

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

One-Hundredth Legislature

OF THE

STATE OF MAINE

VOLUME II

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and

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DAILY KENNEBEC JOURNAL

AUGUSTA, MAINE

HOUSE

Friday, June 9, 1961

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

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

The journal of yesterday was read and approved.

Papers from the Senate Tabled

From the Senate: The following Order:

ORDERED, the House concurring, that the Joint Standing Committee on Liquor Control be and hereby is authorized and directed to report to the Senate forthwith a Bill providing for Sunday sales of liquor by hotels and Class A restaurants, with proper control and local option provisions (S. P. 586)

Came from the Senate read and passed.

In the House, the Order was read.

The SPEAKER: Is it the pleasure of the House that this Order shall receive passage?

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

Mr. BERRY: Mr. Speaker and Members of the House: This order is before us as the result of the action which the Legislature has taken in an attempt to find a reasonable solution to the objections of the Governor. It provides for the presentation to the Legislature of a bill, it does not approve the bill in itself. It would seem to be not a matter of prohibition or anti-prohibition philosophy. It would seem to be an opportunity to present the image of the State of Maine in the same light as its other five sister states of New England.

Certainly this matter deserves our very, very careful consideration. Accordingly I would move passage of this order. When the vote is taken I shall request a roll call.

The SPEAKER: The gentleman from Cape Elizabeth, Mr. Berry, moves that the order receive passage and has requested a roll call.

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

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

House: I think that this piece of legislation, although it may be objectionable to some, is very worthwhile as far as the State of Maine is concerned. We spend a great deal of money, both on the state level, on a business level, and to our recreational industry, to encourage people to come here from all the states in the near East or on the Atlantic coast. Now most of these people may not be quite as conservative as we are, because in their states they serve liquor on Sunday, all day on Sunday. Now this particular bill would only call for serving liquor on Sunday during a limited period of time when most people, who go out to dinner on Sunday and who enjoy having a cocktail or two with their dinner, would be able to do so, that's the hours from one to eight.

Now down in my particular area, this bill would be a very worthwhile thing. We happen to have some fine, first class summer hotels who spend a great deal of money for taxation, for local services, and they bring in a lot of people who spend a lot of money in our area. Now against this competition we have the nearby State of New Hampshire, where you can go across the state line and get a cocktail with your dinner on Sunday.

For that reason I certainly would favor this bill and I would like to remind the members of this House who are in opposition to this bill that in caucus the other night there was an understanding that if the Governor would sustain his veto, that the proponents of Sunday liquor would be allowed to bring out a new liquor bill from the Liquor Control Committee. And I wish you would keep that in mind and keep faith with this thinking.

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

Mr. COOPER: Mr. Speaker and Ladies and Gentlemen of the House: As a member of the Liquor Control Committee I think we are all willing to reconsider this matter, but I can assure the members of this House that the majority of the committee will not favor this idea of serving liquor on Sunday; but we are perfectly willing

to meet with — I think I can speak for the rest of the committee, that the majority of the committee in this House will not sanction the sale of liquor on Sunday.

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

Mr. DODGE: Mr. Speaker and Ladies and Gentlemen of the House: One of the weakest arguments I ever heard from my children was when they told me, we must do this because everyone else does it. That is the weakest argument I could possibly hear.

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

Mr. STORM: Mr. Speaker and Members of the House: We have a motto in this state that we have been quite proud of over the years that signifies that we lead. Since when have we begun to follow just because the other states have a bad load?

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

Mr. MADDUX: Mr. Speaker, I move the indefinite postponement of this order.

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

Mr. Rust of York then asked for a roll call on the motion.

The SPEAKER: A roll call has been requested.

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

Mr. SMITH: Mr. Speaker and Ladies and Gentlemen of the House: The Governor has vetoed a Sunday liquor bill. The House sustained that veto. In my opinion, regardless of the merits of the legislation in question, now is not the time to attack that veto by passage of this order.

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

Mr. BERRY: Mr. Speaker and Members of the House: In answer to the gentleman from Bar Harbor, Mr. Smith, this is an attempt to find a satisfactory solution to the objections of the Governor, which would be acceptable to him

and be a workable solution of the matter.

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

Mr. SMITH: Mr. Speaker, one of the chief objections to the bill was that it was a Sunday liquor bill. That objection is not removed by introducing another Sunday liquor bill.

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

Mr. CURTIS: Mr. Speaker and Ladies and Gentlemen: I think this is a rather ridiculous performance. The Governor has vetoed this. We've overwhelmingly upheld it. And now we are acting kid fashion and come back and want to do it over again. I don't know just—I'm sure the people of the State of Maine don't want anything like this, perhaps a few do profit by it and I don't know as they profit too much either. And I want to say that I live in an area where a lot of people come in and they are not all drunks by any means. And I want to say that I get around some, I have driven ninety thousand miles in the last two years and I have visited practically every state in the Union, and when they tell you that everybody who goes out to take a ride or go across the country has got to stop and have a drink, why they are just fooling somebody or trying to fool somebody — but I hope they're not going to succeed.

Now we did get a great majority last year for our Governor and now we are trying to embarrass him in every way we can. I think it is ridiculous and shameful. And I trust that we will murder this thing so bad that it will never rear its head again.

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

Mr. JALBERT: Mr. Speaker and Members of the House: It certainly is not my intention to embarrass the Governor. What I would like to suggest is this. Some feel the objections that the Governor had to the bill have been struck out. Some feel they haven't. I'm inclined to agree with both thinkings. Now I think it would be fair

enough to assume that we've got very, very important matters to attend to, that it would take time to draw up a bill, the thinking — the bill that the people were behind the move know what would be in the bill, it would take time to process the bill, and then the debate that would ensue with it, it might be all for naught.

I might suggest that the leadership of both parties approach the Governor, tell him about the bill, find out how he feels about it, if he vetoed one would he veto this one? Then we wouldn't have to waste any time. For that reason, I move to table this order until we get a report from the leadership.

The SPEAKER: The gentleman from Lewiston, Mr. Jalbert, has moved that the order be tabled pending the motion of the gentleman from Vinalhaven, Mr. Maddox, that it be indefinitely postponed.

Mr. JALBERT: And I ask for a division, Mr. Speaker.

The SPEAKER: A division has been requested on the tabling motion.

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.

Fifty-six having voted in the affirmative and fifty-five having voted in the negative, the Order was tabled pending the motion of the gentleman from Vinalhaven, Mr. Maddox, that it be indefinitely postponed, a roll call being requested by Mr. Rust of York.

Divided Report

Majority Report of the Committee on Appropriations and Financial Affairs on Bill "An Act to Appropriate Moneys for Capital Improvements, Construction, Repairs, Equipment, Supplies and Furnishings for Fiscal Years Ending June 30, 1962 and June 30, 1963" (S. P. 221) (L. D. 626) reported same in new draft "A" (S. P. 580) (L. D. 1634) under same title and that it "Ought to pass"

Report was signed by the following members:

Messrs. DAVIS of Cumberland
STANLEY of Penobscot
SAMPSON of Somerset
— of the Senate.

Messrs. WELLMAN of Bangor
BRAGDON of Perham
DAVIS of Calais
DRAKE of Bath

Mrs. SMITH of Falmouth

— of the House.

Minority Report of same Committee on same Bill reporting in new draft "B" (S. P. 581) (L. D. 1635) under title of "An Act to Authorize General Fund Bond Issue in Amount of Five Million Two Hundred and Sixty Thousand Dollars for Capital Improvements, Construction and Repairs for Fiscal Years Ending June 30, 1962 and June 30, 1963" and that it "Ought to pass"

Report was signed by the following members:

Messrs. JALBERT of Lewiston
PLANTE

of Old Orchard Beach
— of the House.

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

In the House: Reports were read.

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

Mr. PHILBRICK: Mr. Speaker, Ladies and Gentlemen of the House: I ask your indulgence with the thought in mind that an amendment will be offered to this bill later in the day. That amendment has not yet been written, so I ask that this motion be tabled until later in the day.

The SPEAKER: The question now before the House is the motion of the gentleman from Bangor, Mr. Philbrick, that the bill be tabled until later in the day pending acceptance of the committee report.

Mr. Baxter of Pittsfield asked for a division.

The SPEAKER: A division has been requested on the tabling motion. 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.

Fifty having voted in the affirmative and sixty-four having voted in the negative, the tabling motion did not prevail.

The SPEAKER: The Chair awaits a motion.

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

Mr. BAXTER: Mr. Speaker and Members of the House: I move the acceptance of the Majority "Ought to pass" Report.

Thereupon, the Majority "Ought to pass" Report in new draft "A" was accepted and the New Draft read twice.

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

SENATE AMENDMENT "A" to S. P. 580, L. D. 1634, Bill, "An Act to Appropriate Moneys for Capital Improvements, Construction, Repairs, Equipment, Supplies and Furnishings for Fiscal Years Ending June 30, 1962 and June 30, 1963."

Amend said Bill by striking out all of the title and inserting in place thereof the following title: "An Act to Authorize General Fund Bond Issue in Amount of Five Million Two Hundred and Sixty Thousand Dollars for Capital Improvements, Construction and Repairs for Fiscal Years Ending June 30, 1962 and June 30, 1963."

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

'Preamble. Two-thirds of both Houses of Legislature deeming it necessary in accordance with Section 14 of Article IX of the Constitution to authorize the issuance of bonds on behalf of the State of Maine to provide construction and repairs.'

Further amend said Bill by striking out the first 2 paragraphs after the enacting clause and by striking out the following caption:

"GENERAL FUND APPROPRIATIONS FROM GENERAL FUND UNAPPROPRIATED SURPLUS" and inserting in place thereof the following:

'Sec. 1. Issue of bonds to provide for construction and repairs. The Treasurer of State is authorized, under the direction of the Governor and Council, to issue from time to time serial coupon bonds in the name and behalf of the State to an amount not exceeding \$5,260,000 for the purpose of raising funds to provide for such construction and repairs, as authorized by section 6. Said bonds shall be deemed a pledge of the faith and credit of

the State. Said bonds shall not run for a longer period than 10 years from the date of the original issue thereof.

Sec. 2. Records of bonds issued to be kept by State Auditor and Treasurer. The State Auditor shall keep an account of such bonds, showing the number and amount of each, the date of countersigning, the date when payable and the date of delivery thereof to the Treasurer of State, who shall keep an account of each bond, showing the number thereof, the name of the person to whom sold, the amount received for the same, the date of sale and the date when payable.

Sec. 3. Sale, how negotiated; proceeds appropriated. The Treasurer of State may negotiate the sale of such bonds by direction of the Governor and Council; but no such bond shall be loaned, pledged or hypothecated in behalf of the State. The proceeds of the sales of such bonds, which shall be held by the Treasurer of State and paid by him upon warrants drawn by the Governor and Council, are appropriated to be used solely for the purposes set forth in this act. Any balance unexpended shall not lapse, but shall be carried forward from year to year to be used only for the purposes set forth herein.

Sec. 4. Interest and debt retirement. Interest due or accruing upon any bonds issued under this act and all sums coming due for payment of bonds at maturity shall be paid by the Treasurer of State from any money in the treasury not otherwise appropriated.

Sec. 5. Disbursement of bond proceeds. The proceeds of such bonds shall be expended under the direction and supervision of the Director of the Bureau of Public Improvements.

Sec. 6. Allocations from General Fund Bond Issue.'

Further amend said Bill by inserting at the end before the emergency clause the following sections:

'Sec. 7. Contingent upon ratification of bond issue. This act shall not become effective unless and until the people of the State of Maine shall have ratified the issuance of bonds as set forth in this act.

Sec. 8. Referendum for ratification. The aldermen of cities, the

selectmen of towns, and the assessors of the several plantations of this State are hereby empowered and directed to notify the inhabitants of their respective cities, towns and plantations to meet in the manner prescribed by law for calling and holding biennial meetings of said inhabitants for the election of Senators and Representatives, on the second Tuesday of October, 1961, to give in their votes upon the acceptance or rejection of the foregoing act, and the question shall be:

"Shall a bond issue be ratified for the purposes set forth in 'An Act to Authorize General Fund Bond Issue in Amount of Five Million Two Hundred and Sixty Thousand Dollars for Capital Improvements, Construction and Repairs for Fiscal Years Ending June 30, 1962 and June 30, 1963,' passed by the 100th Legislature?"

The inhabitants of said cities, towns and plantations shall indicate by a cross or check mark placed within a square upon their ballots their opinion of the same, those in favor of ratification voting "Yes" and those opposed to ratification voting "No" and the ballots shall be received, sorted, counted and declared in open ward, town and plantation meetings, and return made to the office of the Secretary of State in the same manner as votes for Governor and Members of the Legislature, and the Governor and Council shall count the same and if it shall appear that a majority of the inhabitants voting on the question are in favor of said act, the Governor shall forthwith make known the fact by his proclamation, and the act shall thereupon become effective in 30 days after the date of said proclamation.

Secretary of State shall prepare ballots. The Secretary of State shall prepare and furnish to the several cities, towns and plantations ballots and blank returns in conformity with the foregoing act, accompanied by a copy thereof.

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

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

Mr. HUGHES: Mr. Speaker, I

move that Senate Amendment "A" be indefinitely postponed.

The SPEAKER: The question now before the House is the motion of the gentleman from St. Albans, Mr. Hughes, that Senate Amendment "A" be indefinitely postponed.

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

Mr. FINLEY: Mr. Speaker and Members of the House: I have had placed on your desks the House Amendment "A" which I would like to have adopted, and I would like to explain to the members of the House just what purpose this amendment would do. With your permission I would like to have it adopted. Am I in order to explain the purpose?

The SPEAKER: The matter now before the House is on the adoption of Senate Amendment "A" and a motion has been made by the gentleman from St. Albans, Mr. Hughes, that it be indefinitely postponed.

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

Mr. JONES: Mr. Speaker and Ladies and Gentlemen of the House: The adoption of Senate Amendment "A" to this legislative document, I believe is one of the poorest and weakest ways of financing our state problems here and I go along with the indefinite postponement of same.

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

Mr. BAXTER: Mr. Speaker and Members of the House: I too want to support the motion of the gentleman from St. Albans, Mr. Hughes, that this amendment be indefinitely postponed. Very briefly, the reason I think it should be indefinitely postponed is because that it is more than it appears to be upon the surface. On the surface at least it is merely a bond issue. I have not read the amendment closely, but I am quite sure it is not like the amendment which was submitted to us by the gentleman from Lewiston, Mr. Jalbert, in connection with the supplemental budget, which provided that the surplus be applied to financing the supplemental budget and that a bond issue be adopted to pay for capital improvements which are

usually bought with the surplus money.

In other words I want to make it perfectly clear to everybody that they are not only voting on a bond issue, they are also voting to spend the surplus on the supplemental budget. After all, it wouldn't make any sense to borrow money on a bond issue with \$5,000,000 in surplus, and just leave the \$5,000,000 in surplus. So it is of course obvious that the \$5,000,000 is intended for the supplemental budget.

I have to say this because bond issues in themselves, particularly for capital improvements, are not unusual within the state; and that we know. In fact I think the full faith and credit of the state is now pledged to some \$145,000,000 worth of bonds for capital improvements. And I think it might be interesting just to review that at the last session, we passed a small bond issue of three point nine million dollars. That was for capital services and the reason that it was passed was because we came through the session with a very low surplus, a surplus which the legislature felt was not sufficient to cover the entire building program which they wished to accomplish. Approximately the surplus was \$4,000,000 against our nine point two this year. The legislature wished to build some seven or eight million dollars worth of buildings. Therefore to provide additional money to finance the additional buildings they added a bond issue, the proceeds from the bond issue in the amount of three point nine million dollars to go with the surplus we had at the time and build these buildings. This is an entirely different situation we face here today when we are asked to float a bond issue in the face of a five million dollar surplus, which is available to us.

