

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

One-Hundredth Legislature

OF THE

STATE OF MAINE

VOLUME II

MAY 12 - JUNE 17, 1961

and

SPECIAL SESSION

NOV. 27 - DEC. 2, 1961

DAILY KENNEBEC JOURNAL

AUGUSTA, MAINE

HOUSE

Wednesday, May 24, 1961

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

Prayer by the Rev. Mr. Charles T. Brown of the Elm Street Congregational Church, Bucksport.

The journal of yesterday was read and approved.

Conference Committee Report

Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature on Resolve Appropriating Funds for Regional Airport to Service Augusta, Waterville and Surrounding Areas (H. P. 568) (L. D. 788) reporting that the House recede and concur with the Senate in recommitting the Resolve to the Committee on Appropriations and Financial Affairs.

(Signed)

LANE of Waterville

DRAKE of Bath

— Committee on part of House

DAVIS of Cumberland

STANLEY of Penobscot

MARDEN of Kennebec

— Committee on part of Senate

Report was read and accepted, the Resolve recommitted to the Committee on Appropriations and Financial Affairs, and sent up for concurrence.

Papers from the Senate

From the Senate:

Bill "An Act Permitting St. Francis College to Confer Honorary Degrees" (S. P. 563) (L. D. 1615)

Came from the Senate passed to be engrossed without reference to a Committee.

In the House:

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

Mr. PLANTE: Mr. Speaker, I move that under suspension of the rules the bill be given its first and second readings.

Thereupon, the rules were suspended and the Bill given its two several readings without reference to a Committee, and assigned for third reading tomorrow.

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

Report of the Committee on Appropriations and Financial Affairs reporting "Ought not to pass" on Resolve Appropriating Moneys to Provide for National Advertising for Maine's Recreational Industry (S. P. 1) (L. D. 1)

Came from the Senate with the Resolve substituted for the Report and indefinitely postponed.

In the House, the Report was read and accepted.

Report of the Committee on Appropriations and Financial Affairs reporting "Ought not to pass" on Resolve Providing Funds for Biological and Management Investigation of Certain Fish (S. P. 271) (L. D. 872)

Came from the Senate read and accepted.

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

Report of the Committee on Highways reporting "Ought not to pass" on Resolve Authorizing State Highway Commission to Study Feasibility of a Bridge Across the Dam-ariscotta River (S. P. 285) (L. D. 886)

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

In the House: Report was read and, on motion of Mr. Turner of Auburn, the Committee "Ought not to pass" Report was accepted in non-concurrence and sent up for concurrence.

**Ought to Pass in New Draft
Tabled and Assigned**

Report of the Committee on Education on Resolve Providing for a Vocational Technical Institute in Eastern Maine (S. P. 316) (L. D. 992) reporting same in a new draft (S. P. 516) (L. D. 1542) under title of "Resolve Appropriating Moneys for Vocational and Technical Institute in Northeastern Maine" and that it "Ought to pass"

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

In the House, the Report was read.

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

Mr. WELLMAN: Mr. Speaker, in the absence of our Chairman I would ask permission that this bill be tabled until tomorrow.

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

Divided Report

Majority Report of the Committee on Inland Fisheries and Game reporting "Ought not to pass" on Bill "An Act Establishing a Uniform Open Deer Season" (S. P. 16) (L. D. 16)

Report was signed by the following members:

Messrs. CARPENTER of Somerset
STILPHEN of Knox
CYR of Aroostook
— of the Senate.

Messrs. MOORE of Casco
WALLS of Millinocket
HANSON of Bradford
WADE of Skowhegan
ANDERSON of Ellsworth
MERRILL of Stetson
— of the House.

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

Report was signed by the following member:

Mr. DODGE of Guilford
— of the House.

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

In the House: Reports were read.

On motion of Mr. Moore of Casco, the Majority "Ought not to pass" Report was accepted.

Divided Report

Report "A" of the Committee on State Government reporting "Ought to pass" on Resolve Proposing an Amendment to the Constitution to Provide for the Apportionment of Senators for and within each County (S. P. 262) (L. D. 779)

Report was signed by the following members:

Messrs. NOYES of Franklin
LOVELL of York
— of the Senate.

Messrs. DENNETT of Kittery
HAUGHN of Bridgton
NOEL of Waterville
— of the House.

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

Report was signed by the following members:

Mrs. CHRISTIE of Aroostook
— of the Senate.

Messrs. KIMBALL of Mount Desert
WHITMAN of Woodstock
BEARCE of Bucksport
DOSTIE of Lewiston
— of the House.

Came from the Senate with Report "B" accepted.

In the House: Reports were read.

On motion of Mr. Wellman of Bangor, Report "B" "Ought not to pass" was accepted in concurrence.

Non-Concurrent Matter

Bill "An Act relating to Interest Rate for Licensed Small Loan Agencies" (S. P. 392) (L. D. 1258) which was passed to be engrossed as amended by Committee Amendment "A" in non-concurrence in the House on May 17.

Came from the Senate with that body voting to adhere to its action whereby the Bill was indefinitely postponed.

In the House: On motion of Mr. Wellman of Bangor, the House voted to adhere.

Non-Concurrent Matter

Bill "An Act Including Piers and Terminals in Maine Industrial Building Authority Act" (S. P. 418) (L. D. 1357) which was passed to be engrossed as amended by Senate Amendment "A" as amended by House Amendments "A" and "B" thereto in non-concurrence in the House on May 10.

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

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

Non-Concurrent Matter Conference Asked

Bill "An Act Exempting the Grange from Property Taxes" (S. P. 446) (L. D. 1312) on which the House accepted the Minority "Ought not to pass" Report of the Committee on Taxation in non-concurrence on April 11.

Came from the Senate with that body voting to insist on its former action whereby the Majority "Ought to pass" Report was accepted and the Bill passed to be engrossed, and asking for a Committee of Conference, with the following Conferees appointed on its part:

Messrs. WYMAN of Washington
COLE of Waldo
PARKER of Piscataquis

In the House: On motion of Mr. Baxter of Pittsfield, the House voted to adhere.

Non-Concurrent Matter Tabled and Assigned

Bill "An Act relating to Unprotected Wells" (H. P. 1131) (L. D. 1558) which was indefinitely postponed in the House on April 27.

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 Cape Elizabeth, Mr. Berry.

Mr. BERRY: Mr. Speaker and Members of the House: At the time of initials consideration of this bill, there were two principal objections to it. First, that we were not satisfied with the definition of the word "well," and second the definition of a well as an attractive nuisance was objectionable. After consultation with some of our leading legal minds here, we have come up with the definition as follows which is in the form of an amendment: "the term 'well' as used in this section shall mean a deep narrow pit in the earth usually walled, used for the purpose of obtaining a supply of water."

I think there has been a widespread interest in this nuisance and a desire to correct that, and I think that this would provide an acceptable solution. Consequently I

would move now that we recede and concur.

The SPEAKER: The question now before the House is the motion of the gentleman from Cape Elizabeth, Mr. Berry, that the House recede and concur.

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

Mr. WELLMAN: Mr. Speaker, I would like to ask a question through the Chair of the gentleman from Cape Elizabeth, Mr. Berry. I have been lead to believe through conversation concerning this bill that there is a section of the Statutes that already provides for the covering of wells. Am I incorrect in this?

The SPEAKER: The gentleman from Bangor, Mr. Wellman, has asked a question through the Chair of the gentleman from Cape Elizabeth, Mr. Berry, who may answer if he chooses.

The Chair recognizes that gentleman.

Mr. BERRY: Mr. Speaker, the present law has been variously interpreted as covering and not covering, and I think the preponderance of opinion is that it does not cover. This bill would seem to fill that loophole.

The SPEAKER: Is it now the pleasure of the House that the House recede and concur?

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

Mr. BRIGGS: Mr. Speaker, I would like permission to table this bill until tomorrow. I know a gentleman—

The SPEAKER: The gentleman from Portland, Mr. Briggs, has moved in relation to item eleven that it be tabled until tomorrow pending further consideration. Is this the pleasure of the House?

The motion prevailed and the Bill was so tabled.

Non-Concurrent Matter

Resolve Proposing an Amendment to the Constitution Pledging Credit of State for Guaranteed Loans for Recreational Purposes (S. P. 515) (L. D. 1535) which failed final passage in the House on May 9.

Came from the Senate passed to be engrossed as amended by Sen-

ate Amendment "A" in non-concurrence.

In the House:

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

Mrs. SMITH: Mr. Speaker, I now move that we adhere to our former action and all the arguments that we used before still apply to this bill. This is still taxpayers' money, the new report I noticed does not bear out some of these things—in fact bears out the speech that I made on the floor of this House. And I hope that you will join with me in adhering to our former action.

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

Mr. WHITMAN: Mr. Speaker and Members of the House: I would just remind the House that there is no taxpayers' money involved in this bill. In the event that the authority would be established, the authority then could pledge the credit of the state for these particular loans. In the experience of the MIBA, not one red cent of taxpayers' money has yet been expended for the purpose of these loans that have encouraged new industries and have established many new industries in the State of Maine.

For that reason I move that we recede and concur.

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

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

Mrs. SMITH: Mr. Speaker and Members of the House: I would also remind the House that this is a different area than the Industrial Building Authority is in—than the one having to do with industrial building; that many members of the MIBA are not for this expansion in these other fields; that two years ago we found that it would be unconstitutional, there are things about this bill that are poorly written. The same arguments prevail that we have used the other day and I now move that this bill and all its accompanying papers be indefinitely postponed, and I ask for a division.

The SPEAKER: The prevailing motion is the motion to recede and concur. If that motion is defeated, then the motion to adhere will be entertained which will be the same as indefinitely postponing.

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. A division has been requested.

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

A division of the House was had.

Forty-one having voted in the affirmative and seventy-two having voted in the negative, the motion to recede and concur did not prevail.

Thereupon, the House voted to adhere.

Orders

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

The SPEAKER: The Chair recognizes the gentlewoman from Orrington, Mrs. Baker.

Mrs. BAKER: I would ask if L. D. 1145 is in the possession of the House?

The SPEAKER: The Chair would advise the gentlewoman from Orrington, Mrs. Baker, that L. D. 1145, House Paper 830, Bill "An Act relating to Sunday Sales of Liquor by Hotels and Clubs," is in the possession of the House.

Mrs. BAKER: Mr. Speaker and Members of the House: I move that the House reconsider its action yesterday wherein this bill was passed to be engrossed.

The SPEAKER: The question now before the House is the motion of the gentlewoman from Orrington, Mrs. Baker, that the House reconsider its action of yesterday whereby it passed this bill to be engrossed.

Mr. Morrill of Harrison then requested a division.

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

Mr. SMITH: Mr. Speaker and Members of the House: I hesitate to stand on this bill, I haven't yet I believe in this Legislature spoken on any of these bills, but I have been reading the newspapers and trying to get the feeling of people on this; and now you all would know my feeling on it and therefore as far as my feeling is concerned I wouldn't even get up and speak.

But I notice that the newspapers have been quite outspoken in regard to this, and if they reflect the will of the people, and I am not sure that they always do, but if they do then we're being pictured in the state as being folks that reverse ourselves in some of our decisions, in some of our stands. For instance, I notice in the Lewiston paper this past week that this Legislature was called a group of "sanctimonious holy Joes," who would turn down a good lottery bill and then on moral issues—and then pass a bill like this. Now I am wondering if this is really a credit to this Legislature to pass this type of legislation.

Since I have been here in the House, there have been several things that I have noticed that I never had thought on much before. When the Commander the other day was speaking, he brought up something that amazed me and surprised me, and yet I believe he was probably true in saying it. He said that it was unpopular today to be patriotic and that sort of hit me hard. Then going out through the hall the other day, I overheard a conversation whereby one of the House members in here was speaking and someone commenting on his talk out there in the hall of the House, under the dome, and this man in here was speaking about "rugged individualism." And the comment I heard was more or less a sneer along that line, and I am wondering if it is unpopular today to be a rugged individualist. And now I'm beginning to wonder if it is unpopular to have a certain stand on moral issues.

Have we got to give in today just because there will be money in somebody's pocket if this bill is passed? I know without question that is what the tourists of York

County want, and the tourists along the border lines of our state. But I am wondering if we are selling out to these tourists and putting money in the pockets of some hotel people by a bill like this, when actually we are sacrificing a principle for doing it.

I just wanted to bring this up, I do hope that we will move for reconsideration and I would like to see this bill defeated. Thank you.

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

Mr. LACHARITE: Mr. Speaker and Members of the House: We have considered and debated this bill at quite some length on two separate occasions and I believe that we knew what we were doing at the time when we passed this bill. I don't think there is any need for further debate on this and I hope that the motion to reconsider will not prevail.

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

Mr. WINCHENPAW: Mr. Speaker and Ladies and Gentlemen of the House: I would just like to say a few words in favor of reconsideration. All of you know that I am from an anti-sales tax area, but I was home over the weekend and it's a pretty dry area down there. They said, "Well, we probably could manage with the sales tax, but for heaven's sake don't pass that Sunday liquor bill."

The SPEAKER: The Chair recognizes the gentleman from Hampden, Mr. Littlefield.

Mr. LITTLEFIELD: Mr. Speaker and Ladies and Gentlemen of the House: I am sorry to get mixed up in these liquor bills, but I lived before the days of the repeal of prohibition. I voted for the repeal of prohibition in order that a man might go to a state store and buy his liquor. Since that time these laws liberalizing the sale of liquor have been enacted so that today we are nearly as bad off as we were before the days of prohibition. Now I don't claim to be a teetotaler, but just as fast as these liquor laws come to this House I shall stand on my feet and vote against them.

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

Mr. JAMESON: Mr. Speaker and Ladies and Gentlemen of the House: I didn't intend to get mixed up with this liquor bill either. My beverage is milk, as you all know. And I never refused a drink only once, and I wasn't there that time. I think it is time, ladies and gentlemen, that we abolished some of these blue laws and got on the par with other states in the Union, particularly here in New England. Thank you.

The SPEAKER: Is the House ready for the question?

The Chair recognizes the gentleman from Orrington, Mrs. Baker.

Mrs. BAKER: Mr. Speaker, I would ask for a roll call.

The SPEAKER: A roll call has been requested.

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

Mr. EDGERLY: Mr. Speaker and Ladies and Gentlemen of the House: I thought about this quite a lot last evening and I am really kind of ashamed for this honorable body to vote for anything—to sell liquor like that on Sunday. I really am ashamed to be a part of a Legislature that would do anything like that for Sundays. Most any of us—if I want something to drink I know enough to buy it and have it for over Sunday. If I had a party coming and wanted to go to a motel, we would probably have our liquor before we went there; we could buy our dinner. And I don't believe that this whole body today will want to vote the way they did yesterday. I should feel very sorry if they do.

The SPEAKER: Is the House ready for the question? The question before the House has to do with L. D. 1145, Bill "An Act relating to Sunday Sales of Liquor by Hotels and Clubs." The immediate question is the motion of the gentleman from Orrington, Mrs. Baker, that the House reconsider its action of yesterday whereby it passed this bill to be engrossed. A roll call has been requested.

The Chair recognizes the gentleman from Stonington, Mrs. Shepard.

Mrs. SHEPARD: Mr. Speaker and Members of the House: I don't feel that really there is very much I can say that wouldn't repeat what was said yesterday. Two years ago in this House they accepted a bill here to legalize the sale of liquor in restaurants doing business of a certain amount and at that time it was stated on the floor of this House that they would be back here in two years and would want a Sunday sale of liquor. And if we pass this bill, I am wondering what they are coming back in two years from this time for again. Where is this thing going to end?

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

Thirty-two members arose.

