

# MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One-Hundredth Legislature*

OF THE

STATE OF MAINE

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DAILY KENNEBEC JOURNAL

AUGUSTA, MAINE

## HOUSE

Thursday, May 18, 1961

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

Prayer by the Rev. Fr. Richard Rokos of St. Mary's Rectory, Augusta.

The journal of yesterday was read and approved.

### Papers from the Senate Joint Resolution

Joint Resolution Memorializing Congress to Extend the Northern Terminus of the Proposed Interstate Highway from Houlton to Some Point Located on the Northern Boundary of the State of Maine (S. P. 557)

Came from the Senate read and adopted.

In the House:

The SPEAKER: Is it the pleasure of the House to refer this Resolution to the Committee on Highways and that it be ordered printed?

The motion prevailed.

### Senate Reports of Committees Ought Not to Pass

Report of the Committee on Business Legislation reporting "Ought not to pass" on Bill "An Act relating to Establishment of Branch Banks" (S. P. 393) (L. D. 1259)

Came from the Senate read and accepted.

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

Report of the Committee on Appropriations and Financial Affairs reporting "Ought not to pass" on Resolve Appropriating Moneys to Promote and Advertise Maine's Ski Business (S. P. 2) (L. D. 2)

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

In the House, the Report was read.

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

Mr. WELLMAN: Mr. Speaker and Ladies and Gentlemen of the House: I move that we accept the "Ought not to pass" Report.

The SPEAKER: The question now before the House is the motion of the gentleman from Bangor, Mr. Wellman, that the House accept the Committee "Ought not to pass" Report.

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

Mr. HAUGHN: Mr. Speaker and Ladies and Gentlemen of the House: I am not in the ski business but I am interested in the recreation program of the State of Maine, which is making it more profitable for people for year round employment, year round revenue for the state; and we in this state are so far behind other states in advertising our recreation and ski business, which has now become a big business, I think it is intolerable not to give some consideration to let the people on the outside know. Those people certainly bring in money here, help to make employment, help to pay part of our taxes from revenues obtained from them, and if we cease to be active in the publicity and advertising field I think we are doing an injustice to the State of Maine and to future growth and expansion.

And because of the motion before you I do hope that a division will be taken on this and that we can recede and concur with the Senate.

The SPEAKER: A division has been requested.

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

Mr. WELLMAN: Mr. Speaker and Ladies and Gentlemen of the House: I am not in the ski business either, but I do ski. I think the committee thought long on this. They noted, one, that some additional monies had been made available in the supplemental budget to the Department of Economic Development for advertising. These sums are perhaps not as great as some would like to see, but I think they are more than others would like to see. We have done something on these lines.

Secondly, the committee is very opposed to the appropriating of funds for advertising of a particular industry. We feel that if funds are to be granted for advertising, it should be granted to an organization — a department, that is pre-

pared to exercise some discretion in the expenditure of these sums. I hope you will vote ought not to pass.

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

Mrs. HARRINGTON: Mr. Speaker and Members of the House: The potato industry has a self imposed tax and you all know about the tax of the milk industry. I see no reason why the recreational industry can't have a self imposed tax also.

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

Mr. COOPER: Mr. Speaker and Members of the House: I concur with the gentleman from Bangor, Mr. Wellman. I think his remarks are very sensible. I don't suppose that there is a person from Halifax to Key West who doesn't know that Maine has ski areas and some of the best in the country, and I don't think it is necessary to spend any money to advertise that. The word spreads itself.

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 House accept the Committee "Ought not to pass" Report. A division has been requested.

Will all those in favor of accepting the Committee "Ought not to pass" Report, 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 sixteen having voted in the negative, the Committee "Ought not to pass" Report was accepted in non-concurrence and sent up for concurrence.

Report of the Committee on State Government reporting "Ought not to pass" on Resolve Proposing an Amendment to the Constitution to Provide for Election of Members of Executive Council (S. P. 303) (L. D. 891)

Came from the Senate with the Report and Resolve recommitted to the Committee on State Govern-

In the House, the Report was read.

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

Mr. HAUGHN: Mr. Speaker, I move that the House adhere.

The SPEAKER: Will the gentleman approach the rostrum please.

(Conference at rostrum)

The SPEAKER: The Chair understands that the gentleman from Bridgton, Mr. Haughn, moves that the House accept the Committee "Ought not to pass" Report. Is this the pleasure of the House?

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

### Divided Report

Report "A" of the Committee on State Government reporting "Ought to pass" on Bill "An Act relating to Transfer of Portland Municipal Airport by City of Portland to State of Maine" (S. P. 185) (L. D. 431)

Report was signed by the following members:

Messrs. NOYES of Franklin  
LOVELL of York  
— of the Senate.  
Messrs. HAUGHN of Bridgton  
DOSTIE of Lewiston  
NOEL of Waterville  
— of the House.

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

Report was signed by the following members:

Mrs. CHRISTIE of Aroostook  
— of the Senate.  
Messrs. DENNETT of Kittery  
KIMBALL of Mount Desert  
WHITMAN of Woodstock  
BEARCE of Bucksport  
— of the House.

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

In the House: Reports were read.

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

Mr. WHITMAN: Mr. Speaker, I move that the House accept Report "B" and I wish to speak some to the motion.

I think we are all aware that the State of Maine is in a state of flux as to the direction in which we are going with our aeronautics picture. We have been confronted with various bills relating to area airports, there has been a great deal of controversy as to where these should be located, there has been a great deal of controversy as to what the state actually needs in the way of airports and landing fields. We have considered many small airports around throughout the state in the form of county airports.

This bill proposes that the State of Maine shall take over the Portland Municipal Airport. At this time we do not know what the overall state picture is going to be. We are requested to accept this Portland Municipal Airport primarily because there is some need of extension of runways, or I should say there has been request for extension of runways and there is a request for a two and a half million dollar project to be applied to the Portland Municipal Airport. And this particular project is the reason why the City of Portland wishes the State of Maine to take over this airport.

The airport, operating as it is today, is no problem to the City of Portland in fact at the hearing it was brought out that the City of Portland is making money on the deal as it operates the Portland airport today. However, the City does not wish to enter upon such extensive expansion projects; therefore, they wish the State to take over the obligations with the airport. Our entire aeronautics picture could very well change within the period of five to ten years. All of the aeronautics journals indicate that there is a very great likelihood that our larger planes very soon will be equipped for a steep descent landing and a steep inclined take-off, therefore removing the necessity for these tremendous long runways.

Another point that was brought out in the hearing indicated that nowhere in the State of Maine could we accommodate these very large jet planes that are now in vogue. That is not entirely true. We have at Bangor the Dow Air Base which can accomodate the

largest planes made and they are very willing to accept commercial planes at the Dow Air Base.

In view of the entire uncertainty of the aeronautics picture within our entire state today, we signers of Report "B" felt that it would be very unwise for the state to take on this obligation until we had a complete picture of what our aeronautics program was going to be over the next few years. Therefore I hope that Report "B" will be accepted and when the vote is taken I request a division.

The SPEAKER: The question now before the House is the motion of the gentleman from Woodstock, Mr. Whitman, that the House accept Report "B" "Ought not to pass"; and a division has been requested.

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

Mr. HAUGHN: Mr. Speaker and Ladies and Gentlemen of the House; I too sat on the State Government Committee along with my colleague, Mr. Whitman, and I was one of the signers of Report "A" "Ought to pass" and I will express my views why.

It was brought out by Mr. Whitman that the airport does make money for the City of Portland, it is true. He did not bring out to you the fact that within a period of seven years, the City of Portland is no longer obligated to run or operate this airport. That is item number one. What will the State of Maine do for a major airport then which is your entry into your state and supplies the feeder lines going all over the state to smaller airports? He brings out the fact that the larger jet planes would be allowed to land at Dow Air Base. That is questionable as to whether or not for the public safety or during time of emergency those can be shut off and there are no landing fields available for evacuation of people to take them out under abnormal procedures, for privately operated planes.

It has been brought out also that they made money, it is true, and there is a two and one-half million dollar project pending. That is, if the state desires that they should own it to foster and do that program, but at the present time it is the only airport where you can

land the larger planes now operating in and out of Maine, and serve as a feeder line.

I might say, you see this report and as to how it is signed, and it is admitted by some members who signed Report "B" in the presence of the committee, they signed it because of an area base to which they are concerned; not with the problem. Because they have their own problems confronting them and we all know, each and every one of us, is desirous in our own locality to have an airport of this size in other parts of the state. It is true we cannot support too many of this size type airport, but we must also remember that we have got to have one within the State large enough to supply the state with feeder lines to approach in and out and serve the state.

Now as I have said, the City of Portland is not obligated after a certain number of years to continue this operation. Who is going to have them and who is going to serve the people of the State of Maine for transportation which now has become nil to a certain degree in the State of Maine as far as capable and able service?

You might realize also that the type of thing that is operated down there is in no other part in the State of Maine. We have some nice small airports in other places, small communities up in my own area, we are developing one ourselves which is at no state expense. And when you see the report as signed, it is definitely based on the area from which they come as to how they sign the report. And I certainly hope that this House will give due consideration to this fact, to the State of Maine, not to the City of Portland or any particular area, but the overall picture in the state for transportation needs which we certainly need in the State of Maine.

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

Mr. ESTEY: Mr. Speaker and Ladies and Gentlemen of the House: The gentleman from Woodstock, Mr. Whitman, indicated that there was a state of flux as to the development of airport programs. I think he also intimated at least that

there was a state of flux in the amount of authority which is to be given to the Commission to operate such airports. I would concur with the gentleman from Bridgton, Mr. Haughn, in that the City of Portland has provided the air terminal gateway to the State of Maine for a number of years. The City of Portland recently participated in a program with the federal government to extend its runway north-south in order to permit the landing of eighty-passenger Viscounts, turbo-props. You will note that during the summer seasons, particularly, practically every flight in and out of Portland is at capacity and many times people have to hold over and cannot get reservations. You will note also the recent trend in the past few years of the leading passenger service in and out of the state as well as through the state almost completely, which means that more and more of our tourists and our educational people have to enter our state by air.

Mr. Whitman is correct when he says that the Portland Municipal Airport as such operates at a profit. The last two or three years the operation has been at about \$15,000 a year. This would be profit to the State of Maine if you were to take over the airport. But in the extension of that runway a few years ago, the City of Portland tied up hundreds of thousands of dollars in a suit with the contractors of municipal taxpayers money.

This airport serves the entire state, not just the southern end of the state. It is the feeder line for all the other airports in the state with the exception of perhaps the military planes that travel in and out of our military airports. Portland's debt limit at the present time under its current budget is within \$100,000 of its borrowing capacity. The citizens of Portland have indicated that they do not want and cannot afford to expend money at Portland's airport for capital improvements. Portland is in the middle now of a three million dollar school construction program and two more schools scheduled to be built in this next year at another \$500,000. There are many, many other needs in the City of Portland for its own use, rather than to

expend for state service or for area service on an airport.

There is a companion bill to this one which I would think at least that the gentleman from Woodstock, Mr. Whitman, would be vitally interested in. We are all aware of the possible transfer or relocation of the State School for Boys, and those of you who have flown in and out of Portland know that the east-west runway is the short runway and that planes leaving that runway leave directly over the existing State School for Boys. This has been a navigational hazard for years. The easements on the right-of-way to landings are included in the deed in the companion bill to this one and provides that if the state moves its State School for Boys to any location other than the one it is in now, that the City of Portland would further add that existing property to the airport extension and would give it to the state for the same one dollar nominal fee that this bill requires.

So if we have to consider Portland as the gateway to the State of Maine by air and we are to consider that there is a potential that the contracting airlines will be flying jets and will need longer runways, and it is admitted that jets are able now to land with deeper descent grades and could use runways as long as the one we have in one direction, but the shortest one which goes over the state school is nowhere near long enough, even for the turbo-props that land there now.

If it is admitted that Maine's transportation system would stalemate without expansion at the Portland airport and if you want to leave the airport as a municipal operation just the way it is now, then I think you should consider accepting Report "B." But if you feel that this has a potential for the State of Maine then I think you seriously ought to consider accepting Report "A." When the vote is taken I hope that it is taken by division and I hope Report "B" is not accepted.

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

Mr. ANDERSON: Mr. Speaker and Ladies and Gentlemen of the

House: I think the words of the gentleman from Woodstock, Mr. Whitman, ring true. Who knows in the rapid advance that science is making in the maneuverability of planes, it may be a wasted expenditure. In a few years planes may land and take off in one-tenth of the space now required. I am heartily in accord with the gentleman from Woodstock, Mr. Whitman.

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

Mr. DANES: Mr. Speaker and Ladies and Gentlemen of the House: There have been several statements made as to the possibility of what might be in the future in respect to the development of the airport lines. Irrespective of what developments are made, there is a definite possibility and the fact that they can still use the Portland airport. This airport has been known as the gateway to the entire state and more especially now it is much more important because with the elimination of most of our rail facilities it is necessary that we have some other means of transportation to bring in vacationers and businessmen. I feel that it is vitally important to the entire economy of the State of Maine that we further develop the Portland airport, which will service all the airports in the State of Maine irrespective of where they are; and without the use of the Portland airport those scheduled hops that are made now could not be possibly made.

I certainly hope that when the division is taken, that Report "A" prevails.

The SPEAKER: Is the House ready for the question?

The question before the House is related to item four, Bill "An Act relating to Transfer of Portland Municipal Airport by City of Portland to State of Maine," Senate Paper 185, Legislative Document 431. The immediate question is the motion of the gentleman from Woodstock, Mr. Whitman, that the House accept Report "B" "Ought not to pass." A division has been requested.

All those in favor of accepting Report "B," please rise and remain standing until the monitors

have made and returned their count.

A division of the House was had. Seventy-five having voted in the affirmative and forty-seven having voted in the negative, Report "B" "Ought not to pass" was accepted in non-concurrence and sent up for concurrence.

#### **Non-Concurrent Matter Tabled Until Later in Today's Session**

Bill "An Act Repealing the Time Limitation on Statute Repealing the Two Inch Clam Law" (H. P. 47) (L. D. 88) which was passed to be engrossed in the House on January 31.

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

In the House:

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

Mr. WINCHENPAW: Mr. Speaker, I would like to ask a parliamentary question, if I may. Is it the intent of the leaders to finish the calendar today — or don't you know about that at this moment?

The SPEAKER: It would be our intention to complete the calendar today.

Mr. WINCHENPAW: Well, this bill has an amendment that has been attached to it and I would like a few minutes to study the amendment, so at this time I would like to have this tabled until later in the day.

The SPEAKER: The gentleman from Friendship, Mr. Winchenpaw, moves that in reference to item five, L. D. 88, that it be tabled until later in the day pending further consideration. Is this the pleasure of the House?

The motion prevailed.

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

Bill "An Act to Revise the Civil Defense and Public Safety Council Law" (H. P. 811) (L. D. 1126) which was passed to be engrossed as amended by Committee Amendment "A" in the House on May 12.

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

ed by Senate Amendment "A" thereto in non-concurrence.

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

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

An Act relating to Procedure of Application for and Organization of School Administrative Districts (H. P. 923) (L. D. 1271) which was passed to be enacted in the House on March 22 and passed to be engrossed as amended by Committee Amendment "A" on March 14.

Came from the Senate indefinitely postponed in non-concurrence.

In the House: The Report was read.

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

Mr. HUGHES: Mr. Speaker, Ladies and Gentlemen of the House: I move that we recede and concur.

The SPEAKER: The question now before the House is the motion of the gentleman from St. Albans, Mr. Hughes, that the House recede and concur. Is this the pleasure of the House?

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

Mr. ESTEY: Mr. Speaker, I really do not understand the action that has taken place. This bill went completely through the legislative process and was passed to be engrossed in this House. This bill deals with the procedure of application and organization of school administrative districts, it was the unanimous report of the Committee on Education to pass this bill as this was felt to be a clarification on the organization of school districts, and the committee amendment "A" was to provide for the election of school directors by a plurality vote in each municipality which is something that has been slipped through in the law which we were actually not doing. This was nothing more than a clarification of the law in order so that we wouldn't break the law in electing directors by a majority vote but by a plurality vote.

The objection I believe that was raised to the bill was that this took away the power of one municipality to veto an organization of



a district. The petition under 111-F requires that the municipality instruct its school committee to file an application to form a district, and then to go ahead and hold an election which would require a majority vote of those voting in the proposed district on each article. I think it's only common sense that we have to have a majority vote of those voting on the district as a whole in order to have a solid and well-founded organization. I certainly hope that the motion to recede and concur does not prevail, I would hope that we would adhere to our action and I would request that when the vote is taken, it be taken by a division.

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

Mr. WESTERFIELD: Mr. Speaker, I think in explanation that the reason that this bill went through the House so swiftly is the fact that the true effect of the bill is carefully hidden. Also, there was a certain amount of merit to the Committee Amendment that didn't bring to the attention of us, the bad effects of this bill.

Under the present situation in the formation of school administrative districts, if a group of five towns is considering the formation of a school administrative district, each town votes on the situation, and votes as to whether they want to become a member of that school administrative district or not. Under this law if enacted, you could conceivably have a five-town district, four towns of which wanted to form a school administrative district, and the fifth not wanting to be a part of that school administrative district and the four towns because of their larger popular vote could drag the fifth town in with it. In another instance you could have a situation where a large town, a large municipality, having a larger popular vote than two adjacent towns and the three towns voting on a school administrative district, the two small towns not favoring becoming a part of that school administrative district, and the large municipality favoring it, the large municipality could vote in the other two towns.

Now we have seen in the course of the last three or four years, at least two school administrative districts in which a great deal of upheaval has occurred. We hope that such errors in judgment, such actions whereby towns get into a situation that they are not aware of, do not occur again. It is my opinion that if adopted, this measure could very easily create districts in which upheaval was inevitable; and therefore, I wish to support the motion of the gentleman from St. Albans, Mr. Hughes, that we recede and concur with the Senate in indefinitely postponing this bill.