Now I would like to call to your attention the act we are perpetrating upon the next legislature by doing what we are doing. I think we should face the fact that this is a Democratic plan. It is the plan of the Democratic Party. It has recently evidently been adopted by members of the other party, but a "rose by any other name" still smells.

You will remember filing H-332 to the supplemental budget, Amendment "L," filed by the gentleman from Lewiston, Mr. Jalbert, which provides for the bonding and setting the surplus. I am sure you have read in the papers, May 19 in the Daily Sun, "Democrats have the better plan." This was the Lewiston Daily Sun with which you are all familiar. And it mentions the gentleman from Lewiston, Mr. Jalbert, and the spending of the surplus for the supplemental budget and also the upping of the estimates by two million dollars.

You also I am sure are familiar with the minority report on the capital budget, L. D. 1635, which proposes this bond issue and which was signed out by the gentleman from Lewiston, Mr. Jalbert and the gentleman from Old Orchard Beach, Mr. Plante. As far as I can see, it seems very odd and I might add ridiculous to me that we now have a Senate amendment doing the same thing as the minority report did, introduced by the Senator from York, Mr. Erwin. Just why we need to deal with this Senate amendment rather than under the minority report signed by the two Democratic members of the committee, I don't know. Interesting and again I say ridiculous.

Now this Democrat's program which we are asked to consider here, is a typical, monumental shell game that is characteristic of the financial thinking of that particular party, although I will say that the financial thinking has degenerated recently and as far as I know the previous Governor of the Democratic Party, which we have had here for a few years, did not indulge in this particular slight of hand act which is going on at the moment. Certainly Governor Muskie didn't and it has been said very many times that Governor Clauson felt that this was a highly unwise procedure. However, we have it today and I don't think we need to be too surprised.

So again I would like to call to your attention the extent of this shell game that is being proposed here and what I would call the irresponsibility — the utter irresponsibility, the utter disregard of the legislatures that come after us

that are involved here. And I will ask you what kind of problems we would be wrestling with here today if this had been done over the years to us. If we think Massachusetts and Michigan are in tough shape, I can certainly say the State of Maine would be in tough shape now and we would be wrestling with the problems and trying to bail it out and it probably would be so monumental that we would continue to wallow in the mire of fiscal irresponsibility passed on to us by those who came before us.

Now what we are asked to do is vote for continuing services, the politician's dream, and not charge anybody for it. Irresponsible politicians always act this way. Fortunately responsible politicians in the State of Maine for the past several years have not acted this way. Something for nothing is as we know the great promise in the hustlings and the byways of the irresponsible politicians.

We are asked to provide the people with five million dollars worth of services, continuing services, money that will be required year after year after year, biennium after biennium after biennium, and not provide revenue to cover it in the following biennium. We pass on to the 101st Legislature an obligation, or we might say a rather unpleasant choice to say the least, an obligation to continue services that we felt were important for the people of the state and I suppose which some people may have felt were important politically — to their political welfare I might add. We face the 101st Legislature with the obligation or the choice of carrying these on or cutting them out. That's a neat choice. If they carry them on, theirs is the burden of raising the tax that we don't have the courage to raise ourselves, a shell game of the first water.

Now in addition to that, having landed a solid punch in the solar plexus, we make a quick upper cut to the jaw with a neat little obligation for about \$1,114,000 to finance our foolishness. We not only ask them to raise the tax that we don't have the guts to raise, but we ask them to spend \$1,114,000 servicing the bond issue which we have provided, so that we can

saddle them with this miserable unpleasant choice.

So we start them off behind the eight ball by \$6,114,000 and then the Democrat's program, and I assume this is also the program of the others, we are so inconsistent, so utterly ridiculous, as to propose increasing the estimates of revenue over what the finance department says we should expect, by \$2,000,000. So we are giving them the services with no money to finance it, we give them \$1,114,000 of bond service, and to complete our cowardice we remove \$2,000,000 from the estimated surplus so that we will make darn sure when they come back that they don't have anything to work with.

This I submit to you is a sorry spectacle for the Legislature that has met here a hundred times and it is now celebrating its hundredth anniversary and should celebrate it in wisdom and not in the utter, despicable shell game that is being perpetrated upon the people of the next legislature here this morning.

For that reason I hope that the motion of the gentleman from St. Albans, Mr. Hughes, does prevail, that this amendment is indefinitely postponed, and when the vote is taken I request a roll call vote.

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

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

Mr. DENNETT: Mr. Speaker and Members of the House: First I would compliment the gentleman from Pittsfield, Mr. Baxter, on the manner in which he handled this end — or his end of the bill. I believe he has taken the right approach, he has viewed it coldly and without emotion. I will attempt to give you briefly its brief history, how it happens to be before you, and why it is before you; and I too shall attempt to deliver this in the same cold and unemotional fashion as Mr. Baxter has previously given it to you.

Mr. Baxter has stated that this is a Democratic bill. I would pre-

fer to take another view. I know where this idea originated — we all do. There is no secret about that. But the other day a group of sixteen members of this Legislature met and they met for the purpose of discussing and considering the amendment that is before you. It was a bipartisan committee, there were twelve members of the Republican Party, there were four of the minority party. This thing was discussed from beginning to end and it was viewed by the committee or the group — I won't say committee because no such thing existed, the group, with mixed emotions. It was considered coldly and it was decided that in view of the several things which had transpired in this Legislature that this amendment would be presented to you for your consideration.

Now we have before us a supplemental budget of considerable size and at the moment we frankly have no way of paying for it. We have had before this House a sales tax which was overwhelmingly turned down. It is my opinion that such a measure has no possibility in this House. We also have before us a patchwork system which contains another tax measure which I think is very abhorrent to the people of the State of Maine, and while it has not yet been considered I have grave doubts of its passage. Apparently without that we do not have money enough to meet the supplemental budget. Now we have another choice, we can cut the supplemental budget in shreds and go home. You were told the other day I believe in caucus that you had but two choices. This provides for your consideration a fourth choice and you should consider it well. This permits you to buy everything that you have in the supplemental budget.

It has been charged that this is fiscal irresponsibility. I would remind you that I believe we have embarked on a program of irresponsible spending and now we are faced with a dilemma. We have got to find a way out. There are four avenues of escape and four only: a sales tax, a patchwork quilt, this which is charged as being fiscal irresponsibility, and cutting the supplemental budget. And the

choice, ladies and gentlemen of this House, is yours.

I am not going to urge this morning that you vote other than your own consciences, that you vote according to your wisdom. But I think that the hour of decision is at hand. As you cut off one avenue of escape, one after another, ultimately you have got to be faced with some positive action. This bill was simply brought before you for your consideration. It shows you an avenue of escape. Whether you think it is sound or unsound, that is your privilege and your wisdom; and I sincerely hope that you will vote according to your conscience. But we must face up to the situation and govern ourselves accordingly.

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

Mr. WESTERFIELD: Mr. Speaker and Ladies and Gentlemen of the House: Two days ago we turned down resoundingly a proposal for an increase in sales tax from three to three and one-half percent. I for one — and I know there are many among you, turned down this measure not for the purpose of finding another means of financing the entirety of this program. I have felt from the beginning that we must practice a measure of economy and take measured steps forward. We have three major considerations before us; one, the sales tax increase we have already resoundingly turned down. The measure that is immediately before us is a measure for bonding and spending the surplus to finance this entire program that is outlined in the supplemental budget. Ladies and gentlemen, I hope this measure also will be just as soundly turned down.

It is my hope that we can use a portion of the patchwork proposal and a measure of economy, and between the two accomplish that which we desire, a sound forward-moving program that is sound financially, that practices good economy. I think that today with paths that are leading us in many directions, it is time to have wisdom and a firm hand on the helm. I think that each of you must for

yourselves decide the direction you must take.

I for one hope that the motion made by the gentleman from St. Albans, Mr. Hughes, does prevail.

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

Mr. JALBERT: Mr. Speaker and Members of the House: In congratulating the gentleman from Kittery, Mr. Dennett, for his splendid presentation, I also would like to congratulate the gentleman from Pittsfield, Mr. Baxter, for his presentation. It proves conclusively to me that we were extremely right last night when we adjourned at 9:15 for a cooling-off period.

Now I was telling a colleague of mine on the way up from home today that wherein it concerns this thing, I don't think — I can't remember what I have not been called, outright openly, or inwardly or otherwise. Now I stated last night that insofar as I was concerned I won't start a revolution, but for those who want to start one, I will be most happy to join them. If they want to ring in personalities, I'll be very happy to join them on that basis. Now I consider myself a fairly decent Legislator. I do not participate in shell games of any kind.

Now going back slightly wherein it concerns this entire project, I can recall many weeks ago that I presented an order asking for a committee to study the unemployment situation and what we could do about it. My order was turned down, and that very day a Press Conference was held by his Excellency the Governor. He became fully aware then, for the first time publicly at least, about the crisis and there we went into the crash program. I shall return to that little bobble later on.

Now the term "ridiculous" has been placed upon this measure. I can remember listening to the debate last evening in the other branch and I saw nothing ridiculous, and certainly there must be a great many ridiculous gentlemen, exactly twenty-two went for this thing, and nine—

The SPEAKER: The Chair will caution the gentleman not to use reference to the Senate in debate.

Mr. JALBERT: You're right, and I apologize. Now the hobby now has begun to label this a democratic measure. Again I must refer back to the current services budget days where with my colleague on the Committee, the gentleman from Old Orchard, Mr. Plante, we worked on figures long and hard and in committee submitted to the members that we could take the \$3,000,000 of subsidy, school subsidy monies that were in the supplemental, put it into the current services budget. We also found other monies. I personally prepared an amendment and submitted it to the committee and offered it to the committee. Now that was hardly playing partisan politics. One member turned that proposal down. I submitted my amendment on the floor of the House. It was turned down. Two minutes later another proposal was presented, another amendment, using the same figures to the very penny, and that passed. That was alright with me.

To take away the stigma as some would have it of having this proposal have a democratic label, a few days ago some of us got together, members of both parties in the House at the invitation of members from the other branch, and we met and discussed this program; and if you'll see the amendment it is suggesting the majority membership report instead of minority membership report. Now I am fully aware that Governor Muskie did not go into this program, he didn't have to. I am fully aware that Governor Clauson did not go into this program, he didn't have to. I don't submit that we should go into such a program continuously. We are going according to this present biennium.

Now insofar as this program being a shell game program, insofar as this being financial irresponsibility, insofar as this program being ridiculous, I might submit that we as the gentleman from Pittsfield has already stated, have already gone into such a program of bonding for capital, and it is right here in this thing that was submitted to us to be voted upon by the people when we had a capital improvement budget of \$3,950,000 two years ago, and I shall

return to that in a few moments. Also stating that the program being one of irresponsibility, I would submit to you that this program is only a continuation of what was proposed in the Governor's crash program as I stated a couple of weeks ago on the floor of the House, because we used over \$400,000 of all other monies in the current services budget and we used surplus monies to finance that, so what we are doing is merely continuing a program that has already been started, and those are the cold turkey facts. Now as far as coming back here without any surpluses, I mean if we do, it will be the first time in a great many, many years. I have here figures that anyone can get, the rounded off figures, figures from the Controller's Office, that show that we gathered in \$23,900,000 some odd more than the budget estimates over the last ten years. An average of \$2,400,000, an average of 6 percent. Now this shows a picture over the last ten years.

The fear on such a program and the fear of some could be justified, is that we would find ourselves operating in a deficit manner, and this cannot be the case now. Also, to add further cushion, I have another paper that shows general fund department elapsed balances over the last ten years would show an average of \$1,582,471. Also I have here figures from the Controller's Department again as of April 30, 1961, which show that we had, and that was questioned, I had a member from my next door committee, the gentleman from Auburn, Mr. Waterman, ask me about it, I have had others; so I got the figures from the Controller's Office. It shows that we have a cash advance and on hand \$3,125,301. We also have short-term United States Government securities to the tune of \$13,187,000. Also, going back to this bond issue of \$3,950,000 we have yet to expend, we have \$2,389,000 more of that money to expend.

As I stated maybe facetiously a couple of weeks ago, we have a warehouse full of monies and cushions. Now I know that some of this has been repetitious. I feel that insofar as these surpluses are

concerned, that I have never called a surplus a surplus, a surplus in my estimation is an unexpended balance and belongs to the people. Now I mean we go into such a program if the line gets short—I mean many Governors have cut even though I know the monies that I have shown you that we have; if the monies should get short however, there are two other avenues that we could go to, and that is as other Governors have done of both parties, asked departments to cut down 3 percent or 5 percent per quarter. It has worked out successfully; and the other recourse is we can always come back here in twenty-four hours. But insofar as the gentleman from Pittsfield, Mr. Baxter, feeling that with a program we are making sure that we will not have any surpluses, I assure you of one thing, whatever program we endorse, I know the gentleman from Pittsfield, Mr. Baxter, knows fully well we will always wind up with a good fat surplus in some way or another.

Now wherein it concerns this program, we have three avenues to go to. I think the indication has been where the sales tax is concerned of a vote that was taken in this House, I think the indication has been that that is in my opinion at least pretty well gone. The other program is this program and the other program would be the submission of several nuisance taxes. Now the gentleman from Pittsfield, Mr. Baxter, also stated that we almost had the audacity or the nerve or the thinking of using some of the — step up the estimated tax revenues. Well, I mean if my memory serves me correctly, I know he told me himself, and I know it was taken up in your caucuses that your program of nuisance taxes or other minor taxes, involved a step-up. With what I have proven to you now, we could easily, it is my humble opinion, that we could certainly easily and most emphatically step that up a great deal more than a million dollars. The other recourse we have is to take the supplemental budget, cut it off altogether, or cut it to the bone and put monies appropriately up against it. I would

like to state that in my opinion this program that I have worked on and worked on somewhat arduously has been done in all sincerity with the thought in mind at the present time this would be good sound financing.

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

Mr. BERRY: Mr. Speaker and Members of the House: The gentleman from Pittsfield, Mr. Baxter, has referred to the matter before us as a "rose." I think far from a rose, the big wind from the west is wafting an odor which would indicate that a pile is a pile and what we have in front of us today, ladies and gentlemen of the House, is one of the most reprehensible things that could be presented.

We are being asked to accept the proposition of the gentleman from Lewiston, Mr. Jalbert, in opposition to every sound fiscal principle which the Republican Party stands for. We are being asked to sit on the seat similar to the oracle of Delphi, to quote one of my confreres here, and let the smoke waft around our heads, to take the easy sweet potion of fiscal irresponsibility and put off a day of reckoning. Is this what has brought us to this position? Are we to sit here and say that this state cannot go forward because it cannot afford to follow sound financial principles? I don't believe it. I think we should stick to a basic, honest platform and not in the last, hectic moments of adjournment be led astray by the tempting bait which takes us off into the marsh.

I certainly hope that the motion of the gentleman from St. Albans, Mr. Hughes, prevails.

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

Mr. BRADEEN: Mr. Speaker and Ladies and Gentlemen of the House: This occasion is one exactly to my liking. It represents to me, or presents to me, both an opportunity and a challenge. I think among other things that this is the first time in my life that I have been accused even by inference of taking part in a shell game. Anyone who knows me knows better than that.

