

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

One-Hundredth Legislature

OF THE

STATE OF MAINE

VOLUME II

MAY 12 - JUNE 17, 1961

and

SPECIAL SESSION

NOV. 27 - DEC. 2, 1961

DAILY KENNEBEC JOURNAL

AUGUSTA, MAINE

HOUSE

Thursday, June 15, 1961

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

Prayer by the Rev. Mr. Ernest D. Smith of Strong.

The journal of yesterday was read and approved.

Papers from the Senate Non-Concurrent Matter Tabled Until Later in the Day

An Act Increasing Excise Tax on Malt Liquor Imported into State (H. P. 848) (L. D. 1162) which was passed to be enacted in the House on June 9 and passed to be engrossed on June 8.

Came from the Senate indefinitely postponed in non-concurrence.

In the House: On motion of Mr. Baxter of Pittsfield, tabled until later in the day's session pending consideration.

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

Passed to Be Enacted

An Act to Create a School Administrative District in the Town of Orrington (H. P. 468) (L. D. 668)

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

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

Mr. ESTEY: Mr. Speaker, Ladies and Gentlemen of the House: Reluctantly I rise again to speak very briefly to this bill. There are many of you in this House who have been opposed to some of the provisions of the Sinclair Act. By permitting this bill to pass, you are pulling a nail from the cover of the Sinclair Act which would open the door to liabilities which probably would eventually sink such an act. This to me is not the way to handle any such proposal. The Town of Orrington this year will receive \$21,309 additional subsidy. If we permit them to form a district, there will be an additional \$7,900 bonus

money for the operation of their schools in addition to what —sixty-two percent of what they might spend in new capital construction.

As it was pointed out in previous debate, the Town of Orrington does have a problem, but I cannot conscientiously support the passage of this L. D. or its enactment when the Committee on Education conscientiously felt that by the passage of L. D. 452 that we had considerably helped this situation by permitting Brewer to take them for the next two years. Although the committee recognized their problem, it felt that at least we had stemmed the tide for two years to give them a chance for further study in a formation of a district which would be recommended under the law. It has been admitted that there have been a couple of exceptions made in the law this year. I would take only this exception, that the law does permit the formation of single town districts where there are geographic isolations as in the Town of Lubec, and it was considered by the committee to be a geographic and economic isolation as far as Fort Fairfield was concerned. I would therefore, ladies and gentlemen, and very reluctantly, move indefinite postponement of this L. D.

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

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

Mrs. BAKER: Mr. Speaker, Members of the House: I think you are all fully acquainted with the conditions in this bill. I'm not going to bore you with further argument in regard to it, but I think you will all admit that a two-year term is a pretty short term for planning for schools. We need this bill as a basis for long range planning. I hope that the House would maintain its stand, voting in favor of the bill and against the indefinite postponement of the majority for which has supported the bill in the past two times it has appeared here. Thank you.

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

Mr. BERRY: Mr. Speaker and Members of the House: I rise in support of Mrs. Baker's position and urge the support of the House behind this. I had a thought that perhaps I could include Cape Elizabeth in this act, but I realize that it might hurt the chances for the Orrington district. I hope Mrs. Baker's motion prevails.

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

Mr. BEARCE: Mr. Speaker, Ladies and Gentlemen of the House: I also want to rise in favor of Mrs. Baker's program, and assure you that this is an isolated case similar to the other ones; and I hope that the vote is in favor of the Orrington School District. Thank you.

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

Mr. LITTLEFIELD: Mr. Speaker, having been a neighbor of the good people of Orrington across the river from Hampden for a number of years and the legislature knowing my stand on the question, I rise to oppose the motion to indefinitely postpone the bill.

Mrs. Baker of Orrington then requested a division when the vote was so taken.

The SPEAKER: A division has been requested. Is the House ready for the question? The question before the House is the motion of the gentleman from Portland, Mr. Estey, that An Act to Create a School Administrative District in the Town of Orrington, House Paper 468, Legislative Document 668, be indefinitely postponed.

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

A division of the House was had.

Twelve having voted in the affirmative and ninety-seven having voted in the negative, the motion did not prevail.

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

On motion of Mr. Baxter of Pittsfield,

Recessed until 11:30 this morning.

After Recess 12:15 P.M.

The House was called to order by the Speaker.

On motion of Mr. Baxter of Pittsfield,

Recessed until 1:30 this afternoon.

After Recess 1:30 P.M.

The House was called to order by the Speaker.

The following papers from the Senate, appearing on Supplement Number 1, were taken up out of order and under suspension of the rules:

Conference Committee Reports

Report of the Committees of Conference on the disagreeing action of the two branches of the Legislature on Bill "An Act to Create the Development Fund" (S. P. 541) (L. D. 1588) reporting that they are unable to agree.

(Signed)

NOYES of Franklin

LOVELL of York

MARDEN of Kennebec

— Committee on part of Senate

TURNER of Auburn

SMITH of Falmouth

WINCHENPAW

of Friendship
— Committee on part of House

Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature on Resolve Appropriating Moneys to Provide Promotion for Maine's Industrial Development (S. P. 102) (L. D. 247) reporting that they are unable to agree.

(Signed)

NOYES of Franklin

LOVELL of York

MARDEN of Kennebec

— Committee on part of Senate

TURNER of Auburn

SMITH of Falmouth

WINCHENPAW

of Friendship
— Committee on part of House

Report of the Committees of Conference on the disagreeing action of the two branches of the Legislature on Resolve Proposing an Amendment to the Constitution Pledging Credit of State for Guaranteed

Loans for Recreational Purposes (S. P. 515) (L. D. 1535) reporting that they are unable to agree.

(Signed)

NOYES of Franklin

LOVELL of York

— Committee on part of Senate

TURNER of Auburn

SMITH of Falmouth

WINCHENPAW

of Friendship

— Committee on part of House

Came from the Senate read and accepted.

In the House: The Reports were read and accepted in concurrence.

From the Senate: The following Orders:

ORDERED, the House concurring, that the members of the Joint Standing Committees on Judiciary and Legal Affairs be given the copies of the Revised Statutes of 1954, As Amended, that they have used this session (S. P. 591)

ORDERED, the House concurring, that there be prepared after adjournment of the present session, under the direction of the Clerk of the House, a Register of all the Bills and Resolves considered by both branches of the Legislature, showing the history and final disposition of each Bill and Resolve, and that there be printed six hundred copies of the same.

The Clerk of the House is hereby authorized to employ the necessary clerical assistance to prepare such register.

The Clerk shall mail a copy of the Register to each member and officer of the Legislature and the State Library shall receive such number of copies as may be required (S. P. 593)

ORDERED, the House concurring, that there is allocated from the Legislative Appropriation for Legislative Expenses the sum of \$1,000 for the payment of the State of Maine's dues for the National Conference of State Legislative Leaders (S. P. 592)

Came from the Senate read and passed.

In the House, the Orders were read and passed in concurrence.