The SPEAKER: Thirty-two having arisen and it being more than one fifth, a roll call is ordered.

The Chair will restate the question. The question before the House is the motion of the gentleman from Orrington, Mrs. Baker, that the House reconsider its action of yesterday whereby it passed this bill to be engrossed. If you are in favor of reconsidering the action of yesterday whereby you passed this bill to be engrossed, you will answer "yes" when your name is called; if you are not in favor of reconsidering the action of yesterday, you will answer "no" when your name is called. The Clerk will call the roll.

ROLL CALL

YEA — Anderson, Ellsworth; Baker, Berman, Houlton; Boothby, Brown, Fairfield; Brown, Vassalboro; Buckley, Carter, Chapman, Norway; Choate, Cooper, Curtis, Cyr, Dennison, Dodge, Durgin, Edgerly, Finley, Hague, Hancock, Hanson, Bradford; Hardy, Harrington, Hichborn, Hinds, Hopkinson, Hughes, Humphrey, Hutchins, Johnson, Smithfield; Knapp, Lantagne, Lincoln, Littlefield, Mad-dox, Moore, Perry, Prue, Roberts,

Schulten, Shaw, Shepard, Smith, Bar Harbor; Smith, Strong; Sproul, Storm, Swett, Thornton, Turner, Vaughn, Walker, Waltz, Waterman, Wellman, Westerfield, Wheaton, Whitman, Whitney, Williams, Winchenpaw, Young.

NAY — Albair, Anderson, Greenville; Beane, Moscow; Bearce, Bedard, Berman, Auburn; Bernard, Berry, Cape Elizabeth; Binnette, Boissonneau, Bradeen, Brewer, Briggs, Brown, South Portland; Burns, Bussiere, Coulthard, Crockett, Danes, Davis, Dennett, Dostie, Lewiston; Dostie, Winslow; Drake, Dunn, Edwards, Estey, Fogg, Galant, Gardner, Gill, Ham, Hanson, Lebanon; Hartshorn, Hendricks, Jalbert, Jameson, Johnson, Stockholm; Jones, Karkos, Kennedy, Kilroy, Kimball, Knight, Lacharite, Lane, Letourneau, Levesque, Linnekin, Lowery, MacGregor, Mathews, Maxwell, Minsky, Morrill, Morse, Nadeau, Biddeford; Nadeau, Lewiston; Philbrick, Augusta; Philbrick, Bangor; Pike, Plante, Poirier, Prince, Rust, Sevigny, Sirois, Stevens, Stewart, Tardiff, Thaanum, Wade, Walls, Wood.

ABSENT — Baxter, Beane, Augusta; Berry, Portland; Bragdon, Chapman, Gardiner; Haughn, Jobin, Kellam, Malenfant, Matheson, Noel, Smith, Falmouth; Tweedie, Tyndale.

Yes 62; No 74; Absent 14.

The SPEAKER: Sixty-two having voted in the affirmative and seventy-four in the negative, with fourteen absent, the motion to reconsider does not prevail.

The SPEAKER: The House is proceeding under Orders.

Mr. Johnson of Smithfield presented the following Order and moved its passage.

ORDERED, the Senate concurring, that Bill "An Act relating to Weight of Commercial Vehicles Hauling Forest Products" (H. P. 561) (L. D. 758) be recalled from the Legislative Files to the House for the purpose of further consideration. (H. P. 1173)

The Order received passage and was sent up for concurrence.

On motion of Mr. Wheaton of Princeton, it was

ORDERED, that Mr. Tweedie of Mars Hill be excused from attendance for the remainder of the week because of business.

Mr. Smith of Strong presented the following Order and moved its passage:

ORDERED, that the Commissioner of Education is directed to prepare an explanatory financial report which shall fairly describe the total amount of State subsidy paid or to be paid to each municipality by type under general purpose educational aid during the calendar years 1959, 1960, 1961 and 1962, and shall publish the same before September 1st of this year once in all the daily newspapers and in all the weekly newspapers published in the State.

The SPEAKER: Is it the pleasure of the House that this Order shall receive passage? All those in favor say aye; those opposed, no.

A viva voce vote being taken, the Order did not receive passage.

The SPEAKER: At this time the Chair would like to recognize the presence in the gallery of a group of students in United States history, the Junior Class from Monmouth Academy, Monmouth, Maine, accompanied by their teacher, Mr. Stuart Foster.

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)

Their visit here today has been sponsored by the gentleman from Winthrop, Representative Thaanum.

House Reports of Committees Ought to Pass Printed Bill

Mr. Dennett from the Committee on State Government reported "Ought to pass" on Bill "An Act relating to Number of Aides-de-Camp Appointed by Governor" (H. P. 1168) (L. D. 1613)

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

Divided Report

Majority Report of the Committee on Towns and Counties reporting "Ought not to pass" on Bill "An Act relating to Special Deputies for Kennebec and Penobscot Counties" (H. P. 167) (L. D. 230) which was recommitted.

Report was signed by the following members:

Messrs. PIKE of Oxford
ERWIN of York
— of the Senate.
Messrs. BEANE of Moscow
DANES of South Portland
MacGREGOR of Eastport
JONES of Farmington
Mrs. BAKER of Orrington
— of the House.

Minority Report of same Committee on same Bill reporting same in a new draft (H. P. 1172) (L. D. 1617) under title of "An Act relating to Special Deputies for Kennebec County" and that it "Ought to pass"

Report was signed by the following members:

Mr. WYMAN of Washington
— of the Senate.
Mr. TWEEDIE of Mars Hill
Mrs. SHAW of Chelsea
— of the House.

Reports were read.

The SPEAKER: The Chair recognizes the gentlewoman from Orrington, Mrs. Baker.

Mrs. BAKER: Mr. Speaker, I move the House accept the Majority "Ought not to pass" Report of the Committee.

The SPEAKER: The question now before the House is the motion of the gentlewoman from Orrington, Mrs. Baker, that the House accept the Majority "Ought not to pass" Report. Is this the pleasure of the House?

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

Mr. RUST: Mr. Speaker, Ladies and Gentlemen of the House: I rise in opposition to the motion of the gentlewoman from Orrington, Mrs. Baker. You will recall here in the House a week ago the delegation from York County had a bill to create a salary for the chief deputy sheriff. The opponents of the bill at that time told me that there was another bill which I could amend which would take

care of the situation very nicely—this is the bill. Now as I said in the debate at that particular time, our York County delegation went on record in favor of giving our chief deputy sheriff more than he was getting.

Our money has already been included in our county budget. If we are able to amend this bill to include the deputy sheriff, the chief deputy sheriff of York County, we will be able to accomplish our purpose. Therefore, I hope the motion of the gentlewoman from Orrington, Mrs. Baker, does not prevail, and if so I'll move the acceptance of the Minority Report so that I may have my amendment prepared for offering. Thank you.

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

Mrs. SHAW: Mr. Speaker, as signer of the minority Ought to pass Report, this L. D. 1617, is a redraft of L. D. 230, and will allow this privilege to Kennebec County. The bill as written would allow the county to give additional compensation to its full time deputies at the discretion of the sheriff and the county commissioners. The present base provides \$11 per day for regular deputies, and a bill recently presented would give the chief deputy an additional \$1 a day or a \$350 a year raise. This bill would allow the sheriff the leeway of hiring or keeping an experienced man on the force by giving him more money. The work of the sheriff and the full time deputies are not covered by insurance by the county; nor are they limited to a forty-hour week. I hope the Majority Report does not prevail.

The SPEAKER: Is the House ready for the question?

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

Mr. BERRY: Mr. Speaker and Members of the House: Both this L. D. 230 and the proposed L. D. 1617 have a very objectionable feature of allowing the county commissioners to set the compensation of the deputies, and to my mind that is a big and serious objection. Eleven dollars and such additional pay as may be determined is certainly a carte blanche, which I

don't think we want to give, and I am opposed to this L. D.

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

Mr. DANES: I would concur with the remarks made by the gentleman from Cape Elizabeth, Mr. Berry, and that was the reason for my signing the Majority "Ought not to pass" Report.

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

Mr. CHOATE: Mr. Speaker, Ladies and Gentlemen: Being a member of the Kennebec County group, I know of no opposition to the Minority Report that's been passed out here.

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

Mr. RUST: Mr. Speaker, I would like to point out to the gentleman from Cape Elizabeth, Mr. Berry, and to the gentleman from South Portland, Mr. Danes, that this bill already includes the County of Cumberland, which they both come from. Even if the bill is defeated, the provision which they are claiming they don't like in this bill will still be on the books. So, therefore, I hope that the bill is—the motion of the gentlewoman from Orrington, Mrs. Baker, is defeated and that we can accept the Minority Report, and I would request a division.

The SPEAKER: A division has been requested.

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

Mr. HINDS: Mr. Speaker, I concur with the gentleman from York, Mr. Rust. Cumberland County has had this on the books for some time, and it has worked very well. There are some people that are more valuable to you and your law enforcement agency, than others, and I think the county commissioner should be allowed to pay them if they think they are worth more.

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

Mr. BERRY: I would like to advise my colleague from York County, that I am definitely opposed to it for Cumberland County. I dis-

like seeing it spread to adjacent counties. We here have established the policy of setting ceilings on salaries, and I see no reason to delegate this authority to anybody besides the Legislature.

The SPEAKER: Is the House ready for the question? The question before the House is the motion of the gentlewoman from Orrington, Mrs. Baker, that the House accept the Majority "Ought not to pass" Report on Bill, "An Act relating to Special Deputies for Kennebec and Penobscot Counties", House Paper 167, Legislative Document 230. A division has been requested.

All those in favor of accepting the "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. Seventy-eight having voted in the affirmative and forty having voted in the negative, the motion prevailed.

Thereupon, the Majority "Ought not to pass" Report was accepted and sent up for concurrence.

Mrs. Lincoln of Bethel presented the following Order out of order and moved its passage:

Order Out of Order

ORDERED, that Katherine Shepard and Jeffrey and Glenn Welch, all of Stonington, be appointed to serve as Honorary Pages for today.

The SPEAKER: The Chair will request that the Sergeant-at-Arms escort Katherine Shepard and Jeffrey and Glenn Welch to the well of the House to enter upon their duties as Honorary Pages for the day.

The Order received passage.

The Chair would like to point out that these children are the grandchildren of the gentlewoman from Stonington, Mrs. Shepard.

Thereupon, Katherine Shepard and Jeffrey and Glenn Welch were escorted to the well of the House by the Sergeant-at-Arms. (Applause)

Passed to Be Engrossed

Bill "An Act Merging Portland University with the University of Maine" (S. P. 161) (L. D. 407)

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

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

Mr. PHILBRICK: Mr. Speaker, Ladies and Gentlemen of the House: I would like to call your attention to item one. With all of the earnestness that I can summon I want to assure everyone here that no one in this 100th Legislature has any more respect for higher learning than I do. But here I feel that we are buying an unknown quantity. We must decide between the needs and the wants. We have not been told if this bill goes into effect whether it will cost us \$1.00 per year, \$1,000 per year or \$1,000,000 per year—we are writing a blank check.

It has been told to us over and over and over again by Dr. Elliott of the University of Maine that at present we are having an extremely difficult time accrediting or maintaining the accreditation of our department of engineering at the University of Maine. Consequently, I think it behooves us to consolidate that which we have before we venture forth into entirely new frontiers. Someday someone may come before this legislature and request the School of Medicine, the School of Chiropractors, the School of Archaeology, the School of Dentistry, the School of Divinity, etc., etc. Now these are all worthwhile things. No one of them is a disgrace to the State of Maine. But do we need them all? Must we have them? Is there a shortage of attorneys at this particular time? So we must decide on whether we actually need this new venture or not. Therefore, very reluctantly I move that this bill and all its accompanying papers be indefinitely postponed.

The SPEAKER: The question now before the House is the motion of the gentleman from Bangor, Mr. Philbrick, that the Bill be indefinitely postponed.

The Chair recognizes the gentleman from Lebanon, Mrs. Hanson.

Mrs. HANSON: Mr. Speaker, I think I can answer the question on the cost. In a paper I have

here which is signed by President Elliott, there is a statement it is estimated that the cost of operating a fully accredited law school for a maximum of one hundred students would require an annual appropriation of one hundred to one hundred fifty thousand dollars.

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

Mr. COOPER: Mr. Speaker, I concur with my friend, Mr. Philbrick, from Bangor in regard to this. I, too, am very much in favor of education and giving our youth all the privileges we possibly can. We have a campus up to the University of Maine in Orono, and I can see no particular reason for having two campuses. If we want to have a law school and a business administration school, let's have it where our University is, and not spread it out all over the state.

As Mr. Philbrick pointed out, we are buying a blank check. We have heard it would cost \$100,000, but nobody knows. I am very much opposed to this bill. I think it could be concentrated and have it where our university now is, and would serve the people over the State of Maine fully as well as one established in Portland. It's quite a distance from Madawaska down to Portland — fully further than it is from Kittery to Orono, I can see no reason why we should establish this program in Portland.

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

Mr. PLANTE: Mr. Speaker, Ladies and Gentlemen of the House: I sincerely feel that if this body here today was to take a drastic about face from the position which we took yesterday by voting for this bill 106-32 that the citizens of Maine could very well label us as 'legislature est mobile,' meaning literally that the Legislature is fickle. Here yesterday we clearly expressed by such a margin of our convictions, fully recognizing that this would benefit all of the counties in the State of Maine and not just one particular area. In reference to the engineering accreditation of the University of Maine may I add that in no way

would this jeopardize it. That it is the overwhelming support of this body, and I think the other body, that the University of Maine will receive from the capital improvement budget under any recommendation that has been proposed a new engineering building to assist them in getting their full accreditation. So in no way would I want it mis-concluded that in support of this bill, I am jeopardizing the full accreditation of the engineering department. This is false. I certainly hope that we will stick by our original vote yesterday fully realizing that it benefits the entire state—that sectionalism has no place here.

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

Mr. TYNDALE: There is one point that wasn't brought out in debate yesterday. This has the unanimous approval of the trustees of this august institution, and I certainly would want to go along with men of this stature when they made this decision. I sincerely trust that the motion made by my distinguished colleague from Bangor, Mr. Philbrick, does not prevail.

The SPEAKER: The Chair recognizes the gentleman from Hope, Mr. Hardy.

Mr. HARDY: Mr. Speaker, Ladies and Gentlemen of the House: About two weeks ago we had in the mail and I feel all House members had it, a little pamphlet from the University — it's entitled New Opportunities for New England Residents at the State Universities. And on top of the pamphlet we have noted preferential admission, in-state tuition fees and a wide choice of programs. I think you're all conscious of the cooperative effort that the New England universities are sponsoring with each other. We have some major courses here at Maine that others don't have, and they in turn have some that we don't have.

Now if you will open this pamphlet up, on the inside and under the column for Students from Maine, we find listed law at Connecticut. Well, here we have a law course in Connecticut which is being offered the residents of the University of the State of Maine at in-state

tuitions and I feel with today's transportation methods and with the communication that we have today, it doesn't bring a burden on anyone who wishes to go to Massachusetts or even on to Connecticut which we know both have ample and adequate law schools and there get their training.

The SPEAKER: The Chair recognizes the gentleman from Harrison, Mr. Morrill.

Mr. MORRILL: I just wanted to correct one statement, my friend Mr. Cooper said that we did not need two campuses in the State of Maine. I might say that we already have two campuses, but the Portland University does not come under one of the campuses. This is a law school, they do not have dormitories, and the boys and girls from all over the state go there—some live at home and some live in private residences, but the school is available to everybody in the state.

