

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

One-Hundredth Legislature

OF THE

STATE OF MAINE

1961

DAILY KENNEBEC JOURNAL
AUGUSTA, MAINE

HOUSE

Thursday, April 13, 1961

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

Prayer by the Rev. Mr. Malcolm A. MacDuffie, Jr. of Hallowell.

The journal of yesterday was read and approved.

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

Report of the Committee on Appropriations and Financial Affairs reporting "Ought not to pass" on Bill "An Act Providing State Aid to Municipalities that Purchase Voting Machines" (S. P. 134) (L. D. 317)

Report of the Committee on Education reporting same on Bill "An Act relating to School Sessions on Saturdays and Sundays" (S. P. 319) (L. D. 994)

Came from the Senate read and accepted.

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

Ought to Pass in New Draft

Report of the Committee on Education on Bill "An Act Providing for School Bus Shelters for School Children" (S. P. 414) (L. D. 1354) reporting same in a new draft (S. P. 513) (L. D. 1530) under same title and that it "Ought to pass"

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

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

**Ought to Pass
Amended in Senate**

Report of the Committee on State Government reporting "Ought to pass" on Resolve Proposing an Amendment to the Constitution Authorizing the Construction of Industrial Buildings (S. P. 362) (L. D. 1095)

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

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

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

SENATE AMENDMENT "A" to S. P. 362, L. D. 1095, Resolve, Proposing an Amendment to the Constitution Authorizing the Construction of Industrial Buildings.

Amend said Resolve by striking out all of the 25th, 26th and 27th lines and inserting in place thereof the following:

"Shall the Constitution be amended as proposed by a resolution of the Legislature permitting the registered voters of a municipality to authorize the issuance of notes or bonds in the name of the municipality for the purpose of constructing buildings for industrial use?"

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

**Ought to Pass with
Committee Amendment
Amended in Senate
Tabled and Assigned**

Report of the Committee on Judiciary on Bill "An Act relating to Acquisition and Compensation for Land Taken for Highway Purposes" (S. P. 291) (L. D. 902) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

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

In the House, the Report was read.

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

MR. BERRY: Mr. Speaker, inasmuch as this has a vital effect on the entire public served by Public Utilities, I would like a chance to study the amendment and move this bill with all its accompanying papers be tabled until April 19.

Thereupon, the Bill and its accompanying papers were tabled pending acceptance of the Committee Report and specially assigned for Wednesday, April 19.

Non-Concurrent Matter

Resolve Regulating Ice Fishing on First Musquacook Lake and Second Musquacook Lake, Aroostook County (H. P. 486) (L. D. 686) which was indefinitely postponed in the House on March 29.

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

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

Non-Concurrent Matter

Resolve Regulating Ice Fishing on Umsaskis Lake and Long Lake, Aroostook County (H. P. 488) (L. D. 688) which was indefinitely postponed in the House on March 29.

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

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

Non-Concurrent Matter

Bill "An Act relating to Power of Municipal Court to Order Sentences Served Concurrently or Consecutively" (H. P. 813) (L. D. 1128) which was passed to be engrossed as amended by Committee Amendment "A" in the House on April 4.

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

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

Non-Concurrent Matter

An Act relating to Purchase of Land by Municipalities for Industrial Parks (S. P. 163) (L. D. 409) which was recalled from the Governor to the Senate by Joint Order (S. P. 505) and which was passed to be enacted in the House on March 28 and passed to be engrossed as amended by Committee Amendment "A" on March 22.

Came from the Senate recommitment to the Committee on Industrial and Recreational Development in non-concurrence.

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

Orders

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

Mr. BERMAN: Mr. Speaker, I would inquire if Legislative Document 1401 is still in the possession of the House?

The SPEAKER: L. D. 1401 is in the possession of the House. This is an Act relating to Time Limitations for Filing Petitions Under Workmen's Compensation Act," House Paper 1000, and the Report of "Ought not to pass" was accepted by the House yesterday.

The Chair recognizes the same gentleman.

Mr. BERMAN: Mr. Speaker and Ladies and Gentlemen of the House: Yesterday I did not feel that I should speak on that particular L. D., since it was another Workmen's Compensation matter. But I would like to bring to the attention of the House this morning that as I still understand it the Workmen's Compensation Act was enacted in Maine to help those victims of industrial accidents who were unable to help themselves, and to help bind up their wounds and lift some of the economic burden from their wives and children, these were some of the objectives. And yet over the course of time, some of these victims and their families have suffered and suffered badly, because some section or other of our particular Workmen's Compensation Act here in Maine has been quite harsh.

Now in the Commonwealth of Massachusetts, for at least a quarter of a century, our want of proper notice or delay in filing a claim for Workmen's Compensation does not bar the employee from medical treatment and compensation under the Workmen's Compensation Act in that Commonwealth if it is found that the insurance company or the agent had knowledge of the workman's injury or was not prejudiced—

The SPEAKER: The Chair would like to inquire if the gentleman intends to make a motion?

Mr. BERMAN: Yes, I do. I would really like to have this—

The SPEAKER: And what is the motion to be?

Mr. BERMAN: I would like to have this matter reconsidered by the House.

The SPEAKER: The gentleman may continue.

For what purpose does the gentleman arise?

Mr. ESTEY of Portland: I rise to a point of order.

The SPEAKER: The gentleman may reconsider at any time, it does not require unanimous consent of the House.

You may state your point of order.

Mr. ESTEY: Mr. Speaker, I would ask if the motion to reconsider should not be made by someone who voted on the prevailing side yesterday.

The SPEAKER: There was no record of the vote yesterday, not being a roll call, and therefore it is presumed that he voted upon the prevailing side.

The gentleman from Houlton may continue.

Mr. BERMAN: Now there in Massachusetts for a quarter of a century or more, the employers and their insurance companies have lived with their humane provision of the Workmen's Compensation Law regarding filing of the claim. Now in Maine, if the Maine employers and their insurance companies would tell you, through their able legislative agents, that they could not live with an amended act covering this hard situation, I suggest to you that their fears in this particular instance might outweigh their fortitude.

Now basically the problem in Maine with regard to this particular section of Workmen's Compensation is this: no matter if the employer and the insurance company have notice of an employee's injury and even renders him medical and hospital treatment, unless the workman in Maine files a claim within one year — and I think it is a basic one year provision — from the date of accident, he is

barred from receiving any compensation whatsoever.

Now as I understand it, the Workmen's Compensation Act originally contemplated that the injured workman would not need any counsel of his own. As a matter of fact, even the Commission today, notifies the workman that it is not necessary for him to hire counsel but he may do so if he wishes. Whether this is good or bad I shall not say, so shortly after the debate and the decision of the House yesterday with regarding counsel for the injured workman. But what I will say is that the employers and the insurance companies always have counsel and always very good ones on these industrial accident cases.

Now when a workman is injured his first thought is getting his injury taken care of and getting medical attention. However, there are at least two cases decided by the last court in this State where the injured workman suffered serious injuries and did not file his claim within a year because the doctors advised no signing of papers until the injury was better. Now mind you, in at least one of these cases the doctor was being paid by the insurance company. I offer no criticism of the doctors. Their first and really only concern is to treat the injured workman, but I suggest to this House that what the doctor said, in effect; namely, don't sign any papers until your injury is better is just good common sense.

Unfortunately under our Act, the Appellate Court said in effect that this good common sense advice of the doctors to the injured workmen wasn't good common sense; and it wasn't good advice, that the injured workman must still file his claim basically within one year or he was just out of luck. And again I would remind the House that this has happened in a state where the Industrial Accident Commission usually notifies the injured workman in writing that he does not require counsel.

Now there is to my knowledge a present situation in Maine where a man got an irritant in his eye from an industrial accident, and where he notified his employer and his insurance company and re-

ceived medical treatment; but he did not file his claim within the one-year period because he wanted to see whether his eye would get better. As a matter of fact, even after medical treatment, he lost the sight of the eye. And what did the insurance company say to this man, who in this particular case was a poor, ignorant and illiterate workman who couldn't even read or write except to sign his own name? The insurance company said, while we have known about your accident from the very beginning and we are very, very sorry, we won't pay you for losing your eye because you just didn't file your claim within the one-year period.

Now I suggest to this House that this isn't right, and this isn't fair, and it isn't just; and I would ask the House to change our harsh law in this respect and allow the illiterate, untutored, injured workman to file his claim within a reasonable time from the date of his industrial accident, so long as the employer or the insurance company have knowledge of their injury. Now after yesterday's close reversal following an initial ninety to thirty-two victory for fair play for the injured workman on the other Workmen's Compensation bill, which was basically the reason why I didn't speak on Legislative Document 1401 yesterday, I am attempting to negotiate with the powerful and persuasive opposition who represent the interests on the other side and many of whom are my friends, in hopes that some progress might be made in working out an amendment on this particular problem instead of leaving the situation in an unfair status quo.

And therefore on that basis, I would ask the House to reconsider their action of yesterday on Legislative Document 1401.

The SPEAKER: In reference to L. D. 1401, Bill "An Act relating to Time Limitations for Filing Petitions Under Workmen's Compensation Act," House Paper 1000, the question before the House is the motion of the gentleman from Houlton, Mr. Berman, that the House reconsider its action of yesterday whereby it accepted the Committee "Ought not to pass" Report.

All those in favor of reconsideration say aye; those opposed, no. A viva voce vote being taken, the motion prevailed.

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

Mr. BERMAN: Mr. Speaker, I would now like to table this document and have it specially assigned for April 19.

Thereupon, the Bill was tabled pending acceptance of the Committee Report and specially assigned for Wednesday, April 19.

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

House Reports of Committees Leave to Withdraw Covered by Other Legislation

Mr. Hichborn from the Committee on Education on Bill "An Act to Permit the Town of Moscow to Withdraw from School Administrative District No. 13" (H. P. 469) (L. D. 669) reported Leave to Withdraw, as covered by other legislation.

