars a year for the state aid roads, Rep. Frank M. Bowie (R-Durham) asked for another half million a year to be added to the town road improvement fund.

"The move to do something more for the 'mud' roads really put the tax over the top. As one Republican

legislator said in the debate, 'This pork looks pretty good to me.'

"In the debate Wednesday afternoon one Republican leader after another got up and opposed Bowie's amendment but the Durham farmer told the House that without the amendment the gas tax would probably not pass and would certainly never command a two-thirds vote.

"After hurried evening conferences the GOP leaders did a complete about face, retracted their statements that Bowie's amendment would hurt the highway program and supported the idea of more money for mud roads.

"One Androscoggin County legislator who voted against the tax when it first passed the House offered to switch his vote for \$30,000 worth of road improvements in his area but finally settled for \$25,000.

"A few of the more canny legislators asked for the decision on their slice of the pork to be put in writing.

"Under the present bill \$1,500,000 of the about \$2,500,000 a year income from the gas tax increase will go to 'hardship' cases and town roads.

"It will be up to the Highway Commission to try and balance the needs of the highway system against the last minute deals and hasty promises that put the tax across. With twice as much money to spend and the wisdom of Solomon the commission still couldn't make decisions that will keep all the areas and legislators happy.

"The legislature purposely avoided a roll call vote on enactment of the tax, working apparently on the theory that it's nice to get some money for hometown roads but it's not so nice to sign the tax that provides the money.

"The Democrats called for a roll call vote but the strength of the party ebbed away. One-third of the party was absent. The demand for a roll call failed by one vote. Several of the Democrats purposely lingered in the hall outside the House until after the gas tax vote.

"With the exception of Rep. Ernest Malenfant, Lewiston Democrats were present to oppose the tax partly as a party measure and partly on the theory that little if any of Androscoggin County's \$34,000 slice of

the 'pork' will show up in Lewiston."

I think that this article very aptly —

The SPEAKER: The Chair would remind the gentleman that even items read that are derogatory as to acts of the Legislature or members of the Legislature is out of order. The gentleman may proceed.

Mr. COOK: Mr. Speaker and Members of the House: I hope that you will consider this as you make your vote.

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

Mr. CHILDS: Mr. Speaker, I have never seen that editorial before, and do not have the slightest idea where it comes from, possibly it is a Lewiston Paper, I do not know. The only thing it proves to me is that there were certain Democrats in here who were in favor of this particular measure, but if it came to a roll call vote they would not dare to put their name to it, and left, but on a division they would gladly go for it.

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

Mr. FINEMORE: Mr. Speaker and Members of the House: Right now I would like to have a slice of that "pork" and some hot biscuits, but I have not got it, and I would like to say a few words. I have cut the speech down since I started because quite a lot of the stuff has been mentioned. In this veto message are mentioned sound standards. For example, I know the roads recommended in the Garden of Maine by the Highway Commission beyond the argument are the most needed roads in our state aid system in the County. I firmly believe beyond a doubt that if in the next two years this program is carried out as in L. D. 1544 that the towns may get their state aid roads up to standards where they can cut the maintenance costs to the state, as they are maintained by the state, and be able to carry on under a state aid program as is now being used by matching units allowed under the present program. I hope we can save this bill.

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

Mr. CURTIS: Mr. Speaker and Ladies and Gentlemen of the House: We the people of the rural areas believe this bill to be a sound bill, to wit: One of the officials of one of the towns I represent, and by the way he was one of Governor Muskie's most ardent supporters and workers in the last state election, came to my house early this morning and said: "Cleve, I want to congratulate you and the 97th Legislature on the grand job you have done in the road program you have adopted with a penny increase in the gas tax. Never in my memory has the Legislature so amply evaluated the needs of the rural areas and so equitably provided for those needs as has this Legislature." The people in the rural areas are all, regardless of political differences, highly pleased with this program, and I am convinced do not want anyone, not even the Governor, to throw a monkey wrench into it.

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

Mr. WINCHENPAW: Mr. Speaker and Members of the House: I would like to say just a few words on this measure, and I have entitled the name of my speech as "Pay as you go". I believe that is what we should do and when the time comes for more matching funds I believe that we in this Legislature could best decide on how to match those federal funds taking into consideration all of the factors at that time. I cannot agree with the Governor when he says that L. D. 1544 in the form that it was passed by both branches of this Legislature has not provided for highway needs of all areas of the State. I feel that with the help afforded hardship cases plus the added money put into the town road improvement fund will provide further incentive for the towns to provide more matching state aid funds that they will raise on their own, to use on improving areas that need improvement. We in Knox County are very pleased with this plan because it is going to help certain hardship cases, and particu-

larly in cases where there are several towns involved we might say town one built a road up to the town line of town two. Town two had not much use for that road so they had neglected it, but town three had built their end of the road and some of this much needed money will be put on cases like that. I certainly hope the motion made by the gentleman from Portland, Mr. Childs, prevails.

