

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

One-Hundredth Legislature

OF THE

STATE OF MAINE

VOLUME II

MAY 12 - JUNE 17, 1961

and

SPECIAL SESSION

NOV. 27 - DEC. 2, 1961

DAILY KENNEBEC JOURNAL

AUGUSTA, MAINE

HOUSE

Thursday, June 8, 1961

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

Prayer by Captain Milley of the Salvation Army, Augusta.

The journal of yesterday was read and approved.

Conference Committee Report

Report of the Committees of Conference on the disagreeing actions of the two branches of the Legislature on Bill "An Act relating to Sales of Discontinued Items of Liquor in State Stores" (S. P. 436) (L. D. 1308) reporting that the House recede from passage to be engrossed as amended by House Amendment "A" and House Amendment "B", recede from adoption of House Amendment "B", indefinitely postpone House Amendment "B", and pass the Bill to be engrossed as amended by House Amendment "A"; that the Senate recede from passage to be engrossed without Amendment and adopted House Amendment "A" and pass the Bill to be engrossed as amended by House Amendment "A".

(Signed)

PLANTE of Old Orchard Beach

WELLMAN of Bangor

CHAPMAN of Norway

Committee on part of House

CHRISTIE of Aroostook

JACQUES of Androscoggin

MAYO of Sagadahoc

Committee on part of Senate

Report was read and accepted. The House receded from passage to be engrossed and adoption of House Amendment "B". House Amendment "B" was indefinitely postponed. The Bill was passed to be engrossed as amended by House Amendment "A" and sent up for concurrence.

Papers from the Senate
Senate Reports of Committees
Leave to Withdraw

Report of the Committee on Appropriations and Financial Affairs

on Bill "An Act Providing for Construction of a Classroom, Laboratory and Office Building at the University of Maine in Portland" (S. P. 155) (L. D. 401) reporting Leave to Withdraw, as covered by other legislation

Came from the Senate read and accepted.

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

Ought Not to Pass

Report of the Committee on Appropriations and Financial Affairs reporting "Ought not to pass" on Bill "An Act Providing for Renovation and Remodeling of Aubert Hall-West at the University of Maine in Orono" (S. P. 96) (L. D. 241)

Report of same Committee reporting same on Bill "An Act Providing for Expansion of Boardman Hall at the University of Maine in Orono" (S. P. 97) (L. D. 242)

Report of same Committee reporting same on Bill "An Act Providing for the Expansion of Electric Lines of the Campus Distribution System at the University of Maine in Orono" (S. P. 98) (L. D. 243)

Report of same Committee reporting same on Bill "An Act Providing for Construction of Campus Roads and Parking Areas, Phase 1, at the University of Maine in Orono" (S. P. 153) (L. D. 399)

Report of same Committee reporting same on Bill "An Act Appropriating Moneys for Completion of Music Section of Multipurpose Building at Aroostook State Teachers College" (S. P. 247) (L. D. 764)

Report of same Committee reporting same on Bill "An Act Providing for Construction of a Building for the University Press at University of Maine in Orono" (S. P. 267) (L. D. 868)

Report of same Committee reporting same on Bill "An Act Providing for the Construction of a Service Building, Phase 1, at the University of Maine in Orono" (S. P. 268) (L. D. 869)

Report of same Committee reporting same on Resolve Appropriating Moneys for an Industrial

Arts Building at Gorham State Teachers' College (S. P. 269) (L. D. 870)

Came from the Senate read and accepted.

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

Ought to Pass with Committee Amendment Indefinitely Postponed

Report of the Committee on Appropriations and Financial Affairs on Bill "An Act Amending the State Authority for Emergency and Fire Fighting Training" (S. P. 266) (L. D. 867) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

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

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

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

COMMITTEE AMENDMENT "A" to S. P. 266, L. D. 867, Bill, "An Act Amending the State Authority for Emergency and Fire Fighting Training."

Amend said Bill by striking out all of the 16th line and inserting in place thereof the following:

'Safety Agency, and 2 members representing the fire chiefs' and firemen's associations of the State the public at large.'

Further amend said Bill in the 26th line by inserting before the period the following:

',' and shall be construed as the University of Maine's total participation in such fire protection'

Committee Amendment "A" was adopted in concurrence.

Under suspension of the Rules the Bill was given its third reading.

The SPEAKER: The Chair recognizes the gentleman from Easton, Mr. Perry.

Mr. PERRY: Mr. Speaker, I was going to move that this be indefinitely postponed, but I don't know as I am quick enough.

The SPEAKER: The gentleman may now move that it be indefinitely postponed since it is now

pending engrossment. Does the Chair understand that the gentleman from Easton, Mr. Perry, moves that this bill be indefinitely postponed?

Mr. PERRY: Yes, and the reason is that the volunteer firemen that are working for nothing can't afford to go down there and train, and it is making more for the Town of Orono it would seem to me than anybody else. I would make that motion.

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

Mr. PLANTE: Mr. Speaker, Ladies and Gentlemen of the House: So there shall not be any misunderstanding, the Appropriations Committee was well aware that this would not jeopardize the present program of assisting firemen, educating them in their trade, that the instructors that move about the state and assist volunteer fire departments in some of the small towns would still continue.

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

Mr. BRAGDON: Mr. Speaker, I merely call attention of the House to the fact that the Appropriations Committee gave this very careful consideration and as you see came out unanimously ought to pass. I would also call attention to the fact that there is available under this act considerable federal money.

The SPEAKER: The Chair recognizes the gentleman from Orono, Mr. Gardner.

Mr. GARDNER: Mr. Speaker and Ladies and Gentlemen of the House: There is an inference I think that has been cultivated that this is a piggy-back proposition for the Town of Orono. I want to state that this is not an unmixed blessing. The Town has to contribute fire fighting equipment and presumably has to maintain equipment at a level that justifies its use for teaching and instruction purposes. Presently the Town's equipment is appraised at about \$60,000. Furthermore, it means moving the center of the fire department's activities to the campus on the east side of the

river and so far at least the fires that we have had to contend with are mainly on the west side except the university. Now obviously there is a point in having fire protection on the university side to protect the \$16,000,000 or \$18,000,000 or whatever it is, \$30,000,000, I don't know what it is, university property, but as far as the town is concerned, it means maintaining a fire department also on the west side of the town and will undoubtedly increase the maintenance costs of our fire fighting operations. So I think in our town there has been mixed feeling as to how much benefit the town will actually have provided the bill is passed.

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

Mr. JALBERT: Mr. Speaker, insofar as the Committee giving this careful consideration, I didn't even know this bill was out. I spoke to another member of the Appropriations Committee a couple of seconds ago who didn't know the bill was out. It has a \$194,000 price tag on it also.

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

Mr. KIMBALL: Mr. Speaker, this bill unquestionably has some good points; it also has a good price tag. Interestingly enough, the firemen whom I have talked with, particularly the county groups which include firemen from all our area, are against it. The local group with whom I have talked have been against it. I think we could do without it.

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

Mr. JONES: Mr. Speaker and Ladies and Gentlemen of the House: Under the original bill 626 in which this bill a portion here was a part of, there was also a portion of the original bill asking for \$134,500 toward the Civil Defense and Public Safety Agency for an emergency operating center at Farmington. Now the amount of that item was \$134,500 which was to build an emergency operating center in which the Capitol here would move in the event of

disaster. Now when the original bill 626, that was replaced and it came out of the committee I understand under two bills, or two reports, Legislative Document 1634 and also Legislative Document 1635.

Now under neither one of those documents was the amount for the appropriating of this emergency center at Farmington, which asked for \$134,500. We have this bill here of 867 which reads in part: "Upon completion of the facility the operation and maintenance shall be turned over to the University of Maine to be operated by the University of Maine in conjunction with the Civil Defense and Public Safety Agency". Now it seems to me as though the main emergency operating center in the event of disaster should be much more important to the people of the State of Maine and should be provided for first before spending money to train firemen in order to take care of disasters after they occur.

You certainly are going to need the emergency operating center first, otherwise there won't be any place for the firemen to coordinate, and I would go along with the indefinite postponement of this bill which carries a price tag of \$194,000.

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

Mr. WINCHENPAW: Mr. Speaker I would like to say just a word about this bill. I attended that hearing and from our area there is a lot of objection to it. The objection from our area was that not only are these men volunteer firemen and have to take a week or so off to go to Orono, but as you know if any of you people have worked on volunteer fire companies, every one has a different set of hoses, and a different set of nozzles, different set of wrenches, and the state already has a training program as they come around all the local fire departments, and they'll train you in the summer. We do that every summer at Friendship. If you went to Orono you would have to train on their equipment and then when you got back home your equip-

ment might be altogether different, so we are much opposed to this thing.

The SPEAKER: The Chair recognizes the gentleman from Gouldsboro, Mr. Young.

Mr. YOUNG: Mr. Speaker and Members of the House: I too attended the hearing on this bill, and the way I saw it there was just one person that objected to the bill, and that was a Mr. Knight from Rockland, and I hate to disagree with my good friend the gentleman from Mount Desert, Mr. Kimball, but I contacted the bigger part of Hancock County yesterday, and they were all in favor of the bill, and I would like to see it passed and go to the appropriations table and then if there was money have it pass.

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

Mr. DODGE: Mr. Speaker, at the present time, we have a very good training program for our local volunteer fire departments, and I see no advantage in this at all. I think it will create more confusion than anything else and I am against the bill.

The SPEAKER: The question before the House is related to item 10, Bill "An Act Amending the State Authority for Emergency and Fire Fighting Training," Senate Paper 266, L. D. 867. The immediate question is the motion of the gentleman from Easton, Mr. Perry, that the bill be indefinitely postponed. All those in favor of the indefinite postponement please say aye; those opposed, no.

A viva voce vote being taken, the motion did prevail and the Bill was indefinitely postponed in non-concurrence and sent up for concurrence.

Non-Concurrent Matter

House Joint Order relative to Cloture on Bills and Resolves from Joint Standing Committees (H. P. 1182) which was passed in the House on June 6.

Came from the Senate indefinitely postponed in non-concurrence.

In the House:

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

Mr. HAUGHN: Mr. Speaker, Ladies and Gentlemen: As you know, this order was introduced by me before this body for one reason, to expedite matters, to bring things to a conclusion, to prevent a flood of bills coming and going and to force out before you people bills that evidently through some means or some reason are being held in committee. Now the order was put into effect by the House and was rejected of course at the other end of the hall. In the meantime it seems that there were two or three got caught in a little web to get their little pet bills out, they came in after this order was introduced with the time limitations on it and through this medium evidently they are succeeding in getting their bills through in the fashion which they desire.

Now if we continue to go along with the indefinite postponement of this order what's going to happen the rest of the session, which undoubtedly right now appears to me to be at least another week. It means everybody is going to be able to squeeze in and out of committee, recommit, open up committees, we are going to start back into full session like we did almost when we first started. So for that reason I would insist on our former action and ask for a Committee of Conference to see if we can't straighten it out and put something into effect which will be useful in the short time that we still have left.

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

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

Mr. WHITMAN: Mr. Speaker, I don't think the problem is any longer with us. I see no need for any such order at this time, and a Committee of Conference would only involve more time and wasted

effort. For that reason I move that we recede and concur.

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

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

Mr. HAUGHN: Mr. Speaker, that may be so, but we do need a safety valve, and that's the reason for it, and when the vote is taken I do request a division.

The SPEAKER: A division has been requested.

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

Mr. JALBERT: Mr. Speaker and Members of the House: I don't agree with the gentleman from Woodstock, Mr. Whitman, and I partially disagree with the gentleman from Bridgton, Mr. Haughn. I go along with the motion to insist, but not the Committee of Conference. I think the gentleman from Bridgton, Mr. Haughn, hit it on the head. This order was passed I believe day before yesterday and yesterday it was — in the House, the Senate accepted the Order without a murmur that the cloture would be on at 5:00 o'clock on Wednesday. I happened to know for a positive fact that a little gem came out of thin air about five minutes past five last night and was attempted to be filed at 5:35. I stepped on it. I'll screech a little later on when it does appear here, but I mean an order is an order. It was agreed upon by both branches, and the other branch decided to change their minds is no reason why we should change ours. And I certainly hope the motion to recede and concur does not prevail, and then I shall ask that the House insist, period.

The SPEAKER: The question before the House is the motion of the gentleman from Woodstock, Mr. Whitman, that the House recede and concur and a division has been requested. All those in favor of receding and concurring please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

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

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

The SPEAKER: The question now before the House is the motion to insist and ask for a committee of conference. Does the gentleman from Lewiston, Mr. Jalbert, wish the motion divided? If the motion is divided, we will vote on the motion to insist, and then we will vote on the motion for a committee of conference.

Mr. JALBERT: I would like to have the motion divided.

The SPEAKER: The motion will be divided. There will be two motions put. The first motion will be the motion of the gentleman from Lewiston, Mr. Jalbert, that the House insist and the second motion will put as to the committee of conference.

All those in favor of insisting and this would be insisting, say aye; those opposed, no.

A viva voce vote being taken, the motion prevailed.

The SPEAKER: All those who wish a committee of conference, and the Chair will request a division.

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

Mr. HAUGHN: I would now remove my request for a committee of conference.