Report was read and accepted and sent up for concurrence.

Ought to Pass in New Draft New Drafts Printed

Mrs. Kilroy from the Committee on Industrial and Recreational Development on Resolve Providing for Study of Maine's Water Recreational Needs (H. P. 748) (L. D. 1034) reported same in a new draft (H. P. 1118) (L. D. 1540) under title of "Resolve Providing for Publication of Maine's Water Recreational Facilities" and that it "Ought to pass"

Mr. Lantagne from the Committee on Retirements and Pensions on Bill "An Act relating to Definition of Public School under Maine State Retirement System" (H. P. 1018) (L. D. 1419) reported same in a new draft (H. P. 1117) (L. D. 1539) under same title and that it "Ought to pass"

Reports were read and accepted, the New Draft of Bill read twice, the New Draft of Resolve read once, and tomorrow assigned.

Divided Report Tabled and Assigned

Majority Report of the Committee on Welfare reporting "Ought not to pass" on Bill "An Act Eliminating Residence Requirements in Public Assistance" (H. P. 564) (L. D. 761) which was recommitted.

Report was signed by the following members:

Messrs. MARDEN of Kennebec
BATES of Penobscot
— of the Senate.
Mrs. KILROY of Portland
Messrs. PHILBRICK of Augusta
HINDS of South Portland
HANCOCK of Nobleboro
SMITH of Strong
MALENFANT

— of Lewiston
— of the House.

Minority Report of same Committee on same Bill reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was signed by the following members:

Mr. CYR of Aroostook
— of the Senate.
Mr. STORM of Sherman
— of the House.

Reports were read.

(On motion of Mr. Baxter of Pittsfield, tabled pending acceptance of either report and specially assigned for Wednesday, April 19.)

Divided Report

Majority Report of the Committee on Welfare on Bill "An Act Creating a Permanent Committee on Aging" (H. P. 64) (L. D. 106) reporting same in a new draft (H. P. 1116) (L. D. 1538) under title of "An Act Continuing the Committee on Aging" and that it "Ought to pass"

Report was signed by the following members:

Messrs. MARDEN of Kennebec
CYR of Aroostook
BATES of Penobscot
— of the Senate.
Messrs. STORM of Sherman
HANCOCK of Nobleboro
HINDS of South Portland
PHILBRICK of Augusta
SMITH of Strong
Mrs. KILROY of Portland
— of the House.

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

Report was signed by the following member:

Mr. MALENFANT
— of Lewiston
— of the House.

Reports were read.

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

Mr. BRIGGS: Mr. Speaker, I move the acceptance of the Majority "Ought to pass" Report.

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

Mr. WELLMAN: Mr. Speaker and Ladies and Gentlemen of the House: There is now before the Appropriations Committee two bills, one to do with a Committee on Youth and one to do with a Committee on Mentally Retarded. It has been our feeling that perhaps if these three committees could be considered by our committee to see if any way might be reached that would be both satisfactory to the Committee on Welfare and perhaps might be of some saving to the State in the way of salaries, etc. Now I have talked about this to the Chairman of the Welfare Committee, and I would now like to move that this bill be committed to the Appropriations and Financial Affairs Committee.

The SPEAKER: Would the gentleman from Bangor, Mr. Wellman, approach the rostrum please.

(Conference at rostrum)

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

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

The SPEAKER: The question now before the House is the motion of the gentleman from Portland, Mr. Briggs, that the House accept the Majority "Ought to pass" Report. Is this the pleasure of the House?

The motion prevailed.

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

Mr. WELLMAN: Mr. Speaker, I now move that this bill and accompanying papers be referred to

the Committee on Appropriations and Financial Affairs.

The SPEAKER: The Chair understands that the gentleman from Bangor, Mr. Wellman, moves that the new draft be committed to the Committee on Appropriations and Financial Affairs.

The Chair recognizes the gentleman from Strong, Mr. Smith.

Mr. SMITH: Mr. Speaker, Ladies and Gentlemen of the House: I am not sure why my good friend, Mr. Wellman, wants this committed to the Appropriations Committee, but I do know why we brought this report out the way we have, and I would like to take a moment to explain it out and then will leave it to the House to do whatever they wish to do with it.

This bill on continuing or creating a permanent committee on aging was brought before the Committee on Welfare, and after hearing it discussed and after a few slips of the tongue of those who wanted this a permanent committee, it seemed to some of us that what they were headed for was first a permanent committee, then a commission and then a department. And when I say a few slips of the tongue brought us to that realization, that is exactly what happened. Now we're not opposed to a committee on aging, and all we have done under this new draft is to change the name to a continuing committee on aging which would keep it from becoming a permanent committee and eventually a new department probably, and at each session of the Legislature then can handle and cope with this committee. It in no way does away with the Committee on Aging. It just keeps it under the control of the Legislature, and I hope that it is not committed to any other committee. I feel that the best possible thing that could be done with this has been done, and as you will see most of the committee was in favor of this and we heard the proponents and the opponents to quite some extent one day, and then finally came up with this change; and I trust that this motion to commit this — and I hope this will be killed.

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

Mr. WELLMAN: Mr. Speaker, Ladies and Gentlemen of the House: In reference to the remarks by my good colleague across the hall here, there is no intention in my motion to kill this committee or to enlarge it into a department. The only thing I am asking is that we put these committees, these bills to continue these various committees, in the hands of one committee. And to allow that committee in concurrence in meeting with the other committee to which my good friend belongs, to see if we can come to some perhaps logical solution of the proliferation and the continuation of these committees. We would like to see if we could size this down. Perhaps we can save a couple of bucks in the process. I hope that you will go along with me on this. If when we get this into the committee we find that we aren't able to do anything, you will find this bill back on the calendar in its form just as it is today.

The SPEAKER: The Chair recognizes the gentlewoman from Falmouth, Mrs. Smith.

Mrs. SMITH: Mr. Speaker and Members of the House: I would like to add my plea to that of the gentleman from Bangor, Mr. Wellman, and to doff my hat to the gentleman from Strong, Mr. Smith, because these committees, I think some of you know from talking with me in the last session, how I felt about them. We certainly have to have committees and I am not against committees as such, but the last time I took the trouble to have the sum of money that these committees involved and asked from the Legislature, looked up, and it was something like a half million dollars. The Committee on Aging was before the Appropriations Committee the last time. Usually these committees have come before the Appropriations so far as I know; but for some reason this time the Committee on the Aging was sent to Welfare, which probably meant exactly what Mr. Smith from Strong has said. They didn't get a permanent committee last time and they just changed it

around. Mr. Wellman has come up with the idea of seeing if we can't do something about combining them as far as secretaries and such are concerned, and whether it can be done or not of course is a question. But we certainly cannot do it unless we can get all of the committees together. I think it is a problem to us, it is a problem as many things are with money being tight, and I would ask that the gentleman concur with us.

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

Mr. STORM: Mr. Speaker, Ladies and Gentlemen of the House: The gentleman from Bangor, Mr. Wellman, approached me about this matter just before we were called into session this morning, and he made this suggestion. I had no time to discuss it with the other committee members, but I said that if something could be worked out that would continue the committee and at the same time possibly save the taxpayers a little bit of money I was all for it. I am perfectly willing to go along with his suggestion and have this committed to the Appropriations Committee.

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

Mr. JALBERT: Mr. Speaker and Members of the House: I think that the gentleman from Bangor, Mr. Wellman, is exercising sound thinking. I was approached on this matter by him. It is merely exploring a program and I respect the opinion of the gentleman from Strong, Mr. Smith, and I also feel that no doubt when the Appropriations Committee does meet that they will respect the opinions of the Welfare Department even as to go so far as to consult with them and bring them in to discuss the program in its entirety. I certainly hope that the motion of the gentleman from Bangor, Mr. Wellman, prevails.

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

Mr. DODGE: Mr. Speaker, Ladies and Gentlemen of the House: I wonder how many in the House, there are quite a number of us

that are getting along in this age group. How many of us would like to have this Committee on Aging continued and what they do? If they could make it so we won't grow older, that would be fine. But I don't think they are. And as far as I know the people in my age group and older aren't particularly interested in the committee.

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

Mr. BRIGGS: Mr. Speaker, Ladies and Gentlemen of the House: The present Committee on Aging was authorized by the 99th Legislature to study the problems of the aged, conduct a Governor's Conference on the problems of the aged which drew over five hundred people in this House of Representatives on a hot day last summer and report the problems of the aged in our State to the Governor and the 100th Legislature. Also the committee was given the task of reporting its findings and recommendations to the White House Conference on Aging called by President Eisenhower in Washington, D. C.

These tasks were faithfully completed under the chairmanship of Mr. Robert Russ, Vice President of the Union Mutual Life Insurance Company, who in my opinion did an outstanding job. A comprehensive report was submitted to all members of the 100th Legislature and the Governor. Written and oral recommendations were made to the White House Conference showing Maine's problems and stating the recommendations decided upon by Maine citizens.

The North East Research Foundation, a non-profit organization, under the chairmanship of Representative Sumner Pike, conducted a state-wide survey and aided in gathering the committee's report. It was found that eleven percent of the population in Maine are sixty-five years of age or older and the problems of this large segment of our population with inflation and other problems is very great. This bill with the emergency clause will solve the continuity of the committee.

Now I don't object to having this bill go back to the Appropriations Committee, I know if we can save one hundred dollars or two thousand dollars, that the State needs the money. I believe the Appropriations Committee knows the excellent work that has been done by this committee over the past two years; however, I do not think that we could tie in the youth committee with the aged committee, because the problems of the aged are not the problems of the youth. And the people that have studied these problems of the aged, really perhaps don't understand the problems of youth. They study population trends, old age assistance, private industry pensions, economics and employment public assistance and medical care. However, I believe that if the Appropriations Committee can combine a secretary from several committees and save some money, it would be a good idea. Therefore, I move that the motion of the gentleman from Bangor, Mr. Wellman, be accepted.