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

Mr. RICH: Mr. Speaker and Members of the House: I wish to simply voice my approval of the highway bill which passed this House a few days ago with one million dollars a year allotted to state aid highway hardship cases and one-half million dollars for town road improvement. In the towns which I represent there are many pieces of state aid highway in dire need of repair. There is the so-called Avenue Road from Bangor to Exeter and Stetson which crosses one corner of the town of Corinth. About eight-tenths of a mile in this town is impassable at times. This road, although in the town of Corinth, connects Levant with Exeter and Stetson and is not used very much by the people of Corinth. This highway plan will take care of that piece of road much to the relief of the town of Corinth.

Another piece of road on route 43 crosses a corner of the small town of Alton for about two miles. This piece of road will be reconstructed by this plan. This is a rather important piece of road as route 43 runs through Farmington, Madison, Athens, Hartland, Corinna, Exeter, Corinth, Hudson to Old Town and then connects with the University of Maine. It will be a distinct help to the towns on this road to have such pieces rebuilt. Many others towns in rural areas all over the State will be benefited. I might say that I suppose I am the man that they referred to as favoring the barrel of "pork" and I still think it is a good business because it helps a lot of our towns which are not able to do the job themselves.

I trust this House will not allow the Governor's veto to defeat this

bill. I am sure that I much prefer to face my constituents with a gas tax increase than to go back with a bond issue for my children and grandchildren to pay. Thank you.

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

Mr. OSBORNE: Mr. Speaker and Members of the House: It is an old New England custom not to create deficit financing unless it is necessary. Custom cannot be considered conclusive, but there is no sound reason to believe that deficit financing is necessary at this time. With a 1c increase in the gas tax we will be operating on a pay-as-you-go basis by the people that use the roads, and at the same time have a sound progressive construction program. I opposed this gasoline tax at first, but after much study of the matter I have concluded that it is the fairest and most equitable tax that can be placed on the people for the support of a highway program. I can honestly say that I receive quite a few of the coupons which you all received from people in my district and in other districts who said they were in favor of the gas tax providing the money was used for highway purposes, and it will be. I regret to say that possibly the district that I represent may not benefit from this additional fund that has been included for the small towns, but nevertheless I think the program as a whole is sound and good for the people of the State of Maine.

I call your attention to the fact that if the so-called Gore Act is enacted by the United States Government, that unless the present bill, that is the Gore Act, should be re-drafted, we will have five years and two regular legislative sessions to match the federal funds. I hope this House will support the measure of the gentleman from Portland, Mr. Childs.

The SPEAKER: The Chair recognizes the gentleman from Mechanic Falls, Mr. Foster.

Mr. FOSTER: Mr. Speaker, I sincerely believe that every member of this House knows at this moment how they shall vote on this measure, and I therefore move the previous question.

The SPEAKER: The gentleman from Mechanic Falls, Mr. Foster, 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 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 Constitution of the State of Maine provides that the vote shall be taken by the yeas and nays.

All those in favor of this Bill becoming a law notwithstanding the objections of the Governor will say yes. A vote of "yes" is a vote in favor of the Bill. Those who are opposed to the bill and wish to sustain the Governor's veto will say no. A vote of "no" is a vote against the bill.

The main question being ordered, the question before the House is: Shall Bill "An Act Increasing the Tax on Gasoline and Providing for Additional Construction and Reconstruction of State Aid Highways in Hardship Cases", House Paper 1251, Legislative Document 1544, become a law notwithstanding the objections of the Governor?

The Clerk will call the roll.

#### Roll Call

YEA — Allen, Anderson, Anthoine, Baird, Bibber, Blanchard, Bowie, Brewster, Brockway, Brown, Baileyville; Browne, Bangor; Call, Carter, Etna; Carter, Newport; Caswell, Cates, Charles, Childs, Christie, Cole, Crockett, Curtis, Davis, Calais; Denbow, Dicker, Dunn, Earles, Edgar, Fay, Ferguson, Files, Finemore, Flynn, Foster, Fuller, China; Fuller, So. Portland; Gardner, Getchell, Gilmartin, Greenleaf, Hancock, Hanson, Harnden, Hatfield, Higgins, Hilton, Howard, Jack,

Jennings, Jones, Knight, Lawry, Libby, Lindsay, Lord, Mann, Martin, W. Gardiner; Maxwell, McCluskey, McGlaufflin, Michaud, Needham, Olpe, Osborne, Palmeter, Pierce, Pike, Quinn, Reed, Rich, Roberts, Brooklin; Roberts, Dexter; Ross, Brownville; Roundy, Sanborn, Sanford, Seaward, Shaw, Skolfield, Soule, Stanley, Bangor; Stanley, Hampden; Stanwood, Staples, Stilphen, Storm, Tarbox, Thomas, Totman, Wade, Wadleigh, Walter, Whiting, Willey, Winchenpaw, Woodworth.

NAY — Babineau, Beal, Bernier, Cianchette, Cook, Cormier, Cote, Lewiston; Cote, Madison; Courtois, Couture, Bath; Couture, Lewiston; Coyne, Cyr, Davis, Westbrook; Dostie, Dudley, Dumais, Duquette, Edwards, Elwell, Jacques, Kinch, Lamb, Latno, Letourneau, Malenfant, Nadeau, Porell, Sansoucy, Valley, Walls, Walsh.