Now then, if you people care to look back over the annals of time, you will come to a place where history and legend are so intertwined that it is an impossibility to distinguish fact from fiction. Somewhere along about that time we read of an old Persian emperor, who had according to the story—it makes a good story, an emerald ring containing, bearing an inscription. When he was in trouble, he removed the ring. He read the inscription. It made him feel better. I will pass it on to you. It should make you and all of us feel better. The inscription was this, ladies and gentlemen: "Even this shall pass away."

Now my friends I understand that from the cattle country, or rather down in the cattle country of Texas, they have what they call a long horned species, which is described and defined as one which has two small points separated by a lot of bull. My remarks this morning will have one point only, this proposal before us, and I can assure you there will be no bull.

About fifty years ago, the distinguished gentleman who progressed successively from the presidency of Princeton University and the governorship of the State of New Jersey to the White House, made a certain criticism of one of the major parties of this country. The criticism has outlived the General. There are those of us who are members of that party today, who see some truth in it. As I recall it, the words were something to the effect that the party in question hadn't had a new idea in forty years. If that is so, it constituted an indictment.

Ladies and Gentlemen, I would say this to you. A political party is essentially a vehicle, a means—nothing more, nothing less, to which it becomes possible for the thinking of the people, the weight and the force of public opinion to be translated into action. If a party fails to translate into action the wishes of a majority of the people, that party does not last.

Now let's consider this bond issue which has been painted in such gloomy terms, irresponsibility, a few others; we won't go into that any further, it isn't necessary. It

occurs to me that not too long ago there was a bill passed in this House empowering the County of Cumberland — I think I am right, to float a bond issue to build some kind of an overnight housing in the City of Portland to take care of some of the people that they felt would be better off out of circulation. Also another bill which provided a bond issue to build a bridge across one of the beautiful reaches of Casco Bay, so that the natives of the island could get to the shore and the people on the shore could get to the island. I think that I could trace the source of this suggestion, that the little town of Thomaston might perhaps float a bond issue to build a sewage plant. It seemed to be all right, for that purpose.

Now we have in this state various authorities that have been given the sanction of the Legislature of Maine; MIBA, the Maine Industrial Building Authority is one. The Maine School Building Authority is another. Apparently the legislatures who incorporated those authorities, they weren't too frightened about the prospects of some bonds being issued and the credit of the State of Maine being pledged for their payment. My friends, I think this. I think that the bill that you have before you today is a good bill. It will relieve the taxpayers of this state from some worries.

I think that you should pass this bill, this amendment I am talking about, that has come to us. I think then that you should take a very close, critical, appraising look at the supplemental budget which is around here on one table or another, that you adopt a taxation program designed to meet the essential needs of the people of this state within the capacity of those people to pay, and then we will leave to the men whose duty it is to appraise the manner in which the Centennial Legislature of Maine has done its job. I thank you for your kind and courteous attention.

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

Mr. DODGE: Mr. Speaker and Ladies and Gentlemen: We have been asked here to float a bond issue of over five million dollars.

Now whenever we hire money individually, we want to know how much it is going to cost us. Now no one has mentioned any figures of what we have to pay for this. I checked this morning with our State Treasurer and the bonds we are selling have been selling for three plus a little mite under three percent. And of course we have to pay so much a year on this bond issue which runs for ten years.

Now through the Chair I would like to ask if anybody can tell us how much this is going to cost us each year.

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

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

Mr. JOHNSON: Mr. Speaker, approximately \$617,000 a year, for ten years.

The SPEAKER: The Chair recognizes the gentleman from Bucksport, Mr. Bearce, who will attempt to answer the question asked by the gentleman from Guilford, Mr. Dodge, as to the amortization expenses of the proposed bond issue.

Mr. BEARCE: I thought the gentleman had just answered that. I was up to speak on this subject.

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

Mr. JALBERT: Mr. Speaker, the question concerning the amortization of the program, if it was the answer, it is \$617,000 over a ten year period.

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

Mr. BEARCE: Mr. Speaker and Members of the House: I had not intended to discuss this deep fundamental problem here in the House today. As you will remember, many of you in the old days, how the Romans, all Gaul was divided into three parts. I don't know which part I'm in. There's one part over here, one part over there, and there's fourteen in another part. I think this idea of bonding the state is a marvelous, original idea, it is a stupendous idea, full of deep thinking. Alexander Hamilton himself probably never thought of this

idea and I don't think there are a hundred of our Senators down in Washington — not one of them would think of this original idea. And I don't know as the President of the United States would ever think of this marvelous idea.

The brains — all brains that conceived this extraordinary idea should have a Nobel prize for original and literary genius. In accepting this shaking proposal I have only one practical suggestion. Crumple up this little paper, drop it into that little river, much polluted river, down near where our honored Mr. Winchenpaw lives, and let it kind of float gently out into the ocean and perhaps the gulls will pick it up and eat it and grow fat on it.

If we haven't got the intestinal fortitude and plain guts to throw this bond issue down the river, I think we all ought to go home and quit.

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

Mr. WHITMAN: Mr. Speaker and Gentlemen of the House: I arise today with mixed emotions. Invariably I am always happy to arise to oppose the gentleman from Lewiston, Mr. Jalbert. That is as it should be.

The SPEAKER: The Chair would caution the gentleman not to get into personalities, stick to the facts and the people can draw their own conclusions.

Mr. JALBERT: Mr. Speaker, I rise on a point of order.

The SPEAKER: The gentleman from Lewiston rises on a point of order.

Mr. JALBERT: I rise on a point of order, then on a point of personal privilege.

The SPEAKER: The gentleman may proceed.

Mr. JALBERT: Mr. Speaker and Members of the House: You know, the opposition here is using all sorts of methods here. First, it is a financial irresponsibility, a shell game, then the Jalbert program, and then—

The SPEAKER: Will the gentleman from Lewiston, Mr. Jalbert, state the point of personal privilege.

Mr. JALBERT: That's correct—that's what I'm doing—

The SPEAKER: Well, what's your personal privilege?

Mr. JALBERT: My personal privilege is, where does it come off to be my program? That's what has been stated. And so if the gentleman is not going to withdraw his comments, when he gets up again I will ask again for a point of personal privilege, and do it until he does.

The SPEAKER: The gentleman from Woodstock, Mr. Whitman, may proceed.

Mr. WHITMAN: To the best of my knowledge, in two sessions of legislation, this is the first time that I have had to rise in opposition to my dear colleague from Kittery, Mr. Dennett. I find it hard to imagine as conservative a Republican advocating at this time such irresponsible fiscal philosophy. The gentleman from Kittery, Mr. Dennett, has indicated that this is a further alternative toward buying the supplemental budget. I submit to you that as an alternative it would not buy the supplemental budget, it would only order the supplemental budget and the bill would be sent to the 101st Legislature.

I sincerely hope that the motion to indefinitely postpone does prevail and in the words of the gentleman from Waterboro, Mr. Braden, I hope that even this shall pass away.

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

Mr. MADDOX: Mr. Speaker, I move the previous question.

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

A sufficient number arose.

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

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

Is it now the pleasure of the House that the main question shall be put now?

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

A viva voce vote being taken, the motion prevailed.

The SPEAKER: The main question now before the House is the motion of the gentleman from St. Albans, Mr. Hughes, that Senate Amendment "A" to Bill "An Act to Appropriate Moneys for Capital Improvements, Construction, Repairs, Equipment, Supplies and Furnishings for Fiscal Years Ending June 30, 1962 and June 30, 1963," Senate Paper 580, Legislative Document 1634, be indefinitely postponed.

A roll call has been requested. For the Chair to order a roll call, it must have an expression of a desire for a roll call by at least one fifth the members present.

Will all those who desire a roll call, please rise and remain standing until the monitors have made and returned their count.

A sufficient number arose.

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

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

Mr. ANDERSON: Mr. Speaker, I would like to pair my vote with Representative Arnold Briggs of Portland, he would have voted for and I against.

The SPEAKER: The gentleman from Ellsworth, Mr. Anderson, has requested that he be excused from voting since he states he has talked with the gentleman from Portland, Mr. Briggs.

(Conference at rostrum)

The SPEAKER: Since the gentleman from Ellsworth, Mr. Anderson, states that if he were to vote, he would vote yes for the indefinite postponement of the amendment, and that he has talked with the gentleman from Portland, Mr. Briggs, and that if he were to vote, he would vote no, is it the pleasure of the House that the gen-

tleman from Ellsworth, Mr. Anderson, be excused from voting?

(Cries of "No")

The SPEAKER: All those in favor of excusing the gentleman say aye; those opposed, no.

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

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

Mr. WINCHENPAW: I had a similar request to make, now would you state the motion again clearly please.

The SPEAKER: The question before the House is the motion of the gentleman from St. Albans, Mr. Hughes, that Senate Amendment "A" be indefinitely postponed.

If you are in favor of indefinite postponement of Senate Amendment "A," you will vote yes when your name is called.

Mr. WINCHENPAW: I also had a communication from my colleague Mr. Hichborn from Medford, and he said that he would have voted for indefinite postponement.

The SPEAKER: Would we have voted yes or no?

Mr. WINCHENPAW: He would have voted yes and I would vote no and I ask to be excused from voting.

The SPEAKER: The gentleman from Friendship, Mr. Winchenpaw, states that he has talked with the gentleman from Medford, Mr. Hichborn, and that if the gentleman from Medford, Mr. Hichborn, were here he would vote yes and that if he, the gentleman from Friendship, Mr. Winchenpaw, were to vote, he would vote no; and therefore requests to be excused from voting. Is it the pleasure of the House that the gentleman from Friendship, Mr. Winchenpaw, be excused from voting?

(Cries of "No")

The SPEAKER: All those in favor of excusing the gentleman from Friendship, Mr. Winchenpaw, from voting say aye; those opposed, no.

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

The SPEAKER: The Chair will restate the question. The question before the House is the motion of the gentleman from St. Albans, Mr. Hughes, that Senate Amendment

"A" to L. D. 1634, be indefinitely postponed.

If you are in favor of indefinite postponement of Senate Amendment "A," you will answer yes when your name is called; if you are not in favor of the indefinite postponement of Senate Amendment "A," you will answer no when your name is called. The Clerk will call the roll.

ROLL CALL

YEA — Albair, Anderson, Ellsworth; Anderson, Greenville; Baker, Baxter, Bearce, Berman, Auburn; Berman, Houlton; Berry, Cape Elizabeth; Berry, Portland; Boothby, Bragdon, Brewer, Brown, Fairfield; Brown, Vassalboro; Buckley, Carter, Chapman, Gardiner; Chapman, Norway; Choate, Cooper, Coulthard, Crockett, Curtis, Danes, Davis, Dennison, Dodge, Drake, Dunn, Durgin, Edgerly, Edwards, Estey, Gardner, Gill, Hague, Ham, Hancock, Hanson, Bradford; Hardy, Harrington, Haughn, Hinds, Hopkinson, Hughes, Humphrey, Hutchins, Johnson, Smithfield; Jones, Kennedy, Kimball, Knapp, Knight, Lane, Littlefield, Maddox, Matheson, Mathews, Minsky, Morrill, Morse, Perry, Philbrick, Augusta; Philbrick, Bangor; Prince, Roberts, Schulten, Shaw, Shepard, Smith, Bar Harbor; Smith, Fal-mouth; Smith, Strong; Sproul, Stevens, Stewart, Storm, Swett, Thaanum, Thornton, Turner, Tweedie, Vaughn, Wade, Walker, Waltz, Waterman, Wellman, Westerfield, Wheaton, Whitman, Whitney, Williams, Wood, Young.

NAY — Beane, Augusta; Beane, Moscow; Bedard, Bernard, Binnette, Boissonneau, Bradeen, Burns, Bussiere, Cyr, Dennett, Dostie, Lewiston; Dostie, Winslow; Finley, Fogg, Gallant, Hanson, Lebanon; Hartshorn, Hendricks, Jalbert, Jobin, Johnson, Stockholm; Karkos, Kellam, Kilroy, Lacharite, Lantagne, Levesque, Linnekin, Lowery, Maxwell, Merrill, Nadeau, Biddeford; Nadeau, Lewiston; Plante, Poirier, Prue, Rust, Tardiff, Tyndale, Walls, Winchenpaw.

ABSENT — Briggs, Brown, South Portland; Hichborn, Jameson, Letourneau, Lincoln, MacGregor, Mal-

enfant, Moore, Noel, Pike, Sevigny, Sirois.

Yes, 95; No, 42; Absent 13.

The SPEAKER: Ninety-five having voted in the affirmative, forty-two having voted in the negative, with thirteen absent, the motion to indefinitely postpone Senate Amendment "A" does prevail. Are there any further amendments?

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

Mr. JONES: Mr. Speaker and Ladies and Gentlemen of the House: This L. D. is a re-write I believe of 626 which went into the committee, and when this re-write came out of committee it did not include an item that was in the original bill, and this item that was left out was an item that was in the Governor's Budget Message pertaining to civilian defense of around \$135,000 and in his message, he stated, I have carefully scrutinized this list with the belief in mind that we should build the next biennium only what is definitely needed to adequately serve the people of Maine.

The SPEAKER: Is the gentleman's intention to offer an amendment?

Mr. JONES: Yes.

The SPEAKER: Will the gentleman kindly offer the amendment.

Mr. JONES: It is House Amendment "B," Number 394, which was distributed on the desks this morning.

The SPEAKER: The gentleman from Farmington, Mr. Jones, now offers House Amendment "B" and moves its adoption.

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

HOUSE AMENDMENT "B" to S. P. 580, L. D. 1634, Bill, "An Act to Appropriate Moneys for Capital Improvements, Construction, Repairs, Equipment, Supplies and Furnishings for Fiscal Years Ending June 30, 1962 and June 30, 1963."

Amend said Bill by inserting after the paragraph entitled "ATLANTIC SEA RUN SALMON COMMISSION", the following:

'CIVIL DEFENSE AND PUBLIC SAFETY AGENCY

State of Maine Emergency Operating Center 134,500 _____

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

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

Mr. BRAGDON: Mr. Speaker, I call attention to the members of the House that it was the combined judgment of the Appropriations Committee that this item should not be included in the capital construction budget. For that reason, we left it out.

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

Mr. JONES: Mr. Speaker, Ladies and Gentlemen of the House: We have in force here in the state the civilian defense that are here for a purpose and a duty. And it seems foolhardy that the budget committee should recommend an item of \$194,000 to promote a fire training service at the University of Maine, a bill which we killed yesterday, or indefinitely postponed. It seems strange that they would recommend providing funds for that purpose without first providing funds for the state capitol to move to in the event that there was emergency and disaster, and that's what this bill takes care of. If we are going to have civilian defense, if there is a danger, for goodness sakes, let's make our capitol and state government safe first. And that's what this item would take care of, would be the construction of this center at Farmington. I hope you will go along and accept this amendment. Thank you.

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

Mrs. SMITH: Mr. Speaker, Members of the House: I would call to your attention that we did delete this item, I would also call to your attention that because the Appropriations Committee felt that there were many questions unanswered about the operation of the civilian defense agency, that it has now been given to the Research Committee for study, and therefore I hope we will indefinitely postpone this amendment.

The SPEAKER: Does the gentlewoman make a motion?

Mrs. SMITH: Yes.

The SPEAKER: The question now before the House is the motion of the gentlewoman from Falmouth, Mrs. Smith, that House Amendment "B" be indefinitely postponed.

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

Mr. CURTIS: I trust this will not be indefinitely postponed because there is a great need of it, and I am quite sure that if the members of this House looked into it which they won't have time now, so they will just have to take somebody's word for it, that there is a great need for this.