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

Mr. ESTEY: Mr. Speaker, Ladies and Gentlemen of the House: I was a proponent to this measure as a member of the Governor's Advisory Committee on Aging, and I likewise concur with Mr. Briggs and respect Mr. Wellman's wishes. I have no objections to this being committed to the Committee on Appropriations.

The SPEAKER: The Chair recognizes the gentleman from Strong, Mr. Smith.

Mr. SMITH: Mr. Speaker, in answer to the gentlewoman, Mrs. Smith, back there, I do not feel that I can concur because I still feel that there is a movement under foot to create a new department. All of these speeches that you have heard about saving money this morning, if you will look at the Legislative Document 1538, the new draft is on your desks, and compare that with the other legislative document that's in the book, you'll find that the Welfare Committee has already cut it down by five thousand dollars. The Committee on Aging had come up with asking for twenty thousand a year.

They're not too much interested in saving money.

Now I believe in that committee. However, we have all kinds of committees, this State is flooded with committees lately, and the eventual purpose of most of those committees is to become bigger and bigger and stronger and stronger. And this continuing committee on aging can well handle the problem. It was reported to us that one of the reasons they wanted to become a permanent committee was so they could secure the services of a permanent secretary. And that was one reason why the budget was twenty thousand dollars a year. We cut that down. And if you folk want something to be thrown over on you this morning and eventually have another department to work with, then go along with these other gentlemen who have just spoken; but if you're interested in really saving the State some money, if you're interested in really holding the line, then you will go along with what the committee has suggested.

The SPEAKER: The Chair recognizes the gentlewoman from Falmouth, Mrs. Smith.

Mrs. SMITH: Mr. Speaker, Ladies and Gentlemen of the House: Well I am sorry to belabor the point, but I am sure that the gentleman from Strong, Mr. Smith, couldn't be farther from what we hoped to do with it. But most of these committees do want secretaries or have secretaries or hire them in some way as soon as they are organized. Now I don't want to do away with all committees either, but I also would like to keep them under control, and Mr. Wellman came up with the idea that there was some possibility which has not been explored yet fully enough, that they might share a secretary and a desk and so forth. And that would save the State some money, keep them not as permanent committees but let them be authorized from session to session of the Legislature, the committees would maintain somewhat because they do from time to time, and see if there was any area that we could explore to make this more workable and not cost the State so

much money. And I'm as interested in that as he is.

The SPEAKER: Is the House ready for the question? The question before the House is the motion of the gentleman from Bangor, Mr. Wellman, that the New Draft, "An Act Continuing the Committee on Aging," House Paper 1116, Legislative Document 1538 be committed to the Committee on Appropriations and Financial Affairs. All those in favor say aye; those opposed, no.

A viva voce vote being taken, the motion prevailed.

Thereupon, the New Draft was committed to the Committee on Appropriations and Financial Affairs and sent up for concurrence.

Passed to Be Engrossed

Bill "An Act Increasing Indebtedness of Town of York School District" (S. P. 258) (L. D. 775)

Bill "An Act relating to Removal of Buildings Guttled by Fire or Debris Remaining after Building Destroyed by Fire" (S. P. 395) (L. D. 1261)

Bill "An Act relating to Appointment of Commissioners under Maine Housing Authorities Act" (S. P. 509) (L. D. 1528)

Bill "An Act Extending the Powers of the Maine-New Hampshire Interstate Bridge Authority" (H. P. 78) (L. D. 121)

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

Third Reader Amended

Bill "An Act to Incorporate the Town of Hamlin, Aroostook County" (H. P. 685) (L. D. 963)

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

Mr. Johnson of Stockholm offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to H. P. 685, L. D. 963, Bill, "An Act to Incorporate the Town of Hamlin, Aroostook County."

Amend said Bill by striking out all of section 2 thereof.

Further amend said Bill in section 3 by striking out the underlined abbreviation and figure "Sec. 3." at the beginning and inserting in place thereof the underlined abbreviation and figure "Sec. 2." and by striking out the last sentence of the first paragraph of said section 3 and inserting in place thereof the following sentence:

'Upon its acceptance by a majority of the legal voters voting at said meeting, this act shall take effect for all purposes at the end of the 1961 municipal year and the plantation officers for the time being are authorized to exercise the powers of town officers thereafter until the annual meeting in March 1962; provided that the total number of votes cast for and against the acceptance of this act at said meeting equaled or exceeded 50 percent of the total number of the qualified voters within said territory.'

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

Tabled and Assigned

Bill "An Act relating to the West Paris Village Corporation" (H. P. 692) (L. D. 970)

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

The SPEAKER: The Chair recognizes the gentleman from Woodstock, Mr. Whitman.

Mr. WHITMAN: Mr. Speaker, with respect to this item 6, a small problem has arisen in the drafting of the bill, and for the purpose of perhaps offering an amendment to correct the error, I would request this item be tabled until one week from today.

Thereupon, the Bill was tabled pending passage to be engrossed and specially assigned for Thursday, April 20.

Bill "An Act Revising the Laws relating to Registration of Architects" (H. P. 822) (L. D. 1137)

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

**Amended Third Reader
Tabled and Assigned**

Bill "An Act relating to the Employment of the Industrial Development Director of the City of Lewiston" (S. P. 233) (L. D. 637)

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

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

Mr. MALENFANT: Mr. Speaker and Members of the House: With reference to item 8, L. D. 637, I move the House reconsider the adoption of Committee Amendment "A". My reason for this, I would like to prepare another amendment.

The SPEAKER: The Chair understands the gentleman from Lewiston, Mr. Malenfant, moves the House reconsider its action of yesterday whereby it adopted Committee Amendment "A".

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

Mr. JALBERT: Mr. Speaker and Members of the House: This bill was heard before the Legal Affairs Committee. The same groups were in favor of it. Incidentally, it is not my measure. It was supported by the Chamber of Commerce, by the Lewiston Improvement for Tomorrow Association, by the League of Women Voters, and the only opponent was my good friend from Lewiston, Mr. Malenfant. It was amended by the Committee and the amendment was agreed upon by all concerned, including the unanimous report of the Committee. Consequently, I hope that we do not entertain the motion to reconsider.

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

Mr. MALENFANT: Mr. Speaker, the gentleman from Lewiston, Mr. Jalbert don't know what I want to do with another amendment. I don't want to destroy the bill. As it is now, the municipal officers appropriate \$5,000 for this man, the industrial director, for his travelling expenses; \$1,000 for his telephone, and a few dollars for something else. Now the whole budget is \$21,000. His regular salary is \$5,000—

I mean \$12,500 a year. That's a lot of money. And \$5,000 for his travelling expenses, besides what I just mentioned, the telephone, and we can't get no report from his expenses. Last year we asked him to send a report to each alderman of these expenses, and he refused to do it. I just want to put on another amendment to force him to give each alderman an itemized copy of his expenses, that's all. I don't want to destroy the bill any.

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

Mr. JALBERT: Mr. Speaker, I want to apologize for again taking up the valuable time of this body concerning these measures. I know there are many important days ahead of us. Now the Finance Board can force the Director, the Industrial Director to do anything that they want him to do. Often times these reports as you know are held to be confidential. Naturally it is a competitive field, the field of industrial development, and it is only natural that our director or our city would want to keep some of our reports confidential. Of course if, and often times it has happened, that our own director has recommended other cities or other localities to keep an industry in Maine or to have an industry come to Maine, and as far as what is in the amendment is concerned, the gentleman from Lewiston says I don't know, he is thoroughly correct. I don't know and neither do I want to know.

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

Mr. BERRY: Mr. Speaker and Members of the House: As a member of the Legal Affairs Committee, I would like to tell the House that this bill in its original form received the careful attention of the Committee, and came out with a unanimous "Ought to pass" Report. However, I think in deference to the gentleman from Lewiston, Mr. Malenfant, that if this matter were to be tabled and his amendment presented for consideration, I think it would be a proper courtesy to him. Accordingly, I would move that this matter be tabled until next Wednesday, April 19.

The SPEAKER: The Chair understands that the gentleman from Cape Elizabeth, Mr. Berry, moves that the motion to reconsider be tabled. The question before the House is the motion of the gentleman from Cape Elizabeth, Mr. Berry, that the motion of Mr. Malenfant of Lewiston to reconsider the adoption of Committee Amendment "A" be tabled and specially assigned for Wednesday, April 19.

Mr. MALENFANT: Mr. Speaker?

The SPEAKER: For what purpose does the gentleman arise? A tabling motion is not debatable.

Mr. MALENFANT: To ask for a division.

The SPEAKER: A division has been requested. All those in favor of the tabling motion, please rise and remain standing until the monitors have made and returned their count.

A division of the House was had.

Ninety-three having voted in the affirmative and fifteen having voted in the negative, the tabling motion did prevail.

Amended Bills

Resolve Reimbursing Certain Municipalities on Account of Property Tax Exemptions of Veterans (S. P. 100) (L. D. 245)

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

Amended Third Reader Amended

Resolve in favor of Stanley Megquier of Orient (H. P. 1085) (L. D. 1495)

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

Mr. Anderson of Greenville offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to H. P. 1085, L. D. 1495, Resolve, in Favor of Stanley Megquier of Orient.