The SPEAKER: The gentleman from Bridgton, Mr. Haughn, has withdrawn his motion for a committee of conference.

Non-Concurrent Matter

Bill "An Act Redefining the Financial Responsibility of Children and Certain Relatives in Public Assistance" (H. P. 1179) (L. D. 1625) which was passed to be engrossed as amended by House Amendment "B" in the House on June 6.

Came from the Senate passed to be engrossed as amended by House Amendment "B" as amended by Senate Amendment "A"

thereto, and Senate Amendment "A," in non-concurrence.

In the House:

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

Mr. HINDS: Mr. Speaker, Ladies and Gentlemen of the House: The Welfare Committee worked many hours on this bill as has been stated before on the floor of the House, and we feel that, and my personal feeling is that this is a bill that the legislature when they come back into session again could be very proud of after the thing was in effect for a couple of years.

As you may or may not know now, of course there is a lot of criticism of the Department of Health and Welfare, and I think this is partially due to the fact that they carry on with their present case workers more or less of a mechanical program. What I mean by mechanical program is the fact that, I'll give an example of a case as you apply for old age assistance and they send out applications for your relatives to make out. They don't really sit down with the relatives and go over their incomes, they take the statements that the relatives mail in as facts and they judge a person's assistance by these applications.

Now this bill as it is and with the amendment, the department would be sitting down and going over the personal problems of all these cases. Now we have some 18,000 relatives in this state under the old age assistance program, and this requires quite a lot of work. Now the case load for these case workers—our average case load in this state is between two hundred fifty and three hundred cases for each worker. The national average of a case load is one hundred twenty cases per worker, so you can see that a worker doesn't have a chance to go around and check these cases as often as perhaps they should. And there is a lot of criticism for that because you find people during the year that have maybe come into some money through inheritance or something else and they don't report it and it is pretty difficult to blame it on the work-

ers where they have such a heavy case load.

Now we pay out millions of dollars a year in aid just from our program alone — of your old age assistance, your aid to dependent children, aid to the blind and aid to the disabled, planned for 1962 with no new L. D.'s added or any other expense just the plans, the projected figures that will be spent in the state will be over eighteen million dollars, just for that one year. Now I added the figures all together, I have a report here from the department and I added the figures all together, it's eighteen million dollars. The federal aid of that amount, over thirteen million comes from the federal government and the state puts in a good part of the rest of it, the local towns don't put in too much only under the ADC.

Now in the Senate Amendment, we sent this bill over with House Amendment "B," and there was a Senate Amendment offered to my amendment, Senate Amendment "A" to House Amendment "B" striking out the administration of this new act. I don't feel that we can keep calling on the department of Health and Welfare every year and making new laws and insisting that they do this work without giving them some staff to do this. Now I have checked back and found that there hasn't been a case worker added to the Department of Health and Welfare staff in the last three sessions of the Legislature. They have been requested, but they have been cut out. Now when I say a case worker, I mean workers that would work under the general assistance or aid to the disabled, aid to the blind, old age assistance and the ADC program. Now there have been some special projects and there is in your supplemental budget, two special projects requested by the Governor for them to do where there were some people, some staff added; but this doesn't help the public assistance program one bit, as far as having extra people to work on it—these are special projects only. One project is to have the welfare workers work with the courts on divorce cases and another one is a study of your ADC program in

the different towns, and that's the only money there is.

Now in this amendment that the Senate struck out, there were planned new employees with which the department felt could administer this program the way the Legislature would like to have it done, and if this bill is passed without the people to work on this program, you are going to have the same thing you have now, we're all going to have complaints in our areas as we do now about the Department of Health and Welfare because they are not consulting with the local officials and they're not doing their job so-called; but I am thoroughly convinced that it is just because from the lack of help that they can't do this.

I have talked to the Executive branch yesterday on this, and they were disturbed that this administration amount had been cut out because even though this wasn't the bill that the Governor recommended, it is a step in the right direction, I do feel that when we come back here next time, if this program is in effect for the two years and we allow the department to do it the way the bill is set up. This is not a department bill by the way, this is completely different from what they want, I think that we can be a little more proud of our welfare program and we will get less complaints from it. I think if you people all think it over and judge this plan and its amendment on its good points and forget about some of the things that have happened and some of the cases you know about the department in the past, I think that we can have a fine working program.

I would move that Senate Amendment "A" be indefinitely postponed.

(Conference at rostrum)

The SPEAKER: The Chair understands that the gentleman from South Portland, Mr. Hinds, will eventually move for the indefinite postponement of Senate Amendment "A" to House Amendment "B."

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

Mr. STORM: Mr. Speaker, Members of the House: I want to concur in everything that my friend and committee member, the Representative from South Portland, Mr. Hinds has said. He has told you very plainly the purpose and the history to some extent of this bill that we are discussing, and we thought we had something workable here, we have been a long time working on it. The department has been far from happy with the progress of it, but eventually we thought we had our difficulties with them ironed out and we came up with a figure that they agreed they could live with and we thought was reasonable. The amendment in question that was put on in the Senate would serve to make the whole thing ineffective, and we might just as well not pass the bill as to pass it with the amendment on. Without any money to operate it, it leaves the department with three possible alternatives and I will quote now from a memo from Dr. Fisher which I received yesterday:

Number 1 is to not put the provisions of the bill into effect which would leave us right exactly where we have been;

Number 2 to give up some other portion of our program to free in this way an amount of staff time equivalent to that which has been estimated as being needed to administer L. D. 1625. I know of no portion of our program which could be given up to attain this end.

Three, to do an extremely superficial unsatisfactory administration of the provisions of this bill with a very real probability of subsequent criticism. I am sure none of us want that. Again, let us remember that while we are stalling on this thing, the older people back in our home areas are suffering for the relief which they should have. I have here just a few of the letters that I have received in the last few weeks, and I sincerely hope that we will go along with the passage of the bill and the indefinite postponement of Senate Amendment "B."

The SPEAKER: The Chair understands that the gentleman's re-

quest from Sherman, Mr. Storm, was that he wanted the House to go along with indefinite postponement of Senate Amendment "A" to House Amendment "B."

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

Mr. BRAGDON: Mr. Speaker and Members of the House: I rise simply to ask a question which to me seems somewhat pertinent, and I don't think it has been explained. I noticed as a matter of cost that the difference between the Senate version of the bill and the House version of the bill—that is, the cost of the House version of the bill is \$300,000; the cost of the Senate version as it now comes amended to us is \$184,000. The question that I ask since I don't believe we have been given any list of the number of employees that are going to make this bill operative, if my subtraction is correct, I find a difference of \$116,000 which from the discussion I believe I could reasonably assume is the cost of the employees to administer a program only providing \$300,000. Am I correct in my assumption?

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

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

Mr. HINDS: Mr. Bragdon is correct, the number of employees are on House Amendment "B," that number before the figures under personal service are the number of employees in each year of the biennium. I'll break down the number of employees in case anybody wants to know what they are. Of course the administration of this bill is also federally matched fifty-fifty; and if some of you people will remember that the previous price tag on this bill with the Budget Director, Mr. Berry, was \$600,000 and it was felt by the Committee on Welfare that because of the setup of this bill that we wouldn't need quite that much money and at \$300,000 federally matched which would bring in a total of \$375,000 federal money

plus the \$300,000 state money, so the program will be expending \$675,000.

Now the breakdown of employees just for everybody's information is as follows: out of the number of sixteen for the 1961-62 year, there will be ten case workers and four workers to work with the Attorney General's office because this is giving the Attorney General's office some other duties for taking relatives that refuse to support and are financially able to to court. Now there are two clerks included in that for payment from relatives and bookkeeping of this program. In other words after a person is taken into court and they are ordered to pay say \$10 a month or \$20 a month whatever the court happens to order them to, they will pay their money directly to the state. In the past this hasn't been too successful because they have paid it to their relatives and naturally if say—my father—I was supposed to be paying \$20 a month and I came to him some month and said look dad, I have had a rough month, I can't pay you the twenty dollars this month, father isn't going to say too much about it. With this program, the money would go directly to the state and it would come into the state funds and that recipient would still receive their monthly check right along regardless of what happened, and if there was an adjustment needed in that son or daughter's contribution then that would be adjusted. Then the next biennium the added four employees are for a supervisor, two additional case workers and one other clerk, and that is the breakdown.

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

Mrs. HARRINGTON: Mr. Speaker and Members of the House: We have all found a lot of faults with the Department of Welfare in the past, and I have griped about it as much as anybody, but here is a new bill, a new draft and I think under this that more old people are going to be helped more quickly, and with the Attorney General's office looking after the processing of the law and

I think it's going to be better for the old people. I know it seems like a lot of the help that they are asking for, but I wish we could let them try it out for two years and maybe some of our old people are going to be benefitted by this.

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

Mr. CURTIS: Mr. Speaker, Ladies and Gentlemen: I'm not too happy with this bill, the way it is written and taking it to the Attorney General, and all that which is going to cost probably more money than we are going to get. But if we are going to have it, we surely do need some case workers. Now in the Legislative Research there was a very serious study made, they were asking—without this bill, they were asking for some number and after much study and much investigation, the Legislative Research Committee came up with the figure twenty. Twenty case workers as the case was. Now if we are going to add all of this other finery to it, which I am not happy about, we surely have got to have more case workers, to do a decent job.

Now I would remind you that the federal government is putting in a greater part of three dollars to one of ours, and that they are very jealous how this money is used. I would also remind you just a few years ago, the State of Indiana kind of threw mud in the federal government's face, and so they cut them out of seventeen million dollars of the Health and Welfare Department.

The SPEAKER: Is the House ready for the question? In order to entertain the motion to indefinitely postpone Senate Amendment "A" to House Amendment "B," the House will have to recede from its action whereby it passed this bill to be engrossed, and will have to recede from its action whereby it adopted House Amendment "B," in order to offer Senate Amendment "A" to House Amendment "B." At that time a motion could be made to indefinitely postpone Senate Amendment "A" to House Amendment "B." If that is successful, then we would adopt House Amendment

"B" again, then we will adopt Senate Amendment "A" if you care to do so, then we will pass it to be engrossed. Any questions?

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

The motion prevailed.

The SPEAKER: Is it now the pleasure of the House to recede from its action whereby it adopted house Amendment "B"?

The motion prevailed.

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

SENATE AMENDMENT "A" to House Amendment "B" to H. P. 1179, L. D. 1625, Bill, "An Act Redefining the Financial Responsibility of Children and Certain Relatives in Public Assistance."

Amend said Amendment by striking out all of that part designated "Sec. 14" and inserting in place thereof the following:

"Sec. 14. Appropriation. There is appropriated to the Department of Health and Welfare from the General Fund the sum of \$54,000 for the fiscal year ending June 30, 1962 and the sum of \$130,000 for the fiscal year ending June 30, 1963 to carry out the purposes of this act. The breakdown shall be as follows:

	1961-62	1962-63
Legislative Appropriation		
Old Age Assistance		
All Other	\$34,000	\$75,000
Aid to the Blind		
All Other	5,000	15,000
Aid to the Disabled		
All Other	15,000	40,000
	<hr/> \$54,000	<hr/> \$130,000

The SPEAKER: The Chair now understands that the gentleman from South Portland, Mr. Hinds, moves that Senate Amendment "A" to House Amendment "B" be indefinitely postponed. Is this the pleasure of the House?

The motion prevailed.

Thereupon, House Amendment "B" was adopted.

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

SENATE AMENDMENT "A" to H. P. 1179, L. D. 1625, Bill, "An

Act Redefining the Financial Responsibility of Children and Certain Relatives in Public Assistance."

Amend said Bill in that part designated "**Sec. 294.**" of section 5 by adding before the period at the end of the first sentence of the 2nd paragraph the following underlined punctuation and words '**, if after reasonable efforts on the part of the department to secure voluntary contributions have failed'**

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

Non-Concurrent Matter

An Act Authorizing Funds for Construction of Machias Landing Field (H. P. 1162) (L. D. 1602) which failed of enactment in the House on May 31, and which was passed to be engrossed on May 22.

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

In the House:

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

Mr. DENNISON: Mr. Speaker, Ladies and Gentlemen of the House: I motion we recede and concur.

The SPEAKER: The gentleman from East Machias, Mr. Dennison, has moved that the House recede and concur.

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

Mr. PIKE: Mr. Speaker, I hate to bore you with this again. I have the same views I had before, the people in my area feel that going outside of the usual method of financing an airport and saddling it onto the rest of the county without their consent is wrong. I personally feel that if this bill goes by we will see so many more of this same type next session whereby every town in the state that wants an airstrip will try to dodge its equitable portion of the contribution and get its own

county to put it up in which the rest of the county has no say or voice. I hope the motion to recede and concur does not prevail.

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

Mr. WHEATON: Mr. Speaker, Ladies and Gentlemen: I would just like to give you a little background of this bill. On January 27 Mr. Scott Higgins, Director of the State of Maine Aeronautics Commission sent a notice out to all the towns, presumably all the towns throughout the state, that there would be certain money available for airports and airstrips in various towns of the different counties. Now they had a hearing a few days later on this money, and practically nobody appeared at the hearing. In the case of my own airport at Princeton, this has been sliding by for three or four bienniums. Our town hasn't felt able to put up the necessary \$25,000. And by the way, this amendment "B" that I presented to this bill several weeks ago was much more realistic than many of the members here in the House had any idea of.