The federal government is putting into this state millions of dollars and we have to do something to tell them that we are trying to do something for ourselves. Now we don't know as the air clouds thicken and war clouds seem to be nearer, it is very discouraging for those working hard in civil defense to see what little action is being taken across the state. If you lived in Russia, you wouldn't have a chance to vote on it, they would just tell you to go ahead and do it. The fact is they are making great plans there, practically every house they are having a chance to dig in and get in under shelter should a nuclear war start. We are practically doing not much of anything, we don't even want to take care of our state government should something happen.

Now I do live in an area whereby they probably would attack and we are close enough to it where it would ruin every building there, and I'm quite mindful that this could happen almost anywhere. We don't seem to be getting any nearer, although our President made a trip to Russia — I think we were really lost out somewhat — I think we would have been better off if he had stayed home, but that's neither here nor there. The fact is that we are being threatened greater and greater every day and unless we do something about it, why someday we are going to be awfully sorry. I believe this is something in the right direction and something that the federal government wants. The federal government is matching nine or ten dollars to every dollar that we spend.

I think we should do something about it. I do trust that this will not be indefinitely postponed.

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

Mr. WELLMAN: I recognize the conditions that have been mentioned, but I would like to second the gentlewoman from Falmouth, Mrs. Smith's motion and call your attention to Advance Journal Supplement Number Two of yesterday wherein we passed an order referring to the legislative research committee studies of this department; specifically I would call your attention to the language wherein it says, they shall report such recommendations as they conclude will be helpful in legislative determination of future expansions or limitations. I would concur with the motion of Mrs. Smith.

The SPEAKER: Is the House ready for the question? The question before the House is the motion of the gentlewoman from Falmouth, Mrs. Smith, that House Amendment "B" be indefinitely postponed.

Mr. Curtis of Bowdoinham then requested a division.

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

A division of the House was had.

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

Thereupon, Mr. Finley of Washington offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to S. P. 580, L. D. 1634, Bill, "An Act to Appropriate Moneys for Capital Improvements, Construction, Repairs, Equipment, Supplies and Furnishings for Fiscal Years Ending June 30, 1962 and June 30, 1963."

Amend said Bill under the caption "MENTAL HEALTH AND CORRECTIONS, DEPARTMENT OF" by striking out under the paragraph "Maine State Prison" the follow-

"Warehouse, Segregation and Geriatrics Building 490, 00 —"

Sub-total 568,100 —"

and by striking out the paragraph which reads as follows:

"Total Mental Health and Correction, Department of 822,700 —" and inserting in place thereof the following:

'Total Mental Health and Corrections, Department of 332,400 —'

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

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

Mr. FINLEY: Mr. Speaker, Ladies and Gentlemen of the House: I hope you have in your possession the capital improvement booklet which has been left here the first part of the session. If not, I will just try to explain to you the reason for this amendment. At the Maine State Prison as under the caption of this document it says for warehouse, segregation and geriatrics building, and I would like to point out that — are there many of you members who have this map of the state's prison in the capital improvement? If you would refer to it and if you will note that this building is number twenty-nine, in red. I don't know how many of you people are acquainted with the confines of the prison, I was there for a while. This proposed building twenty-nine is on the northwest end of the cell block or which was formerly the west cell block. If it is built, there will be no more room in the confines of the walls to put another building. We have been told that the conditions there at the prison as far as to the numbers that they can maintain there is at an explosive state. Now I am asking you, over the last few years they have done away with; I won't quote the number of cells, but quite a number of cells and put in other buildings. Now this is the last place a building could be built within the prison walls, and it states here it's for a warehouse, segregation and geriatrics building. I would just like to call your attention to the fact which I pointed out to you a while back that one year ago a

segregation unit was built. That's just one year ago. Now they are asking for another segregation building, the warehouse was completed which was the commissary one year ago, the hospital is new within three years. Now over across the river here, the Maine State Hospital, they have a geriatrics building, and they're staffed with full-time doctors. At the prison, I believe they have one doctor, he isn't full-time as far as I know he isn't full-time; he comes in there daily. It seems to me that if we are going to have a study of geriatrics that the proper place would be across the river, and I think this is a ridiculous idea to begin with; not only in that measure, but also to think that we have no future place for cell blocks.

I'm just leaving this thought with you, thought I would point out to you. I realize that the saving on this would be, in the minds of the certain members of the Appropriations Committee, it would be a meager sum, only a half million approximately. Whereas, it would be a large sum if it was doing the taxpayer some good like a bill that I offered in that was adopted twice by the Legislature for an enormous sum of thirty thousand dollars, that was in the soil conservation. Ladies and gentlemen, I am leaving this thought with you. Mr. Speaker, I move its adoption.

The SPEAKER: The question now before the House is the motion of the gentleman from Washington, Mr. Finley, that House Amendment "A" be adopted.

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

Mr. WELLMAN: Mr. Speaker, Ladies and Gentlemen of the House: I rise in defense of the Appropriations Committee's decision to include this item in the capital budget. The question was asked I believe in the previous debate of why aren't there more cells in the prison? Well this is the answer to that question. This is a cheaper method of providing the security, the housing, than the construction of cells. Now to provide the same cell space for the prison, it is contemplated here the cost for the cells alone would be in the vicinity of \$480,000. Now this building combines three

things: in the basement is a warehouse, this is an area that has been needed for some time at the prison after their relocation; the same time on the second floor is the isolation and segregation maximum security area for the prison; on the third floor are dormitories for the inmates who must be at the prison by reason of the courts who are classed in the geriatric condition, that is, of various ailments, the older people, those with certain other physical problems. They must be at the prison, but now they are taking up other space in the prison which could be used for the holding of other prisoners. We examined the whole budget of the capital construction of the prison. As you can see if you have your long book here on page 27, we removed one particular item on that page 27, the Maine State Prison hospital, feeling that at this time there was no point in appropriating that money because the construction of the hospital depends upon this building. So we think we have done a reasonable job in working on the problems of the prison, and that we haven't been extravagant with the budget for the prison. I would now move for the indefinite postponement of this amendment.

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

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

Mr. WINCHENPAW: I would like to say just a few words about this amendment, and I hope that the motion does not prevail because in the interest of economy, I think this huge building should not be built at this time, because as you study your map with the red lines on it, you'll see the red lines are all requests. We have granted some of those requests already through other L. D.'s and in—well on the map it's twenty-seven and twenty-eight and this new part is twenty-nine, and we have given permission to tear down a house there and when they get to it extend the garage, and we have also on L. D. 766, which is on the appro-

priations table which no one seems to oppose too much, they have been allowed to expand the garage to do some of the things that this building would do, and I understand that there is a tentative program to build a large building over here near the Augusta State Hospital that would do some of these things that this building at the prison would do; and I don't believe we should duplicate our efforts since we are having such a hard time to find enough money to make both ends meet. I hope that this amendment is not postponed.

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

Mr. KENNEDY: Mr. Speaker, Ladies and Gentlemen of the House: I too stand in opposition to the indefinite postponement of this amendment. I commend the Appropriations Committee for their fine work and their long hours of arduous labor on the problems of the financing of the State of Maine. However, I find myself in a position where I must perhaps go along with the people who have been close to the scene. This is only my second session, but I do know pretty much this in effect that the only people that come before the Appropriations Committee are the proponents of a measure. I don't think that they always get both sides of the picture, I question sometimes how many of these institutions they've visited to see if the need is really there or whether they take it verbatim from the BPI or the administrators of the institution. I am persuaded and influenced by those who live close to the scene. I feel that they perhaps have as much knowledge of this as the members of the Appropriations Committee; therefore, ladies and gentlemen, I hope that this indefinite postponement motion does not prevail.

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

Mr. KNIGHT: Mr. Speaker, Ladies and Gentlemen of the House: I rise in support of the motion made by the gentleman from Bangor, Mr. Wellman. As I understand the picture, it is simply one of econo-

my. It is cheaper to build a dormitory type building in which you put your elderly inmates, thereby alleviating cells. In other words, it's cheaper to build a dormitory than it is to build individual cells for maximum security, and that is what is being done here. The elderly prisoners who are not as dangerous as the younger ones coming in will be put into a permanent dormitory type building thereby alleviating a certain number of cells. The L. D. that is on the table is a temporary barracks which would make immediately available forty cells. It's much cheaper to build dormitories than cells, and that's what this question boils down to. I hope that you support the gentleman from Bangor, Mr. Wellman, in his motion to indefinitely postpone this amendment.

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

Mr. WINCHENPAW: I hate to oppose my good friend Mr. Knight from Rockland, but I would like to remind you that a few days ago a bill went by here creating a committee which I believe he serves on that would further study this thing. We had this committee two years ago, and I thought then that perhaps I should put up an argument to kill off that committee. As I remember there's around \$10,000 price tag on it. Now I feel that if we do not build this huge building at this time — this is a huge building, \$490,000 price tag, and forty cells in the top of that garage, so I am not entirely happy about putting prisoners outside of the wall. I might remind you that you can go down there any day and see prisoners walking around, when you go to the furniture store prisoners wait on you, and the furniture store is open seven days a week, you go by there seven or eight o'clock on Sunday night, they will be selling furniture. The prisoners are walking all over the place, and also down at the prison farm they're walking all over the place and they have a huge barracks at the prison farm that I understand is not too crowded, and I was hoping that this building could be laid off as it has been stated in the interest of economy, delay the build-

ing of this building for two years and see if it's absolutely necessary, and let this committee study it a little further. I know this committee has made study of this situation, but I'm not very happy about spending all this money for a building that I don't believe they actually need. Because if you read the directions, it's for a warehouse and storage space, they already have plenty of storage space under the dining room and the kitchen. They are storing their goods now. There was nothing setting out in the rain the day we were down there, it's all under cover, everything is nice and dry, there are no leaks in the place to amount to anything, and I hope that the motion to indefinitely postpone does not prevail.

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

Mr. KNIGHT: Mr. Speaker, the arguments of the opponents here remind me of the little old lady who told the Highway Department on a land damage case, I'm not opposed to progress — it's just the change I don't like.

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

Mr. DUNN: I would like to go on record as opposing the motion of my good friend, Mr. Wellman. I don't think that's necessary at this time.

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

Mr. FINLEY: I would ask for a division.

The SPEAKER: Is the House ready for the question? The question before the House is the motion of the gentleman from Bangor, Mr. Wellman, that House Amendment "A" be indefinitely postponed. A division has been requested.

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

A division of the House was had.

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

Mr. BAXTER: I rise to a point of order.

The SPEAKER: The gentleman may state his point of order.

Mr. BAXTER: I believe the rules state that all members must vote, and I notice many members did not vote on either side of this question. I would like to have the Chair instruct the members in their duties and call another division.

The SPEAKER: Forty having voted in the affirmative and sixty-five having voted in the negative, the motion to indefinitely postpone does not prevail.

Thereupon, House Amendment "A" was adopted.

The SPEAKER: The Chair will remind the members of the House that under the rules, you are supposed to vote on every question.

Thereupon, under suspension of the rules, Bill "An Act to Appropriate Moneys for Capital Improvements, Construction, Repairs, Equipment, Supplies and Furnishings for Fiscal Years Ending June 30, 1962 and June 30, 1963." Senate Paper 580, Legislative Document 1634, was given its third reading, passed to be engrossed as amended by House Amendment "A" in non-concurrence and sent forthwith to the Senate.

Non-Concurrent Matter Conference Asked

Resolve Appropriating Funds for Regional Airport to Service Augusta, Waterville and Surrounding Areas (H. P. 568) (L. D. 788) on which the House adhered on June 8 to its action whereby the "Ought not to pass" Report of the Committee on Appropriations and Financial Affairs was accepted.

Came from the Senate with that body voting to insist on its former action whereby the Resolve was substituted for the Report and passed to be engrossed as amended by Senate Amendment "A" in non-concurrence, and asking for a Committee of Conference, with the following Conferees appointed on its part:

Messrs. MARDEN of Kennebec
NOYES of Franklin
ERWIN of York

In the House: On motion of Mr. Whitman of Woodstock, the House voted to adhere.

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" and Senate Amendment "A" in non-concurrence in the House on June 8.

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

In the House: On motion of Mr. Hinds of South Portland, the House voted to recede and concur with the Senate.

**Non-Concurrent Matter
Conference Asked**

Bill "An Act to Increase Cigarette Tax One Cent" (H. P. 851) (L. D. 1165) on which the House voted to insist on June 8 to its action whereby the Bill was passed to be engrossed as amended by House Amendment "A."

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

Messrs. WYMAN of Washington
EDGAR of Hancock
PORTEOUS of Cumberland

In the House: On motion of Mr. Plante of Old Orchard Beach, the House voted to insist and join in the Committee of Conference.

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

Messrs. BAXTER of Pittsfield
ALBAIR of Caribou
WHEATON of Princeton

Thereupon, the House voted to send the Bill forthwith to the Senate.

Orders

On motion of Mr. Bragdon of Perham it was,

ORDERED, that the Clerk of the House be and hereby is authorized,

during the current biennium, to attend the conferences of the National Legislative Conference and meetings of any committee thereof on which he may serve; and

BE IT FURTHER ORDERED, that the Clerk be reimbursed for his necessary traveling expenses.

On motion of Mr. Bragdon of Perham, it was,

ORDERED, that the Speaker of the House and not exceeding three members of the House, designated by him, be and hereby are authorized during the current biennium to attend the conferences of the National Legislative Conference; and,

BE IT FURTHER ORDERED, that the necessary traveling expenses of the Speaker and the members appointed by him be paid from the legislative appropriation.

Mr. Williams of Hodgdon presented the following Order and moved its passage:

WHEREAS, the members of the House have learned that today is the birthday of Mr. Perry of Easton,

BE IT ORDERED, that the members extend to him their congratulations and best wishes not only for today but for the entire year. (Applause)

The Order received unanimous passage.

The SPEAKER: The gentleman now from Easton, Mr. Perry, has made his entrance.

Mr. Perry of Easton was granted unanimous consent to briefly address the House.

Mr. PERRY: I want to thank the members of the House for their well-wishing and I am sorry I was out and didn't hear all this — I was called out.

The SPEAKER: The gentleman can read it in the legislative record.

(Off Record Remarks)

The SPEAKER: In reference to Senate Paper 551, a Joint Order Creating an Interim Joint Committee to Study the Employment Security Law and Report to the 101st Maine Legislature, amended by

Senate Amendment S-239, the Chair now hereby appoints the following committee of three on the part of the House:

Messrs. ESTEY of Portland
THAANUM of Winthrop
FOGG of Madison

Passed to Be Enacted Emergency Measure

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

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. 119 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Emergency Measure

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. 582) (L. D. 1636)

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. 118 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Passed to Be Enacted

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

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

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

Mr. PRINCE: Mr. Speaker, Ladies and Gentlemen of the House: I will be very brief in my remarks. You know how I personally feel about this bill, and you know that ninety-two percent of the people of my town as a whole are very much opposed to this bill. Separation

issue is always presenting a confused issue within a town. Last night there were several mothers and fathers of the town that gathered in my home and we were there until after midnight discussing a problem in relation to education. This legislature may be the cause of upsetting the ideal school situation which exists in the Town of Harpswell, according to one of the members of the State Advisory Council on Education, because Harpswell is about to renew a new ten-year contract with Brunswick for its high school pupils. A special town meeting is to be held June 17 to discuss and act on this contract by the Town of Harpswell. These people who were in my home last night were confused as to how the people of the town could intelligently act on this issue. Where this separation bill is before the Legislature and if it is enacted, could not be acted upon until ninety days after the Legislature, they have asked me to make an appeal to this House.