Amend said Resolve by inserting after the title, the following emergency preamble:

'Emergency preamble. Whereas, acts and resolves do not become effective until 90 days after adjournment of the Legislature unless enacted as emergencies; and

Whereas, the damages to the property, which is the subject matter of this resolve, and which were created by the construction of U. S. highway No. 1 should be repaired as soon as possible so that the occupant may enjoy his home in 1961; and

Whereas, the necessary repairs should be undertaken as soon as possible; and

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

Further amend said Resolve by adding at the end, before the statement of facts, the following emergency clause:

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

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

Bill "An Act relating to State Retirement Benefits for Teachers" (S. P. 204) (L. D. 537)

Bill "An Act relating to Amount of State Retirement Benefits for Teachers" (S. P. 205) (L. D. 538)

Bill "An Act relating to Form of Standard Fire Insurance Policy" (S. P. 405) (L. D. 1346)

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

Bill "An Act Increasing Compensation of Boards of Registration in Cities" (H. P. 1023) (L. D. 1424)

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

Orders of the Day

Mr. HAUGHN: Mr. Speaker?

The SPEAKER: For what purpose does the gentleman arise?

Mr. HAUGHN: To request consent to briefly address the House.

Thereupon, Mr. Haughn of Bridgton was granted unanimous consent to briefly address the House.

Mr. HAUGHN: Mr. Speaker, may I ask if the House is in possession of House Paper 51, L. D. 92?

The SPEAKER: In reference to House Paper 51, L. D. 92, An Act Increasing Compensation for Legislators during Special Sessions, the Chair will advise the gentleman from Bridgton, Mr. Haughn, that this Legislative Document is in the possession of the House.

The Chair recognizes the gentleman from Brooks, Mr. Wood. For what purpose does the gentleman arise?

Mr. WOOD: Mr. Speaker, as I voted on the prevailing side on L. D. 92, I now move to reconsider the action of the House on L. D. 92.

The SPEAKER: The gentleman from Brooks, Mr. Wood, having stated that on the roll call he voted on the prevailing side, moves that in reference to L. D. 92, that the House reconsider its action of yesterday whereby this Legislative Document was indefinitely postponed.

The Chair recognizes the gentleman from Kittery, Mr. Dennett.

Mr. DENNETT: Would you kindly read the title of that Legislative Document, Mr. Speaker? If it is what I think it is, I would like to briefly address the House.

The SPEAKER: The Speaker will read the title for the second time. An Act Increasing Compensation for Legislators during Special Sessions.

The Chair recognizes the gentleman from Kittery, Mr. Dennett.

Mr. DENNETT: Thank you, Mr. Speaker. Mr. Speaker and Members of the House: On two occasions we have had this bill before us. This Legislature has been in session now going on into its fifteenth week. There has been displayed an exhibit of unity and singleness of purpose which has seldom been excelled by any previous Legislature. It is my sincere

hope that we can continue in this matter.

This bill that is again before us, in itself is trivial in nature. I am well aware that it would not destroy the State of Maine if it passed, and neither would it empty the public treasury. But that is not the point. It is a wedge; a wedge that could drive deeply into this unity which heretofore has prevailed in this House and destroy all purpose in the future. We are, in the next few weeks, entering on a crucial period, and we need that unity more than we have ever needed anything before. I certainly hope that this motion to reconsider does not prevail, and reluctantly, Mr. Speaker, when the vote is taken, I again ask that it be by roll call.

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

Mr. HAUGHN: Mr. Speaker, Ladies and Gentlemen of the House: I will not quibble either or delay because we have had pros and cons sufficient enough on it, but I cannot help reply to my worthy colleague from Kittery, Mr. Dennett. Trivial in nature. There is nothing in this House comes before us that is ever trivial in nature. There is something for consideration of any bill regardless of its size, whether it be local, county or state levels for consideration. So to me anything coming before this body is never trivial. It is something for us to give consideration to.

As far as unity goes, I have seen disunity and I have seen unity in this body this session. I have seen it in previous sessions. When we wind up and end up we are all the best of friends, best of neighbors like we were the first day we came here, and I know it will prevail once again this session. So as far as this bill goes, I have said all I am going to say on it except to say I think only in fairness of consideration of the bill we should once again go through the final phase of legislative procedure at our disposal.

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

Mr. HINDS: Mr. Speaker, I am going to be very brief because I think this issue has had enough

airing one way or the other, but I went home last evening and I went to a meeting, I was at a meeting, and at that meeting I was asked whether or not I voted for a pay increase or not in the Legislature, and I stated that I did, and everybody there laughed and had a big laugh out of the thing and they seemed to be of the opinion that if we don't have the courage to raise the next Legislature's pay then nobody is going to.

The SPEAKER: The Chair recognizes the gentlewoman from Paten, Mrs. Harrington.

Mrs. HARRINGTON: Mr. Speaker and Members of the House: I voted for this bill yesterday and I plan to do it again. And I want to tell you my reasons why. This is an era of young people serving in the government at all levels, and if we are to encourage these young people to come to this Legislature, we can't ask them to come to a special session if there should be one, and it is quite likely there will be some, to pay part of their expenses. That is the reason I shall vote again for this bill.

The SPEAKER: The Chair recognizes the gentlewoman from Bristol, Mrs. Sproul.

Mrs. SPROUL: Mr. Speaker and Members of the House: I too am interested in the young people, but there are several young people that I know today that are having all that they can do to exist and to pay what taxes they now have to pay. I am interested in keeping the taxes down. I hope that we will not have to put too many taxes in. I feel that I can consistently vote against pay raises if I do not ask for a raise for the Legislature. I certainly agree with the gentleman from Kittery, Mr. Dennett, and I do hope that we will not grant a pay raise for the next Legislature.

The SPEAKER: The Chair recognizes the gentleman from York, Mr. Rust.

Mr. RUST: Mr. Speaker, I would like to ask a question of the gentleman from Bridgton, Mr. Haughn, through the Chair.

The SPEAKER: The gentleman may state his question.

Mr. RUST: Does the gentleman from Bridgton, Mr. Haughn, pro-

pose the same amendment which he did yesterday?

The SPEAKER: The gentleman from York, Mr. Rust, has asked a question through the Chair of the gentleman from Bridgton, Mr. Haughn, who may answer if he chooses.

Mr. HAUGHN: Mr. Speaker, if allowed the opportunity, I shall.

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

Mr. FOGG: Mr. Speaker, I am not speaking as the Democratic Minority Leader, I am speaking strictly as a representative, and this is my own personal opinion. I voted for this bill yesterday. The present rate is \$10.00 a day for special sessions. Figuring on a forty-hour week and five day week that is \$50.00 a week. They are trying to get through the government now a bill for a minimum wage of \$1.25 an hour which this figures out for. Now I figure that these gentlemen who are opposed to this bill don't feel that they are worth more than \$1.25 an hour, that is their own business, but I do feel that I am worth more than \$1.25 an hour, specially if I have to come down here and pay my own hotel expenses or rooming house expenses, pay my own meals. I think that it is really what you might call a pittance.

The SPEAKER: The Chair recognizes the gentleman from Kittery, Mr. Dennett.

Mr. DENNETT: Mr. Speaker, I think that every person who comes down here in this Legislature, they come here to serve the State of Maine, to serve the people of the State of Maine, regardless of political affiliation, and I don't think that monetary reward is of any consideration whatsoever. I would say in here the people in this House are worth far more than \$1.25 or \$2.00 an hour, but it is something that does not enter, it is not a consideration. It is service to the people of the State of Maine, and I believe most everyone here without exception are here for that purpose.

The SPEAKER: The House ready for the question? The Chair recognizes the gentleman from Lubec, Mr. Pike.

Mr. PIKE: Mr. Speaker, it would seem to me that we have some vacancies in the House, and if reasonably possible I would like to see the corridors scoured for absent members if we are going to have a roll call.

The SPEAKER: The Chair will comply with the suggestion made by the gentleman from Lubec, Mr. Pike.

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

Mr. BRADEEN: Mr. Speaker, Ladies and Gentlemen of the House: I regretfully state that I am not, I never have been, a Bible student, but somewhere I think I recall this: By their works ye shall know them. Remember that when you vote.

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

Mr. ANDERSON: Mr. Speaker and Ladies and Gentlemen of the House: I am heartily in accord with everything that the gentleman from Kittery, Mr. Dennett has said, and it is my fervent hope that we go along with the sentiment expressed by him.

The SPEAKER: Is the House ready for the question? A roll call has been requested. For the Chair to order a roll call, it must have an expression of a desire for a roll call by at least one-fifth the members present. Will those who desire a roll call, please rise and remain standing until the monitors have made and returned their count.

A sufficient number arose.

The SPEAKER: Obviously, more than one-fifth having arisen, a roll call is ordered. The Chair will state the question. The question before the House is the motion of the gentleman from Brooks, Mr. Wood, that the House reconsider its action of yesterday on L. D. 92, H. P. 51, Bill "An Act Increasing Compensation for Legislators During Special Sessions," whereby it indefinitely postponed this bill. If you are in favor of the motion to reconsider, you will answer "yes" when your name is called. If you are opposed to reconsideration, you will answer "no" when your name is called.

The Clerk will call the roll.

ROLL CALL

YEA — Anderson, Greenville; Baker, Beane, Moscow; Bedard, Bernard, Berry, Cape Elizabeth; Binnette, Boothby, Brewer, Briggs, Brown, So. Portland; Bussiere, Crockett, Dodge, Dostie, Lewiston; Dostie, Winslow; Edgerly, Fogg, Gallant, Hague, Hanson, Bradford; Harrington, Haughn, Hendricks, Hinds, Jalbert, Jameson, Johnson, Stockholm; Karkos, Kellam, Kilroy, Knight, Lantagne, Letourneau, Levesque, Lowery, MacGregor, Malenfant, Matheson, Maxwell, Morrill, Nadeau, Biddeford; Nadeau, Lewiston; Noel, Prue, Sevigny, Sirois, Smith, Bar Harbor; Smith, Falmouth; Smith, Strong; Stewart, Tardiff, Thornton, Wade, Walker, Walls, Wheaton, Williams, Wood.

