

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

One-Hundredth Legislature

OF THE

STATE OF MAINE

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DAILY KENNEBEC JOURNAL

AUGUSTA, MAINE

HOUSE

Friday, June 2, 1961

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

Prayer by the Rev. Mr. Richard Hulburt of Hallowell.

The journal of yesterday was read and approved.

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

Final Reports of the following Joint Standing Committees:

Claims
Election Laws
Health and Institutional Services
Highways
Inland Fisheries and Game
Legal Affairs
Natural Resources
Transportation

Came from the Senate read and accepted.

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

Non-Concurrent Matter

Bill "An Act relating to Sales of Discontinued Items of Liquor in State Stores" (S. P. 436) (L. D. 1308) which was passed to be engrossed as amended by House Amendments "A" and "B" in non-concurrence in the House on May 25.

Came from the Senate with House Amendments "A" and "B" indefinitely postponed and the Bill passed to be engrossed without Amendment in non-concurrence.

In the House:

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

Mr. CHAPMAN: Mr. Speaker and Ladies and Gentlemen of the House: I move that we insist and ask for a Committee of Conference.

The SPEAKER: The question now before the House is the motion of the gentleman from Norway, Mr. Chapman, that the House insist and ask for a Committee of Conference.

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

Mr. MORRILL: Mr. Speaker and Ladies and Gentlemen: I move that we recede and concur.

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

All those in favor of receding and concurring, please say aye; those opposed, no.

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

Fifty having voted in the affirmative and forty-four having voted in the negative, the motion to recede and concur did prevail.

The SPEAKER: The Chair understands that the gentleman from Pittsfield, Mr. Baxter, at this time moves that the House recess for forty-five minutes, for the purpose of holding a Republican caucus. Is this the pleasure of the House?

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

Mr. FOGG: Mr. Speaker, I would like to announce to the Democratic members to ask them to meet me down in Room 135 for a few minutes.

Thereupon, the House recessed until ten o'clock.

**After Recess
10:00 A.M.**

The House was called to order by the Speaker.

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

Mr. MORRILL: Mr. Speaker and Members of the House: On item two on page one, evidently we eliminated an amendment, and at this time I am going to ask for reconsideration of item two, that is L. D. 1308.

The SPEAKER: In reference to item two on the first page of the House Calendar, Bill "An Act relating to Sales of Discontinued Items of Liquor in State Stores," Senate Paper 436, Legislative Document 1308, the gentleman from Harrison, Mr. Morrill, moves that the House reconsider its action of today whereby it receded and concurred.

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

Mr. PLANTE: Mr. Speaker and Members of the House: The pur-

pose of this is so we may have an opportunity to defeat the motion to recede and concur, and then we will move to insist upon our former action, request a Committee of Conference, and what difficulties have arisen we will solve them then. We have spoken with the members of the other body concerning this and all parties concerned in the House, so I hope you will support the motion of the gentleman from Harrison, Mr. Morrill.

The SPEAKER: The question before the House is the motion of the gentleman from Harrison, Mr. Morrill, that the House reconsider its action whereby it receded and concurred on L. D. 1308. Is it the pleasure of the House that the House reconsider its action? All those in favor please say aye; those opposed, no.

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

The SPEAKER: The question now before the House is to recede and concur since we have reconsidered back to that point.

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

Mr. PLANTE: Mr. Speaker and Ladies and Gentlemen of the House: In this instance we will vote "no" on the motion to recede and concur.

The SPEAKER: All those in favor of receding and concurring, say aye; those opposed, no.

A viva voce vote being taken, the motion to recede and concur did not prevail.

Thereupon, the House voted to insist and that a Committee of Conference be appointed.

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

Non-Concurrent 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. 1606) which was passed to be engrossed as amended by House

Amendments "A", "C", "D", "E", "F", "G" and "J" in the House on May 25.

Came from the Senate with House Amendments "C", "E" and "G" indefinitely postponed and the Bill passed to be engrossed as amended by House Amendments "A", "D", "F" and "J", and Senate Amendments "A", "C", "E", "F" and "H" in non-concurrence.

In the House:

The SPEAKER: Is it the pleasure of the House to recede from its action whereby it passed this bill to be engrossed?

The motion prevailed.

The SPEAKER: The Clerk will read Senate Amendment "A."

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

SENATE AMENDMENT "A" to H. P. 1165, L. D. 1606, 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"

Amend said Bill under the caption "HEALTH AND WELFARE, DEPARTMENT OF" by inserting before the paragraph entitled "Welfare-Administration" the following paragraph:

Bureau of Health—Account 4410		
Cancer Control		
All Other	25,000	25,000
Heart Disease		
All Other	20,000	20,000

Further amend said Bill by correcting the totals therein affected by the adoption of this amendment.

The SPEAKER: Is it now the pleasure of the House that Senate Amendment "A" shall be adopted?

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

Mr. WHITMAN: Mr. Speaker, I would direct a question to anyone as to whether or not they could explain Senate Amendment "A." If there be no explanation for Senate Amendment "A," I would move its indefinite postponement.

The SPEAKER: The Chair understands that the gentleman from Woodstock, Mr. Whitman, moves that Senate Amendment "A" be indefinitely postponed. All those in favor of indefinite postponement please say aye; those opposed, no.

A viva voce vote being taken, Senate Amendment "A" was indefi-

ninitely postponed in non-concurrence.

The SPEAKER: The Clerk will read Senate Amendment "C."

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

SENATE AMENDMENT "C" to H. P. 1165, L. D. 1606, 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."

Amend said Bill under the caption "EMPLOYEES SALARY ADJUSTMENT PLAN" by striking out the line:

'Personal Services 580,000 580,000' and inserting in place thereof the line:

'Personal Services 240,000 240,000'

Further amend said Bill by correcting the totals therein affected by the adoption of this amendment.

The SPEAKER: Is it now the pleasure of the House that Senate Amendment "C" shall be adopted?

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

Mr. WELLMAN: Mr. Speaker and Members of the House: Senate Amendment "C" changes what this body adopted, that is phase one and four of the employees salary adjustment plan commonly called the Jacobs Plan. We've discussed this many times here in the House with each other. I think the Jacobs Plan is a step in the right approach to give the employees of this state, to put them on a par with industry and other state governments. It is granting an increase in salary to some of the employees, but it is not technically a pay raise. It is an attempt to put them on a new plan which will provide for better improvement and better holding.

Now the Senate Amendment before us deletes the portion that would put them on this plan and retains only the so-called longevity part. The longevity part, \$240,000 each year, is a reward, a bonus for long and faithful service given to this state. I think that both parts one and four are necessary for the continued high level of operation of this state.

I would therefore move now that Senate Amendment "C" be indefinitely postponed.

The SPEAKER: The question now before the House is the motion of the gentleman from Bangor, Mr. Wellman, that Senate Amendment "C" be indefinitely postponed.

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

Mr. PLANTE: Mr. Speaker and Members of the House: On behalf of the minority members in this House, I wish to heartily concur with the motion of the gentleman from Bangor, Mr. Wellman, that Senate Amendment "C" be indefinitely postponed.

Mr. Curtis of Bowdoinham asked for a division.

The SPEAKER: A division has been requested.

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

Mrs. SMITH: Mr. Speaker and Members of the House: I would like to concur with the gentleman from Bangor. I would accept step one, I personally would not accept step four under the Johnson plan. I think it would be unfair. I think you should understand that we would not be moving into the Jacobs plan; we would simply be extending the salary of a very few employees who have been here a long time, which I think would be very unfair to the rest of the employees.

The SPEAKER: Is the House ready for the question?

The question before the House is the motion of the gentleman from Bangor, Mr. Wellman, that Senate Amendment "C" be indefinitely postponed, and a division has been requested.

All those in favor of 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-four having voted in the negative, Senate Amendment "C" was indefinitely postponed in non-concurrence.

The SPEAKER: The Clerk will read Senate Amendment "E."

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

SENATE AMENDMENT "E" to H. P. 1165, L. D. 1606, 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."

Amend said Bill under the caption "HEALTH AND WELFARE, DEPARTMENT OF" by inserting after the paragraph entitled "Child Welfare Services" the following:

'Tuberculosis Hospital Wing at Fort Fairfield

All Other — \$64,000

To provide for operating expenses of the new tuberculosis hospital wing at the Community General Hospital in Fort Fairfield'

Further amend said Bill by correcting the totals therein affected by the adoption of this amendment.

The SPEAKER: Is it now the pleasure of the House that Senate Amendment "E" shall be adopted?

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

Mr. CHAPMAN: Mr. Speaker and Members of the House: Due to other legislation which has been passed here, this item is unneeded, uncalled for now, and I move indefinite postponement.

The SPEAKER: The question now before the House is the motion of the gentleman from Norway, Mr. Chapman, that Senate Amendment "E" be indefinitely postponed.

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

Mr. HAUGHN: Mr. Speaker and Ladies and Gentlemen: I will have to disagree with my good friend from Norway on his motion that is now before you. We have an area in the far north of the state which of course I do not attend, probably will never have any use for, but to build an area that is far isolated from an area which can give service which is needed in that particular area. It is unusual for me, coming from the southern end of the state, to apply and try to help the northern part of the state on an issue of this kind. But I do feel it is my duty as a representative to the entire state to give the people the service that they need in the area from which they come which is unusual for this type of thing to be had in an area of that kind, which does need it, as I said, because of geographic location.

I certainly hope you will not go along with the motion before you and accept Senate Amendment "E."

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

Mr. DENNETT: Mr. Speaker and Members of the House: I arise in support of the motion made by the gentleman from Norway, Mr. Chapman. This is this Fort Fairfield deal again. It is my understanding that this wing isn't even built in Fort Fairfield. I heartily concur that this is unnecessary and I think we can do far better things with \$64,000. When the vote is taken, I ask for a division.

The SPEAKER: A division has been requested.

The Chair recognizes the gentleman from Presque Isle, Mr. Stewart.

Mr. STEWART: Mr. Speaker and Members of the House: On this amendment, \$64,000 for Fort Fairfield, I would like to say merely that earlier in the session there was debate concerning this hospital, concerning the fact that a half a million dollars would be spent in the building of this wing to the hospital. Now, after the hospital is constructed, which it will be in the near future, it will be necessary that there be funds made available for the care of patients in this hospital. The state I don't believe intends to build and not use. I believe that the failure to use these facilities or provide funds necessary to make proper use of them, would merely degrade the white elephant, and that is not the intent of the state.

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

Mr. STORM: Mr. Speaker and Members of the House: I would concur with what the gentleman from Presque Isle has just said and I would further say that it was the understanding of the Aroostook delegation that if we would go along with the closing of the old sanatorium—the new one, if and when it was ready, would be serviced; and for that reason I think that we should not go along with postponing this appropriation. It is very necessary that we have it.

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

Mr. KENNEDY: Mr. Speaker and Ladies and Gentlemen of the House: Seeing this \$64,000, and amendment to the supplemental budget, an increase, it would seem to me that this is more or less of a breach of promise. We agreed that we would close the Northern Maine Sanatorium temporarily. When the new wing was constructed, should there be the need, these TB patients would be moved into the new wing. Now the adjusted costs for the biennium are taken care of in the current services budget. I personally feel, and I am sure that there must be some agreement, that there is little need for this \$64,000 at this time. It is going to take some time to build this wing and have it ready for operation, and another session of the Maine Legislature I am sure will take care of the situation when it does arise.

The SPEAKER: The Chair recognizes the gentleman from Madawaska, Mr. Levesque.

Mr. LEVESQUE: Mr. Speaker and Members of the House: I cannot agree on this indefinite postponement of this amendment for the simple reason that they have already taken the Northern Maine Sanatorium out of the county, which saves the State of Maine a lot of money, and we wholeheartedly agree that it is going to save the State of Maine a lot of money, and we still feel that no person in Aroostook County, just because it's all the way up north, should have to drive all the way down to Fairfield which is somewhere in the vicinity of two hundred and seventy-five — two hundred and eighty miles, to see any member of their family, or families to have to drive all this distance to save the State of Maine \$64,000.

Now granted, \$64,000 is a lot of money — I agree with you on that. But I don't think at this time that it would be justified that all these people from Fairfield on up north are also justified by having to travel this distance to see their sick children and loved ones, all the way down to Fairfield. And therefore I hope that you ladies

and gentlemen of the House will vote against indefinite postponement.

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

Mr. PIKE: Mr. Speaker and Members of the House: I feel very much in the middle here, but I am more impressed by the idea that it wouldn't be good sense to have this building built ready for occupancy and no funds to run it with. But it would be pretty good business to have the money there so it could be put into immediate operation if and when the need arises, and I take it there is a need there. I am afraid I will have to oppose the motion to indefinitely postpone.

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

Mr. JALBERT: Mr. Speaker, I would like to ask a question of the gentleman from Fort Fairfield, Mr. Stewart. Is there money in current services now to maintain what buildings that are there presently and is this additional money to support the program for the last nine months of the biennium?

The SPEAKER: The gentleman from Lewiston, Mr. Jalbert, has asked a question through the Chair of the gentleman from Presque Isle, Mr. Stewart, who may answer if he chooses. Perhaps he would like to have the question restated.

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

Mr. JALBERT: I understand that the present money that is in the current services budget is to take care of the maintenance of the building and the grounds now, and that the \$64,000 that is asked for in this amendment is to carry on the program, the TB program, after the wing is built for the last nine months of the biennium. Now, maybe I'm not addressing my question to the proper person but somebody from up north might be able to answer that question.

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

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

Mr. BRAGDON: Mr. Speaker, I think I understand Mr. Jalbert's question and I think Mr. Jalbert knows the answer. I did not intend to get into this discussion. However, I will attempt to answer the question to the best of my ability which he has asked, if I understand him correctly.

There is obviously enough money in the current services budget which is set up to Central Maine Sanatorium to provide care for all the TB patients in the state. There is no money set up for the Fort Fairfield wing, and if it were possible to make the transfer from the current services budget in the amount of \$64,000 and allocate it to Fort Fairfield, I think you would have provided for the thing you are talking about. Does that answer your question?

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

Mr. JALBERT: It answers my question, I didn't know the answer. I was talking with the representative from Bangor, Mr. Wellman, and I was confused and furthermore I asked a question and I shall surprise the gentleman from Perham, Mr. Bragdon. I shall vote with him on this amendment.

The SPEAKER: The Chair recognizes the gentleman from Ashland, Mr. Prue.

Mr. PRUE: Mr. Speaker, I would like to concur with the delegation members who spoke from Aroostook here. In the 99th Legislature we all supported the Fort Fairfield wing in good faith, and this year we were asked to transfer our patients down here temporarily. I believe that due to our geographical distance from the central part of this state, anybody that has made as many trips back and forth as I have, would not expect people to visit the T.B. patients too much in Fairfield. I do hope that this goes through and I would ask for a division when the vote is taken.

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

Mr. TYNDALE: Mr. Speaker, Ladies and Gentlemen of the House: I certainly agree with the gentle-

man from Lubec, Mr. Pike. We have already agreed to build this building and we certainly have to provide funds to operate it. It just makes good sense.

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

Mr. ESTEY: Mr. Speaker and Ladies and Gentlemen: I would expect that the gentleman from Fort Fairfield, who just came in, would be surprised to hear me speaking on this issue, but I do recall that we discussed the bond package that was passed by the 99th Legislature and the provisions for building this new wing, and I am afraid that I do have to concur with the gentleman from Lubec, Mr. Pike, that it would seem a little bit foolhardy to build a new wing and then not provide funds for its operation. I hope that the motion to indefinitely postpone does not prevail.

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

Mrs. HARRINGTON: Mr. Speaker and Members of the House: I hope that the House will realize the need of this and will vote against indefinite postponement.

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

Mr. KENNEDY: Mr. Speaker, Ladies and Gentlemen of the House: I certainly would be the last one to speak against manning a hospital or a wing once it had been built if the need does exist. What surprises me that this appears here as an addition or an amendment to the supplemental because I just can't understand the thinking of the commissioner, when I have had conferences with him relative to the wing to be constructed to Fort Fairfield, why this wasn't included in his budget. Now were it necessary or he felt that the need would arise, it should have been in the budget. I just don't understand why it appears now. If this is sponsored by the department, knowing that there will be an existing need within the biennium, I would be glad to support it. It surprises me that it is here now. Someone can perhaps inform me as to why it wasn't in the department's budget originally, because I think that they have the

supervision of the construction of the wing. They should be in a position to know when it would be completed. They should be in a position to know the funds that would be needed to operate it when it is ready for service. Now if some of the gentlemen or ladies from the delegation of Aroostook can convince me that this fund is needed during this biennium, I will stand and vote for the \$64,000.