The following papers from the Senate, appearing on Supplement

Number 2, were taken up out of order and under suspension of the rules:

Senate Reports of Committees Referred to 101st Legislature

Report of the Committee on Legal Affairs on Bill "An Act relating to Control of Structures Near Airports" (S. P. 172) (L. D. 418) reporting that the Bill be referred to the 101st Legislature, and that the subject matter be referred to the Legislative Research Committee for study, and recommendations be reported to the 101st Legislature.

Report of same Committee reporting same on Bill "An Act Authorizing Creation of Municipal Sewerage Systems" (S. P. 434) (L. D. 1387)

Came from the Senate read and accepted.

In the House, the Reports were read and accepted in concurrence and the Bills referred to the 101st Legislature.

Non-Concurrent Matter

An Act Increasing the Tax on Liquor (H. P. 849) (L. D. 1163) which was passed to be enacted in the House on June 8 and passed to be engrossed as amended by Committee Amendment "A" on June 7.

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

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

The SPEAKER: Reference is made to the House Advance Journal, to item number one, a Non-Concurrent Matter, An Act Increasing Excise Tax on Malt Liquor Imported into State, House Paper 848, Legislative Document 1162, tabled earlier in the day by the gentleman from Pittsfield, Mr. Baxter, pending consideration.

Thereupon, on motion of Mr. Baxter of Pittsfield, the House voted to insist.

The Bill was ordered sent forthwith to the Senate.

The SPEAKER: The Clerk has informed the Speaker that he would

have some more material for us just as soon as we receive some.

The Clerk then read a notice.

The SPEAKER: The Chair would also like to inform the members of the House that when it comes time to dispose of your keys that you place them upon the board to the rear of the House which has been provided for that purpose.

On motion of Mr. Baxter of Pittsfield,

The House recessed until the sound of the gong.

After Recess
3:15 P. M.

The House was called to order by the Speaker.

Mr. Finley of Washington presented the following Order out of order and moved its passage:

Order Out of Order

ORDERED, the Senate concurring, that the Committee created to plan for an institution serving as a reception and treatment center within the Department of Mental Health and Corrections (100th Legislature, L. D. 997) be directed to study the Capital Improvement requests for the State Prison at Thomaston for the fiscal years 1962 and 1963, submitted to the 100th Legislature by the Bureau of Public Improvements; and be it further

ORDERED: that the Committee report the results of its study to the 101st Legislature. (H. P. 1190)

The order received passage and was sent up for concurrence.

The following matters from the Senate, appearing on Supplements Numbers 3 and 4, were taken up out of order and under suspension of the rules:

Conference Committee Report

Report of the Committees of Conference on the disagreeing action of the two branches of the Legislature on Bill "An Act Making Supplemental Appropriations for the Expenditures of State Government and for Other Purposes for the Fiscal Years Ending June 30, 1962 and June 30, 1963" (H. P. 1165) (L. D.

1606) reporting that the Senate recede and pass the Bill to be engrossed as amended by House Amendment "C" and Conference Committee Amendment "B"; that the House recede and concur and pass the Bill to be engrossed as amended by House Amendment "C" and Conference Committee Amendment "B".

(Signed)

DAVIS of Cumberland
MARDEN of Kennebec
STANLEY of Penobscot

— Committee on part of Senate
WESTERFIELD of Liberty
KENNEDY of Milbridge
HARDY of Hope

— Committee on part of House

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

In the House:

The SPEAKER: The House must either accept or reject the Conference Report, no further action can be taken. Is it now the pleasure of the House to accept the Conference Report?

The motion prevailed.

The SPEAKER: Does the gentleman wish to speak to the acceptance of the Conference Report?

Mr. FOGG of Madison: No, to oppose the Conference Report.

The SPEAKER: The Conference Report has been accepted. Does the gentleman wish to move for reconsideration?

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

Mr. JALBERT: Is the Conference Committee Amendment "B" coming before us now?

The SPEAKER: We either accept or reject the Conference Report as it is and there will be no other action taken on it.

Mr. JALBERT: Mr. Speaker, this Conference Report "B" was —

The SPEAKER: Do you wish to move reconsideration?

Mr. JALBERT: No, I don't have to move for reconsideration, I want to move in opposition to the motion which probably will be made to recede and concur. I don't have to move for reconsideration at all, Mr. Speaker.

The SPEAKER: Will the gentleman from Lewiston, Mr. Jalbert, approach the rostrum please?

(Conference at rostrum)

The Conference Report has been accepted. The next motion is to recede and concur.

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

Mr. BAXTER: Mr. Speaker, I move the House recede and concur.

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

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

Mr. FOGG: Mr. Speaker, I would like to make some comments on the motion to recede and concur in connection with this Conference Report on L. D. 1606. From the standpoint of the Democratic Party, as this session progressed along under careful consideration and by the consideration of the members on the Appropriations Committee and caucusing at different times, the Democratic Party agreed to go along with the supplemental budget as it originally was drawn with three amendments, "C," "E" and "J." We felt that this was a good program but the question was concerning the financing. We were opposed to the 3½ percent sales tax like a great many other members of the House, so we offered our own program for financing. It was not received with a great deal of enthusiasm and after a great deal of consideration which you are all acquainted with, the other day we did agree to recede somewhat in the spirit of compromise and went along and adopted the House Amendment "O." However, that amendment has fallen by the way-side. Now we feel, the Democratic Party, that we are justified in returning to our previous stand and still stick by the original supplemental budget and adhere to our original proposition for financing it, so for that reason I am opposed to the motion to recede and concur.

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

Mr. JALBERT: Mr. Speaker and Members of the House: I think the gentleman from Madison, Mr. Fogg, has given a good explanation. I might add to, one or two points wherein it pertains to this amendment. I think that we want to show that we wanted to be fair and bend over backwards and went both ways on a program that was somewhat similar to this. I felt, although I went along with the leadership, I felt that possibly it might be a gesture of willingness to compromise. I know that the hour is late; however, things I think are in order for some sort of an explanation.

I can recall last Friday I believe, Friday afternoon, when the discussion was had concerning \$25,000 for the World's Fair situation to be set up and it had to be set up \$25,000 to the Governor and Council. I suggested that possibly that might be done as a promotion through the D.E.D. and I was told and repeated so on the Floor of the House by a member of the Appropriations Committee that the \$25,000 was sorely needed by the D.E.D., they couldn't stand the cut of \$25,000 or having inherited the \$25,000, yet I see here a deduction of \$50,000.

Insofar as the state employees are concerned, I received a communication from the Personnel Department sent to me this afternoon by Ober Vaughn, the Director. Here is exactly what this program does wherein it concerns 7,499 employees. It gives 352 employees \$6.00 a week; 202, \$5.50; 210, \$5.00; 56, \$4.50; 487, \$4.00; 802, \$3.50; 232, \$3.00; 772, \$2.50; 720, \$2.00; 577, \$1.50; 1545, \$1.00; 592, 50 cents and 952 not one penny. In effect, a great many of the percentage of these people will get a small raise amounting to pennies and they will probably be pushed into another bracket and the raise will cost them money. If that's sound engineering, I want to know the definition of sound engineering.