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

Mr. BEARCE: Mr. Speaker, Ladies and Gentlemen of the House: I wish to correct my friend, Mr. Cooper and also our other friend back here, I have forgotten his name from Bangor, that says he does not know what it is going to cost us—right in the bill, \$125,000. I certainly am for this arrangement because I know and have been associated with the trustees of the University of Maine and with the University for a good many years, and I believe they know what they are talking about when they all recommend that they take on this combination, and I think they'll do a good job with it. I thank you.

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

Mr. PHILBRICK: I hope I shall never forget the name of the kindly senior citizen from Bucksport, Mr. George Bearce. I can read fairly well, and I have read Legislative Document 407, and I have seen the appropriation tag which was on the bill. However, that is just for the first biennium just getting the program started underway, it does not indicate what the long

term range program will be. That is what concerns me.

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

Mrs. SMITH: Mr. Speaker, and Members of the House: I certainly hope that the motion of the gentleman from Bangor, does not prevail. I think the time has come with education being as desirable as it is, and as expensive as it is, that we are going to have to provide whatever facilities we can within some of the areas of greatest population. At the University campus I'm sure at Orono, none of us want to take anything away from it. However, in Portland you are in an area of the southern end of the state where people can drive to the university. It makes it a great deal cheaper for the students and for the State of Maine if they do not have to provide dormitories, sewerage and all the other facilities; and I think this subject has been very well covered, but I would like to go on record in opposition to the motion of the gentleman from Bangor.

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

Mr. PIKE: Mr. Speaker, I think there's been one point missed here this morning, and it's pretty important. As you know we don't have any medical school in the state, we don't have any law school except this little one in Portland which is having real trouble getting along with its lack of accreditation. A law school without its accreditation is a little better than no law school at all, but not a great deal.

I think most of us recognize, but perhaps we don't recognize fully, that when we send these boys or they go on their own steam out of the state to either medical or law schools, the chances are we have lost them for good or lost them until that time they come doddering home to what they call retirement. A law school in the state, and a good law school in the state, will supply what we very badly need, with all due respect to the gentlemen of the profession in the House, quite a good supply of good lawyers. I do hope we will

go along with the University of Maine and the Portland University and help to set up a good law school in this state.

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

Mr. COOPER: Just one more word. Most every city and every little town in the State of Maine you can find a lawyer on every corner. So, there's no dearth of lawyers. I don't see why we aren't getting along pretty well as we are. It might make it convenient for some of the boys to go to a law school in Portland or up to Orono, but they seem to have done very well by going down to Boston University or some other university in Massachusetts or Connecticut and getting their education there, and I don't think that we will be out of lawyers for a long time if we don't have a law school.

The SPEAKER: Is the House ready for the question?

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

Mr. RUST: Mr. Speaker, Ladies and Gentlemen of the House: It appears to me that in the debate on this bill that some of the important factors of this legislation have been forgotten or overlooked or lost. Now it just so happens that the major opponents of this bill are talking and thinking in the terms of a law school. Now the facts are that the law school is a very small portion of Portland University. There are over four times as many students in the school of business administration, and there are a great many students who take part-time courses at night and so forth in different phases of business administration and general education. This facility will provide a tremendous advantage to the people in the southern part of the State. It will make education on a higher level, more readily available to more people at a very low cost. Because we are getting for nothing a substantial capital asset — a very valuable building. Therefore, I oppose the motion of the gentleman from Bangor, Mr. Philbrick.

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

Philbrick, that the Bill "An Act Merging Portland University with the University of Maine," Senate Paper 161, Legislative Document 407, be indefinitely postponed.

All those in favor of indefinite postponement, please say aye; those opposed, no.

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

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

Resolve Appropriating Money to Supplement Federal Vocational Funds for Area Education Program for Apprentices and Other Adult Workers (S. P. 315) (L. D. 991)

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

Amended Third Reader Tabled Until Later in the Day

Bill "An Act Providing for a Revised Charter for the City of Portland" (H. P. 326) (L. D. 478)

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

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

Mr. KELLAM: Mr. Speaker, Ladies and Gentlemen of the House: I have an amendment prepared which hasn't been distributed yet, but I expect it any moment, to put a simple referendum on this charter change, and in view of the fact that the referendum amendment is not before us, I move that this matter be tabled until the Orders of the Day section of the Calendar.

Thereupon, the Bill was tabled until later in the day pending passage to be engrossed.

Amended Bills

Bill "An Act Providing Expanded Community Mental Health Services" (S. P. 191) (L. D. 524)

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

Bill "An Act Creating an Administrative Code for State of Maine" (S. P. 396) (L. D. 1343)

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

Bill "An Act Establishing Fees to be Collected by Registers of Probate" (S. P. 533) (L. D. 1571)

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

Bill "An Act Creating the Fort Kent Utilities District" (H. P. 1155) (L. D. 1593)

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

Passed to Be Enacted Emergency Measure

An Act Authorizing Lucerne-in-Maine Village Corporation to Construct Dams and Fishway on Phillips Lake (H. P. 1161) (L. D. 1601)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a division was had, 123 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Passed to Be Enacted

An Act relating to the Inspection of County Jails (S. P. 504) (L. D. 1518)

An Act relating to Exit Facilities in Boarding and Nursing Homes (H. P. 13) (L. D. 32)

An Act Amending the Time Limitation on Statute Repealing the Two Inch Clam Law (H. P. 47) (L. D. 88)

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

**Enactors
Tabled**

An Act relating to Travel Allowance for Members of the Legislature (H. P. 53) (L. D. 94)

An Act Exempting Proceeds of Pension and Profit Sharing Plans from Inheritance Tax Law (H. P. 423) (L. D. 598)

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)

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

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

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

An Act relating to Speed of Commercial Vehicles and School Buses (H. P. 716) (L. D. 915)

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

**Enactors
Tabled**

An Act to Revise the Civil Defense and Public Safety Council Law (H. P. 811) (L. D. 1126)

An Act Increasing Number of Justices of the Superior Court (H. P. 840) (L. D. 1155)

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

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

An Act Revising the Laws Relating to Auctioneers (H. P. 1147) (L. D. 1579)

Finally Passed

Resolve Closing South Brook, Piscataquis County, to All Fishing (H. P. 241) (L. D. 355)

Were reported by the Committee on Engrossed Bills as truly and

strictly engrossed, Bill passed to be enacted, Resolve finally passed, both signed by the Speaker and sent to the Senate.

The SPEAKER: At this time the Chair would like to recognize the presence in the gallery of a group of Wilton Primary School children from the fourth grade, accompanied by their teachers, Mrs. Warren Macquoid and Mrs. Norman Hodgkins.

Also in the gallery is a group of students from the seventh and eighth grades of the Minot Consolidated School. There are twenty-three students in this group, accompanied by their teacher and their Principal.

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

Mr. Stevens of Portland was granted unanimous consent to present an Order out of order.

The Order was read by the Clerk as follows:

WHEREAS, this is the 99th Birthday of Frank Rigby who was the founder of Portland High School Band and Deering High School Board of Portland, be it

ORDERED, that the House extend congratulations to Mr. Rigby and that the Clerk of the House be directed to send a letter congratulating him on behalf of the 100th Legislature.

The Order received passage.

Orders of the Day

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

Senate Report — Ought to Pass in New Draft (S. P. 556) (L. D. 1603)—Committee on Health and Institutional Services on Bill "An Act Revising Laws Relating to Barbers and Hairdressers." (S. P. 416) (L. D. 1457)—In Senate Passed to be Engrossed.

Tabled—May 19, by Mr. Jones of Farmington.

Pending—Acceptance of Report.

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

Mrs. KNAPP: Mr. Speaker and Members of the House: L. D. 1457, the redraft of 1603, concerning barbering and hairdressing, is co-sponsored and supported by the following independent organizations: the Maine State Hairdressers Association, the Maine State Hairdressers School Association, the Maine State Barber School — and that is owned and operated by ex-Legislator Percy Hanson of Gardiner, and the Maine State Barbers Association.

After an excellent hearing by the Committee on Public Health, which was attended by over two hundred barbers, hairdressers and students from the New Hampshire state line north to Fort Kent and Madawaska in support of this bill, it was amended in the form of a new draft, 1603, with full approval of all. Two changes in the law were made in this bill and new draft. It separates the Joint Board of Barbers and Hairdressers and gives each a separate four-member board and provides a full-time secretary. A few minor changes are made which do not change the law but only clarifies the old sections, and it has been necessary to seek rulings in the past from the Attorney General concerning these sections and they have been corrected.

Maine is one of only three remaining states in the United States to still operate a joint board. The separation of the Maine board will be attained without any increase in operating costs over their present joint board of operation. Also this will cost the state nothing, as they are completely self-supporting. Any statement that this bill, either in its original form or amended form, would affect a small group adversely is completely false, as seventy-five percent of the membership of both the Hairdressers and Barbers Association is a one-operator shop in homes and small towns and cities.

This came out of committee unanimously ought to pass. There was some dissension after that and a new draft was presented and now the legislative agent informs us it is now okay to both barbers and hairdressers. In understand there are two amendments which are approved by both groups to be pre-

sented. Therefore I move the passage of L. D. in new draft 1603 with both amendments, and ask for a division.

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

Mr. THAANUM: Mr. Speaker and Ladies and Gentlemen of the House: I agree wholeheartedly with what has been said by the gentlewoman from Yarmouth, Mrs. Knapp, in connection with this bill, and I would like at this time to present House Amendment "A." This amendment, in the first part of the amendment—

The SPEAKER: The Chair would advise the gentleman that the report has not yet been accepted. Therefore the introduction of amendments would not be in order until after second reading. However, if the gentleman wishes to do so, he may talk upon the amendments at this time.

Mr. THAANUM: Mr. Speaker, the amendment simply in its first paragraph concerns merely a clerical change that needs correction, and also to line up the hairdressers' bill with the barbers' bill. In the second part of the amendment, there is a little change in regard to the tenure of office of the members of the board of barbers. Originally the bill called for six years, this would reduce it to three. And I would be glad to present this amendment later.

The SPEAKER: The question before the House is the motion of the gentlewoman from Yarmouth, Mrs. Knapp, that the House accept the Committee "Ought to pass" Report.

The Chair recognizes the gentleman from Limington, Mr. Linnekin.

Mr. LINNEKIN: Mr. Speaker and Members of the House: In regards to this bill, the proponents have stated that there would be no increase in cost. I question that, the fact that we now have a joint board which is running behind in its expenses to the tune of \$3,000 a year. And I would like to know how they can hire a full-time secretary, divide the board to have two—and the bill makes it possible to have two full-time secretaries if they choose. I would like it ex-

plained how and why we need it. I believe that the majority of the barbers are satisfied as we now are. I think this is an error.

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

Mrs. KNAPP: Mr. Speaker, I think that was well explained in our committee, that these people do have surplus, and it will be taken care of.

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

Mr. BERRY: Mr. Speaker and Members of the House: If this proposed L. D. does not make any changes, I think we have got on the books existing a pretty interesting situation. However, speaking purely on the L. D. before us, 1603, I would like to point out a few items which should receive our consideration. The first one is that the full-time executive secretary—I am going to confine my remarks to the male part of this organization and let the ladies handle the hairdressers.

The full-time executive secretary of this board would also be the executive secretary for the barbers and hairdressers. Well, it seems to me that we are setting up here quite a self-perpetuating hierarchy. I think we want to separate the state operations from the people of the state whose interest would be perhaps a selfish one, as opposed to the executive secretary who would be an administrative official and act for the state. I don't see how a person could wear two hats like this and be impartial. Certainly it would be a difficult position to put somebody in.

The next point that catches the eye is the matter of the inspectors. These inspectors can make inspections at will at the shops and establishments and their salary is determined by the board. Here again we have a no ceiling feature, which is contrary to our thinking. The members of the board themselves are paid twenty dollars a day plus expenses and I think a man could make a pretty good living on that.

Another feature, any member of the board shall have the power to enter and make reasonable exami-

nation of such shop or establishments. Why don't we specify that the inspector shall have the right? Perhaps behind that there is a thought that is not expressed. The board shall have the right to require physical examination of any person employed in a barbershop. Certainly the idea was very good, but let's make it mandatory; I don't think an inspector or a board member should walk into a shop and say, you get an examination arbitrarily—let's make it apply to everybody.

Now another interesting provision in here is how you become a barber, and believe me, it is hard. No apprentice barber—and this is the lowest step on the ladder—can start out as an independent barber. You can't start out on a small corner where you think you might make a few dollars a week and become a barber. Not today, under this anyway. You have got to act and practice barbering under the immediate personal supervision of a registered barber, and you have to do that for fifteen hundred hours.

It seems to me that some of these things if they are on the book are certainly open to scrutiny and I don't think they should be perpetuated in new form. We have the problem of the definition of malpractice or incompetency, the definition of conduct, immoral or unprofessional, both being amongst others grounds for removal of license.

I move, Mr. Speaker, indefinite postponement of this L. D.

The SPEAKER: The question now before the House is the motion of the gentleman from Cape Elizabeth, Mr. Berry, that the report and the bill be indefinitely postponed.

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

Mr. LACHARITE: Mr. Speaker and Members of the House: I have contacted both barbers and hairdressers on this bill and I have met none so far who voiced any opposition to it. Outside of creating two separate boards at no additional cost, this bill is simply one of clarification. It is my understanding that there are only three states who now operate and

control these industries under a joint board, three others besides Maine. All operating costs of these boards are borne by the fees received from both the hairdressers and the barbers associations, and if they feel that they would operate better under separate boards then it should be granted them.

During the past two or three years I have done some business with several beauty shops and I have had occasion to follow their programs quite closely. They have gone a long way in upgrading their standards and if this will help them continue the wonderful job they are doing, then I feel that this bill should pass. I hope that the motion to indefinitely postpone this bill does not prevail.

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

Mr. DODGE: Mr. Speaker and Members of the House: I wish you would look on page nine of this bill and find out what a barber is. Now it says here that the barber is anyone who cuts anyone's hair and receives either directly or indirectly pay for it. I would like to know what the indirectly pay for it means. Does that mean that a woman can't cut her son's hair, cut the children's hair? Or somebody's wife can't shave their neck? For they are certainly getting, indirectly, they are getting paid for this. Now in the State of Massachusetts they have got so far that one fellow interpreted, he said it was strict interpretation of the law, that women couldn't cut their sons' hair at all.

I will go along with the idea of directly but the indirectly is too ambiguous. What does it mean?

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

Mr. HAUGHN: Mr. Speaker and Members of the House: I am going to concur with the remarks of my colleague from Cape Elizabeth, Mr. Berry. Four years ago on the floor of this House we had a bill in a different form to approach the same objective that is now before you, to put the small, little barber who makes a livelihood in spare or part time out of business.

We have a lot of elderly gentlemen who in the summer and fall months, make additional money to supplement the earnings from the little, small barbershops in the rural areas. Under this bill the way it is written, we create a new board, which I think is going excessive in this state at the present time; because you take all departments, Health and Welfare, Highway Department, all of them, they are setting up their own boards, their own rules and regulations, which in my opinion are detrimental to legislative intent. They interpret the laws after we go, set up rules and regulations, we have got to live with them for two years, and I have seen a lot of them bring complaints, which have never been the legislative intent. And I think it is time we curb those things within this State House to stop department heads from making the laws of which we did not make, for they interpret the ones we did.

Under this bill it looks to me like where they can set up their own rules and regulations, they can set up the hours of the establishment of a shop, what time they should work, whom they should employ; there are so many things involved in here, it is a ridiculous bill in my opinion. And this bill I have never seen lobbied so heavy as being done yesterday. It was all I could do to get from the rotunda in to here without being cornered from all sides by lobbyists. And I question if some or all of them are registered. And it is time we looked to the whole, feasible thing and stopped some of this lobbying going on out there here by department heads, by unregistered lobbyists. It is time we stopped this within the State House walls, and I hope and certainly say that you support the motion of the gentleman from Cape Elizabeth, Mr. Berry.