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

Mrs. HENDRICKS: Mr. Speaker and Members of the House: As a member of the Health and Institutional Services Committee, I am very much opposed to the indefinite postponement of this amendment, and I will say that Dr. Fisher said this money is very badly needed.

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

Mr. JALBERT: Mr. Speaker, in answer to the gentleman from Milbridge, Mr. Kennedy, the money for this building, the wing, was voted two years ago. The building was not built during this biennium. Furthermore, there was legislation before us not to take the money and put it back into the fund. However, it is possible that Dr. Fisher when he made his budget, probably he did not appropriate and could not appropriate funds for this item because the building had not been started and did not start and is just starting now.

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

Mr. HOPKINSON: Mr. Speaker, I want to go on record in favor of this appropriation and in answer to the question about the commissioner, I still have this letter that I called your attention to a while ago, and I will read a part of it: "The proposed tuberculosis sanatorium construction in Fort Fairfield in conjunction with the community hospital is justified by several considerations: Operating insofar as possible as a part of the general hospital and thus sharing many basic costs as well as minimizing the capital investment, one can expect

that the patient day costs of caring for the tuberculosis patients will probably not differ greatly from the costs of caring for the same patients at the Central Maine Sanatorium. Obviously, there are tuberculosis patients from Aroostook County needing care, and probably institutional care will be more readily accepted if a facility is locally available. The community of Fort Fairfield has agreed to purchase the facility for a fair price from the state when it is no longer needed for tuberculosis purposes." That's part of that letter which concerns it. The other one is from the Aroostook Health and Anti-Tuberculosis Association. "Please be advised that the Aroostook County Health and Anti-Tuberculosis Association has gone on record as favoring the construction of an Anti-Tuberculosis Sanatorium in the County of Aroostook." I do have other letters from doctors in the county stating that it is necessary. Thank you.

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

Mr. KENNEDY: Mr. Speaker, I realize sir that I have spoken twice, but I rise to ask a question, and I don't feel that my question has been answered. My question as previously stated was, is this money needed in this biennium? Will the wing be constructed and the need for services be during this current services period?

The SPEAKER: The gentleman from Milbridge, Mr. Kennedy, has restated his question through the Chair which may be answered by anyone who may choose to do so.

The Chair recognizes the gentleman from Fort Fairfield, Mr. Hopkinson.

Mr. HOPKINSON: Mr. Speaker, it was the thought of the commissioner that this sum would take care of the operation of it from the time it was built until the next Legislature.

The SPEAKER: The Chair recognizes the gentleman from Casco, Mr. Moore.

Mr. MOORE: Mr. Speaker, I might in answer to that, the plans have not been drawn yet for that building.

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

Mr. COOPER: Mr. Speaker, Ladies and Gentlemen of the House: I find myself in a similar position with Mr. Kennedy. We have a proposition here where something was promised, something was never done, we don't know when it is going to be done. We have the promise that when it is done that the association or whatever it is will take it over and reimburse the state and it sort of seems to me that the thing is sort of in the air and I want to concur with my friend, Mr. Chapman, in the indefinite postponement of this bill.

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

Mr. WHITMAN: Mr. Speaker and Members of the House: It seems we have quite a complicated issue involved here. As I understand it, we recently moved to consolidate the Presque Isle Sanatorium out here in Fairfield, at which time we appropriated additional monies within the current services budget to maintain these patients that we are moving from Presque Isle to Fairfield. Now as I understand it, if and when this annex is completed, we would then move some of these patients from Fairfield back up into Aroostook County into the Fairfield annex.

Now my question is this, to some member of the Appropriations Committee, having appropriated additional money to support these people at Fairfield and subsequently moving some of those people back to Fort Fairfield, could that money be transferred to the Fort Fairfield account for their support, and in the event that that was not sufficient could not the Governor and Council appropriate an amount from the contingent fund?

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

Mr. JALBERT: Mr. Speaker, in answer to the gentleman from Woodstock, Mr. Whitman, it could be by preparing an amendment I knew he could prepare, cutting out funds at Fort Fairfield to the amount of \$64,000.

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

Mr. HOPKINSON: Mr. Speaker and Ladies and Gentlemen of the House: There was a question asked about the plans and the building. The plans have been completely drawn and submitted, and the building is to start August first and to be ready September first in '62.

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

Mr. BRAGDON: Mr. Speaker, I think I would like to enlarge a little more on the question proposed by the gentleman from Woodstock, Mr. Whitman. Obviously there is money in the current services budget. I cannot answer for the mechanics of transferring it from Central Maine Sanatorium to Fort Fairfield if you saw fit to attempt this transfer; however, it is obvious that if money is appropriated for the last half of the second biennium for Fort Fairfield, simply the amount of money Central Maine Sanatorium would have obviously the same amount which would lapse at the end of the year. You would not be expending twice the \$64,000 at this particular time. You will be appropriating an additional \$64,000.

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

Mr. WHITMAN: Mr. Speaker, I thank the gentleman, Mr. Bragdon, for his reply. I think that answers my question somewhat. However, by moving some patients from Fairfield back to Fort Fairfield, the Fairfield account would show a surplus, which as you say would lapse. However, I think that that money could go along with the patients by a transfer through the Governor and Council. So I think a good portion of the funds necessary to operate the Fort Fairfield annex would already be available in the current services budget.

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

Mr. COULTHARD: Mr. Speaker and Ladies and Gentlemen: I think this is confusing, but in my simple understanding I might state this. That I sent a daughter to Con-

necticut to school and I appropriated funds. She finished school a month ahead of time and she brought the money back.

The SPEAKER: Is the House ready for the question?

The question before the House has to do with Senate Amendment "E," and the immediate question is the motion of the gentleman from Norway, Mr. Chapman, that this amendment be indefinitely postponed. A division has been requested.

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

A division of the House was had.

Sixty-nine having voted in the affirmative and fifty-six having voted in the negative, Senate Amendment "E" was indefinitely postponed in non-concurrence.

The SPEAKER: The Clerk will read Senate Amendment "F."

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

SENATE AMENDMENT "F" to H. P. 1165, L. D. 1606, 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."

Amend said Bill by inserting immediately under the caption "EXECUTIVE DEPARTMENT", the following:

'Administration	
Personal Services	(1) \$20,000
Personal Services	(1) \$20,000
All Other	7,500
All Other	7,500

Provides funds for a personal industrial development assistant to the Governor with necessary general operating expense'

Further amend said Bill by correcting the totals therein affected by the adoption of this amendment.

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

Mr. BAXTER: Mr. Speaker, I now move that Senate Amendment "F" be indefinitely postponed.

The SPEAKER: The question now before the House is the motion of the gentleman from Pittsfield, Mr. Baxter, that Senate Amendment "F" be indefinitely postponed.

All those in favor of the indefinite postponement of this amendment say aye; those opposed, no.

A viva voce vote being taken, Senate Amendment "F" was indefinitely postponed in non-concurrence.

The SPEAKER: The Clerk will read Senate Amendment "H."

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

SENATE AMENDMENT "H" to H. P. 1165, L. D. 1606, 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."

Amend said Bill by striking out everything under the caption "ECONOMIC DEVELOPMENT, DEPARTMENT OF" and inserting in place thereof the following:

'Personal Services	(9) 54,575
'Personal Services	(9) 56,265
All Other	390,890
All Other	392,170
Capital Expenditures	3,460
Capital Expenditures	—

Provides five Industrial Development field representatives, three Recreational Development representatives, a clerk-stenographer and seasonal help—\$110,840. Also provides travel of \$47,500; recreational advertising of \$197,000; promotional advertising of \$312,560, and related office expenses and equipment.'

Further amend said Bill by correcting the totals herein affected by the adoption of this amendment.

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

Mr. BAXTER: Mr. Speaker, I move that Senate Amendment "H" be indefinitely postponed.

The SPEAKER: The question now before the House is the motion of the gentleman from Pittsfield, Mr. Baxter, that Senate Amendment "H" be indefinitely postponed. All those in favor of indefinite postponement say aye; those opposed, no.

A viva voce vote being taken, Senate Amendment "H" was indefinitely postponed in non-concurrence.

The SPEAKER: Are there any other amendments?

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

Mr. DURGIN: Mr. Speaker, I offer House Amendment "N" and move its adoption.

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

HOUSE AMENDMENT "N" to H. P. 1165, L. D. 1606, 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."

Amend said Bill under the caption "EDUCATION, DEPARTMENT OF", under the paragraph entitled "Vocational Rehabilitation", by striking out the line "All Other

5,614 9,284"

and inserting in place thereof the line reading:

'All Other 25,614 29,284'

Further amend said Bill by correcting the totals therein affected by the adoption of this amendment.

The SPEAKER: Is it the pleasure of the House that House Amendment "N" shall be adopted?

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

Mr. PHILBRICK: Before we vote on this measure, I think it might be a good idea if we had an explanation of the additional \$40,000.

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

Mr. DURGIN: Mr. Speaker, what this amendment does it increases the vocational rehabilitation from the Department of Education by \$20,000. As you all know we have a bill on the House Appropriations Table giving the Thayer Hospital \$20,000. Under this amendment the \$20,000 given to the Department of Education under vocational rehabilitation would be matched by \$40,000 from the federal government, which would give a total of \$60,000. Now I understand that the vocational rehabilitation department uses the facilities of Thayer Hospital.

The SPEAKER: The question before the House is the motion of the gentleman from Raymond, Mr. Durgin, that House Amendment "N" be adopted.

All those in favor of adopting this amendment, say aye; those opposed, no.

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

Thereupon, House Amendment "N" was indefinitely postponed.

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

Mr. KNIGHT: If it is in order I would move that we recede and concur with the Senate whereby they indefinitely postponed House Amendment "G."

The SPEAKER: The question now before the House is the motion of the gentleman from Rockland, Mr. Knight, in reference to House Amendment "G" that the House recede from its action whereby it adopted this amendment and concur with the Senate in indefinite postponement.

The Chair recognizes the gentleman from Washington, Mr. Finley.

Mr. FINLEY: Mr. Speaker, Ladies and Gentlemen of the House. I am very much opposed to this move by my colleague Mr. Knight from Rockland. As I stated the other day that under current services budget the prison was awarded nearly \$700,000 for the current services budget. Mr. Knight has made the statement that the reason for these guards was due to the fact that it was for the maximum protection at the prison. I would like to try to refute those statements. He made two statements, one was to the effect that the conditions at the prison was near an explosive state. I was very much surprised at that statement coming from a member of the bar who in his dealings knows that the inmates of the prison are never stable, but transient from different seasons, of course there are some coming in and some coming out all the time. If we take a survey of the last ten years, we find that our population at the state prison is not too much different from what it was formerly. Another reason is this, why that I believe that we need no more guards there at present. The number of guards stationed at the prison do not vary from year to year. The only occasion for varying of the guard personnel is due to the fact that the manager of the prison who is a warden, he may have some personal services that he likes ren-

dered out around his yard or something like that, so that he will ask for extra guards knowing very well that the Legislature won't grant it.

I could cite the number of guards that are necessary for maintaining maximum security at the prison, but I will just state a few. Now for instance in the hospital, one guard; one guard at the kitchen, two guards at the fire room, and so on like that; at night, there are only five guards required for maximum protection. I would like to have you visualize for a moment if you will in going from this building to the state building, we pass through a duct. I am going to ask you if you could visualize that we have in the duct with one end closed, have twenty-five men in there and the guard stationed on the other end, where he manipulates the lever to enclose those people in there. I am going to ask you if you can see where it would take any more guards — if you enclosed fifty in there or one hundred? That's the condition we have at the prison. When you enclose the prisoners in their cells one guardsman manipulates the lever which encloses those prisoners in for the night. All there are, as I think I have already stated, five guards. Another thing which I think I can prove to you is this, as far as the explosive state of the conditions at the prison as far as the number of prisoners concerned, if there is as Mr. Knight has stated that the condition was such, and we have an efficient warden at the prison, would he not instead of asking for more guards and instead of asking for more buildings, whereas he intends to put a dormitory in some of these buildings, would he not have asked for cell blocks?

I don't think there's any — I don't think there's any warden but what would agree with me that dormitories are only emergency units. They are not to contain our prisoners because we all feel when we send a prisoner to Thomaston or where not, that they should be contained within cells. So with those statements, Mr. Speaker, I would oppose the motion of the gentleman from Rockland, Mr. Knight.

The SPEAKER: The pending question is the motion of the gentleman from Rockland, Mr. Knight, that the House recede from its action whereby it adopted House Amendment "G" and concur with the Senate in the postponement of that amendment which has filing number H-325.

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

Mr. WELLMAN: Mr. Speaker, Ladies and Gentlemen of the House: As you know I have arisen once before in defense of the stand the Appropriations Committee has made, and I would like to heartily concur with the gentleman from Rockland, Mr. Knight. In so doing I would like to read, I hope you will bear with me, a letter over the signature of the warden of the prison, addressed to the Commissioner of the Department of Mental Health and Corrections.

"I wish to state at this point that as Warden, I fully realize that I have made some honest mistakes in the past and, being human, I fully expect that I will in the future, despite every effort to do what is right in my opinion for the prison and the State of Maine.

It has been stated that there were at one time only four employees in the main office of the prison. This is true; in fact, at one time there was only one clerk. It is said that there are now 12 people working in this office; this is not accurate—there are six handling business accounts and correspondence. However, there are three people working in the front office area in our classification department, and one female mail censor. For many years I have realized that the classification records, which are of utmost importance in dealing with our inmates, should not be inside the prison and subject to tampering or destruction. Therefore, when the plans were made for remodeling the front office, it was decided to move the classification records and office into the administration building. This was done, and the location does not permit inmates to work on or see the files. Where five inmates were assigned to the department, when it was inside the prison, none are now, but the work

is done far more efficiently and confidentially by the classification officer, one male assistant to the classification officer, and one female clerk. It was decided to add the above assistant to the department to expedite work and give depth, inasmuch as previously when the classification officer was on vacation or away from the prison, no one knew anything about the status of work and records. Naturally, work as important and as detailed as this should not be suspended just because there was no other coverage.

Formerly, we had a guard who censored all mail inside the prison. When the above changes were put into effect, in order to increase efficiency, I dropped one man from our roster, and hired two ladies, one to type for classification and one to censor mail. This move cost no more money and allowed much more work to be accomplished. The censor's office was also moved to the administration building. We increased efficiency and security at no extra cost.

The next charge intimates that the prison is not crowded, inasmuch as the highest count we have ever had was 522 in 1950.

It should be pointed out that the high peak came in the summer and was for a brief time, hence we were able to house the extras under very crowded conditions at the prison farm. The average in 1950 was 493; today's average is 478. However, since 1950 I have moved the prison hospital from an unsecure area over the kitchen, to within the cell blocks. I did this for humanitarian reasons and efficiency, as under the old location no serious offender could be left in the hospital no matter how sick he was unless a special guard was posted.

Whether it is now felt that I was right or wrong, with departmental sanction I made the move and gave the prisoners a chance for medical treatment, but I did in effect cut the bed capacity down to the point that we are now far more crowded with an average of 478 than we were with an average of 493.

I have asked this legislature for, among other things, more inside dormitory space plus a temporary

outside dormitory to house men until the other is completed, which will be used in the future for housing trustees assigned to outside prison details.

The next item was that there are now four classification people instead of one. I explained previously that there are three and the reasons therefor.

I do not understand the allegation that the front office was remodeled four times and is now back where it was. I made minor temporary office changes, at very little cost, my long-range plan was to move all the administrative offices to the third floor instead of having part on the second and part on the third.

The last legislature appropriated the funds for the above remodeling, which included an elevator to the third floor outside the security section. This is a common practice in prisons, as it eliminates business callers and others from having to go through security entrances.

It is alleged that we have twelve automobiles. To my knowledge there are three automobiles, one enclosed wagon to transport stretcher cases and inmates to court and hospitals, etc. and six trucks. One truck is a second hand pickup used for outside maintenance, and one is owned by the Industrial Department. Also, we have a homemade tractor type vehicle made from a 1938 Ford truck.

We have never requested a boiler as an emergency.

In 1956, I requested one from legislature stating that we had two old boilers operating at peak capacity and that if either should break down in the winter months, we would be in a mess. This boiler was received in 1959, and to date it has not been necessary to use it. Nothing about it ever was an emergency and the fitting out of it has been done on a "knitting" basis by our better inmate steamfitters whenever time permitted. Our old boilers might have gone at any time and the new boiler is an excellent piece of standby equipment which might be used at any moment. If we did not have a standby boiler in the winter time,

we could easily find ourselves in an emergency situation.

We have no men paid for just boiler room work, as this comes under our Engineering section, which includes a chief engineer, a plumber, a blacksmith and a maintenance mechanic. We try to keep one man in the general area during the day time, but at night due to shortage of staff there is no supervision.