Now what this also does, is ignores in its entirety, in my opinion, the Jacobs salary program that we spent \$25,000 to have studied. There are other items on here that not necessarily should be bought. I mean the items of paying for this,

I think we probably will take up a little later. I wanted to bring out these one or two points merely for your consideration.

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

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

Mr. WELLMAN: Mr. Speaker and Ladies and Gentlemen of the House: I would like to state for the record, as I have many times before, in regard to the comments of my colleague from Lewiston, Mr. Jalbert, what we have accepted here — or what I hope we will accept here, is the first step of the Jacobs Plan. This is the step that will start the employees salary schedule on a basis that is competitive to industry and to other state government positions. This is what I have been standing here arguing for ever since this came from the Appropriations Committee. I still stand here arguing for it, I say it is a step in the right direction. The amount of money for each individual person is not so important as the fact that we are trying to attempt to equate the salaries on a competitive basis. That's what we're really after here.

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

Mr. JALBERT: My good friend from Bangor, Mr. Wellman, brings industry in and compares it to a raise plan insofar as this program is concerned. I would like to ask him if he knows of any industry that goes into a pay raise plan that ignores 952 employees and gives them nothing, not one cent in increasing salaries in their plant?

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

Mr. WELLMAN: I think if any industry has employees that are underpaid in comparison with the same jobs or the equivalent jobs in other areas they will raise those people, the pay of those people.

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

Mr. BAXTER: When the vote is taken I request a division.

The SPEAKER: A division has been requested.

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

Mr. FOGG: I would ask for a roll call.

The SPEAKER: A roll call has been requested. Is the House ready for the question? The question before the House is the motion of the gentleman from Pittsfield, Mr. Baxter, that the House recede and concur. 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.

An insufficient number arose.

The SPEAKER: Twenty-five having arisen, one hundred forty being present, twenty-five being less than one fifth the members present, a roll call is not ordered. A division has been requested.

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

Mr. PLANTE: Mr. Speaker, Ladies and Gentlemen of the House: I was asked not twenty minutes ago why many of us in the minority party could not buy this so-called compromise. I replied and I think I did so in all the sincerity that I knew that to buy this so-called compromise we would have to stop thinking. In my opinion it is that simple.

Now we have been called irresponsible, we have been called leopards, and we have been called shell game players; and now if I may be permitted to use an adjective in describing this so-called Republican compromise, I would like to call it a 'Republican Wasteland'; because I sincerely feel that to accept this would be, in my opinion, this so-called compromise only a product of hollow men, in my opinion would have to have every one of us stop thinking.

The SPEAKER: Is the House ready for the question? The ques-

tion before the House is the motion of the gentleman from Pittsfield, Mr. Baxter, that the House recede and concur with the Senate on Bill "An Act Making Supplemental Appropriations for the Expenditures of State Government and for Other Purposes for the Fiscal Years Ending June 30, 1962 and June 30, 1963," House Paper 1165, Legislative Document 1606.

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

A division of the House was had. One hundred twelve have voted in the affirmative and twenty-nine having voted in the negative, the motion prevailed.

Non-Concurrent Matter

Bill "An Act to Appropriate Monies for Capital Improvements, Construction, Repairs, Equipment, Supplies and Furnishings for Fiscal Years Ending June 30, 1962 and June 30, 1963" (S. P. 580) (L. D. 1634) which was passed to be engrossed as amended by House Amendment "A" in non-concurrence in the House on June 9.

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

In the House:

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

Mr. FINLEY: Mr. Speaker, I move that we insist on our former action.

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

Mr. WELLMAN: Mr. Speaker, Ladies and Gentlemen of the House: I would rise to state what I believe are some facts concerning the amendment upon which we disagree here, that being the warehouse, segregation and geriatrics building at the Maine State Prison.

There are now at the prison, three hundred seventy-eight cells. Sixty-six cells were last built in 1950. The prison farm, the barracks there, has a designed capacity of fifty-five, those are for selected inmates. The daily average popu-

lation for the month of April, 1961 is 487; the average expected population in the next biennium will be in the vicinity of 500-510. The present prison can house seventy-five percent of the general population of four hundred eighty-seven in single cells. The remaining must be housed elsewhere.

The farm barracks can absorb fifty-five men who must be hand-picked. More than fifty-five could be housed at the farm barracks but the degree of security diminishes with overcrowding of this unit. Thirty of these men can be housed in a dormitory, poorly located in an area not intended for a dormitory and difficult to supervise. The remaining twenty-four must be housed in administrative cells, ordinarily those reserved for quarantine, observation, light solitary or solitary.

This new building we're now discussing will provide for housing in a dormitory type facility of seventy-two men and will make fifty cells available in the existing prison for prisoners who should be in cells. To build the cells thus made available alone will cost \$500,000. However, in this building, the building we are talking about, in addition to freeing cell space, it will provide storage area and a segregation and isolation unit.

\$490,000 is a substantial sum of money; however, it will purchase the cells, it will purchase a warehouse area, and it will purchase a geriatrics area. This geriatrics may be an unfortunate use of words since the majority of men who will be housed in this geriatrics section will be able-bodied minimum security workers, while older prisoners assigned thereto would not necessarily be geriatric patients in a medical sense.

For \$490,000, we can combine three types of facilities into one building. I think it is a good buy. I hope that the motion made by Mr. Finley does not prevail.

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

Mr. BAXTER: I understand that this item amongst thirty million dollars worth of requests to BPI, the branch of government which we have set up to determine the

priorities amongst the building requests, this requirement has been scheduled by them in the top ten percent in necessity amongst the buildings built in the state. It is a very high priority item. I will move at this time that the House recede and concur.

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

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

Mr. WINCHENPAW: Mr. Speaker, Ladies and Gentlemen of the House: I would like to go on record as favoring Mr. Finley's motion and therefore I would be opposed to the motion made by the Floor Leader, Mr. Baxter. Those of us that live near the prison feel that it's not necessary to spend that money at this time because there's also a hospital in there that has quite a few rooms in it. The day we visited the hospital, maybe one half or two thirds of the beds were empty and some of these crippled geriatric patients maybe could stay in the hospital. There's also a section that has solitary confinement cells that are always empty. The day we were there, there was just one person in that solitary confinement area, he had been a little unruly in the dining room and he had been throwing his food around on people, so they put him in solitary confinement for a while to think it over; and we feel that this could be very well laid aside for another two years in the interest of economy, just because we have got a few dollars it isn't absolutely necessary to spend them, and you just passed an order here to have these BPI recommendations studied by a committee that has already been set up working on this geriatric idea. So I hope the motion made by the gentleman from Pittsfield, Mr. Baxter, does not prevail.

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

Mr. JALBERT: Mr. Speaker, Members of the House: I would like to join the gentleman from Bangor, Mr. Wellman and the gentleman from Pittsfield, Mr. Baxter.