NAY — Anderson, Ellsworth; Baxter, Bearce, Berman, Auburn; Berman, Houlton; Bradeen, Bragdon, Brown, Fairfield; Brown, Vassalboro; Buckley, Carter, Chapman, Gardiner; Chapman, Norway; Choate, Cooper, Coulthard, Dennett, Dennison, Drake, Dunn, Durgin, Edwards, Estey, Finley, Gardner, Ham, Hancock, Hanson, Lebanon; Hardy, Hartshorn, Hichborn, Hopkinson, Hughes, Humphrey, Hutchins, Johnson, Smithfield; Jones, Kimball, Knapp, Lincoln, Littlefield, Maddox, Mathews, Merrill, Minsky, Moore, Morse, Perry, Philbrick, Augusta; Philbrick, Bangor; Pike, Poirier, Prince, Roberts, Rust, Shaw, Shepard, Sproul, Storm, Swett, Thaanum, Turner, Tweedie, Tynedale, Vaughn, Waltz, Waterman, Wellman, Westerfield, Whitman, Whitney, Winchenpaw, Young.

ABSENT — Albair, Beane, Augusta; Berry, Portland; Boissonneau, Burns, Curtis, Cyr, Danes, Davis, Gill, Jobin, Kennedy, Lacharite, Lane, Linnekin, Plante, Schulten, Stevens.

Yes, 59; No, 73; Absent, 18.

The SPEAKER: Fifty-nine having voted in the affirmative, seventy-three having voted in the negative, with eighteen absentees, the motion to reconsider does not prevail.

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

SENATE REPORT — Ought to Pass with Committee Amendment "A" (Filing S-85) — Committee on Legal Affairs on Bill "An Act relating to Control of Missiles and Rockets." (S. P. 430) (L. D. 1390) Tabled — April 11, by Mr. Hughes of St. Albans.

Pending — Acceptance of Report. Thereupon, the Committee Report was accepted and the Bill read twice.

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

COMMITTEE AMENDMENT "A" to S. P. 430, L. D. 1390, Bill, "An Act relating to Control of Missiles and Rockets."

Amend said Bill by striking out Sub-Section IV of Sec. 1 in its entirety and inserting in its place thereof the following:

'IV. Missile or rocket. "Missile" or "rocket" means any thing or object capable of being thrown, hurled or projected above the ground by any explosive or propellant.'

The SPEAKER: The Chair recognizes the gentleman from St. Albans, Mr. Hughes.

Mr. HUGHES: Mr. Speaker and Members of the House: Committee Amendment "A" is rather broad in its definition of a missile. By the interpretation by the Attorney General's Department it was interpreted to even include firearms or missiles of course shot from firearms. Through their department, I had another amendment drawn up which I will offer if this one is indefinitely postponed, and I move the indefinite postponement of Committee Amendment "A."

The SPEAKER: The Chair recognizes the gentlewoman from Bristol, Mrs. Sproul.

Mrs. SPROUL: Mr. Speaker, I was about to say the Legal Affairs Committee had considered the definition of missile which is the question being brought up. We changed it to any explosive or propellant instead of rather having a missile described as something thrown into the air. We thought we had done a good job, but I certainly bow to the Attorney General's Department, and I will go along

with the motion of the gentleman from St. Albans, Mr. Hughes.

Thereupon Committee Amendment "A" was indefinitely postponed on a viva voce vote.

Mr. Hughes of St. Albans then offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to S. P. 430, L. D. 1390, Bill, "An Act relating to Control of Missiles and Rockets."

Amend said Bill by striking out all of the underlined subsection IV of that part designated "Sec. 1." and inserting in place thereof the following:

'IV. Missile or rocket. "Missile" or "rocket" means any projectile capable of hurling or projecting itself off of the ground and into the air by means of the thrust produced by the expulsion of gases produced by the internal combustion of flammable or explosive materials.'

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

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

Motion that the House Reconsider its Action whereby it Failed to Enact An Act Revising the Law on Tax on Transient Rentals. (H. P. 551) (L. D. 748) (Emergency)

Tabled — April 11, by Mr. Hutchins of Kingfield.

Pending — Consideration.

The SPEAKER: The Chair recognizes the gentleman from Smithfield, Mr. Johnson.

Mr. JOHNSON: Mr. Speaker, there is no point in my denying that I dislike this tax that we have on the books, this transient rental tax, and if nothing else I have made quite a study of this tax, and I feel that I know a great deal about it. This revision of the tax law is actually a good improvement over the present tax. A great many legislators here have felt that enacted in its present form it would lead possibly to harassment of those people who rent single rooms or single cabins. I would feel now that our fears are wholly ungrounded.

I would like to read here a report that I have from the Bureau of Taxation which could possibly answer anyone's question who might possibly object to this revision, and as a lawyer would say, here is a ruling perhaps on a law that is not even on the books, but the fact is I have it here and it is in writing and I think it does answer any objections. So far as the transient rental portion of the sales tax is concerned, a retailer is defined as a person engaged in the business of renting living quarters. A person who only occasionally rents a room is certainly not in the business of renting, and would thus not be subject to tax. A person who makes a practice of renting a single room almost invariably has a tenant for more than twenty-eight consecutive days, and this accommodation would thus be nontaxable. In short, whether the person who has a single room, cabin or cottage available is an occasional or a regular lessor, it is difficult to see how he could be considered subject to the law.

On this basis, I move we reconsider our action whereby we failed to enact this bill.

The SPEAKER: The question before the House is the motion to reconsider our action whereby this bill failed of passage to be enacted. All those in favor of the reconsidering motion please say aye; those opposed, no.

A viva voce vote being taken the motion did prevail.

Thereupon, Mr. Johnson of Smithfield moved that the bill be passed to be enacted.

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

Mr. BAXTER: Mr. Speaker, inasmuch as this is an emergency measure, I hope you will ring the bell in the corridor.

Thereupon, having been reported by the Committee on Engrossed Bills as truly and strictly engrossed, this being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a division was had. 121 voted in favor of same and none against, and accordingly the Bill was passed to be enacted,

signed by the Speaker and sent to the Senate.

The SPEAKER: At this time the Chair would like to recognize the presence in the gallery of fifteen students from Government Class in North Yarmouth Academy with their instructors Mr. Kenneth Coombs and Mrs. Robert Burnham.

Also in the group is an exchange student, Tony Espallardo from Spain, and a few moments ago with the group, was the gentlewoman from Yarmouth, Mrs. Knapp. On behalf of the House, the Chair extends to you a most hearty and cordial welcome and we hope that you will enjoy and profit by your visit with us here today. (Applause)

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

SENATE DIVIDED REPORT — Majority Ought Not to Pass — Minority Ought to Pass — Committee on Highways on Bill "An Act Combining Use of State Aid and Town Road Improvement Funds." (S. P. 136) (L. D. 319) In Senate Minority Ought to Pass Report Accepted, Engrossed as amended by Senate Amendment "A" (Filing S-69)

Tabled — April 12, by Mrs. Lincoln of Bethel.

Pending — Acceptance of Either Report.

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

Mrs. LINCOLN: Mr. Speaker, Ladies and Gentlemen of the House: I think Legislative Document 319 is a good bill. This is permissive legislation. The town that wants to take advantage of it may do so, and those that don't can go along as they did before. Of the eight towns that I represent, I received letters from seven of those towns all asking me to support this bill. The eighth one I didn't hear from at all, so therefore they weren't interested either way. And I would like to read you one of the letters that was sent to me — just a paragraph — for several years I have wished for just such a measure to be a law. I certainly support this bill. I represent a small town of less than one hundred people. Town ways

and state aid ways are about equal in my town. This bill would help me plan improvements in more satisfactory units. I can keep both systems in balance better. I urge your support to this bill. This is the selectman from the Town of Upton.

Mr. Speaker, I move that we accept the Minority "Ought to pass" Report, and I ask for a division.

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

Mr. TYNDALE: Mr. Speaker, as chairman of the Board of Selectmen of Kennebunkport, we had a meeting two weeks ago and heartily endorse this bill.

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

Mr. WADE: Mr. Speaker, not having been too familiar with the measure in itself, I contacted the town fathers in the Town of Skowhegan, and both the Chief of the Select Board and the Town Manager suggested that this is a good measure, and that I should vote in the affirmative for the bill.

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

Mr. HAUGHN: Mr. Speaker, Ladies and Gentlemen of the House: You have now before you a bill which we had in the 97th Legislature which brought about a one cent increase in gasoline tax for a purpose. As you know we people living on a border line of another state, have to be very cautious and very careful in making the decision of raising a gas tax or any kind of a tax. A compromise was reached in this House in regard to a tax for the purpose of setting up town road improvement money. And that money was raised purposely for one particular reason, town road improvement. And in doing so it protected the rural areas who were in the mud, who otherwise can never possibly get on the main highways or have transportation available to them at certain times of the year. The sponsor of this measure is the same gentleman who at that time was for the gas tax raise. We members of this House who came from rural areas were opposed to the gas

tax measure due to the fact as I said being on the border line of another state.

Now I will agree in part with my good colleague, Mrs. Lincoln from Bethel, she has a point, but there is other thought to be given. This money is derived for one sole purpose, to take care of town road improvements. You people visualize and realize what could happen with the passage of this bill. I just want to bring this to your attention. That if you allowed to pass, an area that is heavily populated can take the town road improvement money under the bill, consolidate it with state aid road money, under the permission of the State Highway Commission and you will only possibly end up with state aid roads. Where does that leave the people who live in the rural areas? Because of the densely populated area within the urban area of any given place, they can outvote the rural areas so they will never be able to receive any of the monies. Now to me this is an opening wedge of taking away something that we fought hard for and yields for a gas tax for a purpose. Now if you people desire to leave the people in the mud back in the rural areas, you will vote for the bill. And if you do not, I hope you will give it consideration and think of those people when you vote.