In 1955, when our prison kitchen was renovated, we secured the advice of a kitchen planning service and they recommended we smoke our own pork products. We purchased a smoker, but could not use it, due to its constant smoke seepage in the kitchen area. The purchase of that equipment was a mistake, largely due to poor advice. Steps have already been taken to see if any other institution can use it. I apologize for this error in judgment.

I believe that a sound religious program is an absolute necessity for any institution, hence I requested an appropriation for a Chapel area and have nearly completed the renovations with inmate labor. Although the area formerly used, was large enough it did not lend itself to a religious service, inasmuch as it appears to be primarily a movie hall and is openly located between cell blocks, where there is heavy traffic in and out of the hall. I sincerely hope and believe that the new chapel will be conducive to worship services and will be an aid in rehabilitation. I never have intended the new chapel to serve any other purpose.

It is true that I have asked every legislature for more personnel, and expect to until I feel the prison is properly staffed. Our ratio of inmates to total employees is 6.21 to 1, whereas the New England average is 2.31 to 1. Our ratio of inmates to guards (security personnel) is 8.14 to 1 while the New England average is 3.40 to 1. This is not a healthy situation. Actually we have 1 guard to 14 prisoners during the daytime and 1 guard to 80 prisoners at night.

In my original budget request to this legislature, I asked for 51 employees including 24 guards. I can justify every position requested, and

if all had been granted we would still be far below average. The appropriation committee agreed upon 7 guards and an assistant classification officer. This would have been a big help, but still would not have met the needs. A crowded institution is a serious situation and adequate personnel with reasonable programs is most important."

I will not read the remaining items. I would like to call to your attention the point that except for the guards located actually in the blocks and in the laundry and in the yard, all other guards have some other duties. I think that if you will take all these facts into consideration, I think that you will vote for Mr. Knight's motion.

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

Mr. BRAGDON: Mr. Speaker, Mr. Robbins appeared before the Appropriations Committee and made his requests that have been outlined in the paper which has just been read to this House. The committee felt at that time that his requests were just but due to the fact that we felt that we should cut appropriations to the bone, we did run it into the seven employees, but that has been mentioned.

In the debate the other day, this matter of furnishing guards to go with prisoners in this park which is now being instituted was under criticism. I have a letter which I will read from Warden Robbins to Commissioner Perry Hayden in which he explains his position on that. With your permission, I will read his letter.

"Since February 1960, when the program of improvement and work in the state parks was instituted, I have had two officers assigned to an inmate crew of from fifteen to twenty men working on various tasks on state property (in the Camden area) which is controlled by the Park Commission.

The value of the work could probably best be determined by the Park Commission, but if we used the value of labor at \$1 per hour we would have already done \$29,000 worth of work for the State.

Most of the work would have been distasteful to the ordinary la-

borer as it was hard work under difficult conditions. For instance in cleaning up the dead trees and natural forest debris much of it had to be carried out to openings on the backs of the men. We cleaned approximately 60 acres in this manner and the inmates worked very happily and diligently. The park was improved immeasurably at very little cost. It is doubtful if the work would ever have been done with hired labor.

We had to stop park work during the tourist season, but continued last fall. We have worked all winter in the Tanglewood area. Only an inspection before and after work would allow full appreciation.

To my knowledge no incidents have occurred which would mar the record of this endeavor. The assigned inmates have benefited in physical condition and mental outlook and everyone seems to have profited from this venture.

I would like to heartily endorse the expansion of this type program from the prison standpoint and particularly as the means for the State of Maine to get much needed work done at a minimum of cost to the taxpayers. If anyone is concerned about the prisoners putting citizens out of work, I would suggest that we be assigned only to projects for which there are very limited funds and therefore could not be done otherwise.

As you know, nearly every state has a similar program which has proven to be the answer to many problems. There is no end to the amount or type of work that could be done to the betterment of the State.

I am pleased with the contribution we have made and sincerely hope that those who may criticize will take the time to evaluate all the factors and inspect the work already completed."

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

Mr. BAXTER: Mr. Speaker, I would just like to re-emphasize two sets of figures that have been given and that is that Maine has 2.3 employees per inmate as against 6.2 in the northeast, and we have 8.1 inmates per guard as against 3.4 in the northeast. It seems to me

that this is a picture which would warrant the expenditures approved by the Appropriations Committee, and I hope that the motion of the gentleman from Rockland, Mr. Knight, does prevail.

The SPEAKER: Is the House ready for the question?

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

Mr. WINCHENPAW: Mr. Speaker, I don't want to drag this out too long, but I felt I should say a few words in connection with this thing, as I represent the people of the Town of Thomaston, and as you know we have always been in here for tax relief which we have never gotten, and the people of the Town of Thomaston feel that there's too much money spent at the prison, and I think the people of the Town of Thomaston are all in favor of Mr. Finley's amendment and against Mr. Knight's motion.

The Currier had an editorial which mentioned the prisoners at night. Well the prisoners are all locked in their cells at night except a few that are in those dormitories, and I have gone over the 1959 record, 1957 record and I can't find any place where they have asked for more money for cells in the last few years. I remember when I first came to the Legislature, we gave them money to build new cells. Now you would think if those prisoners needed confinement and they needed all these guards to take care of them, they would ask for more money for cells; but they haven't done that. They asked for a therapy building last session for two hundred thirty odd thousand dollars, and I questioned somebody on it and they said the therapy building was just a service. Now I'm not sure that we should furnish the prisoners with that kind of service. I know the people that I represent in Thomaston would very much like to see Mr. Knight's motion defeated, so I hope the motion does not prevail.

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

Mr. BERRY: Mr. Speaker, I believe as we have listened to the reports of the Appropriations Committee here this year that we cer-

tainly cannot accuse them of being overly gratuitous with money. As a matter of fact I think they have pared things pretty well to the bone. It would seem to me that this committee was in a position to give this matter very careful consideration, and I would very strongly support their stand.

The SPEAKER: Is the House ready for the question? The question before the House is the motion of the gentleman from Rockland, Mr. Knight, that the House recede in reference to House Amendment "G" from its action whereby it adopted this amendment and concur with the Senate in the indefinite postponement of the amendment.

All those in favor of receding and concurring, say aye; those opposed, no.

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

Fifty-six having voted in the affirmative and fifty-eight having voted in the negative, the motion did not prevail.

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

Mr. WINCHENPAW: May I ask a question?

The SPEAKER: Is it concerning the matter before us?

Mr. WINCHENPAW: Concerning House Amendment "C".

We indefinitely postponed Senate Amendment "F," and as I understand it House Amendment "C" was indefinitely postponed in the Senate? Is that not right?

The SPEAKER: It was.

Mr. WINCHENPAW: I think this House will have to take some action on House Amendment "C". Perhaps I am mixed up on it, but I wanted that straightened out. Thank you.

The SPEAKER: It is not necessary that any action be taken.

Thereupon, the Bill was passed to be engrossed as amended by House Amendments "A," "C," "D," "E," "F," "G," and "J" in non-concurrence and sent forthwith to the Senate.

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

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

Thereupon, the House voted to recess until 1:30.

After Recess

1:30 P.M.

Called to order by the Speaker.

The SPEAKER: In reference to the action of the House this morning on L. D. 1308, An Act relating to Sales of Discontinued Items of Liquor in State Stores, whereby the House insisted and asked for a committee of conference, the Chair appoints the following conferees on the part of the House:

Messrs. CHAPMAN of Norway

PLANTE

of Old Orchard Beach

WELLMAN of Bangor

Passed to Be Engrossed Amended Bills

Bill "An Act relating to Tuition Pupils as Basis for State Aid for School Construction" (H. P. 300) (L. D. 452)

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

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

Mr. WINCHENPAW: I would like to ask a question through the Chair concerning item one of anyone that could answer. Just what does this bill do, does this item one, does it cost extra money or what schools does it cover? If someone on the Education Committee could answer that question please.

The SPEAKER: In reference to item one, the gentleman from Friendship, Mr. Winchenpaw, has asked a question through the Chair of anyone who may choose to answer.

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

Mrs. HANSON: Mr. Speaker, this bill is going to affect only about five towns. We have asked for figures, there will be some cost to this, but we have not been able to obtain the exact figures. It is not too much. The towns that will be affected probably are Bath, Caribou, Millinocket, Sanford and Brew-

er. These are the towns who have been discriminated against since the inception of the Sinclair law in that if they did not have seven hundred resident pupils, could not receive building construction aid even though they were taking many, many tuition pupils. This will make it if they have seven hundred with their tuition pupils, they will receive this aid.

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

Bill "An Act relating to Educational Foundation Program Allowance" (H. P. 871) (L. D. 1206)

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

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

Mr. RUST: Mr. Speaker, I present House Amendment "B," filing number H-370, and I would speak to the amendment.

The SPEAKER: The gentleman from York, Mr. Rust, now offers House Amendment "B" to L. D. 1206, filing number H-370, and moves its adoption. The Clerk will read the amendment.

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

HOUSE AMENDMENT "B" to H. P. 871, L. D. 1206, Bill, "An Act Relating to Teachers' Salaries and Foundation Program Allowance."

Amend said Bill in that part designated (1) of section 1 by adding after the underlined words "**except school administrative districts**" the underlined words **'and administrative units having accredited schools'**

Further amend said Bill in that part designated (2) of section 1 by adding after the underlined words "**except school administrative districts**" the underlined words **'and administrative units having an accredited school'**

The SPEAKER: Is it now the pleasure of the House that House Amendment "B" shall be adopted?

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

Mr. ESTEY: Mr. Speaker and Ladies and Gentlemen of the House: It is not quite clear to me

the purpose for Mr. Rust's amendment, but in looking at it and looking at L. D. 1206, it deals with that section of the L. D. which is concerned with those administrative units that have schools within ten miles in elementary level and within fifteen miles at the secondary level, and the amount of subsidy they will receive. The footnotes referred to at the elementary level provide that a unit will get less subsidy if it is located within ten miles of an adjacent unit to which they are sending their students. In other words, we are talking about transportation now of students, from one unit to another. At a secondary level it is within fifteen miles. If an administrative unit is sending its students to another unit, where the footnotes apply, they would get a larger subsidy. Mr. Rust is apparently trying to have this apply also to units where they have accredited schools. I would call to your attention that there are many administrative units in our state that may have one school accredited but not the others. I am afraid this would be extremely damaging and extremely costly.

The only reason that I can see for it is that apparently Mr. Rust is endeavoring to help with his particular towns for something he lost because of the change in valuation or the change in effort in his community in providing a foundation program. I don't know the exact reason because I haven't looked at the particular town in question. But it would appear to me that this is another attempt to help one town by changing the law which would drastically alter the entire situation. I move indefinite postponement of the amendment.

The SPEAKER: The question now before the House is the motion of the gentleman from Portland, Mr. Estey, that House Amendment "B" be indefinitely postponed.

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

Mr. RUST: Mr. Speaker, Ladies and Gentlemen of the House: You will recall that about two weeks ago I stood here in this House and mentioned the fact that under this particular legislative document 1206,

that not only was the town of York but some seven or eight other towns in the state being penalized the sum of \$65 per student in their high school under this legislative document as compared to other similar districts or administrative units.

Now in my own particular case, my town has made an extremely good effort to upgrade its educational system where its high school is now fully accredited according to state standards. We spend a little over two-thirds of our total tax dollars for public schools. That's three times the effort that the state is making on a state-wide basis. Now along comes this bill 1206 and they are going to give us a little bonus, but they are going to take \$65 a student away from us. I don't particularly think that this is good legislation on that basis — it's discrimination.

Now the town of York is not only one town involved but there are other towns that I have quoted, and those are the towns that have fully accredited high schools. They may include the town of Boothbay, Greely Institute in the town of Cumberland, the town of Dexter, the Schenck School in East Millinocket, the town of Jay, Livermore Falls, the town of Perham, town of Winham, and my own town of York.

Now ladies and gentlemen of the House, this particular legislative document calls for a million, two hundred and some odd thousand dollars, and I don't see why those towns that have made an extremely good effort in their education field to get themselves accredited institutions, should be penalized under this bill \$65 for every student in their high schools. And for that reason I oppose this amendment so that we will get equal treatment and not be penalized; and on that basis I hope that the motion of the gentleman from Portland, Mr. Estey, does not prevail and I request a division.

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

Mr. THAANUM: Mr. Speaker, I don't know whether the gentleman from York read the town of Winth-

rop, but the town of Winthrop has an accredited high school.

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

Mr. HAUGHN: Mr. Speaker, I rise in support of the motion of the gentleman from Portland, Mr. Estey, because if you read this amendment, it says "except school administrative districts" or "administrative districts having accredited schools." What if in this district there should be two or three schools and only one of that district is accredited, what happens to the other two? So under those conditions I would request a division when the vote is taken and hope that the motion does prevail.

The SPEAKER: A division has been requested. The Chair recognizes the gentleman from York, Mr. Rust.

Mr. RUST: Mr. Speaker and Ladies and Gentlemen of the House: This particular amendment does not affect school administrative districts. It only affects administrative units and those are the ones that I quoted which have accredited high schools which under this particular legislative document are being penalized or discriminated to the tune of \$65 a student in their high schools.

Now I don't know whether some of you realize it, but I would bring this to the attention of some of you other people who might not be aware of it, that there is a factor built into this schedule of \$65 discrimination as I call it against individual towns and in favor of school administrative districts. So even though my town is being discriminated against and these other seven or eight which I have mentioned, there are probably others who are also being discriminated on this \$65 per student basis.

Therefore, as I would also like to point out that under the old schedule as it now is on the books, the difference was only \$20 a student. Now this bill increases it to \$65. And I think that is something that everyone here in the House should give serious consideration to since it may affect you without you realizing it. Therefore I hope that the

motion of the gentleman from Portland, Mr. Estey, does not prevail.

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

Mr. COOPER: Mr. Speaker and Ladies and Gentlemen: Again I pop up. I would like to know what an accredited high school is. Is it a school where money is spent or is it a school that turns out—when the senior class graduates, do we turn out students who can go out into life, go into college and go anywhere else and make their mark in the world, make a living and so forth? I am wondering about this dollar business. I'm not in favor of this thing at all.

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

Mr. ESTEY: Mr. Speaker and Ladies and Gentlemen of the House: Accreditation has nothing to do whatsoever with this particular item. If a town meets the foundation program, they will receive the full amount of their subsidy and title. If a town wishes and chooses to spend more than is required for the foundation program, that is its own choice and the state has said consistently it will only give them ten percent of the additional amount to spend in subsidy.

I would call to your attention that we are not just talking about towns that have accredited schools, we are talking about every single town except school districts. Because the terminology of the law says that there are two types of units now. A school administrative unit is any town that is not in the school district. So there are two classifications in the state presently in action, a school administrative unit and a school administrative district.

You will note that Mr. Rust's amendment applies only to those units that have less than three hundred pupils, and the reason for the change in the tables is that there is further incentive for the small units to consolidate. We have closed up over a hundred one-room schools in this state since this act was passed. More and more dis-

tricts are being formed. There are now fourteen districts in the state and operating essentially with students of three hundred or more at the secondary level. This is a further attempt to completely scuttle L. D. 1206 and I hope that you will indefinitely postpone the amendment.

The SPEAKER: The Chair recognizes the gentleman from Madawaska, Mr. Levesque.

Mr. LEVESQUE: Mr. Speaker, I would like to ask a question through the Chair of Mr. Rust from York. Has Representative Rust computed the cost of this addition to 1206?

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

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

Mr. RUST: I have not computed the cost to the state but I have computed the cost to my town and it will cost us about \$15,000 of school aid which we are now getting and won't get under this particular L. D.

The SPEAKER: Is the House ready for the question?

The question before the House is the motion of the gentleman from Portland, Mr. Estey, that House Amendment "B" to Bill, "An Act relating to Educational Foundation Program Allowance, House Paper 871, Legislative Document 1206, be indefinitely postponed. A division has been requested.

All those in favor of 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 thirty-two having voted in the negative, House Amendment "B" was indefinitely postponed.

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

**Third Reader
Indefinitely Postponed**

Bill "An Act relating to Retirement of Inland Fisheries and Game Wardens" (S. P. 165) (L. D. 411)

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

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

Mr. KENNEDY: Mr. Speaker and Ladies and Gentlemen of the House: Under item three, I offer House Amendment "A" to Committee Amendment "A" and move its adoption.

The SPEAKER: The Chair understands that the gentleman from Milbridge, Mr. Kennedy, moves that the House reconsider its action of June 1 whereby it adopted Committee Amendment "A" for the purpose of offering House Amendment "A" to Committee Amendment "A". Is it now the pleasure of the House that the House reconsider its action whereby it adopted Committee Amendment "A"?

The motion prevailed.

The SPEAKER: The Chair recognizes the gentleman from Casco, Mr. Moore.