ABSENT — Albert, Alden, Bean, Bragdon, Briggs, Evans, Foss, Greene, Haughn, Henry, Jacobs, Kimball, MacDonald, Madore, Martin, Eagle Lake; Potter, Pullen, Reynolds, Rogerson, Ross, Bath; Williams.

Yes 96; No 32; Absent 21.

Ninety-six having voted in the affirmative and thirty-two having voted in the negative, twenty-one being absent, and ninety-six being more than two-thirds of the members present, the Bill accordingly became a law notwithstanding the objections of the Governor.

Mr. Quinn of Bangor presented the following Order and moved its passage:

ORDERED, the Senate concurring, that the Legislative Research Committee be requested to study the problem of determining damages caused by the taken of land for highway purposes; and be it further

ORDERED, that the Committee report the results of its study to the next session of the Legislature with any recommendations that it deems advisable. (H. P. 1269)

The Order was received out of order and under suspension of the rules, read and passed.

The SPEAKER: The Chair would inquire if there is any further business to come before the House at this time?

The Chair would like to urge as strongly as it can that those who are here remain here for the session tonight. It might mean a difference if there were an emergency bill or something of that sort between adjourning tonight and having to come back at a later date.

If the members are able, please stay for the evening session until the House can finally adjourn.

Thereupon, on motion of Mr. Childs of Portland, the House recessed until seven-forty-five tonight, Eastern Daylight Time.

#### After Recess 7:45 P.M., E.D.T.

The House was called to order by the Speaker.

The following papers from the Senate were taken up out of order and under suspension of the rules:

#### Non-Concurrent Matter Tabled Temporarily

Resolve in favor of the Eastport Highway Bridge (S. P. 310) (L. D. 849) which was finally passed in the House earlier in the day, and passed to be engrossed as amended by Senate Amendment "A" in concurrence on May 20.

Came from the Senate indefinitely postponed in non-concurrence.

In the House:

The SPEAKER: The Chair recognizes the gentleman from Newport, Mr. Carter.

Mr. CARTER: Mr. Speaker, would it be in order to table this a few minutes? The gentleman from Eastport, Mr. Lamb, is out.

The SPEAKER: The Chair would state that the gentleman from Eastport, Mr. Lamb, has just arrived and is just behind the gentleman from Newport, Mr. Carter.

The Chair recognizes the gentleman from Eastport, Mr. Lamb.

Mr. LAMB: Mr. Speaker, the request that I wanted to make was that this be tabled for a few minutes until later this evening.

The SPEAKER: The gentleman from Eastport, Mr. Lamb, moves that the Resolve lie on the table

pending further consideration. Is this the pleasure of the House?

The motion prevailed and the Resolve was so tabled.

#### Non-Concurrent Matter

An Act relating to Preference to Maine Residents in Certain Contracts (H. P. 1248) (L. D. 1541) which was passed to be enacted in the House on May 16, and subsequently recalled from the Governor to the Senate by Joint Order.

Came from the Senate indefinitely postponed in non-concurrence.

In the House:

The SPEAKER: The Chair recognizes the gentleman from Chelsea, Mr. Allen.

Mr. ALLEN: Mr. Speaker and Members of the House: This was my bill. I think the State of Maine and the people of the State of Maine, the workmen, do have a problem, and I was real sincere and earnest about this problem, so I tried some legislation that might give Maine workmen and Maine contractors preference where municipal or quasi-municipal or other state funds were spent. Now the construction industry in the State of Maine is like elsewhere, one of the largest there is, and there is millions of dollars being spent that sometimes goes out of the State. There are several examples that I could cite, but I do not care to at this time. We have many of our young men and women that are getting educated and find things much more attractive in other states, they go to Massachusetts, Connecticut, and New York, California and other places where they stand a much better show of earning a living and advancing in their field. Now here is one instance where we could have done something to possibly retain some of those young men and women, some of our better young men and women in the State of Maine, and I felt that there might be something accomplished by such a bill. That bill came out of committee in a new draft, perhaps rightfully so. I think the committee did a fine job. It was passed to be engrossed, and enacted and then was recalled from the Governor's desk, and I see now it comes from the Senate with the

motion to indefinitely postpone in non-concurrence. I do not expect at this time to save the bill, but I would like to go on record as bringing this to the attention of the members of the House because I believe that there is a serious problem and there should be something done about it, and possibly the next Legislature might see fit to bring about some legislation that would help protect the interests of the people of the State of Maine.

The SPEAKER: The Chair would inquire if the gentleman wishes to move receding and concurring?

The Chair recognizes the gentleman from West Gardiner, Mr. Martin.