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

Mr. BRADEEN: Mr. Speaker, Ladies and Gentlemen of the House: We are all indebted for a most comprehensive and factual presentation of this bill, its demerits, by the gentleman from Liberty, Mr. Westerfield. If I were to use one single word to describe this particular piece of legislation, it would be the adjective coercive. It seeks to substitute force where persuasion fails. In my considered judgment, it is a bad bill, and I certainly hope that this House will have none of it. Thank you.

The SPEAKER: The Chair recognizes the gentlewoman from Chelsea, Mrs. Shaw.

Mrs. SHAW: Mr. Speaker, Ladies and Gentlemen of the House: I want to clarify my position as sponsor of this bill. This bill was presented to me by the Department of Education. I was not fully in accord with it when I entered it, and should have done so by request; but being a freshman legislator, did not, and I am not fully in accord with it now, and would hope that the House would recede and concur with the Senate's action.

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

Mr. BRAGDON: Mr. Speaker, I have read this bill over hastily, and I note in the last section—in section four if you will look at it, if I read it correctly, I believe that in this bill you are having a district vote as a district before you

even have a district formed. How inconsistent can we get?

The SPEAKER: Is the House ready for the question? The question before the House is the motion of the gentleman from St. Albans, Mr. Hughes, that the House recede and concur with the Senate in indefinite postponement of Bill, "An Act relating to Procedure of Application for and Organization of School Administrative Districts," House Paper 923, Legislative Document 1271. A division has been requested.

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

A division of the House was had.

One hundred two having voted in the affirmative and fourteen having voted in the negative, the motion prevailed.

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

The SPEAKER: At this time the Chair would like to announce the following conferees on the following matters: In reference to L. D. 358, H. P. 244, Resolve Closing Hayden Brook, Somerset County, to All Fishing, the following conferees are appointed by the Chair:

Messrs. FOGG of Madison  
MOORE of Casco  
WADE of Skowhegan

In reference to L. D. 1197, S. P. 387, Bill, "An Act Requiring Persons Seventy-Five Years of Age to Take Examination for Motor Vehicle Driver's License," the Chair appoints the following conferees:

Messrs. DUNN of Poland  
CHAPMAN of Norway  
PHILBRICK of Bangor

In reference to L. D. 788, H. P. 568, Resolve Appropriating Funds for Regional Airport to Serve Augusta, Waterville and Surrounding Areas, the Chair appoints the following conferees:

Messrs. LANE of Waterville  
JALBERT of Lewiston  
DRAKE of Bath

The SPEAKER: At this time the Chair would like to recognize the presence in the gallery of fifty-five pupils from the Mount Vernon Elementary School from grades five, six, seven and eight, accompanied by their principal, Mr. Clifton Gage, Jr., and their teacher, Verona P. Webber.

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)

### Orders

On motion of Mr. Anderson of Ellsworth, it was

ORDERED, that Rev. George Boville of the Congregational Church, Ellsworth, be invited to officiate as Chaplain of the House on Tuesday, May 23, 1961.

On motion of Mrs. Harrington of Patten, it was

ORDERED, that Mr. Hopkinson of Fort Fairfield be excused from attendance for the remainder of the week because of business.

On motion of Mr. Karkos of Lisbon, it was

ORDERED, that Rev. Fr. Michael Dugan, of the St. Matthews Episcopal Church, Lisbon Falls, be invited to officiate as Chaplain of the House on Thursday, May 25, 1961.

On motion of Mr. Bearce of Bucksport, it was

ORDERED, that Rev. Charles T. Brown of the Elm Street Congregational Church, Bucksport, be invited to officiate as Chaplain of the House on Wednesday, May 24, 1961.

On motion of Mr. Bradeen of Waterboro, it was

ORDERED, that Rev. Harvey Cossaboom of the Blaisdell Memorial Church, Waterboro, be invited to officiate as Chaplain of the House on Friday, May 26, 1961.

Mr. Pike of Lubec presented the following Order and moved its passage:

ORDERED, the Senate concurring that the Legislative Research Committee is directed to make an

investigation into the jurisdiction of the Public Utilities Commission relative to sewer systems in the municipalities of the State, especially pertaining to the limited jurisdiction by isolated provisions of sewer district charters; and be it further

ORDERED, that the Legislative Research Committee report the results of its study to the 101st Legislature. (H. P. 1167)

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

Mr. PIKE: Mr. Speaker, Ladies and Gentlemen of the House: This is a move toward clarifying the situation of the sewerage districts and companies and systems as regards to their status as public utilities. In the last several years, we have had more and more of these sewer systems come in as districts. The provisions vary a great deal. In some cases the Public Utilities Commission is asked to set the rates and in others it is not. In no case I believe, or maybe in one case, the Utilities Commission has the right to supervise securities issued. It has never been settled as to whether these things are or are not public utilities. It would be premature to introduce legislation defining them either way and it seems very sensible to make a study of the situation since we are going to have more of these things as the years go by, find out where they ought to be.

Thereupon, the Order received passage and was sent up for concurrence.

At this point, a message came from the Senate, borne by Secretary Winslow of that body, proposing a Joint Convention to be held forthwith in the Hall of the House of Representatives for the purpose of extending to His Excellency, John H. Reed, Governor of Maine, his guest the Honorable Ted C. Connell, National Commander of the Veterans of Foreign Wars, and his official party an invitation to attend the Convention and address to the same such remarks as either the Governor or his guest may be pleased to make.

On motion of Mr. Baxter of Pittsfield, the House voted to concur in

the proposal for a Joint Convention and the Clerk was instructed to convey the message to the Senate.

The Clerk subsequently reported that he had delivered the message with which he was charged.

At this point, the Senate entered the Hall of the House and a Joint Convention was formed. (Applause, members rising)

### In Convention

The President of the Senate, Honorable Earle M. Hillman, in the Chair.

CHAIRMAN HILLMAN: The convention will be in order.

On motion of Senator Boardman of Washington, it was

ORDERED, that a committee be appointed to wait upon His Excellency, John H. Reed, Governor of Maine, and inform him that the two branches of the Legislature are in Convention assembled in the Hall of the House of Representatives and extend to him an invitation to attend the Convention with his guest, the Honorable Ted C. Connell, National Commander of Veterans of Foreign Wars and address to the Convention such remarks as either of them may be pleased to make.

The Chair appointed:

Senators:

BOARDMAN  
of Washington  
JACQUES of Androscoggin  
FARRIS of Kennebec

Representatives:

EDGERLY of Sangerville  
MacGREGOR of Eastport  
STEVENS of Portland  
WALTZ of Waldoboro  
TARDIFF of Lewiston  
HARRINGTON of Patten  
HANSON of Lebanon  
KILROY of Portland

### Convention at Ease

Called to order by the Chairman.

Senator Boardman for the Committee subsequently reported that the Committee had discharged the duties assigned it, and that the Governor and his distinguished guest would forthwith attend the Convention.

### Convention at Ease

Called to order by the Chairman.

Whereupon, His Excellency, Governor John H. Reed and his guest, Ted C. Connell, National Commander of the Veterans of Foreign Wars, his staff, and the members of the Executive Council, announced by Robert Heald, Executive Councilor, entered the Hall of the House amid prolonged applause, the audience rising.

GOVERNOR REED: Mr. President, Mr. Speaker, Members of the 100th Maine Legislature, and guests: Once again it is a distinct pleasure to be here and to introduce to this august body distinguished visitors from outside our state. I know that we are all deeply honored when we are favored by a visit by outside dignitaries and surely we're all proud of our wonderful veterans organizations. Before I introduce the Commander of the Veterans of Foreign Wars, the National Commander, I would like to present to you the Department of Maine Commander of Veterans of Foreign Wars, a young man who has been very active in this wonderful veterans organization for a number of years, a man who I have been proud to have as an aide-de-camp on my official military staff, a fellow who is well recognized by veterans all over the state as a tireless worker on the behalf of veterans of Maine. At this time I would like to ask Colonel Leo Trahan of Winslow to stand up and take a bow. Colonel Leo — (Applause)

Looking back over the years that I served in the Legislature, I shall always recall back in 1955, as a member of the House of Representatives, when we were favored by a visit of the then commander of the National Veterans of Foreign Wars. He was one of the finest speakers that I ever had the privilege of listening to. In fact, on numerous occasions I have looked back into the official record to read passages over again of the address that he gave at that particular time. I'm certain today that our speaker today will live up to that fine reputation that was es-

tablished by that commander a few years ago.

It was a bit of a coincidence on the first occasion that I had a chance to meet Commander Connell. Actually it was during a visit to New York City when I was accompanied by Mr. President and Mr. Speaker. On our way out, I perchance took along the national publication of the Veterans of Foreign Wars, and I was reading it and it had quite a bit to say of course about the National Commander, and I know that Senator Hillman also had been reading about it. That evening in New York City, we had the pleasure of witnessing the famous Ed Sullivan Show, and following that why we had a chance to be introduced briefly. Also being introduced that same evening was the now Commander of the Veterans of Foreign Wars, Ted Connell, so that was my first opportunity to shake hands with the Commander; at that time I wished him well and hoped that he would visit Maine and he has accepted our invitation. We are happy he is here today. This is the forty-fifth state that he has had the pleasure of visiting in, and I am sure that we will enjoy hearing from him here this morning. He has a distinguished record in World War II as a member of our tank battalions, very fine record there. In private life he hails from the great State of Texas. We're certainly pleased and would want to send our best wishes to Governor Price Daniel of the wonderful State of Texas. He also is a very young man to hold this exalted position. At thirty-five years old, he has the highest position that the Veterans of Foreign Wars can offer to anyone. He comes from a family of ten brothers — eight of whom served their country in World War II, and certainly he has a remarkable record behind him, and I know that you are as proud as I am to be here today and to have the pleasure to welcome to the great State of Maine, our visiting Commander of the Veterans of Foreign Wars, Ted C. Connell of Texas. Ted Connell— (Applause, the audience rising)

COMMANDER CONNELL: Thank you very much, Governor Reed, to

the President, to the Speaker, to the distinguished members of the Maine Legislature, at the outset I would like to express my appreciation for your attendance and your kind invitation to be here this morning.

One of the experiences I have enjoyed since being elected Commander-in-Chief of the Veterans of Foreign Wars has been the opportunity to appear before many groups and organizations and joint sessions throughout our great country. May I say again it is certainly a high honor to tell you for just a few minutes the story of the VFW and our aims and objectives throughout these peerless times in America.

Naturally, being an organization composed of one million three hundred thousand overseas veterans, one of our prime objectives is the service and rehabilitation of our comrades in arms. And seeing that the widows and orphans of the comrades that have passed on before us, are taken care of.

To carry out this work we maintain legislative and rehabilitation offices in Washington and branch rehabilitation offices in all of the 50 States. These are at the service of all American veterans.

The V.F.W. realizes, however, that over and above its efforts to help veterans, their dependents, widows and orphans, it has a duty to our nation as a whole — and even a limited obligation to all peoples of the world. We operate not on the Communist principle of hate, but on the idea of the brotherhood of God.

I wonder today as each of us sits here, have we felt that the greatest asset that we have in the country is certainly reflected here by our leaders of tomorrow. I'm certainly happy at this meeting, I could also address these children.

Because all of our members have served overseas, we know at first hand the horrors of war and want to do everything possible to attain a just peace. We realize that peace depends ultimately not on the United Nations, which we support—not on universal disarmament, which we would like to see—nor wholly on the armed forces of the United States of America.

True peace depends on justice anywhere in the world today—and justice is based on morality. We do not have peace in the world today because one of the most powerful nations on this earth rejects all moral standards. It says that the only morality is the yardstick which advances Communism and Communist world revolution.

It is because of the V.F.W. and its desire for peace — and its recognition that the basic relationship between peace, justice, morality and religion, that we are constantly urging our 10,000 members in each individual post throughout the United States to actively promote back to God movements.

Let's face it. There will be no true peace in this world today as long as almost a billion people behind the Iron and Bamboo Curtains are deprived of religious freedom and they are under the strong fists of governments that deny God and do not believe in dealing with other nations justly.

Today, we have only a temporary peace—perhaps we should call it an armed truce—in a period in which the evil of Communism is so powerful that it cannot be destroyed by the forces of good. It may break loose again at any moment as we have seen in the recent history in Laos, next in Vietnam, in the not too recent history close to the shores of our country in Cuba.

No American, no believer in justice and freedom or in fundamental human rights, can be content with such a condition. His conscience tells him he must do all in his power to end this state of armed truce.

Freedom is the very hallmark of the American way of life—and the opposite of life under Communism. I mean freedom to do good by words and actions not freedom to destroy what is good. That is the abuse and the corruption of freedom which the Communists practice.

When I speak of freedom to do good for just a moment, I would like to say what a fine job the organization of the Veterans of Foreign Wars in the State of Maine is doing in their many many community service projects. Command-

er Leo, my congratulations certainly to you and your staff for such a fine program as you have carried on in that field in this particular year.

I would not be completely candid with you here today if like many Americans, that I do not confess I am disturbed by the signs of weakened patriotism of significant numbers of our fellow citizens. Too many Americans don't bother to vote, too many Americans are willing to trade hard won freedom and independence — our sovereignty for a world government or Atlantic Union. Too many are somewhat ashamed of proclaiming their love of country — because they may be referred to as "flag wavers." Too many are fearful of protesting communist mass enslavement abroad and yes, its treason here at home and close to home, lest they be referred to as "red baiters".

What is wrong, I ask of you this morning, in waving this country's flag — a thing which great and honorable men have done through history? Why should we be ashamed or afraid to speak up against communism, which would destroy everything that all decent people in every corner of the globe believe in?

Can you and I believe in freedom if we remain silent when freedom is destroyed? Can we believe in intangible, God-given rights if we go along with governments that wipe out these freedoms? And can we maintain our own freedom if we don't believe in freedom enough to protest — yes and if necessary even fight — rather than let its light be dimmed in one nation after another until the whole globe is cast into the darkness of inhuman Communist brutality?

I am greatly disturbed in recent days by a statement made by the British foreign minister. He has indicated that the United States and others in the free world should face up to the facts of international life and recognize Red China in the United Nations. This in my opinion is one of the most disgusting statements of appeasement that I have read in a long time.

I say to you that in facing up to the international facts of life by

recognizing Red China, we would be, in fact, facing up to international blackmail — yes, even international death. Red China has never yet lived up to any international agreement and I see no reason why we should believe that they will begin now. The Veterans of Foreign Wars doesn't like doing business with international gangsters and that is exactly what we will be doing if we fail to fight the admission of Red China into the United Nations.

Let me remind you that as far as we know we still have 547 service men captured in Korea in Red China's prison camps, yes, and we have untold thousands of American citizens that are also gracing those present camps and they will not even tell the international Red Cross whether they are living or dead.

I was encouraged last week to see that Secretary Rusk and the President of these United States had again stated that we would fight the admission of Red China to the United Nations.

We need a powerful Armed Force today to remain free. Yes, but that is not enough and will fail to keep us free if we ourselves, each and every one of us, are not wholly dedicated to the country and its ideals of freedom. In the final analysis, our real security lies not in our Armed Forces or our material might, but with ourselves, in our patriotism, in our love for our country and our unqualified devotion to what it stands for. The United States, more than any other nation or political organization on the face of the earth, is worthy of such devotion.

I urge all of you, as leaders of your state, and I urge all Americans to rededicate themselves to what the V.F.W. believes in today as the most vital of all its objectives, the fostering of a renewed spirit of patriotism within our own people. Love of America is love of the highest and noblest ideals. It is our — and the whole world's — best guarantee that peace and justice will be restored to the earth.

May it not be said of our generation that we squandered our richest inheritance, that of free-

dom, and that we failed to meet the great challenge that we happen to live in.

Thank you very much for your kind attention. (Applause, the audience rising)

CHAIRMAN HILLMAN: I think I speak for the Convention when I say that we thank the Commander for his inspiring message, and I am sure that we will go back to our duties feeling refreshed when we have men like this talking over the country.

Thereupon, the Governor, his distinguished guest and his suite then withdrew amid the prolonged applause of the Convention, the audience rising.

The purpose for which the Convention was assembled having been accomplished, the Chairman declared the same dissolved. The Senate then retired to their Chamber amid the applause of the House, the members rising.

#### In the House

The House was called to order by the Speaker.

The SPEAKER: The House is proceeding under orders.

#### Indefinitely Postponed

Mr. Turner of Auburn presented the following Order and moved its passage:

ORDERED, the Senate concurring, that all acts and resolves referred to the Joint Standing Committees of the 100th Legislature and not reported out by Tuesday, May 23, 1961 at 6:00 P.M. be referred to the 101st Legislature.

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

Mr. TURNER: Mr. Speaker and Members of the House: The purpose of this order is to fire up the machinery of both branches of this Legislature. The majority of the ladies and gentlemen of this body are in business and a lot of us are getting uneasy to get back into the harness. This is a simple order and I hope you people will go along and help me pass it today. In doing so, you are helping yourself as well as the prestige of this body. If you folks would be broad-minded, I would move that it

be sent forthwith to the Senate. I think Tuesday next is a reasonable time. At that, it will take two weeks to clear the deck. If we do not get this stuff out of committee, we will be here July 4th. I move this order be passed.

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

Mr. BAXTER: Mr. Speaker, with regard to the order that has been submitted, it seems to me that we are here to do the best job we can for the state. Although we want to be here a minimum of time, time is certainly secondary to the job we do. I think we can safely assume that we have good standing committees and that we have good chairmen of these committees, and I think we can rely upon them in their good judgment to report these bills out of committee when they feel that they have enough knowledge and have discussed them sufficiently to give us adequate guidance as to how we should vote upon the bill.

To me at least, and I think the most of you, I am guided to a great extent by the recommendations that these committees give us. I think that the bills that we have introduced in the Legislature should come before us and not be arbitrarily postponed. I think they should have the long and adequate thought of these committees, and therefore I hope that this order will be indefinitely postponed.

The SPEAKER: The question now before the House is the motion of the gentleman from Pittsfield, Mr. Baxter, that this order be indefinitely postponed.