This has a top priority and the reasons given for the building, and this is an old project, is to relieve critical over-crowded situations at the prison and to provide much needed storage area and to segregate the recalcitrant inmates and geriatrics. Insofar as the hospital is concerned, it also has the new hospital incidentally has a very very high priority. Only six or seven items down out of some two hundred fifty items as the gentleman from Pittsfield, Mr. Baxter, stated involving over thirty million dollars. The reason for that is the present hospital is entirely inadequate, inmates in private hospitals require twenty-four hours surveillance, this is costly and cuts down on guard force at the prison. As we understood it the situation there is rather very serious. I think we ought to take certainly the word of our Bureau of Public Improvements and certainly the word of our warden at the State Prison, who is recognized as one of the nation's best. For that and other reasons, I would support the problem as outlined by the gentleman from Bangor, Mr. Wellman, and the gentleman from Pittsfield, Mr. Baxter.

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

Mr. DODGE: Mr. Speaker, I was with the group who went down and looked the prison over. I know a former warden of the prison, I asked him about conditions and explained what I saw there, and talked about the talk that Mr. Finley has given us. He said Finley is exactly right, and he would recommend the same thing Mr. Finley has. He was warden there for seven or eight years, and later retired and had some other important jobs.

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

Mr. KNIGHT: Mr. Speaker, I rise in support of the motion of the Majority Floor Leader, Mr. Baxter, to recede and concur.

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

field, Mr. Baxter, that the House recede and concur.

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

A viva voce vote being taken, the motion to recede and concur did prevail.

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

Mr. WINCHENPAW: Mr. Speaker, would it be too late to doubt that vote, and ask for a division?

The SPEAKER: A motion for a division would be in order since we have not taken up any other business.

Thereupon, Mr. Winchenpaw of Friendship requested a division and, the viva voce vote being doubted, a division of the House was had.

One hundred twelve having voted in the affirmative and twenty-four having voted in the negative, the motion to recede and concur did prevail.

On motion of Mr. Baxter of Pittsfield

Recessed until the sound of the gong.

After Recess 4:40 P.M.

The House was called to order by the Speaker.

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

Mr. LOWERY: Mr. Speaker and Members of the House: I now move that we reconsider our action whereby we receded and concurred on the Committee of Conference Report.

The SPEAKER: In reference to L. D. 1606, An Act Making Supplemental Appropriations for the Expenditures of State Government and for Other Purposes for the Fiscal Years Ending June 30, 1962 and June 30, 1963, the gentleman from Brunswick, Mr. Lowery, moves that the House reconsider its action whereby it receded and concurred.

Mr. Baxter of Pittsfield then asked for a division.

The SPEAKER: A division has been requested on the motion to recede and concur.

Mr. Lowery of Brunswick then asked for a roll call.

The SPEAKER: A roll call has been requested.

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

Mr. BAXTER: Mr. Speaker, is that motion to reconsider or to recede?

The SPEAKER: The motion is to reconsider our action whereby we receded and concurred.

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

Mr. RUST: Mr. Speaker, I would make an inquiry through the Chair if the gentleman from Brunswick, Mr. Lowery, voted on the prevailing side.

The SPEAKER: Since there was no recorded vote, it is presumed that the gentleman voted on the prevailing side and therefore is entitled to make the motion to reconsider.

A roll call has been requested on the motion to reconsider our action whereby we receded and concurred. 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 the count.

Twenty-seven members arose and there being present one hundred thirty-three, twenty-seven being more than one-fifth of those present, a roll call was ordered.

The SPEAKER: The question is the motion of the gentleman from Brunswick, Mr. Lowery, that the House reconsider its action whereby on Legislative Document 1606 it receded and concurred.

If you are in favor of reconsidering that action, you will vote "yes" when your name is called. If you are opposed to reconsidering that action, you will vote "no" when your name is called.

The Clerk will call the roll.

ROLL CALL

YEA—Beane, Augusta; Beane, Moscow; Bedard, Boissonneau, Briggs, Burns, Bussiere, Dostie, Lewiston; Dostie, Winslow; Fogg, Gallant, Hendricks, Jalbert, Johnson, Stockholm; Karkos, Kellam, Kilroy, Lacharite, Lane, Lantagne,

Levesque, Lowery, Maxwell, Nadeau, Biddeford; Nadeau, Lewiston; Plante, Poirier, Prince, Prue, Sevigny, Sirois, Tordiff.

NAY—Albair, Anderson, Ellsworth; Anderson, Greenville; Baker, Baxter, Bearce, Berman, Auburn; Berman, Houlton; Bernard, Berry, Cape Elizabeth; Berry Portland; Boothby, Bradeen, Bragdon, Brewer, Brown, Fairfield; Brown, South Portland; Brown, Vassalboro; Buckley, Carter, Chapman, Gardiner; Chapman, Norway; Choate, Cooper, Coulthard, Crockett, Curtis, Cyr, Danes, Davis, Dennett, Dennison, Dodge, Drake, Dunn, Durgin, Ederly, Edwards, Estey, Finley, Gardner, Gill, Hague, Ham, Hancock, Hanson, Bradford; Hanson, Lebanon; Hardy, Harrington, Hartshorn, Haughn, Hichborn, Hinds, Hopkinson, Hughes, Humphrey, Hutchins, Jameson, Johnson, Smithfield; Jones, Kennedy, Kimball, Knapp, Knight, Letourneau, Lincoln, Linnekin, Littlefield, Maddox, Matheson, Mathews, Merrill, Minsky, Moore, Morrill, Morse, Perry, Philbrick, Augusta; Philbrick, Bangor; Pike, Roberts, Rust, Schulten, Shaw, Shepard, Smith, Bar Harbor; Smith, Falmouth; Smith, Strong; Sproul, Stevens, Stewart, Storm, Swett, Thaanum, Thornton, Turner, Tweedie, Tyndale, Vaughn, Wade, Walker, Waltz, Waterman, Wellman, Westerfield, Wheaton, Whitman, Whitney, Williams, Winchenpaw, Wood, Young.

ABSENT—Binnette, Jobin, MacGregor, Malenfant, Noel, Walls.

Yes 32; No 112; Absent 6.

The SPEAKER: Thirty-two having voted in the affirmative, one hundred and twelve in the negative, with six absent, the motion to reconsider does not prevail.

Is it now the pleasure of the House that this Bill be sent forthwith to the Senate?

The motion prevailed.

The following papers from the Senate, appearing on Supplements Number 5 and 6, were taken up out of order and under suspension of the rules:

From the Senate: The following Order:

ORDERED, the House concurring, that the State Tax Assessor adjust upwards by \$1,000,000 in each of the next two fiscal years the estimate of revenue from the Sales and Use Tax (S. P. 594)

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 receive passage in concurrence?

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

Mr. JALBERT: Mr. Speaker, before this order is put to a vote I would like to read from the remarks of last Friday's calendar, part of the remarks as made by my good friend from Pittsfield, Mr. Baxter, whom I know has a splendid sense of humor. It reads as follows:

"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."

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

The motion prevailed and the Order received passage in concurrence.

Non-Concurrent Matter

An Act Increasing Excise Tax on Malt Liquor Imported into State (H. P. 848) (L. D. 1162) on which the House insisted earlier in the

day to its action whereby the Bill was passed to be enacted.

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

In the House:

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

Mr. WESTERFIELD: Mr. Speaker, I move that we recede and concur.