The SPEAKER: The Chair recognizes the gentleman from Scarborough, Mr. Coulthard.

Mr. COULTHARD: Mr. Speaker, my town selectmen, town manager, and road commissioner highly endorse this bill, L. D. 319. I might add that we have very few mud roads.

The SPEAKER: The Chair recognizes the gentleman from St. Albans, Mr. Hughes.

Mr. HUGHES: Mr. Speaker, I rise in opposition to the motion before the House, and heartily concur with the gentleman from Bridgton, Mr. Haughn. I have a few facts, some of them were also on the papers that were delivered yesterday morning on your desks. But I would like to read what I have written down. There are 8,733 miles of road in Maine eligible for town road improvement funds. It would

take over twenty years at the rate that we are now going to complete the program at \$6,000 per mile. There has been fourteen million, six hundred thousand spent on TIF up to this time, and there are approximately four towns in the State that cannot take full advantage of town road improvement fund as it now stands. If this bill becomes a law, any town that combines TIF with state aid can build a road costing over twenty thousand dollars per mile out of this fund and the State would take over the maintenance of that road. The passage of this bill could cost twenty thousand dollars per mile road to be built where the traffic does not demand a road of such specifications. TIF was designed to get the rural people out of the mud and it is doing a wonderful job. Leave it alone and let it do what it was designed to do.

Many of us here are or have been selectmen of our various towns and know the benefits that derive from this fund. If this bill is passed allowing the fund to be used to help build state aid roads, that means that there will be more roads turned over to the state for upkeep. Again only the larger and more populated districts will benefit. They have most of their town roads built and want to get them on the state for this process. I feel that most of the larger communities are getting more than their fair share of the state money now on other types of roads. If there are towns or cities that cannot use their town road improvement fund money, then it can be turned back to the state and distributed to the towns that can. I believe many of you here have been asked to support this bill by selectmen and town managers who have never seen the bill and are not familiar with it, but were told by others to contact you and to ask you to support it.

I would like to remind you that this report came from the Committee with an eight to two "Ought not to pass" Report. And one of the minority signers was the sponsor. I certainly hope that this motion does not prevail.

The SPEAKER: The Chair rec-

ognizes the gentleman from Woodstock, Mr. Whitman.

Mr. WHITMAN: Mr. Speaker, and Members of the House: I do not fully understand the remarks of the gentleman from Bridgton, Mr. Haughn. They did remind me somewhat of a Victorian hoop skirt. They managed to cover the entire subject without touching upon it. I think the point in question here is, shall we allow this permissive legislation allowing the selectmen of the towns to apply their various road programs in a joint effort? This has no relation at all with the gas tax. These programs are already in effect. This would leave it to the discretion of the towns as to where they should apply their money regardless from which program it should come.

I can give you a graphic example of how this would have benefitted one of my particular towns under a state aid program. The Town of West Paris endeavored to close the gap in an existing state aid road where there was just a little over a mile to be completed. In making an appropriation from their state aid money, they proceeded with the project and found that they would fall short of completing this section by merely three tenths of a mile. However, they had anticipated to accomplish this much for two years, and for that reason it remained unfinished for two years. If this bill had allowed them to also include town road improvement money they could have successfully completed that project, and thereby saved considerable having completed the job while they were working on the project.

For that reason, I am in favor of this particular bill.

The SPEAKER: The Chair recognizes the gentleman from Winthrop, Mr. Thaunum.

Mr. THAANUM: Mr. Speaker, I rise in opposition to this bill. I also have been a selectman for a number of years, and I am well conversant with some of the improvements that have been made under the state aid program. I think we've done very well in Maine under this state aid program. But I don't think we want to forget the people on the back roads. I

think that we should go along as we're going along now. I'm a little afraid of this bill in one respect, that this leaves the proposition in the hands of the municipal authorities. If it was something to do with the vote of the town and the people themselves could decide as to the combination of these two funds, I might speak differently on this proposition. But I am heartily in favor of remembering that there are still people who live on our back roads and who need this money, and I am against the passage of this bill.

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

Mr. DODGE: Mr. Speaker and Members of the House: When I first looked this bill over, I was in favor of it; but after studying it I am against it for several reasons. But one particular reason is this: now the town road improvement money, you don't have the restrictions on building your roads, you can build a road that will be a lot longer. You can if you combine and use that money with your state aid roads. The state aid road requires certain specifications, the town road improvement money does not require so many specifications and so on, as your state aid roads. And in my locality and in the rest of the surrounding towns where I live, the town road improvement money is doing a wonderful job in getting back to the rural areas. And I am against this bill.

The SPEAKER: The Chair recognizes the gentleman from Moscow, Mr. Beane.

Mr. BEANE: Mr. Speaker, Ladies and Gentlemen: I would like to say that the gentleman from St. Albans said that a lot of these people didn't know—the selectmen didn't know about this bill. Well I happen to be a selectman from a small town of Moscow, and I also know that the gentleman that presented this bill is from a small town, Senator Ferguson, it is probably one of the smallest towns in the State. And I would like to go on record as being highly in favor of the bill.

The SPEAKER: The Chair recognizes the gentleman from Medford, Mr. Hichborn.

Mr. HICHBORN: Mr. Speaker, Ladies and Gentlemen of the House: For once I am glad to be able to support the position taken by the gentleman from Bridgton, Mr. Haughn. As you all know I represent a rural area. The people in my area have contacted me to express their strong opposition to this bill. Their feeling is that we now have two programs which are doing a good job in meeting the needs of the people of both the rural and the village areas. And for that reason, I shall oppose the passage of this bill.

The SPEAKER: The Chair recognizes the gentleman from Sangerville, Mr. Edgerly.

Mr. EDGERLY: Mr. Speaker, Ladies and Gentlemen of the House: I didn't plan on getting up here and getting mixed into the road job. I have built roads for fifty-two years and I thought I would forget all about it, but there's quite a number talking here that are misleading everyone on it. My good friend, Mr. Whitman, over there telling about how much the cost was and the town managers to say that if they put this money into a state aid road, they would save money. Now there's no money saved. I can be working on a state aid road today—tomorrow I can be on a town road improvement ten miles away, and it won't cost the town a cent. The state will move the shovel free of charge, they used to charge for the shovel. I imagine that's what he was thinking of. They used to have to pay for hauling the equipment, and now it's set up different. It doesn't cost anything for the state to move. And I built miles and miles of this town road improvement on these little back roads and it's let out good many people that never in this world would have been travelling much—they wouldn't have to be pulled up for speeding. I've gone on some of those roads, and this is a fact, looking it over to see what I was going to do when I started. Start in with your car and you would go down into a hole so deep that you couldn't look up over to see whether you were in the road. You go two rods more and you were in the rut hole down in again like

that. Well when we got done with the road, they had a good road that lasted them for years. And I think we should keep our town road improvement as it is set up and another thing might happen when if you got this so that the selectmen could put it on or not, they might elect some selectman that would surely put it on the state aid roads. And the poor fellows on the town road wouldn't get my money. That could happen, you know, in a little town meeting somewhere.

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

Mr. WOOD: Mr. Speaker, Ladies and Gentlemen of the House: In the district that I represent there are nine towns, all rural small towns. They have many miles of mud roads. The majority of the people in that district live on those mud roads. They have many projects that have been started with this town road improvement fund. These projects are unfinished and the people in the district are very concerned about the passage of this bill, even though it's a permissive bill it leaves the discretion of the use of this money in the hands of the selectmen. Possibly the selectmen will use the money as it was meant to be used, perhaps they won't. But as the law is now, they have to use it on the roads that are set up by the law in the state and finish the projects that are now started. With the passage of this bill, if the selectmen see fit, they can take it down and build the village streets or roads through the village. I have had letters from every town in my district and telephone calls asking me to oppose this bill, and I shall do just that. Thank you.

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

Mr. STORM: Mr. Speaker, I think we're missing the point here, that this is permissive legislation, and it will not be compulsory. I think we can safely assume that most of these selectmen will exercise a certain amount of common sense, and I don't think we are letting ourselves in for anything very dangerous to the people in the rural

areas by passing this bill, and I certainly support the motion of the gentlewoman from Bethel, Mrs. Lincoln.

The SPEAKER: The Chair recognizes the gentleman from Albion, Mr. Cooper.

Mr. COOPER: Mr. Speaker, I'm very glad that my friends Mr. Edgerly and Mr. Morse brought out the fact that this thing has one word in it—it's optional. Now I can conceive of a board of selectmen who might be pretty selfish and they could take these two funds and put them into a piece of road that was right near their bivouac. And somebody else out in the mud wouldn't enjoy this. Now this law is a good law and it has satisfied the rural people, and I can't see any reason in the world why not leave it alone.

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

Mr. TURNER: Mr. Speaker and Members of the House: Being a member of the Highway Committee and a signer of the ought not to pass Report, I have got to say a few words to protect my thinking.

I, at one time, was a selectman about twelve years in a small town and I know how this thing works. Today I shouldn't be interested in killing this bill being a member living in a city, but I know the problems of the fellows in the country towns.

Now before we go too far, I wonder if everybody has really read the law, the town road improvement fund law. I would like to read a few articles in it. Under Section 60 it says: "There is established a special fund to be known as the 'Town Road Improvement Fund.' The Legislature shall appropriate for each fiscal year such amounts as it shall deem proper from the General Highway Fund."

Then it says under Section 61: "**Towns to receive funds.**— The various towns and unorganized townships in the State shall receive from the fund for the purpose of improving such roads, as the municipal officers of the towns shall designate, not less than \$200 and such other amounts as they shall be entitled to, figured on the

basis of mileage of unimproved roads, including unimproved sections of state aid roads located within their respective limits as compared with the total amount of mileage of unimproved roads within the State, except that in towns where the fund is unexpendable in the judgment of the Highway Commission, under the limitations of sections 62 and 63, no apportionment shall be made, and unexpendable balances shall be lapsed into the Town Road Improvement Fund."