Mr. MARTIN: Mr. Speaker and Members of the House: This was a good bill. I wish that I had become interested in the bill earlier because of something which has happened in my own town. The turnpike is being built through my town which has taken not only taxable property from the town by right of eminent domain, we cannot recover any taxes from the turnpike or any of its buildings, but we did think that we had a little bit of help in the matter of local labor, and several of our boys went into debt to buy trucks to haul gravel on the turnpike. They worked some of last year. This year every one of the local boys was fired and his trucks were taken off of the job, and a fleet of trucks was brought in from another state with drivers. Now some of these boys have told me that they had been to Massachusetts last winter with their trucks hoping to work down there and that they were not allowed to work in Massachusetts with their trucks, and yet this little town from which so much taxable property has been taken is not allowed to have any of its inhabitants work as truckmen on there. I do believe that there is really and truly a necessity for some sort of legislation to cover this sort of thing, but I realize that now it is too late to do anything about it, and with the gentleman from Chelsea, Mr. Allen, I hope that perhaps something can be done in the next Legislature. I do not care to make any motion. Thank you.

The SPEAKER: The Chair recognizes the gentleman from Chelsea, Mr. Allen.

Mr. ALLEN: Mr. Speaker, I would like just to relate another instance that this might have covered and straightened out. I did have a bulldozer operator working for me whose farm this particular turnpike crossed. I was paying the operator \$1.50, which was the prevailing rate for the work that he was doing for me but the rates for the same type of work on the turnpike was \$2.87½ an hour. So I did not blame him when he said to me one day: "I would like to go up there and see if I can get a job at that rate." He took two days off and not getting a job he came back. The next week he took a couple of more days off and it went on so finally I said: "Either it is one way or the other. If you would like to stay on and work for me it is all right but I have got to know the days that you are going to be here." With that, he said: "I am sure that within a few days I can get a job there anyway, they are hiring all the time, so I will leave." He loafed all summer. He did not get a job. He found out that he could not work on this particular job because he did not belong to the Union and upon applying to join the Union he found out that he could not join the Union because he did not have a job.

And there are several instances just like that. Contractors from out of state can come into Maine, bid, and if they are the low bidder regardless of their reputation or what not, they usually get awarded the job. However, if I should want to get a job in the State of Massachusetts, I am told that I would not even get the proposal or set of plans to look at the job. I do not know what laws they use or how they do it but I do feel sure that if they did give me a set of plans and allow me to bid that I would have to bid tremendously high to protect myself on the road. That is the sum of the situation that I think we are facing here in Maine.

I will move now to recede and concur with the Senate.

The SPEAKER: The gentleman from Chelsea, Mr. Allen, moves that the House recede and concur with



the Senate on An Act relating to Preference to Maine Residents in Certain Contracts, House Paper 1248, Legislative Document 1541. Is this the pleasure of the House?

The motion prevailed.

The following House Paper was taken up out of order and under suspension of the rules:

#### Passed to Be Enacted

An Act relating to Duties of State Park Commission as to Recreation (H. P. 1121) (L. D. 1319)

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

At this point, Mr. Elwell of Brooks was conducted to the rostrum by the Sergeant-at-Arms where he assumed the Chair as Speaker pro tem amid the applause of the House and Speaker Trafton retired from the Hall.

#### (Off Record Remarks)

Speaker Trafton returned to the rostrum.

Thereupon, the Sergeant-at-Arms conducted the gentleman from Brooks, Mr. Elwell, to his seat on the floor, amid the applause of the House, and Speaker Trafton resumed the Chair.

The SPEAKER: If there is no further pressing business at this time, the House will stand recessed until nine o'clock.

#### After Recess

9:00 P.M., E.D.T.

The House was called to order by the Speaker.

House Rule 26 was suspended in order to transact business after nine o'clock P.M.

The following paper from the Senate was taken up out of order and under suspension of the rules:

#### Non-Concurrent Matter

Joint Order relative to Legislative Research Committee requested to Study Problem of Determining Damages Caused by the Taking of

Land for Highway Purposes (H. P. 1269) which was passed in the House earlier in the day.

Came from the Senate indefinitely postponed in non-concurrence.

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

#### Conference Committee Report

Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill "An Act to Provide Training to Organized Fire Companies" (S. P. 600) (L. D. 1558) reporting that they are unable to agree.

(Signed)

CHARLES of Portland  
CATES of East Machias  
EDWARDS of Raymond

— Committee on part of House.

COLLINS of Aroostook  
SINCLAIR of Somerset  
BUTLER of Franklin

— Committee on part of Senate.

Report was read and accepted and sent up for concurrence.

The SPEAKER: At this time, the Chair would like to announce appointments to serve on Recess Committees and Commissions.

To the Maine Commission on Interstate Cooperation, three members from the House, the Chair would appoint the following gentlemen:

Messrs. ROGERSON of Houlton  
FULLER of South Portland  
ANDERSON of Greenville

To the Legislative Research Committee, the Chair would appoint the following gentlemen:

Messrs. PULLEN of Oakland  
CHILDS of Portland  
BIBBER of Kennebunkport  
McCLUSKEY of Warren  
MAXWELL of Winthrop  
STANLEY of Hampden  
DUQUETTE of Biddeford

To the Commission for Memorial to former Governor Percival P. Baxter, the Chair would appoint the following members:

Mr. POTTER of Medway  
Mrs. FILES of Portland  
Mr. ROUNDY of Portland

To the Legislative Committee to Investigate Election Expenditures.

the Chair would appoint the following gentlemen:

Messrs. CASWELL of New Sharon  
LATNO of Old Town  
HANCOCK of York

### House at Ease

Called to order by the Speaker.