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

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

Mr. MAXWELL: Mr. Speaker and Ladies and Gentlemen: I don't intend to belabor this item much longer, but I do want to point out once more that if we pass this tax we will not receive the income from it that has been set up here. Actually by figures, figures that I can prove, if we pass such a tax, if we use other states that have done so as an example, we would find that we have lost out of what we are getting already, \$115,000 per year. Now why should we be so foolish as to sit here and pass bills that are going to decrease our revenue instead of increase them? I now move indefinite postponement of this entire bill and accompanying papers.

The SPEAKER: In non-concurrent matters, the only motions that can be entertained is to recede, concur, insist, and adhere, in that order. The motion to recede and concur will prevail.

Mr. Anderson of Ellsworth asked for a division.

The SPEAKER: A division on the motion to recede and concur has been requested.

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

A division of the House was had.

One hundred thirteen having voted in the affirmative and twenty-nine having voted in the negative, the motion to recede and concur did prevail.

Thereupon, the Bill was sent forthwith to the Senate.

Passed to Be Enacted Emergency Measure

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

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. 127 voted in favor of same and 2 against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent forthwith to the Senate.

On motion of Mr. Baxter of Pittsfield,

Recessed until the sound of the gong.

After Recess 5:25 P. M.

The House was called to order by the Speaker.

On motion of Mr. Baxter of Pittsfield,

Recessed until 7:30 this evening.

After Recess 8:00 P. M.

The House was called to order by the Speaker.

The SPEAKER: Is there objection to taking up at this time the matters on Supplement Number Seven? The Chair hears none, the Clerk will read the Conference Report.

Conference Committee Report

Report of the Committees of Conference on the disagreeing action of the two branches of the Legislature on Bill "An Act Providing for Construction of an Educational Television Network for the State of Maine" (H. P. 224) (L. D. 435) reporting that the House recede, adopt Conference Committee Amendment "A" and pass the Bill to be engrossed as amended by Conference Committee Amendment "A"; that the Senate recede and indefinitely postpone Committee Amendment "A", adopt Conference Committee Amendment "A" and pass the Bill to be engrossed as amend-

ed by Conference Committee Amendment "A".

(Signed)

BRAGDON of Perham
PIKE of Lubec
SCHULTEN of Woolwich
— Committee on part of House
DAVIS of Cumberland
STANLEY of Penobscot
BOARDMAN of Washington
— Committee on part of Senate

On motion of Mr. Brewer of Bath, the Report was read and accepted. The House recessed.

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

CONFERENCE COMMITTEE AMENDMENT "A" to H. P. 224, L. D. 435, Bill, "An Act Providing for Construction of an Educational Television Network for the State of Maine."

Amend said Bill in the title by inserting before the period at the end the following: 'and the Issuance of not Exceeding One Million Forty Thousand Dollars of State of Maine Bonds for the Financing Thereof'

Further amend said Bill by striking out everything after the title and inserting in place thereof the following:

'Preamble. Two-thirds of both Houses of the Legislature deeming it necessary in accordance with Section 14 of Article IX of the Constitution of Maine to authorize the issuance of bonds of the State for the construction of an educational television network for the State of Maine.

Be it enacted by the People of the State of Maine, as follows:

Sec. 1. University of Maine authorized to construct state-wide educational television network. The University of Maine is hereby authorized to construct and equip transmission and microwave interconnection facilities in August a which, interconnected with the educational television facilities of Bates, Bowdoin and Colby Colleges, will provide a state-wide educational television network, at costs not to exceed \$1,040,000. The cost of such construction and equipment, including any expenses incurred in the financing thereof, shall be taken and appropriated from the proceeds of

the bonds issued under the authority of this act.

Sec. 2. Treasurer of State to issue bonds. 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 of Maine to an amount not exceeding \$1,040,000 for the purpose of raising funds to provide for such construction and equipment, as authorized by this act. 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. 3. 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. 4. 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. 5. 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. 6. 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. 7. Federal funds. The Treasurer of State is authorized and empowered to receive any federal funds available for the construction of the educational television network facilities authorized by this act and shall credit such federal funds to the General Fund of the State.

Sec. 8. 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. 9. 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, at the next general or special state-wide election, to give in their votes upon the acceptance or rejection of this act, and the question shall be:

"Shall a bond issue be ratified for the purposes set forth in 'An Act Providing for Construction of an Educational Television Network for the State of Maine and the Issuance of Not Exceeding One Million Forty Thousand Dollars of State of Maine Bonds for the Financing Thereof,' 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 this 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.

Conference Committee Amendment "A" was adopted, the Bill passed to be engrossed as amended thereby in non-concurrence and sent forthwith to the Senate for concurrence.

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

Mr. PHILBRICK: Mr. Speaker, Ladies and Gentlemen of the House: From time to time in debates in this House, reference has been made to the lobby which has represented many important interests before us this session. I feel the final record of this House should contain the assurance that no disrespect has been meant by such references; rather let us thank the members of the lobby for their expert advice, willing assistance, and sincere endeavors in connection with the problems with which we have had to deal. They represent the finest type of our informed citizenry. I thank you. (Applause)

Papers from the Senate Conference Committee Report

Report of the Committees of Conference on the disagreeing action of the two branches of the Legislature on Bill "An Act to Increase Cigarette Tax One Cent" (H. P. 851) (L. D. 1165) reporting that the Senate recede from its former action whereby the Bill was passed to be engrossed as amended by House Amendment "A" and by Senate Amendment "A"; that Senate Amendment "A" be indefinitely postponed, and Conference Committee Amendment "A" be adopted, and the Bill passed to be engrossed as amended by House Amendment "A" and Conference Committee Amendment "A"; that the House recede from its action whereby it passed the Bill to be engrossed as amended by House Amendment

"A"; adopt Conference Committee Amendment "A", and pass the Bill to be engrossed as amended by House Amendment "A" and Conference Committee Amendment "A" in concurrence with the Senate.

(Signed)

WYMAN of Washington
EDGAR of Hancock
PORTEOUS of Cumberland
— Committee on part of Senate
BAXTER of Pittsfield
ALBAIR of Caribou
WHEATON of Princeton
— Committee on part of House

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

In the House, the Report was read and accepted, and the House voted to recede and concur with the Senate.

Non-Concurrent Matter

House Joint Order relative to Committee to Study Capital Improvements at State Prison (H. P. 1190) which was passed in the House earlier in the day.

Came from the Senate indefinitely postponed in non-concurrence.

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

The SPEAKER: In reference to the House Calendar, Page two, the Chair understands that in reference to the third item on page two, 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, Legislative Document 1636, that the gentleman from Bangor, Mr. Wellman, moves that the rules be suspended for the purpose of reconsidering the action of the House on June 8, 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?

The motion prevailed.

Thereupon, on further motion of Mr. Wellman of Bangor, the House voted to reconsider the action of the House on June 8, 1961 whereby it passed this bill to be engrossed.

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

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

HOUSE AMENDMENT "A" to S. P. 582, L. D. 1636, Bill, "An Act to Allocate Moneys for the Administrative Expenses of the State Liquor Commission for the Fiscal Years Ending June 30, 1962 and June 30, 1963."