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

Mr. BRAGDON: Mr. Speaker, I would like to concur in the motion of the gentleman from Pittsfield, Mr. Baxter. I believe that such an order could cause us even at this time considerable difficulties with some committees.

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

Mr. KNIGHT: Mr. Speaker, Ladies and Gentlemen of the House: We have one bill in the Judiciary Committee other than a minor bill, and that bill is the bill to correct

errors and inconsistencies and amendments are coming in every day and those amendments are created by this Legislature in its rush. One such amendment has to do with the transient rental. We put it through for 1960, made an ex post facto law, that has to be clarified; and if that bill is referred to the 101st Legislature, with all its many amendments, why a lot of bills will go down the drain.

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

Mr. WILLIAMS: Mr. Speaker and Members: I for one think this order is a good order. We have had a long while to look at these things, and after all we have about a week to finish them up. Let's get the show on the road. How can we kill these bills while they are still in committee? The land is drying up and we have potatoes to plant in Aroostook and we don't want to stay all summer in Augusta.

The SPEAKER: The Chair recognizes the gentleman from Milbridge, Mr. Kennedy.

Mr. KENNEDY: Mr. Speaker, I am certainly in sympathy with the gentleman from Auburn, Mr. Turner, relative to his order. However, I can't vote for it. I think his order is too soon. Next Tuesday would be rather an abrupt time to request all committee reports. Now we are working on reapportionment and we have had a number of details to straighten out. I doubt if we could get that report on the Floor by Tuesday. However, we are making very rapid progress now and it should be out soon. If this order doesn't do any more than stimulate the committees and the chairmen of the committees, why it has accomplished a purpose.

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

Mr. WHITMAN: Mr. Speaker, I think we as responsible Legislators were elected to come here to do a job. I would hate to think that we would sacrifice any due consideration of bills presented to us for consideration.

I recall not too long ago in the early days of the session, many Legislators came to me and said

"you're hurrying this thing too fast," and perhaps some of those Legislators at this time are anxious that we should hurry a little faster. I think we should wind this session up just as expeditiously as possible, without sacrifice of due consideration. I think we came here to do a job and study all of these proposals thoroughly, and I don't think that we came here to plant potatoes.

Mr. TURNER: I would request a division.

The SPEAKER: A division has been requested. The question before the House is the motion of the gentleman from Pittsfield, Mr. Baxter, that this order be indefinitely postponed. All those in favor of the indefinite postponement of this order, please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Sixty-nine having voted in the affirmative and forty-nine having voted in the negative, the motion did prevail.

The SPEAKER: At this time the Chair would recognize the presence in the gallery of a group of eighth grade students from the Southwest Harbor School accompanied by their teacher, Dwight Perkins; also in the gallery is a group of students from the Locke Mills School accompanied by their teacher, Mrs. Fred Haines. There are nine pupils present in this eighth grade group. Also they are accompanied by Mrs. Lester Bickford, a parent, and sponsored by the representative from Bethel, Mrs. Lincoln. (Applause)

Also in the gallery is a group of pupils from South Bristol, accompanied by their teacher, Mrs. Gwendolyn Thompson and parents.

On behalf of the House, the Chair extends to you a most hearty and cordial welcome, and we hope you will enjoy and profit by your visit with us here today. (Applause)

#### House Reports of Committees Leave to Withdraw

Mr. Boissonneau from the Committee on Labor on Bill "An Act Entitling College Students to Receive Minimum Wage" (H. P.



1004) (L. D. 1405) reported Leave to Withdraw.

Mr. Jobin from same Committee reported same on Bill "An Act relating to Disqualification for Benefits under Employment Security Law" (H. P. 1003) (L. D. 1404)

Reports were read and accepted and sent up for concurrence.

#### **Ought Not to Pass Tabled and Assigned**

Mr. Noel from the Committee on State Government reported "Ought not to pass" on Bill "An Act relating to Disposition of Property in Hebron, formerly Western Maine Sanatorium" (H. P. 355) (L. D. 507)

Report was read.

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

Mr. BERRY: Mr. Speaker and Members of the House: In view of the fact that we have other bills related to this one, the disposition of the Boys School in South Portland, the possible location of the Western Maine Sanatorium, and the Portland airport bill, I now move that this bill be tabled until Thursday next.

The SPEAKER: The gentleman from Portland, Mr. Berry, moves that this bill be tabled until a week from today pending acceptance of the Committee Report. Is this the pleasure of the House?

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

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

Fifty-eight having voted in the affirmative and forty-seven having voted in the negative, the motion to table prevailed.

#### **Ought to Pass in New Draft New Draft Printed**

Mr. Kimball from the Committee on State Government on Bill "An Act relating to Appointment of Director of Indian Affairs" (H. P. 1020) (L. D. 1421) which was re-committed, reported same in a new draft (H. P. 1166) (L. D. 1607) under title of "An Act relating to Appointment of Director of Indian Affairs and Planning Board for the

Penobscot Tribe" and that it "Ought to pass"

Report was read.

The SPEAKER: The Chair recognizes the gentleman from Mount Desert, Mr. Kimball.

Mr. KIMBALL: Mr. Speaker, this bill has been before us, the Committee on State Government, it has been gone over, it has been rewritten; and I do believe that as it is now written it can be a great help to the Indians here in the State of Maine. At the moment the Indians feel a very definite inferiority complex. Under the Health and Welfare Department they feel that they are nothing but state aids and they are trying not to feel that. They are very anxious to bolster their own dignity by having a director of their own, not directly under that department.

Now there are many on the various sections that are not for that among the Indians, but they are not very strong in their feeling against it; they don't know quite what's coming. As against that, when we went up to Old Town to interview the Indians and talk with the group, look over the conditions, we found that the leaders were primarily interested in having this. They have a very fierce pride in their tribe traditions. They want to maintain them, but they want to feel a sense of dignity.

I move that we accept the Committee Report, which is that it ought to pass in new draft.

The SPEAKER: Is it the pleasure of the House to accept the Committee "Ought to pass" in New Draft Report?

The motion prevailed and the New Draft was read twice and tomorrow assigned.

#### **Passed to Be Engrossed**

Bill "An Act Increasing Certain Sheriff Fees" (H. P. 887) (L. D. 1267)

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

#### **Third Reader Amended**

Bill "An Act Creating a District Court to Integrate Activities of

Municipal Courts and Trial Justices" (H. P. 1157) (L. D. 1594)

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

The SPEAKER: The Chair recognizes the gentleman from Farmington, Mr. Jones.

Mr. JONES: Mr. Speaker and Members of the House: This L. D. 1594, the district court bill, the chances are that it has many good merits and is well worth considering. However, the majority of the folks in Franklin County feel that they are very well satisfied with the present court system. Now when I referred to the majority of the people there, I am speaking and referring to the attorneys in the county, the county officers, the county commissioners, and the past county commissioners. So therefore I move the adoption of House Amendment "B," filing number H-301 to this bill.

The SPEAKER: The gentleman from Farmington, Mr. Jones offers House Amendment "B" and moves its adoption. The Clerk will read the amendment.

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

HOUSE AMENDMENT "B" to H. P. 1157, L. D. 1594, Bill, "An Act Creating a District Court to Integrate Activities of Municipal Courts and Trial Justices."

Amend said Bill in that part designated "Sec. 3," of section 1 by striking out all of subsections X and XI and by renumbering subsections I to XXXIII to be I to XXXI.

Further amend said Bill in that part designated "Sec. 4," of section 1 by striking out all of subsection XI and by renumbering subsections I to XIII to be I to XII.

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

Mr. KNIGHT: Mr. Speaker and Ladies and Gentlemen of the House: I arise as House chairman of the Judiciary Committee to oppose the amendment offered by the gentleman from Farmington, Mr. Jones. This amendment removing Franklin County from the district court system would cripple the bill if accepted. Aroostook County had threatened for years to secede from

the State of Maine and with far more provocation than Franklin County has for seceding from the judiciary system of this state. Aroostook County is still with us and let us today keep Franklin County within our judicial fold.

When the vote is taken, I urge you to vote against the motion made by the gentleman from Farmington, Mr. Jones.

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

Mr. MAXWELL: Mr. Speaker and Ladies and Gentlemen: I rise to concur with my friend from Rockland, Mr. Knight. We in Franklin County enjoy some of the state's best scenery, our forests are abundant, both in game and lumber. Our waters are clean and pure for the most part, our climate normal as is required by new business moving in and by tourists, sportsmen, and other vacationists. But for one hundred years our population in Franklin County has remained approximately the same. I could point a finger at our present court system in Franklin County and say that it is to blame for this, but I will not. Just maybe I would be wrong, and certainly I don't want to do any harm or wrongly accuse anyone.

However, it has been stated here on this House floor that we in Franklin County don't want this district court bill. Now let me remind this House I represent two of the largest towns in Franklin County, those two towns both certainly want the district court bill. I have talked to many people regarding this, they do want a change from the present kangaroo courts that we have up there. The Farmington BPW Club has contacted me, they have a large membership, and they are entirely in favor of the court bill. The Jay-Livermore Falls BPW Club has also contacted me, don't belittle the women's vote in the State of Maine. I could go on and on naming names that are for a change, but I won't take your time. The only person contacting me against this comes from out of my two towns.

I would now move indefinite postponement of the amendment.

The SPEAKER: The question now before the House is the motion of the gentleman from Jay, Mr. Maxwell, that the amendment be indefinitely postponed.

The Chair recognizes the gentleman from Farmington, Mr. Jones.

Mr. JONES: Mr. Speaker, we do have two towns in a certain part of our county and they do have a sizable population. However, it is very seldom that they go along with the ideas and ways of thinking of the remaining towns in the county. As I said in the beginning, that some in the county to which I belong, favor this bill, but the majority of the people don't want it. Now a few weeks ago we were discussing two bills here in the House and when we were taking action on them, at that time the argument was given that home rule should prevail.

Now at this particular time I rest upon that same argument that the home rule should prevail. When the vote is taken I will ask for a division and hope that you will go along with me and pass this amendment. Thank you.

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

Mr. KNIGHT: Mr. Speaker and Ladies and Gentlemen of the House: As House chairman of the Judiciary Committee and on behalf of the committee, I urge you to support the indefinite postponement of this amendment.

The SPEAKER: Is the House ready for the question?

The question before the House is the motion of the gentleman from Jay, Mr. Maxwell, that House Amendment "B" be indefinitely postponed. 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.

One hundred six having voted in the affirmative and fifteen having voted in the negative, House Amendment "B" was indefinitely postponed.

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

Mr. BERRY: Mr. Speaker and Ladies and Gentlemen of the

House: I arise to offer an amendment to this bill. This amendment has a hundred percent support of the Judiciary Committee. I now offer House Amendment "A" to House Paper 1157, L. D. 1594.

The SPEAKER: In reference to item two, the gentleman from Portland, Mr. Berry, offers House Amendment "A" and moves its adoption. The Clerk will read the amendment.

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

HOUSE AMENDMENT "A" to H. P. 1157, L. D. 1594, Bill, "An Act Creating a District Court to Integrate Activities of Municipal Courts and Trial Justices."

Amend said Bill in that part designated "Sec. 9." of section 1 by striking out the underlined figure "13" in the first sentence and inserting in place thereof the underlined figure '14'

Further amend said Bill in that part designated "Sec. 9." of section 1 by striking out the period at the end of the 2nd sentence and inserting in place thereof the underlined punctuation and words 'except that in District 9 there shall be 2 judges appointed who shall be residents thereof.'

House Amendment "A" was adopted.

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

Mr. SMITH: Mr. Speaker and Members of the House: There are several textual matters and slight changes in geography being proposed as an amendment to this bill, and I now offer that amendment, House Amendment "C" and move its adoption.

The SPEAKER: The gentleman from Bar Harbor, Mr. Smith, offers House Amendment "C" and moves its adoption. The Clerk will read the amendment.

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

HOUSE AMENDMENT "C" to H. P. 1157, L. D. 1594, Bill, "An Act Creating a District Court to Integrate Activities of Municipal Courts and Trial Justices."

Amend said Bill in that part designated "Sec. 3." of section 1 by striking out in subsection IV the underlined words and comma

**"Portage Lake,"** and inserting the underlined letters and figures **'T14 R6.'** and by striking out the underlined words **"Fort Fairfield"** and inserting in place thereof the underlined word **'Limestone'**

Further amend said Bill in that part designated **"Sec. 3."** of section 1 by striking out in subsection V the underlined word and comma **"Bridgewater,"** and by inserting after the words and comma **"Oxbow Plt.,"** the underlined word and comma **"Blaine,"**

Further amend said Bill in that part designated **"Sec. 3."** of section 1 by striking out all of subsection VIII and inserting in place thereof the following underlined subsection:

**'VIII. Southern Cumberland. Southern Cumberland consists of the municipalities of Raymond, Windham, Standish and all municipalities lying to the south and east of these in Cumberland County up to the boundaries of the division of Eastern Cumberland. The District Court for Southern Cumberland shall be held at Portland.'**

Further amend said Bill in that part designated **"Sec. 5."** of section 1 by adding at the end of subsection III the following underlined sentences:

**'Such action or proceeding may be removed to the Superior Court by the defendant. The rules of municipal courts now in effect for removal of actions to the Superior Court shall apply.'**

Further amend said Bill in that part designated **"Sec. 6."** of section 1 by adding at the end of the 3rd paragraph the following underlined sentence:

**'Such clerk may accept a guilty plea upon payment of fines as set by the judge.'**

Further amend said Bill in that part designated **"Sec. 9."** of section 1 by adding at the end of the first paragraph the following underlined sentence:

**'Each Judge shall be reimbursed for his expenses actually and reasonably incurred by him in performing his duties, upon presentation to the State Controller of a detailed statement of such expense approved by the Chief Judge.'**

Further amend said Bill by striking out all of that part designated

**"Sec. 10."** of section 1 and inserting in place thereof the following underlined section:

**'Sec. 10. Clerks, clerical assistants; appointment; compensation. For each division and for the office of the Chief Judge, the Chief Judge shall appoint such clerks and employ such clerical assistants as may be necessary. Clerks and clerical assistants shall be compensated as determined by the Chief Judge. If the business of any division does not require the full-time service of a clerk, the Chief Judge may appoint a part-time clerk for such division.'**

Further amend said Bill in that part designated **"Sec. 13."** of section 1 by adding at the end of subsection I the following underlined sentence:

**'Every clerk, shall give bond to the State in such sum and with such sureties as the Chief Judge shall approve, conditioned that he will, during his continuance in office, faithfully perform, as the law requires, all his duties relating to the collection and payment over of all fines, fees and forfeitures which may come into his hands by virtue of his office.'**

House Amendment "C" was adopted.

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

#### Amended Bill

Bill "An Act Amending Charter of City of Saco" (H. P. 679) (L. D. 957)

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

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

Mr. BEDARD: Mr. Speaker, I wish to present an amendment to H. P. 679, L. D. 957, and move that it be adopted.

The SPEAKER: The gentleman from Saco, Mr. Bedard, offers House Amendment "A" and moves its adoption. The Clerk will read the amendment.

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

HOUSE AMENDMENT "A" to H. P. 679, L. D. 957, Bill, "An Act Amending Charter of City of Saco."

Amend said Bill in section 2 by striking out all of that part designated "Sec. 10," and inserting in place thereof the following underlined section:

**"Sec. 10. Civil engineer; appointment. The mayor, with the advice and consent of the council, may appoint a qualified civil engineer for a term not to exceed 5 years and at an annual compensation of not less than \$5,000 nor more than \$7,000. The duties of said engineer shall be established by ordinance."**

Further amend said Bill in section 9 by striking out all of those parts designated "Sec. 1 and Sec. 2" and inserting in place thereof the following:

**"Sec. 1. Superintending school committee; membership; term. The superintending school committee shall consist of 3 members elected at large from the qualified voters of the city appointed by the mayor, with advice and consent of the city council, for a term of 3 years and until their successors are elected appointed and qualified, and not more than 2 members thereof shall belong to the same political party. The superintending school committee shall elect one of their number as chairman. All regular meetings of the committee shall be open to the public. One member is to be elected appointed each year at the annual election, except as hereinafter provided in case of vacancies. No person, however, shall be ineligible to membership on the superintending school committee on account of sex. Any member of the school board, serving before the ratification of this charter. Each member of the superintending school committee at the time of the passage of this act shall complete his term on said board committee."**

**Sec. 2. Organization. The superintending school committee shall meet for organization on the first Tuesday of February, following the regular city election annually. The members elect members appointed shall be sworn by a justice of the peace or the city clerk to**

**the a faithful discharge of their duties and a record thereof made thereof. A majority of the whole number to be elected shall be a quorum. The committee shall elect a chairman from among their number. The superintendent of schools shall be secretary of said committee."**

Further amend said Bill by striking out all of section 10 and inserting in place thereof the following:

**"Sec. 10. P. & S. L., 1953, c. 177, Art. IX, Sec. 1, amended. The last 2 sentences of the first paragraph of section 1 of article IX of chapter 177 of the private and special laws of 1953 are amended to read as follows:**

**"The council, upon approval of the issuance of said bonds or notes, shall take all necessary legal steps to submit their action to the people voters of the City of Saco at the next any general or special municipal election for ratification or rejection. No bond or note issue shall be valid unless the council's action has been ratified by the voters of the City of Saco as above provided."**

Further amend said Bill by striking out all of the Referendum except the last 2 paragraphs and inserting in place thereof the following:

**"Referendum; effective date; certificate to Secretary of State. This act shall take effect 90 days after the adjournment of the Legislature, only for the purpose of permitting its submission to the legal voters of the City of Saco at the next annual city election or at a special election to be held not later than 3 months after the effective date of this act. In the event a special election is called for the purpose, it shall be called, advertised and conducted according to the laws relating to municipal elections.**

The city clerk shall prepare the required ballots, on which he shall reduce the subject matter of this act to the following questions:

1. Shall 'An Act Amending Charter of City of Saco', passed by the 100th Legislature, authorizing the mayor's salary to be increased from \$1,500 to \$2,500 per year, be accepted?