Another thing that has bored me a little bit, this bill left here with House Amendment "A" and House Amendment "B" and it went over to the unmentionable body at the other end of the corridor, the bill was accepted, but through the records of which I have studied very close, there never has been any mention made of House Amendment "A" and House Amendment "B." Now this bill right from the scratch, right from start, stinks to me, and I am very much opposed to the whole setup. My district — one town alone in my district will contribute \$2,680. My district as a whole will contribute over a third of the revenue to pay for this airport in the Machias area.

This bill went through here originally with an emergency on it, and now it has gone back to the unmentionable body, they have put on an amendment taking off —

The SPEAKER: The Chair will caution the gentleman not to refer to the other body in debate.

Mr. WHEATON: I am very sorry. This amendment, Senate Amendment "A" was put on to take off the emergency. I will make a motion due to the fact of the fine consideration that was given our amendments, House Amendment "A" and House Amendment "B," I will make a motion that Senate Amendment "A" be indefinitely postponed.

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

Mr. DENNISON: Mr. Speaker and Members of the House: For the fifth time my friend sitting in back here has attacked this little bill, and my other friend over there has another attack, three or four. Of course you know how this bill came out, in the first place it was passed in this House by sixty-nine to thirteen, after Mr. Pike had been up and spoke. So he received thirteen votes, one-fifth of all of them. And time and again it has been attacked right along. It did go into the Senate as has been mentioned and the emergency clause was removed.

I am not going to read any of this, but this is June second right up to date and we have letters approving this airport in every way. Now we come to the county part of it. This is a very irregular thing in Washington County, raising money by the county, asking the county to provide money without a referendum to the bill. Now there isn't any need to repeat that they already have this twenty-five thousand without a referendum, it isn't any need to repeat that they raised a hundred and sixty thousand without a referendum. And I didn't lift my voice against it. But it has been done, and that's what they keep harping.

Now this air strip, this is a new survey, and this is a new survey from the government; and it is a brand new one as you see, right up to date. Now this was to be two thousand, nine hundred feet long, the same as the one in Eastport; and the one in Princeton is four thousand feet long, and it mentions in this letter that this one has plenty of room to increase to four thousand feet or more if necessary. And that isn't what

they're asking. Three quarters of the money is all ready for this air strip and they are asking the county to furnish \$10,000 over a term of five years.

Now within twenty miles of this proposed air strip, there are twenty towns; that is the center of population of Washington County and of course Machias is the shire town of a great many different businesses in Machias. And it is the most prosperous town in Washington County. I did make the remark some time ago, perhaps it was a mistake. I did say that in two years the population would be greater than that of Lubec, and I still say so. And it appears to be that way. Now this air strip when it is finished, outside of providing facilities for the twenty towns that I mentioned, there are ten of these towns that are within ten miles of this center, and it would seem as though that the county commissioner would be somewhat interested in these twenty towns. But evidently they are not.

Perhaps they may be forgetting one thing. And that is two years ago — I think perhaps they are. Now we had a bill come up two years ago and I attended the hearing. And it had been said that I was against raising the salary of any county officers, and I explained very carefully that I wasn't, that I was willing to agree what little I could to the raising of the county salaries.

But I did point down to the two county commissioners, sitting right along side of me, I said except these men right here, I said they should not under any consideration have their salary in Washington County raised. They are now getting \$15,000 and they want \$18,000. And which a lot of you people know is more than twice what the county commissioners get in your own counties. Some will get seven, some will get eight, some of them nine, now they would get eighteen thousand; and they are the ones that are bearing on and writing and calling up people here, just the same as Mr. Pike and the other men are, to try and get them in some way — for you people to

change your minds and vote against this \$10,000 from the county over a period of five years.

And I hope that this indefinite postponement that someone has mentioned does not take place.

The SPEAKER: The question before the House will be to recede.

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

Mr. DAVIS: Mr. Speaker and Ladies and Gentlemen of the House: I don't want to belabor this question much longer, because it has been before us a number of time, but just to refresh your memories I would like to say that I think this is a sound, reasonable program for airport development in Washington County. Machias is the nearest to the center of the whole area and consequently deserves a county-wide support. People in my area are pretty nearly fifty miles away, but we go along with this, we go along with it a hundred percent. And the Bucks Harbor and radio station at Cutler are very close to Machias and military and naval personnel need a way to get in and out of there quickly.

Now there is no precedent being broken, counties of Aroostook and Oxford and Hancock have all gone into airports in the past and probably will continue to do so. This project has been endorsed by the Washington County Chamber of Commerce and I am afraid that personalities have perhaps entered into it, but I have had no part in the personalities — I am on very good terms with everybody whether they are for or against this thing. I favor it on its merits. I think it is something that we need, it won't cost us very much, and it will give us the facility that will certainly help to boost our economy down there where we need a great deal of help in that way.

The SPEAKER: Is the House ready for the question?

The motion to recede and concur will be divided, and the first motion will be to recede from the action of the House whereby it failed to pass this bill to be enacted. If that motion should prevail,

then we will recede from engrossment; and if that motion should prevail, then Senate Amendment "A" will be offered. And you may adopt or indefinitely postpone Senate Amendment "A." However, if the motion to recede from our action whereby we failed enactment of this bill fails, why then the motion to insist or adhere would be in order.

Is it now the pleasure of the House that the House recede from its action of May 31 whereby it failed to enact this Bill "An Act Authorizing Funds for Construction of Machias Landing Field," House Paper 1162, Legislative Document 1602? A division has been requested.

All those in favor of receding, 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 forty-eight having voted in the negative, the motion to recede did prevail.

The SPEAKER: Is it now the pleasure of the House to recede from its action of May 22 whereby it passed this bill to be engrossed?

The motion prevailed.

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

SENATE AMENDMENT "A" to H. P. 1162, L. D. 1602, Bill, "An Act Authorizing Funds for Construction of Machias Landing Field."

Amend said Bill by striking out all of the emergency preamble.

Further amend said Bill by striking out all of the emergency clause.

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

ORDERS

Mr. Bragdon of Perham presented the following Order and moved its passage:

ORDERED, the Senate concurring, that the Joint Standing Committee on Liquor Control be and hereby is authorized and directed to report to the House forthwith a Bill providing for Sunday sales of

liquor by hotels and class A restaurants, with proper control and local option provisions.

The SPEAKER: Is it the pleasure of the House that this order receive passage? The Chair recognizes the gentleman from St. Albans, Mr. Hughes.

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

The SPEAKER: A division has been requested on the passage of this order. All those in favor of the passage of this order please rise and remain standing until the monitors have made and returned their count.

A division of the House was had.

Fifty-two having voted in the affirmative and sixty-six having voted in the negative, the Order failed of passage.

On motion of Mr. Wheaton of Princeton, it was

ORDERED, that Mr. MacGregor of Eastport be excused from attendance for the duration of his illness.

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

WHEREAS, the members of the House have learned that today is the birthday of Mr. Jameson of Bangor.

BE IT ORDERED, that the members extend to Mr. Jameson their best wishes and congratulations not only for today but for the entire year.

The Order received unanimous passage. (Applause)

Mr. Jameson of Bangor was granted unanimous consent to briefly address the House.

Mr. JAMESON: Thank you, Ladies and Gentlemen. If I could offer a toast, milk of course. I would offer this to you, and this includes everybody in here, guests and all: I hope none of you are ever sick until I am a doctor. Thank you.

House Report of Committee Leave to Withdraw

Mr. Estey from the Committee on Education on Bill "An Act to Provide for the Dissolution of School Administrative District No.

3" (H. P. 618) (L. D. 835) which was recommitted, reported Leave to Withdraw

Report was read and accepted and sent up for concurrence.

Passed to Be Engrossed

Bill "An Act Increasing Excise Tax on Malt Liquor Imported into State" (H. P. 848) (L. D. 1162)

Resolve Dividing the State into Senatorial Districts (S. P. 577) (L. D. 1629)

Resolve Providing for Legislative Research Committee Study of State and Municipal Sewage Problems (H. P. 572) (L. D. 792)

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

Amended Bill

Bill "An Act to Incorporate the Town of Harpswell Neck" (S. P. 118) (L. D. 263)

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

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

Mr. BAXTER: Mr. Speaker, I ask unanimous consent that unless previous notice is given to the Clerk of the House by some member of his or her intentions to move reconsideration, the Clerk be authorized today to send to the Senate, thirty minutes after House recesses for lunch, matters passed to be engrossed in concurrence, and all matters that require Senate concurrence. That after such matters have been sent to the Senate by the Clerk, no motion to reconsider shall be in order.

The SPEAKER: As requested by the gentleman from Pittsfield, Mr. Baxter, is there objection that unless previous notice is given to the Clerk of the House by some member of his or her intention to move reconsideration,

the Clerk be authorized today to send to the Senate thirty minutes after House recesses for lunch all matters passed to be engrossed in concurrence and all matters that require Senate concurrence, and that after such matters have been so sent to the Senate by the Clerk, no motion to reconsider shall be in order. Is there objection? The Chair hears none.

The motion prevailed.

On motion of Mr. Baxter of Pittsfield,
Recessed until two o'clock this afternoon.

After Recess
2:00 P.M.

The House was called to order by the Speaker.

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

Mr. WHITMAN: Mr. Speaker, I move that the House recess for fifteen minutes for the purpose of a Republican caucus.

The SPEAKER: The gentleman from Woodstock, Mr. Whitman, moves that the House recess for fifteen minutes for the purpose of a Republican caucus. Is this the pleasure of the House?

The motion prevailed and the House recessed for fifteen minutes.

After Recess
2:25 P.M.

Called to order by the Speaker.

The SPEAKER: We will take up at this time a Conference Report which appears on Supplement Number One.

Conference Committee Report

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

Resolve Appropriating Funds for Capital Improvements at East Corinth Academy (H. P. 648) (L. D. 926)

reporting that the Senate recede and concur in the acceptance of the Minority "Ought to pass" Report, adopt House Amendment "A", and pass the Resolve to be

engrossed as amended by House Amendment "A".

(Signed)

HANSON of Bradford

WELLMAN of Bangor

HARRINGTON of Patten

Committee on part of House

DAVIS of Cumberland

BATES of Penobscot

STANLEY of Penobscot

Committee on part of Senate

Report was read and accepted and sent up for concurrence.

Order Out of Order

On motion of Mrs. Knapp of Yarmouth, it was

ORDERED, that the Sergeant-at-Arms, Assistant Sergeant-at-Arms, Pages and Doorkeepers be permitted to appear on the floor of the House with their coats removed.

The SPEAKER: Is there objection to taking up out of order the following matters appearing after the Conference Report on the same Supplement at this time? The Chairs hears none.

Thereupon, the following matters from the Senate were taken up out of order and under suspension of the rules:

From the Senate: The following Order:

WHEREAS, the Allagash River Valley is one of the last major waterways in the east still a wilderness area, unsurpassed for natural beauty and scenic splendor; and

WHEREAS, efforts should be made to preserve such natural resources for future generations to enjoy; and

WHEREAS, in the future such areas could be numbered among Maine's greatest assets; now, therefore, be it

ORDERED, the House concurring, that the Legislative Research Committee be directed to study cooperative agreements or other procedures between landowners and the State which would be desirable as a means of maintaining the great recreational assets represented in the wildlands of the State.

This study shall include but not be limited to —

- (1) The area or areas which should be included in the list of initial efforts to accomplish these purposes.
- (2) The agency or agencies of State Government would be responsible in any voluntary or state enacted provisions.
- (3) If the recommendations indicate direct state participation in the program, make recommendations with respect to any legislation which, in the Committee's opinion, seems desirable; and be it further

ORDERED, that the Committee shall report its recommendations to the 101st Legislature (S. P. 583) Came from the Senate read and passed.

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

Ought to Pass in New Draft Passed to Be Engrossed

Report of the Committee on Appropriations and Financial Affairs on Bill "An Act to Allocate Moneys for the Administrative Expenses of the State Liquor Commission for the Fiscal Years Ending June 30, 1962 and June 30, 1963" (S. P. 99) (L. D. 244) reporting same in a new draft (S. P. 582) (L. D. 1636) under same title and that it "Ought to pass"

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

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

Under suspension of the Rules, the New Draft was given its third reading, passed to be engrossed and sent forthwith to the Senate.

Ought to Pass with Committee Amendment "A" Passed to Be Engrossed

Report of the Committee on Appropriations and Financial Affairs on Resolve Appropriating Money for Production and Supervision on In-School Educational Television Programs (S. P. 273) (L. D. 874) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

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

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

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

COMMITTEE AMENDMENT "A" to S. P. 273, L. D. 874, Resolve, Appropriating Money for Production and Supervision on In-School Educational Television Programs.

Amend said Resolve, in the first line, by striking out the figure "\$37,000" and inserting in place thereof the figure '\$25,000'; and by striking out the figure "\$42,000" in the 4th line and inserting in place thereof the figure '\$25,000'

Committee Amendment "A" was adopted in concurrence.

Under suspension of the Rules, the Resolve was given its second reading, passed to be engrossed as amended and sent forthwith to the Senate.