Amend said Bill in section 1 by striking out all of the 6th, 7th, 8th, 9th, 10th and 11th lines and inserting in place thereof the following lines:

	1961-62	1962-63
Personal Services		
(330) \$1,458,581	(330) \$1,476,442	
All Other	681,476	683,175
	<hr/> \$2,140,057	<hr/> \$2,159,617

Amounting to \$2,140,057 for the fiscal year ending June 30, 1962 and \$2,159,617 for the fiscal year ending June 30, 1963.

House Amendment "A" was adopted and the Bill passed to be engrossed as amended thereby in non-concurrence and sent forthwith to the Senate for concurrence.

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

Mr. JALBERT: I would like to ask a question if I may. I would like to ask the present status of 1606, as far as the House is concerned.

The SPEAKER: The Clerk states it's in the engrossing department being engrossed.

Mr. Jalbert of Lewiston was then granted unanimous consent to briefly address the House.

Mr. JALBERT: Mr. Speaker and Members of the House: According to the program as set off now which is well in the mill for operation as was voted upon, I am talking now about the deduction, the amendment, of Conference Committee "B," and also the taxation program involving cigarettes, beer, liquor, wildlands and current services and the estimate up two million dollars, I notice according to the figures as I got out of the office of the Speaker that the spending program of the supplemental nature

be it on a base of the supplemental budget per se and the L. D.'s involved, and the program to meet it of a taxation nature is within about exactly \$299,000 of one another.

Now this last education TV program that we passed has a million dollars involved in it, and also the program that involves the self-liquidating bonds of the teachers colleges including Aroostook, Farmington — Gorham is not in there, Aroostook, Farmington and they are all in there. That is two and one half million dollars, and also I understand through the grapevine at least that possibly other L. D.'s will be put onto a bond program; that being the case if it was as I heard, possibly some two and one half million dollars, a million and one half of L. D.'s and one million dollars of ETV and two and one half million dollars of the self-liquidating bonds for the teachers colleges. If those go before the people and the way the sponsors feel they will easily pass in referendum, that being the case and all of them would have a ten year serial bond on it, the interest would have to be paid, the retirement moneys would have to be paid every year over a period of ten years. I want to know now, my question is, what that would cost — if the monstrosity that I had last Friday would cost five million three, would cost a million one hundred fourteen, is it fair to assume that the six million dollar bond program that will go before the people if that passes would cost about one million and one quarter a year on an average of ten years. I want to know if the powers that be have made arrangements for that in their current services budget because that will be a recurring item. I don't think, Mr. Speaker, that the two million and one half self-liquidating bond has, I don't think it has—it hasn't in the bill and I have not seen an amendment that states that it has a referendum clause on it. I certainly have not seen a program of the retirement of the bonds or interest, and I have seen nothing in this million dollar ETV, I don't know what they are going to do about the rest of this stuff. I think before we go any further, we

may backtrack and maybe reestimate and revise and we'll have to find ways to pay that money back or else we will possibly find ourselves operating in a deficit and an unbalanced budget.

On motion of Mr. Baxter of Pittsfield,

Recessed to the sound of the gong.

**After Recess
9:00 P. M.**

The House was called to order by the Speaker.

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

Mr. BAXTER: Mr. Speaker, I move that that part of the House rules which prohibits the transaction of business in the House after the hour of nine o'clock, be suspended.

The SPEAKER: The gentleman from Pittsfield, Mr. Baxter, moves that that portion of the rules which prohibits the transaction of business after nine p. m. be suspended. Is this the pleasure of the House?

The motion prevailed.

The following matters appearing on Supplement Number 8 were taken up out of order at this time:

**Passed to Be Enacted
Emergency Measure**

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. 580) (L. D. 1634)

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

Emergency Measure

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

Emergency Measure

An Act Making Supplemental Appropriations for the Expenditures of State Government and for Other Purposes for the Fiscal Years Ending June 30, 1962 and June 30, 1963 (H. P. 1165) (L. D. 1606)

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

House at Ease

On motion of Mr. Baxter of Pittsfield, the House voted to take from the table the first tabled and unassigned matter on the House Advance Journal:

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

Tabled — June 9, by Mr. Baxter of Pittsfield.

Pending — Passage to be enacted.

Thereupon, the same gentleman moved its enactment.

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

On motion of Mr. Baxter of Pittsfield, the House voted to take from

the table the second tabled and unassigned matter on the House Advance Journal:

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

Tabled — June 9, by Mr. Baxter of Pittsfield.

Pending — Passage to be enacted.

Thereupon, the same gentleman moved its enactment.

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

House at Ease

Called to order by the Speaker.

The SPEAKER: The Clerk has given me some information of momentous importance. He suggested that I convey the message to the House. However, since he deserves great credit for it, I suggested that he make the announcement. Of course we have helped him out quite a bit.

Mr. PEASE: I just said to the Speaker that this House had reached a happy situation, and I hoped it was a happy situation, whereby it found itself for the first time since it convened with no legislative matter in the hands of the House upon which it could possibly act, that is, provided it doesn't change its mind and want to reconsider. (Applause)

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

Mr. MADDOX: Mr. Speaker, under suspension of the rules, I request permission to approach the rostrum and address the House briefly from the Clerk's desk.

The SPEAKER: The gentleman from Vinalhaven, Mr. Maddox, requests unanimous consent to briefly address the House from the sanctuary of the Clerk. Is there objection? The Chair hears none. The

gentleman may approach the rostrum.

Mr. MADDOX: Ladies and Gentlemen of the House, it is only fitting as these long days draw to a close that we should take a few minutes at this time to express our appreciation to those who have labored so faithfully and so efficiently that we might reach this desired end, and at this time I would like to call to the rostrum, the gentlewoman from Patten, Mrs. Harrington.

Whereupon, Mrs. Harrington of Patten approached the rostrum.

Mr. MADDOX: Mrs. Harrington, will you please express for the House our appreciation to our very good Speaker?

Mrs. HARRINGTON: Vinal, there comes a time when a Legislature has to adjourn, and it looks as though that day has arrived. Before you take your leave for Sebago, the Members of the 100th Legislature would like to express their affection for you and their appreciation for the wonderful work that you have done as Speaker of this House, by presenting you with this watch. You may exchange it, but you are to take it down, this one, or the one you exchange it for, and have the inscription "100th Legislature" put on it. (Applause)

Thereupon, Vinal G. Good, Speaker, was presented with a Hamilton wrist watch, amid applause of the House, the Members rising.

SPEAKER GOOD: I wish to thank you, Ida, for your very fine presentation, and thank the Members of the House for this watch, which I will have open here in a minute. I am sure that this is a watch which I never will exchange, because it certainly will be held very dear in my memories for all time. I could reminisce quite a bit here on this occasion about the events which have taken place in the preceding weeks. I'll hold the watch up for you to see and it will be on display in the office for you to look at. I greatly appreciate receiving this and I understand that I am to have it engraved on the back stating that it is a gift from the 100th Legislature and I know that it will remain in my family forever I hope. (Applause)

The gentleman from Vinalhaven, Mr. Maddox, will proceed please.