2. Shall 'An Act Amending Charter of City of Saco,' passed by the 100th Legislature, authorizing the employment of a civil engineer at an annual compensation of not less than \$5,000 nor more than \$7,000, be accepted?

3. Shall 'An Act Amending Charter of City of Saco,' passed by the 100th Legislature, authorizing the city council to submit, on its own initiative, a proposition for the enactment, repeal or amendment of any ordinance, order or resolve to be voted upon at any general or special election, be accepted?

4. Shall 'An Act Amending Charter of City of Saco,' passed by the 100th Legislature, authorizing a 2-year term of office for the mayor and city council, be accepted?

5. Shall 'An Act Amending Charter of City of Saco,' passed by the 100th Legislature, providing for appointment of members of the superintending school committee, be accepted?

6. Shall 'An Act Amending Charter of City of Saco,' passed by the 100th Legislature, authorizing a referendum question on the issue of all bonds and notes, be accepted?

The qualified voters shall indicate in the usual manner their opinion of each of the aforesaid questions.

This act shall take effect for all purposes hereof immediately upon its acceptance by a majority of the legal voters voting at said election, but only if the total number of votes cast for and against the acceptance of this act equals or exceeds 30 percent of the total vote for all candidates for Governor in said city at the next previous gubernatorial election.

The result of the vote shall be declared by the municipal officers of the City of Saco and due certificate thereof shall be filed by the city clerk with the Secretary of State.'

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

Mr. RUST: Mr. Speaker, in reference to the amendment that has been proposed by the gentleman from Saco, Mr. Bedard, I have been contacted by a responsible person within the City of Saco

who is in favor of the bill as originally proposed by the committee and as accepted here in the House yesterday. And therefore I would now move the indefinite postponement of this amendment.

The SPEAKER: The question now before the House is the motion of the gentleman from York, Mr. Rust, that House Amendment "A" be indefinitely postponed.

The Chair recognizes the gentleman from Saco, Mr. Bedard.

Mr. BEDARD: Mr. Speaker and Members of the House: These amendments were made to clarify the bill. We have an act in there that asks for a city engineer. Now a city engineer could be anything and that wouldn't give the City of Saco any benefit of an engineer. We put in there a civil engineer with a salary. They appointed a committee on the school board and we have gone along with that, only adding to it that one of the minority party should be there. The other changes in the bill are for the betterment of the bill, a better understanding for the voter, and I believe that this amendment should be voted in.

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

Mr. BERRY: Mr. Speaker, this bill as originally reported out unanimously by the committee would be seriously changed by this proposed amendment, and I certainly hope it is defeated. And I would request a division.

The SPEAKER: A division has been requested.

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

Mr. KELLAM: Mr. Speaker and Members of the House: I think if the gentleman from Cape Elizabeth refreshes his memory, he will recall that the bill was not unanimous from the Legal Affairs Committee. I personally was very much opposed to the entire bill for the reason that I could see nothing of benefit in it and a great deal of harm. The main thing that the bill does is provide for a city civil engineer. At the present time they have a part time engineer who is perfectly willing to work part time. If he was the only engineer in the city

we are going to give him the job when it becomes full time, and we are now getting his services for about a thousand dollars; and for some reason or other we want to pay him five or six thousand for it. The engineer himself testified at the hearing and did not entirely approve of the bill, at least as to that feature.

The part that I didn't care for and the only other really important part of the bill, was to take the election of school committee people from the people of Saco and have them appointed by the mayor. That seemed like a very peculiar situation to me. I certainly would never approve of it. I could find nothing else the matter with the bill, so I voted "ought not to pass" on the entire bill. The amendment as I see that Mr. Bedard has submitted leaves the appointive power in the bill, leaves the bill substantially and I would say almost entirely the way it was already, merely clarifies the referendum questions. I feel that if the people of Saco are going to have their school board appointed by the mayor, they at least ought to know it when they are voting on the referendum.

Therefore I would support the motion to adopt House Amendment "A".

The SPEAKER: The Chair recognizes the gentlewoman from Lebanon, Mrs. Hanson.

Mrs. HANSON: Mr. Speaker and Ladies and Gentlemen of the House: I have been contacted by members of both parties in the City of Saco. Apparently a study has been made by people appointed by the Democratic City Committee, the Republican City Committee, and a group of three independents. The study was made and they unanimously accepted the report in its entirety. They would like this bill as it is and one of our Congressmen, our Congressman from the First District, has said that he would like it; he has been mayor of Saco in the past, and the mayor of Saco would like to see it in. And I would hope that this bill

pass as it is written in its original form.

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

Mr. BERRY: Mr. Speaker, I stand corrected. The statements of the gentleman from Portland, Mr. Kellam, are correct. I meant to say that there was a heavy majority in favor of the original L. D.

The SPEAKER: Is the House ready for the question? The question before the House is the motion of the gentleman from York, Mr. Rust, that House Amendment "A" to Bill "An Act Amending Charter of City of Saco," House Paper 679, Legislative Document 957, be indefinitely postponed. A division has been requested.

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

A division of the House was had.

Seventy-two having voted in the affirmative and forty-one having voted in the negative, House Amendment "A" was indefinitely postponed.

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

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

An Act Amending Certain Statutes to Conform to Rules of Civil Procedure (S. P. 455) (L. D. 1465)

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

#### **Orders of the Day**

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

Mrs. LINCOLN: Mr. Speaker, would you please tell me if L. D. 628 is still in the possession of the House?

The SPEAKER: The Chair will inform the gentlewoman from Bethel, Mrs. Lincoln, that L. D.

628, Senate Paper 223, Resolve Providing Funds for Thayer Hospital, Waterville, to Aid its Rehabilitation Program is in the possession of the House.

Mrs. LINCOLN: Mr. Speaker, due to the absence of several people in the House yesterday who wished to speak on this bill, I would appreciate it if the House would reconsider its action of yesterday whereby it indefinitely postponed L. D. 628.

The SPEAKER: The gentlewoman from Bethel, Mrs. Lincoln, moves that the House reconsider its action of yesterday whereby it indefinitely postponed the Report and the Bill.

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

Mr. DRAKE: Mr. Speaker and Ladies and Gentlemen of the House: Again I arise on behalf of the Appropriations Committee's unanimous "ought not to pass" report on this Resolve. First of all I wish to state that I support wholeheartedly any rehabilitation program, be it physical, vocational or alcoholic. I further wish to state that I have only the greatest admiration for Thayer Hospital, not only as a hospital but as a rehabilitation center as well.

The program referred to in L. D. 628 is one of physical rehabilitation, which will be operated as a facility from which services may be purchased by industry, insurance companies, and by individual people. In other words, this is a program which is to be self-supporting. It is the opinion of the Appropriations Committee that an operating subsidy for such a program should come not from the people of the State of Maine, but from the industry which has endorsed this project or from the workmen's compensation insurance companies which will utilize the services of this program.

Incidentally you all have received a mimeographed sheet from Senator Ferguson this morning in which he speaks, or he mentions a few details about this program. I would like to correct one item in which he says that the Thayer Center would be the only well equipped and complete

rehabilitation facility in the state and will be able to offer services which are not now available elsewhere in the state. This is a slight error in that the Hyde Rehabilitation Center in Bath is offering the same services, and they are not asking for any grant from the state.

I wish to assure the members that the same committee report would apply if this resolve were in favor of Hyde Rehabilitation Center. Therefore, Mr. Speaker, I move that the Resolve and all its papers be indefinitely postponed. Thank you.

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

Mr. BERMAN: Mr. Speaker and Ladies and Gentlemen of the House: I rise in support of the gentlewoman from Bethel, Mrs. Lincoln, and I would oppose the motion of my friend, Mr. Drake from Bath, with whom I really dislike having to disagree. Now in that masterpiece that Cervantes wrote, he observed the fundamental truth that there is no rule without an exception. And I would submit that this observation is not quixotic and I would suggest that it is extremely practical. The fact that this legislative document comes from the other body passed to be engrossed, a body which has previously in almost —

The SPEAKER: The gentleman may not use reference to the Senate in debating a bill.

Mr. BERMAN: Mr. Speaker, I would suggest that this humane House which has responded so fairly to the cause of the injured workman and his family, go along with this resolve and oppose indefinite postponement.

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

Mr. TYNDALE: Mr. Speaker, I would also like to concur with the gentlewoman from Bethel and also I would speak in opposition against the motion for reconsideration of this bill of my good colleague, Mr. Drake. My fondness for him will always be the same disregarding this contradiction of opinions in regard to this. The one



point that I think that we are casting aside here is, and as you will recall I also brought a very small similar bill before the House for another hospital, which was shifted aside. They say this. Let the other fellow pay the tab. Let some insurance company, and that's unique for me to say that, or some employer or somebody else pay the bill. We have no obligation to these people who have been permanently disabled in their life and their livelihood. The State of Maine has no obligation to them, for where does the obligation lie? If they refuse to pay the tab, what happens? If this man cannot continue to earn a living, he gets a small subsistence from some form of disability complex payment which might just pay a portion of his bills. Therefore he comes back to the town or to the state, anyway. So you never lose that responsibility. You have a very definite responsibility to every citizen of the State of Maine and particularly if he had become permanently disabled in the line of his work.

I think that this bill is deserving of consideration. There are exceptions to every rule. I don't think that we have to apply, take particular mathematical formulae and say, let's kill all these resolves and all these bills; we have no responsibility, let somebody else pay the bill. We have a very definite responsibility to the hospitals of the State of Maine. We have a very definite responsibility to every citizen of the State of Maine. And we particularly have a very definite responsibility to the sick and the maimed.

I sincerely trust that you will support the gentlewoman, Mrs. Lincoln, in her bid for reconsideration of this bill.

The SPEAKER: The prevailing motion is the motion of the gentlewoman from Bethel, Mrs. Lincoln, that the House reconsider its action of yesterday whereby the House indefinitely postponed the Report and the Bill.

The Chair recognizes the gentleman from Winthrop, Mr. Thaanum.

Mr. THAANUM: Mr. Speaker, I want to rise in support of the motion of the gentlewoman from Bethel in connection with the Thayer

Hospital. The Thayer Hospital is one of the finest hospitals we have here in Kennebec County. And I am also reminded that it is just recently that we were discussing the proposition of the rehabilitation of the working people, and I hope that the motion of the gentlewoman from Bethel will prevail.

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

Mr. JOHNSON: Mr. Speaker and Ladies and Gentlemen of the House: I also rise in support of Mrs. Lincoln's motion. I would like to say that the title of this bill gives someone the impression that it is for an improvement in a local area. However, I will say that this hospital which this bill has reference to has neither lobbied nor has fought for any part of this bill. This hospital was selected by labor, industry, and the insurance companies who ultimately will foot the bill on the rehabilitation of injured workmen. This is a statewide proposition and the amount of dollars that will go into this for the first two years will enable it to become self-supporting in the years that will come.

I also believe that it might be a good idea for us to realize that at some future date, if we take negative action on this bill today, the state may wind up some day building a rehabilitation center which as we all know the costs pyramid and rise and ultimately cost the taxpayer a great deal of money. This is private enterprise at its finest level.

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

Mr. BRAGDON: Mr. Speaker, I would feel somewhat remiss in my duty if I did not rise to support the motion of the gentleman from Bath, Mr. Drake, and I would like to call to the attention of the members of the House at this time—I would like to have them remember that if they accept the supplemental budget which has been approved by the Appropriations Committee, that there is in that a small item of \$2,000,000 which is to help all hospitals in the state. I realize this is perhaps a small matter, but don't forget

that it is an addition and that it is for one hospital.

The SPEAKER: The Chair recognizes the gentleman from Farmington, Mr. Jones.

Mr. JONES: Mr. Speaker and Ladies and Gentlemen of the House: Maybe my batting average is pretty low this morning and maybe I shouldn't be speaking on this bill. However, my conscience is such that maybe you have overlooked my past record here this morning and give us a little support on this bill here. Because in my way of thinking the appropriation, the amount involved here, is very small compared to the greatness that the department with these improved implements of the department can do for the working man in the State of Maine. Now it has been stated that there is an institution outside of the state where these individuals might go for assistance. Now to do that runs into considerable expense and is not very efficient.

And therefore I move that we go along with our good lady, Mrs. Lincoln, in reconsidering this bill.

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

Mr. WHITMAN: Mr. Speaker, as a matter of information I would like to address a question to any member of the Appropriations Committee as to what the money will be spent for. Much has been said about the need of the hospital, but very little has been said as to how the money is going to be expended. Is it for capital improvement or what do they require?

The SPEAKER: The gentleman from Woodstock, Mr. Whitman, has asked a question through the Chair of any member of the Appropriations Committee who may choose to answer.

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

Mr. JOHNSON: Mr. Speaker, the addition of this money that is required will develop the resources to handle this enlarged personnel, it will include the social workers, the expenses of initiating a larger program, and the payment of a psychiatrist. These additional expenses at the present time cannot be subsidized from hospital

funds, and the neglect or failure to pass this bill would definitely hurt the chances of getting this under way today—it might go for two or three or four more years. But it is for personnel and the right type of people who work in conjunction with the facilities that are already available, which are first class.

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

Mr. COOPER: Mr. Speaker, in answer to Mr. Whitman's question, I think if he reads the first paragraph in the leaflet we have here clarifying, he will find that it says, "proposed for rehabilitation services at the Thayer Hospital is not intended to provide for capital construction, but rather will be used to equip and staff existing physical plant so that new and additional physical restoration and rehabilitation services will be available for the purpose." I think that answers the question.

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

Mr. TYNDALE: Mr. Speaker, Ladies and Gentlemen of the House: One of the finest rehabilitation programs in existence is carried on by the Massachusetts General Hospital which is of course subsidized by the state on an individual program. This program is a very very unique program in that they scientifically study new methods and means of bringing the injured worker back to the point where he can work again, and this is an expensive proposition; it involves artificial hands, artificial legs and so forth and so on. It is an extremely rewarding program. This is an encouraging program for us to sponsor, to help this hospital would be one of the forward steps that we could make in helping the working man in his problem of getting back to the job again.

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

Mr. ESTEY: Mr. Speaker, Ladies and Gentlemen of the House: I find myself in that peculiar position of being right on the horns of a dilemma as has been said many times in this House. I certainly am

in favor of any program in this state to expand physical rehabilitation. I certainly recognize the progressive steps that Thayer Hospital has taken in the establishment of a geriatric clinic, and the establishment of physical rehab for heart patients and its progressive work in physical therapy in many fields.

I was prepared to support this bill, but it has a rather long history, and there have been several statements made which I think need clarification. The people from Thayer Hospital came to some of the major industries in the state several years ago, and asked for financial support to establish a rehab clinic. Many of those employers were already paying for rehab services through insurance contracts, and felt that expansion and provision of jobs and support of their workmen's compensation program were such that as a state wide program they could not do it, but individual firms were and some of them have contributed to this program.

As Mr. Drake has pointed out, there are other facilities in the state that have physical rehab programs. With the decline in the number of polio patients due to the great progress made by the use of Salk vaccine, many of the facilities of the Hyde Home in Bath are being now used for physical rehab from other sources.

I would call to your attention that physical rehab is the result of industrial accidents, is a rather small number of cases, and I believe, although I'm not absolutely positive, that many many of the resources of the rehab center at Thayer will be used for patients who have suffered coronary attacks, and will also be an excellent opportunity to use some of the educational rehab facilities that will be made available to these people for retraining in new fields of employment, if they are going to be limited in employment, provided by a legislative document that we've already approved. I'm highly in favor of retraining people and keeping them in skilled jobs to provide income for them. However, I have some reservations and I took the opportunity to call two of the large

insurance carriers who insure many of the employers in our state. They too are in favor of a rehab clinic at Thayer. One of the large companies maintains one of the finest rehab centers in the East in Boston, and has done some magnificent work with physical rehab from industrial accident cases. Both—two of the carriers that I called indicated that they would be more than happy to use the facilities at Thayer if they were provided and would pay the medical expenses for people for rehab under workmen's compensation. However, because they were supporting rehab centers and were paying those fees for people who needed rehab under industrial accidents, they didn't feel that they could further make additional contributions to establish another center in the State of Maine with the premium moneys that were being paid to them from their policy holders.

I am not sure whether hospital aid money is available to the Thayer people under such programs as the Hill-Burton Act and so on for this type of activity. I highly concur that such a rehab center would be fine, but I also do have reservations in my own mind whether other hospitals would suddenly seek state support for rehab programs in their own areas. So, at this moment, I'm not just sure, I have such a strong desire to vote in favor of this bill; but I am suddenly afraid that other private hospitals would ask for money to physically work on people from industrial accidents as well as coronary attacks or people who have a severe automobile accident have been maimed and hurt and have been unable to resume their regular employment because of that and would want vocational retraining. I think this becomes mighty involved, and I think we ought to think very very seriously before we appropriate state funds to a private institution which may mushroom on us and requests from other institutions of a similar nature.

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

Mr. THAANUM: Mr. Speaker, I think there's one thing here that has not been mentioned yet, ladies and gentlemen, about the Thayer Hospital; but I had some interest in the cerebral palsy children last year and at the present time, and I understand that there now is in the rehabilitation field in the Thayer Hospital either a present clinic for the care of these children, in the rehabilitation of these children — I'm not quite sure whether it is now in being or is going to be in being, but the Thayer Hospital is interested in rehabilitation of these many many forgotten children who are suffering from cerebral palsy. I thought you would like to know that because there's been so much said about the injured working people at the same time, but I think you'll find — I'm quite sure in saying the Thayer Hospital in the rehabilitation field has a sincere interest also in the rehabilitation of these forgotten children.

The SPEAKER: The Chair recognizes the gentleman from Waterville, Mr. Lane.

Mr. LANE: Mr. Speaker, Ladies and Gentlemen of the House: We all know Thayer Hospital is located in Waterville. I shouldn't even say anything about it, but I want to assure you that I am just as conservative as anybody in this House. We all know they are doing a good job with this program, and we are lucky that they are only asking for \$20,000 for such a good cause. I think let's give it to them before they change their minds and ask for more.