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

Mr. GILL: Mr. Speaker and Members of the House: I would like to speak on this bill. All this bill would do would be to cause a separate board for the barbers and the beauticians. To me this appears to be a natural thing, be-

cause in the line of examinations of the type that are given to these people their actions vary little—the closeness between the practice of cutting hair and that of the beautician. I will say this bill has certainly been lobbied very heavily.

There has been a concerted drive on this bill by a gentleman who calls on beauty and barber shops for a livelihood. It has been reported to me that he told one beauty shop operator that I, myself, am in favor of this bill because it would close a small shop that is in my area. This is absolutely not true. There are two things wrong with this statement. First of all this bill would not close this shop and I would object if this shop closed because I consider it to be an asset to our community.

There was another case where a beauty operator came in and inquired about tranquilizers. I informed her that she should see her doctor. She said it was nothing serious but she was upset because this man told her that her shop would be closed if this bill passed. This again is not true. I begin to wonder why this man was so determined to defeat this bill. I came up with one possible reason. This man came into a beauty shop in which my wife was having her hair done and was still there two and one-half hours later when she left. He was sitting there discussing this legislation.

The story is also told of the time that he called on a new shop and the proprietor had time to make a trip to Augusta and back to get a license before he started the inspection. I believe that this man who is a state employee feels that he may be forced to go to work if this change is made, and I think it would be a good idea if a man can spend two to three hours inspecting a beauty shop. I do not approve of a state employee lobbying on the taxpayers' time. He is being paid to inspect shops and not lobby the legislation at the neglect of his work. I believe a man has stirred up the opposition to this bill with the small shops. He is afraid to make too many statements in front of witnesses.

In conclusion, this bill would simply separate the boards, provide a secretary at no expense to the taxpayers, as they are self-sustaining. I do hope you will support the majority report and you will defeat the motion of the gentleman from Cape Elizabeth, Mr. Berry, to indefinitely postpone. Thank you.

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

Mr. THA ANUM: Mr. Speaker and Ladies and Gentlemen of the House: Over the weekend I made rather a study of this bill as it compared with the bill that we presently have on the Statutes, and that would be found in Chapter 25 of the Maine Statutes; and I found that this bill practically in its entirety is exactly the same bill under which the barbers and the hairdressers have been operating since the year 1944. And it has worked very well. There are a few changes, but these changes were purely made in order that this division could come about.

Now today you have in the State of Maine over three thousand hairdressers and fifteen hundred barbers, and I think the time has arrived when there should be a division of this board regardless of what the gentleman from Bridgton has said. We have to keep up with the times, the times change over a period of fifteen or twenty years.

Now in regard to the apprentice barber that was spoken about by the gentleman from South Portland, and reading the bill, no apprentice barber and so forth. That is exactly the same as it has been in the law for seventeen years, and so are a great many of these other things that are being spoken of this morning. So I would urge you to consider carefully the fact that except for perhaps one-half a page of changes that have been made, that this is purely an adaptation of the law as we have already got it, separating it into two parts, one for three thousand or more hairdressers and the other for fifteen hundred barbers.

I don't believe there is any foundation for the statement that the smaller barbers are going to suffer under this bill a bit, that was not

the intent and purpose of the performance of this bill. And I hope that you will go along with the motion of the gentlewoman from Yarmouth and adopt her motion.

The SPEAKER: The Chair recognizes the gentleman from Brewer, Mr. Ham.

Mr. HAM: Mr. Speaker and Ladies and Gentlemen of this House: I rise in support of this bill and briefly to express the views of the barbers in my area, namely Brewer. Now, it has been brought out here—not so much today but in previous debate on this—that barbers as mentioned, some barbers, were opposed to this. I found this to be the contrary in Brewer. In fact basically the barbers, that put it in as their full-time occupation, are very much in favor of the bill; and in Brewer I have just one barber who is more or less on a part time basis that seems to be opposed.

In fact, just yesterday I received this note from my fellow colleague, Ethel Baker, and I had to leave town early Monday and this barber didn't get a chance to contact me, and it reads as follows: Arthur Doe, a Brewer barber, called me at home, this was to Mrs. Baker last night, he has pointed out the 1603, the barbers and hairdressers bill, said he called your home but you had left, so I told him I would contact you. He is very much in favor of this bill and feels that it would be good for the industry.

Just one more thing, I question the feasibility of what my colleague, Mr. Haughn, said in regard to this. Who are we going to protect in this industry, the full-time barber or the part time barber? Whether it is barbers or any other type of business in the state, I do feel that the majority should be considered with a majority feeling on a piece of legislation of this type, and that is why I support the bill.

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

Mr. DURGIN: Mr. Speaker and Members of the House: I just talked by phone with a barber in my area and he asked me to work for the defeat of this bill, and I therefore want to concur with the gentleman

from Cape Elizabeth for indefinite postponement.

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

Mrs. HENDRICKS: Mr. Speaker and Members of the House: This hearing on L. D. 1457 was one of the finest hearings that our committee has ever held, and it sort of put me in mind of a hearing that we had on the nurses bill, and the room was packed with both barbers and hairdressers and they are all in favor of this bill. And I hope that the motion to indefinitely postpone does not prevail.

The SPEAKER: Is the House ready for the question? The question before the House is related to item one, Bill "An Act Revising Laws Relating to Barbers and Hairdressers," and the immediate question is the motion of the gentleman from Cape Elizabeth, Mr. Berry, that the Report and the Bill be indefinitely postponed. A division has been requested.

The Chair recognizes the gentleman from Limington, Mr. Linnekin.

Mr. LINNEKIN: Mr. Speaker, Ladies and Gentlemen: I believe that one thing that hasn't been brought out, the same majority as the barbers—that I doubt because of the combined figures of all the mentioned organizations that were in favor of it, are not a majority of the barbers. And I also would like you to know I hold a barber's license and I am perfectly against it, for the reason that I believe the areas in which these barbers on a large part serve have to go with the conditions that exist in their area, and I believe that the barbers are getting enough for their haircuts as it is now. So I hope that we indefinitely postpone.

Mrs. Knapp of Yarmouth was granted permission to speak a third time.

Mrs. KNAPP: Mr. Speaker and Members of the House: As Representative Hendricks told you, we had probably the largest hearing that we've had, and it seems funny to me that the barbers that were against this bill were not there to support themselves. As chairman of the Health and Institution Committee I haven't had one letter from a barber against this bill, and it

seems though as if there had been so much opposition they should have been here.

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

Mr. HAUGHN: Mr. Speaker, Ladies and Gentlemen of the House: I hold my colleague, Mrs. Knapp in very high esteem, but I can assure her from the rural areas I have been contacted by at least twenty towns and small communities—barbers and hairdressers both in opposition to this bill.

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

Mr. GILL: I would like to point out that this particular inspector he inspects throughout the rural areas and generally as you have noticed they are usually one man shops and that is when he was giving them the pitch on this legislation when there were no witnesses.

The SPEAKER: Is the House ready for the question? The question before the House is the motion of the gentleman from Cape Elizabeth, Mr. Berry, that the Report and the Bill "An Act Revising Laws Relating to Barbers and Hairdressers" be indefinitely postponed. A division has been requested.

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

A division of the House was had. Forty-six having voted in the affirmative and seventy-four having voted in the negative, the motion did not prevail.

Thereupon, the "Ought to pass" Report was accepted and the New Draft read twice.

Mr. Thaanum of Winthrop offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to S. P. 556, L. D. 1603, Bill, "An Act Revising Laws Relating to Barbers and Hairdressers."

Amend said Bill in section 3 by striking out all of the 3rd underlined sentence of the 2nd paragraph of that part designated "Sec. 224." and inserting in place there-

of the following underlined sentence:

'If applicant fails first examination following qualification, said applicant may renew permit to practice hairdressing and beauty culture under supervision of a person registered to practice hairdressing and beauty culture, until the results of the next consecutive examination have been given, at which time said permit expires and shall not be renewable.'

Further amend said Bill in section 4 by striking out the 3rd and 4th sentences of that part designated "Sec. 230-A." and inserting in place thereof the following underlined sentences:

'The tenure of each barber member of the board shall be for 3 years, initially appointed as follows: The present senior barber board member, as appointed under section 213 prior to the effective date of this act, shall serve for a term of 3 years, the junior barber board member, similarly elected, shall serve for a term of 2 years and its 3rd barber member, created by this section, shall serve for a term of one year, and shall be appointed by the Governor with the advice and consent of the Council. Thereafter, each of the barber members of the board shall be appointed by the Governor, with the advice and consent of the Council, for a term of 3 years and until his successor is appointed and qualified.'

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

The SPEAKER: At this time the Chair would like to recognize the presence in the gallery of a group of students from the Corinna Grammar School accompanied by their principal, Mr. William Robinson and a teacher, Harold Smith.

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 second tabled and today assigned matter of Unfinished Business:

SENATE REPORT — Ought to Pass in New Draft under New Title of "An Act relating to Operating Business on the Lord's Day and Certain Holidays" (S. P. 552) (L. D. 1599) — Committee on Legal Affairs on Bill "An Act relating to Operating Business on Sundays." (S. P. 327) (L. D. 1002)—In Senate Passed to be Engrossed with Senate Amendment (Filing S-200)

Tabled — May 19, by Mr. Minsky of Bangor.

Pending — Motion of Mr. Hughes of St. Albans to indefinitely postpone.

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

Mr. MINSKY: Mr. Speaker, Ladies and Gentlemen of the House: When I tabled this bill last week it was with the intention — or with the hope that I would be able to prepare an amendment that would effectively separate consideration of the Sunday closing statute and the holiday closing statute. I have been able to succeed in doing this only partially. I think it is regrettable that the committee on Legal Affairs saw fit to combine the several bills dealing with holidays and dealing with Sundays, because I think the considerations involved and the reasons for closing on Sunday are quite different than those that might be involved on closing on certain holidays. Each of the holidays that we have established have been established by the state government for state, national or patriotic reasons, and it is therefore of natural concern to this House—there are other reasons for wanting places of business to close on Sunday, but they are quite different than those that I have just stated.

I have, however, prepared an amendment that would partially separate these two items. The amendment would in effect set up different sections of the same law for closing on Sundays and for closing on holidays. Therefore, it would be possible to establish one set of rules relative to closing on Sunday and another one on holidays. It would be possible, for example, for my good friend from Freeport, Mr. Crockett, to bring in

an amendment which would alter the closing Sunday rules without affecting the holiday closing rules. I therefore hope that the motion made by Mr. Hughes for indefinite postponement will be defeated. I thereupon will offer my amendment which will separate the holidays and the Sundays and will allow anyone to take whatever action they wish on the Sunday rules without affecting the holiday rules. Thank you.

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

Mr. HUGHES: Mr. Speaker, Ladies and Gentlemen of the House:

Last Friday I spoke against this bill and realize that I was rather radical about it. I called it a ridiculous piece of legislation. For that I want to apologize. But I do believe it is poor legislation and still oppose it.

I will oppose it by asking a few questions. If this bill is to include some holidays along with the Sabbath, then why was one of the most important ones left out, mainly the day we celebrate as Christ's Birthday, Christmas? Another question, as stores selling gifts are excluded from this bill, what constitutes a gift? At Christmas time it includes most every conceivable thing you could mention, from a box of handkerchiefs to a deep freeze. A large part of the gifts are clothes and appliances, yet those stores are not excluded under the bill. There are quite a few roadside stands selling antiques. To a lot of people this is an interesting hobby, and they travel on these days to see what they can find in this line; and those stands are not excluded; so it would be illegal for them to stay open. They would be subject to a \$100 fine. Another question, in our town we have a general store selling everything from groceries to fishing equipment, hardware and clothing. Would it be legal for him to stay open as a grocery store, or must he close because he sells the other products? Hardware stores and clothing stores cannot be opened under this bill, but grocery stores can. How about a drug store selling everything from a bottle of aspirin to a movie projector? They

can stay open, but can they sell anything but drugs? Would they be subject to a \$100 fine if they sold a camera, unless the customer stated it was for a gift?

This House has approved a bill allowing the sale of liquor Sunday afternoons. Which is worse, selling a suit of clothes on Sunday or contributing to a person's downfall by filling him full of liquor? How about an insurance office in a home that cannot be closed? Would that be considered as a necessity, (I would hope, not a charity); or would I be subject to a fine if I sold a policy on the Fourth of July? If this bill becomes law, I do not see how it could possibly be enforced and I hate to see laws on our statutes that cannot be enforced. The amendment calls for a local option for special consideration of other business not specifically excluded. If the selectmen refused to put it in the warrant, and there were not a hundred voters in the town to sign the petition, how would you ever get it to a vote?

Those are just some of the questions that I don't really believe can be answered. But I still oppose it and I hope the indefinite postponement does prevail.

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

Mrs. SPROUL: Mr. Speaker, Ladies and Gentlemen of the House: I think that we are losing sight of the fact that we already have on our books today — a Sunday statute. It reads Chapter 134, Section 38, "Whoever, on the Lord's Day keeps open his shop, workhouse, warehouse, place of business, travels; does any work, labor or business on that day, and so on. The statute is already on the books. Whether you call this attempt that we have made to do something with the present statute foolish or not, the fact remains that we do have Sunday laws. The only question here is under the present law the fine is \$10 and anyone knows that we are not going to court for \$10. It just doesn't make sense. This redraft that the Legal Affairs committee put out as I said before is an attempt to make the present statute workable. Now I will say and the other members on the Com-

mittee I think will agree with me that a good many of us thought that what was the sense of trying to do anything. We would go home, and take all the Sunday laws off the books. We did have a bill for that presented by Mr. Cox. But is this what you want? Do you want to go through a town and find every store wide open doing business — clothing stores, furniture stores, and while I am at it, I certainly would oppose Mr. Crockett's amendment because that would succeed in making things even more ridiculous and would defeat the very purpose of the thing we are trying to correct. There are towns, Waterville, Brunswick, Lewiston that have a real problem. There is a Mart keeping open, and the Maine Merchants Association says if this goes on, we are going to have to keep open. Every single furniture store, every single clothing store will have to stay open to compete with them. Is this what you want? I think it is something for you to consider. I certainly think that we have done the best that we can, and I hope the report of the committee is accepted.

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

Mr. CROCKETT: Mr. Speaker, I fully agree with what my good friend from St. Albans said. This bill is discriminating and discriminating against one industry, and that is the industry, I might as well come out with it, that I am interested in. Now why do they object for inserting in their amendment that clothing should not be in the amendment? They are out in attacking one industry and one industry only. In our Constitution, the Maine Constitution, under Article I, Section I, all men are born equally free and independent. Is that freedom, according to our Constitution? I say kill this bill— indefinite postponement. Let's be fair with everybody. If the other fellow is going to keep open, I want to keep open. Close us — close us all, but let's be fair about it. Thank you.

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

Mr. WADE: Mr. Speaker, Ladies and Gentlemen of the House: I rise in a complete state of confusion. I am so confused with these amendments that I hardly know how to address this august body. I appeared before the Committee as a member of the veterans' organization. I was there as a proponent, and the bill that we were in support of had nothing other than a patriotic motive. We were there to try to get some type of legislation that would make the citizens of Maine more fully conscious of the meaning of Memorial or Decoration Day and formerly Armistice now Veterans' Day. The Committee I am sure will agree that there was not one opponent to the bill in question which had to do exclusively with the two days that I referred to.