Mr. MADDOX: Will the following gentlemen, as their names are called, please assemble in the well of the House?

Mr. Hague, Mr. Choate, Mr. Ham, Mr. Minsky, Mr. Hinds, Mr. Anderson of Greenville, Mr. Schulten and Mr. Westerfield.

It is only fitting at this time that we should pay tribute to the clerks, the ladies in the Clerk's office and in the office of the Speaker of the House, who have rendered such valuable and always cheerful service to us through this session. One of the most helpful things that we have is the aid that these ladies give to us, always cheerfully, always willingly. Our work would be very difficult without it. We deeply appreciate it. You gentlemen are charged with a very pleasant duty of retiring to the rear of the Hall and making sure that you get all of the ladies and escort them to the well of the House.

At this time I would ask the gentleman from Hope, Mr. Hardy, to please approach the rostrum. This is a decision I made after great deliberation, but it is an obvious one. It could be possible for a number of gentlemen to present corsages to the ladies, but I am sure they all would feel that they were receiving divided attention. I know of only one man who could present corsages to the ladies and each lady would feel that it was presented just to her and nobody else.

Thereupon, amid applause of the House, the Members rising, corsages were presented to the staff members by the gentlemen Members of the House as follows: Mrs. Jane Delahunty by Mr. Anderson of Greenville; Mrs. Bertha Johnson by Mr. Hinds of South Portland; Mrs. Regis Strout by Mr. Hague of Gorham; Mrs. Louise Lasselle by Mr. Westerfield of Liberty; Mrs. Margaret Miskavage by Mr. Minsky of Bangor; Miss Elizabeth Faulkner by Mr. Ham of Brewer; Mrs. Lila Peterson by Mr. Schulten of Woolwich, and Mrs. Patricia Rollins by Mr. Choate of Hallowell.

Mr. MADDOX: Gentlemen of the escort, I hope in the years to come you will remember who ap-

pointed you to that committee. (Applause)

The work of this Legislature would be impossible for us to perform in the proper manner without other diligent aides who are always here ever ready to assist and at this time, the House would like to express its appreciation.

It is not given to every man to become an institution within his lifetime, but here we have a man who certainly has. I don't know what the Maine Legislature would be without our honored Clerk. It is always a pleasure to work where we have the advice and the counsel of a man whose advice and wisdom is so respected and admired, and it gives me great pleasure at this time on behalf of the House to present Harvey with this slight token of our esteem. Harvey. (Prolonged Applause, the Members rising)

Mr. PEASE: Mr. Speaker, Mr. Clerk pro tem, Members of the 100th Legislature: You know, there isn't any reason now why we can't let these boys and girls go home, is there? You know, there's always two or three things that have to occur every session before you can go home and I've been talking it over with the Speaker and asking him about this little ceremony, and he didn't seem to know much about it and I haven't. He said well, we won't hurry any; when they get around to do their part why then we'll do our part and send them home.

Seriously, this ought to be a very happy occasion for me, but it isn't. Because I am looking out at the fifteenth House of Representatives that I have shouted to from this particular station in the House, and it makes one feel kind of sad when you realize that another two years has gone, another Legislature has come, another Legislature has tried to do its best, and another Legislature will go down in history as having in spite of its reconsiderations and its holding over and its mind changing and its four hundred amendments filed in the House, another Legislature has done a very, very creditable job for the people of the State of Maine whether they are proud of it right now or not. They have, and you will find

as the time goes on that even you will come to believe that you have done a pretty creditable job for your State. I know all the other legislatures have.

But I do want to say, and I know it's costing thirteen dollars a page to print my remarks. I think you're past listening now and I know you haven't been listening very much to what I've been saying through the last almost half year. It's been a pleasure to spend a lifetime, practically a lifetime, with the Maine Legislature. Because it was something like forty-four years ago, before some of you people were even thought of or contemplated, that I first became connected with a Maine legislature. And then I dropped out for seven or eight years and then I came back. I got in a rut and I got "legislativitis," which is of course a disease. About one out of every hundred and fifty that comes here doesn't get inoculated with it, the rest of them do and want to come back and come back and come back as long as they think they can get the votes.

It's been a pleasure to serve you down through the years, you and your predecessor legislatures; and while I never did have a very good poker face and while everything doesn't always go to suit Harvey, in the end everything comes out all right you know. And even you got around to this little ceremony here finally, and I want to say seriously that I have spent a very happy winter with the 100th Legislature and from what I can hear around here I'm going to be able to come back two years from now, if I can get the necessary votes, and God is willing to give me good health. At least I hope that I am not singing my swan song to a Maine Legislature. Thank you. (Applause, Members rising)

Mr. Lantagne of Biddeford was granted unanimous consent to briefly address the House.

Mr. LANTAGNE: Mr. Speaker, Ladies and Gentlemen of the House: I cannot speak for the leadership of my party, but for myself I want to congratulate the recipients of those gifts which they very well deserve and the ladies with their corsages which they cer-

tainly earned. What I want to call to the attention of the new members especially and maybe the older members who sometimes are able to forget, I would like to have the members of the House rise when the time comes and by applause greet our dean of both houses who has been serving here since 1943 without interruption, in the person of my colleague and a citizen of the same city, Mr. Napoleon Nadeau. (Applause, Members rising)

Mr. NADEAU: Mr. Speaker, Ladies and Gentlemen: I was rather surprised in one respect, but I am not surprised at what Mr. Lantagne is liable to do me. I certainly do appreciate the compliments which he has paid to me. I do not think I have been too much of a legislator, but I have tried to do the best I could. I have taken the advice of the people who are supposed to know or really know. I must have made a lot of mistakes when I did vote, but I did the best I could during my terms here. So, if I made a mistake I hope the citizens of Maine and of Biddeford will certainly excuse me because we all try to do the best we can. Thank you. (Applause)

Mr. MADDOX: Will the following gentleman approach the rostrum as their names are called: Mr. Charles Hulbert, Mr. Louis Collins, Mr. Norwood Mansur, Mr. Larry Ronco and Mr. Clarence Chase. (Applause)

Whereupon, Mr. Charles Hulbert, Sergeant-at-Arms, Mr. Louis Collins, Assistant Sergeant-at-Arms, Mr. Lawrence Ronco and Mr. Norwood Mansur, Pages, and Mr. Clarence Chase, Doorkeeper, were presented gifts, amid the applause of the House.

Mr. MADDOX: I am deeply honored to have had the opportunity to assist in this little ceremony, and since I also have an unparalleled opportunity to say to you all, that I too have enjoyed this session of the 100th Legislature. I will leave this hall very shortly much much better for the associations that I have made, the contacts, and with a deeper feeling of how fortunate we are to live in this State of Maine. Goodbye, good luck and God bless you. (Applause)

The SPEAKER: The Chair recog-

nizes the gentleman from Augusta, Mr. Philbrick.

Mr. PHILBRICK: I believe our toastmaster did not quite complete his job because if I remember correctly the two telephone operators in the other hall are supposed to be taken care of tomorrow or some other time.