Non-Concurrent Matter

House Joint Order relative to Legislative Research Committee Study re Allagash River Valley (H. P. 1187) which was passed in the House on June 7.

Came from the Senate indefinitely postponed in non-concurrence.

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

Non-Concurrent Matter

Report of the Committee on Appropriations and Financial Affairs on Resolve for Development of Revenue-Producing Park Facilities on Mt. Battie (H. P. 727) (L. D. 1015) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith which Report and Resolve were indefinitely postponed in the House on June 7.

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

In the House:

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

Mr. HARDY: Mr. Speaker and Ladies and Gentlemen of the House: This bill was introduced by me a number of months ago, it has been down there in committee a long time. And I introduced it on some old data that we had around the town which came from the CCC days when they had a camp down there in Camden. Camden Hills at that time was a national park. Subsequently it was turned over to the state and today is the biggest state park that we have under the state park system; of course Baxter State Park is not under that, that's under the Forestry Department and of course is much larger.

Among the projects that they had in the CCC days in Camden were the roads on the Camden Hills and it has always been the desire of the people of the mid-coast area that we could get a road back on those hills as it was before the turn of the century. There is land on top of that mountain, some forty-five acres, that does not belong to the state, the federal government couldn't buy it, the state has never been able to buy it. It is owned by the Mt. Battie Associates and eventually, if this appropriation ever does come to pass, they are willing to give this property to the state for state park facilities. I say give, it is on a ninety-nine or to quote them and nine hundred and ninety-nine year lease if they want it that way.

Now I took my bill before the Appropriations Committee, with the data that we had, and with the figure of \$160,000 on it; and they looked it over very carefully. We had a very good hearing, but they in their wisdom were not sure that the figure of \$160,000 would be the proper figure to put on a project of that kind. And so they came out of the committee with a unanimous "ought to pass" report on a survey. They would like to see this thing measured and looked over by competent engineers to find out exactly. I think it is a very good idea and I agree with it wholeheartedly.

And so for this reason I will now move that we recede and concur with the Senate.

The SPEAKER: The gentleman from Hope, Mr. Hardy, moves that the House recede from its action whereby it indefinitely postponed this bill and concur with the Senate in accepting the "Ought to pass" Report as amended by Committee Amendment "A."

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

Mr. KNIGHT: Mr. Speaker and Ladies and Gentlemen of the House: The gentleman from Hope, Mr. Hardy, and I have been at swords point pretty near this whole session; we have argued on quite a few bills very strenuously, but this time I arise in support of his motion and I ask that the House go along with his motion to recede and concur.

The SPEAKER: The question before the House is the motion of the gentleman from Hope, Mr. Hardy, that the House recede from its action whereby on June 7 it indefinitely postponed this bill and concur with the Senate in accepting the "Ought to pass" Report.

All those in favor say aye; those opposed, no.

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

Ninety-three having voted in the affirmative and twenty-three having voted in the negative, the motion prevailed.

Thereupon, the Resolve was given its first reading.

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

COMMITTEE AMENDMENT "A" to H. P. 727, L. D. 1015, Resolve, for Development of Revenue-Producing Park Facilities on Mt. Battie.

Amend said Resolve by striking out the 2nd to 7th lines and inserting in place thereof the following:

'Surplus of the General Fund the sum of \$5,000 for a preliminary survey and cost estimate for purposes of development of park facilities on Mt. Battie, in the Town of Camden, to be expended by and under the supervision of the State Park Commission with approval of the Governor and Council.

Such appropriation shall not lapse but shall remain a continuing carrying account until June 30, 1963.'

Committee Amendment "A" was adopted.

Under suspension of the Rules, the Resolve was given its second reading, passed to be engrossed as amended and sent forthwith to the Senate.

Non-Concurrent Matter

Report of the Committee on Appropriations and Financial Affairs reporting "Ought not to pass" on Resolve Appropriating Funds for Regional Airport to Service Augusta, Waterville and Surrounding Areas (H. P. 568) (L. D. 788) which was recommitted. Which Report was accepted in the House on June 7.

Came from the Senate with the Resolve substituted for the Report and passed to be engrossed as amended by Senate Amendment "A" in non-concurrence.

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

Mr. HUGHES: Mr. Speaker, I move we adhere.

The SPEAKER: The question now before the House is the motion of the gentleman from St. Albans, Mr. Hughes, that the House adhere.

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

Mr. BROWN: Mr. Speaker and Members of the House: I would like to move that — in fact I don't know what motion I wish to make except to pass the motion on the Senate Amendment, and I would like to speak briefly on the bill.

The SPEAKER: Does the Chair understand that the gentleman from Fairfield, Mr. Brown, moves that the House recede from its action whereby it accepted the "ought not to pass" report and concur with the Senate in substituting the resolve for the report?

Mr. BROWN: Yes. May I proceed to speak on the resolve?

The SPEAKER: The gentleman may speak to his motion.

Mr. BROWN: This bill was entered early in the session by me and the hearing was held before the Appropriations Committee. I did not oppose on the floor of the House their unanimous report "ought not to pass," in full realiza-

tion of the cost to the State of Maine for this project. I am probably as economy minded as others in the House. However, there has been recently considerable discussion for area airports by the federal agencies and should a program similar to that on highways whereas the federal government contributes ninety percent, this resolve would place the State of Maine in a position to obtain a much needed project at small cost, when the benefits to the business economy of the state are considered. This area is a growing one and many industries are located within its bounds. Today with the passenger service on the trains drastically curtailed and with the air schedules at a minimum due to inadequate facilities, the project takes on an added importance.

If we are to grow and encourage industries to locate, transportation is a fine factor. Most new plants established are branch ones, the executive personnel travelling frequently from the home plant to the branch ones; hence the necessity of having such travel facilities available. Furthermore, the next few years will see an added impetus given to air freight. This cannot be done with DC-3s and the small planes which are the only ones that can land at the present airports in Augusta and Waterville. Incidentally these planes, these DC-3s which they are using, are at least twenty-five years old.

I believe that the advantage of this development to the State of Maine's economy far outweighs the amount of money requested. I hope the House will go along with my motion.

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

Mr. ANDERSON: Mr. Speaker and Members of the House: I do not believe at this time that the expenditure for an airport between Waterville and Augusta would be to the best advantage of the state. A definite upswing in population brought on by industrial development might warrant it in the future. But now with the rapid advancement that science is making and the maneuverability of planes, they may in two or three years be able to

land and take off in one-tenth of the space that they use now; and this would be a wasted expenditure.

I don't believe that there is a place in the State of Maine where you can't drive to an airport, if you want to fly, within an hour.

I therefore move for indefinite postponement of this bill and all accompanying papers and ask for a division.

The SPEAKER: A division has been requested.

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

Mr. LANE: Mr. Speaker and Ladies and Gentlemen: Any time a man like Representative Brown is asking for a few thousand dollars, it must be a pretty good cause. We know how conservative that man is. Ladies and gentlemen, we have a problem in the central part of Maine, we haven't got an airport. We haven't got an airport where we can land large planes. We haven't got an airport for industrialists who want to settle and we all know the business people today have to get to their markets, they have to get to their markets with samples.

And here we have a chance to buy a piece of land; that isn't spending money, that's investment. If we spend it today, we are going to have the land next year and a hundred years from now, and a thousand years from now, I hope. We have a chance to buy a piece of land \$146,000 worth, for \$73,000, the government comes in and will pay a half. And if we want to do something for our state, and if we want to grow, and if we want to bring in more dollars, which we are going to need someday to spend, and in order to spend we have got to make it, and I think we should go along with this and pass this. And we all know in the last hour that if we haven't got the money, we won't get it. But if we do have the money, I think it's a good cause, and I hope that you people will go along with us.

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

Mr. HAUGHN: Mr. Speaker and Members of the House: I am sorry

to have to rise in opposition to my good friend from Waterville, Mr. Lane, but I am going to go along with my friend from Ellsworth, Mr. Anderson, because early in this session you had a bill, your major airport in the State of Maine, in Portland, Maine, which was offered to this state for nothing, which was the general field of the state to offer feeder service to other areas. And because of that fact that it is a major airport in the state which does need expansion and growth before others are allowed to expand for the purpose of bringing these big planes in, we have no areas for those types he might desire to have too.

So on that basis, I am sorry to have to oppose him but on my principles I will have to and I know there is merit to his problem and at a future date to come I hope he succeeds with it. But until we get the major one finished first and done, I can't see any further expansion on it.

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

Mr. BERRY: Mr. Speaker, I would like to direct a question through the Chair, if anyone cares to answer. Does anybody in the House have any ideas of the length of the proposed runway for this airport and the number of runways that are under consideration?

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

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

Mr. WELLMAN: Mr. Speaker, if Mr. Berry would allow me to call upon my memory which may well be hazy, and since nobody else arose, I remember 4,800 feet with a cross runway.

The SPEAKER: The Chair recognizes the gentleman from Mars Hill, Mr. Tweedie.

Mr. TWEEDIE: Mr. Speaker, Ladies and Gentlemen of the House: I too hate to oppose my good friends, but as you know the trend in the increasing flight is mostly for passengers, and it is

very disadvantageous for flying personnel from companies or on business or what have you to have to land somewhere ten or twelve miles from anywhere.

For an example, you go into Old Town, and it takes you nearly as long to get to Bangor from the airport as it does to fly there from most any place in the State of Maine. Now if the trend is toward air freight, air freight means the goods are going quite a long distance, and another few miles doesn't make too much difference. The theory that the planes can land, and they are most all light planes on the increase, as handy as possible to the metropolitan areas still prevails and it is still sound. Therefore I oppose this, it is merely a \$73,000 down payment on a two and one-half-million dollar bill.

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

Mr. BERRY: Mr. Speaker, Ladies and Gentlemen of the House: I am sorry to have to arise in opposition to this bill, but there are many facts that bother me. First off, we have a 4,800 foot runway if I am correct on one former statement, which I do not believe is feasible for large aircraft, today's aircraft, to land and take off from. We have other considerations here. The airport is being located near a river. I have observed this location and at times I have seen it completely fogged. This is liable to be an implication of what might develop and an airport would not be feasible to use 100% of the time. Therefore, I would go along with the motion to indefinitely postpone the bill and the accompanying papers.

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

Mr. BROWN: Mr. Speaker, I am sorry that I do not have my report with me concerning this airport, but as memory serves me, there is at least a 5,000 foot runway which is sufficient to take care of any planes which the Northeast Airlines has. This is the result of a survey ordered by the last legislature and the site was picked on

the basis of all the factors, including weather, accessibility, every single item that they could think of, and it is all contained in the report which was presented to the Appropriations Committee.

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

Mr. LANE: Mr. Speaker and Members of the House: I know here in the Legislature we are supposed to know about everything and sometimes I wonder. The Aeronautics Commission comes out and says they have the plans, they have the location and they approved it, and maybe 50 or 75 people that know something about the airport business they were all for it. There was only one man against it and I have a lot of confidence in our Commission and I think we should go along with them.

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

Mr. WELLMAN: Mr. Speaker, I originally opposed this bill and I still do oppose this bill, not so much because of the money involved in the original bill or the money that is involved here or the expense that may be involved, but because I am convinced after having talked with the personnel in general aviation both in this state and in other states, that ultimately for the long-range viewpoint for the State of Maine this is the wrong approach.

Now I realize that this regional airport approach is one that is recommended and being pushed by the federal government, the F.A.A. and the C.A.B., but I do think that what we need in the State of Maine is just a little bit different. Now we have a large number of airports, as Mr. Tweedie, the gentleman from Mars Hill explained, scattered all over the State of Maine, and these will service light, twin-engined, twelve - passenger type planes. They will also service light freight planes. What we really need is the ability to communicate rapidly by air from any one of these airports to a central airport of a large nature in the Port-

land area, preferably expansion of the present Portland airport. Now hopefully we could then have flights from Portland direct to Chicago, Los Angeles, who knows where. What I am convinced that we do not need is a system of air terminals scattered up the state that is dependent upon the service of one airline. I myself, bypass Portland on the Maine Turnpike to go to Boston to take an airplane now if I am going on to New York or Chicago or the West Coast, but I would go to Portland if I could get that flight out all the way to Chicago, and the continuation of the picking up of these federal funds just to build a regional airport just so that the airlines can bring in a larger airplane, to me, ultimately does not make sense for the long range development of the State of Maine. Now this report that we have referred to earlier stated that in ten years, within ten years, the development of the vertical take-off aircraft will move rapidly ahead and enable us to to use even the present shorter runways that we have now for far more than twelve-passenger planes that I was talking about. So both from the money, and as I say, I am no aviation expert, but from what I can understand, this is the wrong direction for us to take if we accept this bill.

The SPEAKER: The question before the House is the motion of the gentleman from Fairfield, Mr. Brown, that the House recede from its action whereby it adopted the ought not to pass report, and concur with the Senate in substituting the Resolve for the Report. A division has been requested. All those in favor of the motion to recede and substitute Resolve Appropriating Funds for Regional Airport to Service Augusta, Waterville and Surrounding Areas, for the Committee "Ought not to pass" Report, please rise and remain standing until the monitors have made and returned their count.

A division of the House was had.

Thirty-four having voted in the affirmative and ninety-one having

voted in the negative, the motion did not prevail.

Thereupon, the House voted to adhere.