Now in conclusion, we are not concerned as veterans with any of the material contained in these confusing amendments, we were interested and still are, solely in trying to promote a greater patriotic thought among the citizens of the State of Maine with reference to the two days that I have just referred to. Again, Mr. Speaker, Ladies and Gentlemen, I rose in confusion, and I will sit down in the same state.

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

Mr. SMITH: Mr. Speaker, I think it's important to gain a little perspective on this question. I of course represent a town which under the present law has in it many violators of the Sunday law. The proposed law is merely, with respect to Sunday, is merely an extension of exceptions already contained in the present law. And with your forbearance I would like to complete the reading of the statute referred to by the gentlewoman from Bristol, Mrs. Sproul, because it is important to have some idea what our present law is before we deal with amendments extending or affecting that law.

Chapter 134, Section 38 of the Revised Statutes: "Whoever, on the Lord's Day, keeps open his shop, workhouse, warehouse or place of business; travels; does any work, labor or business on that day, except works of necessity or charity;"

those words incidentally are in the amendment, "uses any sport, game or recreation; or is present at any dancing, public diversion, show or entertainment, encouraging the same, shall be punished by a fine of not more than \$10; provided, however, and here's where the exceptions being, "that this section shall not apply to the operation of common carriers; to the driving of taxicabs, and public carriages; to the operation of airplanes; to the driving of private automobiles or other vehicles; to the printing and selling of Sunday newspapers;" you will note that it is illegal under the present law to print Monday's paper on Sunday, it is only for the printing and selling of Sunday papers that there is an exception here—"to the keeping open of hotels, restaurants, garages, grocery stores and drug stores;" you can see grocery stores and drug stores already are exempt; "to the selling of gasoline; or to the giving of scientific, philosophical, religious or educational lectures, or to musical concerts or theatrical productions." Now this statute was amended in 1959 to apply the Sunday laws to automobile sales.

The amendment S-200 which you have before you is of course in effect a re-write of the L. D. 1599, and as I noted before and this is important to remember, it is merely an extension of present exceptions. Now why is an extension needed? I would point out to you an extension is needed to reconcile the law with our present practice, our customs in the economic facts of our present day living. It may not be good, it may be bad, I'm not undertaking to pass judgment on that.

S-200 is merely an effort to reconcile the law with the facts today. Some flexibility is injected here by a local option provision which can be utilized in any town in order to extend the exemptions. Now if local option is impractical, it is of course possible to add to this list of exemptions by amendments here in the House. Present violators of the Sunday law extend over such a wide variety of occupations as sales in gift shops to the Sunday shifts in some of our factories. I

urge all of you to consider seriously the true import of this amendment which is nothing more or less than an extension of present exemptions.

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

Mr. CHOATE: Mr. Speaker and Ladies and Gentlemen of the House: I would rise in support of the motion made by the gentleman from St. Albans, Mr. Hughes, for indefinite postponement.

Before I say any more, I would like to give credit to the Legal Affairs for the excellent job they have tried to do in this matter. I sat in on most of the hearings, and I realize that they had many factors to consider, many people to try to please, many different things to weigh.

I am in complete sympathy with Mr. Wade when he spoke about the veterans' holidays—the observance and the factors which were presented by that group. It's too bad that this was incorporated into this bill.

I personally liked the bill presented by our former fellow legislator, Mr. Cox. His bill would have given us the choice of keeping everything open or keeping everything closed.

The present laws are not satisfactory in many ways, but this bill does not present the answer because we still have discrimination against certain factors of our business people. A good example of what will happen under this bill can be shown very closely here in the main street of Augusta. One large chain drug store will be allowed to remain open and sell, in addition to his drug items, several other lines of merchandise. All around him on the same business street, other stores who carry the same lines of merchandise will have to close because they do not stock an exempted line. I strongly suspect that you will see many stores who now carry only one or two lines of merchandise add one of the exempted lines to their inventory.

The local option clause will not work out in many cases either. Take the case of two neighboring cities or towns where one group is allowed to remain open, but the

other group must close. This is not fair treatment for the people that are involved in these businesses in the area. In some cases, retail outlets who serve a very large area of the state and in many cases a nationwide market such as L. L. Bean, would be closed because a small group in their local area would object through the local option clause.

Again I would say that we know the Legal Affairs Committee has tried to solve a very complex problem, but I do not feel this is the answer.

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

Mr. KNIGHT: I would ask a question through the Chair of the representative from Bar Harbor, Mr. Smith, if he would care to answer. I notice in the new amendment that the section shall not apply to radio and television stations, newspaper publishers, and when he read the current law, I did not notice that radio and television were in it as an exemption and he did point out that it was illegal under the present law to publish Monday's paper on Sunday. My question would be; does this amendment legalize our friends in the fourth estate for their illegal operations on Sunday?

The SPEAKER: The gentleman from Rockland, Mr. Knight, has asked a question through the Chair of the gentleman from Bar Harbor, Mr. Smith, who may answer if he chooses.

Mr. SMITH: Mr. Speaker, my understanding is that it does.

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

Mr. LOWERY: Mr. Speaker, I am a small retailer in a town that is deeply affected — the Town of Brunswick. This question of Sunday opening has come up before our Chamber of Commerce of which I am a member of the board of directors. It has come up before our retail trade board. We have been in a quandary as to what to do. Now I think that this bill actually if it falls of passage will mean that Sunday like any other day will be a day of business as usual. I wasn't brought up that

way. I don't think many of us here were. And for that reason I am very much in favor of this bill, but my own merchants as I have said are in a quandary. Many of them are saying that if we do not do something about this—if we do not do something about this in the State Legislature, then we are going to be forced to open our stores in order to compete, to offset the practices which are now being generally felt throughout the state. The very life of many of our small town merchants — the business life — is being threatened by the continual practice of many of these concerns opening up their businesses to Sunday sales. I just would like to ask this Legislature if you do want to make Sunday a day of business as usual. Thank you.

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

Mr. CROCKETT: I would like to ask through the Chair what this bill is aimed at. Is it aimed at one certain industry that I represent or am interested in? Or if not, why have they omitted in this amendment my industry?

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

The Chair recognizes the gentleman from Bristol, Mrs. Sproul.

Mrs. SPROUL: In all honesty I've got to say to Mr. Crockett that it was the furniture and clothing industries particularly who objected to things as they presently are. I would say to Mr. Crockett, however, that I think his situation with a famous store like L. L. Bean could be corrected by the local option clause.

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

Mr. PRINCE: I would like to ask a question through the Chair to anyone who may choose to answer. How this would affect those that observe Saturday as Sunday in their religion.

The SPEAKER: The gentleman from Harpswell, Mr. Prince, has asked a question through the Chair

of anyone who may choose to answer.

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

Mr. MINSKY: Mr. Speaker, the laws of the State of Maine with the exception of the automobile law are not actually a Sunday law it is a Sabbath law, and as such if any individual can show a continuous observance of a day other than Sunday, then I think he would have to show that he has remained closed over the past even before the passage of this act, that he would be permitted to remain open. I don't think this has been a particular problem in this state; however, our law is a Sabbath law and recognizes a freedom of choice of worship.

The SPEAKER: The Chair recognizes the gentleman from Hampden, Mr. Littlefield.

Mr. LITTLEFIELD: Mr. Speaker, Ladies and Gentlemen: I'm getting more confused and more confused as the argument goes on, and I have decided to go along to indefinitely postpone with the gentleman from St. Albans, Mr. Hughes. That will give us two years to talk about the question and maybe we can find a bill two years from today.

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

Mr. MacGREGOR: Mr. Speaker, don't feel alone Mr. Littlefield, don't feel alone Mr. Wade, I stand as confused as anyone in this room right now. Buried within the document you have before you is a bill that I sponsored, L. D. 1052. The original intent and purpose of 1052 is to spell out Memorial Day and Veterans' Day, and I felt that we had a very reasonable approach in presenting that particular document. I explained to the Legal Affairs Committee at the hearing, that I noticed over the ensuing period of time since World War II a definite trend as far as the observance of Memorial Day and Veterans' Day were concerned.

Now I can speak as a veteran with over five years time in World War II and ensuing time as an active reservist of the U. S. Army.

I stand before you today as one as a matter of fact. I can also speak as, currently and for some time now, scoutmaster of a local troop in my community. And I will call your attention to the fact that as of last Memorial Day, just roughly a year ago, there came time to observe Memorial Day and to get out and get busy and find our veterans' graves — those who had laid down their lives for this country, for this flag that you have before you right now—there just weren't any veterans available. They were too busily engaged in other activities of the day, and as a consequence, my scout troop was directly responsible for the decoration of the graves—placing of the flags and the placing of the wreaths in memory. A bit later in the day, we held the Memorial Day parade at which time that the alleged veterans and all others interested would assemble at the graveyard and at our waterfront as is the custom on the coast and remember our fallen soldiers and our fallen sailors with proper and appropriate services. With the exception of the chaplains and with the exception of the post commanders of the Veterans of Foreign Wars and the American Legion Posts in my community, I stood with my scouts.

Now I feel that there is a deplorable situation. And for that reason and that intent and purpose behind this, I felt it was about time the State of Maine woke up, took a full study of itself and realized and appreciated what a decadent situation we have upon our hands.

Now whether you folks realize and appreciate it or not, you are opening yourselves, with this lackadaisical attitude, to the full effects of our Communistic friends. You are forgetting your principles of democracy, you are forgetting your principles of teachings of religion—turning your back upon all of these with your lackadaisical attitude and accepting the wide open door policy in which you will find the Communist acting. A living example of it before you people in recent months was your un-American Affairs Committee

hearing in San Francisco. There you saw Mr. Hoffa and company in full operation. Those of you that visited over in the State Office Building a few days ago, and observed the film that was shown for our benefit. It was called to the attention of all members to attend—very few did. Again, a lackadaisical attitude—it can't happen to us. It will happen to us.

Now with those thoughts prevailing, the legislation is introduced. We still consider the fact there is a day known as Sunday, the Lord's Day. Now whether we observe the Lord's Day on Sunday, Monday, Tuesday, Wednesday, Thursday, Friday, or Saturday; it should be observed one way or another. Now if we are going to observe it, we are not going to make a commercial day of it. I am a businessman, I have to open up on Sunday morning now, for self preservation—I don't like it. Frankly I want my door closed. I feel that I can live just as well on six days' work as I can on seven—perhaps better. I don't think a business that has to depend on Sunday for its operation is worth the powder to blow — if you know where.

Now considering the amendment—the re-spelling, the re-writing of this document that stands before you now in the wisdom of the Legal Affairs Committee, I feel it has been so twisted and so misconstrued that it is now an absolute piece of pointless legislation; and as much as I have heart and sincerity and the fact that I'd like to see this thing passed, I must go along with the motion prevailing before us now of indefinite postponement. I hope that two years hence we can write something that will make some sense. Thank you.

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

Mrs. SPROUL: Mr. Speaker, Ladies and Gentlemen of the House: I feel as though I must defend the position of the Legal Affairs Committee although right now it's not a very enviable job. Mr. MacGregor points out our failure to do a good job on this, I really think that he is much better off under this present redraft than he is now.

About the only statutes I could find relative to Memorial Day referred to bank holidays, and the other. It is all right to say that we should observe Memorial Day — I thoroughly agree with him. But we can't go up and down our coasts on the big day, on the day next biggest to Fourth of July, and tell everyone that they should close. We just can't do it.

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 Report and Bill, "An Act relating to Operating Business on Sundays," Senate Paper 327, Legislative Document 1002, be indefinitely postponed. A division has been requested.

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

A division of the House was had. Eighty having voted in the affirmative and forty-three having voted in the negative, the motion prevailed.

Thereupon, the Report and the Bill were indefinitely postponed in non-concurrence and sent up for concurrence.

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

Mr. CROCKETT: I now move reconsideration and I hope that you will all vote against the bill.

The SPEAKER: The gentleman from Freeport, Mr. Crockett, has moved that the House reconsider its action whereby it just indefinitely postponed the Report and the Bill.

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

Mr. SMITH: As far as this motion to reconsider is concerned, it makes no difference to me. However, ever since I have been here in the House, I have felt that this is one of the underhanded rules that this House operates under. Being permitted to reconsider immediately after a vote is taken. It looks to me as if it's like a fellow jumping on a kid when the kid is down and continuing to beat him. Now if we want to reconsider, well

and good; but why not put it off to about a twenty-four hour period, because of all these rules if any one of these rules was ever to be changed in this House, this is the one I think should be.

The SPEAKER: Does the gentleman make a motion?

Mr. SMITH: I would move that the reconsidering motion be tabled until tomorrow.

The SPEAKER: The question now before the House is the motion of the gentleman from Strong, Mr. Smith, that the motion to reconsider be tabled until tomorrow.

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

A viva voce vote being taken, the motion prevailed.

Mr. JALBERT of Lewiston: Mr. Speaker?

The SPEAKER: For what purpose does the gentleman arise?

Mr. JALBERT: To a point of personal privilege, Mr. Speaker.

The SPEAKER: Will the gentleman approach the rostrum, please?

(Conference at rostrum)

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

HOUSE REPORT — Ought Not to Pass — Committee on Appropriations and Financial Affairs on Resolve to Provide for One Additional Staff Member to the Maine Port Authority to Evaluate Existing Commercial Water Front Facilities Along the Coast of Maine. (H. P. 725) (L. D. 1013)

Tabled — May 19, by Mr. Danes of South Portland.

Pending — Acceptance of Report.

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

Mr. DANES: Mr. Speaker, Ladies and Gentlemen of the House: I realize that I am in a position of having two strikes on me before starting to explain to you my reason for having submitted this L. D. to this body, one strike being the unanimous ought not to pass report by the Committee on Appropriations and Financial Affairs, and the other fact that the title contains some flavor of the Maine Port Authority. However, I shall

endeavor to point out to you why I feel that this should be the beginning of a new system that will enable our ports to be in a better position to offer help to manufacturers anxious to ship products and materials into all sections of the State of Maine at the least possible cost.

Basically, this L. D. calls for the engaging of an engineer to draw up a master plan to submit to those manufacturers all the pertinent facts as to our facilities for the most economical transfer of all materials. I shall submit to you one case that I am familiar with. There is to be a shipment made to one of our paper manufacturers in the northern part of the state of some merchandise equivalent to \$650,000 worth of pipe. This is to be used by the particular plant in preparing to renovate their plant and put into operation a new and more efficient process. In order to do this, they purchased this item that is manufactured in the State of Texas. This item is to be shipped by water to New Jersey and thence by rail to its destination. If this proposed master plan were to be made available, a proposal to the manufacturer could be made to ship it from any of our ports from Kittery to Eastport. All the individuals in the various ports would be helped by the amount of extra business, additional business brought into those various points. It is said that there is approximately \$7,000 left by every ship that comes into any one of our ports in the way of purchasing merchandise from the retail businessman, from the wholesaler, from the food merchant and so forth. This could very well aid our economy.

I am well aware that the Port Authority is under severe criticism as to its method of operation, and that there is hesitation to add any more expenses to its program than those already contained in the budget. The mere fact that this is a hesitancy should not be reason enough for us to turn our backs upon progress. If I were to have submitted an L. D. asking for a survey to be made on this, I could very well appreciate the attitude of the Legislature in turning thumbs down, although I feel

in this case if thumbs are turned down it is actually an act against progress.

At the hearing, no one appeared in opposition to this L. D. and a sizeable number appeared in favor of it. I feel that progress is being held up in many phases of our economic situation as we hesitate to invest in something by way of a new and practical suggestion. The price tag on this document is \$17,000 a year for the next biennium. I feel that this is little enough to invest in the possibility of helping the economy of our state.

I shall not continue to belabor this problem as I feel as the gentleman from Kittery did when he stated on the floor of the House yesterday that he didn't want to be here when the leaves begin to turn red again, but I do beg you to consider well this proposal. Mr. Speaker, I would at this time move that we substitute the Resolve for the Report and request a division.