Mr. MOORE: Mr. Speaker and Members of the House: I am opposed to this amendment. I would like to tell you why. Probably some of you folks wonder why I am interested in this bill. It is not because I am a particular friend of the Chief Warden. You might have got that idea yesterday, but that is not so. I have seen the man only twice in my life outside of this building or in the state office building. That is the truth. The reason that I am interested in this bill is because I think it is a fair bill and I believe in a good clean state government.

I knew a long time ago that if this bill couldn't be defeated fairly, it was going to be defeated unfairly. If this amendment is adopted, there will be another amendment offered so it will finally kill the bill one way or the other. This is not new to me. I heard it six weeks ago that they were going to kill the bill. Now I hope that you

will not go along with any amendments to this bill. Thank you.

The SPEAKER: The Chair recognizes the gentleman from Augusta, Mr. Humphrey.

Mr. HUMPHREY: Mr. Speaker and Ladies and Gentlemen of the House: In yesterday's debate on this bill it seemed to me that very little attention was paid to the real issue at stake here. I would like to call to your attention the Maine State Retirement System Law as outlined in Chapter 63-A of the 1955 Public Laws. There is a provision in this law, which extends special retirement privileges to Prison Guards, Sea and Shore Fisheries Wardens, Maine State Police, Inland Fisheries and Game Wardens, and municipal officers, and others in athletic and hazardous activities. These people can retire at one-half pay after twenty-five years of service at age fifty-five. Compulsory retirement is at age sixty, but even this age limit may be extended on a yearly basis.

Now there is a sound basis for this special privilege granted to people in enforcement work. The important point to consider here is that it just isn't fair or even logical to single out just one individual or a small group of people through Legislative process and say to them . . . "Now we will give you extra-special consideration under your retirement setup. To the devil with the other hundreds of enforcement people, you can have your special retirement with plenty more thrown in for good measure." If this bill should pass, we would be guilty of just that. Just imagine the effect upon the morale of all these other people who are depending upon the equity of the Maine Retirement System to give all fair and equal treatment. I say to you that this is the worst possible kind of legislation. It has been called "class legislation." That's being kindly to it in my opinion. It is a matter of record that the Trustees of the Maine State Retirement System are against this bill and they have branded it "class legislation."

This bill has already done a great deal of harm since it has been in the Legislature. Let's not

get emotionally involved with the pros and cons of age versus retirement in law enforcement work. Let's look at this bill for what it really is — an attempt to gain special privilege for one individual who has worked for nearly thirty years under a system he himself helped create and foster for the good of the Warden Service. Let's not forget the hundreds of other men involved in this thing.

If we are going to fool around with the Retirement System, the least we can do is give the same consideration to all the other enforcement agencies and individuals involved. They are looking to us for fair treatment and sound laws. It is our responsibility to give these to them. How about State Police, Sea and Shore Fisheries and the others?

And in closing I would like to state that I have been very much disturbed by some statements that many wardens and biologists have gone on record in favor of this bill. This just isn't true. There are plenty of wardens, warden supervisors and people in administrative positions in our fine Fish and Game Department who are very much disturbed by this piece of legislation. Many of these people have been thoroughly disgusted by the continued consideration of this type of legislation.

Let's quit fooling around with the State Retirement System, or at least leave the recommendations for changes in the hands of qualified people who have the best interests of all state employees at heart. I thank you.

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

Mr. KENNEDY: Mr. Speaker and Ladies and Gentlemen of the House: I did all I could the other day to defeat this bill; however, this amendment is not for that purpose. I believe in equal justice to all and that is the reason that I present this amendment here this afternoon. I think that all state employees should be treated equally. The gentleman from Augusta, Mr. Humphrey, has expressed much better than I could to you people my feelings. I have a state police officer in my locality who is re-

tired and did not get this special privilege. I therefore think that in the future these people should be covered, if we cover one individual working for the State of Maine we should cover them all that are under the retirement plan for the state employees for Maine.

The SPEAKER: The Chair recognizes the gentleman from Oakland, Mr. Morse.

Mr. MORSE: Mr. Speaker, I very seldom get up on any of these matters, but there is one thought that hasn't been expressed by anyone here which I think has a very direct bearing on the measure before us and what the results might be. Namely that I agree with the representative from Milbridge, Mr. Kennedy, that everybody should be treated fairly and alike. If we did that we would have to revise our whole state retirement system. This has been figured out on a very close actuarial basis and if it is changed of course these people who are now retiring under these special services at half pay for twenty-five years would have to go on the same basis as the other employees. They wouldn't retire on half pay in twenty-five years. They would have to work thirty-five before they could retire on half pay.

The only sound objections that perhaps I might have to this whole thing is the fact that we are not going about it in a way which we can finance. So for that reason I move the indefinite postponement of the whole thing.

The SPEAKER: The prevailing motion is the motion of the gentleman from Milbridge, Mr. Kennedy to reconsider the action whereby the House adopted Committee Amendment "A".

And the Chair recognizes the gentleman from Casco, Mr. Moore.

Mr. MOORE: Mr. Speaker and Ladies and Gentlemen of the House: It seems very peculiar to me that the pension retirement system should be so upset because we might save some money. If this was acted in reverse and it was going to cost money, I can see how they might be perturbed about it. But it seems to be quite popular in state government to see how much money you can spend of the taxpayers money. This is beside

the point, all of this is just argument to kill the bill, as you know and I know. But the thing that amuses me and I am getting amused about it, is speaking about we are appointing a Chief Warden now and Mr. Humphrey did, about sixty years of age he should retire. But it amuses me that on the same floor and in the same department and in several departments there are men there so old that if they stopped the elevator service they would have to quit working. And that is what tickles me very much, it is very amusing. And another thing that amuses me that the general conducting this whole campaign is sitting in the balcony watching it. And I hope the motion of the gentleman from Oakland, Mr. Morse, does not prevail. Thank you.

The SPEAKER: Is the House ready for the question? The question before the House is the motion of the gentleman from Milbridge, Mr. Kennedy, that the House reconsider its action of June 1 whereby it adopted Committee Amendment "A."

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

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

The SPEAKER: The question now before the House is the motion of the gentleman from Oakland, Mr. Morse, that Bill "An Act relating to Retirement of Inland Fisheries and Game Wardens," Senate Paper 165, Legislative Document 411, be indefinitely postponed.

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

A division of the House was had.

Seventy-five having voted in the affirmative and forty-two having voted in the negative, the Bill was indefinitely postponed in non-concurrence and sent up for concurrence.

Bill "An Act to Amend the Employment Security Law" (H. P. 603) (L. D. 862)

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

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

Mr. CURTIS: Mr. Speaker, Ladies and Gentlemen of the House: I think this bill 862 is a very unfair bill and while it does set it somewhat ahead of time, yet there would be quite a time between that October and the next legislature when much damage could be done. Now this morning I received a letter which so states my feeling on this, and I would like to read it.

This bill strikes at the very principle of our system of paying benefits to those of our workers who are unemployed through no fault of their own. The statement of policy in the Maine Employment Security Law states in part that unemployment is "a subject of general interest and concern which requires appropriate action by the Legislature to prevent its spread and to lighten its burden which may fall upon the unemployed worker, his family and the entire community."

The policy statement further states that this is to be accomplished "by the systematic accumulation of funds during periods of employment from which benefits may be paid for periods of unemployment." This is exactly what the present law is doing. When the original legislation dealing with this problem was first adopted, it was estimated that a payroll tax of 2.7 percent would be needed to finance the benefits with an additional .3 percent for administration purposes.

During the war and the years immediately following, when unemployment was abnormally low, employers asked for and were granted a system whereby the 2.7 percent tax could be reduced when the fund balance reached a level of \$20,000,000 or more. I might say right here that if that had been kept going the way it should have, we would have accumulated up to a million dollars long before this, and the interest on that alone would have taken care of the fund. But since this provision has been in ef-

fect, Maine employers have saved over sixty million dollars in payroll taxes, which otherwise would have gone into the fund. The fund now has a reserve of about twenty-four million dollars. Maine employers and their spokesmen in the legislature now contend that this fund is endangered to the point where they may be forced to pay the full 2.7 percent tax until the fund is replenished. They seem to forget the sixty million they have saved.

L. D. 862 would overlook completely the burdens of the unemployed in an attempt to save money for the employers. This proposal, if finally enacted and signed by the Governor, would accomplish this in a number of ways. First, it would eliminate the benefits entirely of those who earned less than \$400 in covered employment. Second, it would disqualify for benefits many of those who would qualify under the present law. Here are some examples of what this vicious piece of legislation would do. It would classify as a voluntary quit an employee forced to leave his work because of illness, even though the employee properly notified his employer and reapplied for his job when he is well; if no work is then available, he would be disqualified from receiving benefits. An employee who might be discharged by his employer because of what the employer might consider too frequent illnesses would be classed as having been discharged for misconduct and would therefore be disqualified from receiving benefits. If some employees should be fortunate enough to avoid disqualifications on the above grounds, he would nevertheless be disqualified if he refused to accept a job, regardless of the distance from his home, or the availability of transportation.

Another reason for disqualification would be applied to women who become pregnant. If an employer has or adopted a policy that he will not hire or continue in employment such persons, they would be disqualified even though they would be physically able to work for quite a number of years.

The passage of this legislation

would surely mark a low point in this or any previous legislature.

It is a fact known to all that the worker whether he be in overalls or in the white collar division makes possible the success of any and all businesses. Therefore, it is evident that the monies paid by the employer into the Employment Security Law is taken from the worker and not from the employer as such. This money is reckoned as an operational cost the same as any and all other costs and must be provided by the worker or the exploitation of the workers.

Mr Speaker, I now move the indefinite postponement of this bill and all accompanying papers, and that it be referred to an interim study committee. I request that when the vote is taken, it be taken by roll call.

The SPEAKER: The question before the House is the motion of the gentleman from Bowdoinham, Mr. Curtis, in reference to item four, L. D. 862, that it be indefinitely postponed, and a roll call has been requested.

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

Mr. WHITMAN: Mr. Speaker and Members of the House: I rise to vigorously oppose the motion of the gentleman to indefinitely postpone this bill. I think it was very thoroughly debated on the floor of the House yesterday, I was very proud of our actions here at that time. Mr. Curtis has read to you a press release from a gentleman named Mr. Blais whom you are all familiar with, I'm sure we all recognize the position in which Mr. Blais stands when he views our action here in the House. I fail to see where the merits of the bill bill have changed any from the light in which we saw them yesterday. A few pertinent facts contained within the bill were not mentioned by the press release previously read to you. There were many other corrections of inconsistencies within the law which were not included in that resume. I sincerely hope that the House will stand by our action of yesterday and defeat this motion to indefinitely postpone the bill.

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

Mr. THAANUM: Mr. Speaker, I don't want to belabor this House too long with this subject matter, but I think there's one or two things, ladies and gentlemen, that I would like to explain to you particularly in regard to the matter of the employers' taxes.

Now at the outset in this law, it was felt that the best solution to an unemployed worker's problem was to try to keep him in his job. The law contemplated for that reason what is called experience rating record for employers, the idea of this particular part of the law was to induce employers to provide more steady work for employees to regulate their business so that there would not be so many layoffs. Now every state in the Union has this system in their law, all states have this. This was a system that was put into the law by the federal government, it is permitted under the Social Security Act, which brought into being the employment security programs in the country at large.

The idea of experience rating record as it is called in the law, is to induce an employer to adjust his business if he can so as to keep people steadily employed rather than having these periodic layoffs and having a lot of unemployed workers. It has been worked out very nicely in a lot of the states and that is the reason why there have been tax adjustments in this law down through the years, and I think it began, if I'm not mistaken, in the year 1940, and had nothing to do with war matters at all. It was part of the original Social Security Act as it was enacted by the Congress.

Now as to other parts of the law which are spoken of here, I would like to call your attention to another program that we have in the State of Maine that doesn't take care of all the ills and distresses of an unemployed worker. Now in your Workmen's Compensation Act, that act takes care of accidents and so forth that arise out of or in the course of employment. I would call your attention to this that in workmen's compensation,

that although we are all in sympathy with what happens to a worker in his off-time, when he is down at his camp or when he is traveling on the road and gets into an automobile accident and winds up in the hospital; but that workmen's compensation does not and never has taken care of those unfortunate things that happen to workers day in and day out.

Now as to unemployment security. We have the same proposition, the Unemployment Security Law does not intend to take care of all the distress and all of the unfortunate things that a working person has to go through in life. It takes care of basically most of the industrial things that happen that are connected with industry, and it is for that reason that in the unemployment insurance laws, the penalties or disqualifications come about for leaving work and so forth providing their reasons are not connected with the work. In thinking of law sometimes, I think of a circle; if you think of law sometimes, industrial accidents, workmen's compensation and many other laws, the laws have a certain circle around them. The laws intend to take care of those things inside that circle.

The laws do not intend to take care of things outside the circumference of that circle. So there are many things that an unemployed person has to face that are outside the circle of that law. This question in here has been raised as to transportation to the job, you have to make up your own minds whether or not that is something that is the responsibility of the working person or the responsibility of the employer or somebody else. I think if I choose to live in Winthrop as I do now and work in Augusta that it's my responsibility to get from Winthrop to Augusta, I don't think it's anybody else's responsibility.

Now we can live where we want to, but the Employment Security Law contemplates that we are living in an area where we can get to work, get to places where there is work, and it is for that reason that—or get to places where there is what we call a labor market, and it is for that reason that

there's some responsibility on workers who live at distances from a labor market to make themselves available for work in that labor market.

Now I'm not going to say any more about this, but I just want to say what I said yesterday, that this law has worked very well; but there are some loop holes in it and the loop holes have to be taken out of the law. At the present time the financial situation in the law is very uncertain, and if I might put it this way, I think this Legislature has to balance the budget in this law and the intent and purpose of these amendments and the work that the committee did in this law was to help balance the budget. I hope that you will not vote to indefinitely postpone this law at this time.

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

Mr. MacGREGOR: Mr. Speaker, Ladies and Gentlemen of the House: I feel that a bit of clarification is in order as far as the area which I represent is involved, namely: the eastern section of Washington County and Washington County itself. Some figures expounded here yesterday in another prior debate on this particular item; however, I don't feel that the figures truly reflected the situation as it does exist in Washington County.

For example, during the year 1960, the recipients of unemployment compensation in the \$300 - \$399 earning class was 1600 people out of a 46,137 state total. Now the total payments that were made in Washington County during the year 1960 were \$994,463 as compared with the state-wide payment of \$13,000,000 plus, now it doesn't seem to me that the area that this bill is aiming at is exactly exhausting the fund to the degree and extent that has been indicated here in debate.

Now as this new document stands before you, it is readily understandable that at least forty-five percent of current recipients would be definitely barred from any additional benefits at the end of the two-year period. Now when they

are barred of their benefits, those people in their meager incomes are obviously going to have to be supplemented and cared for one way or another, and obviously that load is going to throw itself directly then to the towns involved and from the towns to the county and from the county back to the state. Also where people now using their own funds whenever and wherever possible, and apply for their unemployment benefits only when their own funds are exhausted under the provisions of the new measure, it would be necessary for them to apply immediately for their unemployment benefits or to default in not doing so.

Now for example this one small plant in the area that I represent that employs sixty-five persons under the stipulations of this particular measure right now, considering their earnings for the year 1960, thirty-nine of those sixty-five people would not qualify for their unemployment compensation. The canneries must depend upon nature for their supply of raw materials, namely, the sardines. Can any one of us stand here today and state just what the sardine take will be this year? Out of the last ten years at least four have been absolutely as poor years where we have been searching and striving on a state-wide basis to provide a two million case pack across our coastline, we have been fortunate in even acquiring a million and one half. Here we are now, the second day of June with the sardine industry opening as of April 15, and to date no fish in cans. Thank you.

The SPEAKER: Is the House ready for the question? The question before the House is the motion of the gentleman from Bowdoinham, Mr. Curtis, that Bill "An Act to Amend the Employment Security Law," House Paper 603, Legislative Document 862, be indefinitely postponed, and a roll call has been requested.

For the Chair to order a roll call, it must have an expression of a desire for a roll call by at least one fifth the members present. Will those who desire a roll call, please rise and remain stand-

ing until the monitors have made and returned their count.

A sufficient number arose.

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

The Chair will restate the question. The question before the House is the motion of the gentleman from Bowdoinham, Mr. Curtis, that the bill be indefinitely postponed.

If you are in favor of the indefinite postponement, you will answer "yes" when your name is called; if you are opposed to indefinite postponement, you will answer "no" when your name is called.

The Clerk will call the roll.