Passed to Be Enacted Emergency Measure

An Act Continuing the Committee on Aging (H. P. 1116) (L. D. 1538)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a division was had. 101 voted in favor of same and 17 against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent forthwith to the Senate.

Passed to Be Enacted

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

An Act relating to Use of Live Bait in Little Sebago Lake, Cumberland County (H. P. 389) (L. D. 564)

An Act Increasing the Tax on Liquor (H. P. 849) (L. D. 1163)

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

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

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

An Act Increasing State Tax in Unorganized Territory (H. P. 947) (L. D. 1295)

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

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

Mr. WELLMAN: Mr. Speaker and Members of the House: I don't feel that we should pass a tax bill particularly a tax bill perhaps of this nature under the hammer; so therefore, I have chosen to rise and to say a few words about it,

perhaps some of you don't know all the facts and the circumstances surrounding this tax, and then let you make up your own minds and vote as you will.

This bill has been discussed in different forms, probably every session here for quite some time. This is a tax on the unorganized territory, the valuation of the unorganized territory in Maine. Out of this area comes the growth for the pulp and paper and the lumber industries, it is a vast area for recreation, wilderness and wildlife. The amount of money that is to be raised by this bill is \$305,000, that will not become due until the second year of this coming biennium. The valuation of this territory has increased over the years, as the land became more valuable, more uses became found for the development of the wood products. Now the argument that has been used many times, is the fact that the state tax rate has never increased since 1930. It's had minor adjustments, but basically that's true, the tax rate has not increased. The valuation has increased as I have said and the tax collected has therefore increased to the state.

In addition to that I would like to point out that this is not the only tax—this tax that we're discussing now is the tax that goes directly into the coffers of the state. However, I must take the year 1958, it is the most recent figure I have before me, we had approximately four and one half million dollars in this unorganized township district tax. County property tax accounted for \$125,000; forestry district tax, that is the tax that the owners of this area impose upon themselves for their policing, control fires, etc., half a million dollars almost; fire protection and building fire tax on unorganized townships, \$2,000; school tax, \$189,000; another tax, road repair tax, \$160,000; and so on for a total of almost a million and one half, now that's increased over the years. Dr. Sly in his report went over this, discussed some of the figures, I am sure you have all read them, again showed how that

these taxes have increased and wound up by indicating that the valuation process that the state tax assessor uses is good, is fair, is equitable, and that he doesn't feel that anybody's particularly getting away with anything here.

I would hope that you will soon vote on this tax here, I assume that there will be some rebuttal to my arguments, that you would consider all these facts in mind when you come to take your vote. Thank you.

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

Mr. WILLIAMS: Mr. Speaker and Members: I think all of you people here know that I have been somewhat interested in pollution back through the sessions and the first people that polluted the rivers the worst back through the years were the pulp companies. They, seeing the handwriting on the wall, they started cleaning up their pollution. Now they have spent, now somewhere I have the figures on it, but it's many millions of dollars have been spent in research and in new processes and cleaning up the rivers in Maine. In a few years when some of this is completed, they will have taken out somewhere around eighty-five or ninety percent of the pollution they were putting in the rivers. Now some of this money came from bonds and some came directly from their profits, so all right these new machines, the process of cleaning up the rivers, were predicated on having a fairly good income to pay for it. It was coming out of the profit. Well now, if you are going to siphon off the profits in taxes, what interests me is you're going to stop the money that's going into new research and new machinery to clean up the rivers, and I think that's an idea everyone should think about. Thank you.

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

Mr. COOPER: Mr. Speaker, Ladies and Gentlemen of the House: I feel somewhat similar to Mr. Williams, but I have a different view of this. It seems that the wildlands now are taxed seven and one

quarter percent; in this bill you ask for eleven, now that's an increase of twenty-five percent. I happen to know as well as a great many of the members of this House considerable about the wildlands of the State of Maine, and some people seem to think that an acre of land that some pulp company may own must be quite valuable. If they would walk around through some of the acreage of what these corporations own, they would find that there's a tremendous acreage that has water, has bog land, has been burned over, there's no revenue from those lands and as I ride around over the northern part of the state, I find that these corporations have constructed roads that the public is allowed to use, they grant that privilege to them, they maintain those highways; and they have done a great deal for the people of the State of Maine, and I don't want to saddle them with any increase in taxation, I think that they are paying plenty. You can go up through to Eustis or Rangeley, and you will ride around through plantations, townships where the roads are better than they are in the sections where I have to travel, and the state I assume has built and maintained the most of those. I would be very much opposed to increasing this tax on the wildlands.

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

Mr. KENNEDY: Mr. Speaker, Ladies and Gentlemen of the House: We all of course have personal interests relative to taxation, and when it strikes us, it's a terrific impact. I have a personal interest in the citizens of the State of Maine, we don't seem to hesitate to put a three percent tax or three and one half percent tax or what have you upon the individuals. I appreciate the position of course that the wildland owners are in; however, as I read the reports occasionally that are printed in the papers, I don't think that they're in a great deal of distress from the profits shown therein. I oppose this tax, I oppose any tax; but if we must have revenue, we must get it from some source. So I see no harm in passing this one and see what we need

when the package is done up and we need the revenue to supply the—what is considered the basic needs of the State of Maine.

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

Mr. BROWN: Mr. Speaker, Ladies and Gentlemen of the House: I have a question that I would like to have clarified in my mind of anybody that may be able to answer. I was wondering when for tax purposes these lands were last valuated?

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

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

Mr. WELLMAN: I would like to answer the question. The lands are under a continual revaluation process of course they can't be done, the whole thing, every year. It is attempted to break the state up into sections—those sections are mapped and then so-called line cruises are done through the stands of timber that are indicated on the maps; from this the amount of timber, the condition of the land is evaluated, and an assessment value is made by the State Tax Assessor. This process goes on continually all the time, by examining the state tax assessor's valuation book, and comparing it from year to year you can see how these valuations have increased each biennium.

The SPEAKER: The Chair recognizes the gentleman from Caribou, Mr. Albair.

Mr. ALBAIR: The information that we had at the taxation committee, there has been no adjustment made since 1933.

The SPEAKER: The Chair recognizes the gentleman from Livermore, Mr. Boothby.

Mr. BOOTHBY: I would like to ask a question through the Chair of the gentleman from Bangor, Mr. Wellman, if he can give me the average rate of taxation throughout the unorganized territory.

The SPEAKER: The gentleman from Livermore, Mr. Boothby, has asked a question through the Chair of the gentleman from Bangor, Mr.

Wellman, who may answer if he chooses.

Mr. WELLMAN: The average rate of the taxation that we're talking about now is seven and one quarter mills. Do you mean the average valuation per acre?

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

Mr. BOOTHBY: I would like to get at the average total rate. I think that will cover it. We have seven and one quarter plus these other additions, I would like to get at the total figures.

The SPEAKER: While the gentleman from Bangor, Mr. Wellman, is taking that question under consideration the Chair will recognize the gentleman from Casco, Mr. Moore.

Mr. MOORE: Mr. Speaker, I believe I could answer that for Mr. Boothby, ladies and gentlemen of the House, excuse me. The average valuation that's paid per acre in Aroostook County is 15.7 cents an acre, this is on unincorporated lands that we are talking about—not incorporated townships at all—unincorporated.

In the County of Oxford it is 12.8 cents per acre that is realized; Penobscot, 14.4; Piscataquis, 11.4; Somerset, 10.3 cents per acre; Washington, nine and one half cents an acre. Is that what you wanted?

I went to considerable trouble before I introduced this bill to see whether it was justified or not, and I believe that it was—Mr. Wellman believes that it wasn't. He said that it has been discussed here many times and always turned down. I wouldn't be surprised before it was over, if this would be turned down; but at least I am going to give it a try. He speaks about the increase in valuation from 1930, there've been new figures released by the Bureau of Taxation this winter, very recently, which show quite a major rise in the valuation. There has been an increase in the valuation in the state wildlands in the last thirty years of thirty percent, from 1930 to the last figures released this spring. But on the values of stump-

age, as you, a lot of you folks from the country know what I mean by stumpage, it's timber before it is cut. As a conservative figure, it has gone up four hundred percent, that I have checked with a good many lumbermen and I have checked over in the Forestry Department on that; and a lot of cases it's five hundred percent. On pulp that is different, we would say that two hundred percent would be the extreme limit that has increased in value in the last thirty years.

Now in reference to the valuation per acre, this valuation that I gave to Mr. Boothby, that includes the self-imposed tax also which is about one third of that; that's the self-imposed tax which they used for their protection and patrolling of their wildlands, which in the last thirty years has been turned over to the state and the state does it. They couldn't quite trust one another to do it, as there were so many different owners, so they are all based on the state's valuation, they turn so much, four and three quarter mills into a self-imposed tax. That is included in this valuation that I gave you.

Now in wildlands in incorporated townships, I took a valuation of over a one hundred thousand acres and it came out to fifty-two cents an acre; that is what the landowners pay in organized territories, and that is another reason that I think that this is a fair tax. It is fair and equitable, I think, that this should be increased. A seven and one quarter mill rate that was set back in '32 or '33 and should continue today seems rather ridiculous, and a valuation that's only increased thirty percent, you can see that it's hardly kept up with the times. That is why I think it is a good tax bill and fair to the people of the state, and I think it should pass. Thank you.

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

Mr. WINCHENPAW: Mr. Speaker, I would like to just say one word in favor of this tax. In your supplemental budget, that we are trying to find money for, there's

\$108,600 in round money under Forestry Department, Supplemental Budget, doesn't all concern wildlands, but the wildlands would get quite a benefit from some of the extra fire wardens we are putting in there. So, I want to go on record as favoring this tax.

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

Mr. BEARCE: Mr. Speaker and Members of the House: I would like to mention the fact that this self-imposed tax by the landowners in the unorganized territories is to pay for the fire wardens and other protection of the forests. This has been agreed upon between the various — that is, they assess each other on the basis of three, four, or whatever is necessary; if there is a heavy fire loss, why the assessment is greater. Sometimes in the past it has been up to as high as six mills I believe; but the fire protection and fire prevention is paid for by the landowners themselves on the wildland tax and not by the Forestry Department here in Augusta.

The SPEAKER: The Chair recognizes the gentleman from Livermore, Mr. Boothby.

Mr. BOOTHBY: To carry along a little further, I have checked on the valuation of forest lands in the towns in my area, and those selectmen come up with the figure of about \$3.00 per acre, and that includes some land that is not cut over, but a good lot of it is cut over land. Now if you apply the average rate in those towns which is about somewhere between eighty and ninety mills, and it's not any less than that, I am sure, you will come up with \$2.50 to \$2.70 per acre per year tax in the unorganized territory. It is for those reasons that I believe that this modest increase is very modest.

The SPEAKER: Is the House ready for the question? The question is on the enactment of An Act Increasing State Tax in Unorganized Territory, House Paper 947, Legislative Document 1295.

Mr. Anderson of Ellsworth then requested a division on enactment.

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

A division of the House was had. One hundred eighteen having voted in the affirmative and fifteen having voted in the negative, the motion prevailed.

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

An Act relating to Harness Racing Purses (H. P. 1175) (L. D. 1621)

An Act Appropriating Funds for Ferry Service for Long Island Plantation (H. P. 1186) (L. D. 1633)

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

Orders of the Day

The Chair laid before the House the first 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 7, by Mr. Whitman of Woodstock.

Pending — Passage to be Enacted. (On motion of Mr. Baxter of Pittsfield, tabled pending passage to be enacted and specially assigned for tomorrow.)

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

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

Tabled — June 7, by Mr. Whitman of Woodstock.

Pending — Passage to be Enacted. (On motion of Mr. Baxter of Pittsfield, tabled pending passage to be enacted and specially assigned for tomorrow.)

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

Senate Joint Order Relative to Duties of the Secretary of the Senate. (S. P. 579)

Tabled — June 7, by Mr. Whitman of Woodstock.

Pending — Passage in Concurrence.

Thereupon, the Order received passage in concurrence.

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

Resolve to Apportion One Hundred and Fifty-one Representatives Among the Several Counties, Cities, Towns, Plantations and Classes in the State of Maine (H. P. No. 1181) (L. D. No. 1630)

Tabled — June 7, by Mr. Plante of Old Orchard Beach.

Pending — Passage to be Engrossed.

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

Mr. PLANTE: Mr. Speaker, Ladies and Gentlemen of the House: Recognizing the political exigencies involved with such legislation as this, one is somewhat reluctant to rise and attempt to oppose it, knowing full well that his chances of being successful are very slight. However, I feel that for the record inequities which have been discovered should be presented to this body, for them to do as they see fit. I think that the membership of this House should know that there are counties who have been assigned additional seats under this act which according to the interpretation of the Constitution are not entitled to them. For example, if you use the revised figures used by the committee rather than the actual figures, you will find that Aroostook County is entitled to 15.89, not giving them an additional seat. The Constitution provides that the .89 would be distributed among the smaller counties. This would mean that if the Constitution using the revised figures of the committee were used then Penobscot County would gain two seats and Cumberland County would gain one seat. It was felt apparently by some members of the committee that perhaps for political expediency that —

The SPEAKER: The Chair would request the gentleman to

stick to the facts and not to the motives of the individuals.