The Town of Harpswell has worked long and hard on this educational system to improve the state standards of their children and will continue to do so. Why throw a barricade in front of these people to slow down their progress in the educational field? Separation could be very costly in this situation here from any angle, but in the educational setup, it is chaos. The mothers and fathers that were at my house last night were terribly concerned and they hope that this Legislature will help them out. I now move that this bill will be indefinitely postponed.

The SPEAKER: The question now before the House is the motion of the gentleman from Harpswell, Mr. Prince, that the bill be indefinitely postponed, and a division has been requested.

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

Mr. DANES: I rise in opposition to the motion of the gentleman from Orr's Island, Mr. Prince, I do this very reluctantly. However, by his own admission ninety-two percent of the people in the town are against separation, so he stated. The admission by the House several days

ago of an amendment which called for a required sixty-five percent majority certainly seems to be the only fair part of this entire bill. If he said ninety-two percent are against it, that leaves only eight percent of the people in the Neck or in the Town of Harpswell that are in favor of this. I see that there will be no trouble according to his figures in passing it. Thank you.

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

Mr. BUSSIÈRE: Mr. Speaker, looking at the committee report, I notice that the majority was signed by seven, only two signed in opposition with one absent. Now if we are going to disregard the committee and report, then we might just as well do away with the committee. I am very much opposed to the motion made by Mr. Prince.

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

Mr. ESTEY: Mr. Speaker, Ladies and Gentlemen of the House: I rise to perhaps clarify the educational situation that Mr. Prince has mentioned. I'm somewhat familiar with the geographic locations involved and the distances involved in travel as far as the students are concerned. It has been the practice of this town to contract its secondary education with Brunswick High School for many years, and I see no reason that this separation would make any difference with the arrangement. True, if the town were separated and the Neck was incorporated, it would require a contract with that locality with the high school. However, it would not change the number of pupils who are now attending Brunswick High School or would be attending if the separation were not effective, and I feel that because Brunswick has very adequate secondary high school facilities and has received in part funds and is one of the towns that will qualify under L. D. 452 to receive building aid because of its tuition school's percentage, and because its resident pupils the next year will exceed seven hundred and will receive building aid anyway, why this should alter the educational situation of the secondary pu-

pils in Harpswell. I hope the motion of the gentleman from Harpswell does not prevail.

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

Mr. CURTIS: Mr. Speaker, Ladies and Gentlemen: As a citizen of the State of Maine, I would feel that I would be remiss in my duty if I did not oppose this act. Now why is it that we only hear of towns wanting separation around the coast? Now this has been the third town in my experience where they wanted and it's all been for the same one reason. Now that reason is this, that a great many people from outside the state come into these towns and purchase property and after—it is true they do not stay there only three or four months but they want to get rid of paying taxes, so they want the town divided so they will not have to pay taxes for the whole town. Now one of the towns that I represent a few years ago found themselves in this same dilemma. The Legislature did not let them off although they compromised and gave the people on that one particular island a certain amount of money whereby they could take care of the island themselves and they practically don't want anybody over there. But this is not true of this town. A number of years ago long before I came to the Legislature, I attended a town meeting in Bristol where they wanted to do the same thing, and they admitted it there that that was the reason they wanted was because these outsiders would come in and probably stay there long enough to get a residence so they could vote and they didn't want to pay taxes. So they wanted to get off by themselves. That's why we find it along the coast, that's what is happening. I think it's unfair and it's not fair to the State of Maine and not fair to the towns involved. I hope that this measure is finally defeated.

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

Mrs. BAKER: I think that the House gave very good consideration to this measure the other evening, we debated it at length, it was heard pro and con, and our

committee has heard this bill, this is the fourth session; and we feel that there is a definite move down in that town for a division. We think the only fair way out of it is to give the people of Harpswell Neck a chance to vote on it, and where the amendment was added that it took a sixty-five percent majority to divide the town, it seems as though it's more than fair. I hope that the motion of the gentleman from Harpswell, Mr. Prince, does not prevail.

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

Mr. LACHARITE: Mr. Speaker and Members of the House: I simply want to say that the school situation is one of the reasons and probably the primary reason why the request for separation has been made, and as Mrs. Baker just stated the fact that we did pass an amendment requiring sixty-five percent of the vote is more than fair, and I don't see any reason why this bill should be indefinitely postponed at this time.

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

Mr. LOWERY: When the vote is taken, I would ask to be excused because of conflict of interest.

The SPEAKER: The gentleman from Brunswick, Mr. Lowery, has requested that he be excused from voting on the division because of a conflict of interest. Is this the pleasure of the House?

The motion prevailed.

The SPEAKER: The question before the House is the motion of the gentleman from Harpswell, Mr. Prince, that Bill, An Act to Incorporate the Town of Harpswell Neck, Senate Paper 118, Legislative Document 263, be indefinitely postponed. A division has been requested.

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

A division of the House was had.

Fifty-one having voted in the affirmative and sixty-five having voted in the negative, the motion did not prevail.

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

An Act to Transfer Northern Maine Sanatorium to Central Maine Sanatorium (S. P. 311) (L. D. 899)

An Act relating to Certain Standards for Boarding, Lodging and Nursing Homes (H. P. 13) (L. D. 32)

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

Enactor Tabled Until

Later in Today's Session

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

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

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

Mr. BAXTER: Mr. Speaker, I move that item six be tabled until later in today's session.

The SPEAKER: The gentleman from Pittsfield, Mr. Baxter, in reference to item six, moves that this L. D. 1162 be tabled until later in today's session pending passage to be enacted.

Mr. HAUGHN of Bridgton: I would request a division on the tabling motion.

The SPEAKER: A division has been requested on the tabling motion.

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

A division of the House was had.

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

An Act Authorizing Funds for Construction of Machias Landing Field (H. P. 1162) (L. D. 1602)

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

Finally Passed

Resolve Appropriating Money for Production and Supervision on In-

School Educational Television Programs (S. P. 273) (L. D. 874)

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)

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

Resolve for Development of Revenue-Producing Park Facilities on Mt. Battie (H. P. 727) (L. D. 1015)

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. 1181) (L. D. 1630)

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

On motion of Mr. Baxter of Pittsfield,

Recessed until 1:30 this afternoon.

After Recess

1:30 P.M.

Called to order by the Speaker.

Orders of the Day

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

Mr. WELLMAN: Mr. Speaker, I would inquire if the Clerk still has in his possession L. D. 1636, being "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."

The SPEAKER: For the information of the gentleman from Bangor, Mr. Wellman, the Speaker wishes to advise that gentleman that there is in the possession of the House L. D. 1636.

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

Mr. WELLMAN: Mr. Speaker and Ladies and Gentlemen of the House: This morning, through an oversight—

The SPEAKER: Does the gentleman wish to make a motion?

Mr. WELLMAN: I would move that we reconsider our action whereby we passed this bill—and for your reference item two, enactors, on page two—whereby we enacted this this morning. May I speak to the motion?

The SPEAKER: The gentleman may proceed.

Mr. WELLMAN: Mr. Speaker and Members of the House: The reason that I am asking you now if you would reconsider your action inasmuch as there is appropriated \$60,000 each year for the employees of the Liquor Commission in line with the steps one and four of the Jacobs Plan. Now we have on the calendar, and we have been carrying along regularly on the calendar, this pay plan and the medical care and services program. I think that we should carry this along in the same way that we have these other two, and therefore that is the reason I have made my motion. If this motion is accepted, I would then move that this bill be tabled for later in the day so that it may follow right along with the other two.

The SPEAKER: The gentleman from Bangor, Mr. Wellman, has moved that the House reconsider its action earlier in the day whereby it passed this bill to be enacted. Is this the pleasure of the House?

The motion prevailed.

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

Mr. WELLMAN: Mr. Speaker, I now move that this bill lie upon the table until later in the day.

Thereupon, Legislative Document 1636 was tabled until later in the day pending passage to be enacted.

(Off Record Remarks)

The SPEAKER: We are proceeding under Orders of the Day. Normal procedure would be to take up assigned matters at this time.

Mr. Bearce of Bucksport presented the following Order out of order and moved its passage.

ORDERED, that the members of the House of Representatives extend their sympathy and their hopes

for a speedy and complete recovery to Mr. Noel of Waterville; and

BE IT FURTHER ORDERED, that the Clerk of the House be directed to send flowers to Mr. Noel together with a note of sympathy from the members.

The Order received passage.

(Off Record Remarks)

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

HOUSE REPORT—Ought Not to Pass—Committee on Taxation on Bill "An Act relating to Sales Tax on Farm Machinery and Equipment." (H. P. 1038) (L. D. 1439)

Tabled—June 8, by Mr. Baxter of Pittsfield for thirty minutes.

Pending—Acceptance of Report.

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

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 8, by Mr. Baxter of Pittsfield.

Pending—Passage to be enacted.

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

Mr. BAXTER: Mr. Speaker, I move that this item be tabled until—I would like to explain that because of the—

The SPEAKER: Does the gentleman withdraw his tabling motion?

Mr. BAXTER: Yes, I withdraw my tabling motion. I would like to explain because of the uncertainty of the progress of our deliberations and so that this item and the next may be available to be removed promptly when the decision is made upon the supplemental budget, that this now be tabled unassigned.

The SPEAKER: The gentleman from Pittsfield, Mr. Baxter, moves that this Legislative Document be tabled unassigned pending passage to be enacted. Is this the pleasure of the House?

The motion prevailed.

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 8, by Mr. Baxter of Pittsfield.

Pending—Passage to be enacted.

On motion of Mr. Baxter of Pittsfield, the Act was tabled unassigned pending passage to be enacted.

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

House Joint Order:

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 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 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. 1183)

Tabled—June 8, by Mr. Braeden of Waterboro.

Pending—Motion by Mr. Dunn of Poland that the Order be Indefinitely Postponed.

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

Mr. HAUGHN: Mr. Speaker, you know how thoroughly disgusted I am and irked at this particular order coming in at this late date, with all the committees dissolved and just opening the door once again to something that is not needed or desired. I am not going to debate this at the present time, but I will if others get into it; but at this time I would move for a roll call vote on this issue.

The SPEAKER: A roll call has been requested on the motion of

the gentleman from Poland, Mr. Dunn, that it be indefinitely postponed.

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

Mr. BRAGDON: Mr. Speaker, I feel that we should keep this possible source of taxation available to us, and for that reason I would hope that the order would receive passage.

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

Mr. BAXTER: Mr. Speaker and Members of the House: We reviewed the pros and cons of this measure, I think, last night. It is a measure which Dr. Sly recommended in a way when he said the exemption was one of doubtful validity. I have pointed out that it has been considered by the Taxation Committee in the past favorably, and that this order merely directs the committee to bring out the bill with its recommendations. It is not specifically the bill itself, although I realize that a vote on it could be correlated with a desire for the tax.

Now I would like to mention that we are very close to the end of the session many times people would like to not vote on something one time and feeling they might vote on it possibly another time. I really believe that today is the time when we should vote our final thoughts rather than making a token vote to be changed later, particularly because of the point we have arrived at in the session.

Therefore, I would encourage you to vote with that in mind.

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

Mr. HAUGHN: Mr. Speaker and Members of the House: Just to review the comments just stated, keep this bill alive. For what? It is just an attempt once again to revive the three and one-half percent sales tax. It's an equalizer and that's all they're trying to attempt to do. You are opening up committee hearings once again. There will be no public hearing held. In defense of the industry who is interested in this and the public in general who have no voice to express to be heard if we allow this bill

to be passed. And I certainly hope that you will defeat it.

The SPEAKER: Is the House ready for the question? The question before the House is the motion of the gentleman from Poland, Mr. Dunn, that this House Joint Order be indefinitely postponed and a roll call has been requested. For the Chair to order a roll call, it must have an expression of a desire for a roll call by at least one-fifth the members present. Will those who desire a roll call please rise and remain standing until the monitors have made and returned their count.

A sufficient number did not arise.

The SPEAKER: Obviously less than one-fifth having arisen, a roll call is not ordered. The Chair will order a division.

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

A division of the House was had.

Eighty having voted in the affirmative and forty-eight having voted in the negative, House Joint Order, H. P. 1183, was indefinitely postponed.

The SPEAKER: The Chair now lays before the House an item on Supplement Number One of the House Calendar, a matter later today assigned, An Act Increasing Excise Tax on Malt Liquor Imported into State, House Paper 848, Legislative Document 1162, tabled on June 8 by the gentleman from Pittsfield, Mr. Baxter, pending passage to be enacted.

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

Mr. BAXTER: Mr. Speaker, I would like to retable this bill for one-half hour.

Thereupon, the Act was tabled for one-half hour.

The SPEAKER: The Chair understands that the gentleman from Perham, Mr. Bragdon, requests that L. D. 1636, 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, Senate Paper 582, be placed

upon the House Appropriations Table.

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

Mr. JALBERT: Mr. Speaker, I would like to take from the table an order that was previously tabled by me earlier in the day.

The SPEAKER: The gentleman from Lewiston, Mr. Jalbert, requests that item number two on the Supplement, being Senate Joint Order, Authorizing the Committee on Liquor Control to Originate a Bill, Senate Paper 586, tabled by that gentleman earlier in the day, pending the motion of the gentleman from Vinalhaven, Mr. Maddox, that the order be indefinitely postponed be removed from the table at this time. Is this the pleasure of the House?

The motion prevailed.

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

Mr. BAXTER: The reason for the tabling motion by Mr. Jalbert was that the suggestion that the leadership of the two parties contact the Governor with regard to his feeling about this bill. This has been done by the leadership of both parties, and I have been asked to convey to you the Governor's feelings.

When this bill came to the Governor's desk, he was of course greatly in question about it on several fronts. He worked one full day to have the Senate recall the bill and make certain specific changes in it which he felt would be necessary for him not to veto it. These changes I believe were at the suggestion of his department heads. So there were three conditions, one that it be recalled and two other conditions having to do with the content of the bill. After this day's work, the order was not recalled by an overwhelming margin. The Governor felt at that time that he had put forth his best effort and that his responsibilities there cease. He then vetoed the bill and sent back to us a veto message in which he outlined the two substantive reasons for vetoing the bill, and he further stated, over and above that finally and

fundamentally I believe the measure before us is an intrusion on the observance of the Sabbath. He then enlarged upon that thought and concluded his statements with the statement, because I regard this as a matter of conscience and because I believe we should adhere to the principles which have historically guided our people, I return this bill without signature, which was the end of the veto message.

In view of these facts, he has conveyed to us the information that should the bill be returned to him even with the substantive changes, he would veto the bill again.

The SPEAKER: The question before the House is the motion of the gentleman from Vinalhaven, Mr. Maddox, that the Senate Joint Order be indefinitely postponed.

All those in favor of indefinite postponement, say—

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

Mr. RUST: I have a request for a roll call vote on this motion.

The SPEAKER: A roll call has been requested. For the Chair to order a roll call, it must have an expression of a desire for a roll call by at least one fifth the members present.

Will those who desire a roll call, please rise and remain standing until the monitors have made and returned their count.

A sufficient number arose.

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

The Chair will restate the question. The question before the House is the motion of the gentleman from Vinalhaven, Mr. Maddox, that the Senate Joint Order Authorizing Committee on Liquor Control to Originate a Bill, Senate Paper 586, be indefinitely postponed.

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

The Clerk will call the roll.

