

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

Monday, November 27, 1961

This being the day designated in the proclamation of the Governor for the meeting of the One-Hundredth Legislature in extra session, the members of the House of Representatives assembled in their hall at four o'clock in the afternoon and were called to order by the Speaker.

Prayer was offered by the Rev. Mr. Alton E. Maxell of Augusta.

The members stood at attention during the playing of the National Anthem.

The following Proclamation:

STATE OF MAINE PROCLAMATION BY THE GOVERNOR

WHEREAS, it appears advisable that the Legislature of this State should meet in special session for the following purposes:

To consider legislation for the appropriation of funds for the educational foundation program;

To consider legislation to revise Chapter 81 of the Resolves of 1961 entitled, "Resolve, to Apportion One Hundred and Fifty-one Representatives Among the Several Counties, Cities, Towns, Plantations and Classes in the State of Maine";

To consider legislation to provide for the creation of an educational television network in the State of Maine;

To consider any other legislation to promote the general welfare of the State.

NOW, THEREFORE, I, JOHN H. REED, Governor of the State of Maine, by virtue of the power vested in me as Governor, convene the Legislature of this State, hereby requiring the Senators and Representatives to assemble in their respective chambers at the Capitol at Augusta on Monday, the twenty-seventh day of November 1961 at four o'clock in the afternoon in order to receive such communication as may then be made to them and to consider and determine on such measures as in their judgment will best promote the welfare of the State.

Given at the office of the
Governor at Augusta and

sealed with the Great Seal of the State of Maine, this thirtieth day of October in the year of our Lord One Thousand Nine Hundred and Sixty-one, and of the Independence of the United States of America, the One Hundred and Eighty-sixth.

(Seal)

(Signed) JOHN H. REED
Governor

By the Governor
PAUL A. MacDONALD
Secretary of State

A true copy.

Attest:

(Signed) JOSEPH T. EDGAR
Deputy Secretary
of State

The Proclamation was read by the Clerk and ordered placed on file.

The Clerk thereupon called the roll of the House. 143 members answered to their names and accordingly a quorum was found to be present.

Those who were absent were Messrs. Hartshorn, Hopkinson, Kellam, Lacharite, Malenfant, Sirois, Tweedie and Mrs. Knapp.

There were eight absentees.

On motion of Mr. Baxter of Pittsfield, it was

ORDERED, that a Committee of seven be appointed to wait upon His Excellency, the Governor, and inform him that a quorum of the House of Representatives is assembled in the hall of the House for the consideration of such business as may come before the House.

The Chair appointed the following members to the Committee:

Messrs. BAXTER of Pittsfield
EDGERLY of Sangerville
CHOATE of Hallowell
DANES of South Portland
Mrs. SPOUL of Bristol
Messrs. FOGG of Madison
PLANTE of Old Orchard Beach

Subsequently Mr. Baxter for the Committee reported that it had attended to the duty assigned to it.

On motion of Mr. Whitman of Woodstock, it was

ORDERED, that a message be conveyed to the Senate that a quorum of the House of Representatives is present for the consideration of such business as may come before the House.

Thereupon, Mr. Whitman of Woodstock was appointed to convey the message, and subsequently reported that he had performed the duty assigned him.

The following Communication:

STATE OF MAINE
DEPARTMENT OF STATE
AUGUSTA

November 27, 1961

To Harvey R. Pease,
Clerk of the House
of Representatives of the
One-hundredth Legislature:

In compliance with Section 1 of Chapter 10 of the Revised Statutes of 1954, notification is hereby given of two vacancies in the House of Representatives.

In the Town of Fort Fairfield a vacancy has been created by the death of Harold H. Hopkinson.

In the Towns of North Yarmouth and Yarmouth a vacancy has been created by the resignation of Minnie E. C. Knapp of Yarmouth, a copy of Mrs. Knapp's resignation being attached hereto.

Respectfully,

(Signed)

PAUL A. MacDONALD
Secretary of State

The Communication was read and ordered placed on file, and the names stricken from the rolls of the House.

At this time, a message was received from the Senate, borne by Senator Noyes of Franklin, informing the House that a quorum was present and that the Senate was ready to transact such business as might properly come before it.