The SPEAKER: The question now before the House is the motion of the gentleman from South Portland, Mr. Danes, that the House substitute the Resolve for the ought not to pass report and a division has been requested.

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

Mr. ANDERSON: Mr. Speaker, this resolve, L. D. 1013, to provide an additional member to the Maine Port Authority staff, to my mind is wholly unnecessary. From shopping around, I find that the present staff are not rushed to death. To my way of thinking there are far too many departments of the state that are already overstaffed. It is high time we picked up our hoes and started weeding.

I was amused last Saturday by the comments made by a grocer in Ellsworth. He was speaking of inspectors. He said, one inspector will come in and inspect potatoes and apples. Five minutes later another inspector will come in for the sole purpose of inspecting the labels on dog food which takes him not over five minutes. Now why, he asked, couldn't one inspector take care of both of these items and save the taxpayer this needless expenditure? It is dog food for thought,

is it not? I now move the House accept the ought not to pass report.

The SPEAKER: The question before the House is the motion of the gentleman from South Portland, Mr. Danes, that the House substitute the bill for the report.

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

Mr. DANES: Mr. Speaker, I fail to see the connection between a dog food inspector and an engineer who would lay out plans to do something that will help the economy of our state. Perhaps the members of the Port Authority may not be overly rushed, but on the other hand, I am sure that the individuals who are now employed have not the ability and knowledge that is necessary by an engineer to create this plan. This is only one biennium shot and would not be a continued outlay by the state, if this plan were drawn up it could be added to or subtracted from over the period of years. Thank you.

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

Mr. WELLMAN: Mr. Speaker, I would draw to the attention of this House the fact that in 1959, the previous legislature, the request was made for an assistant to the Superintendent — to the Manager of the Port Authority. I don't think this is any time or any place to go into a general discussion of the Maine Port Authority and its problems or perhaps the problems that we ourselves have created for it. I would only call your attention to the fact that there seems to be at the present moment continuing efforts being made on behalf of all interested parties for the development of various harbors and port facilities throughout the state, and the Appropriations Committee tried to take all these facts into consideration, and ladies and gentlemen we just couldn't see it. Thank you.

The SPEAKER: 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 South Port-

land, Mr. Danes, to substitute the bill for the report, and I would like to state my reasons why.

The Maine Port Authority was created by the Legislature as an agency of the state to manage the port of Portland and also to develop further ports throughout the State of Maine and to create shipping wherever possible. Now since the creation of the Maine Port Authority, the Legislature has seen fit to give them the further responsibility for operating the ferry services to the various islands off the coast of Maine. This has taken a great deal of the time of the present officials of the Maine Port Authority and since that they have had no further help. They do need further help to assist in their prime function to expand port facilities in the State of Maine and to create further shipping wherever possible.

Now the Maine Port Authority is doing a great deal at the present time to help the different towns along the coast of the State of Maine with their harbors and river projects, they are making a great deal of effort in this regard to give every assistance they can to people in these areas who are interested in working on a harbor and river project. Now I myself represent the Town of Eliot which borders on the Piscataqua River, and we have some of the best lands in that area for further port development. The New Hampshire side of the river has already been filled up to its capacity and any further development of consequence on the Piscataqua River it is a very good chance that it will come into our area.

Now this bill will create the position or allow the Maine Port Authority to hire a competent engineering person who can assist the port officials in giving competent advice to these different cities and towns who are interested in port development as to what their needs are, their requirements are, what type of facilities they need and approximate figures on costs. Now this is a very important service, not only from the harbor and river projects but also in conjunction with industrial develop-

ment. I think this is a good bill and it will perform a worthwhile service to the citizens of the State of Maine, and I hope you will support the motion of the gentleman from South Portland.

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

Mr. BRAGDON: Mr. Speaker, I feel that I must rise in support of the action — the unanimous findings of the Appropriations Committee on this bill. I recognize that the Maine Port Authority is set up to do a service for the State of Maine, but for not only this session of the Legislature, but previous sessions of the Legislature, the Appropriations Committee did not seem to feel satisfied with the accomplishments of this body. That perhaps was one of the reasons for reporting as we did.

The gentleman from South Portland, Mr. Danes, in his remarks, stated that if the study were to be made, he would perhaps forego his motion for this extra employee at this time. Because of the feelings of the Appropriations Committee that perhaps corrections could be made in the handling of the Maine Port Authority, I believe that I can possibly fairly well assure the gentleman from South Portland that such a study quite possibly — here such an interim study quite possibly is in the offing, and for that reason I would hope that you would go along with the findings of the Appropriations Committee and that the motion of the gentleman from South Portland, Mr. Danes, does not prevail.

The SPEAKER: Is the House ready for the question? The question before the House is the motion of the gentleman from South Portland, Mr. Danes, that Resolve to Provide for One Additional Staff Member to the Maine Port Authority to Evaluate Existing Commercial Water Front Facilities Along the Coast of Maine, be substituted for the "Ought not to pass" Report of the Committee. A division has been requested. All those in favor of substituting the Resolve for the Report please rise and remain standing until the monitors have made and returned the count.

A division of the House was had. Twenty-six having voted in the affirmative and seventy-four having voted in the negative, the motion did not prevail.

Thereupon, the "Ought not to pass" Report was accepted and sent up for concurrence.

The SPEAKER: At this time the Chair would recognize the presence in the gallery of ten students from the Etna Elementary School accompanied by Mrs. Clukey, Mr. Hatfield and the Representative from Etna, Mr. Carter.

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)

Mr. Schulten of Woolwich was granted unanimous consent to address the House briefly.

Mr. SCHULTEN: Mr. Speaker and Members of the House: Through a slip of the tongue or whatever motives there might have been, I am sure it was not wilful intent, I feel that aspersions have been cast upon the integrity of this House by a previous speaker when we were discussing a matter of reconsideration. I feel that even with the best of intentions no one, either in this House or in this State—

The SPEAKER: The Chair will rule the gentleman out of order in that he is criticizing another member of this House.

Mr. SCHULTEN: Mr. Speaker —

The SPEAKER: The gentleman will be seated.

On motion of Mr. Whitman of Woodstock,

Recessed until 1:30 p.m. this afternoon.

After Recess

1:30 P.M.

The House was called to order by the Speaker.

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

Resolve Providing Funds for Thayer Hospital, Waterville, to Aid its Rehabilitation Program. (S. P.

223) (L. D. 628)—In Senate Passed to be Engrossed. In House Read the Third Time.

Tabled—May 19, by Mr. Lincoln of Bethel.

Pending—Passage to be Engrossed.

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

The Chair laid before the House the fifth tabled and today assigned matter of Unfinished Business:

An Act relating to Outdoor Advertising on the Interstate System. (S. P. 417) (L. D. 1356)—Engrossed in Both Branches.

Tabled—May 19, by Mr. Baxter of Pittsfield.

Pending—Passage to be Enacted. (Emergency)

On motion of Mr. Baxter of Pittsfield, by unanimous consent, made a special order of the day and assigned for tomorrow.

The Chair laid before the House the sixth tabled and today assigned matter of Unfinished Business:

Bill "An Act Authorizing Funds for Construction of Machias Landing Field." (H. P. 1162) (L. D. 1602)—In House indefinitely Postponed.

—In Senate Passed to be Engrossed in Non-Concurrence.

Tabled—May 23, by Mr. Davis of Calais.

Pending—Further Consideration.

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

Mr. DENNISON: Mr. Speaker, this bill before us now is in the same shape that it was on May 12 when you accepted the report of the committee by your vote of 69 to 13, that was your favorable vote, and now I move that we recede and concur with the Senate.

The SPEAKER: The question now before the House is the motion of the gentleman from East Machias, Mr. Dennison, that the House recede and concur.

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

Mr. PIKE: Mr. Speaker, I don't like being in this position regularly, but here I am again.

This bill has been talked over and debated both in the House and in the corridors. I will not bore you

by a repetition of my remarks before. There are only two observations I would like to make. One is, that nobody from Machias, where this landing field is to be, has spoken out publicly and as far as I know privately in favor of this measure.

The other one is, that with all the welter of words which have been around and about this bill, there has never been any adequate explanation of the fact that this departs very distinctly from the usual and customary practice of the community putting up a quarter of the cost. I want to emphasize this latter point slightly because if this bill is accepted it makes a precedent or breaks a precedent. It offers an opportunity for every little community in the state to saddle onto its county, without the people in the county having anything to say about it, an airport for the particular community. This has been my objection right from the go-off. I think it is bad legislation, bad in principle, bad in practice. I hope that we do not go along with the motion to recede and concur.

The SPEAKER: The Chair recognizes the gentleman from Calais, Mr. Davis.

Mr. DAVIS: Mr. Speaker and Ladies and Gentlemen of the House: As the gentleman from Lubec has said, this bill has been talked over and discussed quite thoroughly here in the House and somewhat in the corridors and I don't intend to thresh over the old straw that we have been through before, but I would like to point out that as my colleague, Mr. Dennison has said, this bill is now back in its original pristine state; in other words it calls for a \$10,000 appropriation from the County of Washington by a bond issue to cover the expense of constructing this landing field at Machias. Prior to this, there were a couple of crippling amendments which were put on, amendments which called for large — much larger sums of money to be expended on other airports in the County of Washington.

Now I have talked to some people in Machias and I find that they are very much in favor of this measure, even though perhaps they

were unable to travel up here. I don't believe that this sets any dangerous precedent because in checking out the method of financing many of these small airports, I find that Aroostook County, and Oxford County and Lincoln County, and perhaps one or two others have gone into helping support some of the area airports, and that is the system which the Maine Aeronautics Commission and the Federal Aeronautics Commission have recommended, in the past few years is not just one town having an airport, and this landing strip at Machias, which has been surveyed and engineered out by the Aeronautics Commission will serve not only Machias but the entire surrounding area which includes the Bucks Harbor base and the huge Naval Radio Station at Cutler. I feel that this is a reasonable program and it isn't something that the County is going to jump into willy - nilly. I feel that this is a good bill. I think that Washington County with all its economic troubles, we are trying in every way we can to get back a little of the industry we have lost. One of the things that they keep telling us is that air travel is the thing today and you need some small airstrips where your executives of the small factories that we could hope to get can get in and out quickly, and I think this would be quite a help to the County of Washington.

A bill went through here a little earlier in the session which authorized the county to expend up to \$25,000 in the biennium for setting up an industrial agent and an office to help bring industry into the county, and I think if the county is participating in that kind of a program they can go along with this very modest request which in fact involves \$10,000 in local county money, about \$2,000 from the Town of Machias, and \$36,000 more which will be expended through state and federal funds. Therefore, I strongly urge that you support the motion of the gentleman from East Machias.

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

Mr. MacGREGOR: Mr. Speaker Ladies and Gentlemen of the House: Without any further trivia being drawn before you, I sincerely hope the motion of the gentleman from East Machias does not prevail.

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

Mr. BERRY: Mr. Speaker, I would support the construction of an airport in this area, and I think it is vitally needed. I have personally flown over that area and you certainly do get a lone and empty feeling when you leave the Deblois airstrip and you are heading for Baring. It would be very nice to have one in Machias and I think the area should certainly have one. However, we have an accepted formula in the state for financing airport construction, and I don't think we should deviate from it. The federal government puts up half, the state puts up a quarter and the local community puts up the balance of a quarter. The gentleman from Calais, Mr. Davis, has mentioned that an area can put up the money and that is certainly correct. The Machias area could put up this money, so they do have the means to obtain an airport. All the other small airports in the state have been constructed by this formula, and I think it would be an error to deviate from this and bring the county into it.

The SPEAKER: The Chair recognizes the gentleman from Calais, Mr. Davis.

Mr. DAVIS: Mr. Speaker, I would just like to correct the gentleman from Cape Elizabeth, Mr. Berry in reference to county participation in airports, and that is that the Bar Harbor airport I find has on two occasions received financial assistance from the County of Hancock without receiving any assistance from the Town of Bar Harbor or any of the surrounding towns.

The SPEAKER: Is the House ready for the question?

Mr. DENNISON: Mr. Speaker, I would request a division.

The SPEAKER: A division has been requested. The question before the House is the motion of the gentleman from East Machias,

Mr. Dennison, with regard to Bill "An Act Authorizing Funds for Construction of Machias Landing Field," L. D. 1602, that the House recede and concur with the Senate in the passage of this Bill to be engrossed. All those in favor of the motion to recede and concur please rise and remain standing until the monitors have made and returned their count.

A division of the House was had.

Sixty-three having voted in the affirmative and fifty having voted in the negative, the motion did prevail.

The SPEAKER: At this time the Chair would 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 first tabled and today assigned matter:

HOUSE DIVIDED REPORT—Majority Ought to pass—Minority Ought to Pass as Amended by Committee Amendment "A" (Filing H-282)—Committee on Education on Bill "An Act relating to Teachers' Salaries and Foundation Program Allowance." (H. P. 87) (L. D. 1206)

Tabled—May 17, by Mr. Baxter of Pittsfield.

Pending—Motion of Mr. Hichborn of Medford to Accept Majority Ought to Pass Report. (Roll Call Requested by Mr. Haughn of Bridgton.)

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

Mr. WHITMAN: Mr. Speaker, I move this item lie on the table until Friday.

The SPEAKER pro tem: The gentleman from Woodstock, Mr. Whitman, moves this item be tabled and specially assigned for Friday, May 26. Is this the pleasure of the House?

(Cries of "No")

Mr. WHITMAN: Mr. Speaker, I would request a division.

Whereupon, a division of the House was had.

Seventy-five having voted in the affirmative and thirty-four having voted in the negative, the tabling motion did prevail.

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

House Report—To be referred to the 101st Legislature—Committee on State Government on Bill "An Act to Reimburse Town of Warren for Cost of Municipal Services Provided for the State." (H. P. 901) (L. D. 1235)

Tabled—May 19, by Mr. Finley of Washington.

Pending—Acceptance of Report.

Thereupon, on motion of Mr. Finley of Washington, the Committee Report was accepted, the Bill referred to the 101st Legislature and sent up for concurrence.

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

An Act Classifying Certain Surface Waters in Kennebec River Basin. (H. P. 1151) (L. D. 1585)—Engrossed in Both Branches.

Tabled—May 19 by Mrs. Sproul of Bristol.

Pending—Passage to be Enacted.

Thereupon, on motion of the gentlewoman from Bristol, Mrs. Sproul, the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

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

House Report—Ought not to pass — Committee on Appropriations and Financial Affairs on Resolve, Providing Funds for School Lunch Subsidy. (H. P. 57) (L. D. 98)

Tabled—May 23, by Mr. Bragdon of Perham.

Pending—Acceptance of Report.

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

Mrs. HARRINGTON: Mr. Speaker, I move that the Resolve be substituted for the Report and I would like to speak on it.

The SPEAKER pro tem: The question now before the House is the motion of the gentlewoman from Patten, Mrs. Harrington, that the Resolve be substituted for the ought not to pass Committee Report. The Chair recognizes the same gentlewoman.

Mrs. HARRINGTON: Mr. Speaker and Members of the House: This is the second time that I have introduced this bill. I might be able to introduce it a third time, and again I might not, so that is why I am making the motion that I have.

This bill was sponsored by the Parent-Teachers Association. We had a good hearing on it, a lot of worthwhile people appeared for it. There was no opposition. As you will see, this bill provides for 2½c per meal to be given by the state in matching funds after the towns have raised the money in their town meeting. There is no doubt but the school lunch program has become a part of our school curriculum. The National School Act Program was introduced by an act of Congress in 1946. It was the intent of Congress that the states should match — should contribute matching funds, but the states have failed to do this, at least Maine has.