The SPEAKER: Even the telephone operators get the wrong number. (Laughter)

Mr. MADDOX: At this time I would like to appoint the following gentlemen, Mr. Gill of South Portland and Mr. Berman of Auburn a committee of two to visit the telephone office, and present these corsages to our wonderful helpmates out there, Miss Barbara Hinkley and Mrs. Sylvia Burnham.

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

Mr. BAXTER: Mr. Speaker, since this seems to be a time of ceremony and we have a few minutes with no matter before the House on which to debate or argue amongst our, or with our conferees of the opposition party, I would like to take the opportunity and even though we aren't quite done yet, to express my appreciation and enjoyment of working with them here this year, particularly of course their leadership who I have seen the most of. I think that all of us here, the majority party, are fortunate to have had a constructive hard-working minority party with us. I think we have got along very well, we have had our very brief and very occasional tiffs, but they lasted only for a moment, and I am sure that we will all be good friends amongst each other outside of the halls now and for a great many years. With that, I would like to ask the Republicans in the House perhaps to give a rising round of applause to our Democratic friends. (Applause, the Republican members rising)

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

Mr. PLANTE: Mr. Speaker, Ladies and Gentlemen of the House: On behalf of the Minority Floor Leader, who had to be absent tonight because he had to attend his daughter's graduation, I'm sure for

this you will forgive him, I would like to express our wishes by first saying that as long as in America and in the State of Maine you have a healthy two-party system, I am sure that both will keep each other on their toes and I am certain that although we have had disagreements with the Majority Floor Leader, which is typical of a true democracy, that we are pleased to have worked with in aiming to improve the State of Maine with John Baxter and Mr. Whitman, and now I ask the Democrats to give a rising hand for the Republican Majority Party. (Applause, the Democratic members rising)

The SPEAKER: While we are handing the bouquets around, I wish to express my great appreciation for the cooperation given to me by both the members of the Republican Party and the Democratic Party, and I wish to congratulate both parties for their excellent conduct during this session. I think the Democratic Party has done a tremendous job, and they have put their shoulder to the wheel to see that legislation was passed, and have given us very constructive help, and the Republican Party of course has been very cooperative with me, and done just a tremendous job.

When the Republicans stood here and were applauded by the Democrats, I felt like applauding as one of the Democrats because at times I feel like a Democrat because every Democrat in this House of course is a close personal friend of mine; and when the Democrats stood and the Republicans applauded why I applauded too because being a Republican, I applauded on that side. I can truthfully say that every member of the House regardless of the party is in my feelings a close personal friend of mine and I have the feeling that you feel the same about me. The Legislature is not worth losing one friend, but it is certainly worth making one hundred and fifty, and it has been just a tremendous experience for me as being Speaker here during this 100th Legislature, and I am sure that all the Speakers to come in the years to come will have the same tremendous emotional experience that I have had which is something to

be remembered for all during your life. The Clerk has a few remarks to make. (Applause, the members rising)

Mr. PEASE: Ray, maybe you can add this on the end or put in the middle somewhere, I meant to say it before.

I think I would be quite remiss if I attempted to let you hand to me the compliments that I received without letting you in on why you feel that you owe me those compliments. No man can ever do the work and make the impression that I hope I have made on this Legislature and former legislatures without the loyal support of a group of employees—no, actually slaves, that make up the “Harvey girls” in the office. And I want to say to you that while I may be the coach that’s getting the credit for the game, it is the “Harvey girls” that have done the work, made it possible for me to look good.

And I want also to call your attention to the fact that it is no small job to put on paper every word that you and I say in this House and get it back to you the next morning in the form of proof and later legislative record. I want to compliment the House in the fact that they have had such an efficient reporting staff at this session.

And I also want to call your attention to another group that you see and hear very little about. All you hear is that the bill is reported as truly and strictly engrossed. But there is a group of veteran engrossing clerks downstairs, that this session as well as others, haven’t known what it was to sleep in their beds regularly. They have made it possible for the printed engrossed bills to come back to you promptly and correctly, and not much is known about them.

Now I intended to say that before but I got a little excited and so forth and because I’m not used to seeing so many people before me and I forgot it before — I’m kind of sorry I forgot it but maybe now Ray can weave it in some way and edit it and make it sound good when it gets in print. Thank you. (Applause)

The SPEAKER: Since this is graduation time, I wish to issue the diplomas to those who have

acted as Speaker pro tem, and I take exceptional pride in presenting this first diploma to a Speaker pro tem who has been Speaker pro tem in more ways than one, and has of course as you all know—I do not need to say it, been a tremendous help to me and to this Legislature, the gentleman from Pittsfield, Mr. Baxter. (Applause, the members rising)

The gentleman from Pittsfield, Mr. Baxter has ably been assisted and I have been ably assisted by the assistant Majority Floor Leader, the gentleman from Woodstock, Mr. Whitman. (Applause, the members rising)

I call those two gentlemen down separately since they have put in such a tremendous amount of work this session. I would like to have at this time the gentleman from Liberty, Mr. Westerfield; the gentleman from Cape Elizabeth, Mr. Berry; the gentleman from Jay, Mr. Maxwell; the gentleman from Vinalhaven, Mr. Maddox; the gentleman from Kennebunkport, Mr. Tyndale; the gentleman from Greenville, Mr. Anderson and the gentleman from York, Mr. Rust, approach the rostrum please to receive your diplomas for serving as Speaker pro tem. (Applause)

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

Mr. PLANTE: Mr. Speaker, Ladies and Gentlemen of the House: As an old veteran of the House, I can't help but remembering the charming woman that served as our Assistant Clerk, Mrs. Chapman; and at this time I think that in a very capable replacement that we should rise and give applause to a very capable Assistant Clerk, Mr. Roy Humphrey. (Applause, the members rising)

Mr. MADDUX: Mr. Speaker, Fellow Members of the House: The gentleman from Old Orchard expressed the sentiments that I was about to deliver to you because in the business of arranging a program like this so hurriedly with so many assistants working, it definitely was not an oversight, and I am deeply humiliated that Mr. Humphrey did not receive the proper recognition before.

Also at this time as part of the great team that should receive a token of appreciation in this ceremony, I musn't forget that we ourselves should express to our Majority Floor Leader, Mr. Baxter, and the Assistant Floor Leader, Mr. Whitman, a rising ovation and give them a good hand because they have done a marvelous job for us throughout the whole session. (Applause, the members rising)

On motion of Mr. Baxter of Pittsfield,

Recessed until the sound of the gong.

After Recess 10:15 P. M.

The House was called to order by the Speaker.

The SPEAKER: Is there objection to taking up Supplement Number 9 of the House Advance Journal? The Chair hears none. The Clerk will read Supplement Number 9.

Passed to Be Enacted 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. 138 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent forthwith to the Senate.

Emergency Measure

An Act to Increase Cigarette Tax One Cent (H. P. 851) (L. D. 1165)

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. 136 voted

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

On motion of Mr. Baxter of Pittsfield,

Adjourned until ten o'clock tomorrow morning.