ROLL CALL

YEA — Anderson, Ellsworth; Anderson, Greenville; Baker, Bax-

ter, Beane, Augusta; Berman, Auburn; Berry, Portland; Boothby, Bradeen, Brown, Fairfield; Brown, Vassalboro; Buckley, Burns, Carter, Chapman, Gardiner; Chapman, Norway; Choate, Curtis, Davis, Dennison, Dodge, Edgerly, Edwards, Fogg, Hague, Hancock, Hanson, Bradford; Hardy, Harrington, Haughn, Hinds, Hopkinson, Hughes, Humphrey, Hutchins, Johnson, Stockholm; Karkos, Kilroy, Knight, Lantagne, Lincoln, Littlefield, Maddox, Maxwell, Morse, Perry, Pike, Prue, Roberts, Schulten, Shepard, Smith, Bar Harbor; Smith, Falmouth; Smith, Strong; Sproul, Storm, Swett, Thaanum, Thornton, Turner, Tweedie, Vaughn, Wade, Walker, Waltz, Waterman, Westerfield, Wheaton, Whitman, Whitney, Williams, Winchenpaw, Wood, Young.

NAY — Beane, Moscow; Bedard, Berman, Houlton; Bernard, Berry, Cape Elizabeth; Binnette, Boissonneau, Bragdon, Brewer, Brown, So. Portland; Bussiere, Coulthard, Crockett, Cyr, Danes, Dennett, Dostie, Winslow; Durgin, Estey, Finley, Gallant, Gardner, Gill, Ham, Hanson, Lebanon; Hendricks, Jalbert, Jobin, Jones, Kellam, Kennedy, Kimball, Knapp, Lacharite, Levesque, Linnekin, Lowery, Mathews, Merrill, Morrill, Nadeau, Biddeford; Philbrick, Augusta; Philbrick, Bangor; Plante, Poirier, Rust, Shaw, Stevens, Tardiff, Walls.

ABSENT — Albair, Bearce, Briggs, Cooper, Dostie, Lewiston; Drake, Dunn, Hartshorn, Hichborn, Jameson, Johnson, Smithfield; Lane, Letourneau, MacGregor, Malenfant, Matheson, Minsky, Moore, Nadeau, Lewiston; Noel, Prince, Sevigny, Sirois, Stewart, Tyndale, Wellman.

Yes, 74; No, 50; Absent 26.

The SPEAKER: Seventy-four having voted in the affirmative, fifty having voted in the negative, with twenty-six being absent, the indefinite postponement does prevail.

Thereupon, the Senate Joint Order was indefinitely postponed in non-concurrence and sent up for concurrence.

The SPEAKER: Is there objection to taking up at this time Supplement Number one, House Ad-

vance Journal, Friday, June 9, 1961, 1:30 p.m.? The Chair hears none. The Clerk will read the supplement.

Papers from the Senate Divided Report

Report "A" of the Committee on Appropriations and Financial Affairs on Resolve Providing for the Construction of Dormitories at the Aroostook, Farmington and Washington State Teachers' Colleges (S. P. 277) (L. D. 878) reporting same in a new draft (S. P. 585) (L. D. 1637) under title of "An Act to Authorize the Construction of Self-Liquidating Student Housing for the State Teachers Colleges and the Issuance of not Exceeding \$2,600,000 Bonds of the State of Maine for the Financing Thereof and that it "Ought to pass"

Report was signed by the following members:

Messrs. SAMPSON of Somerset

DAVIS of Cumberland

— of the Senate.

Messrs. BRAGDON of Perham

DAVIS of Calais

DRAKE of Bath

— of the House.

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

Report was signed by the following members:

Mr. STANLEY of Penbscot

— of the Senate.

Messrs. JALBERT of Lewiston

WELLMAN of Bangor

Mrs. SMITH of Falmouth

— of the House.

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

In the House, the Reports were read.

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

Mr. BRAGDON: Mr. Speaker, I move the acceptance of Report "A" "Ought to pass."

The SPEAKER: The question before the House is the motion of the gentleman from Perham, Mr. Bragdon, that the House accept Report "A" "Ought to pass."

The Chair recognizes the gentleman from Lebanon, Mrs. Han-

Mrs. HANSON: Mr. Speaker and Members of the House:

The requested dormitories will provide for housing 450 additional students at the teachers colleges. They are all part of the long-range plan to increase college enrollments to provide needed teachers for Maine classrooms.

At Aroostook and Washington State Teachers College, the introduction of special programs for the preparation of teachers of health and physical education and of business education has swelled enrollments beyond the capacity of the existing dormitories. One section of the proposed dormitory for Aroostook was belatedly requested of the 99th Legislature when the upswing in enrollment became apparent.

Housing is so short at these colleges that it has already been necessary to provide for rooms for some upper class women in private homes off campus. This has not happened in the remembrance of people in this work.

At Farmington 318 women are enrolled, and with dormitory accommodations for only 260, eligible students are being refused admission because of lack of available space. The Farmington dormitory request was originally presented to the 99th Legislature.

At Gorham 686 applications have been received for admission next year of which 259 have been accepted. At present there is a waiting list of 125 eligible applicants. I know this specifically because a young lady in our town sent in her application to Gorham or the school sent it in and through some error in either the sending school or Gorham's office it was mislaid and although she had a top-notch record they were not going to accept her simply because the application had not come in on a certain date. So it is that serious.

All of the other colleges have waiting lists of acceptable applicants: Farmington has over 100, and Aroostook and Washington also have substantial lists. There are, at all the colleges, between 300 and 400 eligible persons still waiting for admission.

This Act will provide at Aroos-

took State Teachers' College a women's dormitory; at Farmington State Teachers' College a woman's dormitory; at Washington State Teachers' College an addition to the Men's dormitory and at Washington also a women's dormitory, and at Gorham State Teachers' College an addition to the men's dormitory.

The proposed maximum amount of bonds is \$2,600,000. This will provide for construction costs of \$2,384,000 and interest requirements the first two years are estimated at \$170,000 with the construction contingency at approximately 2 percent of \$46,000.

The five proposed dormitories will house about 450 students and will increase the total college housing to 1600 students.

Current charge for board and room at the teachers colleges is \$444 a year. The comparable figure for the University of Maine is \$700, and the Bates, Bowdoin, and Colby costs are all in excess of \$700.

The housing situation at the colleges is more critical than ever and will seriously curtail their growth unless more living space is provided. I hope Mr. Bragdon's Report "A" "Ought to pass" does prevail.

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

Mr. BRAGDON: Mr. Speaker, I would like to call to the attention of the Members of the House that this bill is nothing new, that is, the principle has already been established by the 99th Legislature in setting up the same sort of a proposal for the University of Maine and the Maine Maritime Academy. Both of these institutions are using this method of building their dormitory space. This provides a strictly self-amortizing method. It does add to the expense as the lady from Lebanon, Mrs. Hanson has pointed out, but this is still way below the cost in other institutions. I certainly hope that you will go along with this report.

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

Mr. CURTIS: Mr. Speaker, I would like to concur with the gen-

tleman from Perham, Mr. Bragdon, for I have visited these places, and I find that they are terrifically crowded and this is just permissive legislation whereby they will be self-supporting. I am sure that we should go along with this and it would be a great help to all of the state in order that more teachers might be prepared to take their place in our schools.

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

Mr. JALBERT: Mr. Speaker, I would like to ask a couple of questions of the gentleman from Perham, Mr. Bragdon, if I may. The first question is, it was my understanding and I may be wrong, that the word was that the price tag to the student would be too high at this time for this program. I may have been misinformed, if I am, I would like to be corrected.

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

Mr. BRAGDON: Mr. Speaker, I am not sure that I understand the gentleman's question. Perhaps if he would restate it, I will try.

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

Mr. JALBERT: Am I tagged with a time at bat here now or—

The SPEAKER: The gentleman may proceed.

Mr. JALBERT: I would like to know of the gentleman from Perham, Mr. Bragdon, it was my understanding at least in committee and at the hearing that these amounts to the students would be too high at this time if we went into this program. Am I wrong or?

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

Mr. BRAGDON: In answering this question, I will not intentionally get into personalities. The only time that I recall that this claim was made before the Committee and the only one that I recall hav-

ing made it was the gentleman from Old Orchard Beach, Mr. Plante. I heard this claim made by no one else. Perhaps he could better answer your question.

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

Mr. JALBERT: Mr. Speaker, I did not want to get into personalities at all. I asked the question that I was totally ignorant of and I'll tell you exactly why I asked the question. I asked the question because the last time I attended a hearing of the Appropriations and Financial Affairs Committee in Room 317 in the other building, this bill had a straight ought not to pass report on it. Night before last or Wednesday night I was accosted by the gentleman from Perham, Mr. Bragdon, who had a package in his hand. After I was shown what it was, it was then a report with two jackets on it with this bill. I said I thought it was unanimously ought not to pass. He said we decided to recall it. I went to the Chairman of the full committee and I asked him about it, and he said I know nothing about it. He signed an ought not to pass report at the time, the thing went back and forth. And incidentally that was about ten minutes past five Wednesday night, at 5:30 the bill was then filed in some form or other, but it so happened that at ten minutes past five the order that invoked the cloture was still in order and had been passed by both branches. Now that's why I asked the question. So if I can't get an answer, I'll see if I can avoid personalities on this one.

Is the gentleman from Perham, Mr. Bragdon, ready to tell me if he is going to go on a straight serial issue on this thing with a ten year period, fifteen year period, twenty year period or twenty-five year period, and if he has got his figures on the amount of years, does he have his figures as to how it is going to be retired and the amount of interest per year and the totals over the period of whatever years he is going to amortize the bonds?

The SPEAKER: The gentleman from Lewiston Mr. Jalbert, has asked another question through the

Chair of the gentleman from Perham, Mr. Bragdon, who may answer if he chooses.

Mr. BRAGDON: In attempting to answer the question, I believe that the answer is in the bill. However, I understand that this is figured on a thirty-year basis and these costs are figured at 3½ percent, if that answers the question.

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

Mr. KENNEDY: Mr. Speaker and Ladies and Gentlemen of the House: I rise in support of this measure as amended by Committee Amendment "A." Now it is true ladies and gentlemen that I have stood here opposing some of the educational measures that have been before us this session. I might well be accused of appearing for this bill because Washington County is involved, but I would point out to you that in this bill Washington County is only receiving half a million dollars while the rest of the state is receiving \$1,800,000. I think that this is a fine opportunity to offer educational opportunities to those who are waiting at the doors of our teachers' colleges, waiting for an opportunity to be entered because there is no provisions made for them to enter because of housing conditions. I would stand here opposing this bill if it wasn't self-liquidating. If this bond issue can be amortized by the students attending the college, I see no more harm in it than the bill that was passed at the 99th session for the benefit of the University of Maine. I personally believe and hope that this will be supported because of its merit and on its merit alone.

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

Mr. ESTEY: Mr. Speaker, Ladies and Gentlemen of the House: I too rise in support of this measure and not particularly for the selfish interest related to Gorham State Teachers' College.

We discussed many times the shortages of teachers and the cost, the rising cost of education. State-wide we are only training half of the number of teachers that we need for the elementary school program. There are waiting lists in all

of our colleges and the cost of education by the law of supply and demand will be directly related to that supply. If we are to meet the need within our state, we need housing space. To directly relate this, at Gorham there are 125 students who had to seek housing this year in private homes. I heartily support the motion.

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

Mr. JALBERT: Mr. Speaker, I thought that I was right and I looked at the bill and it has no provision as to what type of issue we are going to entertain on this thing, and I would suggest that the gentleman either let the bill ride now or table it and at sometime or other prepare the necessary mechanics as to the way we are going to issue the bonds and how they are going to be amortized and how they are going to be retired, over a period of how many years and how much we are going to pay each year on retirement and interest.

The SPEAKER: The question before the House is the motion of the gentleman from Perham, Mr. Bragdon, that the House accept Report "A" "Ought to pass."

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

Mr. DAVIS: Mr. Speaker, Members of the House: When this first came before the Appropriations Committee, I was inclined to oppose this, even though it does include two buildings at Washington State Teachers' College in Washington County, and the reason that I felt unfavorable towards it was that I would like to have seen these facilities financed wholly through state funds. In our area many of the students come from low level income families and a state teachers' college is the only type of higher education that they can afford.

However, I do realize that we have gone into financing of a great many facilities of all kinds in the state and that there is a limit to what we can do, and I feel and as I remember the figures, it would probably cost the student from \$100 to \$125 a year more on this self-liquidating scheme, and I feel that this is better than allowing the stu-

dents not to have an opportunity to go to these teachers' colleges at all; and therefore, I supported this redrafted bill and I support the motion of Mr. Bragdon of Perham.

The SPEAKER: Is the House ready for the question? The question before the House is the motion of the gentleman from Perham, Mr. Bragdon, that the House accept Report "A" "Ought to pass" in new draft "An Act to Authorize the Construction and the Issuance of not Exceeding \$2,600,000 Bonds of the State of Maine for the Financing Thereof," Senate Paper 585, Legislative Document 1637. All those in favor of the Report "A" "Ought to pass" please rise and remain standing until the monitors have made and returned their count.

A division of the House was had.

Ninety-four having voted in the affirmative and seven having voted in the negative, Report "A" was accepted and the New Draft read twice.

Under suspension of the rules the bill was given its third reading, passed to be engrossed and sent to the Senate.

The SPEAKER: The Chair now lays before the House a matter tabled approximately thirty minutes ago by the gentleman from Pittsfield, Mr. Baxter, "An Act Increasing Excise Tax on Malt Liquor Imported into State," L. D. 1162, pending passage to be enacted.

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

Mr. MAXWELL: Mr. Speaker, Ladies and Gentlemen of the House: I have a few facts that I would like to point out to you regarding this tax. Maine's present tax equals \$4.96 on a barrel of beer. This proposed increase would make it \$7.75 on a barrel of beer, or an increase of \$2.79. Remember that figure of \$7.75. The other New England states: New Hampshire's tax is \$3.00, Massachusetts' tax is \$2.00, Rhode Island's tax is \$1.50, Connecticut's tax is \$1.00, and New York's tax is \$1.03. This makes the average tax in all for these states of \$2.74.

In other words, the increase alone is greater than the average tax of the New England states plus

New York State. This would give Maine the highest tax rate of any state in the Union north of the Mason-Dixon line, the only states higher being South Carolina, Mississippi, North Carolina, Oklahoma, Louisiana and Georgia. The average consumption in these states now higher than Maine is, is nine gallons per capita. The national average of consumption is 15.3 gallons. The New England average is 17.6 gallons.

Now then, if Maine should drop to the average of states with this high tax, then our decrease in revenue would be \$115,000 less than we are now getting after this tax was adopted. Remember once again that beer is the workingman's beverage. It is also sold to retired people who use it as a stimulant for their appetite. With every rise in price I have myself as a retailer over the years seen more people start to make home brew, more bootlegging. And very definitely it will be another step to drive our tourist trade to New Hampshire and Canada, and don't for one minute believe otherwise. Just last summer two families, that come to the State of Maine and live in my area for two or three months during the summer, came in to me late in the summer and started to buy some beer. One of the fellows explained to me this way. He said when I came to Maine this spring I brought with me ten cases of beer, simply because your prices up here because of tax are so high. He said, could I have hauled it I would have brought more.

If you are going to completely tax one beverage out of existence, how about a tax on soft drinks? But to be serious, let's reduce this to a six-pack, so we can all understand it a little better. A six-pack of twelve ounce bottles today selling for \$1.20 at the present time including tax, represent now two cents on each bottle for the state excise tax. This boost would add one cent more or a total of eighteen cents, and note that this is only the state excise tax. Included in this price of \$1.20 is a federal tax and a state sales tax. At the present I would like to point out that that same package that sells for \$1.20 in the State of Maine,

sells for eighty-nine cents in our neighboring state of New Hampshire.