ROLL CALL

YEA — Beane, Augusta; Beane, Moscow; Binnette, Brown, South Portland; Curtis, Cyr, Davis, Dennison, Dostie, Lewiston; Dostie, Winslow; Fogg, Gallant, Gill, Hendricks, Hinds, Jalbert, Jobin, Johnson, Stockholm; Karkos, Kilroy, Knight, Lane, Lantagne, Levesque, Littlefield, Lowery, MacGregor, Maxwell, Nadeau, Biddeford; Plante, Poirier, Prue, Shepard, Smith, Strong; Swett, Tardiff, Turner, Walls, Wheaton, Wood.

NAY — Albair, Anderson, Ellsworth; Anderson, Greenville; Baker, Baxter, Bearce, Berry, Cape Elizabeth; Berry, Portland; Boothby, Bradeen, Bragdon, Brewer, Brown, Fairfield; Brown, Vassalboro; Buckley, Carter, Chapman, Gardiner; Chapman, Norway; Choate, Cooper, Coulthard, Crockett, Dennett, Dodge, Drake, Dunn, Durgin, Edwards, Estey, Finley, Gardner, Hague, Ham, Hancock, Hanson, Bradford; Hanson, Lebanon; Hardy, Harrington, Haughn, Hopkinson, Hughes, Humphrey, Hutchins, Johnson, Smithfield; Jones, Kennedy, Kimball, Knapp, Lincoln, Linnekin, Maddox, Mathews, Merrill, Minsky, Moore, Morrill, Morse, Perry, Philbrick, Augusta; Philbrick, Bangor; Pike, Prince, Rust, Schulten, Shaw, Smith, Bar Harbor; Smith, Falmouth; Sproul, Stevens, Stewart, Storm, Thaanum, Thornton, Tweedie, Tyndale, Vaughn, Wade, Walker, Waltz, Waterman, Wellman,

Westerfield, Whitman, Whitney, Williams, Winchenpaw, Young.

ABSENT — Bedard, Berman, Auburn; Berman, Houlton; Bernard, Boissonneau, Briggs, Burns, Bussiere, Danes, Edgerly, Hartshorn, Hichborn, Jameson, Kellam, Lacharite, Letourneau, Malenfant, Matheson, Nadeau, Lewiston; Noel, Roberts, Sevigny, Sirois.

Yes, 40; No, 87; Absent 23.

The SPEAKER: Forty having voted in the affirmative, eighty-seven in the negative, with twenty-three absent, the motion to indefinitely postpone does not prevail.

The Chair recognizes the gentleman from Rumford, Mr. Jobin.

Mr. JOBIN: Mr. Speaker, would I be in order to present an amendment at this time?

The SPEAKER: The gentleman may present an amendment at this time.

Thereupon, Mr. Jobin of Rumford offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to H. P. 603, L. D. 862, Bill, "An Act to Amend the Employment Security Law."

Amend said Bill by adding at the end a new section to read as follows:

"Sec. 12. R. S., c. 50, §28-A, **additional**. Chapter 50 of the Revised Statutes is amended by adding a new section 28-A, to read as follows:

'Sec. 28-A. Duties. No corporation in the State which is authorized to furnish gas or electricity for lights or heat in homes or furnish water for homes shall discontinue such service to homes of persons who register for unemployment compensation during their period of unemployment.'

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

Mr. WHITMAN: Mr. Speaker, having read the amendment through and contemplated a little on it, it appears to me that the amendment would attempt to regulate corporations rather than amend the bill before us. For that

reason, I would challenge the Chair as to the germaneness of this particular amendment.

The SPEAKER: The gentleman from Woodstock, Mr. Whitman, in reference to House Amendment "A" to L. D. 862, has raised the question of germaneness as pertaining to the amendment now before us.

This amendment and the Maine Employment Security Law has some similarity, in that under the amendment the unemployed persons who have registered for unemployment compensation would be entitled to some benefits, not of a monetary nature however. They would be entitled to be furnished "gas or electricity for lights or heat in homes or furnish water for homes shall discontinue such services to homes of persons who register for unemployment compensation." In other words, these services will not be discontinued as long as these persons who have registered for unemployment compensation during their period of unemployment, but the Chair feels that at that particular point the similarity between the amendment and the law which it proposes to amend ceases. Therefore the Chair will rule in this particular instance that this House Amendment "A" is not germane.

The Chair would like to point out that the original purpose of the unemployment security law was something of a mutual agreement between the employer and the employee, whereby the employee benefited since his employees when out of work received certain amounts of money known as unemployment compensation for a certain number of weeks, and therefore when they were temporarily out of work, they did not leave the locality or the state but they had enough money to live on for a while while they were temporarily out of work and were available when the employer wished to hire them back. Therefore, although the employer was taxed and not the employee, but the employer was taxed for the payment of these particular amounts which were paid to the employee, the employer was happy to do this because his work force

was available for a certain particular period of time.

In recent years and in very recent weeks, the federal government has entered into this unemployment compensation situation, and we know that recently the tax being paid by the employer has been increased by the federal government in order to extend the period of benefits to the unemployed person. Also, the employer does contribute to the unemployment compensation fund, a certain particular amount of money which goes to the federal government for administrative purposes. Now under the proposed amendment, the corporations in this particular instance here who are to furnish gas or electricity for lights or heat, are not required to furnish additional sums of money to the federal government for administrative purposes and in that particular area it is discriminatory.

Furthermore, if the philosophy of this amendment was to be extended further, these unemployed persons would also be furnished food by grocery stores, transportation by other public utilities, clothing and why not housing, since the electricity and the lights and the water are no good without the housing. Therefore, for all these things which have been cited at this particular time, the Chair has ruled that this particular amendment is not germane. That is subject to an appeal.

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

Enactor

Tabled and Assigned

An Act Appropriating Moneys to Effectuate Compensation for State Employees (H. P. 565) (L. D. 785)

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

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

Mr. BAXTER: This is enabling legislation such as the medical care services program legislation, it is now at the enactment stage, and

I would move that it be tabled until the next legislative day.

Thereupon, the Bill was tabled pending passage to be enacted and specially assigned for the next legislative day.

Passed to Be Enacted

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

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

An Act relating to Mandatory Fines on Axle Weights of Commercial Vehicles (H. P. 563) (L. D. 760)

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

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

Mr. RUST: Mr. Speaker, Ladies and Gentlemen of the House: This is a very serious bill in regards to what it will do with the weighing scales which are located in Kittery, Maine. As you perhaps realize every truck going into the state or out of the state must run through the weighing scales to see that they are within proper weight limits for the protection of our highways especially in the winter season when the frost is in or coming out of the ground.

A good many of these truckers are overweights especially over the axle weights. Now this particular bill here would allow the courts to waive the fines on the axle overweights. If my memory serves me correctly, this operation in the Kittery area in York County produces a substantial revenue not only to the County of York but also to the state. I seriously fear that as a result of the passage of this bill that not only will York County but the state will lose a considerable amount of revenue. I would say that it is in the neighborhood of a quarter of a million dollars a year. For that reason, I would move the indefinite postponement of L. D. 760.

The SPEAKER: The Chair recognizes the gentleman from Poland, Mr. Dunn.

Mr. DUNN: Mr. Speaker, Ladies and Gentlemen of the House: I would like to take this opportunity to explain some of the facts of the passage of this L. D. 760. This is an act that would correct an undue hardship now being imposed on the industry, primarily the wood and pulp transportation and farming. In simple terms, all this bill does is remove the mandatory fine provision of the motor vehicle laws in regard to overweight violations on axle weights. As you all know the mandatory fines section of motor vehicle laws apply to overweight violations on trucks. The intent of this law was to prohibit loading of trucks over the allowed gross weight. This is a good law and should remain on the books; however, there are certain difficulties which have developed in administration of this law that are working great hardships.

For example, suppose you have the truck registered for fifty thousand pounds and you load on logs having a gross weight of thirty thousand pounds, your truck weighs twenty thousand pounds, this is fine; however, the logs are larger on one end than at the other and when you are stopped by the police and are weighed, you find without any intent at all on your part, you're overloaded on one set of axles. This bill merely asks for relief on the axle weights and corrects a problem that the truck operator is helpless to correct. I wish to emphasize that this does not exempt the operator from all penalty, it merely exempts him from the mandatory fines. He would still be subject to prosecution in the courts just as you and I are under the general penalty provisions of the statutes in the discretion of the judge.

At the hearing there were twenty-two proponents and no opponents. I hope the motion made by the gentleman from York does not prevail.

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

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

House: In answer to the gentleman from York, Mr. Rust, this bill has been amended, and according to the amendment, the court shall not suspend if they relate to gross weight; in other words, the full truck weight is still under the bill, but the fines may be suspended if they relate to axle weights.

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

Mr. BERRY: Mr. Speaker, Ladies and Gentlemen of the House: Maine is the only state in New England that has this law on its books now. This L. D. primarily gives back to the court the power that they and every other court have had. It leaves the fine up to the court where it belongs. Everyone is in agreement as to the basic intent of the law, but there were complications that arrived. This bill, as I have stated, just relieves the complications in the intended law. I hope the motion dies not prevail.

The SPEAKER: The question before the House is the motion of the gentleman from York, Mr. Rust, the Bill "An Act relating to Mandatory Fines on Axle Weights of Commercial Vehicles," "House Paper 563, Legislative Document 760, 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.

Ten having voted in the affirmative and eighty-eight having voted in the negative, the motion did not prevail.

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

Enactor Indefinitely Postponed

An Act Classifying Certain Tidewaters Bordering Thomaston (H. P. 693) (L. D. 971)

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

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

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

At this late stage in the session we find ourselves making some of our most important decisions and I feel that we have here before us one of the most important decisions that we must make.

This bill has been thoroughly debated, I'm sure we are all aware of the ramifications of the bill. Up to this point, we have gone along with a water classification program that in spite of its weaknesses has made tremendous progress. It has been pointed out in past debates that at this point we have classified over ninety percent of our waters here in the State of Maine, and I think up until this time the pressure has been brought to bear mainly upon our industries. The finger of accusation has been pointed almost entirely at our industries for the major source of our pollution. However, our industries are making a tremendous effort, they have done a tremendous job to this point as they are meeting the problem and they are endeavoring to cope with the problem. However, there comes a time and I think this is the time when the municipalities are one of the major contributors to our source of pollution. This is when the shoe begins to pinch. I think everyone will agree that we are all in favor of water improvement until it comes to our particular community and we have to face the problem and meet the costs. This is the point or as I should say the moment of truth in our water improvement program, are we going to continue, or are we going to just let our program be chipped away by gradual stages?

In the past we have had these same decisions to make, and I will point out to you that never have we allowed a town to declassify once having accepted the problem. We have made several of these decisions in which we have refused to allow a town to renege on its obligations and I have seen in no case where any serious repercussions or tremendous burdens have been imposed by this legislature in maintaining that position. I certainly hope that here today we will continue with our water improvement program and I move that this bill be indefinitely postponed. When

the vote is taken, I request a roll call.

The SPEAKER: The question now before the House is the motion of the gentleman from Woodstock, Mr. Whitman, that the Bill be indefinitely postponed, and a roll call has been requested.

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

Mr. MAXWELL: Mr. Speaker, Ladies and Gentlemen of the House: I rose in opposition to this bill the other day, I have to do so again. In the Lewiston Sun on May 27, the editorial criticized us severely for allowing this bill to get as far as it has. They complimented us on the Kennebec River bill, but criticized us on this one. I think they, the Sun, are absolutely correct. I would ask the members of this House, how long can we spend millions of dollars trying to get people to move new industry and new recreation into the State of Maine, how long can we keep on putting onto our license plates the word vacationland, if we are going to continue or if we are going to allow down-grading of our waters? Any new industry coming into the state has to have clean pure water. It is one of the first musts. We heard a lot in the 99th Legislature about a better business climate, some of those remarks that were made at that time would be very apropos at this time. Two years ago there were also at least two bills asking us to down-grade waters. The 99th Legislature in its wisdom saw fit not to do that. If we were to allow such a thing to happen this session, you can rest assured that at the next session, we would need a special sub-committee to take care of the flood of bills that we would have in here asking for that.

No, ladies and gentlemen, this would be one of the most costly things that we could do. If the Water Improvement Commission has made a mistake, I feel and am sure that they would rectify it and will rectify it and admit it and take actions to correct the same.

I might point out that in both the Democratic and Republican platforms, there was a plank agreeing that slow but firm steps be taken in cleaning up the waters of our state.

As you have already been told, let's not wait for the federal government to step in and force us to do something. I concur with the gentleman from Woodstock, Mr. Whitman. It's not too often that I am up on my feet in agreement with the gentleman, but at this time, I certainly am.

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

The Chair recognizes the gentleman from Fairfield, Mr. Brown.

Mr. BROWN: Mr. Speaker, Ladies and Gentlemen of the House: I believe that I stated my position in this matter several times, and as yet I have seen nothing which would indicate that I should change it. Therefore, I hope the motion does not prevail.

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

Mr. WINCHENPAW: Mr. Speaker, I have already stated my position on this bill, and I would like to review it just slightly to refresh some people's memory. This bill called for Class D and as I told you the other day there are fifty-three sections of Class D water. Natural Resources Committee brought this out a unanimous report ought to pass, but this didn't suit certain people; so then it was tabled and it was recommitted to the committee, then the committee brought out a majority report for Class C as ought to pass and I'm quite surprised that the gentleman from Jay, Mr. Maxwell, should be all for clean water because I spent considerable time looking up facts, I won't burden you with them all, but I have them here. In Seven Mile Stream up in Jay, it's Class C, and that's all that we are asking for is Class C. Now I have the classifications of other important towns and the populations of many important towns, like Fort Fairfield for instance, that's a thousand or two more than the town of Thomaston, that's all Class D, stream after stream, Class D, Sebasticook River, that surrounds Pittsfield is Class D. Now I get so steamed up about this thing, I won't say any more. But I

would like to urge upon you that we have gone along with the Natural Resources Committee I think on every bill that they reported out. I think that we have accepted every report. — Natural Resources Committee, we went with them yesterday on a bill they reported out. Now they reported this bill out with a majority report ought to pass as Class C. I hope the motion made by the gentleman from Woodstock, Mr. Whitman, does not prevail.

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

Mr. BEARCE: Mr. Speaker and Members of the House: I always have to get into this problem when they threaten that the federal government is coming in here and taking over. Incidentally, the Kerr bill down in Washington is now being argued, and that bill provides for taking over. If we receive any moneys from the federal government for pollution projects, why they probably will take over. However this problem down there in this little town of Thomaston, as I understand the State Prison is there and they shoot all their refuse into the river right there, and now they want the town of Thomaston to clean up the river. Why pick on the little Town of Thomaston, why not pick on Bangor, Portland, Bath, or some of these other outfits. But picking on the little Town of Thomaston certainly looks like a peculiar setup to me. I hope this does not prevail.

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

Mr. WADE: I'm very much interested in water classification. That, as the little lady from Portland said the other day with reference to her livelihood, she said trucking was her livelihood so to speak and as recently as last week, I had the privilege of supporting the clean water bill on the Kennebec river, coming from Skowhegan being well aware of the fact that it was going to cost my community something in the vicinity of eight hundred thousand dollars, I nevertheless shall I say had the courage to go along with it, because I

definitely believe in it. I can't see any reason for exceptions now, and I certainly hope that the motion of the gentleman from Woodstock, Mr. Whitman, will prevail.

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

Mr. LOWERY: Mr. Speaker, Ladies and Gentlemen of the House: In the last session as my friend, Mr. Whitman, has said we fought these battles for and against declassification. The gentleman from Bucksport has mentioned as these several cities including I believe amongst them Bath. With a new classification on the lower Kennebec, Bath is going to be. It is going to cost Bath a considerable amount of money. We went ahead with our classification. In our own area in Brunswick when that river is classified, I can assure you that it is going to cost us plenty. But I can tell you this, that we are getting prepared for that in our own community by good planning. We are ready when that area is classified to meet the requirements because we have planned. I think that these other communities can do the same thing. I see no reason why we should begin to down-grade our waters. If we start it now, Lord help us the next session. I strongly urge that we do vote for indefinite postponement of this bill.

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

Mr. WINCHENPAW: I was glad that the gentleman from Brunswick said the Androscoggin hadn't been classified yet, because he's been — if Thomaston were on a river that wasn't classified, they would be pretty happy, I think. As the gentleman pointed out, the prison is there and the prison has all kinds of money to spend and they have plenty of money for new chapels, plenty of money for a new deputy warden's building, but they don't put up much of a fight for money for a sewer. Now on this Augusta thing, I'm involved in this Augusta thing too, this Kennebec, because my wife and I own a house down street here, and I didn't object to cleaning up the Kennebec; but we haven't really done any-

thing to the Kennebec yet because we put a fifteen year limitation on it. Now nothing has to be done for fifteen years; that is, you have fifteen years to do it in.