Mr. PLANTE: I stand corrected. It would seem from the figures which we have ascertained that a seat was given to Aroostook County, which by our figures Aroostook County was not entitled to. This would mean that if our figures are correct, that in using the revised figures the Constitution was not followed to the letter, then there is some question as to the constitutionality of this L. D. I feel that we have tried to be fair in presenting our case. I think that this House was most kind in giving us an opportunity to present our case last night to the Aroostook delegation; for this I am grateful. I feel that we would be negligent in our duties if we should let this go by. Therefore, for the record, I wish to state that there is a chance of this act being declared unconstitutional on the basis of some counties being given seats which they are not entitled to.

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

Mr. LEVESQUE: Mr. Speaker, Ladies and Gentlemen of the House: In view of the facts from the figures used by the committee, we cannot feel that there is a justification of the figures now used by the committee on an overall basis of the state; therefore we feel that some, probably thirteen or fourteen counties in the state have used one set of figures and another county has used another set of figures, which we don't feel is consistent, and if it's going to be reapportioned may it go wherever it's supposed to be, to whoever gets the number it should be equally divided amongst the sixteen counties using one key figure, and not using one figure for one county and another set of figures for some other county. So, therefore, in view of the lights of the figures that we have now been trying to arrive at as a base figure for the counties and as a key figure for the state, I would now like to propose House Amendment "D" to Legislative Document 1630, and move its adoption.

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

HOUSE AMENDMENT "D" to H. P. 1181, L. D. 1630, Resolve, to Apportion One Hundred and Fifty-one Representatives Among the Several Counties, Cities, Towns, Plantations and Classes in the State of Maine.

Amend said Resolve by striking out all of the 3rd paragraph which relates to Aroostook County and inserting in place thereof the following:

'The County of Aroostook shall choose 16 Representatives to be apportioned as follows: Caribou, 1 Representative; Fort Fairfield, 1 Representative; Presque Isle, 1 Representative; Houlton, 1 Representative; Limestone, 1 Representative; Madawaska, 1 Representative; Benedicta, Crystal, Dyer Brook, Hersey, Island Falls, Merrill, Oakfield, Sherman, Smyrna and Plantations of Macwahoc, Moro and the unorganized townships of Molunkus, Silver Ridge and South Molunkus, 1 Representative; Blaine, Bridgewater, Mars Hill, Monticello and E. Plantation, 1 Representative; Amity, Bancroft, Haynesville, Hodgdon, Linneus, Littleton, Ludlow, New Limerick, Orient, Weston and Plantations of Cary, Glenwood, Hammond and Reed, 1 Representative; Stockholm, Frenchville, Saint Agatha, the Plantations of Caswell, Cyr and Hamlin, and the unorganized townships of Connor, Guerette, Sinclair, 16 R-4, 17 R-5, 1 Representative; Grand Isle and Van Buren, 1 Representative; Ashland, Castle Hill, Masardis, Portage Lake, the Plantations of Garfield, Nashville and Oxbow, and the unorganized townships of St. Croix, Squa Pan, 9 R-4 and 11 R-4, 1 Representative; New Sweden, Perham, Washburn, Woodland and Westmanland Plantation, 1 Representative; Chapman, Easton, Mapleton, Wade and Westfield, 1 Representative; Fort Kent and Wallagrass Plantation, 1 Representative; Eagle Lake and Plantations of Allagash, New Canada, St. Francis, St. John, Winterville and the unorganized townships of 11 R-14, 14 R-6, 15 R-6, 16 R-6, 16 R-12, 20 R-11, 20 R-12, 1 Representative.'

The SPEAKER: The Chair rec-

ognizes the gentleman from Milbridge, Mr. Kennedy.

Mr. KENNEDY: Mr. Speaker and Members of the House: I move indefinite postponement of House Amendment "D."

The SPEAKER: The question now before the House is the motion of the gentleman from Milbridge, Mr. Kennedy, that House Amendment "D" be indefinitely postponed, and the Chair recognizes the gentleman from Portland, Mr. Kellam.

Mr. KELLAM: Mr. Speaker, Members of the House: In support of House Amendment "D" for Aroostook County, although it's a long way from my home town, in looking over the figures that the Reapportionment Committee used at arriving at sixteen seats for Aroostook County, I can find no way to justify giving sixteen seats in the first place to Aroostook County, if the committee is going to be consistent in the use of figures throughout the entire state. The committee, contrary to my belief as to what the true method of reapportionment should be, indulged in the practice of adjusting the census figures. As you may well be aware, the Constitution of the State of Maine does not spell out with any exactness what the means of ascertaining the population of the state shall be as it regards to the House of Representatives. It does, however, state that the federal census must be used in the reapportioning of the Senate. Now of course the Constitution is revised from time to time and possibly a later revision effected this result.

However, my criticism of the method of reapportionment, that is, the readjusting of the census figures lies in the fact that the Constitution states the Legislature shall within every period of at most ten years and at least five, cause the number of inhabitants of the state to be ascertained exclusive of foreigners not naturalized. Now it takes this particular figure and then reapportions it among the several counties in the state. I believe by stating the fact that they will take the inhabitants and then further adding that exclusive of foreigners not naturalized, the Constitution indicates the method used in ascertaining what the population should

be. I believe that it indicates we should use the best census figures available and exclude only those who are foreigners and not naturalized. However, the committee has decided to exclude numerous people from its count of the census. They have excluded military personnel, who live on the military bases and they have excluded people in the colleges insofar as they have ascertained. Now I believe that this is an accurate method of ascertaining the population to say the least. These population figures are not based upon what the census counted on military bases, they are based upon those figures that the commanding officers forwarded to the reapportionment committee at their request at a much later time than when the federal census was taken. I feel that as a matter of good practice and sensibility, we should have taken the census figures at their face value and used those as population figures for the State of Maine. I feel that there is the utmost authority for this belief and the fact that of all the legislation that I can recall in which population is referred to and in which population is defined, the basis for that population is the federal census. I would refer you in this session of the Legislature to our district court bill which defines population as the latest federal census, the election law bill which refers to population as the latest federal census; and I am quite sure there is one other that is pending with us this session. In any event, the numerous laws on our statute books are invariably based upon the federal census figures, and the reason for this I feel is justified in the fact that it is probably the most accurate figure that can be obtained.

However, the Committee on Reapportionment either before making calculations or afterward, depending upon who you talk to, decided that they would disregard the military bases and various students, and I feel quite certain that all the students are not omitted since it's quite hard to ascertain who they would be, at least there are colleges in the State of Maine who were not listed on the sheet

furnished by the Reapportionment Committee.

Well, if the Reapportionment Committee can argue that this is justified, and I suppose they feel that they can, I certainly don't believe that they can feel that it is justified to go one step further and disregard the adjusted figures insofar as they apply to Aroostook County, and only insofar as they apply to Aroostook County. In the reapportionment of Aroostook County, the use of the figures disregarding the military bases would come to fifteen seats plus an overage of something like .89 or an overage of 5,677 seats with a figure, a magic figure in the state of 6,280 people. If they adjusted the figure further, I have some figures from the Reapportionment Committee which made a further adjustment, and this figure did not give them sixteen seats. There is no possibility, whether they count the service men that live on the base, service men that live off the base, people in colleges in the County of Aroostook, in any combination there is no possibility in that sixteen seats can be allotted to the state to the County of Aroostook. I would read further from the Constitution of the State of Maine, it states.

After the section on the ascertaining of the inhabitants which is article 4, part 1, section 2, section 3 states, each county shall be entitled to that number of representatives which is in the same proportion to the total number as the number of inhabitants of the county bears to the number of the inhabitants of the state, fractional excesses over whole numbers to be computed in favor of the smaller counties. I am sure that we're all aware that any overage inures to the benefit of those counties with the lowest population.

Now just reading the Constitution I can see no possibility of it being, whether fair, right, legal or anything else, to apportion sixteen seats to the County of Aroostook out of the whim and generosity of the County of Penobscot.

I go on further in support of the amendment offered by Representative Levesque to say that the

County of Aroostook has gone one step further in its use of figures. After having obtained the sixteen seats in the reapportionment of the county, the Reapportionment Committee did not use either the population including the military or the population excluding the military uniformly throughout the county. In the case of Presque Isle, if we exclude the military living on the base throughout the county and the students in college, we come to a total population figure of 95,078 people. This divided by sixteen will give a figure of 5,942 for a base figure.

If we subtract the military living on the base in Presque Isle, we come out with a figure of one representative plus a large overage. If we use the same figure in relation to Caribou, we come out with one representative and a large overage; and the relationship of Limestone we come out with one representative and a large overage. Therefore, I would feel that if they are to receive sixteen seats, they should be apportioned uniformly throughout the county and give the seats one to Presque Isle, one to Caribou, and one to Limestone and the remainder of course going to the class towns.

If we do not use the military at all, we would have a situation where Limestone would be entitled to two seats being the largest town in the county according to the census figures. Therefore, I feel that in dealing with this amendment only, whether it is accepted or not, to be fair and equitable and even honest within the county, you must accept the change proposed in this amendment.

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

Mr. ANDERSON: I request a division on the motion of the gentleman from Milbridge, Mr. Kennedy.

The SPEAKER: A division has been requested.

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

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

I do not feel that I would be justified if I hadn't taken the figures into consideration that were brought to our attention, and I certainly if proven wrong, I certainly will not discuss this thing any further. For the simple reason of justification in my own mind and in the minds of the people of Aroostook, I feel that this has been given to study by the committee and although the committee in some areas have used one system and another committee has used another system; so therefore I would like to feel justified that using their own figures, you will find that Limestone has got 13,000 and it has been allocated one representative; Presque Isle with a lesser population has been given two representatives; Caribou with a lesser population than Limestone is still allocated two representatives. Using the figures of the census, we find that the state population of 106,064 and in the case of Presque Isle, we remove the military and student personnel which gives us a remainder of 99,802, we divide that by sixteen to give us 6,238. Now you divide the 12,000 population of Limestone by 6,238 and you would get two seats; but if you divide the population of Presque Isle which is 12,886 less 830 military personnel and students and you have got 12,056, and you divide 12,056 by 6,238 and it does not give you two seats. Then you find the same thing in Caribou with a population of 12,464, taking away the military personnel and students which gives you 12,169 and it still doesn't go twice in 6,238; so on those bases, I feel that the justification there is to give Limestone one seat, Presque Isle one seat, Caribou one seat, and apportion in other districts to include the outlying areas. That is the basis that we have arrived at.

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

Mr. HUGHES: Mr. Speaker, I believe that this amendment would make the legislative document unconstitutional. It reduces the number of representatives in Aroostook County by one and it does not replace him; so we would end up with only one hundred fifty repre-

sentatives; and the book says we shall have one hundred fifty-one.

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

Mr. PLANTE: Mr. Speaker, Ladies and Gentlemen of the House: So that one will not be in error, you will find that Representative Levesque's amendment does give Aroostook sixteen seats, because we have been forced to use in preparing this amendment the figures given to us by the committee. Aroostook wouldn't lose one.

While I am on my feet I may state for the record that in assigning the number of military personnel, for example in Caribou, an arbitrary figure of two hundred ninety-five, six or seven was used in subtracting from the gross population figure. This was arrived at by dividing by four, 1,191; assuming that because of the four Nike sites at Caswell, Connor and Limestone and Caribou that the individuals or the personnel there would be equally divided in each of these four towns. Such methods are highly inadequate.

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

Mr. FOGG: Mr. Speaker and Members of the House: I was on the committee and I signed the "ought not to pass" report on this bill because I felt that there were inequities in it and the nearest one I felt was pretty close at home, right in my own legislative class. Now Somerset County loses one representative — I agree to that. And taking the figure of the population as divided by the five representatives which we have, or six rather, it figures out by one system a base figure of 6,425 and there is another base figure 6,228 when we use it. Whichever way it is, it produces a figure which is difficult for me to understand.

Now dividing the classes up into different divisions, you take the figure 6,425, now the town of Fairfield stands by itself with 5,829, which is 596 below the base population. The town of Madison, which formerly had four towns in it: Madison, Cornville, Hampden and Solon, is in group now with Cornville, Smithfield, Mercer and Norridge-

wock, which gives it a class population of 6,808, which is 979 more than the town of Fairfield.

The Constitution says that the division should be equitable. Now if there are only — maybe a couple of hundred difference there, I wouldn't think anything of it; but I don't know why the committee accepted these two figures with such a diversion. I am not saying that I don't expect there is any feeling of malice toward it, of course some of these towns do have a very consistent record of Republican votes, but I do think—and if it weren't for the fact that there is such a wide divergence there I wouldn't say anything about it. But 979, that is equivalent to the population of a fair sized town up in Somerset County. And I do feel that I should call attention to this fact and ask to have the bill amended so that it will bring things a little closer together.

Now Smithfield borders right on the town of Fairfield, and by adding Smithfield to the town of Fairfield, it will bring Fairfield up to 6,211 and it would reduce Madison to 6,426. Now I think according to the Constitution that would be a much more equitable division of the population. Therefore I do present House Amendment "C" to this bill, and I move its adoption.

The SPEAKER: The Chair would remind the gentleman from Madison, Mr. Fogg, that the question before the House is the motion of the gentleman from Milbridge, Mr. Kennedy, that House Amendment "D" be indefinitely postponed; and a division has been requested.