All segments of the beer industry would suffer from the imposition of this tax. Brewers in the United States are now paying the federal government \$800,000,000 a year from the federal tax on beer, an additional \$200,000,000 to the states for local excise taxes. The number of breweries operating in this country have been steadily decreasing because of the competition and the cost of doing business. In 1948 there were four hundred and forty breweries operating in the United States. In 1958 there were only two hundred and fifty-two. Although the country has enjoyed an unparalleled prosperity during these years, which have seen consumer income almost doubled and consumption of goods increase correspondingly, beer production and sales have remained static.

I would now move the indefinite postponement of this bill and all accompanying papers. Thank you very much.

The SPEAKER: The question now before the House is the motion of the gentleman from Jay, Mr. Maxwell, that L. D. 1162 be indefinitely postponed.

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

Mr. CURTIS: Mr. Speaker and Ladies and Gentlemen: I don't know where my good friend who just spoke got his figures, but I have these right straight from the Liquor Commission. It says that New Hampshire is third in percent of income spent on liquor, Connecticut is seven, Vermont eight, and Maine is tenth in the New England states.

Now it is a fair presumption always that those who should pay the tax on anything would be those who are able to pay the tax. And that's why our federal government has the income tax because those who are able to pay are taxed more heavily than those who are not able to pay. As we look over about how able these people in the State of Maine are to pay a tax on liquor, we find that the State of Maine spends \$52,000,000 on education and that is all the money

spent by the state and by the municipalities for everything, colleges and what not. And yet we do find that they are wealthy enough, the people who use alcoholic beverages, whereby they spent last year \$54,935,195 for alcoholic beverages. So it seems, reckoning it up on just ordinary figures which have come from the Commission, that these people who do use the beverages are well able to pay a little more tax.

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

Mr. WESTERFIELD: Mr. Speaker and Ladies and Gentlemen of the House: We have before us a tax measure. We have enacted a few. We need to enact this one. I don't think that anybody here will argue that any of these taxes are good. Some of them are better than others. This program — in order to provide a major portion of the program which we are hoping eventually to enact, requires this tax. I hope that the motion to indefinitely postpone does not prevail.

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

Mr. LACHARITE: Mr. Speaker and Members of the House: I am opposed to this tax on malt beverages, not only because the tax is borne by the low salaried and wage earners who are the largest consumers of beer. Traditionally beer has been the workingman's drink. It is becoming priced in the luxury class because of high taxes. Although per capita income and wages of the adult drinking population have increased drastically in the past few years, beer consumption in Maine and nationally shows a very modest increase.

I would like to quote in part from the Sly report, which was published in March of 1961. It said and I quote, "In view of Maine's position of second highest tax rate in New England and its inclusion of beer in the sales tax base, the rate should probably not be increased at this time." I would also like to quote from the inaugural address and budget message of the late Governor Clinton Clauson delivered in January of 1959. And I quote, "The Maine State Liquor

Commission and I gave consideration at our conference to increasing the state take from sales of hard liquor and wine by increasing prices and by raising the beer tax. However, information developed by the Commission showed that both beer and wine sales have dropped sharply in the past two years and while hard liquor sales remained at a constant level. This caused us to consider increasing only prices of hard liquor."

The situation has not changed and in spite of the substantial local option gains of last year, there are some twenty odd less licensees in the state and sales are not increasing. Maine ranks fourteenth in the amount of tax and it should also be considered that there are some states having the sales tax where beer is not taxed, but it is in Maine. So that this really meant an increase of tax when the sales tax became law. And if there is a raise this year of half of one percent, it will mean a further increase in the beer tax.

Now the committee reported this unanimously "ought not to pass." I believe that the committee had heard both sides very well, considered this bill carefully, and I think that we should go along with the committee's report.

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

Mr. LITTLEFIELD: Mr. Speaker and Members of the House: It is not necessary to drink beer. God has provided us with the best drink of all, water. Now if we do wish to drink beer, I think we should pay the tax on it. We have got to have some money from somewhere. No one wants to vote for the sales tax. So where is the man's money coming from to pay the bills? Now it would seem to me that the breweries could easily stop some of their TV ads and pay this tax and again, like the cigarette tax may I tell you that I was in Louisiana a couple of years ago where you say the tax on beer was the highest. They had plenty of beer to sell there and plenty of it on the counter.

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

Mr. DODGE: Mr. Speaker and Members of the House: As I understand it, the sale of hard liquor has not dropped; but from previous testimony we have had here the sale of wines and beer has. Could it be that where the sales of those vital beverages have dropped, that they are spending more money on bread and clothes for the children?

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

Mr. CURTIS: Mr. Speaker, I am still at a terrific loss where my good friend from Brunswick found his figures. I got mine down from the Liquor Commission and it says that liquor sales reached an all time high in Maine for fiscal 1960 and that beer also reached an all time high in 1960, there being 14,587,104 gallons sold at an approximate selling price \$29,174,208. It also says in that record that while the population of Maine increased six percent in the last ten years, the amount of the sale of alcoholic beverages has increased forty-five percent.

Now if you have any quarrel to make with the figures, why go down and make it with the Commission who surely ought to know. I am perfectly willing that people should drink beer if they want it, but when we get up here and make a point and quote figures that the Liquor Commission is altogether different — these people should know — I'm just wondering what it's all about.

The SPEAKER: Is the House ready for the question?

The question before the House is the motion of the gentleman from Jay, Mr. Maxwell, that L. D. 1162, "An Act Increasing Excise Tax on Malt Liquor Imported into State," be indefinitely postponed.

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

Mr. MAXWELL: Mr. Speaker, Ladies and Gentlemen: Let me repeat once more that this is the poor or the workingman's drink. Where Mr. Curtis may have got his figures I cannot tell you, but these figures that I have in front of me here show that we received by way of revenue over the past two years \$4,483,086 from this beer. Perhaps he is quoting both beer and

liquor together. Per capital consumption, now this comes from a national survey, 1945, Maine was drinking 16.9 gallons of beer; 1959, they have gone down to 14.6. And once again let me point out that this did come out of committee one hundred percent "ought not to pass." I would ask for a division when the count is taken.

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

Mr. RUST: Mr. Speaker and Ladies and Gentlemen of the House: I arise in support of this particular legislative document and against the motion to indefinitely postpone. Now this tax is essentially necessary to provide a modest program during this session of the legislature. Without this tax we are going to come out of here with nothing. If we don't buy this particular tax, we may have to wind up with the sales tax or a very, very minimum program. I would take objection with the remarks of the gentleman from Jay, Mr. Maxwell, that this is a poor man's drink. If a man is so poor that he can't afford two cents more a quart on a quart of beer, then he shouldn't be drinking beer in the first place.

The SPEAKER: The Chair recognizes the gentleman from Lisbon, Mr. Karkos.

Mr. KARKOS: Mr. Speaker, Ladies and Gentlemen: I am not here to represent any special interests, never have been. I am just taking figures that were submitted here. I am not connected with liquor in any way and never have been in my life, but I will say this. There is a possibility that the revenue may decrease instead of increase. I too know that today they have places where they sell home brew and I only found that out recently when I made an insurance call. I was quite surprised.

If we could get any revenue, I want to vote for it; but I am afraid that we are not going to get additional revenue if this measure is passed. Beer is getting more unpopular every day because it's expensive. So I am going to go along with the gentleman from Jay, Mr. Maxwell, that this bill be indefinitely postponed. I say, if you want to—put a penny on the little

soft drinks, those are luxuries, water was made to drink. Of course, we can't enact any legislation like that here today. I don't think we will get any revenue. That's the reason I'm supporting the indefinite postponement of this bill.

The SPEAKER: The question before the House is the motion of the gentleman from Jay, Mr. Maxwell, that Bill "An Act Increasing Excise Tax on Malt Liquor Imported into State," House Paper 848, Legislative Document 1162, be indefinitely postponed. A division has been requested.

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

A division of the House was had. Thirty-five having voted in the affirmative and seventy-four having voted in the negative, the motion to indefinitely postpone did not prevail.

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

The SPEAKER: The Chair will request that the Sergeant-at-Arms escort the gentleman from Vinalhaven, Mr. Maddox, to the rostrum to act as Speaker pro tem.

Thereupon, Mr. Maddox assumed the Chair as Speaker pro tem and Speaker Good retired from the hall.

The SPEAKER pro tem: The second item on Supplement Number One, House Advance Journal.

Non-Concurrent Matter

Report of the Committee on Education on Bill "An Act to Correct Errors and Inconsistencies in the Education Laws" (S. P. 409) (L. D. 1456) 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:

On motion of Mr. Estey of Portland, 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. 409, L. D. 1456, Bill, "An Act to Correct Errors and Inconsistencies in the Education Laws."

Amend said Bill by inserting after the enacting clause the following:

"Sec. 1. R. S., c. 41, § 14, amended. Section 14 of chapter 41 of the Revised Statutes is amended by adding a new paragraph to read as follows:

'When a superintending school committee suspends or the voters of an administrative unit authorize the closing of all elementary schools within an administrative unit under this section, the superintending school committee shall make provision for the education of the children at a nearby administrative unit and the sending administrative unit shall pay the tuition charge to the receiving administrative unit.'

Further amend said Bill in the first line by striking out the underlined abbreviation and figure "Sec. 1." and inserting in place thereof the underlined abbreviation, figure and letter 'Sec. 1-A.'

Further amend said Bill by inserting after section 6 the following new sections:

Sec. 6-A. R. S., c. 41, § 111-T, sub-§ II, ¶ A, amended. Paragraph A of subsection II of section 111-T of chapter 41 of the Revised Statutes, as enacted by section 2 of chapter 443 of the public laws of 1957 is amended to read as follows:

'A. It shall specify that the municipal officers of the municipalities within the School Administrative District shall call a meeting or city election within 30 45 days of the date of the warrant.'

Sec. 6-B. R. S., c. 41, § 111-T, sub-§ III, ¶ A, amended. Paragraph A of subsection III of section 111-T of chapter 41 of the Revised Statutes, as enacted by section 2 of chapter 443 of the public laws of 1957 and as amended by section 14 of chapter 353 of the public laws of 1959, is further amended to read as follows:

'A. When a meeting is called for the purpose of authorizing the issuance of bonds or notes for

capital outlay purposes, the questions to be inserted in all warrants shall be substantially as follows:

The following question is to be used where a new school is to be constructed:

"Shall the school directors of School Administrative District No. _____ be authorized to issue bonds or notes in the name of said district for capital outlay purposes in an amount not to exceed \$ _____, to construct

a _____
(primary or secondary school)
to be located at _____
(specifically define _____?)
lot where school is to be erected)

Yes

No

Question to be used where addition to or major alteration of an existing public school building is contemplated for the purpose of authorizing the issuance of bonds and notes for other capital outlay purposes shall be substantially as follows:

"Shall the school directors of School Administrative District No. _____ be authorized to issue bonds or notes in the name of said district for capital outlay purposes in an amount not to exceed \$ _____ for the purpose of constructing an addition to or carrying on major alterations to the _____ school _____?"

(here state purpose of capital outlay)

Yes

No

Sec. 6-C. R. S., c. 41, § 111-T, sub-§ III, ¶ E, additional. Subsection III of section 111-T of chapter 41 of the Revised Statutes, as enacted by section 2 of chapter 443 of the public laws of 1957 and as amended, is further amended by adding a new paragraph E, to read as follows:

'E. When a meeting is called for the purpose of authorizing the

school directors to dispose of real property, the article to be inserted in all warrants shall be as follows:

“Shall the school directors of School Administrative District No. _____ be authorized to dispose of _____? (describe the property)

Yes ☐ No ☐ ” ’

Sec. 6-D. R. S., c. 41, § 111-U, amended. Section 111-U of chapter 41 of the Revised Statutes, as enacted by section 2 of chapter 443 of the public laws of 1957 and as amended by section 15 of chapter 353 of the public laws of 1959, is further amended by adding a new paragraph, to read as follows:

‘No real property shall be disposed of by the school directors until authorized by the legal voters of the School Administrative District as required by section 111-T.’

Sec. 6-E. R. S., c. 41, § 111-U-1, additional. Chapter 41 of the Revised Statutes is amended by adding a new section 111-U-1, to read as follows:

‘Sec. 111-U-1. Bids in disposal of real property and personal property over \$1,000; procedure. In disposing of real property in any amount and personal property in an amount exceeding \$1,000, school directors shall advertise for sealed bids by publication at least 5 days prior to the date set for closing of bids in a newspaper having general circulation in the territory embracing the School Administrative District.

All bids shall be in writing, sealed, with outside envelope or wrapper plainly marked “Bid, not to be opened until” (with appropriate date inserted), and mailed to or filed with the superintendent of the School Administrative District. No director or employee of the School Administrative District shall open such bid until the appointed time. At the time and place stated in the public notice, all bids shall be opened publicly by the superintendent of the School Administrative District or, in his absence or disability, by any director designated for the purpose by the chairman of the school directors, and such bid openings shall be open to the public. If any citizens who are not School Administrative District directors or

employees, or if any representatives of the press are present, such bids shall at that time either be made available for examination by such citizens or press representatives, or shall be read aloud in a manner to be heard plainly by those in attendance.’ ”

Committee Amendment “A” was adopted in concurrence.

Under suspension of the rules, the Bill was given its third reading, passed to be engrossed as amended by Committee Amendment “A” and sent to the Senate.

Senante Order Out of Order

From the Senate: The following Order:

ORDERED, the House concurring, that when the Senate and House adjourn, they adjourn to meet on Monday, June 12, at four o'clock in the afternoon. (S. P. 587)

Came from the Senate read and passed.

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

Non-Concurrent Matter

Bill “An Act Amending the State Authority for Emergency and Fire Fighting Training” (S. P. 266) (L. D. 867) which was indefinitely postponed in non-concurrence in the House on June 8.

Came from the Senate with that body voting to insist on its former action whereby the Bill was passed to be engrossed as amended by Committee Amendment “A”, and asking for a Committee of Conference, with the following Conferees appointed on its part:

Messrs. BROWN of Hancock
BATES of Penobscot
DAVIS of Cumberland

In the House:

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

Mr. PERRY: Mr. Speaker and Members of the House: Since opposing this bill the other day, I have found out a lot of things about it I didn't know before and so I will make a motion that we recede and concur.

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

Mr. KNIGHT: Mr. Speaker and Members of the House: I would like to clarify yesterday's record in which it says, or one of the members of the House stated, that the only person appearing in opposition to this bill was a — and I underline the word — a gentleman from Rockland, Mr. Knight. I presume I am referred to as the gentleman from Rockland. The other gentleman referred to is a Wesley Knight of Rockland, who is the fire chief. I did not appear in opposition to this bill and I hope that my friends of the Penobscot delegation understand this.

The SPEAKER pro tem: The question now before the House is the motion of the gentleman from Easton, Mr. Perry, that the House recede and concur. Is this the pleasure of the House?

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

Mr. JONES: Mr. Speaker and Members of the House: This bill calls for \$194,000 to go along with fire fighting training at the University of Maine. It seems strange to me that we go along and raise money to train individuals to fight fires in the event of an emergency when we have not taken care of an emergency center, which in my mind should come up first, and should be considered first. Where I was defeated in getting my amendment on the bill this morning, I now move that we adhere on this item that we are discussing at this time.

The SPEAKER pro tem: The gentleman from Farmington, Mr. Jones, moves that we adhere, but the motion of the gentleman from Easton, Mr. Perry, takes precedence.