The following papers from the Senate were taken up out of order and under suspension of the rules:

### Senate Report of Committee Ought to Pass

Report of the Committee on Appropriations and Financial Affairs, pursuant to Joint Order (S. P. 590), reporting a Bill (S. P. 605) under title of "An Act Making Additional Appropriations for the Expenditures of State Government and for Other Purposes for the Fiscal Years Ending June 30, 1956 and June 30, 1957" and that it "Ought to pass"

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

In the House, the Report was read and accepted in concurrence, the Bill given its three several readings under suspension of the rules and passed to be engrossed in concurrence.

Final Reports of the following Joint Standing Committees:

Appropriations and Financial Affairs

Highways

each reporting that the Committee has acted upon all matters referred to it.

Came from the Senate read and accepted.

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

### Senate Order Out of Order

ORDERED, the House concurring, that Bill "An Act relating to the Powers of the Greater Portland Development Commission" (S. P. 595) (L. D. 1559) be recalled from the Governor to the Senate (S. P. 607)

Came from the Senate read and passed.

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

On motion of Mr. Lamb of Eastport, the House voted to take from the table Resolve in favor of the Eastport Highway Bridge (S. P. 310) (L. D. 849) which was tabled by that gentleman earlier in the day, pending further consideration.

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

Mr. LAMB: Mr. Speaker and Members of the House: It seems to be my painful duty to do the humane thing here and deliver the coup de grace. I now move that we recede and concur with the Senate. (Applause)

The SPEAKER: The gentleman from Eastport, Mr. Lamb, moves that the House recede and concur with the Senate. Is this the pleasure of the House?

The motion prevailed.

The SPEAKER: Is there any further business to come before the House?

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

Mr. COUTURE: Mr. Speaker, through the Chair, I would like to ask a question of one of the members of the House.

The SPEAKER: The gentleman from Bath, Mr. Couture, may address a question through the Chair.

Mr. COUTURE: Mr. Speaker, the other day when the vote was taken, I would like to know how the gentleman from Benton, Mr. Woodworth, voted.

The SPEAKER: The gentleman from Bath, Mr. Couture, addresses a question through the Chair to the gentleman from Benton, Mr. Woodworth, who may answer if he chooses.

Mr. WOODWORTH: Mr. Speaker, I think you people have about as much chance of finding out how I voted as finding out about some old maid's love affairs. (Laughter) If any of you have never tried that it is an experience, I have.

While I am on my feet seriously, I came down here being able to get around the State and part of the country in farm circles but felt very much out of place in a group like this. I did not know what to do with my hands, and my feet bothered me, and several other things, espe-

cially two or three of the good looking women here had me on the go, but they never knew it. You have been a swell bunch of people to me. Very recently I kind of found out where I stood, and if the good Lord never had any other good bunch of children, He sure has got one here. Thank you. (Applause)

The gentleman from Portland, Mr. McGlaufflin, was granted unanimous consent to address the House.

Mr. MCGLAUFLIN: Mr. Speaker and Members of the House: This is the ninth term that I have been present when we adjourned. I want to say to you that never before have I known a House to be so orderly when we closed. I have been here time and again when they have littered this House with every paper that they could find, they pelted members back and forth, you never knew when you were going to get a belt beside the head. It has been a regular bedlam when we closed. I never before have seen such an orderly closing and I earnestly hope that we make as we have so far the best record in that respect ever made in this State. (Applause)

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

Mr. WADE: Mr. Speaker and Members of the House: By way of explanation to the gentleman from Portland, Mr. McGlaufflin, of the conduct of this House, I would like to point out to him that this is the first House he has ever seen that was presided over by Willis Trafton. (Applause)

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

Mr. CHILDS: Mr. Speaker, I would request the Chair to deliver a message for me to the gentleman from Benton, Mr. Woodworth, that message being that I know how he voted. (Laughter)

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

Mr. WOODWORTH: Mr. Speaker, I am willing that the gentleman from Portland, Mr. Childs, let that out.

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

Mr. CROCKETT: Mr. Speaker and Members of the House: As you all know I came here as a freshman, green as an apple, but I have learned a lot. I have made a lot of friends and I hope to see you all again and I am going to try to come back again if my constituents think I am worthy of it. I am proud to be associated like the others have said with such fine ladies and gentlemen, and all the good wishes from my heart go to each and every one of my colleagues here, and I wish you health and happiness until we meet again.

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

Mrs. FILES: Mr. Speaker, I wonder if the gentleman from Bath, Mr. Couture, would give us his Pine Tree Ballad as a special request.

The SPEAKER: The Chair would state that by request and acclamation, the gentleman is authorized to proceed.