Mr. FOGG: I will withdraw my motion.

The SPEAKER: Is the House ready for the question?

The question before the House is related to item four under today's assigned matters, a Resolve to Apportion One Hundred and Fifty-one Representatives Among the Several Counties, Cities, Towns, Plantations and Classes in the State of Maine. The immediate question is the motion of the gentleman from Milbridge, Mr. Kennedy, that House Amendment "D," filing number H-390 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. Ninety-two having voted in the affirmative and thirty-three having voted in the negative, House Amendment "D" was indefinitely postponed.

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

Mr. FOGG: Mr. Speaker, now I move adoption of House Amendment "C."

The SPEAKER: The gentleman from Madison, Mr. Fogg, now offers House Amendment "C" and moves its adoption. The Clerk will read the amendment.

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

HOUSE AMENDMENT "C" to H. P. 1181, L. D. 1630, Resolve to Apportion One Hundred and Fifty-one Representatives Among the Several Counties, Cities, Towns, Plantations and Classes in the State of Maine.

Amend said Resolve in the 4th paragraph from the end, which relates to the County of Somerset, by inserting in the 2nd line after the word and punctuation "Representative;" the words "Smithfield and"; and by striking out in the 6th line the words and punctuation, "Norridgewock and Smithfield" and inserting in place thereof of the words "and Norridgewock"

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

Mr. KENNEDY: Mr. Speaker, I move indefinite postponement of House Amendment "C."

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

Mr. ANDERSON of Ellsworth then asked for a division.

The SPEAKER: A division has been requested. Is the House ready for the question?

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

A division of the House was had.

Ninety-three having voted in the affirmative and thirty-three having voted in the negative, House Amendment "C" was indefinitely postponed.

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

Mr. KELLAM: Mr. Speaker and Members of the House: I present House Amendment "B" and move its adoption, and wish to speak briefly to it.

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

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

HOUSE AMENDMENT "B" to H. P. 1181, L. D. 1630, Resolve, to Apportion One Hundred and Fifty-one Representatives Among the Several Counties, Cities, Towns, Plantations and Classes in the State of Maine.

Amend said Resolve by striking out all of the 4th paragraph, which relates to Cumberland County, and inserting in place thereof the following:

The County of Cumberland shall choose 28 Representatives to be apportioned as follows: Portland, 7 Representatives; South Portland, 4 Representatives; Westbrook, 2 Representatives; Brunswick, 3 Representatives; Gorham, one Representative; Scarborough, one Representative; Falmouth, one Representative; Cape Elizabeth, one Representative; Bridgton and Naples, one Representative; Freeport and Pownal, one Representative; Cumberland and Harpswell, one Representative; Windham, one Representative; Baldwin, Sebago, Standish, one Representative; Harrison, Otisfield, Casco, Raymond, one Representative; Yarmouth and North Yarmouth one Representative; Gray and New Gloucester, one Representative.

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

Mr. KELLAM: Mr. Speaker and Members of the House: In relation to Amendment "B" — I wish to say that I am not too sure how the committee arrived at the reapportionment of Cumberland Coun-

ty, but in any event it appears to me on its face to be quite inequitable. First I would like to say that I believe, and I have said it before, that the Committee on Reapportionment should adopt for its use the Federal Census figures furnished to it, in order to arrive at its conclusions. If this matter was used, it would be easy for any one of us, or anyone else, to ascertain what the proportional representation between the counties should be. However, as we all know, the committee decided to remove from its consideration certain figures which I believe to be inaccurate to the point of being arbitrarily selected before ascertaining how the reapportionment should be within the county.

Now my amendment would leave the present towns, the class towns, nearly the way they are today. The southern portion of the county would remain in the present condition. The change would be to remove Casco from Windham, because of the increased population of Windham; remove Raymond from Gray and New Gloucester, because of the increased population of Gray and New Gloucester, and combine them with Harrison and Otisfield, making a district more nearly compatible with the rest of the county, and also place Naples, who is now with Harrison and Otisfield, in with Bridgton.

Under this system the smallest representative district would be 3,242 votes. Under the pending bill the small representative district would be the district of Casco, Harrison and Otisfield with 2,510 votes. I believe that it is highly inequitable to transfer the towns within a county in such a manner and to such an extent as to produce smaller districts and more disproportionate districts than now exist. I would readily agree that the town of Bridgton should not be allowed to remain alone for the population of 2,707 people, since it is contiguous to three other towns that could easily incorporate with them and have a more equitable population. The Reapportionment Committee has decided that Naples should be in with Bridgton, giving a population of 3,442 seats, which I feel is certainly more equitable.

I fail to see the basis for removing Pownal from Freeport and Yarmouth from North Yarmouth and New Gloucester from Gray. Freeport has a population of 4,055, Yarmouth has a population of 3,517. This population certainly is small indeed when you compare it with the proportionate population of Portland which runs over 10,000 per representative, and it is certainly a great deal less than the other towns within the county. I feel that Gray should remain with New Gloucester, Gray and New Gloucester are presently in a school district, they are contiguous, they lie on either side of the main highway to Lewiston, adjoining each other, and certainly we should not split them up and — to produce districts such as Gray and Raymond with a population of only 2,916 people when the population of Gray and New Gloucester combined gives a population of 5,231. The same holds true for the other towns within the county. My plan for reapportionment gives all the districts, towns which are contiguous, close together, similar interests and without running off in any direction any more than is absolutely necessary. There are some geographical handicaps whereby the towns such as Baldwin, Sebago and Standish could hardly be changed, and the northern part of the county being something of a finger obviously must be grouped together.

The change would result only in a change in representation of the town of Brunswick which of course because of its increased population is the town which gave Cumberland County the additional seat anyway. The Town of Brunswick has within its confines the Brunswick Naval Air Station and the reapportionment committee relied upon this fact to deny them a seat. In its effort to exclude the population, the on-base population of Brunswick is 1,782 people and Bowdoin College is 692, they have taken the figures and deducted them from the Brunswick total, and as I say these figures are not arrived at through a search of the census records. The figures are arrived at by calling up a member of the school, an officer of the school, and asking him how many people are enrolled in the

college, and I hardly see that that is a — the way to go about arriving at such a serious thing as a census figure. Nevertheless, if the county reapportionment committee believes that it must exclude these people and adjust and revise, change the figures furnished by the census, I feel that is a fundamental principle of law that once the bill is open to a change in figures that they certainly should be allowed to be changed in more than one direction. I feel that it is a desire of this committee to arrive at a more exact count of those people who live within the town of Brunswick who are interested in the everyday activities of the town and live there by virtue of their own choice, taken up residence, are more than mere inhabitants of the town, and I say inhabitants, because inhabitants is what is required in the Constitution, not residence or voting status. If they want more than that I believe that they should search the town records, avail themselves of the available evidence and find what the population of Brunswick actually is.

I drive through Brunswick every day coming up here, and many other times during the course of the year. It is a very thriving town. I would say it is the fastest growing town in the state. It is receiving considerable attention from new industries locating there regularly. There is not an empty rent in the whole town. You stop anybody, the restaurants or any place else, the employees always complain that this is no place to live. This indicates to me that there is a tremendous growth in the town. I have gone down there a dozen years ago and saw very little activity. As a matter of fact during the 1950 census there was certainly a much lower population figure at that time due to the fact that the air station was not in operation and the branch of the University of Maine which was established after the war had been closed down, it should be a low point in the population of the town. However the population at that time was 11,000 people, and according to the best estimates I can make of the figures that were used by the reapportionment committee,

they must have cut the population down to something like twelve or twelve and a half. It is inconceivable to me that a town which looks twice as big can only have a thousand or so more people. Therefore, I believe that the figure should be adjusted upward with the evidence used obtained as to what the actual population of Brunswick is and if they then wish to divide the base figure into that population to ascertain whether Brunswick should have three seats or not, I believe it is all right to do so, although I would say again that I believe it is foolhardy to tamper with official federal documents, the only source of information that we have which I believe is reliable to the extent that it should be used regularly and we should have used the original census figures; however, since we did not, we should use the adjusted figures and adjust it from all sides with all testimony and not just those who are on the committee.

We have never had a hearing on this bill that I know of. I have never had any information of a hearing which could be presented to the committee to ascertain what the population of these various towns were. I have never had a county delegation meeting where the matter was ever discussed and consequently it has been a great strain on me and an effort to try to determine just what the Cumberland County situation would be prior to the release of this bill. I believe the pending motion is to indefinitely postpone this amendment, and I hope that some of the Members of the House will see the justice involved in this matter and not vote accordingly.

The SPEAKER: The pending motion is on the adoption of House Amendment "B." There has been no motion made yet to indefinitely postpone.

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

Mr. KELLAM: Mr. Speaker, I am sorry to have beaten Mr. Kennedy to his feet, and consequently, when the motion is made if it is to be made, I would hope you would go along with my prior advice, otherwise vote for the adoption of the

amendment if that is the pending motion.

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

Mr. LOWERY: Mr. Speaker and Members of the House: I feel that I should state at this time the case for the Town of Brunswick and at least let you know what I had hoped I would be able to present to the Cumberland County delegation. I have never had that opportunity.

The Town of Brunswick, as Mr. Kellam has told you, is one of the fastest if not the fastest, growing towns in the state. However, somewhere along the line with all of these figures that I have and these figures that have been reported, instead of growing, we must have had a mass exodus from our town somewhere at some time. In 1950 the federal census showed us with a population of 10,996. I have with me here a letter from the Town Manager of the Town of Brunswick in which he emphasizes our feeling that there was something radically wrong even with the federal census. May I quote to you part of this letter: In June of 1955 a local population census was conducted at the Town of Brunswick resulting in a population figure at that time of 15,700 people. This did not include military personnel stationed at the Brunswick Naval Air Station. This, mind you, was in 1955. According to the reports here we have an unofficial figure according to Mr. Bernstein, District Supervisor of the Census Bureau, of 15,685.

Now from this, somewhere along the line and I say this that it is an arbitrary figure, they have deducted the figure of 3,185 and called that the amount or the population of the Naval Air Station and Bowdoin College, and they have come up with a round figure of 12,500, and have listed that, according to Mr. Bernstein, quoting Rand-McNally, as the official figure for the Town of Brunswick. This I say is wrong. I think that anyone familiar with our area, anyone who has travelled through the Town of Brunswick, must realize that that town has grown. I think that we should continue to use the figure that at least has been reported as

the federal census figure. We do know this in that town, that by 1970 we will have easily approached the figure of 25,000 if not more. All indications point to that.

Might I say at this time too, that a check with the post office department in Brunswick shows that over 24,000 pieces of mail are going through there and we have tried to get a check with that figure and we have come up with an approximate figure of 18,000. So I say that we are up in a class where we should have this extra seat. I think it is only fair that we should have that, and I certainly hope that this amendment will be adopted. Thank you.

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

Mr. KENNEDY: Mr. Speaker, in support of the committee report, I now move that House Amendment "B" be indefinitely postponed.

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

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

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

The SPEAKER: A division has been requested. All those in favor of the motion to indefinitely postpone House Amendment "B" please rise and remain standing until the monitors have made and returned their count.

A division of the House was had. Seventy-nine having voted in the affirmative and twenty-nine having voted in the negative, the motion did prevail.

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

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

HOUSE AMENDMENT "A" to H. P. 1181, L. D. 1630, Resolve, to Apportion One Hundred and Fifty-one Representatives Among the Several Counties, Cities, Towns, Plantations and Classes in the State of Maine.

Amend said Resolve in the paragraph which relates to the County of Aroostook by striking out the 11th, 12th and 13th lines and in-

serting in place thereof the following lines:

'New Limerick, Reed Plantation, one Representative; Limestone, Stockholm, Caswell Plantation, Cyr Plantation, Hamlin Plantation and Connor (Unorganized), one Representative; Van Buren, one Representative; Ashland, Castle' and by striking out the 18th line and inserting in place thereof the following line:

'Wade, Westmanland Plantation, T16, R4, one Representative;'

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

Mr. LANE: Mr. Speaker and Members of the House: As you can see, this amendment was not prepared by a lawyer, it isn't complicated, it is very simple, and I think it does a little justice to this bill.

I called up the Town Manager, Mr. Johnson and I called up the Town Manager in Limestone, and we asked him what was the population of that town, and he told me over the telephone the population of that town was about 4,000. Now if you look at this amendment, you take Limestone, you still give them one seat, and if you take away the town of Stockholm from Representative Bragdon and two or three more towns, in other words, you put his district the way it was before, and I am sure even the chairman of this committee, I don't believe he would object to this amendment, and I hope he won't.

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

Mr. KENNEDY: Mr. Speaker, again in support of the committee report, I move indefinite postponement of House Amendment "A."

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

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

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

The SPEAKER: A division has been requested on the motion. All those in favor of the indefinite post-

ponement of House Amendment "A" please rise and remain standing until the monitors have made and returned their count.

A division of the House was had.

Sixty-seven having voted in the affirmative and twenty-eight having voted in the negative, the motion did prevail.

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

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

Mr. BUSSIERE: Mr. Speaker, I move this bill be tabled until tomorrow.

The SPEAKER: The gentleman from Lewiston, Mr. Bussiere, moves this matter be tabled until tomorrow.