The SPEAKER: Is the House ready for the question?

The Chair recognizes the gentleman from Auburn, Mr. Waterman

Mr. WATERMAN: Mr. Speaker, I would like to ask a question to anyone who may choose to answer. In the first paragraph it says that this \$20,000 is going to be used to equip and staff. Well I would assume that that meant paying salaries to the staff, and then it says in the fourth paragraph, there's every reason to expect that once this expanded service is available, it will become essentially self-supporting. Is there as

much reason to expect that if it didn't become self-supporting, would we be expected to appropriate moneys to pay staff salaries in another session?

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

Mr. BRAGDON: If I understand the question correctly, I believe the answer is simply this, that this is an out and out grant to Thayer Hospital without very many restrictions.

The SPEAKER: Is the House ready for the question? The question before the House is the motion of the gentlewoman from Bethel, Mrs. Lincoln, that the House reconsider its action of yesterday whereby it indefinitely postponed the Report and the Resolve, Providing Funds for Thayer Hospital, Waterville, to Aid its Rehabilitation Program, Senate Paper 223, Legislative Document 628. The Chair will order a division.

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

A division of the House was had. Seventy-six having voted in the affirmative and forty-five having voted in the negative, the motion prevailed.

The SPEAKER: The question now before the House is the original motion that the Report and the Bill be indefinitely postponed. All those in favor of the indefinite postponement, please say aye; those opposed, no.

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

The SPEAKER: The Chair now understands that the gentlewoman from Bethel, Mrs. Lincoln, moves that the House substitute the Resolve for the "Ought not to pass" Report. Is this the pleasure of the House?

(Cries of "No")

Mr. Whitman of Woodstock, then requested a division on the motion to substitute the Resolve for the Report.

The SPEAKER: All those in favor of substituting the Resolve for the Report, please rise and remain standing until the monitors

have made and returned their count.

A division of the House was had. Seventy-one having voted in the affirmative and forty-seven having voted in the negative, the motion to substitute the Resolve for the Report prevailed.

Thereupon, the Resolve was read once and assigned for second reading tomorrow.

The SPEAKER: At this time the Chair would like to recognize the presence in the gallery of a group of eighth grade students from West Peru, accompanied by their teacher, Mrs. Russell and parents, Mr. Virgin, Mrs. Beck, Mrs. Parker and Mrs. Votes.

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 first tabled and today assigned matter:

**HOUSE DIVIDED REPORT** — Majority Report Ought to Pass with Committee Amendment "A" (Filing H-130)—Minority Report Ought Not to Pass—Committee on Transportation on Bill "An Act relating to Notification for Renewal of Operators Licenses and Providing for a Two Year License." (H. P. 949) (L. D. 1297)—In House Reports and Bill Indefinitely Postponed. In Senate Engrossed in Non-concurrence. Amendments Filings H-130, and S-150. (Mr. Turner of Auburn moved to Adhere.)

Tabled—May 12, by Mr. Berry of Portland.

Pending—Motion of Mr. Whitman of Woodstock to Recede and Concur.

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

Mr. BERRY: Mr. Speaker, Ladies and Gentlemen of the House: I move the pending question and yield to the gentleman from Woodstock, Mr. Whitman.

The SPEAKER: The question before the House is the motion of the gentleman from Woodstock, Mr. Whitman, that the House recede and concur.

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

Mr. PHILBRICK: Mr. Speaker, Ladies and Gentlemen of the House: This is a measure which I neither point to with pride nor view with alarm but rather view with mixed emotions. I heartily approve of that provision which will provide more income for the Highway Department, but on the other hand, I disapprove of the method by which it will be obtained. Earlier in the session by changing the state police department financing from a fifty-fifty proposition to a seventy-five-twenty-five proposition, the Highway Department found that it would be losing approximately one million dollars per biennium.

This particular measure before us today, if passed, will reinstate most of those funds. For that reason, I would like to have the bill passed if at a later time an amendment which will be offered by me will be accepted by this House. That amendment which is House Amendment "D," will strike out all of sections four and five. Section four removes the individual notification provision which I, as a legislator, would be embarrassed to support and my constituents would be shocked, pained and grieved. Section five is that portion which provides approximately \$23,500 to finance this operation. So, if my amendment were to be accepted after we have receded and concurred, that would remove all objections on my part and on the part of others also I do believe. Thank you.

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

Mr. ANDERSON: Mr. Speaker, I go along with the two years for \$5.00, but not for notification. Why should I be penalized because the gentleman from Sebago forgets his birthday? I think in order to set this thing up, it will cost many thousands of dollars, and then there is the annual or biennial operation. I do not believe this is a good bill, I would go along with the two years for \$5.00.

The SPEAKER: The Chair recognizes the gentleman from Buxton, Mr. Hartshorn.

Mr. HARTSHORN: Mr. Speaker, I received a notice through the mail as a member of the AAA, which should be of interest and it quotes; "Now that Maine operators' licenses become due on holders' birthdays, it is increasingly evident that many of us through forgetfulness, are neglecting to renew our licenses on time. In view of this, we would like to send you a reminder, . . ." and it goes on to tell you to fill out the card and send it in. It says "we will notify you approximately three weeks prior to your birthday so that you may have ample time to renew your license before it expires."

Now it seems to me that other insurance companies and organizations perhaps would adopt this procedure.

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

Mr. BUSSIERE: Mr. Speaker, being a member of the Transportation Committee and one of them that signed the "Ought not to pass" Report, I believe this bill came up here, this is the second time. The first time the only thing that was in this bill was two years, and it is going to cost the State \$18,000 for the first year and approximately \$6,000 for the second year. I don't believe in this notification, and anyone who owns a car should know enough to get his license, and at this time, I will make the motion that both reports and the Bill be indefinitely postponed.

The SPEAKER: The question before the House is the motion of the gentleman from Woodstock, Mr. Whitman, that the House recede and concur. Then there's a pending motion made by the gentleman from Auburn, Mr. Turner, to adhere. The motion to recede and concur will be put first. Your motion is out of order.

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

Mr. CURTIS: Mr. Speaker, Ladies and Gentlemen: The last

four sessions there have been similar bills as this, in fact I don't think too much of this birthday idea anyway. That was supposed to save the state a lot of money, and now they have turned around and want to spend a lot more. You will recall I think, all of you, that a bill similar to this had received passage, that is, to receive more money and was taken to the people by referendum and they heartily downed it to the tune of about twenty to one.

Now I don't know why they are doing this over again. I think the State Highway Commission gets plenty of money to do with. I don't think they need any more. I don't think we need to get an extra dollar out of our people by saying for two years, and I am sure if this went to a referendum the people would very heartily disapprove of it. After all, we're here to serve the people, and not just merely ourselves or the Highway Commission or somebody else who wants a little more money. I hope that we will just stand firm as we have in many other cases, and don't allow the other body to change our minds on what we believe is right to serve our people that we are sent here to represent.

The SPEAKER: Is the House ready for the question?

The Chair recognizes the gentleman from Farmington, Mr. Jones.

Mr. JONES: Mr. Speaker, this bill, the chances are has good merits; however I feel that the wisdom of our honorable Mr. Turner from Auburn has been very great in the past, and I move to go along with his motion to adhere.

The SPEAKER: The pending question before the House is the motion of the gentleman from Woodstock, Mr. Whitman, that the House recede and concur in accepting the "ought to pass" Report.

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

Mr. RUST: Mr. Speaker, Ladies and Gentlemen of the House: I rise in support of the motion of the gentleman from Woodstock, Mr. Whitman. This bill of this nature is similar to what is now in operation in thirty-five other states in the country. This is definitely the

trend to go to a two, in some cases a longer period of time, three years with notification.

Now with the benefits that are going to come to the people back home, there are some benefits that are going to come to the state. This bill will bring in close to \$900,000 in the next biennium for revenue. It has been reported that this is an expensive proposition—this notice. The Secretary of State has estimated that in the first year of the biennium, it will cost \$18,000 and in the second year of the biennium, it will cost \$5,500. However, there are provisions in the Secretary of State's budget for three additional clerks in the Motor Vehicle offices just to take care of these driver's licenses. Now with this type of an operation, it probably, and we have rather good assurances from the Secretary of State, that he will not need these three extra clerks; so, therefore, you will be saving the salary of three full-time state clerks. There will be more than enough savings to offset this proposed cost.

Now the other point that I would like to say, that this thing is in operation in the State of New Hampshire, I have seen it in operation and it works very well, and I wholeheartedly support this bill.

The SPEAKER: The Chair recognizes the gentleman from Old Orchard Beach, Mr. Plante.

Mr. PLANTE: Mr. Speaker, Ladies and Gentlemen of the House: I simply rise to a point of inquiry. I do not have all of the amendments in my possession, I was wondering if a member of the committee could tell me if they have resolved the question of poll taxes which are collected by the municipalities each year, and if so, how have they done so? Or will the municipalities have to carry for two years on the books those who have not paid their poll taxes?

The SPEAKER: The gentleman from Old Orchard Beach, Mr. Plante, has asked a question through the Chair to any member of the Committee who may choose to answer.

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

Mr. BERRY: Mr. Speaker, Ladies and Gentlemen of the House: Senate Amendment "A" to this bill appears to have the satisfactory requirements of the law in reference to the evidence of the poll tax revision.

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

Mr. BRAGDON: Mr. Speaker, I think it's perhaps a well known fact that I have been in opposition to this move right along. There is one claim that is being made that seems to bother me, and I think that I will put this perhaps in the form of a question. That is in regard to the tremendous amount of additional revenue which this bill will provide. It bothers me with my simple arithmetic somewhat to find where you get too much more revenue by charging \$5.00 or perhaps to make it a little easier, say \$4.00 once in two years or whether you charge \$2.00 in each year. Would somebody clarify that for me.

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

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

Mr. BERRY: Would he restate the question please?

The SPEAKER: Will the gentleman from Perham, Mr. Bragdon, kindly restate the question?

Mr. BRAGDON: My question is, presently we're charging \$2.00 each year for a driver's license. How are we going to get a tremendous amount of additional revenue if we do it all in one year? If we do it in one year of the biennium, it doesn't come in on the next year of the biennium. That's the point I want to make. If we pay \$5.00 and not \$4.00 but \$2.00 each year for two years adds up to \$4.00 to me in two years, so I question whether you are going to get the additional revenue that has been claimed for this measure.

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

Mr. BAXTER: Certainly the gentleman from Perham, Mr.

Bragdon's arithmetic is correct, \$2.00 in one year is the same as \$4.00 in two years. There's no question about that. I believe the bill that we have here as it came back from the Senate is the \$5.00 bill; so therefore, it is \$5.00 in two years is more than the \$4.00 in two years.

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

Mr. BRAGDON: Then the amount of money that would be received in addition would be the \$1.00, and I would question whether that provides the amount that has been mentioned in the biennium.

The SPEAKER: Is the House ready for the question?

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

Mr. TURNER: Mr. Speaker, I did not intend to speak on this bill, but after listening to the wildcat confusing statements, I must say this bill will not notify people getting licenses for the first time or it would not notify newcomers into the state. You are going to notify people who are too old for licenses, who have lost licenses and notify people who have left the state, also you are going to notify the dead. Why stir them up? They have had a hard enough time, let them rest.

Everybody knows they are going to have a birthday. A lot of us have had too many birthdays, but still we are going to have another birthday, and we all know when. I have watched all the newspapers for support of this thing, haven't seen an article in support. There just isn't any.

What would a referendum result be on this issue, probably about 99 to 1 to kill it. Killing this bill will get Johnny off the hook. The \$5.00 for a license will come hard for a lot of people, if \$2.00 comes dry, what about \$5.00? The day of the hearing of this thing, I had an invitation from Steve Shaw to support this bill. After hearing my reaction, he laughed and said he didn't want me. But he succeeded in whoohishting three of our honorable members into line who weakly and humbly supported this

thing, which was all the support it had at the hearing.

If the Governor wants to send everybody a card telling them they are going to have a birthday, okay, but let's not pass a foolish law saying it is a must. The cost of this operation as my good friend up here calls it an operation, has been estimated from \$18,000 to \$50,000. Nobody knows the cost or the result of an operation of this kind. It's just like getting married, you don't know what you've got until you have summered them and wintered them. I oppose this bill and hope that you will not pass it.

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

Mr. STORM: Mr. Speaker, I confess that I am very much confused about this thing in regard to this extra million dollars of revenue. Our census figures show that we have less than a million people in the State of Maine. We all know that a great many of them do not acquire drivers' licenses, none of the children do and many of the older people do not; and for that reason I can't see how an increase of \$1.00 every two years will bring in a million dollars into the Highway Department. I wish someone would answer that question.

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

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

Mr. BERRY: Mr. Speaker, Ladies and Gentlemen of the House: I do not have all my figures here with me today, but this has been carefully gone over by Mr. Weed. As you know, I tabled this last week in question of some of the figures that were presented here. I have checked them with him, I have checked them with the Secretary of State. We have a cost which is a different figure than what was submitted at the committee hearing. It was one of the reasons for my question. Of \$22,750, this is the cost for the biennium period of the notification



system. The anticipated revenue that will return, as I stated before, has been gone over carefully, I cannot give you a full answer to this question. As of now the only thing I can do is to tell you that Mr. Weed has given us full consideration along with the Secretary of State.

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

Mr. BAXTER: Just as a matter of explanation rather than leave the question unanswered, I think the answer is that when people buy their licenses instead of paying \$1.00 extra, they are going to be paying actually \$3.00 extra, if you see what I mean. It's not only the dollar, but they are doing it for two years. Some are going to be doing that in the first year of the biennium, and some in the second year of the biennium. That's why the figures worked out that way, and after the initial sign-up, the annual biennial return does drop to some figure that you would more likely imagine.

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

Mr. DODGE: Mr. Speaker, you know I can't believe that people forget their birthdays. I think that when they don't send in for a license before their birthday, simply they neglect to do it. I think if you notify people three weeks before the time that they should send in, they still will forget, they still will neglect. If we had this, that when the licenses were due, if we had to buy a new license the first of January, we had a lot of people who would wait until just the very last of January, and then they would pay an extra dollar to somebody to go down from my town to Bangor to get a license for them. They didn't forget it, they simply neglected to do such a thing—to get around. Now I wished I could forget my birthdays now, but nobody lets me.

The SPEAKER: The Chair recognizes the gentleman from Kingfield, Mr. Hutchins.

Mr. HUTCHINS: Mr. Speaker, Ladies and Gentlemen of the

House: I am not anxious to be reminded of my birthday, but I do think there's a source of income here that hasn't been mentioned this morning. They told us there's 125,000 people in the state who do not get their driver's license. Some of these never do get them I understand. Back at \$4.00 each for the biennium would provide a half million dollars. Now that might not all come in because some of it probably does come at a later date, but it seems as though there is a source of income right there that would help pay the bills on this at least. Thank you.

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

Mr. JALBERT: Mr. Speaker and Members of the House: It is very easy to toss large sums of money around and say this will mean a million and two million and three million but until such time as one seeks out to come up with bare cold-turkey facts, the facts are that last year there were 445,731 people holding licenses in Maine. Now if we make a \$1.00 every two years, that's fifty cents each year it, every two years, amounts to \$1.00 so we would make the sum total every year of \$222,865.50, plus the amount of money it would cost to administer the law. If anybody can come up with any million dollar figures, I would like to hire them in my little small business.

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

Mr. RUST: Mr. Speaker, I can't give the mechanics of how the figures were derived at, but I can give you the specific figures which will be produced in the years 1961-1962 and 1962-1963 and these figures come from the Secretary of State's office who deals in this field every day, and he certainly should be responsible for what he is talking about.

Now he says that if an additional dollar is to be charged for the two year license, the increased revenue in the year 1961-62 would be \$674,000. And for the year 1962-63, the increase would be \$233,000, and

those two figures add up to \$907,000.

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

Mr. CURTIS: Mr. Speaker, Ladies and Gentlemen: Two and two always made four until today. Now I feel rather badly that anyone should say that the Secretary of State of this great State of Maine would make such a glaring mistake as the gentleman has said that he made. Because it is glaring. The gentleman from Lewiston has told you, and of which I have checked and know that there are 446,000-odd licenses in the State of Maine—driver's licenses, and one half of that of fifty cents per year does not make \$600,000, and I just wonder where that was, and I just can't believe that that came from the honorable Secretary of State.

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

Mr. JOHNSON: Mr. Speaker, I have checked some figures too, and I feel that Mr. Rust's figures are correct. The first year will bring in the \$5.00. There will be no income the next year except for those people who will renew in that year. The first year, the majority of the people, in fact all of them will renew, which will bring in the bigger income; and then from then on, Mr. Jalbert's figures tie right along, but that first year will be the biggest income because we all will be paying that extra dollar.

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

Mr. JALBERT: Mr. Speaker, I think I have a slight reputation for being able to figure, what would we get if we had — how much money would we return if we had a license every two years for \$2.00? The figures that you got from the Secretary of State's office, you can deduct the amounts of money that we would get twice based on a biennium.

The SPEAKER: Is the House ready for the question? The question before the House is the motion of the gentleman from Woodstock,

Mr. Whitman, that the House recede and concur with the Senate in accepting the Majority "Ought to pass" Report on Bill, "An Act relating to Notification for Renewal of Operators' Licenses and Providing for a Two Year License," House Paper 949, Legislative Document 1297. The Chair will order a division.

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

A division of the House was had. Thirty-eight having voted in the affirmative and eighty-four having voted in the negative, the motion did not prevail.

Thereupon, the House voted to adhere.

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

Mr. BAXTER: I now move that the House recess until one-thirty.

Thereupon, the House voted to recess until one-thirty this afternoon.

#### After Recess 1:30 P.M.

The House was called to order by the Speaker.

The SPEAKER: At this time the Chair will request the Sergeant-at-Arms to escort the gentleman from Pittsfield, Mr. Baxter, to the rostrum to serve as Speaker pro tem.

Thereupon, Mr. Baxter assumed the Chair as Speaker pro tem and Speaker Good retired from the Hall.