Mr. COUTURE: Mr. Speaker, while I am not going to say like some of the members of this House here that I am not going to talk long or that I did not want to talk, I did want to give this and I hope that you will bear it out. This is written by a fellow from Bath, Maine, a fellow by the name of Parke Grindell, and in my humble opinion it is probably the greatest poem that has ever been written about our great State. I think that each and every one of us here love the great State of Maine:

#### Ballad of the Pine Tree State By Parke Grindell

"Yer ain't seen nawthin', feller,  
if yer've never been ter Maine,  
There's suthin' 'bout it gits yer,  
like the sunshine after rain.  
It's the nearest place ter heaven  
that yer'd ever want ter know—  
Yer can't duplicate the scen'ry  
no matter where yer go.  
The long hills, n' the mountains,  
the valleys, n' the streams,  
Yer've never seen such beauty,  
unless it's in yer dreams.  
Fer instance in the springtime,  
when nature spreads its sheen,  
N' as far as yer can see  
the world's alive with green—

Sorta makes yer want ter go a-fish-  
in where the salmon n' the trout  
Are a-hankerin' ter have yer go  
n' fetch 'em out.

Even then yer ain't seen nawthin'  
till summertime comes 'round  
N' the days are warm, n' the nights  
are short, n' 'bout the only sound  
Is the wind a-swishin' thru the pines,  
the surf that pounds the shore.

The hounds a-bayin' in the hills—  
a pleasant sound—what's more

Yer wake up in the mornin'  
n' the meader's wet with dew,  
N' yer hear the cock a-crowin'  
n' yer feel like crowin' too.

Oh there's suthin' 'bout it gits yer  
like a beautiful refrain—

Yer ain't seen nawthin', feller,  
if yer've never been ter Maine.

Now take it in the autumn,  
there's some that like it best

When the sky is like a poem  
when the sun sets in the west,  
N' the world's bedaubed with colors,  
scarlet, green n' gold

N' the moon's so red it scares yer,  
n' the first hint of the cold

Comes a-creepin' in n' nips yer,  
sorta makes yer wanta shout,

N' yer thank God that yer livin'  
n' yer git yer rifle out,

N' yer tune 'er up, get ready  
fer the pleasantest of thrills,

N' yer off a-fore the sun-up,  
a-headin' fer the hills.

I'm gonna tell yer, feller,  
theres nawthin' quite so fine,

As a-trampin' on the trails when  
the air is charged with wine.

N' the waters ways are flashin'  
like mirrors in the sun,

N' yer pullin' on yer pipe  
n' a-grippin' on yer gun.

N' yer watch the squirrels caper  
as they leap from tree ter tree,

N' the geese go by at sundown  
a-headin' out ter sea. . .

N' then a-fore yer know it,  
winter's on the way,

N' the lakes are frozen solid,  
n' the geese have left the bay.

I'm gonna tell yer, feller,  
it makes yer feel quite good

When yer larder's filled with vittles  
n' yer woodshed's filled with wood

N' the country side is blanketed  
beneath the mounds so white,

N' the stars flash like electric  
in the sharpness of the night.

Oh there's suthin' bout it gits yer  
like a beautiful refrain—

Yer ain't seen nawthin' feller,  
if yer've never been ter Maine."  
(Applause)

The SPEAKER: Is there any  
further business to come before the  
House at this time?

The House will stand recessed to  
meet again soon.

### After Recess

The House was called to order by  
the Speaker.

The following papers were taken  
up out of order and under suspen-  
sion of the rules:

### Passed to Be Enacted

An Act Making Additional Appro-  
priations for the Expenditures of  
State Government and for Other  
Purposes for the Fiscal Years End-  
ing June 30, 1956 and June 30, 1957  
(S. P. 605)

Was reported by the Committee  
on Engrossed Bills as truly and  
strictly engrossed, passed to be en-  
acted, signed by the Speaker and  
sent to the Senate.

### Non-Concurrent Matter

An Act relating to Powers of the  
Greater Portland Public Develop-  
ment Commission (S. P. 595) (L.  
D. 1559) which was passed to be  
enacted in the House earlier in the  
day, and subsequently recalled from  
the Governor to the Senate by Joint  
Order.

Came from the Senate indefinitely  
postponed in non-concurrence.

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

The SPEAKER: Is there any  
further business to come before the  
House at this time?

Mr. Jennings of Strong was grant-  
ed unanimous consent to address  
the House:

Mr. JENNINGS: Mr. Speaker  
and Members of the House: I will  
assure you that my words will be  
very few. This is my fifth term as  
a member of this great body. While  
I have enjoyed the other sessions,  
I will say sincerely to you that I  
think this is the best body of ladies  
and gentlemen that I have ever  
served with. I have enjoyed work-  
ing with you and am grateful for

the courtesy that you have all shown to me. Thank you. (Applause)

Mr. Lindsay of Brewer was granted unanimous consent to address the House:

Mr. LINDSAY: Mr. Speaker and Ladies and Gentlemen of the House: I came here the first of the winter as you all know a freshman. I had no idea — I will not say I had no idea, but I had a small idea of what I was up against, but I want also as the gentleman from Strong, Mr. Jennings, to express my appreciation for all of the courtesy and cooperation that I have received here in this House. It has been wonderful, and I want to say that I have been connected with a great many people all my life and this is the best bunch that I ever fell in with. Thank you. (Applause)

Mr. Hilton of Bremen was granted unanimous consent to address the House.