Now somewhere in this collection I have a statement sworn to by the selectmen of the Town of Thomaston that the Water Improvement Commission wouldn't oppose this thing, but they wouldn't help us, they wouldn't hinder us; but the minute this came out with a unanimous report as ought to pass, the Water Improvement Commission appeared on the scene and in that sworn statement something has got to be done down to Thomaston by January first, I think 1963. That is why we are asking for a little more time.

C-classification does not tie the hands of the Water Improvement Commission, they can go down there tomorrow and if they find out that that water is below C, they can start — that water has to be maintained at C, and if it goes below C, they can go down there and make tests any time they want to. I certainly hope the motion to indefinitely postpone does not prevail.

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

Mr. WILLIAMS: Mr. Speaker and Members: There's just one thought I would like to leave with you before you vote. Now I personally would hate to see the Water Improvement Commission get themselves into the same box that the Educational Department is trying to force on the small towns. Thomaston is a small town to do something they don't feel is necessary. Now in this Legislature we have seen Perham and Liberty fighting for what they think is right against almost overwhelming odds, and I don't want to add Thomaston to the list.

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

Mr. BERRY: I think that the opponents of the motion of the gentleman from Woodstock, Mr. Whitman, are certainly not taking a stand with community interest

in mind, and they certainly should not be thought ill of for that purpose. I would agree with Mr. Winchenpaw one hundred percent as a resident of the communities affected except, but I think we and he should keep in mind that we are faced and have been faced and will be faced with increasing costs of this type of work, and our attempts or an attempt to delay the day of final reckoning is really doing these townspeople an ill service. The costs of the installation of sewer systems are going up approximately eight percent a year. In three years you can add twenty-five percent to the cost of water purification works without fail if we're lucky; if we're unlucky, the cost will go even more. Accordingly I think that certainly we are acting in the interest of the individual towns to hold the line that we are trying to do today. Are we to take the little trickle of water that was referred to by my friend from Fairfield and say, let this trickle go over the dam, we all know what will happen. It has been brought out very plainly by Mr. Wade from Skowhegan that this is a trickle that leads to the brook to the torrent, and pretty soon this legislature will be faced with as many bills to down-grade localities as it now is for bills to open up brooks and ponds and to regulate the habits of bear and beaver.

I don't believe that we want to start this role of the legislature to step in to the operation of administrative bureaus whom we have endowed with the responsibilities and the powers to regulate the operations of our vital concerns.

The Town of Winthrop, I would hold up as a sterling example of a community that had the courage and the foresight to go ahead and solve a problem, and I am sure anybody there would tell you that they are very glad that they did it when they did it and they are not faced with the problem of doing it either today or tomorrow. There are numerous other towns in the state that have done the same thing with courage and conviction, and certainly today we should not let any of these people

down. I support the motion for the roll call for this purpose, and I support the motion for indefinite postponement.

The SPEAKER: The Chair recognizes the gentleman from Washington, Mr. Finley.

Mr. FINLEY: Mr. Speaker, Ladies and Gentlemen of the House: I think this is a wonderful time right now to clarify some of this situation down there to Thomaston as the warden has already told us that there is an ample supply of men down there and whereas the cement plant is only just a few steps from the prison, I would like to make a suggestion that he uses some of his extra guards and take and have them lug over a few bags on their shoulders and build a septic tank there. They have plenty of men and plenty of time. That would clarify the water situation I think in Thomaston.

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

Mr. BROWN: Mr. Speaker, Ladies and Gentlemen of the House: I did not realize that I was talking about a small trickle of water, I am talking about tidewater. We on the Natural Resources Committee heard all the evidence and on our first report it came out a complete unanimous report agreeing to a classification of D. This report was sent back to the House, the House recommitted it to another hearing, and at that point, it was a divided report, and we reclassified it C. I also wish to stand on the strength of my own convictions that whenever an administrative bureau or commission is set up, the final judge of their actions is the legislature. And it is the court of last resort in many instances. There are also the courts available to these towns, but when you enter into a legal action, it is very expensive for our small towns and they cannot afford to bear this burden. I still maintain that it is the duty and the requirement of this legislature to examine every single instance and make up its mind on those facts which they find.

The SPEAKER: The Chair rec-

ognizes the gentleman from Kennebunkport, Mr. Tyndale.

Mr. TYNDALE: Mr. Speaker Ladies and Gentlemen of the House: I can appreciate very much the dilemma of Mr. Winchenpaw. This problem of small towns and classification of waters is a very serious problem. I would like to ask a question through the Chair if I might of some member of this committee. Probably I should divide this into two parts.

First, when you made this decision on the reclassification of this water, was the Water Improvement Commission consulted?

Number two, what is the tremendous importance attached to this classification? Does it mean that Thomaston must immediately do something about this situation? If they do, then of course that involves a great many things. There is an expense attached to this, perhaps you might realize for once and for all but small towns in a great many instances that have had surveys on water pollution have found much to their amazement that the cost of improving that would be very much beyond their borrowing limit. This particular point bothers me immensely. I don't want to vote on a situation that will either hurt the Water Improvement Commission's good work in trying to improve the waters of the State if Maine, and I almost feel like we ought to bring Hiawatha in here; but by the same token, we must also consider the small town and the problem that they are confronted with. A great many of the small towns have been told that they have got to improve the situation, they go through a town meeting and they vote to improve it and then they go out and borrow the money and they find themselves in debt for the next five hundred years or so, and as the thing breaks down, why their sewerage treatment problem becomes an involved complicated engineering work which would cost a great deal of money.

Which way are we voting? Are we voting that Thomaston must improve this situation at this classification or what is the significance? I would like someone to answer

this question for me through the Chair if they will.

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

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

Mr. WHITMAN: I will attempt to answer the question if I may. I have before me a complete resume and a complete study that has been conducted as to the entire engineering project involved in this particular case. It boils down to the fact that under the normal procedure which is to establish a sewerage district and thereby not involving the town finances whatsoever, by establishing a sewer district and then bonding through the district which in no way encumbers the town's indebtedness. The money would be handled that way, and eventually the cost per person in the Town of Thomaston would be \$8.53 per person or roughly \$34.00 annually per household which in view of the various other towns that have been required to do this particular thing is very, very reasonable. Some of the towns have asked and have complied with building of treatment facilities that have run to the extent of fifty or even sixty dollars per user. So I don't think that we are asking anything exorbitant from the townspeople in the Town of Thomaston.

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

Mr. TYNDALE: Mr. Speaker, this figure that you have given me I presume is a result of a survey made by an engineering company and they have finally concluded that it would cost \$24 per year per person. That is a hypothetical issue. An engineering firm making a survey can only arrive at a probable fee. Now I would like to ask another question.

If this was determined or — that is the one point to question of this establishing sewerage district not costing the people in the town money. I assure you that is rather a facetious way of looking at it because it does cost them money. And

in a great many cases a great deal of money. Where was this classification taken, at what point? Was it taken at a certain condition or right at the point of sewerage opening? We know that salt water is salt water, that a chemist will tell you it oxidizes itself in five minutes.

I'm in a quandary, to be honest with you. I would like to vote the right way on this, but I lack enough information to make me make up my mind in honesty and fairness to all involved and including the people of the State of Maine. This has been a dilemma to me for the past two years. And as chairman of the Board of Directors of my town we have been confronted with this problem. We have had one survey which showed that we would have to borrow \$1,800,000. Our debt limit was \$400,000.

I would appreciate another point here from the chemical — if there is a chemical engineer in the House who could answer this question. If the test is taken at the point of sewage, what would the test be five feet away from that point of sewage, or ten feet away? I would like someone to clarify this from a little more technical nature, so that I could make up my mind in honesty and fairness on this issue.

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

Mr. WILLIAMS: Mr. Speaker, I will attempt to answer some of these questions, I don't know if I could answer them all. But the Water Improvement, one of the former questions was, did the Water Improvement Commission know this hearing was taking place? They did know this hearing was taking place, but it just so happened that day that they were willing to admit that they slipped up on the thing. They were having an executive hearing I think of the full committee here in Augusta, but they thought that was more important than this hearing was so they didn't bother to attend. Now on the test of that water, I read you the other day, the test of the water, they were taken at three different points. If you are familiar with the area down there, one was taken from the Cushing River Bridge, another one

was taken from the railroad bridge, another one was taken from the boat yard. There were two tests taken from the railroad bridge. And of the three positions they had there, none of them were very close to the sewage and they were probably average and they were taken on the out—the tide was half flood and was on the way out when they were taken. I am quoting this from memory, but I think it is accurate.

There was a tremendous difference, they took them, it was the 11th and 12th of April, so these tests are up-to-date because it takes them quite a while to incubate the tests over here. That is probably as late as you could get. There was a tremendous difference between the two days. There wasn't too much difference between the three spots where they tested, but on one day they would probably be B-2 water, the whole thing. The other day it would probably be B water but you take the—we had eight of those tests and you average out the whole thing and you would get about a C as the present classification of the water. And that was the reason that the majority of the Natural Resources came out with a C.

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

Mr. COOPER: Mr. Speaker and Ladies and Gentlemen of the House: I am doing this by request. I am reading a letter from the Board of Selectmen of Thomaston, which says, "It has come to our attention that the Water Improvement Board has classified the tidewaters bordering Thomaston as Class A water. We wish to be on record as being not opposed to any pollution which might presently be evident in these waters. There is never any odor, nor is there any evidence of solids or slicks on these waters, supposedly viewing from the strong tides flushing the entire bay area twice daily. We are also unopposed to the clam flats being closed in these areas because we feel that this has a great deal to do with the perpetual seeding of clams further down the river" and so forth and so on.

Now we have a Natural Resources Committee here which has spent a considerable time and they have delved into this matter and I think that we should consider their report on this matter rather than somebody like me. I rather think that this is a matter that pertains more or less to a condition that we have in the State Prison. There is something in this that I can't quite comprehend. But I would think that we ought to accept the report that our Natural Resources Committee has brought to us and weigh their advice.

The SPEAKER: The Chair recognizes the gentleman from Woolwich, Mr. Schulten.

Mr. SCHULTEN: Mr. Speaker, may I just point out that the Natural Resources Committee report was not a unanimous report. The first one was. But the reason that the first report was a unanimous report was because the Natural Resources Committee was not given the full story. When we came out with our report we then found out that a lot of information that should have been at our disposal was not given to us. The bill was at that time recommended to the committee. We came out with the next report, the report which you have now. That is not a unanimous report, it was a majority report. But there were still four members on there including myself who felt that the C classification was not proper for this water.

I might point out that the A classification which was on the Thomaston waters has been in effect for over two years and no action had ever been taken by the people of Thomaston or their proper authorities there. I might also point out that in the matter of costs of sewage disposal plants or treatment plants, many of you will probably remember it was only a matter of a week or two weeks ago that we passed a bill which would include the state subsidy or increase the state subsidy from twenty to thirty percent. So that the towns, as I understand it now, in constructions of this sort, they would appropriate thirty percent, the state would appropriate thirty percent and the federal government would make available forty percent of the funds.

Now that, coupled with the fact that these sewer districts are not only possible but they are operating in many parts of the state, certainly brings the cost of treatment of water into a reasonable perspective. And I might add, there is not too much to add that hasn't been said already, that I honestly feel that we would be breaking faith with thousands of people in this state who feel that the time has come that we must clean up our waters, to live up to our slogan of Maine as Vacationland, and I certainly hope that the motion to indefinitely postpone does prevail.

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

Mr. WINCHENPAW: Mr. Speaker, I know I have already spoken twice, but I just wanted to make a suggestion if I may have permission.

Thereupon, Mr. Winchenpaw of Friendship was granted permission to speak a third time.

Mr. WINCHENPAW: As I understand it, the motion before the House is to indefinitely postpone and ask for a roll call. Well, I would just like to say a word about the roll call. It is getting late and I don't object to being put on the spot but I had just soon not have a roll call, I would move for a division.

The SPEAKER: The question before the House is the motion of the gentleman from Woodstock, Mr. Whitman, that An Act Classifying Certain Tidewaters Bordering Thomaston, House Paper 693, Legislative Document 971, be indefinitely postponed and a roll call has been requested. For the Chair to order a roll call it must be authorized to do so 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—

For what purpose does the gentleman arise?

Mr. DODGE of Guilford: Mr. Speaker, I would like to correct a statement here, that is to ask a question of Mr. Whitman. Now he told us that this would cost us five or six dollars a person. Now was that on a yearly basis, and how much was the bond, and if it

costs five or six dollars a person or whatever the amount was, if that applies to a family of five or six people would that apply to each one? And how much would the bond issue be? And he spoke of subsidies, state subsidies, and I come to that again. The state subsidies are voted from each legislature to the next one. They can always be withdrawn.

The SPEAKER: Concerning the roll call, all those who desire a roll call, please rise and remain standing until the monitors have made and returned the count.

Twenty-six members arose.

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

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

Mr. TYNDALE: Mr. Speaker, I would like a count of the House, if you will.

The SPEAKER: Will the monitors kindly count the total number in each section please.

Thereupon, a count of the House was made.

The SPEAKER: Twenty-six having requested a roll call, a hundred nine being present, twenty-six being more than one fifth the members present, a roll call is ordered as previously stated.

The immediate question is the motion of the gentleman from Woodstock, Mr. Whitman, that the Bill be indefinitely postponed. All those in favor of indefinite postponement will answer "yes" when your name is called; and those opposed to indefinite postponement will answer "no" when your name is called. The Clerk will call the roll.

ROLL CALL

YEA — Albair, Anderson, Ellsworth; Anderson, Greenville; Baxter, Beane, Augusta; Beane, Moscow; Berry, Cape Elizabeth; Berry, Portland; Binnette, Boothby, Bradeen, Bragdon, Brown, So. Portland; Buckley, Carter, Chapman, Gardiner; Chapman, Norway; Dennett, Dennison, Dostie, Winslow; Edwards, Fogg, Gallant, Gardner, Hague, Ham, Hanson, Lebanon; Harrington, Hendricks,

Hutchins, Jalbert, Jobin, Karkos, Kilroy, Kimball, Knapp, Lane, Levesque, Lincoln, Littlefield, Lowery, Mathews, Maxwell, Minsky, Morse, Perry, Philbrick, Bangor; Pike, Plante, Rust, Schulten, Shaw, Shepard, Smith, Bar Harbor; Smith, Strong; Stevens, Storm, Tardiff, Thaanum, Vaughn, Wade, Walker, Walls, Waterman, Wellman, Wheaton, Whitman, Whitney.

NAY — Baker, Bearce, Brown, Fairfield; Choate, Cooper, Coulthard, Crockett, Cyr, Davis, Dodge, Dunn, Finley, Gill, Hancock, Hanson, Bradford; Hardy, Haughn, Hinds, Hopkinson, Johnson, Smithfield; Johnson, Stockholm; Knight, Lantagne, Linnekin, MacGregor, Maddox, Merrill, Morrill, Nadeau, Biddeford; Poirier, Smith, Falmouth; Sproul, Stewart, Swett, Thornton, Turner, Tweedie, Tyndale, Waltz, Westerfield, Williams, Winchenpaw, Wood, Young.

ABSENT — Bedard, Berman, Auburn; Berman, Houlton; Bernard, Boissonneau, Brewer, Briggs, Brown, Vassalboro; Burns, Bussiere, Curtis, Danes, Dostie, Lewiston; Drake, Durgin, Edgerly, Estey, Hartshorn, Hichborn, Hughes, Humphrey, Jameson, Jones, Kelam, Kennedy, Lacharite, Letourneau, Malenfant, Matheson, Moore, Nadeau, Lewiston; Noel, Philbrick, Augusta; Prince, Prue, Roberts, Sevigny, Sirois.

Yes 68; No 44; Abent 38.

The **SPEAKER**: Sixty-eight having voted in the affirmative and forty-four in the negative, with thirty-eight absent, the Bill was indefinitely postponed and sent up for concurrence.

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

Mr. **BAXTER**: Mr. Speaker, I move that the House recess for one-half hour or at the sound of the gong.

Thereupon, the House recessed for one-half hour, or at the sound of the gong.

After Recess. 3:00 P.M.

The following matter was taken up out of order by unanimous consent:

From the Senate: The following Order:

ORDERED, the House concurring, that there be and hereby is created a Committee of Conference on

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, 1933" (H. P. 1165) (L. D. 1606)

Consisting of ten members; five to be appointed by the President of the Senate and five to be appointed by the Speaker of the House, to report only on the disagreeing action of the two branches on Senate Amendments: A, C, E, F, and H; and on House Amendments: C, E, and G. (S. P. 576)

Came from the Senate read and passed.

In the House, the Order was read.

On motion of Mr. Baxter of Pittsfield, the Order was indefinitely postponed in non-concurrence and without objection, sent forthwith to the Senate.