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

Bill "An Act Authorizing Funds for Construction of Machias Landing Field." (H. P. 1162) (L. D. 1602)—In House, read the third time. (Amendments Filing H-296 and H-295)

Tabled May 16, by Mr. Dennison of East Machias.

Pending motion of Mr. Pike of Lubec that the Bill be Indefinitely Postponed.

The SPEAKER pro tem: The

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

Mr. DENNISON: Mr. Speaker, Ladies and Gentlemen of the House: Last Friday I was highly elated when you accepted the ought to pass report on this bill by a large majority, more than five to one, 69 to 13. When I came back Tuesday I felt awful funny. I found that in the meantime these county commissioners had got after certain people and we find that we have now two more requests for county money, one \$25,000 and one \$50,000. It is very evident these are put in of course to kill my bill.

Now the county commissioners have been very unjust, and the county commissioners have been wrong. On April 27th, this original bill was tabled and it was sent back to committee, and on the 28th I had printed the bill in a new draft, and this bill was presented to the committee soon after that. Two weeks ago there was a hearing before the Towns and Counties Committee on this bill and nothing was done about it because of some other activity, there weren't many there. I do understand though that four names were added to the bill and those were favorable.

Last week this was presented to the same committee twice, and the first committee, it wasn't acted upon at all, but at the second committee hearing of Towns and Counties, it was reported out ought to pass six to four, and that's what you accepted here last Friday.

Now these county commissioners have known for quite some time that this bill in the new draft would have nothing whatever to do about the county tax this year, but they have been holding up people's taxes all over the county to prod these people on to try to kill the bill. Now of course that is entirely wrong, but it is a fact, because two weeks ago in the newspaper you could have read that the new bill was \$1,858 from the citizens of Machias and nearby towns and \$10,000 from the county, and that was over a five year period of \$2,000 a year, so there was nothing whatever to

hinder these county commissioners from sending out their tax bills. It was done purposely to hold the bill up.

Now I am greatly surprised at these two that were brought in. Let's take one of them. Now let's mention Eastport. Eastport has had so many favors. Out of the \$275,000 distributed, they had \$150,000 and in that same location \$20,000 more, and then the Princeton and the Calais people up there have been favored in many, many ways in building money, state money for their schools and everything, but still they bring this in.

Now you heard last week from Mr. Davis who was in favor of this bill, there had been recently spent about \$44,000 on the Eastport Runway there. Talking yesterday with a man that is supposed to know, he said to me perhaps that would run up to somewhere to about \$80,000. Now there is no reason or no requirement for county money on either of these things, and this \$275,000 you can see how all these people have been blessed with it. The two western classes of towns, we got \$25,000, the rest got \$250,000. They got \$10.00 for our \$1.00, so there is no lacking of help to those places.

Now I'm not going to speak much about the necessity of this airport. You know it, this landing strip. There is no airport in Washington County only on the eastern side, and every one of those four places border on Canada or the Atlantic Ocean. Now in going west you have got to go clear to Ellsworth before you find an airport. Now that's 130 miles, nothing in between. It has been mentioned about Deblois, that's a government bombing station and you probably read in the paper last week you are warned to keep off of even that road up near that one, so that doesn't count at all, and still it is forty miles away.

Another thing, there isn't a hospital in any of that 130 mile area. None at Machias or any of those places. There is a hospital at Eastport; there is one at Calais, but all the rest are without any means, air means in an emergency case of taking any person either to the Calais Hospital or the Ellsworth

Hospital. Now I'm not going to say any more about that. You know the necessity of it, so I am going to ask that this bill now as it is, Mr. Pike has an amendment on it, and he has moved it be indefinitely postponed, and when that is put to you, I hope you will vote against indefinite postponement.

The SPEAKER pro tem: The Chair recognizes the gentleman from Lubec, Mr. Pike.

Mr. PIKE: Mr. Speaker, I regret to be in this controversy, but I am in it willy-nilly. I want to make it very clear that I and my constituents are not against an airport in Machias, I think they probably need one. What I am against and what the folks in my area are against is this method which goes off from the normal method of financing an airport. As you know, the normal method is the federal government will put up fifty money on either of these things, twenty-five and the community in one way or another will put up twenty-five percent of the cost of an approved airport. I believe this is approved and all for it. However, Machias town meeting came and went. There was no move, there was nothing about an airport. This bill was put in originally so that the community in which it was built wouldn't be putting up a dime. The load, that twenty-five percent load would be landed on the people of the county without their having a single thing to say about it. Then after the first hearing, which to the best of my knowledge was the only public hearing, in which the sponsor neither made any offer of contribution, that is, Machias, nor was represented by any person living in that community in its favor, the bill was changed so that of the nearly \$12,000 which the communities put up, not Machias as a civic body, not Machias as a municipal corporation, was guaranteed, or the bill says they will put up \$1800, that apparently to be raised by passing the hat, but that's not important at all.

It does seem to me that the best thing to do is to back up here, dispose of this thing, indefinitely postpone it, Machias will have another town meeting next spring. If it wants an airport, as

I believe it really needs an airport, then take the usual, normal procedure, put up not only for its construction but there is also this matter of maintenance. Our folks were a little worried that the county may be saddled with the maintenance of this thing if and after it is built. We don't like this business of having it put on us who don't benefit, who have contributed already to our own airport; we don't like this business of the rest of the county being saddled with something which means nothing to it and is approached in what seems to me and seems to them a most irregular manner. This will mean a delay of two years. If Machias had been farsighted enough to have brought the matter up at its town meeting and made some representation and particularly appropriated a little dough, this wouldn't have come up. I again regret to have to ask you to go along with the motion to indefinitely postpone this bill.

The SPEAKER pro tem: The Chair recognizes the gentleman from East Machias, Mr. Dennison.

Mr. DENNISON: Mr. Speaker, Mr. Pike has right along been greatly disturbed because this little amount of \$10,000 in Washington County was not taken up and put out to referendum so the people could vote on it, but he isn't disturbed at all, or hasn't been, about the \$160,000 that they raised down there for a certain purpose. He didn't oppose that in any way that I know of. And then there was another little thing, \$12,500 to give to those county commissioners really to do what they want to do with. I don't see that he opposed that. That is \$12,500 for two years, \$25,000. I hate to give money to the county commissioners who year in and year out expend \$5,000 and \$6,000 and \$7,000 extra from the costs of running the Machias Fair. They go in the hole every year that amount, and everyone in that section knew it; now I wonder what they will do with this \$12,500 a year.

I want to compare the difference of this little \$10,000 airport that I am asking for and Mr. Pike's bridge, Lubec to Campobello that he wanted so badly two years ago.

It is a vast difference. Now he is hard working against this little bill. Now what did we do? The Canadian Government, New Brunswick, furnished half the money, of course it's an international bridge, and no tolls on it, and the state furnished one-fourth of the money. Now you have to get the other fourth somewhere. Now I figured that the whole other fourth came right out of Washington County, and it did, because the state had allocated to Washington County three projects that the Highway Committee gave over to build that bridge. We took from 191 highway \$200,000 and put it into his bridge. We took \$50,000 from Eastport and put it into the bridge and we took \$30,000 more from Danforth, making \$280,000. Now that money was to build things in Washington County. We turned it all over to his bridge. That's the difference in the two bills, and I still hope you don't vote to indefinitely postpone this bill.

The SPEAKER pro tem: The Chair recognizes the gentleman from Lubec, Mr. Pike.

Mr. PIKE: Mr. Speaker, again I have to make the very simple explanation that on the two bills that the gentleman from East Machias mentioned, namely, the county court house for \$160,000, which incidentally will be located in Machias, and the other \$12,500 for an industrial promoter or something of the sort, the reason that I didn't oppose them was for the very sound and simple reason that I wasn't here. So I think I get off the hook on that particular thing.

Now I am very sorry that this bridge thing cost some people some money. It didn't cost the county as county a dime in taxes. We hooked the state, which voted for it, and the Dominion and the Province of New Brunswick which voted for it, and the federal government, which was hauled in by its own arrangements. This I really feel was done in the regular manner with the regular proportion of contributions, this would have been a very worthy project. I think it has been handled in a somewhat unworthy way.

The SPEAKER pro tem: The

Chair recognizes the gentleman from Eastport, Mr. MacGregor.

Mr. MacGREGOR: Mr. Speaker and Members of the House: Well here we go into the wild blue yonder. This morning we flew around Cumberland County and this afternoon we are flying over Washington County, and I'm sorry to see the dirty linen being aired so thoroughly, but now that it's out, let's finish the job, but properly.

Now just within the last two years, there is a community that has had reference made to it here this afternoon, known as Eastport, the community I represent. They decided they would like to expand their airport facilities and they busied themselves to raise the money in the normal procedure, and they met with fifty percent federal money, twenty-five percent state money and twenty-five percent municipal money. Now I can't say that that money came easily for us because Eastport is anything but in the best economic position. Now at the same time, our community of Machias, our nearby neighbor, has certainly had the privilege of an increase in economy particularly due to this Cutler Naval Radio Station installation and the construction activities that pertained thereto. During that period it has been very nice to see Machias grow and expand all facilities, and I am very happy to see them show interest enough to at last want to have an airport themselves, and I sincerely hope that they take the true, practical businesslike approach that all other communities within the state have had to use and go at it on a municipal basis. That seems to be lacking in this approach that Mr. Dennison is offering in his current bill before you.

Now Mr. Pike, the gentleman from Lubec indicated, and I will reiterate, the lack of interest that has been shown on the part of the municipality itself. At the hearing of the Towns and Counties Committee which I happen to be a member of, as Mr. Pike indicated, there was not a soul from the community of Machias that appeared before the Towns and Counties Committee either as

a proponent nor an opponent to this measure. We heard the bill as the sponsor presented it to us, and a couple of other interested parties from surrounding communities who did present themselves before the Committee, and we listened thoroughly and completely to them and gave them a fair shake. The bill was presented here before the House, then was recalled to the committee for additional rewrite which was accomplished before you people had any action on it at all.

Now I went along with the idea at the time for the very simple reason that I appreciate and enjoy my colleague from East Machias immensely, and I wanted to give him what backing I could as an individual. However, as I explained to you people a few days ago, last weekend when I arrived at my home, I caught it. I was in the meatgrinder. It wasn't a case of county commissioners that were calling upon me, it was a case of the constituents in my community who were very, very annoyed with me because I had taken the stand I had on the Machias airport, and they spelled it out very thoroughly and completely to me. And as a direct result when I arrived back here on the scene Tuesday morning last, I busied myself to draw an amendment which they wanted, an amendment that would certainly include Eastport in this "new" technique and approach of financing airports and airport facilities. Frankly, I am not in favor of it.

Now if you want to study geographical location a bit, there are existing right now two airports in the immediate vicinity. If the boys at Cutler, the federal, that is the Naval personnel who are stationed at the Cutler Naval Radio Station are interested in airport facilities, which they have indicated, there isn't a bit of reason in this world why they aren't going to follow through with their original plan of helicopter lift from their base to an existing airport facility. Studying the geographical situation a bit further, we find that if this airstrip at Machias is constructed, that in air-

line distance it will be identical to the existing airline facility at Lubec, so that would be a duplication of facilities. Three airline miles away from it is the Eastport Airport, which is the largest of all of the airports in the country giving the facility needed, and with helicopter lift between the airport and the Cutler station, they obviously are going to have transportation provided as they need; not that they are going to be using it at any great rate. I feel we should also consider the potential of the provisions for maintenance of an airstrip that would be built under this provision. No mention has been made of that to date. We don't want to forget that there is the future before us. Who is going to finance the maintenance of such a strip? Let's be fair and practical. Let's get back and do our own business at home. I sincerely hope that the motion of Mr. Pike to indefinitely postpone prevails.

Mr. Dennison of East Machias was granted permission of the House to speak a third time.

Mr. DENNISON: Mr. Speaker, after all of that talk, I don't care to express any opinion, only one thing. He brought out maintenance. The people in Machias will guarantee maintenance if this airstrip is built, so there is no need to worry about that. I would ask for a division.

The SPEAKER pro tem: Is the House ready for the question? The question before the House is the motion of the gentleman from Lubec, Mr. Pike, that Bill "An Act Authorizing Funds for Construction of Machias Landing Field," L. D. 1602, be indefinitely postponed. A division has been requested.

All those in favor of the motion to indefinitely postpone this measure please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Fifty-nine having voted in the affirmative and forty-nine having voted in the negative, the motion did prevail.

Mr. BERRY of Cape Elizabeth: Mr. Speaker?

The SPEAKER pro tem: For what purpose does the gentleman arise?

Mr. BERRY: I rise to make a motion.

The SPEAKER pro tem: The gentleman may proceed.

Mr. BERRY: Mr. Speaker, having voted on the prevailing side, I now move for reconsideration of L.D. 1602. Bearing in mind some of our earlier deliberations here this morning, my heart was certainly filled with compassion for our friends from Washington County this afternoon, and to see that one airport needs \$25,000 and another needs \$50,000 and we need perhaps more airports in Washington County, a very practical solution comes to mind. And accordingly, if my motion to reconsider prevails, I would propose to offer House Amendment "X" to L. D. 1602 by adding the following after the final sentence: that for the sum of \$1.00, Cumberland County hereby transfers all its interests in the Portland Airport to Washington County.

The SPEAKER pro tem: The question before the House is the motion of the gentleman from Cape Elizabeth, Mr. Berry, that the House reconsider its action whereby it indefinitely postponed this Bill. All those in favor of reconsideration please say aye; those opposed, no.

A viva voce vote being taken, the motion to reconsider did prevail.

The SPEAKER pro tem: The question now before the House is the motion of the gentleman from Lubec, Mr. Pike, that the Bill be indefinitely postponed. All those in favor say aye; those opposed, say no.

A viva voce vote being taken, the motion did prevail. Sent up for concurrence.

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

HOUSE DIVIDED REPORT — Majority Ought Not to Pass — Minority Ought to Pass — Committee on State Government on Bill "An Act relating to Officers

of the Legislature." (H. P. 208) (L. D. 303) — In House Reports and Bill Indefinitely Postponed. In Senate Reports and Bill Recommended to Committee on State Government.

Tabled — May 17, by Mr. Haughn of Bridgton.

Pending — Further Consideration.

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

Mr. HAUGHN: Mr. Speaker, Ladies and Gentlemen of the House: I now move that the House adhere.

The SPEAKER pro tem: The question before the House is the motion of the gentleman from Bridgton, Mr. Haughn, that the House adhere.

All those in favor of the House adhering, please say aye; those opposed, no.

A viva voce vote being taken, the motion prevailed. Sent up for concurrence.

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

HOUSE DIVIDED REPORT — Majority Ought to Pass in New Draft (H. P. 1163) (L. D. 1604) — Minority Report Ought Not to Pass — Committee on State Government on Resolve, Proposing an Amendment to the Constitution Providing for Annual Legislative Sessions. (H. P. 209) (L. D. 304)

Tabled—May 17, by Mr. Whitman of Woodstock.

Pending—Acceptance of Either Report.

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

Mr. DENNETT: Mr. Speaker, Members of the House: I move the acceptance of the Minority "Ought not to pass" Report of the Committee. And in support of that motion, I would like to make a few observations.

You will note that I have risen in support of the Minority Report; it was six to four, the majority of the members of the Committee on State Government having felt apparently that this was a pretty good idea. I think it is only fair and proper that this House should

have mildly but firmly the feelings of those members who signed the Minority Report. Why do we oppose these annual sessions of Legislature? I believe there are several points to make. The first point, I, for one, feel very strongly that this would add to the cost of State Government. Number two, I feel that over a period of years, it would give rise to a class of professional politicians in the State. I will agree that presently we are mostly amateurs and I think it is a pretty good thing that we are, because I think that in most cases we base our opinions and our decisions upon our common sense rather than professional political expediency. Three, I feel that the annual sessions as set forth here would not accomplish what they intend to do. On paper, I will concede that this looks like a pretty good idea, but I think for all practical purposes it would work to just the reverse.

Now as you all probably know, I believe probably most of you have read the bill, it provides for a thirty day session one year and a limitation, I believe, a sixty day session the next year. The first year in the thirty day session, and when I refer to the thirty day sessions and sixty day sessions, I believe that this refers to legislative days, and not the calendar. But in thirty days, they intend that all the appropriations and taxations should be arrived upon and settled, and then they would go home. Well, if it could be done it would be fine; but what if it can't be done? What is going to happen then? You are limited then by constitutional law to thirty days. I can only see one way out, immediately the Governor would have to call a special session to complete the business.

Now in regard to the sixty day sessions. That would be to handle as I understand all the other state's business, but apparently it wouldn't preclude taxation. If they found themselves running a little short, they could very easily introduce a bill, as I have read the bill and as I see it, in this other session; but in the sixty day session in the main it is intended to

deal with all other matters. Now I see in that a beautiful chance to sidetrack or to pigeonhole and otherwise dispose of what might be to a lot of people pretty important legislation. We all know, particularly those of us who have been around a little while, and I believe those who are new this session, I think they have by now learned the ropes pretty well, they know by the end of the session there's a lot of political finagling that goes on, and that's what drags our sessions out.

Now there is no guarantee that even in these limited sessions this same political finagling wouldn't go on, it certainly would; but I do see this that if bills are not acted upon and they could be very important bills, they are again held over until the next session, and in this particular instance, it would be two years hence because you are dealing the following year with a different type of bills.

Fourth and lastly, it is my honest and sincere opinion that there are a lot of people who grace this legislature once every two years, who definitely because of press of business or because of other purposes, would not be able to attend annual sessions, and thus the legislature would be deprived of the services of a lot of very good people. The first point I touched on was that it would be apt to give rise to a class of professional politicians. I do feel that any man or woman who feels they must come here every year, they must neglect their own duties to a certain extent; and little by little this class of people drops off and in come a class of people who can afford to come, who are willing to come because they are making it on a professional basis.