Mr. HILTON: Mr. Speaker and Members of the House: For my swan song here tonight I want to express my appreciation too for all the wonderful things that you people have done for me in going along with my measures, and I want to also forgive those that went against me. I am sure that when you people go home to your constituents, you will hear the words that the Good Master said, "Well done, good and beloved servant." (Applause)

Thereupon, the House recessed.

#### After Recess

The House was called to order by the Speaker.

A message came from the Senate borne by Senator Reid of that body informing the House that the Senate had transacted all business before it and was ready to adjourn without day.

The following papers were taken up out of order and under suspension of the rules:

From the Senate: The following Communication:

#### STATE OF MAINE SENATE CHAMBER OFFICE OF THE SECRETARY

May 21, 1955

Honorable Harvey R. Pease  
Clerk of the House of  
Representatives  
Ninety-seventh Legislature  
Sir:

The President of the Senate today appointed on the part of the Senate of the 97th Legislature the following members to serve on Recess Committees:

On Election Expenditures:

REID of Kennebec  
WYMAN of Washington

On Committee for Memorial to former Governor Percival P. Baxter:

CHAPMAN of Cumberland  
BUTLER of Franklin

On Legislative Research Committee:

SINCLAIR of Somerset  
LOW of Knox  
PARKER of Piscataquis

On Maine Commission on Interstate Cooperation:

COLE of Waldo

Respectfully,

(Signed) Chester T. Winslow  
Secretary of the Senate

The Communication was read and ordered placed on file.

From the Senate: The following Order:

ORDERED, the House concurring, that there be prepared after adjournment of the present session, under the direction of the Clerk of the House, a Register of all Bills and Resolves considered by both branches of the Legislature, showing the history and final disposition of each Bill and Resolve, and that there be printed six hundred copies of the same. The Clerk of the House is hereby authorized to employ the necessary clerical assistance to prepare such Register.

The Clerk shall mail a copy of the Register to each member and officer of the Legislature and the State Library shall receive such number of copies as may be required (S. P. 608)

Came from the Senate read and passed.

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

### House Orders Out of Order

On motion of Mr. Finmore of Bridgewater, it was

ORDERED, that the Clerk of the House be presented with the desk and chair used by him in his office during the present session, and a typewriter.

On motion of Mr. Ross of Brownville, it was

ORDERED, that the Chaplains of the House be paid in accordance with a payroll list submitted by the Clerk of the House.

Mr. Walsh of Brunswick was granted unanimous consent to address the House.

Mr. WALSH: Mr. Speaker and Ladies and Gentlemen of the House: I am not like any of the rest of you who stood on your feet here and hardly knew what to say because at a time like this the right words will not come to you. I just wondered if it might not be a good idea for us to start a move of some sort to have a reunion in August, somewhere down along the shore and have a good lobster feed and so forth. We all stand up and say that we have enjoyed this association very much and I know everybody is sincere about it. And it kind of seems to me that if we get the ball rolling that way that we could have another awfully good time sometime during the summer. I do not want to be placed on the committee because I am not properly located. I think that it should come somewhere around the central part of the coastal area.

I do want to say that I am most appreciative of your consideration of me. I know that I have had a lot of fun with an awful lot of people and an awful lot of people have had a lot of fun with me and I have enjoyed it tremendously. It is fascinating. It is an education in itself and it is something that I shall always cherish and it will be one of the fondest memories that I have

had in my entire life. And if any of you ever come through Brunswick and want to see a football game from the worst seat in the world, which is down on the bench, drop in and we would be very happy to have you. Thanks to all of you. (Applause)

### House Orders Out of Order

On motion of Mr. Hancock of York, it was

ORDERED, that the Clerk of the House mail to each member of the House of Representatives the balance of the Legislative Record not received before final adjournment.

Mr. Sanborn of Baldwin presented the following Order and moved its passage:

ORDERED, that the Speaker of the House be presented with the desk and chair used by him in his office during the present session.

A viva voce vote being taken, the House voted unanimously that the Order receive passage.

On motion of Mr. Martin of West Gardiner, it was

ORDERED, that the uniforms procured for the House Officers become their property at the end of their terms of office.

### House at Ease

Called to order by the Speaker.

On motion of Mr. Bibber of Kennebunkport, that gentleman was charged with and conveyed a message to the Senate informing that body that the House had acted on all matters before it and was ready to adjourn without day.

### House Order Out of Order

On motion of Mr. Quinn of Bangor, it was

ORDERED, that the Clerk of the House be paid for his services in connection with the preparation and printing of the Register of Bills that he was directed to have prepared by Joint Order, S. P. 608, and for other services to the House of Representatives performed by him above and beyond his statutory

duties, the sum of five hundred (\$500) dollars.

Mr. Curtis of Bowdoinham was granted unanimous consent to address the House.

Mr. CURTIS: Mr. Speaker and Ladies and Gentlemen of the House: There have been some serious expressions of appreciation to those with whom we have worked here with the exception of the telephone girls. I know that we all appreciate the fine work they have done out there and I wish at this time that we might give them a rising vote of thanks and appreciation for the fine work they have done in connection with this session of the Legislature.