And then it says here under Section 62: "The expenditures of this fund shall not exceed the sum of \$6,000 in any one mile. The various towns shall assume and pay any cost or damages arising from any change in location, grade or drainage."

Then Section 63: "**Limitation.** — No money from this fund shall be expended on the improved sections of any road which is a part of the state or state aid systems, as it is intended to apply only to the unimproved roads of the State. This limitation shall not apply to the \$200 referred to in section 61. Any balance unexpended by the towns at the end of any fiscal year shall remain to x x x" the credit of that town.

Then it says the purpose: "It shall be the intent and purpose of sections 60 to 64 to set up a fund and a method for more equal distribution of money for unimproved roads than can be had by the present blanket road resolve, x x"

"**'Unimproved roads' defined.** — As a basis for allocation and expenditure of funds set up under sections 60 to 64, the term 'unimproved roads' shall mean all town ways in each city, town or unorganized township, except the following:

I. Highways, streets and ways that have not been accepted by a city or town, or highways, streets and ways within the compact sections of cities or towns;

II. Roads which have been virtually abandoned and are not being maintained even though they may not have been legally discontinued; x x"

Ladies and Gentlemen, in our hearing under that, this bill was

introduced by Senator Ferguson at the request of the Maine Municipal Association, and the only proponents that we had on this bill was Mr. Chapman, an executive of the Maine Municipal Association, a fellow by the name of John Bibber, a city manager, and James Ordway, and another fellow from Rumford, but we had a whole list of opponents.

Now this is nothing more than a city manager's bill. The City of Portland at the present time has about \$25,000 that they have no place to spend. Under the law this fund would lapse back into the Town Road Improvement Fund, and should. I am happy that Portland is out of the mud. The City of Portland does not need this money, they have had in the last ten years more than \$12,000,000 in bridges and fifty-fifty urban money, and Portland is not being hurt in the least.

If this bill had merit you would not have had to be lobbied as you have been the past couple of weeks. This fund was set up to get rid of the "pork barrel resolves." At that time cities did not get that money. This bill is a slap in the face to the people who have to live and work on the unimproved roads. These people pay all kinds of taxes the same as city people. I say let's put more money into the state aid account rather than rob the 8,000 miles of unimproved roads over the state. I would be in favor of putting our special state aid money into the state aid account. The combined account of the improvement money and the state aid would be almost impossible to administer. Every project would have to be set up differently; more chances for fraud. Changing the law for one city, the only real protection that the town roads have is under this act, as being permissible it just opens the door for pressure groups to take over. We have it in our city. We had a place in our city this last year, there was a piece of state aid road that was built right in the woods on the end a private party owns and if this had been free, that would have been dumped into the woods. Pressure groups is what took over in our city.

If this money was allowed to be spent according to this bill, I feel that pressure on the town officers would be great by some of the citizens, and that the back roads would be further neglected and impassable. I have seen this fund grow from 200,000 to the present million and a half per year. I would like to see more in this fund. This fund was established to get the towns out of the mud. It is doing a good job, but it has a long way to go. City managers would like to spend it on city streets. They put pressure on the head of the Maine Municipal Association to contact lots of the town officials, including my town manager. He called me and asked me to support this bill. I told him I did not like it. Then he asked me what it would do and I told him, and he said he would go along with my judgment.

This came out of the Committee eight to two, ought to pass, and today with the heavy fire trucks, grain and milk trucks, the increased demand by the school consolidated districts, the 8,000 miles of this type of road demand a lot more than we can spend.

If there is a city or town who have all their roads fixed and cannot use this money, I say they are lucky. The cities have other ways to get their money which is sometimes fifty-fifty from the state and federal government; they also have their bridges repaired free. The only protection and security the people of the back feeder roads have is that town road improvement money must be spent on unimproved roads as is the law today.

This bill is not sponsored by the gentlewoman from Bethel. It was thrown at her by the sponsor, and she now has a bear by the tail. I can't see how such a lovely woman could be caught with such a stinking bill. You have heard the old slogan, "a treat instead of a treatment." Well, say, the cities would have the treat and the dirt roads would have the treatment. I move indefinite postponement of this bill.

The SPEAKER: The question now before the House is the motion of the gentleman from Au-

burn, Mr. Turner, that the Reports and Bill be indefinitely postponed.

The Chair recognizes the gentleman from Liberty, Mr. Westerfield.

Mr. WESTERFIELD: Mr. Speaker, Ladies and Gentlemen of the House: I wholeheartedly concur with the gentleman from Auburn, Mr. Turner. This bill does away or provides a method whereby the cities can steal from the rural areas for the use of repairing paved streets in their towns or paved roads. I represent a large number of rural towns and I am a selectman in the Town of Liberty. The original law was designed to build and repair the unimproved roads in the rural towns, and this measure would be taking part of the money that is available for that purpose and putting it in the maintenance of paved roads in the cities or paved roads in large towns that have managed to get all of their roads out of the mud. And therefore, I concur that this bill should be indefinitely postponed.

The SPEAKER: The Chair recognizes the gentlewoman from Falmouth, Mrs. Smith.

Mrs. SMITH: Mr. Speaker, Ladies and Gentlemen of the House: I would like to direct a question through the Chair of the gentleman from Auburn, Mr. Turner. I would like to have this cleared up and purposely for the record. Do I understand you to say, Mr. Turner, that this money which is two million dollars, I believe, in the biennium, is it absolutely set aside for mud roads? That is, it cannot be used in the highway fund? That this is two million dollars that's in a pocket absolutely for that?

The SPEAKER: The gentlewoman from Falmouth, Mrs. Smith, has asked a question through the Chair to the gentleman from Auburn, Mr. Turner, who may answer if he chooses.

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

Mr. TURNER: There's a million and one half set aside for your town road improvement money and out of that the way they set it up, each town gets \$200 and they get so much per mile on top of that. And I think that last year it figured about \$159 or something like that.

The SPEAKER: The gentlewoman from Falmouth, Mrs. Smith, asks a second question through the Chair.

Mrs. SMITH: Is that for the biennium or for one year?

The SPEAKER: The gentlewoman from Falmouth, Mrs. Smith, asks a second question of the gentleman from Auburn, Mr. Turner, who may answer if he chooses.

Mr. TURNER: That is for one year.

The SPEAKER: The Chair recognizes the gentlewoman from Falmouth, Mrs. Smith.

Mrs. SMITH: Mr. Speaker, I would like to make a comment if I may. Many times this fund has been used as a whip here in the House more or less to take our town road improvement money away from us. I had always understood before that it was possible to do it by the Commissioner. I am glad to have it cleared up, and I thank you.

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

Mr. BRAGDON: I would like to ask a question through the Chair of the gentleman from Auburn, Mr. Turner, if I may.

The SPEAKER: The gentleman may state his question.

Mr. BRAGDON: I understood the gentleman from Auburn to state that this was an eight to two report of the — it was an eight to two "Ought not to pass" report. I am sure I must have misunderstood him, but I would just wish that he would clear that up.

The SPEAKER: The gentleman from Perham, Mr. Bragdon, has asked a question through the Chair of the gentleman from Auburn, Mr. Turner, who may answer if he chooses.

Mr. TURNER: Mr. Speaker, the Highway Committee voted eight to two "Ought not to pass" on this particular bill.

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

Mr. CARTER: Mr. Speaker, Ladies and Gentlemen of the House: I have been glad to hear the very fine explanation from the gentleman from Auburn, Mr. Turner, in regard to this. I am afraid that

our unimproved roads will be the forgotten roads on a program if this bill passes and I second the motion that the bill and all accompanying papers be indefinitely postponed. When the vote is taken, I would request a division.

The SPEAKER: A division has been requested.

The Chair recognizes the gentleman from East Machias, Mr. Dennison.

Mr. DENNISON: Mr. Speaker, First I want to answer Mrs. Smith's second question. Up to date without any change in the law, this town road improvement money cannot be used in any other than town roads.

Now most of the members almost all of them of the Highway Committee are older men, and we've been in town affairs many years. Now in the blue book, I don't state my age, but it's equal to any two of these fellows in front and behind me. Now this town road money, we had a very good meeting, and we had a full audience of first, we'll say the mail carriers that travel on these rural roads, and everyone was against any change in this law. Then we had many others, we had older men from towns who had been selectmen many years, and all of us have been with a very —oh, one exception. And now I know and we all know how this has been lobbied. It was eight to two "Ought not to pass," and we —this was held over and you have been approached by this one and that one, Mr. and Mrs., on how to vote on this bill. And I don't like that kind of business and it's the desire of the committee and our report that this not be changed —this law. I know what it will do in these little towns and I know as Mr. Haughn has said in the first place, the money is raised on purpose for town road improvement money and nothing else. Now you want to change it, that is, if you do, and I am definitely against changing this law.

The SPEAKER: The Chair recognizes the gentleman from Scarborough, Mr. Coulthard.

Mr. COULTHARD: Mr. Speaker, I would like to ask a question through the Chair of any select-

man in the House. Are not all districts of most towns represented by a selectman?

The SPEAKER: The gentleman from Scarborough, Mr. Coulthard has asked a question through the Chair to any selectman who may answer if he chooses.

The Chair recognizes the gentleman from Guilford, Mr. Dodge.

Mr. DODGE: Mr. Speaker, Ladies and Gentlemen of the House: In our particular town, we have five selectmen, one comes from a rural district.

The SPEAKER: The Chair recognizes the gentleman from Jay, Mr. Maxwell.

Mr. MAXWELL: Mr. Speaker, I would like to move the previous question.

Mr. SPEAKER: The gentleman from Jay, Mr. Maxwell, has moved the previous question. For the Chair to entertain the motion for the previous question, it must be authorized to do so by at least one third the members present. Will those who desire the Chair to entertain the motion, please rise and remain standing until the monitors have made and returned their count.