On those four points, I do not think that this thing would be good for the State of Maine. Now I know that there are arguments for this, and these people who will argue for it are as sincere in the opposite direction as I am. They mean what they say as I well mean what I say. I want you to give it careful consideration. I would like you to digest it thoroughly. If you feel that this is



the best thing for the State of Maine, then let it be; if you feel as I do, you will vote against it. When the vote is taken, Mr. Speaker, I ask for a division.

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

Mr. HAUGHN: Mr. Speaker, Ladies and Gentlemen of the House: At the outset, I might say I heard a plea from some gentlemen in this House this morning to be able to return to the farm, to be able to return to their chores, their work and business to make a livelihood, I just heard a plea from my good colleague, from Kittery, that if this is a good bill you will accept it; if it is a bad bill, you will kill it. To speak on the issues which he stated before you as his reasons for objection, number one, he said it added cost to state government. If you can tell me what is costing this legislature more in this one biennial session than this one is for continuation, endurance and length, I will state to you right here and now that for both sessions that I have advocated in this bill wouldn't cost as much as the present session is now doing.

As far as being professional politicians as number two item, I hope and pray like he does we never become such. But that same gentleman advocated to you gentlemen and ladies on the floor of this House just a short while ago on a pay scale set up here on a bill, which would counteract what he's just stated to you; that the pay is so low that only the wealthy, retired and so forth will be able to be here. He doesn't bring that point out now, but that's in your state government report, because of accepting gratuities, I am not accusing anybody here or anybody in this State House; but it is a potential of accepting gratuities, of accepting favors, doing things that a normal man with fair and average pay to cover his expenses, would not even consider.

As far as a good idea on paper only, his interpretation might be as good as mine; but I am going to take the expression from your magazine which is delivered I think to most every legislator from Amer-

ican State. Legislators in the Mid-twentieth Century, it shows right on page eleven, the part that was refused to be read yesterday, by my good colleague from Woodstock. The part which says in 1940, there were only four states that had this particular type of legislation now before you. As of today, there are nineteen states. There must be some merits or some reason for it, or they would not all be doing it, and there are several more states considering this move.

Now may I offer you some of my thoughts why I suggest and say this is a good bill. As far as losing men to serve in this Legislature, we will lose them quicker by the long lengthy single session we now have in the biennium program than we would in shorter sessions where a man can devote his time during the slow periods and winter months when he cannot sixty days in here, and then thirty days the following year which will probably be in January when most of us have our time available to us from business reasons or otherwise, which we cannot do now under the present program. I'll venture to say that the biggest majority of this House would like nothing better at the present time than to get back to their labors, to the works and be able to make a week's pay without having to hire somebody to replace them for the lengthy session that we are now in.

This report had a majority report of the Committee, and in doing so it shows that this thing was given favorable consideration by the majority against the minority report. We are now on our sixty-fourth day, and with the sight, at least in my opinion, at least three weeks away, which will be left before us if we even proceed for adjournment at the present time the way things are moving at present, unless we expedite things unexpectedly beyond what we see at the present, and this bill I might add to you folks is not a partisan bill by any sense of the word because at all times it has been presented by both parties over several years. It will be returning to something of modern

structures and modern needs, and I heard it stated on this Floor the Governor was opposed to this bill. I can say definitely and frankly he is not opposed or for the bill except to say that in his particular platform when he campaigned for Governor that he made the specific statement whereby he could see the use and need of this thing in the future to come. I suggest one he did not state or say, but he said it was coming and should come and needed to come. And when I hear somebody use the Governor's name on this Floor and say he is opposed to the bill, he has not made that statement. As far as this bill goes it will prevent what you gentlemen and ladies right here in this House at the present time, the looseness of departmental budgets. You have not had a close look at your budget only once every two years, it could become so loose that your expenditures have gone beyond your control and when you can have a look at those each year which you can under this proposed bill, you can tighten that gap and stop the increased costs to state government and to the taxpayers of the State of Maine. We had special sessions in the 97th Legislature, the 98th and the 99th and 100th—or we will, we haven't as yet, but it's coming. If you don't believe so you will see when you get the call because the way conditions are going its going to almost merit an additional special session. In the 98th we had three special sessions, and the minimum of any one of those has to be at least four days, and once you are prepared and set up for this operation it doesn't cost too much more greater to run beyond the four days except for our own pay than it would to set and operate, get set up for operation at the beginning of any session. So when these gentlemen give you this type of argument, it is because they would only like to make it possible for a select group to be here and not all walks of life which is necessary to make up a good Legislature and to defend and to bring before you the thoughts and problems of the people of all walks of life, not just a selected group.

There is much more to be said.

I know of several that wanted to speak on it and a little later afterwards I will probably have more to say after this is pretty near ready for a vote.

The SPEAKER pro tem: The Chair recognizes the gentleman from Mount Desert, Mr. Kimball.

Mr. KIMBALL: Mr. Speaker, Ladies and Gentlemen of the House: As a signer of the Majority "Ought to pass" Report, I still feel this is an excellent bill and is very much worthwhile your consideration and I do hope the ought not to pass suggestion that is put out by my good friend, Mr. Dennett, is not accepted.

I would like to answer one expression that he made and that was on the question of people who would not be willing to come here two years running, but would be to come every other year. I from personal experience know in my own locality a number of people who would make excellent legislators and would be worthy of having in any Legislature, who I would like to see run for Legislature but who do not run because they cannot afford to leave their business the length of time that is contained in the biennial sessions when they run over late in the spring. I can quote my own personal instance as far as that's concerned. I am throwing a weight load on my wife now that is unfair. She is doing her job and carrying a large part of my job right at this time I should be home helping out. I intend to stay along and will stay through it, but she is the one that is getting the unfair part of it. I think there are other gentlemen and probably other ladies here who are in the same position. I think if we could adjust this over into an annual session, you would toll many more excellent men and women in here into the Legislature and I do believe we should go for annual sessions.

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

Mr. JALBERT: Mr. Speaker and Members of the House: I know that there is not a measure before this body that interests me any

more than the one we are speaking on now. I know that it is the usual custom to oppose a friend by saying the respect that you hold for him, and certainly it goes without saying the feeling that I have, and I know that it is mutual, I am proud that it is mutual, for the gentleman from Kittery, Mr. Dennett.

For the first time since the session has started I really have lobbied a bill, because I feel so strongly about this bill or this measure that I spoke at length to Mr. Dennett concerning the measure. I do not have an intention of chastising him, but in passing I would like to make reference to the terminology that he used, professional pols. I know that it is not my good friend Bill's thinking that he would accuse the good members of the Legislature from 1820 to 1881 of being professional pols when we had annual sessions in those days.

Now I had distributed before you this chart indicating the history and the story of annual sessions throughout the country, Hawaii and Alaska. It indicates strongly the upward trend now, the trend going back again to annual sessions. In 1951 it started and there have been some fourteen or fifteen states that have gone into the program now; others are planning to do so, and since we have gotten here, Delaware, Nevada and Pennsylvania have adopted the annual plan program.

I would like to quote from the March issue of the Grange Herald in which it says, "It is perhaps unfortunate in some ways that a session of the Legislature has such a high percentage of newcomers who generally have a very limited perspective and little knowledge of the intrigues of state government. It is only when one has served a couple of terms that one begins to get the whole picture in all its ramifications." Now this brings a thought in mind that regardless of party, I have always felt that with the rule that has been adopted way back by our forefathers that you serve from one district one term and then it becomes the other fellow's term in

the other district, that Maine is unfortunate in that field because they lose regardless of party many, many times valuable members of this body, of either branch, and I feel that their experience is needed after they have picked up over a period of one term the experience that they have sought and worked for. I feel very, very strongly about this. Certainly there can be no party label put on this bill because I presented a bill and a couple of days later the gentleman from Bridgton, Mr. Haughn, presented a bill, the same type of bill, and then the committee has now come out with a majority report in a committee bill, the same bill also.

I feel that finances can be dealt with more easily and on a more realistic basis, but bear in mind that a few years ago we had a governor's budget committee. That committee was abolished two terms ago. It served the purpose in a way of almost educating some legislators who were fortunate enough to serve on the committee. I served on it three times and it gave me a tremendous amount of valuable information, but I have always felt that when the time came that they were abolished, the governor's budget committee, that they would have eventually to go into annual sessions.

Now the adoption of our rules which permitted us to prefile legislation before session begins should help to keep the length of the session within reason. Now I feel that the program is a modern one. I happen to know from speaking to people from Alaska, and I know the same thinking would hold in Hawaii, that they sent delegations or committees throughout the country to find out what was the best program for them to adopt and they quickly went into the field of annual sessions.

As you well know, this is a constitutional amendment. It calls for the people to vote on it. The measure two years ago was kept alive in the House very easily on the first go-around. The Senate had enough votes every time they voted on it to acquire the neces-

sary two-thirds; the House failed to give it two-thirds in final passage here, and by a scant few votes is the only reason why we would not adopt the resolution so it could go before the people in referendum. We must bear in mind that the major reason why the trend is going toward annual sessions is because of the continued length of these biennial sessions; also what city, what town, what community in Maine or anywhere in this country that you can tell me, budgets for two years? State government has grown, its intricacies have grown to a degree where now we must place our house back in order every year in the interest of good and better government. Now there are those who say well you won't save any money with it. The measure isn't intended as an economy measure, it is a measure to bring about what is needed, and that is better government, whether it is here or anywhere else. I certainly hope, Mr. Speaker and Members of the House, that you will bear in mind that at least since I have been here we have grown in length from April 20th to what I believe now will be nearer June 20th, and a great deal of the reason is that government is growing. As far as good measures being tossed out the window, we have a committee that has met before, they assign what should be heard and what shouldn't be heard and I am sure that if we have a thirty day session, we don't have to work here just two days a week, we can put in thirty full days excepting Saturday or Sunday and even the last week work on Saturday and then go home. I certainly hope when you vote, you will vote to keep this bill alive and accept the Majority "Ought to pass" Report of the Committee.

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

Mr. WHITMAN: Mr. Speaker and Members of the House: The proponents have outlined what they believe to be the advantages of annual sessions. However, they have failed to prove to me that these advantages could possibly

outweigh the possible disadvantages. I would refer to a report just recently provided us from the National Legislative Conference, the Committee on Legislative Process and Procedures, in which they have made a thorough study of legislative procedures and they are entirely agreed on one particular point under legislative sessions. They report: that undue limitations and restrictions upon the length and subject matter of legislative sessions should be removed. In other words, they say that the nineteen states that now have annual sessions, should remove the restrictions on the length of their sessions, and they elaborate their reasons in this way. As pointed out more than a decade ago in the predecessor report of this document, legislatures cannot properly fulfill their important functions without adequate time to consider and dispose of the questions before them. Undue restrictions upon defeat and the deliberative character of legislatures contribute to the so-called legislative log-jam at the close of the sessions, and result in inadequate consideration of measures deserving close attention.

The committee desires to emphasize that the legislature has a basic and significant function to perform, and that it should have freedom of action and adequate time for that purpose. This is the heart of the matter. The ills of democracy are not cured by its extinction, neither are weaknesses in the legislative process repaired by undue or unrealistic restrictions upon the legislative power to meet, to deliberate and to act.

Now this bill for annual sessions calls for just such restrictions, and the gentleman from Kittery, Mr. Dennett, has outlined some of the bad features of such restrictions as they would apply in the State of Maine.

I cannot see what the objection is to the setup as it is in its present form. We have a regular session at which time we consider all the necessary matters before the state government. If need be, we can have a special session in the off year, what is the objection to having a special session? I haven't

been able to discover what the major objection is for such special sessions. For some reason or other, some people seem to resent the idea of a special session, I submit to you that even though we do in our regular sessions run over the sixty day limit proposed in this bill, the bill calls for ninety days of legislative deliberation. Never have we taken that length of time with our regular sessions and special sessions combined. If need be, we can come back here for perhaps two days, three days, even three weeks, and still we can accomplish the job without establishing the annual session which would restrict our true deliberations.

The argument has been presented that we should budget on an annual basis. Evidently that is not as practical as it sounds because of the nineteen states that now do have annual sessions, over half of them still budget on a biennial basis. Now if we are truly interested in shortening the length of our sessions, then I would submit to you there is the way that this can be accomplished, and not necessarily by providing annual sessions. Rather than shortening the sessions, I would think that annual sessions would eventually lead to two long sessions. If you are really interested in shortening our time spent in legislative session, I would suggest that you reconsider some of the proposals that have been made and in some cases you have turned down.

Only the other day or a short time ago this House and the Senate turned down a bill Legislative Document 1365, and I would read to you the title, An Act relating to Regulation of Fishing by Commissioner of Inland Fisheries and Game. If you want to shorten the length of the session, this is a bill we should recall from the files and pass. I would again refer to this report from the National Legislative Conference, local and special legislation. In order that legislature may devote its entire attention to formulating major public policy, general optional or home rule legislation should be enacted as substitutes for special legisla-

tion affecting cities, counties and other political subdivisions, particularly in matters of purely local concern. Fishing resolves are just what they are referring to in that particular paragraph. They go on further to say, consideration and settlement of claims against the state should be delegated to a judicial or to administrative agencies. Now if I could be assured of a majority of this House, I would be happy to introduce a bill of some form establishing a judicial panel to handle claims and resolves that we must be involved with here every session. I submit to you that this is a job that we should and could very well delegate to judicial powers.

The third suggestion would be a subdivision of the Appropriations and Financial Affairs Committee. And I do intend to introduce such a proposal. We find that one of our greatest bottlenecks in every legislative session is the problems confronted by the appropriations committee. Only two years ago, we established a Legislative Research Committee to study our own rules and procedures. They recommended such a subdivision of the appropriations committee. Part of the appropriations committee would consider general expenditures, the other part of the appropriations committee would consider capital expenditures. This would expedite and save a great deal of time involved in our regular sessions.

This, I feel is the constructive way to shorten the length of the sessions. Annual sessions will not do it. In some states that have adopted annual sessions, they are just that. They are continual annual sessions. And that is eventually what we would wind up with. I submit to you, let's reform our present procedures and do the job in a proper way and preserve the integrity and the quality of our legislation.

The SPEAKER pro tem: The Chair recognizes the gentleman from Vinalhaven, Mr. Maddox.

Mr. MADDUX: Mr. Speaker, Ladies and Gentlemen of the House: I would like to direct a question to the gentleman from

Woodstock, Mr. Whitman. Did I understand him to say that the combined regular and special sessions have never exceeded ninety days?

The SPEAKER pro tem: The gentleman from Vinalhaven, Mr. Maddox, has asked a question through the Chair of the gentleman from Woodstock, Mr. Whitman, who may answer if he chooses.

Mr. WHITMAN: I would have to check that, I don't have the figures.

Mr. MADDOX: I think that the gentleman from Woodstock will find that the regular session of the 99th was ninety-one days, and the special session was nine days. If we were honest about it, we could add an extra day for the Sunday after we covered the clock.

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

Mr. JALBERT: I stated in a speech a few weeks ago that speaking after the gentleman from Woodstock, Mr. Whitman, that I said to myself for once I can agree with him, but he finally did it again, I mean got well planted knee deep and now he is up to here on more than one point. Now as far as the Appropriations Committee is concerned, I give the gentleman from Woodstock, Mr. Whitman, full assurance that if he wants to discuss the pros and cons of methods of operation on the appropriations committee, I'll meet him anytime with thirty that think like him, and I'll come out on top. I guarantee you that right now because very little time is actually spent on capital. What we're hobnobbed with is a lot of bills that we hear, lengthy hearings on L. D.'s, and ninety percent of them do not refer themselves to capital. So much for that.

Insofar as L. D. 1365 is concerned, one of the methods he proposes to shorten the session. Let it be borne in mind that that bill was before this body, it was before this branch here regardless of the report on it; why, then, didn't the gentleman from Woodstock, Mr. Whitman, take a shot at it then? He just sat quietly in his seat and did nothing about it, but

now for a convincer or good argument, he brings that up. Number three, a few weeks ago, the gentleman from Woodstock, Mr. Whitman, made the remark as far as he was concerned, he did not want to be party to—or words to that effect, to destroying the base or rudiments or the foundation of our good Constitution. For once we agree because your forefathers and mine originally had annual sessions. I want to protect the Constitution too, and I want to go back to annual sessions.

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

Mr. HAUGHN: Mr. Speaker, Ladies and gentlemen: A few weeks ago on the floor of this House, the gentleman from Woodstock said that he was reminded of a story of a hoop skirt that went around a lot and covered nothing. I think I can repeat that today. Because from the facts expressed by him to this body he said that we did not exceed ninety days, I'm glad the gentleman from Vinalhaven, Mr. Maddox, brought that point out, because I did have a note here. We have exceeded that, and at the rate that we are going now, we may even exceed it beyond that.

Why not special sessions? He asked that question. Sure, we can have special sessions, but when do they call them? When a man's back, active in his work, organized once again and he is interrupted or disrupted from his work or employment, he has got to seek around to find somebody to replace him or hire additional employees to cover him and to fill in? There are none of us who would shirk our duty to come back for a special session, it is true, but the inconvenience, the cost and everything else, the people do not want it either. They want you to do your business while you are here and express it and do it right. And at these special sessions, you know what it is. The minimum is four days before you can get out of here, and what can you act upon in four days, hang around three days of it just for the sake of procedure, and put in about one day's actual time. In doing so, it's all done in such haste that when

you get out of here you go home and read the local newspapers to find out what happened. That's what will happen if we continue the rate that we are going under the present system.

As far as delegating these authorities to other powers that he suggests, we have given away enough legislative prerogatives now without delegating our authority beyond that and I question the constitutionality of being able to give our powers away to somebody else and delegate to speak for us. That's what he is asking you to do, and when the vote is so taken, I do request a division.

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

Mr. BEARCE: Mr. Speaker and Ladies and Gentlemen of the House: I'm certainly glad that the two gentlemen ahead of me have spoken twice and I think I will object if they speak again, because I am afraid they would kind of tear my reputation to pieces. However I am with Bill Dennett on this program. I think he is absolutely right. This is the twentieth week, our gentleman over here says sixty-three days, well, nineteen weeks for a regular session and we might not get the business done then, and then next year we come in with less — about ten weeks—or nine and one half weeks, and if you think you are going to make any money on that or reduce the cost of running this establishment or make any better laws on that basis, I am sure I can't figure out how you can do it.