The question now is, shall we recede and concur? All those in favor please say aye; those opposed, no.

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

The SPEAKER pro tem: The question now before the House is that of the gentleman from Farmington, Mr. Jones, that the House adhere.

Mr. Bragdon of Perham then

asked for a division on the original motion.

The SPEAKER pro tem: A division has been requested on the original motion. The original motion is that of the gentleman from Easton, Mr. Perry, that the House recede and concur.

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

A division of the House was had.

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

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

Mr. ESTEY: Mr. Speaker, I move that we insist and join in a Committee of Conference.

The SPEAKER pro tem: The question now before the House is the motion of the gentleman from Portland, Mr. Estey, that we insist and join in a Committee of Conference. Is this the pleasure of the House? All those in favor say aye; those opposed no.

Mr. Estey of Portland then asked for a division.

The SPEAKER pro tem: Relative to a non-concurrent matter, Bill "An Act Amending the State Authority for Emergency and Fire Fighting Training," all in favor of the House insisting and joining in a Committee of Conference, 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 sixty-eight having voted in the negative, the motion did not prevail.

The SPEAKER pro tem: Is it now the pleasure of the House to adhere?

The motion prevailed.

Non-Concurrent Matter

Bill "An Act Increasing Compensation of Boards of Registration in Cities" (H. P. 1023) (L. D. 1424) on which the House accepted the Minority "Ought to pass" Report of the Committee on State Government and passed the Bill to be engrossed

as amended by House Amendment "A" on April 13.

Came from the Senate with the Majority "Ought not to pass" Report accepted in non-concurrence.

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

Divided Report

Majority Report of the Committee on Appropriations and Financial Affairs reporting "Ought not to pass" on Bill "An Act Appropriating Funds for Relocation and Construction of a Boys Training Center" (S. P. 246) (L. D. 763)

Report was signed by the following members:

Messrs. SAMPSON of Somerset
STANLEY of Penobscot
DAVIS of Cumberland
— of the Senate.

Messrs. BRAGDON of Perham
JALBERT of Lewiston
DAVIS of Calais

Mrs. SMITH of Falmouth
Mr. PLANTE
of Old Orchard Beach
— of the House.

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

Report was signed by the following members:

Messrs. WELLMAN of Bangor
DRAKE of Bath
— of the House.

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

In the House: Reports were read. The SPEAKER pro tem: The Chair recognizes the gentleman from Perham, Mr. Bragdon.

Mr. BRAGDON: Mr. Speaker, I move that we concur with the Senate in the indefinite postponement of this bill.

The SPEAKER pro tem: The question now before the House is the motion of the gentleman from Perham, Mr. Bragdon, that the House concur with the Senate in the indefinite postponement of the Reports and Bill.

The Chair recognizes the gentleman from Gorham, Mr. Hague.

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

This committee amendment "A" attached to this appropriating funds for a relocation and construction of a training school for boys in Gorham, I think is an obvious attempt to do by indirection and possibly piecemeal exactly what the majority of the Appropriations Committee by vote of eight to two has recommended this Legislature not to do. That is to relocate the State School for Boys in Gorham.

Now if this amendment obtains passage, then the next Legislature's hands will be tied; and there will be nothing to do for the 101st Legislature but the formality of voting for the balance of this extravagant five, six or seven million dollar program in its entirety. As Representative from Gorham, I challenge anyone to reasonably deny the logic of these statements. I think it's too much to try to salvage during the last days of this session, a bill which was carefully heard before the majority of the Appropriations Committee. Now it has been pointed out that the relocation committee nowhere had an express authority to commit this legislature to purchase land or pay for an option of land in Gorham or anywhere else. The clear intent I think of the last legislature was for a study to be made, a comparison of sites in the light of a proposed school for these boys. I think the site committee made the error in judgment of exceeding this express authority. It paid three thousand dollars for an option to buy a piece of land in Gorham, reasonably worth fifteen thousand dollars for seventy-three thousand dollars, and this is paying a premium of fifty-eight thousand dollars or in other words giving away the taxpayers' money in excess of probably \$4.75 for every dollar's worth of value.

Now, if there is anyone here who can honestly convince themselves that the considered opinion of Mr. Leon Sanborn of Gorham who is a former legislator and on the Governor's Council should and can be dismissed as that of the fringe group as the Gannett editors have implied. Now the Appropriations Committee heard and has wisely heeded the strongly voiced objection of some of the following leading

citizens of Gorham and officials, and there is Leon Sanborn, Elmer Dodge who represented the school committee; Elden Shute, who represented the Selectmen; and Bernard Ryans, who was a very substantial abutter to this land. It is very significant that not one single voice from Gorham favored this bill except the owner of this land and I hold nothing against him. This site committee urged to buy this for seventy-three thousand dollars and I say that no responsible citizen would have given more than fifteen thousand dollars. Now as Mr. Sanborn told the Appropriations Committee this site committee operated in such secrecy, so clandestine, as to fail to extend the common garden variety courtesy to Mr. Sanborn, then the representative from Gorham, of informing him of their intentions; and so Mr. Sanborn, the Gorham town officials, the Gorham Planning Board and the Gorham Development Committee all first learned of this land picked in Gorham by reading it in the newspaper.

Now how would any of you feel to be in the same embarrassing position as Mr. Sanborn found himself? Now I respectfully say to you that this treatment of Mr. Sanborn, a fellow legislator, is a true measure of this committee, poor judgment and ill-considered, hasty and headlong action. So I rise to support the motion of Mr. Bragdon from Perham, that this bill be indefinitely postponed and all its accompanying papers.

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

Mr. WELLMAN: Mr. Speaker, I would like to rise to explain my reasons for signing an amendment as I did. The gentleman from Gorham, Mr. Hague, has quite correctly pointed out that the amendment that the gentleman from Bath, Mr. Drake, and I signed, does provide for the surveys, deeds, purchase of land at Gorham. I personally had two reasons for signing this amendment: my first reason was to, I would hope, to bring out into the open the future location of this facility. I had hoped that perhaps this matter could be argued out here in this Legislature and per-

haps we could arrive at some conclusion that would lead to the future development, relocation of this facility; however my second reason is in line with the remarks that I made yesterday concerning the airport development of the state. At that time, I spoke of the Portland Airport. It is a fact now that on certain winds, the aircraft are not able to land at the Portland Airport. Certain charts were showed to us by the FAA representative discussing why these aircraft could not land and it appeared that certainly a great part of the problem lays in the present location of the Boys School; and as I said before, I think that the expansion of this Portland Airport is very necessary for the future air development of this state. Thank you.

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

Mr. JALBERT: Mr. Speaker and Members of the House: This is one of the rare occasions that I consider it a distinct privilege to be in complete accord with my very dear friend from Perham, Mr. Bragdon. This measure is similar to the Waterville situation of yesterday, in that it is a \$275,000 down payment on a bill later on of \$5,600,000 or more. I am in entire sympathy with the situation wherein it concerns the School for Boys as I know we all are. At the hearing just before it concluded, I asked all of those people who were there from Gorham, how they felt about the situation. All hands rose but one, and the gentleman from Gorham mentioned that individual and I don't blame him for protecting his own interest. I went to Gorham incidentally last Sunday and while my company was visiting the campus at the exercises, I spent some time in the Town of Gorham and because of possibly lack of nothing to do or possibly a little interest or some interest in this measure, I asked some twenty-odd people what they thought of this situation. All of them said no, and some of them told me in such emphatic language that I don't think I should use it here. For those reasons, and many other reasons, I certainly wholeheartedly sup-

port the motion of the gentleman from Perham, Mr. Bragdon.

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

Mr. GILL: Mr. Speaker, Ladies and Gentlemen of the House: I simply rise to reaffirm the belief that I don't believe the State School for Boys is going to be moved anywhere this biennium. I would like to say that we in South Portland have had the school for many years, we are pleased to have this school, we are pleased to take part in the rehabilitation of the youths. Thank you.

The SPEAKER pro tem: The question before the House is the motion of the gentleman from Perham, Mr. Bragdon, that the House concur with the Senate in indefinitely postponing Bill, "An Act Appropriating Funds for Relocation and Construction of a Boys Training Center," Senate Paper 246, Legislative Document 763. Is this the pleasure of the House?

The motion prevailed.

Thereupon, the Reports and Bill were indefinitely postponed in concurrence.

At this point Speaker Good returned to the rostrum.

SPEAKER GOOD: The Chair wishes to thank the gentleman from Vinalhaven, Mr. Maddox, for his excellent job as Speaker pro tem. (Applause)

Upon request of Mr. Bragdon of Perham, the following items were removed from the Special Appropriations Table and placed before the House for consideration:

Resolve, Providing Funds for Urban Planning (S. P. 101) (L. D. 246)

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

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

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

Upon request of Mr. Bragdon of Perham, the following item was removed from the Special Appropriations Table and placed before the House for consideration:

An Act relating to the Harbor Project in the Town of Wells (H. P. 221) (L. D. 336)

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. 111 voted in favor of same and 3 against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Upon request of Mr. Bragdon of Perham, the following item was removed from the Special Appropriations Table and placed before the House for consideration:

Resolve, Providing for Emergency Renovation of Existing Facilities at the Maine State Prison (S. P. 249) (L. D. 766)

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. 109 voted in favor of same and 2 against, and accordingly the Bill was finally passed, signed by the Speaker and sent to the Senate.

Upon request of Mr. Bragdon of Perham, the following item was removed from the Special Appropriations Table and Placed before the House for consideration:

An Act relating to Participation by the State of Maine in the 1964-1965 New York World's Fair (H. P. 377) (L. D. 552)

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

Mr. WELLMAN: Mr. Speaker, Ladies and Gentlemen of the House: I have prepared an amendment to this bill, which is realistic in the light of what has happened in the other states in New England. To do this, I believe it would be necessary to suspend the rules and to go back to the third reading stage so that we can operate on this bill.

The SPEAKER: The Chair understands that the gentleman from Bangor, Mr. Wellman, moves that the rules be suspended in order that the House may reconsider its action of April 26, 1961 whereby it passed this bill to be engrossed for the purpose of considering an amendment. Is it the pleasure of the House that the rules be suspended for this purpose?

The motion prevailed.

The SPEAKER: Is it now the pleasure of the House that the House reconsider its action of April 26, 1961, whereby it passed this bill to be engrossed? Is this the pleasure of the House?

The motion prevailed.

Mr. Wellman of Bangor then offered House Amendment "C" and moved its adoption.

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

HOUSE AMENDMENT "C" to H. P. 377, L. D. 552, Bill, "An Act Relating to Participation by the State of Maine in the 1964-65 New York World's Fair.

Amend said Bill by striking out all of sections 1 and 2 and inserting in place thereof the following:

'Sec. 1. Declaration of purpose. For the purpose of setting forth and promoting in the public mind at the New York World's Fair, 1964-65, the recreational advantages, arts, industries, institutions, resources, production and development of the State of Maine, the Governor or his designee, who shall be a member of the Department of Economic Development, is authorized on behalf of the State to presently take such preparatory steps as he deems necessary and advisable to assure that these objectives will then be attained.

Sec. 2. Duties. In carrying out the purposes of this act, the Governor or his said designee shall communicate with officers of the Fair, shall investigate all practicable means for preparing and maintaining the State's exhibits, shall determine costs of the same, shall prepare a plan of operations and proposed budget, and shall report progress made to the Legislature on the first day of the 1963 session. In these objectives the Governor or said designee shall cooperate with the Governors of the other

New England States, or their designees, and with the New England Council in such manner as appears in the best interests of the State, and as shall protect to the fullest extent possible the individuality and distinct attractiveness of the State's exhibits.'

Further amend said Bill in section 3 by striking out in the first sentence the words "Department of Economic Department" and inserting in place thereof the words 'Governor or said designee'

Further amend said Bill in section 4 by striking out in the first line the figure "\$200,000" and inserting in place thereof the figure \$25,500'; and by striking out in the 2nd sentence the words "Department of Economic Development" and inserting in place thereof the words 'Governor or said designee'

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

Mr. WELLMAN: Mr. Speaker, Ladies and Gentlemen of the House: This bill as introduced by Mr. Matheson of Mexico was heard before the Appropriations Committee and was given a favorable report. Basically, what it asked for was \$200,000 for the development of a building which would house the New England States at the upcoming Worlds Fair in New York. This was felt to be in line with the promotion and selling of Maine to the many many people who would visit the fair. At that time, the Committee felt it would be necessary to put on an amendment and Committee Amendment "A" was put on and was adopted in this House which made contingent upon the action of the other New England States. Now two of the states have adjourned their legislatures without taking the action that was contemplated by the committee; however what they have done is they have authorized their Governor to enter into negotiations and planning which would eventually lead in their next session—some of those states; it would be next year; in one case it would not be for two years, so as I say prepare these plans so that they could then come before those legislatures with a final plan. It was therefore felt that if we would give our Governor the power to do the same

that he would then be allowed to be on an equal footing with the other Governors when they meet to discuss these matters. For that reason, I will now offer House Amendment "C" but I will also then have to ask to indefinitely postpone the Committee Amendment "A" because this very bill now with this amendment goes through to the planning stage and it would then have to come back to the 101st Legislature.

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

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

Mr. JALBERT: Mr. Speaker, I request this item be placed on the Special Appropriations Calendar.

The SPEAKER: The gentleman from Lewiston, Mr. Jalbert, has requested that this bill be placed upon the House Special Appropriations Table pending the motion of the gentleman from Bangor, Mr. Wellman, that House Amendment "C" be adopted.

Upon request of Mr. Bragdon of Perham, the following item was removed from the Special Appropriations Table and placed before the House for consideration:

Resolve Appropriating Moneys for Vocational and Technical Institute in Northeastern Maine. (S. P. 516) (L. D. 1542)

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

Upon request of Mr. Bragdon of Perham, the following item was removed from the Special Appropriations Table and placed before the House for consideration:

An Act relating to Participation by the State of Maine in the 1964-65 New York World's Fair. (H. P. 377) (L. D. 552), tabled by the gentleman from Lewiston, Mr. Jalbert, pending the motion of the gentleman from Bangor, Mr. Wellman, that House Amendment "C" be adopted.

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

Mr. JALBERT: Mr. Speaker and Members of the House: I tabled the matter so I could write a note to my colleague from Bangor, Mr. Wellman, and that was the quickest procedure I knew how, and I just asked him a question and I just submit to you what I asked him. I felt this was a promotion, no matter who handles it, I don't care; however, I mean it has a \$25,000 price tag, and I felt where it was a promotion that we give a considerable sum to the DED, but he feels that the DED so he's been informed by the Governor needs what they are getting for funds and I mean this can be handled in this manner and it's perfectly alright with me.

The SPEAKER: Is it now the pleasure of the House that House Amendment "C" to Bill, An Act relating to Participation by the State of Maine in the 1964-65 New York World's Fair, House Paper 377, Legislative Document 552, shall be adopted?

The motion prevailed.

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

Mr. WELLMAN: As I said, it would now be necessary for us in view of this amendment to indefinitely postpone the committee amendment, which I believe is Committee Amendment "A."

The SPEAKER: The Chair now understands that the gentleman from Bangor, Mr. Wellman, moves that the rules be suspended in order that the House may reconsider its action of April 25, 1961 whereby it adopted Committee Amendment "A." Is it now the pleasure of the House that the rules be suspended and the House reconsider its action whereby it adopted Committee Amendment "A"?

The motion prevailed.

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

On motion of Mr. Baxter of Pittsfield,

Adjourned until Monday, June 12, at four o'clock in the afternoon.