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

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

The following matter from the Senate was taken up out of order by unanimous consent:

Divided Report

Majority Report of the Committee on Constitutional State Reapportionment and Congressional Redistricting, acting by authority of Joint Order (S. P. 245), reporting a Bill (S. P. 574) (L. D. 1627) under title of "An Act to Apportion Representatives to Congress" and that it "Ought to pass"

Report was signed by the following members:

Messrs. **STANLEY** of Penobscot
WYMAN of Washington

DAVIS of Cumberland
 NOYES of Franklin
 — of the Senate.

Messrs. MOORE of Casco
 MADDUX of Vinalhaven
 PRINCE of Harpswell
 DENNETT of Kittery
 KENNEDY of Milbridge
 CHAPMAN of Gardiner
 STEWART of Presque Isle
 — of the House.

Minority Report of same Committee, acting by authority of Joint Order (S. P. 245), reporting a Bill (S. P. 575) (L. D. 1628) under title of "An Act to Apportion Representatives to Congress" and that it "Ought to pass"

Report was signed by the following members:

Mr. JACQUES of Androscoggin
 — of the Senate.

Messrs. FOGG of Madison
 WALLS of Millinocket
 LETOURNEAU of Sanford
 — of the House.

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

In the House, the reports were read.

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

Mr. WHITMAN: Mr. Speaker, I move the House accept the Majority "Ought to pass" Report.

The SPEAKER pro tem: The gentleman from Woodstock, Mr. Whitman, moves the Majority Report of the Committee on Constitutional State Reapportionment and Congressional Redistricting be accepted.

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

Mr. FOGG: Mr. Speaker, as it appears on the supplemental order here, why it gives a list of the signers of the minority party on this report.

Now we had quite a bit of discussion in the committee on this, well, we talked about several different divisions here. This one which we have signed here as the minority report was really the first one which was advanced, and I have supported this report for the first place I think it—in that the whole congressional district we have a

community interest, as most of the population is industrial. And another thing, there is a clear line of demarkation between the other congressional district, much clearer than the other plans which have been advanced. It is easier for a person to understand, and another thing there is a close division of population, and of course on the third issue, I won't deny it, it does give the Democrats a little bit of a better chance. In the committee I have had a good natured contest with the Republicans over the gains of the Democrats and the efforts of the Republicans to fix it in their own favor here.

I really believe that this would be a good and a logical division of the congressional districts. Now on L. D. 1627 even though you do have a community interest to a certain extent, you have got a mixed community interest. You have got more of the coastal interests mixed in with the industrial. You have got a very poor line of demarkation and if you have got a map you could look at it, it looks like a double humped camel. In fact, if the congressman from that district ever wanted to go into the lower part into the upper part without getting into the first congressional district, he certainly would have to pull in his stomach.

Now another thing, there is a difference of around 41,000 in population.

I believe that whatever plan we do adopt should be closer than that. That is the population of a good-sized city. Of course I do understand that there is a certain element of politics in this. One remark was made that this is as good as giving the first congressional district to the Democrats and the other one as good as giving the second congressional district to the Republicans. I don't know any sin in having a congressman from the State of Maine who is a Democrat and letting it be that way. However, we disagreed on this. We didn't disagree on it until somebody discovered that this would be giving the first congressional district to the Democrats. It seemed like a logical division to several members of the committee

until this question was brought up. And for that reason we signed the minority report on this for the plan 2, and so I certainly hope that the motion of Mr. Whitman does not prevail.

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

Mr. DENNETT: Mr. Speaker, I rise in support of the motion made by the gentleman from Woodstock, Mr. Whitman. I will concur in the remarks made by the gentleman from Madison, Mr. Fogg, there was a great deal of political expediency considered in these bills. Now I would not for a moment stand here believing this House was naive; neither would I stand here for a moment and insult your intelligence. Of course politics was considered in this bill from the word "go."

In the first place, to include or to district these congressional districts in the manner as set forth in the minority report would mean frankly a gift to the minority party of the first congressional district.

It would no doubt have insured that the Republicans would have had the second district. But taking it all in all it seems in considering political expediency that perhaps this was the best deal for the Republican Party; but it hasn't always been so, because there is a possibility, and I think back along the election the way it went, it could have been carried by the other party, so there is no such thing as a sure thing to this congressional redistricting, but it certainly is redistricting by the majority bill where it doesn't make a gift of a seat in Congress to any party.

I think that this is the redistricting we should accept and I urge that you go along with the motion made by the gentleman from Woodstock.

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

Mr. JALBERT: Mr. Speaker and Members of the House: I am not in very good voice, but I am always in good enough voice to go into a little contest with my good friend from Kittery, Mr. Dennett.

You know this reminds me, as I was listening to Representative Dennett speak, of the night of the election when it appeared that it was a photo-finish and then in a few minutes it appeared that Governor Reed had won. Some of us were seated together somewhat dejectedly. It goes to show you that there is always a humorous side to everything. In a few minutes there appeared Governor Reed in a T. V. interview in which he stated or words to the effect that he was happy but he was also the most surprised man in Maine. I doubt whether he has gotten over the shock of winning yet.

However, pertaining to this bill, when I first heard about this rather I would say possibly a little odd way of engineering, to use an expression that I oftentimes use, I hit the roof, and then I got thinking, and after I got thinking myself into a good headache I went to the ledgers and I can recall only a few years ago when we are going to start talking about ifs or who here, I would take issue with my friend from Kittery, Mr. Dennett as far as saying of course there was politics and of course if we did this one was assured of one district and one the other. I am not conceding anything and I know my party isn't either, but checking the records, I recall a few years ago we had a very fine young man, although strictly a neophyte, a professor, an instructor at the University of Maine who many of us who have been in the game too long didn't even know personally, up against a seasoned veteran like Clifford McIntire and this young Professor Brady came within 8,000 votes of winning that third district seat. Now you know when you are sitting at home, and I wonder how Clifford McIntire would feel about this, if he would find himself about 7,000 or 8,000 votes ahead, but Lewiston hasn't been heard from, and we cast some 19,000 votes, 18,000 of which are Democratic votes, and the first ward he hears from is ward 6, 2300 votes cast, 2260 Democrats and 40 Republicans. Well, that's one ward. Now there are six more to come. I presume that by the

time he gets to the fourth one he might be shaking in his boots, and by the time he gets to the fifth one he is long gone, so I am not entirely unhappy about this thing.

The SPEAKER pro tem: The question before the House is the motion of the gentleman from Woodstock, Mr. Whitman, that the Majority Report "Ought to pass" on Bill "An Act to Apportion Representatives to Congress," Senate Paper 574, Legislative Document 1627 be accepted. Is this the pleasure of the House?

The motion prevailed.

Thereupon, the Bill was read twice. Under suspension of the rules the Bill was given its third reading, passed to be engrossed and sent to the Senate.

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

HOUSE REPORT — Ought to Pass in New Draft under New Title of "An Act Redefining the Financial Responsibility of Children and Certain Relatives in Public Assistance," (H. P. 1179) (L. D. 1625) — Committee on Welfare on Bill "An Act Relieving Children and Certain Relatives of Financial Responsibility in Old Age Assistance, Aid to the Blind and Aid to the Disabled." (H. P. 5) (L. D. 24)

Tabled — June 1, by Mr. Storm of Sherman.

Pending — Acceptance of Report.

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

Mr. STORM: Mr. Speaker and Members of the House: We have done a great deal of work on this bill and we thought we had a very good bill. However, in the last day or two we have run into some difficulty with the Department in regard to the administration of this, and in order to work out some sort of a compromise that will be workable and we hope satisfactory to everybody concerned, I am going to ask the indulgence of the House to retable this until the next legislative day.

Thereupon, the Report and Bill were retabled pending acceptance

of the report and specially assigned for Monday, June 5.

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

An Act Establishing a Medical Care and Services Program (S. P. 558) (L. D. 1605) — Engrossed in Both Branches.

Tabled — June 1, by Mr. Baxter of Pittsfield.

Pending — Passage to be Enacted.

On motion of Mr. Whitman of Woodstock, retabled and specially assigned for Monday, June 5, pending passage to be enacted.

Mr. Pike of Lubec was granted unanimous consent to address the House briefly.

Mr. PIKE: Mr. Speaker and Members of the House: In the welter of flying legislation the last few days, I have been going back to a rather fundamental document, the Constitution of the State of Maine. It is more instructive reading than some of the amendments and things that we have had here recently.

One thing bothers me. I don't know whether you have paid it any attention recently or not. That is Article IV, Section 16 of the Constitution which says: "An emergency bill shall include only such measures as are immediately necessary for the preservation of the public peace, health or safety . . ." Well I have in front of me one we just passed a little while ago, at least I had it in front of me, Bill "An Act Relating to Harness Racing Purses." That was an emergency. We had yesterday a bill allowing a meritorious little college to give honorary degrees. That was also an emergency. It seems to me, I am not sure whether we are the definers, the final definers of an emergency or not. I suppose in a way we are, but if a really important bill went by under the guise of an emergency and aroused controversy, I think I can see where a man could go up and successfully contest the constitutionality of that bill on the grounds that we had stretched the word emergency until it busted. These two

items here are not worth fiddling with, at least from my point of view. I am not particularly interested and nobody is going to make a fuss about harness racing purses except people who either race or bet on horses. This one whether a college can give honorary degrees or not isn't a world-shaking event. It is something it seems to me that is worth thinking about and I am not sure what the answer is, but I wouldn't like to see us get caught with our shirt-tails in the breeze someday having declared an emergency and somebody said later, that was a phoney, and then saying the whole bill was unconstitutional.

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

Mr. BRAGDON: Mr. Speaker and Members of the House: At this time I am going to remove from the Special Appropriations Calendar a list of items. Because today I have been approached by some who felt that perhaps at the time items were removed before, they should have paid more attention and discussed possibly some of them at that time. I would now make this comment, that to any member of the House who is interested in any of these items, this, I believe, is the last time you are going to see them. So if you have any thoughts, I would suggest that you not let them go by today.

Upon request of Mr. Bragdon of Perham, the following matters were called up for consideration on the Special Appropriations Calendar:

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

Resolve Providing Funds for Dredging Songo River, Cumberland County (H. P. 68) (L. D. 110)

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

Upn request of Mr. Bragdon of Perham, the following matter was called up for consideration on the Special Appropriations Calendar:

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

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

Mr. PHILBRICK: Mr. Speaker, I don't know what good it will do, but I will make the motion that we indefinitely postpone this bill.

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

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

Mr. RUST: Mr. Speaker, Ladies and Gentlemen of the House: I think this is a little late to make an attempt to kill this particular piece of legislation. It has gone all the way through the Legislature; it has had a number of hearings; it's been attacked here in the House on several other occasions, and I think everybody has given it the consideration that it deserves, and they have passed it to the enacting state, and when the vote is taken I would request a division.

The SPEAKER pro tem: A division has been requested.

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

Mr. COOPER: Mr. Speaker, Ladies and Gentlemen of the House: I don't think it is too late to take up any of these matters. I think we had better thrash these things out. Perhaps I'm a little premature but we're eventually going to thrash these things out.

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

Mr. HAUGHN: Mr. Speaker, Ladies and Gentlemen: Once again you have before you a bill which is being declared as a sectional bill. This is something for the interest of education for the entire State of Maine and I hope and pray this House will stand by the spunk that they have shown before, and approve this measure for the interest of education throughout the state and not as it is trying to be classed as an area proposition.

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

Mr. PHILBRICK: Mr. Speaker, Ladies and Gentlemen of the House: There never has been and I hope there never will be anything sectional about my attitude toward the affairs of the State of Maine. As I said before, there is no one in this House who has more respect for higher learning than I do. My only feeling is that we are under a great deal of pressure to run a proper program at the University of Maine as it is. We can barely afford to do what we are doing, and there are those that would like to extend the program and add on more burdens to the University.

I might say this also. You gentlemen who vote for the merging of Portland University with the University of Maine, I presume you will also be voting for a sales tax or another major measure to pay for this and other such items. I do hope that the motion to indefinitely postpone does prevail.

The SPEAKER pro tem: The question before the House is the motion of the gentleman from Bangor, Mr. Philbrick, that this bill be indefinitely postponed and a division has been requested. All those in favor of indefinite postponement please rise and remain standing until the monitors have made and returned their count.

A division of the House was had.

Forty-eight having voted in the affirmative and fifty-three having voted in the negative, the motion did not prevail.

The SPEAKER pro tem. Is it now the pleasure of the House that this Act shall be enacted?

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

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

The SPEAKER pro tem: The gentleman from Bangor, Mr. Philbrick has requested a roll call vote on enactment.

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

Mr. HAUGHN: Mr. Speaker, with so many vacant chairs in this House it really seems sad and bad that such a lot of bills as we have acted upon today to take action on a bill of this nature, so therefore, under that condition, I would move it be tabled until the next legislative day.

The SPEAKER pro tem: The question before the House is the motion of the gentleman from Bridgton, Mr. Haughn, that this bill be tabled until the next legislative day.

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

Mr. WESTERFIELD: Mr. Speaker, I request a division.

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

A division of the House was had.

Thirty-seven having voted in the affirmative and sixty-two having voted in the negative, the tabling motion did not prevail.

The SPEAKER pro tem: The question now before the House is enactment and a roll call has been requested. In order for the Chair to order a roll call, a desire for a roll call must be expressed by at least one-fifth of the members present. Will all those desiring a roll call, please rise and remain standing until the monitors have made and returned the count.

Twenty-seven members arose.

The SPEAKER pro tem: Will the monitors poll the House?

One hundred and four members were present.

The SPEAKER pro tem: One hundred and four being present and twenty-seven being more than one-fifth, a roll call is ordered.

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

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

The SPEAKER: The question before the House is the motion of—the Chair recognizes the gentleman from Gardiner, Mr. Chapman.

Mr. CHAPMAN: Mr. Speaker, I want to ask a question through the Chair about this that we are voting on now. If, for any reason, that the State of Maine doesn't buy this college, are they going to go out of business or sell? Are they going to go out of business?

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

Mrs. HANSON of Lebanon: The University of Maine as it is now will still continue as it is.

The SPEAKER: The gentleman from Gardiner, Mr. Chapman, has been requested to restate his question.

Mr. CHAPMAN: Mr. Speaker, the law school in Portland that we are talking about now, if for any reason we didn't go along with this, I say to buy or merge with the University of Maine, will this college still continue to do business in Portland.

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

Mr. PLANTE: Mr. Speaker, in an effort to try to answer the gentleman's question, I don't think anyone here is at liberty to say whether Portland University would still continue or not, but I feel if this did not pass, in view of the fact they have just lost their dean, due to the fact that they are in a precarious financial condition, that they would be greatly weakened.

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

Mr. HAUGHN: Mr. Speaker, I might add to the gentleman from Gardiner, Mr. Chapman, that I do know the learned Judge and the other very able attorneys who are now devoting their time for peanuts will no doubt cease their activities after this term. They told me that just previously the other night, and they are devoting their time as instructors now for very little remuneration, if any, and they would be sorely missed by the state if we lost those services.

The SPEAKER: Is the House ready for the question? The question before the House is related to L. D. 407, An Act Merging Portland University with the University of Maine, and the immediate question is on enactment. A roll call has been ordered. If you are in favor of enactment, you will answer "yes" when your name is called; if you are opposed to enactment, you will answer "no"

when your name is called. The Clerk will call the roll.

ROLL CALL

YEA — Albair, Anderson, Greenville; Baxter, Bearce, Berry, Cape Elizabeth; Berry, Portland; Boothby, Bradeen, Bragdon, Brewer, Brown, So. Portland; Buckley, Coulthard, Crockett, Davis, Denison, Dostie, Winslow; Drake, Durgin, Estey, Finley, Fogg, Gallant, Gardner, Gill, Hague, Haughn, Hendricks, Hinds, Humphrey, Jallbert, Jobin, Knapp, Knight, Lane, Lantagne, Littlefield, Lowery, Maddox, Maxwell, Morrill, Morse, Nadeau, Biddeford; Perry, Pike, Plante, Prince, Rust, Schulten, Smith, Bar Harbor; Smith, Falmouth; Smith, Strong; Stewart, Tardiff, Thaanum, Thornton, Tynedale, Vaughn, Wade, Walls, Whitman.

NAY — Anderson, Ellsworth; Baker, Beane, Moscow; Binnette, Brown, Fairfield; Brown, Vassalboro; Carter, Chapman, Gardiner; Chapman, Norway; Cooper, Cyr, Dennett, Dodge, Dunn, Ham, Hancock, Hanson, Bradford; Hanson, Lebanon; Hardy, Harrington, Hughes, Hutchins, Johnson, Smithfield; Johnson, Stockholm; Kimball, Levesque, Lincoln, Linnekin, MacGregor, Mathews, Merrill, Minsky, Philbrick, Augusta; Philbrick, Bangor; Poirier, Shaw, Shepard, Storm, Swett, Turner, Tweedie, Walker, Waltz, Waterman, Wellman, Westerfield, Wheaton, Whitney, Winchenpaw, Wood, Young.