I think although my friend, over here, I hesitate to mention his name because he has been maligned so many times previously, but he has the right idea I believe. One of our national figures several years ago when he went down to Washington to take over some big job down there, he says well let's throw out the nits and lice and get down to business. Well, we heard a few days ago an extended conversation or argument on whether or not we should open up for ice fishing something up

here in Aroostook County and a lake that I never heard of or can't find on the map. I listened for an hour or so and another body here, I won't mention what it was, on the bear bounty, and I could mention something about the deer on—down near Bar Harbor, but I won't get any closer. I believe we should have as Mr. Whitman has mentioned sort of a judicial body composed of not the department that is running the Fish and Game or hunting or what have you, but someone composed in the House either standing or even with the Senate to resolve these very local problems and let the legislature get down to the real business.

You all know how much time is taken up with these very local problems, and I think they could all be solved by some group of legislative or judicial or what have you, some method of handling that and getting those out of the way so we could get down to business. We could get through here in sixty legislative days, I certainly believe. Thank you.

Mr. Jalbert of Lewiston was granted permission to speak a third time.

Mr. JALBERT: Mr. Speaker, I would request a question from the gentleman from Bucksport, Mr. Bearce. The question is: is the gentleman from Bucksport, Mr. Bearce, aware that one can get around the third time speaking very easily by asking him or any other member a question that could well be ten thousand words in length?

The SPEAKER pro tem: The gentleman from Lewiston, Mr. Jalbert, has asked a question through the Chair of the gentleman from Bucksport, Mr. Bearce, who may answer if he chooses.

Mr. BEARCE: Well, I have no objection to our friend speaking as long as he wants to if that's what he wants.

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

Mr. ANDERSON: Mr. Speaker, Ladies and Gentlemen of the House: I believe we will not only double our headaches, but also

the cost if we go into annual sessions. I heartily concur with the gentlemen, Mr. Dennett and Mr. Whitman.

The SPEAKER pro tem: The Chair recognizes the gentlewoman from Lebanon, Mrs. Hanson.

Mrs. HANSON: Mr. Speaker, Ladies and Gentlemen of the House: Human nature being what it is, I do not feel that we have any assurance that the number of sessions will limit the length of the sessions. Also, I feel strongly that each of us when we run for office do it or we should do it with the feeling that if we are elected the state has priority on our time for the two years of our term, and I think that to get up here and object to the time, we are the ones who are the reason for the length of time, and I think if we have taken our oath in sincerity, we realize that we are obligated to the state for that two years.

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

Mr. DENNETT: Mr. Speaker, I wish to be very brief, but there is one point that apparently has been consistently hammered on during this debate and that is that this annual session business would tend to eliminate special sessions of legislature. It is my contention that it would do no such thing. As a matter of fact, may I for just a moment read a small portion of the bill, and this is section thirteen and it's the Constitution, Article five, and it says: "Extraordinary convening of Legislature; adjournment of Legislature in case of disagreement; changing meeting place of Legislature. He may, on extraordinary occasions, convene the Legislature; and in case of disagreement between the two houses with respect to the time of adjournment, adjourn them to such time as he shall think proper, not beyond the day of the next annual meeting; and if, since the last adjournment, the place where the Legislature were next to convene, shall have become dangerous from an enemy or contagious sickness, may direct the session to be held at some other convenient place within the State."

The point is simply this which I wish to bring out, is that this bill still provides and it still foresees that special sessions will be necessary, and it is my strong and candid opinion that under this you would have more special sessions than ever before.

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

Mr. CURTIS: Mr. Speaker, Ladies and Gentlemen of the House: I've oft times said that I didn't think that any speech ever made in this body has ever changed anybody's votes except one or two over the four previous sessions that I have been here. I have always voted against this annual session idea, but I have got to change my opinion about speeches changing votes, because I intend to vote for it this time with the reason that has been brought out that why some of them are against annual sessions and what they would replace it with would be giving more power to some particular body. Now under the Constitution, we're sent here to do the job for the State, and not to pick out some particular body to do it for us. We are as I see it, the hired men and women of the people of this state and if doing away with not having annual sessions is going to require that you are going to set up judicial bodies or other sorts of bodies whereby they are going to pass the laws or make regulations which have the same power as a law being passed by the legislature, I sure am against it, and I shall vote for the annual sessions for the first time in five times that I have been here.

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

Mr. PHILBRICK: I move the previous question.

The SPEAKER pro tem: The gentleman from Bangor, Mr. Philbrick, moves the previous question. In order for the Chair to entertain the motion for the previous question, it must have an expression of a desire by at least one third of the members present.

Will all those who favor the Chair to entertain the motion for



the previous question, please rise and remain standing until the monitors have made and returned their count.

An insufficient number arose.

The SPEAKER pro tem: Less than one third having arisen, the motion is not entertained.

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

Mr. PIKE: Mr. Speaker, I'm drawn two ways on this thing as I think a good many of us are. I had hoped with the early filing of bills before the session that we would make faster progress, and I have to confess to you that I thought our experience two years ago would perhaps be rectified this time. We made wonderful progress the first two or three months, we've ground not to a complete halt, but we have slowed down since. In the great confidence we'd be through in five months, I made some engagements for the middle of June, and I am going to be a most embarrassed person if we are still sitting here when I had ought to be there.

I'm not sure if this annual session thing would cure our troubles, I guess we'll be the same human beings we've been all the time. There are, it seems to me, two or three things in its favor. One that rather appeals to me is to be able to look at our financial affairs once a year rather than once every two years, our forecasts have generally speaking been—on revenue have been quite inaccurate. We always have some money left over. I think it also has a tonic effect on—speaking as a former farm hand around the State House here, has a tonic effect on some of the departments to know that the Legislature is here and expects them to work and spend at least a modicum of time at their office rather than in the cafeteria. Those are all small items. I think I come up on balance in favor of annual sessions, but I can't rationalize my stand very well. If it doesn't work out very well—I probably won't be here, but I would be inclined to scuttle right back and take biennials, but I do think we spend

too much time in doing work that is rather beneath the dignity of this body. There have been some good suggestions made here today. I thought there were some good suggestions made by an interim committee between sessions about rules which might have helped, well they were turned down without I believe, to me didn't seem to be thorough enough consideration, but it does seem to me that in thinking about our time and expense to the state, running around six thousand bucks a day, we could do more that we have done to shorten our present ones. If we can't then I suppose we've got to go to annual ones, and I am afraid I am going to have to vote for it although I don't have any confidence it will make us a perfect lot of folks all at once.

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

Mr. COOPER: Mr. Speaker, Ladies and Gentlemen of the House: I read here in this bill that the legislative days for the first session would be thirty days and the next session would be sixty days I think it is. Now I am not a farmer, but when I was a boy I used to help my father hoe corn, and if there weren't too many weeds and grass and so forth, we could hoe a row of corn in a certain length of time, but if there were a lot of weeds and a lot of grass it took a longer time. Now this bill it seems to me restricts the number of days that we shall stay here, and that is one thing why I am opposed to the change in the session and I'm satisfied the way it is.

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

Mr. BRADEEN: Mr. Speaker and Ladies and Gentlemen of the House: During the course of this animated discussion, both informative and interesting, I have been sitting here musing, but not sleeping. I am reminded of something I saw in the Readers' Digest I think a year or two ago and it ran like this; I may have mentioned it before. If I repeat myself, kindly pardon me. It appears that this old man had reached the ripe

old age of a hundred and the local editor went to see him and congratulated him as usual on such circumstances. He says: "Mr. Smith, 100 years is a long, long time." He says: "That's right, my son." He says "In those years you must have seen many changes?" The old man says: "Yes, that's right, and I've been agin all of them."

Now, I think that there is a kernel of truth in that and perhaps a moral, and this is the message that I would leave with you, that unfortunately is not original with me, but I pass it on, that progress consists no more in the doing of something new than in the undoing of something old. While I share, perhaps—have perhaps certain reservations with reference to this particular suggestion, I feel that the weight of evidence is on the side of the proponents. Consequently, I have decided that I must vote for annual sessions. Thank you.

The SPEAKER pro tem: Is the House ready for the question? The question before the House is the motion of the gentleman from Kittery, Mr. Dennett, that the House accept the Minority "Ought not to pass" Report on Resolve, Proposing an Amendment to the Constitution Providing for Annual Legislative Sessions, House Paper 209, L. D. 304. A division has been requested. Will all those in favor of accepting the Minority "Ought not to pass" Report please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Mr. WHITMAN: Mr. Speaker?

The SPEAKER pro tem: For what purpose does the gentleman arise?

Mr. WHITMAN: I request a roll call.

The SPEAKER pro tem: The gentleman from Woodstock, Mr. Whitman, has requested a roll call. For the Chair to order a roll call it must have an expression of a desire for a roll call on the part of one-fifth of the members present. Will —

Mr. WHITMAN: I withdraw my motion.

Mr. JALBERT: Mr. Speaker, I request a roll call.

The SPEAKER pro tem: Will all those in favor of a roll call vote please rise and remain standing until the monitors have made and returned the count.

A sufficient number arose.

The SPEAKER pro tem: Obviously, more than one-fifth having arisen, a roll call is ordered.

The Chair will restate the question. The question before the House is the motion of the gentleman from Kittery, Mr. Dennett, that the House accept the Minority "Ought not to pass" Report. If you favor the acceptance of the "Ought not to pass" Report, you will answer "yes" when your name is called; if you oppose the acceptance of the "Ought not to pass" Report, you will answer "no" when your name is called. The Clerk will call the roll.

### ROLL CALL

YEA — Albair, Anderson, Ellsworth; Baker, Bearce, Boothby, Bragdon, Brown, Vassalboro; Buckley, Carter, Chapman, Gardiner; Chapman, Norway; Cooper, Coulthard, Dennett, Dunn, Durgin, Edgerly, Edwards, Estey, Finley, Gardner, Hague, Ham, Hancock, Hanson, Lebanon; Harrington, Hughes, Hutchins, Jones, Kennedy, Lincoln, Matheson, Mathews, Merrill, Moore, Perry, Philbrick, Augusta; Philbrick, Bangor; Poirier, Roberts, Schulten, Shaw, Shepard, Smith, Bar Harbor; Smith, Falmouth; Sproul, Storm, Turner, Vaughn, Waltz, Waterman, Wellman, Westerfield, Whitman, Whitney, Williams, Winchenpaw, Young.

NAY — Anderson, Greenville; Bedard, Bernard, Binnette, Boissonneau, Bradeen, Brewer, Briggs, Brown, South Portland; Bussiere, Choate, Crockett, Curtis, Danes, Dennison, Dodge, Dostie, Lewiston; Dostie, Winslow; Fogg, Gallant, Gill, Hanson, Bradford; Hartshorn, Haughn, Hendricks, Hinds, Humphrey, Jalbert, Jameson, Jobin, Johnson, Smithfield; Johnson, Stockholm; Kellam, Kimball, Knapp, Knight, Lane, Lantagne, Letourneau, Levesque, Linnekin, Littlefield, Lowery, MacGregor, Maddox, Maxwell, Morrill, Nadeau, Biddeford; Pike, Plante, Prince, Prue, Sevigny, Smith, Strong;

Stevens, Stewart, Tardiff, Thaanum, Thornton, Wade, Walker, Walls, Wheaton, Wood.

ABSENT — Beane, Augusta; Beane, Moscow; Berman, Auburn; Berman, Houlton; Berry, Cape Elizabeth; Berry, Portland; Brown, Fairfield; Burns, Cyr, Davis, Drake, Good, Hardy, Hichborn, Hopkinson, Karkos, Kilroy, Lacharite, Malenfant, Minsky, Morse, Nadeau, Lewiston; Noel, Rust, Sirois, Swett, Tweedie, Tyndale.

Yes 58; No 64; Absent 28.

The SPEAKER pro tem: Fifty-eight having voted in the affirmative, and sixty-four in the negative, with twenty-eight absent, the motion to accept the "Ought not to pass" Report does not prevail.

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

Mr. JALBERT: Mr. Speaker, I now move we accept the Majority "Ought to pass" Report.

The SPEAKER pro tem: The question before the House is the motion of the gentleman from Lewiston, Mr. Jalbert, that the House accept the Majority "Ought to pass" Report. Is this the pleasure of the House?

The motion prevailed and the Resolve was given its first reading and assigned for second reading tomorrow.

At this point, Speaker Good returned to the rostrum.

SPEAKER GOOD: The Chair wishes to thank the gentleman from Pittsfield, Mr. Baxter, for serving as Speaker pro tem and the excellent manner in which he performed his duty.

The SPEAKER: The Chair now lays before the House item five on page two, Bill "An Act Repealing the Time Limitation on Statute Repealing the Two Inch Clam Law," House Paper 47, Legislative Document 88. Comes from the Senate passed to be engrossed as amended by Senate Amendment "A" in non-concurrence, and it was tabled earlier in the day by the gentleman from Friendship, Mr. Winchenpaw.

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

Mr. PRINCE: Mr. Speaker, I move to recede and concur.

The SPEAKER: The question now before the House is the motion of the gentlemen from Harpswell, Mr. Prince, that the House recede and concur.

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

Mr. WINCHENPAW: Mr. Speaker, I just want to be put on the record as favoring the motion of the gentleman from Harpswell, Mr. Prince.

The SPEAKER: The question before the House is the motion of the gentleman from Harpswell, Mr. Prince, that the House recede and concur. Is this the pleasure of the House?

The motion prevailed.

Upon request of Mr. Bragdon of Perham, Bill "An Act Exempting Proceeds of Pension and Profit Sharing Plans from Inheritance Tax Law," H. P. 423, L. D. 598, was removed from the Special Appropriation Calendar.

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

Mr. WELLMAN: Mr. Speaker, I have an amendment which you will find on your desks and for the purpose of amending the bill under consideration I move that the rules be suspended that I may make the move to reconsider our action whereby we passed this Act to be engrossed on March 17.

The SPEAKER: The gentleman from Bangor, Mr. Wellman, moves that the rules be suspended for the purpose of reconsidering the action of the House on March 17 whereby it passed this bill to be engrossed. Is it the pleasure of the House that the rules be suspended?

The motion prevailed.

The SPEAKER: The rules are suspended.

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

Mr. WELLMAN: Mr. Speaker, I move that we reconsider our action of March 17 in passing this bill to be engrossed.

The SPEAKER: The gentleman from Bangor, Mr. Wellman, now moves that the House reconsider its action of March 17 whereby it passed this bill to be engrossed. 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 offer House Amendment "A" and move its adoption.

The SPEAKER: The gentleman from Bangor, Mr. Wellman, offers House Amendment "A" and moves its adoption. The Clerk will read the amendment.

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

HOUSE AMENDMENT "A" to H. P. 423, L. D. 598, Bill, "An Act Exempting Proceeds of Pension and Profit Sharing Plans from Inheritance Tax Law."

Amend said Bill by striking out all of subsection III and inserting in place thereof the following new underlined subsection III:

**'III. Proceeds of pension and profit sharing plans. All proceeds of any trust which are otherwise taxable under this chapter except the proceeds of a trust forming a part of a stock bonus, pension or profit sharing plan which constitutes a "qualified trust" under the Internal Revenue Code to the extent such part thereof either is payable to the widow, widower or issue of the decedent or, if testate, is bequeathed to the widow, widower or issue, or if intestate, descends to the widow, widower or issue.'**

House Amendment "A" was adopted.

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

Upon request of Mr. Bragdon of Perham, Bill "An Act Revising the Laws Relating to the Organization and General Supervisory Powers of the Department of Banks and Banking," H. P. 494, L. D. 805, was removed from the Special Appropriations Calendar.

The SPEAKER: The Chair recognizes the gentleman from Hallowell, Mr. Choate.

Mr. CHOATE: Mr. Speaker, I would like to thank the gentleman from Perham, Mr. Bragdon, for his cooperation. The move that I will make is to correct the legal error in the bill, the wording was wrong, and it was called to our attention by the Attorney General's office. I now move that the rules be suspended in order that I may move to reconsider our action whereby we passed this Act to be engrossed as amended by Committee Amendment "A" on March 2.

The SPEAKER: The gentleman from Hallowell, Mr. Choate, moves that the rules be suspended for the purpose of reconsidering our action whereby this bill was passed to be engrossed as amended on March 22. Is it the pleasure of the House that the rules are suspended?

The motion prevailed.

The SPEAKER: The rules are suspended.

Mr. CHOATE: Mr. Speaker, I now move that we reconsider our action of March 22 in passing this bill to be engrossed.

The SPEAKER: The gentleman from Hallowell, Mr. Choate, now moves that the House reconsider its action of March 22 whereby it passed this bill to be engrossed. Is this the pleasure of the House?

The motion prevailed.

Mr. CHOATE: Mr. Speaker, I now offer House Amendment "A" and move its adoption.

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

HOUSE AMENDMENT "A" to H. P. 494, L. D. 805, Bill, "An Act Revising the Laws Relating to the Organization and General Supervisory Powers of the Department of Banks and Banking."

Amend said Bill in that part designated "Sec. 1-K." of section 1 by striking out, in the 6th line, the underlined words "one year" and inserting in place thereof the underlined figure and word '11 months'

House Amendment "A" was adopted.

Thereupon, the Bill was passed to be engrossed as amended by Committee Amendment "A" and by House Amendment "A" in non-concurrence and sent up for concurrence.

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The SPEAKER: The Chair would like to announce the appointment of the following conferees in reference to L. D. 887, Resolve Providing for a Survey to Determine New Projects for Recreational Areas whereby on May 12,

1961 the House insisted and moved to join in a Committee of Conference.

The Chair appoints the following conferees on the part of the House:

Mr.	TURNER of Auburn
Mrs.	SMITH of Falmouth
Mr.	WINCHENPAW
	of Friendship

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On motion of Mr. Baxter of Pittsfield,

Adjourned until tomorrow morning at nine o'clock.