The only thing that Maine contributes towards the school lunch program are two supervisors from the Department of Education, they supervise and conduct the school lunch program for the entire state. At the time the program was instituted, the federal government paid 9c per meal. It has gradually diminished until today the federal government pays 3c. The surplus commodities that are used for the school lunch program have also diminished, and I need not remind you that the cost of living has increased.

In my own town, we have raised the price of the school lunch meal to 30c. This has in a way taken care of the financial problem, but it has destroyed the intent of the school lunch program. I hope if this bill passes that every school in the state that has the school lunch program will go back to the family plan. Now this isn't a giveaway program entirely. Last year

it helped our markets to the tune of \$2,500,000 with the federal government furnishing \$745,000 worth of food. During the month of November 7,992 children received type A lunches, one-third of the daily nutritional requirements of a child, and by the way, this is the only balanced meal that some children get. And also it is the only milk that some children get.

I know just what some of you are thinking, that you can point your finger at some families in your town where beer, cigarettes, True Stories and the like are in abundance, but the child is the one that is suffering. A growing child that doesn't get proper nourishment suffers both physically and mentally. Therefore, with this in mind and for the sake of those undernourished children in your town, I hope you will support my motion.

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

Mrs. SMITH: Mr. Speaker and Members of the House: I only arise to defend the position of the Appropriations Committee. This is a new program. The state has never participated in the hot lunch program. Now the question that I think we had to consider is whether we can afford a new program at this time. Education needs money; I think we all agree to that. Personally, I feel that the time has come, and will have to continually come in the future when we decide what is absolutely essential in education and what should be provided by the towns and the people themselves. If this House wants to enter into a new program, we as members of the committee leave it to your good judgment, but in our judgment this was not the time to enter into this program; it is being handled very well without the state being in it and as you enter all of these new programs, you take away from the essentials of education because there is only so much money. Whatever you decide to do, we certainly shall abide by, and that is your decision, but that is our position.

The SPEAKER pro tem: The Chair recognizes the gentleman

from Old Orchard Beach, Mr. Plante.

Mr. PLANTE: Mr. Speaker, Ladies and Gentlemen of the House: It is with some reluctance that I am speaking against this program, but I have to concur with the gentlewoman from Falmouth because as a member of the Appropriations Committee, we felt that additional payments to provide 2½¢ per type A meal did not mean that much to the local communities, and the state would be affected by it to the tune of \$575,000. We felt at this time to enter into this program it was not proper, and that is why I signed the ought not to pass report. The price tag is \$575,000.

The SPEAKER pro tem: The Chair recognizes the gentleman from Gardiner, Mr. Chapman.

Mr. CHAPMAN: Mr. Speaker, a question through the Chair. Does this mean that the milk program that is being carried on now in the schools, they will lose this if this bill does not go through?

The SPEAKER pro tem: The gentleman from Gardiner, Mr. Chapman has asked a question through the Chair to anyone who may answer if he pleases.

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

Mr. PLANTE: In answer to the gentleman, it would not affect the current status of the program. These are just additional payments.

The SPEAKER pro tem: Is the House ready for the question? The question before the House is the motion of the gentlewoman from Patten, Mrs. Harrington, that Resolve, Providing Funds for School Lunch Subsidy, L. D. 98, be substituted for the "Ought not to pass" Committee Report.

Mrs. HARRINGTON: Mr. Speaker, I request a division.

The SPEAKER pro tem: A division has been requested. Will all those who favor the motion of substituting the Resolve for the Committee Report 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 sixty-one having

voted in the negative, the motion did not prevail.

Thereupon, the Committee "Ought not to pass" Report was accepted and sent up for concurrence.

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

Mr. KNIGHT: Mr. Speaker, I would like to reconsider our action of this morning whereby we indefinitely postponed item two on page 4, "An Act relating to Deputies for Kennebec and Penobscot Counties," and I would speak to my motion.

The SPEAKER pro tem: The gentleman from Rockland, Mr. Knight, moves that the House reconsider its action of this morning with regard to House Paper 167, L. D. 230, Bill "An Act relating to Special Deputies for Kennebec and Penobscot Counties," at which time the House accepted the Majority Report. The gentleman from Rockland moves reconsideration and the Chair recognizes that gentleman.

Mr. KNIGHT: Ladies and Gentlemen of the House: I have been informed by the Towns and Counties Committee that their reasons for not giving a raise to deputies is that deputies in certain counties in this state today are receiving \$77 a week for a six-day week and this is in contravention of the law except in Cumberland County. Cumberland County has a special law on the books that allows them to do this. Any county today that is paying a deputy \$77 a week for a six-day week is doing so illegally. Now Knox County has two full time deputies, they are not bound by any forty hour week, they work six days a week and they would be more than happy with \$77 a week, but our county commissioners feel that they cannot unless the law allows them to do it. And that is the purpose of my asking for this reconsideration.

There is an amendment on your desks Filing H-333 which very simply allows Knox County to pay their deputy \$77 a week for a six-day week. Now to go further, it is my understanding that one county has been ordered by the State Auditor

to refund the overpayment paid to their deputies and has refused to do so. If counties are allowed to continue making payments illegally, the county commissioners would be personally liable for any overpayment. I am not attempting at this time to take care of any county other than my own, and I would state that our county is only paying \$66 for six days, which is \$11 per day.

Cumberland County has a special bill in, which adds that a deputy shall receive \$11 per day and such additional pay as the county commissioners may approve. Please note that I have added on this amendment, such full time deputy sheriffs for Knox County shall not receive more than \$77 in the aggregate for any one week. This means the sky is not the limit — \$77 is the limit. For a small county, the county commissioners approve this, and we hope that we can keep our sheriffs department intact by doing this.

If you allow this bill to be reconsidered, I would then ask for acceptance of Report B and then put this amendment on it, and that would be the result. Should somebody in this House whose county is in contravention of the law today, wish to legalize what they are doing and should table this bill for the purpose of adding an amendment, I would have no objections whatsoever.

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

Mr. JALBERT: Mr. Speaker and Members of the House: It could well be that the gentleman from Rockland, Mr. Knight, might have brought forth a serious problem. Talking along the line, however, in our county I believe they get paid for seven days, but I may be wrong. I think the House is well aware of my feelings toward tabling matters, I think I've tabled a bill once or twice and because of the possible seriousness of this situation I would move that his motion lie upon the table until tomorrow pending further consideration.

The SPEAKER pro tem: The question now before the House is the motion of the gentleman from Lewiston, Mr. Jalbert, that the mo-

tion of the gentleman from Rockland, Mr. Knight, to reconsider L. D. 230, be tabled until tomorrow. Is this the pleasure of the House? The motion prevailed.

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

Bill "An Act Establishing a Medical Care and Services Program," (S. P. 558) (L. D. 1605)—In Senate Passed to be Engrossed. In House Read the Third Time.

Tabled—May 23, by Mr. Baxter of Pittsfield.

Pending — Passage to be Engrossed.

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

Mr. WHITMAN: Mr. Speaker and Members of the House: As you all know this bill is a companion bill to the supplemental budget. It appears that we have a time problem involved here today in that it appears to be impossible for us to spend the necessary time on the supplemental budget. We have been presented with many new amendments which very few people have had time to consider, and at a later time we will endeavor to have the appropriations supplemental budget bill referred until tomorrow. And for that reason, I now move that item five be tabled until tomorrow.

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

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

Bill "An Act Making Supplemental Appropriations for the Expenditures of State Government and for Other Purposes for the Fiscal Years Ending June 30, 1962 and June 30, 1963." (H. P. 1165) (L. D. 1608)—In House Read the Third Time.

Tabled—May 23, by Mr. Baxter of Pittsfield.

Pending — Passage to be Engrossed.

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

Mr. WHITMAN: Mr. Speaker and Members of the House: I now move that this be made a special order

of the day for tomorrow's calendar.

The SPEAKER pro tem: The gentleman from Woodstock, Mr. Whitman, asks unanimous consent that item six be made a special order for tomorrow. Is this the pleasure of the House?

The motion prevailed.

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

Bill "An Act Appropriating Monies to Effectuate Compensation for State Employees." (H. P. 565) (L. D. 785)—Amendment Filing (H-300) — In House Read the Third Time.

Tabled—May 23, by Mr. Baxter of Pittsfield.

Pending — Passage to be Engrossed.

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

Mr. WHITMAN: Mr. Speaker and Members of the House: This being another companion bill to the supplemental budget, I move that this item be tabled until tomorrow.

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

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

Bill "An Act to Pay School Subsidies in Certain Administrative Units on the Basis of Uniform Local Effort." (H. P. 965) (L. D. 1330)—Amendment Filing (H-310) —In House Read the Third Time.

Tabled—May 23, by Mrs. Hanson of Lebanon.

Pending—Passage to be Engrossed.

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

Mr. WHITMAN: Mr. Speaker, Members of the House: In order that we might consider this bill along with item one on today's calendar, which was tabled until Friday, I move that this bill be tabled until Friday.

Thereupon, the Bill was tabled pending passage to be engrossed and specially assigned for Friday, May 26.

The SPEAKER pro tem: The Chair now lays before the House an item tabled earlier this morning for consideration later in the day:

Bill "An Act Providing for a Revised Charter for the City of Portland" (H. P. 326) (L. D. 478) (Amendment Filing L. D. 1611)

Tabled — by Mr. Kellam of Portland.

Pending — Passage to be Engrossed.

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

Mr. KELLAM: Mr. Speaker and Members of the House: I submit House Amendment "A" and move its adoption, and wish to speak to the motion.

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

HOUSE AMENDMENT "A" to H. P. 326, L. D. 478, Bill, "An Act Providing for a Revised Charter for the City of Portland."

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

'Referendum; effective date; certificate to Secretary of State. This act shall take effect 90 days after adjournment of the Legislature, only for the purpose of permitting its submission to the legal voters of the City of Portland at the next general election therein to be held in December, 1961. For the purpose of such election, the city clerk shall reduce the subject matter of this act to the following question: "Shall 'An Act Providing for a Revised Charter for the City of Portland', passed by the 100th Legislature, be approved?" The voters shall indicate by a cross or check mark placed against the words "Yes" or "No" their opinion of the same. This act shall take effect for all the purposes hereof immediately upon its acceptance by a majority vote of the legal voters voting at said election; provided the total number of votes cast for and against the acceptance of this act at said election equaled or exceeded 20% of the total vote for all candidates for Governor in said city at the next preceding gubernatorial election.

The result of such election shall be declared by the municipal officers of the City of Portland and

due certificate thereof shall be filed by the city clerk with the Secretary of State.'

Further amend said Bill by striking out all of section 6 of Article VIII.

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

Mr. KELLAM: Mr. Speaker, Members of the House: I hate to burden the House two consecutive days with a similar matter, but in order to clarify whatever misunderstanding that may have existed yesterday, I wish at this time to submit House Amendment "A" which is the stock referendum clause attached to the charter bills as turned out by the Legal Affairs Committee.

The charter revision that has been proposed takes care of many minor things, but also deals with several matters which have been a considerable controversy in the City of Portland over the last several years. In order to clarify my position as to the fact that there are some major changes being made, as you may be aware from the previous session of the Legislature, during the last session we had considerable trouble as to the school board in the City of Portland and as to who can appropriate funds for school purposes. This charter revision clarifies the law in this respect in that it relegates the final responsibility solely to the City Council. This I consider in the light of the fact that there has been considerable uncertainty in the past, a decided change. Also, among other things it increases the power of the city manager of the City of Portland. It places in the city manager broader appointive powers and allows him greater leeway in the removal of other officials. Basically the old charter provided that the department heads would be appointed by the city council, and that the other members—the sub-heads or other members of the department would be appointed by the City Manager with the consent and confirmation of the council.

The new bill removes a number of department heads from the appointment by the city council and

places them under the city manager with confirmation powers in the council. It takes all of the sub-heads and places them solely under the city manager with no control by the city council. And in the matter of the removal, the bill itself uses the exact same terminology in both bills stating that the removal from office will be by the appointive power, and at first glance it might indicate that there's no change, but since the designated appointive power has been changed previously in the bill obviously the removal power has been changed also.

Now this may be desirable to have a stronger central municipal government, but if so I believe that the people of the City of Portland should be allowed to vote for this in the referendum. As I have stated previously, in our previous charter revision in 1945, the matter was submitted to referendum and all previous charters prior to that time were submitted to referendum, as far as I know. In my two sessions' experience with Legal Affairs Committee, we have never submitted a revised charter without putting a referendum on it. A charter went through from the City of South Portland a few weeks ago very similar to this—similar type content, and that was submitted to referendum without any problem. And I am at a loss to understand why certain people absolutely refuse to consent to the submission of this charter to the people in Portland. As far as I am concerned, I refuse to abrogate my responsibility to the City of Portland by the request of certain administrative officials. And therefore, it is my hope that this bill will be turned out with a referendum provision.

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

Mr. BERRY: Mr. Speaker, Ladies and Gentlemen of the House: May I have your indulgence for a few minutes again today. As you know, yesterday I pointed out that this bill had much consideration. Public hearings were held on the bill, both parties were represented in the drafting of the bill,

in the initial referendum, one of them being a Democrat—a Democrat was chairman of the Democratic committee, the other being a Democratic House member, and members of the Republican party. As we pointed out yesterday the City of Portland charter now has a valid local initiative referendum ordinance adopted in compliance with the Constitution of the State of Maine. This referendum is completely unnecessary. This is not a new charter—this is simply a rewrite of the old charter with the exception that the voting districts are being equalized. Everyone favors the equalization of districts so that each district will contain approximately the same number of voters. I have not heard a single word in opposition to this necessary change. The Citizens Committee composed of both Republicans and Democrats unanimously approved the idea of equalization of voting districts. Since this is the only change and since this change is not controversial, it seems to me a totally unnecessary and useless gesture in the expense to have a referendum. I now hope House Amendment "A" is indefinitely postponed.

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

Mr. BRIGGS: Mr. Speaker, I only wish to state contrary to the remarks that Mr. Berry, from Portland, just made that last week in Portland I spoke to members of the Charter Review Committee who thought that when this bill was going to be presented here it would carry a simple referendum clause in it. Now this amendment asks for a simple referendum, and all charter revisions reported out of the Legal Affairs Committee this session contained a referendum clause. I don't know why Portland's should be any different than anybody else's. If you believe in home rule, you will vote for the amendment. I know the citizens of Portland are asking for a chance to vote on this charter bill. Regardless of any remarks made here, there are quite a few changes in this bill affecting Portland's charter, and the people who will be ruled by this charter should have

a chance to vote yes or no whether they think these changes are necessary.

The 1945 change as mentioned before in Portland's charter went to a referendum. Therefore, I hope that the motion of the gentleman from Portland, Mr. Berry, does not prevail.

The SPEAKER pro tem: The question before the House is the motion of the gentleman from Portland, Mr. Berry, that House Amendment "A" to L. D. 478 be indefinitely postponed.

Mr. KELLAM: Mr. Speaker and Members of the House: I only wish to point out that the amendment asking for a referendum on this bill has no bearing on the matters that we discussed yesterday in relation to the initiative referendum procedures under the charter itself. This merely asks for the vote at the next municipal election at no increase in costs to the City of Portland and as they have always done in the past on this particular bill, a simple yes and no vote. And I would like to say just one thing, I hope the members of the House will correlate the information given by the opponents to this bill in relation to the Charter Review Committee. On one hand the opponents have said that the Charter Review Committee has met a great many times, held large public hearings, have worked long and hard, have done a great deal of work for this bill and made a tremendous contribution to the City of Portland, all of which may well be true; but then at the other hand they like to finish up their argument by saying that with all of this great work having been done, they have decided on a few minor changes in the charter and therefore feel that no referendum is necessary.