Thereupon, the members rose and applauded.

The following paper from the Senate was taken up out of order and under suspension of the rules:

From the Senate: The following Order:

ORDERED, the House concurring, that a Committee of three on the part of the Senate, with such as the House may join, be appointed to wait upon the Governor and inform him that both branches of the Legislature have acted on all matters before them and are now ready to receive any communication that he may be pleased to make. (S. P. 606)

Came from the Senate read and passed with the following members appointed on its part:

Messrs. BOUCHER of Androscoggin  
REID of Kennebec  
FARLEY of York

In the House: The Order was read and passed in concurrence.

The SPEAKER appointed the following members on the part of the House:

Messrs. EDWARDS of Raymond  
CHILDS of Portland  
TOTMAN of Bangor  
STORM of Sherman  
STILPHEN of Rockland  
BABINEAU of Brunswick  
SOULE of Merrill

Subsequently Mr. Childs, for the Committee, reported that the Committee had delivered the message with which it was charged and His

Excellency, Governor Edmund S. Muskie, accompanied the Committee and delivered the following communication:

Mr. Speaker and Members of the House: I know that this is a little unusual. It is customary for the Governor to send in a final report at this point. Recalling my participation in the closing days of past Legislatures, I could not resist participating in this one at least to this extent. So, with your permission, I will read this little formal report to you.

To the Honorable Senate and House of Representatives of the Ninety-seventh Legislature:

I herewith submit a tabulation of the results of the 97th Legislature:

Acts approved:	697
Resolves approved:	184
Vetoes Presented:	2

We began this session under unusual circumstances to which we have all found it necessary to adjust ourselves. We faced serious problems to which we brought differing viewpoints. That so many of them have been adjusted to constructive purposes, in an atmosphere relatively free of bitterness as between the two political parties, is testimony to the healthy influences of two-party government.

Socially, Mrs. Muskie and I have enjoyed our associations with you this past winter. Despite the tensions and pressures which, at times, may have seemed burdensome, we will retain many fond memories of your kindnesses and courtesies.

We want you to know that we would enjoy seeing each of you whenever you may have occasion to visit Augusta. As you journey home to your families and your work, we wish you Godspeed and happiness. Thank you. (Prolonged Applause, the members rising)

Thereupon, Governor Muskie retired from the Hall of the House.

Mr. McCluskey of Warren was granted unanimous consent to address the House.

Mr. McCLUSKEY: Mr. Speaker and Members of the House: Before we adjourn and return to our homes, I know that all of us would

feel that our duty has not been completed until we pause and pay tribute to our late colleagues, Allan M. Butler of Franklin and William C. Hanson of Machiasport. We respected them and we miss them and we know that they have gone from this House to another not built by hands, eternal in the heavens.

Mr. Speaker, I respectfully suggest that you ask the gentleman from Portland, Mr. Roundy, to offer an appropriate prayer in their memory.

Thereupon, Mr. Roundy was escorted to the rostrum by the Sergeant-at-Arms where he delivered the following prayer:

Shall we bow in prayer.

Almighty and Eternal God, we look to thee as the Father of us all, the keeper of our spirits, the guardian of our souls. We particularly remember at this time the life of these our seat mates and fellow legislators. We can be but grateful for the services that their lives have rendered and the influence that has been theirs in their homes, in the communities in which they have lived and served and with us here in this House of Representatives.

We remember through this entire session from the time when we came in the cold snows extending until now with the apple blossoms, we remember the vacant seat of him who for more than fifty years at varied times and in varied ways served not only in his own home, in his own community, but the State of Maine with distinctive services and devoted spirit.

We remember the shocking sorrow that was ours in the sudden death of him who one day amongst us, the next day was not in his seat and we would remember before thee with gratefulness what his life has been to his loved ones, all those with whom he has been associated and with us.

We thank thee for our christian conviction and our christian faith through which comes to us the eternal hope of life and immortality being brought to life through thy great and good promises unto us.

May we so live, may we so serve, may we so enter into the work that is entrusted into our hands that we equally may have the faithful record in our due times to present before thee.

Father, we would remember that we often failed and pray thy forgiveness of our sins and shortcomings, we would pray thy blessing with each one of us as we go hence. We would seek thy help and guidance in the service that we have tried to render that there may come forth some fruits that shall be of effectiveness in this our beloved State and in the way and in this time in which we have served.

We thank thee for our leaders here. We thank thee for the fellowships and the friendships of one another and we pray thy leadership, thy keeping care and thy guidance of us so that we shall be well able to answer rightly when the call may come to us.

Grant thy grace as we go to our homes and be with us through the days and the months and the years as thou seest right and best in his great and good name. Amen.

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

Mr. MCGLAULIN: Mr. Speaker and Members of the House: As dean of this House, I now move that we adjourn sine die.

The SPEAKER: The gentleman from Portland, Mr. McGlaulin, moves that the House adjourn without day. Is this the pleasure of the House?

The motion prevailed and the House adjourned without day at 11:48 P.M., Eastern Daylight Time.