A sufficient number arose.

The SPEAKER: Obviously more than one third having arisen, the Chair is authorized to entertain the motion.

The question now before the House is, shall the main question be put now? This question is debatable with a time limit of five minutes for any one individual member. Is it the pleasure of the House that the main question shall be put now?

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

Mr. CROCKETT: Mr. Speaker, Ladies and Gentlemen of the House: The special state aid money we—

The SPEAKER: Now the gentleman must confine his remarks as to whether or not the main question will be put now. That's the matter under debate.

Mr. CROCKETT: I say we put it now.

The SPEAKER: Is it the pleasure of the House that the main question shall be put now? All

those in favor say aye; opposed, no.

A viva voce vote being taken, the motion prevailed.

The SPEAKER: The question now before the House is the motion of the gentleman from Auburn, Mr. Turner, that the Reports and Bill "An Act Combining Use of State Aid and Town Road Improvement Funds," Senate Paper 136, Legislative Document 319, be indefinitely postponed. A division has been requested.

All those in favor of the indefinite postponement, please rise and remain standing until the monitors have made and returned their count.

A division of the House was had. Sixty-eight having voted in the affirmative and fifty-five having voted in the negative, the motion prevailed.

Thereupon, the Reports and Bill were indefinitely postponed and sent up for concurrence.

Order Out of Order

Mrs. Knapp of Yarmouth presented the following Order out of order and moved its passage:

ORDERED, that Jose Antonio Espallardo, exchange student from Spain, now attending North Yarmouth Academy, be appointed to serve as Honorary Page for today.

Thereupon, Mr. Jose Antonio Espallardo was escorted to the well of the Hall of the House by the Sergeant-at-Arms to serve as Honorary Page for the remainder of today's session. (Applause)

The SPEAKER: Mr. Espallardo is an exchange student from Spain, and apparently is attending North Yarmouth Academy, being the town that the gentlewoman from Yarmouth, Mrs. Knapp, represents among others.

On motion of Mr. Moore of Casco, the House voted to take from the table the eighth tabled and unassigned matter:

An Act to Bring State Police, Coastal Wardens and Fish and Game Wardens Under Personnel Law. (S. P. 261) (L. D. 778)

Tabled — March 15, by Mr. Moore of Casco.

Pending — Passage to be Enacted.

(Upon request of Mr. Bragdon of Perham, placed on Special Appropriations Calendar.)

On motion of Mr. Berry of Portland, the House voted to take from the table the twenty-third tabled and unassigned matter:

HOUSE DIVIDED REPORT — Majority Ought Not to Pass — Minority Ought to Pass — Committee on Highways on Bill "An Act to Authorize the Construction of a Causeway Connecting Cousins Island with Littlejohns Island, and a Bridge and Causeway Connecting Littlejohns with Chebeague Island." (H. P. 591) (L. D. 812)

Tabled — March 31, by Mr. Berry of Portland.

Pending — Motion of Mr. Prince of Harpswell to Accept Minority Ought to Pass Report.

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

Mr. BERRY: Mr. Speaker, Ladies and Gentlemen of the House: I have a letter here from the Chebeague Island Bridge Committee addressed To the Honorable Members of the House of Representatives which I would like to read to you at this time:

"Gentlemen:

Representing a great many business and civic leaders in the Greater Portland area, as well as the year-round and summer residents of the Islands in Casco Bay, and supported by the signatures of more than 55,000 voters from all sections of the State, we respectfully request favorable action by the House on Legislative Document 812, House Paper No. 591, so that the Bill may be placed on Referendum.

Every effort has been made to insure that the members of the 100th Legislature are well informed as to the merits of this Bill and the advantages to be derived from the construction of a toll bridge to Chebeague Island.

The 55,000 registered voters of the State who signed the petition for a Referendum on this Bill have clearly indicated that they feel the final decision on this measure should be theirs.

To deny them that right would appear to indicate a lack of confidence in the judgment and the in-

telligence of the people who have revealed at the polls their confidence in you. We sincerely trust that you will approve this Bill and to let the people decide,

Respectfully submitted,
(Signed) THE CHEBEAGUE
ISLAND BRIDGE
COMMITTEE

Ladies and gentlemen, there is merit to this bill from a development point of view and from many others. This would open an area in our most heavily populated section of the State for tourists and residents alike. There are several good beaches on the island that could be developed and an opportunity for a State Park. And incidentally, there are eight miles of beaches here which could be one of the greatest tourist and recreational developments in Maine.

But let us not forget the contents of this bill. You and I are not authorizing the construction of the bridge under question as a monetary measure, we are merely authorizing this measure to go before the people of Maine to be voted on in a public referendum.

I now move we accept the Minority "Ought to pass" Report. Thank you.

The SPEAKER: The Chair recognizes the gentleman from Harpswell, Mr. Prince.

Mr. PRINCE: Mr. Speaker, Ladies and Gentlemen of the House: In connection with Legislative Document 812, the people of Chebeague Island, the Town of Cumberland and Greater Portland business men, and interested civic groups on the Casco Bay Islands, supported with the signatures of approximately 55,000 registered voters, had hoped to have this Bill for referendum placed before the people for their decision.

Because of minor legal technicalities the validity of 2,718 signatures was questioned and is still undecided.

The technicalities were: (1) A town clerk neglected to sign his name certifying the verifying petitioner, although the name had been checked off on the check list. This threw out 1,518 signatures that had been certified. (2) 439 signatures were lost because a city clerk had used a rubber stamp with a fac-

simile of his signature. (3) Over 600 names were lost because, although the verifying petitioner had signed his name in two places on the back of the petition, he failed to sign the body of the petition. Had these 2,557 names been accepted, the referendum would have been legal.

It is quite obvious that these human errors were unintentional. They do not violate the honest intent of the Referendum and could have happened to any of us. Time alone prevented the correction of these very minor errors before the signatures were presented for approval.

Now the 100th Legislature is faced with the responsibility of whether or not to give the people of the State of Maine a chance to vote on this vital issue.

I, therefore, hope and humbly request that members of this House will give favorable consideration to the fact that you are not voting for a bond issue, but in reality you are approving the placement of this question in referendum, which will allow the people of Maine to make the final decision. Thank you.

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

Mr. CROCKETT: Mr. Speaker, Ladies and Gentlemen of the House: I appear here as a signer of the bill "ought to pass." I come from Cumberland County, and it's a beautiful island over there — Chebeague Island, and it can be connected with the mainland. I say that the people of the State of Maine should have the decision—be given the opportunity for this to go back to referendum, that's all they're asking for, and please don't lose sight. There's approximately 55,000 people that signed a referendum, that they were willing to have it go back to referendum, and I please keep that in mind. The only thing we're asking for in Cumberland County is to give us the right to put this for referendum, and I hope that you will do it.

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

Mr. BEARCE: Mr. Speaker, I have this document in front of me, and on page three, it says "shall

a bond issue be ratified in the amount of not to exceed three hundred million dollars as set forth in An Act to Authorize the Construction of a Causeway and so forth. I would like to ask if that has been corrected or is that correct? If it's three hundred million dollars, that's a very expensive building.

The SPEAKER: The gentleman from Bucksport, Mr. Bearce, has asked a question through the Chair of anyone who may choose to answer.

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

Mr. CROCKETT: I can assure you, Mr. Bearce, that that is a typographical error. It was three million dollars.

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

Mr. TURNER: Mr. Speaker, well I'm not going to talk too much on this thing. But I was one of the signers of the ought not to pass report, and the reason I did it was because the interest money on that bond would figure about \$135,000 a year. They figured the tolls would be \$1.25, which would be \$2.50 over and back, and I got it from the Highway Commission that the year round residents were around 660 people, but still there was a report where there was around 2,900 summer residents. I don't think that they can any more than pay the interest and that's the reason I voted as I did.

The SPEAKER: The Chair recognizes the gentlewoman from Yarmouth, Mrs. Knapp.

Mrs. KNAPP: Mr. Speaker, I am very much in favor of this bill, and if there were a bridge connecting Chebeague, I am sure there will be more people live there than the summer residents.

The SPEAKER: Is the House ready for the question?

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

Mr. WINCHENPAW: Mr. Speaker, Ladies and Gentlemen of the House: I got steamed up a little bit on the other bill when they moved previous question because I had a few questions I wanted to ask the gentleman from Auburn, Mr. Tur-

ner, and I didn't get a chance to ask them and they don't concern this bill, but I am very much in favor of this bill. And it seems to be the same old steam roller tactics here, the Highway Commission does not want it. The Highway Commission has not wanted this bridge for several years, the Good Roads Association doesn't want this bridge, they came out in public stating they were very much against this bridge, and I think the people of Chebeague Island are entitled to this bridge. If Chebeague Island had been down in Florida, there would have been a bridge to it a good many years ago.

The SPEAKER: Is the House ready for the question? The question before the House is the motion of the gentleman from Harpswell, Mr. Prince, that the House accept the Minority "Ought to pass" Report, and the Chair will order a division.

All those in favor of accepting the Minority "Ought to pass" Report, please rise and remain standing until the monitors have made and returned their count.

A division of the House was had.

Seventy-four having voted in the affirmative and thirty-six having voted in the negative, the motion prevailed.

Thereupon, the Minority "Ought to pass" Report was accepted, the Bill read twice and assigned for third reading tomorrow.

The SPEAKER: We are proceeding under Orders of the Day. There may be occasions next week and the following week to hold some afternoon sessions. We do not know at this particular time when they would be. But they would be a recess from the morning session and a continuation on into the afternoon, then depend upon the work load. If that is not necessary, it certainly will not be done; but I am just stating that it's a possibility.

On motion of Mr. Baxter of Pittsfield,

Adjourned until nine o'clock tomorrow morning.