ABSENT — Beane, Augusta; Bedard, Berman, Auburn; Berman, Houlton; Bernard, Boissonneau, Briggs, Burns, Bussiere, Choate, Curtis, Danes, Dostie, Lewiston; Edgerly, Edwards, Hartshorn, Hichborn, Hopkinson, Jameson, Jones, Karkos, Kellam, Kennedy, Kilroy, Lacharite, Letourneau, Malenfant, Matheson, Moore, Nadeau, Lewiston; Noel, Prue, Roberts, Sevigny, Sirois, Sproul, Stevens, Williams.

Yes, 61; No, 51; Absent 38.

The SPEAKER: Sixty-one having voted in the affirmative, fifty-one having voted in the negative, with thirty-eight absent, the Bill is passed to be enacted.

Signed by the Speaker and sent to the Senate.

The following matter from the Senate was taken up out of order by unanimous consent:

Non-Concurrent 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. 1606) which was passed to be engrossed as amended by House Amendments "A", "C", "D", "E", "F", "G" and "J" in non-concurrence in the House earlier in the day.

Came from the Senate with that body voting to insist on its former action whereby the Bill was passed to be engrossed as amended by House Amendments "A", "D", "F" and "J", and Senate Amendments "A", "C", "E", "F" and "H" in non-concurrence, and asking for a Committee of Conference, with the following Conferees appointed on its part:

Messrs. DAVIS of Cumberland
NOYES of Franklin
BROWN of Hancock

In the House: The House voted to insist and join in a Committee of Conference.

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

Messrs. BRAGDON of Perham
BAXTER of Pittsfield
JALBERT of Lewiston

(Conference at rostrum)

The SPEAKER: The matter of discussion may be of interest to the House, and that is that the Senate adjourned until 4:00 p.m. on Monday, and the Joint Rules and the Constitution say that neither House can adjourn for two days without the permission of the other, and we didn't get any order here today, so we are wondering whether we can leave tonight or not. That will be solved in a few moments.

Upon request of Mr. Bragdon of Perham, the following matters

were called up for consideration on the Special Appropriations Calendar:

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

An Act relating to Completion of the York River Project in York (S. P. 265) (L. D. 782)

The SPEAKER: I have just received a note stating that the President of the Senate, before adjournment, checked with the Attorney General, and received a ruling that in computing the two days, the day of Sunday is not counted. Therefore, apparently the Senate has adjourned in proper order.

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

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

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)

An Act Creating a Constitutional Commission (S. P. 498) (L. D. 1498)

Resolve Appropriating Money for the Establishment of a School of Practical Nursing in Portland or Vicinity (S. P. 530) (L. D. 1564)

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

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

Upon request of Mr. Bragdon of Perham, the following matter was called up for consideration on the Special Appropriations Calendar:

An Act Exempting Certain Aircraft from Sales Tax (H. P. 850) (L. D. 1164)

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

Mr. WELLMAN: Mr. Speaker, Mr. Danes talked to me about this bill at an earlier time. I notice that he is not here today. I don't know if his feelings still are as they were before, but I would like to extend the courtesy to him of tabling this to the next legislative day.

Thereupon, the Act was tabled pending passage to be enacted and specially assigned for Monday, June 5.

Upon request of Mr. Bragdon of Perham, the following matter was called up for consideration on the Special Appropriations Calendar:

Resolve Authorizing Bureau of Public Improvements to Study Desirability of a Dam Across Taunton River (H. P. 1158) (L. D. 1598)

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

Upon request of Mr. Bragdon of Perham, the following matter was called up for consideration on the Special Appropriations Calendar:

An Act relating to Appointment of Director of Indian Affairs and Planning Board for the Penobscot Tribe (H. P. 1166) (L. D. 1607)

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

Mr. TYNDALE: Mr. Speaker, Ladies and Gentlemen of the House: I'm doing this at suggestion and request. It seems that when this bill first came out, it more or less had no price tag attached to it, then it developed on where it got a price tag attached to it, and the Indians are more or less in disagreement about it, and I understand the Department of Welfare doesn't want it. At this time I would move for indefinite postponement of the bill.

The SPEAKER: The question now before the House is the motion of the gentleman from Kennebunkport, Mr. Tyndale, that this bill be indefinitely postponed.

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

Mr. ANDERSON: Mr. Speaker, I heartily concur with the gentleman, Mr. Tyndale. It seems to me that this is just creating a new office with a \$10,000 price tag on it, and I move for indefinite postponement and would request a division.

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

Mr. KNIGHT: I haven't heard anything more about this until I saw the large delegation of Indians here for the hearing, and I know it has been a hotly contested issue, and not wanting to get scalped myself, I move that we table it until the next legislative day to find out just what the sentiment is on this bill.

The SPEAKER: The gentleman from Rockland, Mr. Knight, in reference to L. D. 1607, moves that this be tabled until the next legislative day pending the motion of the gentleman from Kennebunkport, Mr. Tyndale, that the bill be indefinitely postponed.

Mr. Wheaton of Princeton then asked for a division on the tabling motion.

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

A division of the House was had.

Forty-two having voted in the affirmative and fifty having voted in the negative, the tabling motion did not prevail.

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

Mr. HINDS: Mr. Speaker, Ladies and Gentlemen of the House: I don't know too much about this bill but the Welfare Committee did hear some bills, the Indians came to the hearing and I don't think it's fair. I think the Indians are treated very unfairly as it is now, and I am quite positive from things that were discussed at that hearing that this is a bill that they wanted and that is probably the reason that this has got so far into the enactment stage. I don't think

we should indefinitely postpone this until we can find out what it's all about.

The SPEAKER: The Chair recognizes the gentleman from Old Town, Mr. Binnette.

Mr. BINNETTE: Mr. Speaker, Ladies and Gentlemen of the House: In answer to the gentleman from South Portland, I have lived across the river for forty-five years and I don't think that he thoroughly understands those people, and they are being well taken care of. The Department of Health and Welfare is doing a nice job, and I wouldn't want to disrupt the service that they are getting now, and I think if I could talk to this gentleman I might be able to explain some things to him.

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

Mr. TYNDALE: Mr. Speaker, protecting myself I have no objection to Indians, they seem like a nice lot of fellows. I think the question here is that whether to take this out of the Department of Health and Welfare and move it over to a Director of Indian Affairs. I wonder if someone could enlighten me on that subject.

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

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

Mr. BEARCE: Mr. Speaker, and Members of the House: This came up before—I'm sorry Bill Dennett isn't here—he could fix it up right. I can't speak the way he can, but we had quite a tribe of Indians in front of us several times. Apparently they are not all together amongst themselves up there, there's a little friction between the older gang and the newer gang and they just claim that they don't want to be under the Health and Welfare but when you throw them \$10,000 a year and give them their own director, then God only knows what will happen to them. We all figured that they had better stay within the present Health and Welfare Department because they have been doing a good job.

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

Mr. WHITMAN: Mr. Speaker and Members of the House: As a member of the State Government Committee who heard this bill, perhaps I can shed a little light on the subject. The bill as Mr. Bearce has pointed out provides for a director of Indian affairs which would be a sub-division of the Health and Welfare Department. Now this was a passionate plea of the Indians, and I think they had certain justifications in requesting such a measure. As it is now, they apparently have the stigma of just falling under Health and Welfare as charity cases. This would give them a little bit more independence by having a direct contact with the Health and Welfare Department and through them the State of Maine. I would also point out that there is embodied in the bill another important feature which was incorporated later which will permit the Indians to receive some federal matching money to carry out a redevelopment program there. It would seem too bad to kill the entire bill, and thus not enable them to take advantage of that federal matching money to do something to help themselves. I think that this is something that we should encourage with the Indians as to get them to do just a little bit more to help themselves, and I think that was the general consensus of the opinion of the State Government Committee that this would be a step in that direction. Evidently that was our thinking as it came out with a unanimous ought to pass report. I would also remind you that this is \$10,000 that we are talking about, and in light of some of the other L. D.'s that we have passed, I would think that this is just as meritorious as perhaps some of the other private and special L. D.'s that we have passed. I would like to see it have at least the same chances as buoys in Moosehead or some of the other bills that have been passed to be put on the Senate Appropriations Table.

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

Mr. ANDERSON: In answer to Mr. Tyndale's question, I would like to read in part. The Commissioner is authorized to create, now that impresses me, as an entirely new department with a \$10,000 price tag on it.

Mr. Tyndale of Kennebunkport was granted consent to speak a third time.

Mr. TYNDALE: Mr. Speaker, after hearing what the distinguished gentleman Mr. Whitman, said about it, I feel a little bit embarrassed about this subject, and I'm not very familiar with this Indian situation up in Old Town, and I would like to withdraw my motion at this time and put it into more capable hands.

The SPEAKER: The gentleman from Kennebunkport, Mr. Tyndale has withdrawn his motion for indefinite postponement.

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

Mr. TURNER: Mr. Speaker, Ladies and Gentlemen: Mr. Tyndale there said he would like to put it in better hands and to give them a good home and have them taken care of, isn't there some way we can work them into the University of Maine? They are taking on a lot more territory.

The SPEAKER: The Chair recognizes the gentleman from Princeton, Mr. Wheaton.

Mr. WHEATON: Mr. Speaker, Ladies and Gentlemen: I think we have been doing quite a lot for our Indians. Two years ago, I introduced a bill here and it was passed and we built about sixteen or seventeen new homes on one of their reservations. That was four years ago. Two years ago, I introduced a bill here out of Indian funds and it built about thirteen or fourteen new homes at Pleasant Point. Now this bill didn't originate too much with the Indians anyway. This bill originated with the lawyer from Boston, I don't know what kind of a lawyer he was, but he buttonholed me down here a couple of times and tried to get me to side in with the thing and he found that I wasn't too anxious about it, he kind of steered clear of me from then on, and the Indians that I talked with in my area and I live among the Indians, I haven't talked with any

of them that's too anxious in the thing.

Now we speak about doing things for our Indians, now the Eastern Pulpwood Company has a project on the Indian township where they supervise the cutting of pulp, and practically any time of the year those Indians can have a job there. Some of them work off from the township on other jobs, but I think we are doing a lot for them. And another thing about this director thing, there have been times when they have had an Indian agent that in all purposes is the same thing as a director for both Indian tribes. At the present time, we have an Indian agent at Old Town, I believe she's an Indian there, she's a college graduate, Sadie Mitchell I believe is her name, and she is doing a fine job with those Indians and there's always a few of them that can't get just everything they want, and those are the people that are stirring up the trouble.

At our Indians down home, the Passamaquoddys at Peter Dana Point, there's about three hundred of them there and possibly three hundred fifty at Pleasant Point. They have a full time Indian agent, he is kept on the highway night and day waiting on them. I don't think we can improve any way than what we are, and I would like to make a motion that this bill and all accompanying papers be indefinitely postponed.

The SPEAKER: The question now before the House is the motion of the gentleman from Princeton, Mr. Wheaton, that this bill be indefinitely postponed.

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

Mr. DODGE: Mr. Speaker, I think we would do well to listen to the gentleman from Princeton, Mr. Wheaton and also to the gentleman from Old Town. They know about the Indians, they have been around with them, and many of us haven't seen too much of them, I have a little. I think they know what they are talking about and I think we would do very well to listen to them.

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

Mr. STORM: Mr. Speaker, this matter of this Indian director has been before the legislature for the past three sessions in one form or another, sometimes in the form of a bill and sometimes only as a request. It has always come up before the Welfare Committee. This particular time, it was heard before State Government, apparently the Welfare Committee had not been too sympathetic in the past to their thinking and this time it was referred to another group who they hoped would be more kindly in their feelings toward them, and apparently they were successful up to that point. I have had a little bit of experience with this thing as a member of the Welfare Committee over the past three sessions prior to this one, and I have been on the reservation a good many times and I don't think that they had too much to complain about. I think their affairs are handled very efficiently. I have discussed this with the present representative from Old Town as well as the one from Princeton and I have spent a good many hours discussing this with the former representative from Old Town, Alex Latno who all of the older members will remember, and he knew more about the situation up there than any man I have ever talked with and his feeling was exactly the same as what Brother Binnette has expressed here today, and I wholeheartedly go along with the motion to indefinitely postpone this bill.

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

Mr. KIMBALL: Mr. Speaker and Members of the House: As a member of the State Government Committee I had occasion to hear the discussion pretty thoroughly on the question of the Indians and their request for a director. I was also a member of the group that went up from that committee to investigate the situation on Indian Island at Old Town. When there, the group found the majority of the Indians that they talked with, and they talked with both groups, were in favor of having their own director and to come out from

under the stigma of being a welfare case only. They were anxious to try to get improvements that could be met by the matching funds, they were ambitious to try to improve their lot. The Governor and his Council seemed to be unanimously in favor of this idea. I talked with them at the time about the time they had previously had a director of their affairs and they tell me at that time they were much happier than they had been in the past few years when although there is an authorization for a director under the Health and Welfare Department, there has been no director appointed and none carried along for them. I don't think it is fair to just simply indefinitely postpone this without a further consideration particularly for some of the members who were along on that trip. If it is in order, I would still like to move that we table this until the next legislative day.

The SPEAKER: The gentleman from Mount Desert, Mr. Kimball, moves that this item be tabled until the next legislative day pending the motion of the gentleman from Princeton, Mr. Wheaton, that it be indefinitely postponed.

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

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

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

Mr. HAUGHN: Mr. Speaker and Ladies and Gentlemen: I am a member of the State Government Committee too and I have heard this bill twice before the State Government Committee. The gentleman Mr. Storm has stated that we are probably a little more lenient than his Welfare Committee; I doubt that we were because we were a hardhearted committee to hand a dollar out to anybody. If you don't believe so, I think you have seen by our actions during this session that we are one of the hardest committees to get a dime out of unless it is legitimate and proper. And when you are saving money with this bill over the present cost you are

now involved in, I cannot understand the House that is so anxious to save money and dollars and by this bill you will be saving a few hundred dollars over the present expenditure now under which you are operating, and pleasing some people and making them happy and taking them out of so-called welfare cases. I hope this House will use their judgment in saving dollars and vote along for the bill and not against it.

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

Mr. HINDS: Mr. Speaker, when I mentioned some time ago about the Indians being mistreated, what I meant by that was that at our hearing it came out that the Indians had brought down bills this year for the Legislature, and they brought this out, Dr. Fisher was at the hearing, and they said how come these bills didn't get in, and the Chairman of our Committee asked Dr. Fisher how come they didn't get in, and he said "well I didn't have much time, and we were busy with other bills, so we didn't bother with them." But they have as much right I understand under the present laws to do this type of thing and they do it every year and the department usually enters the bills for them.

Now their story, and there was a number of them testified before the Welfare Committee, is that these people are employees, there are two employees at the present time or perhaps even more, of the Department of Health and Welfare, and every time they have an election up there, if these employees don't like the present Governor of the tribe and so forth and so on, they go to somebody else and they get him to run, they give him a new house or give him one of the better houses and he gets a few extra food orders and so forth and so on—this is what was testified before the Committee by a number of people. So this is what led me to thinking that perhaps it would be better to take it out of the Department of Health and Welfare's hands.

Now I understand that the Department would rather keep it as it is. They have an appropriation in there for these other salaries, and I think I would agree with Mr. Haughn, even though I haven't got the figures with me, that it will cost less in the long run because you will have less expense because you have an Indian agent or whatever you call them now, a director or something, I forget the title, for each tribe at the present time; and I think this price tag was put on here, actually it could come out of the other funds, I think probably to kill the bill more than anything else and that is the only reason I brought it to this Legislature's attention.

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

Mr. SMITH: Mr. Speaker, I went along with certain members of the State Government Committee up to Old Town when they went up there. I just wish to say that this bill is simply an attempt by the Indians to upgrade their lot in life. They have been held under by the Health and Welfare Department, they have been kept under and down for a long time. They would like to get to the place where they could live like other people, and this is their way of trying to do it.

The SPEAKER: The question before the House is the motion of the gentleman from Princeton, Mr. Wheaton, that this Act relating to Appointment of Director of Indian Affairs and Planning Board for the Penobscot Tribe, L. D. 1607, be indefinitely postponed.

Upon request of Mr. Kimball of Mount Desert, a division of the House was had.

Fifty-eight having voted in the affirmative and thirty-five having voted in the negative, the motion did prevail.

Sent up for concurrence.

On motion of Mr. Baxter of Pittsfield,

Adjourned until Monday, June 5, 1961, at four o'clock in the afternoon.