The SPEAKER pro tem: Is the House ready for the question? The question before the House is the motion of the gentleman from Portland, Mr. Berry, that House Amendment "A" to Bill "An Act Providing for a Revised Charter for the City of Portland," House Paper 326, Legislative Document 478, be indefinitely postponed and a division has been requested.

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

Sixty-five having voted in the affirmative and forty having voted in the negative, House Amendment "A" was indefinitely postponed.

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

Mr. KNIGHT: I would inquire if the House has in its possession item two that was enacted this morning, An Act relating to the Inspection of County Jails.

The SPEAKER pro tem: The Chair would advise the gentleman that this paper is in possession of the House.

Mr. KNIGHT: I was informed by the Attorney General's Department that there is a series of serious typographical errors in the last paragraph of this act. I have an engrossed copy here in front of me, and one of the errors is that the S was left off Commissioners, and as it is now, it is wholly inoperable. And corrections should be made, and I would at this time request that we reconsider our action whereby we enacted it — have the bill then lie on the table and if the members of the committee involved would seek out the Attorney General's office the —

At this point Speaker Good returned to the rostrum and assumed the Chair.

The SPEAKER: Is the gentleman making a tabling motion?

Mr. KNIGHT: I cannot table it until we reconsider it. I am making a reconsidering motion. I would do so at this time.

The SPEAKER: The gentleman from Rockland, Mr. Knight, moves that the House reconsider its action of today whereby it enacted L. D. 1518, "An Act relating to Inspection of County Jails." Is it the pleasure of the House that the House reconsider its action whereby it passed this bill to be enacted?

The motion prevailed.

Mr. KNIGHT: I now move that this lie upon the table for one day.

The SPEAKER: The gentleman from Rockland, Mr. Knight, moves that this Bill be tabled until tomorrow pending passage to be enacted. Is this the pleasure of the House?

The motion prevailed.

The SPEAKER: The Chair wishes to compliment the gentleman from Pittsfield, Mr. Baxter, for his usual excellent performance as Speaker pro tem.
(Applause)

Upon request of Mr. Bragdon of Perham, the following matters were removed from the Special Appropriations Calendar and placed before the House:

An Act relating to Second Injury Fund and Vocational Rehabilitation under Workmen's Compensation Act (S. P. 37) (L. D. 79)

Resolve in favor of Elude Cantara of Biddeford (H. P. 43) (L. D. 84)

Resolve in favor of the Town of Minot (H. P. 58) (L. D. 99)

Resolve Increasing Pension of Merle Merrill of Montville (H. P. 104) (L. D. 144)

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

Resolve Authorizing Completion and Printing of a Digest of the Opinions of the Law Court (H. P. 184) (L. D. 280)

Resolve Appropriating Funds for the Perambulation of the Maine - New Hampshire Boundary Line (H. P. 185) (L. D. 281)

Resolve to Reimburse Edward M. Healy for Repairs to Androscoggin Lake Dam (H. P. 232) (L. D. 346)

An Act to Incorporate Baring, Washington County, into an Organized Plantation (H. P. 280) (L. D. 394)

Resolve in favor of Maine Society of the Sons of the American Revolution (H. P. 291) (L. D. 443)

Resolve to Reimburse the Town of Woodland for Aid Extended to Ronald Tirrell (H. P. 294) (L. D. 446)

Resolve to Reimburse the Town of New Sweden for Aid Extended

Ronald Tirrell (H. P. 295) (L. D. 447)

Resolve Reimbursing Town of Weston for Aid Extended to Henry Lee (H. P. 299) (L. D. 451)

An Act Revising Statutes Regulating Branching and Consolidations by Banks (H. P. 459) (L. D. 659)

Resolve in favor of Levite Pelletier of St. David (H. P. 463) (L. D. 663)

Resolve Increasing State Pension for Mrs. Katie Libby of Charleston (H. P. 530) (L. D. 728)

Resolve Reimbursing Town of Exeter for Aid Extended to Mrs. Virginia Smith (H. P. 580) (L. D. 800)

Resolve to Reimburse Town of Bristol for Aid Extended to Charles Maines (H. P. 582) (L. D. 802)

Resolve Increasing Pension of Martha Morey of Shirley Mills (H. P. 626) (L. D. 843)

Resolve to Increase Retirement Benefit for Chaplain T. Greene of Princeton (H. P. 632) (L. D. 849)

An Act Increasing Salary of Secretary of State (S. P. 384) (L. D. 1194)

An Act relating to Notice to Municipal Officers Prior to Filing of the State Valuation (H. P. 905) (L. D. 1239)

An Act Providing for Repair and Maintenance of State-owned Dam on Dead River, Androscoggin County (H. P. 1128) (L. D. 1555)

Resolve in favor of Walter Lanoue of Limerick (H. P. 1134) (L. D. 1565)

Thereupon, the Bills were passed to be enacted, Resolves finally passed, all signed by the Speaker and sent to the Senate.

Upon request of Mr. Bragdon of Perham, the following matter was removed from the Special Appropriations Calendar and placed before the House:

Finally Passed. Emergency Measure

Resolve Appropriating Moneys for Spruce Budworm Control (H. P. 183) (L. D. 279)

This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a division was had. 113 voted in favor of

same and none against, and accordingly the Resolve was finally passed, signed by the Speaker and sent to the Senate.

Upon request of Mr. Bragdon of Perham, the following matter was removed from the Special Appropriations Calendar and placed before the House:

An Act Making Mandatory the Reporting of Blindness to Health and Welfare Department (H. P. 805) (L. D. 1119)

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

Mr. BERMAN: Mr. Speaker and Members of the House: It is now, as best we can ascertain, non-existent. I have talked with the sponsor of the bill, the gentlemen who are involved with the American Medical Association, and people who are involved and interested in aid to the blind organizations, and no one has any objections. I would therefore move that the Bill and its accompanying papers be indefinitely postponed.

The SPEAKER: The question now before the House is the motion of the gentleman from Auburn, Mr. Berman, that L. D. 1119 be indefinitely postponed. Is this the pleasure of the House?

The motion prevailed and the Bill was indefinitely postponed and sent up for concurrence.

Upon request of Mr. Bragdon of Perham, the following matter was removed from the Special Appropriations Calendar and placed before the House:

An Act relating to Sales of Discontinued Items of Liquor in State Stores (S. P. 436) (L. D. 1308)

The SPEAKER: The Chair recognizes the gentleman from Norway, Mr. Chapman.

Mr. CHAPMAN: Mr. Speaker, I would appreciate the indulgence of the House in laying this on the table until tomorrow pending an amendment which is being drafted and which I have not yet—

The SPEAKER: The gentleman from Norway, Mr. Chapman, moves that L. D. 1308 be tabled until tomorrow pending passage to be enacted. Is this the pleasure of the House?

Mr. Lacharite of Brunswick then asked for a division.

The SPEAKER: All those in favor of the tabling motion please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Seventy-six having voted in the affirmative and ten having voted in the negative, the motion to table prevailed.

Upon request of Mr. Bragdon of Perham, the following matter was removed from the Special Appropriations Calendar and placed before the House:

An Act relating to Tattooing (H. P. 1067) (L. D. 1468)

The SPEAKER: Is it now the pleasure of the House that this Act shall be passed to be enacted?

The Chair recognizes the gentleman from Bristol, Mrs. Sproul.

Mrs. SPROUL: Mr. Speaker, I would like a little explanation on this. I just wonder why we have to raise a thousand dollars for this—maybe I should know but I don't.

The SPEAKER: The gentleman from Bristol, Mrs. Sproul, has asked a question through the Chair of anyone who may choose to answer.

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

Mr. GILL: Mr. Speaker, I would like to point out that this was the price tag that they felt would be necessary to enforce this new regulation, which is intended to put out of business the tattoo artists that come in around pay day and they will set up around your service personnels such as Brunswick, Presque Isle and various places. At the time this bill was presented in committee, we were shown documents and the pictures of the type of work that a lot of these artists do, and we all felt that we would be much better off if we could control them to the point where they won't be able to exist. Thank you.

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

Mr. COOPER: Mr. Speaker, I would like to ask a question through the Chair.

The SPEAKER: The gentleman may proceed.

Mr. COOPER: Whether or not a thousand dollars will accomplish very much in preventing this tattooing business? It seems to me it's a pretty small sum to police the State of Maine; maybe it's enough, I don't know. I would think if we were going to have anything we had ought to have a lot more than that.

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

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

Mr. GILL: Mr. Speaker, I believe that this license that would be required of tattoo artists, the type of establishment they would have to operate from would be enough to prevent the carpetbaggers from coming to Maine.

The SPEAKER: The Chair recognizes the gentleman from Portland, Mrs. Hendricks.

Mrs. HENDRICKS: Mr. Speaker and Members of the House: This involves a health hazard and the Department of Health and Welfare will administer this program, and I believe they believe this is enough for them.

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

The SPEAKER: The Chair recognizes the gentleman from Waldo, Mr. Waltz.

Mr. WALTZ: Mr. Speaker and Members of the House: With reference to item 4 at the top of page 2 of the calendar, in view of the fact the sponsor of this bill was unavoidably detained, I would ask that the House rescind its action in order to permit the proponents of this bill an opportunity to speak in favor of it.

The SPEAKER: The gentleman from Waldo, Mr. Waltz, moves the House reconsider its action of earlier in the day whereby it adopted the "Ought not to pass" Report of the Committee on Highways on Resolve Authorizing State Highway Commission to Study Feasibility of a Bridge Across the Damariscotta River, Senate Paper 285, L. D. 886. All

those in favor of reconsideration please say aye; those opposed, no.

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

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

Mr. TURNER: Mr. Speaker, Mrs. Sproul wasn't here this morning; this was her bill and maybe I didn't pay much attention, I acted a little quick and she didn't have a chance to defend the bill, so I would be in favor of giving her a chance. It don't amount to nothing anyway, but I would be in favor of giving her a chance.

Thereupon, a division of the House was had.

Ninety-four having voted in the affirmative and none having voted in the negative, the motion to reconsider did prevail.

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

Mrs. SPROUL: Mr. Speaker and Members of the House: First, I would like to thank my colleague from Waldoboro, Mr. Waltz, for asking for this reconsideration. I appreciate Mr. Turner's comment; I don't know whether I should thank him or not. This bill as a matter of fact is not my bill, but it was presented by the Senator from Lincoln County, Mr. Chase. This happens to be a matter in which the Boothbay Harbor people, particularly are interested in. The Bristol people some. We have things in common. We are both engaged in the summer business and the lobster business and I can testify to the great distance around because every time that I have gone campaigning it has taken me all day, whereas if we had the bridge it would be a fairly simple matter.

This provides for a survey and we had hoped, and have talked several times with the Highway Department, we had hoped that they could make a survey for a reasonable sum. They say that it will cost \$7,500, and I asked them if they couldn't take a look across the river and come somewhere near but they say they can't, they can't come within two or three million without a study. This is a matter

that we are interested in and I don't know as I agree with Mr. Turner, but I would hope that the recommendation of the Committee's ought not to pass Report is not accepted.

The SPEAKER: The Chair recognizes the gentleman from Nobleboro, Mr. Hancock.

Mr. HANCOCK: Mr. Speaker, Ladies and Gentlemen of the House: I never thought that I would have to oppose my charming seatmate in any matters pertaining to Lincoln County. As a rule we're all one big happy family, but this survey on this bridge wouldn't be much benefit to the county as a whole.

Now in the last few years, the Highway Commission has built highways on — both highways leading from Damariscotta to Boothbay and from Damariscotta to the Bristol area which this bridge would connect. On the Bristol side they've spent \$934,000, and on the Boothbay side \$170,000, and I know that they have other programs in view, are studying other programs to build in the future. Now I think if we look back a mite over the state we will find that when bridges were built it was probably due to the fact that they had a ferry that wouldn't take care of the traffic and of course we all agreed that a bridge would be the proper thing. All of these towns have a very nice highway to them and the—of course this survey I understand would cost from eight to ten thousand dollars. The bridge, I believe as near as they can figure, might go as high as three million. There's quite a lot of boating on the Damariscotta River, and if the bridge ever was built it would certainly have to be a high level bridge as several yachts have quite a high mast.

Now I feel that—if I thought that this bridge if it was ever built would benefit Lincoln County as a whole, I would be wholeheartedly in favor of it, but as the situation is now, it would only remove income from one part of the county to the other, and I hope as the highway committee saw fit to bring this out unanimously ought not to pass, I hope that their decision prevails and when the vote is taken I request a division.

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

Mrs. SPROUL: I move that the resolve be substituted for the report.

The SPEAKER: The question now before the House is the motion of the gentlewoman from Bristol, Mrs. Sproul, that the Resolve be substituted for the Report. A division has been requested. Is the House ready for the question?

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

Mr. TURNER: I haven't got much to say on this deal except that it's one of those bills that you have before your committees that half of the people in that section are for it and half are against it, so I don't think that we ought to pass anything until they all agree and find out what they want.

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

Mr. CROCKETT: Mr. Speaker, Ladies and Gentlemen of the House: Being on the Committee that put this out unanimous ought not to pass, there were one hundred and eighty letters from the people of that district where the bridge would be built—if the survey and everything went through. One hundred eighty letters protesting against any such thing, and there were four for it.

The SPEAKER: The Chair recognizes the gentleman from Waldo-boro, Mr. Waltz.

Mr. WALTZ: Mr. Speaker, Ladies and Gentlemen: I had rather a flowery dissertation prepared in opposition to this bill. My good friend Mr. Turner takes the words right out of my mouth. Seriously, I represent the northeastern section of Lincoln County. With the exception of one particular town in my district, I have heard no one express an idea or a wish either pro or con for this particular bill. The one town, Newcastle, that has expressed some interest more or less unanimously went on opposition to the bill. I certainly concur with the report of the committee that it ought not to pass.

The SPEAKER: The question before the House is the motion of the gentlewoman from Bristol, Mrs. Sproul, that the House substitute the Resolve for the Report.

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

Mrs. SPROUL: There is just one thing I would like to say in all fairness there may have been one hundred and eighty letters sent to the Highway Committee, but they all stem from one source and I know where this source is.

The SPEAKER: The Chair recognizes the gentleman from Nobleboro, Mr. Hancock.

Mr. HANCOCK: I always forget something when I am talking. With the bridge, it really isn't the whole story. I think on the Bristol side of the river there will probably be a mile of road to build and maintain; on the Boothbay side, it would go across an island I think its called Fort Island, which I believe is owned by the YMCA and I think they would run into quite a lot of opposition and I think there would be several miles of highway to build there.

The SPEAKER: The question before the House is the motion of the gentlewoman from Bristol, Mrs. Sproul, that Resolve Authorizing State Highway Commission to Study Feasibility of a Bridge Across the Damariscotta River, L. D. 886, be substituted for the "Ought not to pass" Committee Report. A division has been requested. All those in favor of the motion to substitute the Resolve for the Report please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Twenty having voted in the affirmative and seventy-two having main standing until the monitors did not prevail.

Thereupon, the "Ought not to pass" Committee Report was accepted and sent up for concurrence.

The SPEAKER: The Chair would like to remind the House that we would like by Friday to have all matters before us taken care of, and it may be necessary that we hold a session in the after-

noon on Friday—it may or may not. If so, we hope that you will make arrangements to be with us until we are up to the chalk-line on Friday.

Perhaps there is somebody from the committee here at this time on the Mock Session who would like

to comment upon that activity to take place this evening.

(Off Record Remarks)

On motion of Mr. Baxter of Pittsfield,

Adjourned until 9:00 o'clock tomorrow morning.