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

Mr. WHITMAN: Mr. Speaker, for obvious reasons, I ask for a division.

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

A division of the House was had.

Five having voted in the affirmative and eighty-three having voted in the negative, the motion to table did not prevail.

Thereupon, the Bill was passed to be engrossed and under suspension of the rules sent forthwith to the Senate.

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

Mr. COOPER: Mr. Speaker, Ladies and Gentlemen of the House: I respectfully request that the rules be suspended in order that I may move to reconsider the acceptance of the Leave to Withdraw Report on a bill, "An Act Relating to Weight of Commercial Vehicles Hauling Forest Products."

The SPEAKER: The gentleman from Albion, Mr. Cooper, has reference to page 5 of the House Calendar and to an item under Matters Recalled from the Legislative Files now in the hands of the Clerk of the House, being a Bill "An Act Relating to Weight of Com-

mercial Vehicles Hauling Forest Products," L. D. 758, and the gentleman from Albion, Mr. Cooper, moves that the rules be suspended in order that the House may reconsider its action whereby it accepted a Committee Report being Leave to Withdraw. Is it the pleasure of the House that the rules be suspended in order that the gentleman may make a motion for the House to reconsider its action whereby the House did accept a Leave to Withdraw Report? All those in favor of the suspension of the rules, 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 fifty-nine having voted in the negative, the motion did not prevail, being less than two-thirds.

The SPEAKER: The Clerk informs the Speaker that the only matters before the House at this time are the eight items on the bottom of Page 5 and the two items which were tabled this afternoon.

House at Ease

Called to order by the Speaker.

The SPEAKER: Immediately following recessing, there will be a House Republican caucus in this room for a few minutes, and I would like to have everyone remain so we can take care of it.

On motion of Mr. Baxter of Pittsfield,

Recessed until 7:30 this evening.

After Recess 7:30 P.M.

The House was called to order by the Speaker.

The following papers from the Senate were taken up out of order by unanimous consent:

From the Senate: The following Order:

ORDERED, the House concurring, that the Legislative Research Committee be and hereby is directed to make such studies of the operations of the Civil Defense Department and the Maine Port Authority as to give to the Committee

a detailed understanding of the respective operations of these two agencies of State Government. From such studies and observations the Committee shall report to the 101st Legislature such recommendations as they conclude will be helpful in Legislative determination of future expansions or limitations, as may be, of these two agencies. The report of the Committee, if consistent with their conclusions, shall include any specific legislation deemed appropriate to carry out the recommendations of the Committee (S. P. 584)

Came from the Senate read and passed.

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

Non-Concurrent Matter

Bill "An Act to Increase Cigarette Tax One Cent" (H. P. 851) (L. D. 1165) which was passed to be engrossed as amended by House Amendment "A" in the House on June 7.

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

In the House:

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

Mr. BAXTER: Mr. Speaker, what this amendment means is that the proposed increase in the sales tax will last but one biennium. I assure you that although this amendment was cut by the Chairman of the Taxation Committee, such an amendment was never discussed in the Taxation Committee, and it has no backing by the committee as far as I know. It certainly has never been considered. Now it seems to me that it would be absurd to say the least to start our taxes on a biennial basis. I just hate to think what kind of a problem we would have if every tax we enacted, we enacted only for two years and every two years we had to come back and re-enact all over again all the taxes that we had previously enacted. Furthermore, we are all very well aware of the fact that the expenditures which these taxes are meant to cover are recurring expenditures and to me it certainly doesn't make any sense to adopt

recurring expenditures and not revise recurring funds; so it seems to me that this sets up an impossible situation, and I move that Senate Amendment "A" be indefinitely postponed.

The SPEAKER: The Chair understands that the gentleman from Pittsfield, Mr. Baxter, moves that the House insist.

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

Mr. COOPER: Mr. Speaker, Ladies and Gentlemen of the House: I tried to get an amendment in this House this afternoon, which I couldn't do, and I see that the proper way to go about this thing is to put in a supplement; and I am not in favor of accepting this supplement. We in this House decided that we would put a one cent tax on cigarettes. I think we better adhere to the vote that we took in this House.

The SPEAKER: The question before the House is the motion of the gentleman from Pittsfield, Mr. Baxter, that the House insist.

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

Mr. LANE: Mr. Speaker, Ladies and Gentlemen: I can't see anything wrong with this amendment. The only thing this amendment will do is to tell all the department heads, be careful, what you are going to spend for the next two years or the next four years; and if they know that they can't get any more money in two or four years from now, I think we are going to save a lot of money and in case if we need any more money two years from now, we can always have a cent tax on the cigarettes again. What's wrong with this amendment? I can't see anything wrong with it.

The SPEAKER: The question before the House is the motion of the gentleman from Pittsfield, Mr. Baxter, that the House insist.

Mr. LANE: I move we recede and concur with the Senate.

The SPEAKER: The question now before the House is the motion of the gentleman from Waterville, Mr. Lane, that the House recede and concur with the Senate.

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

Mr. BAXTER: I hope that the motion of the gentleman from Waterville, Mr. Lane, does not prevail and I request a division.

The SPEAKER: A division has been requested.

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

Mr. KENNEDY: I can sympathize with the sentiments of our Floor Leader that we are going to have recurring expenses, and I don't like the tax on cigarettes, I don't like any tax. But inasmuch as cigarettes are heavily burdened already by a tax, feeling and having the knowledge that when we come back here another session, we will probably have to have a major sales tax, I really think it's too bad that we continue the tax on cigarettes more than the biennium. Should we continue the tax over the biennium, it will still be on and we will still be raising a major tax. Now if this amendment should prevail, we will come back not having that revenue and knowing full well that we will have to have a sales tax, probably a full one cent, and I would like to support the amendment.

The SPEAKER: Is the House ready for the question? The question before the House is the motion of the gentleman from Waterville, Mr. Lane, that the House recede and concur with the Senate. A division has been requested.

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

A division of the House was had.

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

Thereupon, the House voted to insist, and the Bill was sent forthwith to the Senate.

The following House Report was taken up out of order:

**House Report of Committee
Ought Not to Pass
Tabled Until Later**

Mr. Wheaton from the Committee on Taxation reported "Ought not to pass" on Bill "An Act relating to Sales Tax on Farm Machinery and

Equipment" (H. P. 1038) (L. D. 1439)

Report was read.

On motion of Mr. Baxter of Pittsfield, tabled for one-half hour pending acceptance of the Committee Report.

On motion of Mr. Whitman of Woodstock,

Recessed for fifteen minutes or until the sound of the gong.

After Recess

9:05 P.M.

Called to order by the Speaker.

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

Mr. BAXTER: Mr. Speaker, I move that the House suspend that section of the rules which prohibits transaction of business in the House after the hour of 9:00 p. m.

The SPEAKER: The gentleman from Pittsfield, Mr. Baxter, moves that the House suspend that part of the House rules which prohibits the transaction of business after 9:00 p.m. Is this the pleasure of the House?

The motion prevailed.

Mr. Baxter of Pittsfield presented the following Order out of order and moved its passage:

ORDERED, the Senate concurring, that the Joint Standing Committee on Taxation be and hereby is authorized and directed to report to the House forthwith a Bill which shall repeal Sec. 11 of R. S., c. 17, which reads as follows:

'Sec. 11. Tax only upon difference between sale price of purchased motor vehicle or farm tractor and sale price of vehicle or vehicles or farm tractor or tractors traded in. When one or more motor vehicles or farm tractors are traded in toward the sale price of another motor vehicle or farm tractor, the tax imposed by the provisions of this chapter shall be levied only upon the difference between the sale price of the purchased motor vehicle or farm tractor and the sale price of the motor vehicle or vehicles or farm tractor or tractors taken in trade.' (H. P. 1188)

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

Mr. HAUGHN: Mr. Speaker, Ladies and Gentlemen of the House: I rise in opposition to this order. This is one more attempt to get into the sales tax operation of which I think this House very soundly and intelligently displayed their thinking. I will admit it is a revenue producing measure, but not the type and kind that the State of Maine desires or needs. We are going into something we rejected two years ago, we are now bringing it out before us without the desire of the public to have a public hearing or an opportunity to combat this type of taxation being forced on them, and I certainly do rise in opposition and hope this House will stand for that and reject this order.

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

Mr. BAXTER: Mr. Speaker, this order when boiled down does refer to the auto trade-in tax and does ask the Taxation Committee to bring out a bill which would repeal that part of the sales tax law which provides that the sales tax be charged only on the net difference in the trade-in rather than on the gross price of the new unit. It is a vehicle for consideration. Many people have discussed the possibility of considering this item in connection with our tax problems at this time. The order of course merely directs the bringing out of a bill with I assume a Taxation Committee report on it. It is of course available, it can be indefinitely postponed thereafter if the Legislature so desires. So that being the case, and I would mention incidentally in connection with the tax that of course Dr. Sly mentioned that it was of doubtful validity and in the last session which the gentleman from Bridgton, Mr. Haughn, has referred to, it did receive a nine to one ought to pass from the committee and the first vote was on an indefinite postponement motion and the motion failed to carry by I believe eighty to fifty-nine. However that may be, it would be my suggestion at this time that the order be processed through the Senate to make the legislation available in case it is wanted in the future.

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

Mr. HAUGHN: I am not going to debate this issue, but I certainly hope that the House will stop, look and listen and I request a division when the vote is taken.

The SPEAKER: A division has been requested.

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

Mr. RUST: Mr. Speaker, I would direct a question through the Chair to anyone who may care to answer. Is this order similar to the Legislative Document 1439 which the House killed this morning, which was on Supplement Number Two?

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

For the information of the gentleman from York, Mr. Rust — the Chair recognizes the gentleman from Pittsfield, Mr. Baxter.

Mr. BAXTER: Well, there was not an order on the Supplement Number Two, there was a bill from the Taxation Committee having to do with farm machinery and equipment. This is not the same as that bill, and that bill was tabled until later in today's session.

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

Mr. DUNN: Mr. Speaker, what's the motion before the House now on this?

The SPEAKER: The motion before the House is on the passage of the order which was just read by the Clerk.

Mr. DUNN: If I'm in order, I would like to make a motion to indefinitely postpone that because I believe it is class legislation.

The SPEAKER: The gentleman from Poland, Mr. Dunn, has moved that the Order be indefinitely postponed.

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

Mr. TYNDALE: Mr. Speaker, at this particular time it doesn't seem to me that we have any necessity for searching for new forms of taxation. We have plenty before us to consider and I heartily concur with

Mr. Dunn with his motion of indefinite postponement.

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

Mr. STORM: Mr. Speaker, Ladies and Gentlemen: I think the sensible thing to do at this point, is to pass the order and get the bill printed. We can always kill it later on. I shall probably vote against it when the time comes, but I am certainly going to vote against indefinite postponement at this point.

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

Mr. CURTIS: Mr. Speaker, Ladies and Gentlemen: I really hate to think that we would, after taking this double taxation off the books, and then refusing in the last session to allow the late Governor Claason to put it back on, that we would go ahead now and pass that bill. I know that if we must have more tax and I feel that we should consider the sales tax, we have really got to. I have been against the sales tax all along, and I have been free to admit that I have been against it because I didn't have the intestinal stamina to stand up and speak for it for fear of what the folks would say back home, but if we are going to pass something like this, double taxation, why I will just forget the folks back home and vote for what I think is best, for the sales tax. I hope that this thing will be killed right here and now and not be any ink spent to print it.

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

Mr. BRAGDON: Mr. Speaker and Members of the House: This is certainly the last taxation measure that I would choose to vote for. However, I do find myself in agreement with the gentleman from Pittsfield, Mr. Baxter, that this should be available to us as a possible source of taxation and I hope the motion before the House does not prevail.

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

Mr. BRADEEN: Mr. Speaker, Ladies and Gentlemen of the House: Here is one thing that does really

disturb me. At half past nine in the evening after a busy day, we propose to dispose just like that of a measure which might mean much to many people. I suggest to you my friends that we table this until tomorrow morning, come here with clear minds and then consider it.

The SPEAKER: Does the gentleman from Waterboro, Mr. Bra-deen, make a motion?

Mr. BRADEEN: I do, that we table this until the next legislative day.

The SPEAKER: The gentleman from Waterboro, Mr. Bradeen, has moved that the order be tabled until the next legislative day, pending the motion of the gentleman from Poland, Mr. Dunn, that it be indefinitely postponed.

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

Mr. WHITMAN: I rise to request a division, Mr. Speaker.

The SPEAKER: A division has been requested on the tabling motion. All those in favor of the motion to table, please rise and re-

main standing until the monitors have made and returned their count.

A division of the House was had. Sixty-three having voted in the affirmative and fifty-five having voted in the negative, the tabling motion did prevail.

Mr. Winchenpaw of Friendship was granted unanimous consent to address the House briefly.

Mr. WINCHENPAW: Mr. Speaker, would it be possible to have that order reproduced between now and morning so that we could all read it? Sometimes it is hard to hear what the Clerk says over here.

The SPEAKER: The Chair realizes that the amplifying system in certain instances is poor and that the order will be reproduced and put on the calendar tomorrow.

(Off Record Remarks)

On motion of Mr. Baxter of Pittsfield,

Adjourned until 9:00 o'clock tomorrow morning.