The following Communication:

STATE OF MAINE
OFFICE OF THE SECRETARY
OF STATE

To Harvey R. Pease,
Clerk of the House
of Representatives of the
One-hundredth Legislature:

In compliance with Section 1 of Chapter 10 of the Revised Statutes, I hereby certify that special elections were held on October 10, 1961 for the purpose of filling vacancies in the following Representative Districts:

A special election was held in the Town of Fort Fairfield for the purpose of filling a vacancy caused by the death of Harold H. Hopkinson. The vote was duly canvassed by the Governor and Council and John F. Averill of Fort Fairfield received 417 votes; Louis E. Ayooob of Fort Fairfield received 439 votes; and Louis E. Ayooob, having received a plurality of the votes cast, appears to have been elected.

A special election was held in the Towns of North Yarmouth and Yarmouth for the purpose of filling a vacancy caused by the resignation of Minnie E. C. Knapp of Yarmouth. The vote was duly canvassed by the Governor and Council and Frank S. Rand of Yarmouth received 358 votes; Herbert L. Donaldson of Yarmouth received 165 votes; and Frank S. Rand, having received a plurality of the votes cast, appears to have been elected.

IN WITNESS WHEREOF, I have caused the Seal of the State to be hereto affixed this twenty-seventh day of November in the year of our Lord one thousand nine hundred and sixty-one and of the Independence of the United States the one hundred and eighty-sixth.

(Signed)

PAUL A. MacDONALD
Secretary of State

The Communication was read and referred to the House Committee on Elections.

The Speaker appointed the following Committee to escort the new members to the Governor to take and subscribe the oaths necessary to qualify them for the discharge of their official duties:

Messrs. PRINCE of Harpswell
JOHNSON of Stockholm

Subsequently Mr. Prince reported that the Committee had attended to the duty to which it was assigned.

The SPEAKER: The Chair makes the following committee assignment: to the House Committee on Elections, the gentleman from Bangor, Mr. Minsky.

The SPEAKER: The Chair will announce at this time that since this is a special session and we wish to expedite the business of the session as speedily and efficiently as possible, the Chair will not entertain a motion for unanimous consent to briefly address the House until the Speaker has been appraised of the matter prior to the request. Now the purpose for this is so that the Speaker can arrange these talks at the most advantageous time for the transaction of business.

At this time, a message was received from the Senate, borne by its Secretary, proposing a Joint Convention to be held forthwith in the Hall of the House of Representatives for the purpose of listening to an address by His Excellency, Honorable John H. Reed, Governor of Maine.

The Clerk was charged with and conveyed a message to the Senate informing that body that the House concurred in the proposal for a Joint Convention.

The Clerk subsequently reported that he had delivered the message with which he was charged.

House at Ease

The Senate then entered the Hall of the House and a Joint Convention was formed.

In Convention

President Hillman of the Senate in the Chair.

On motion of Senator Erwin of York, it was

ORDERED, that a Committee be appointed to wait upon the Honorable John H. Reed, Governor, and to inform him that the two branches of the Legislature are in Convention assembled in the Hall

of the House of Representatives, and extend to him an invitation to attend the Convention and present such communication as he may be pleased to make.

The Chairman thereupon appointed as members of the Committee on the part of the Senate:

Senators:

ERWIN of York
MARDEN of Kennebec
BOISVERT

of Androscoggin

and on the part of the House:
Representatives:

BAXTER of Pittsfield
WHITMAN of Woodstock
PIKE of Lubec
MORRILL of Harrison
HUGHES of St. Albans
HENDRICKS

of Portland

FOGG of Madison

Subsequently, Mr. Erwin for the Committee reported that the Committee had discharged the duty assigned to it, and that the Governor was pleased to say that he would attend forthwith.

Thereupon, the Honorable John H. Reed, Governor, announced by Major General Edwin W. Heywood, Adjutant General, and accompanied by the Executive Council and Paul A. MacDonald, Secretary of State, entered the Hall of the House of Representatives amid prolonged applause, the audience rising.

Governor Reed then addressed the Convention as follows:
Mr. President, and Members of the 100th Legislature.

It is my privilege this afternoon to welcome you back to Augusta for the purpose of considering matters which are of serious importance to the people of Maine.

As you are well aware, it is the prerogative of the Governor to call the Legislature into special session if he determines legislative action is necessary on matters of an emergency nature, which cannot reasonably await the next regular session of this body.

My decision to call you back was made only after much deliberation and after consultation with our most competent legal authorities.

When it became apparent that certain problems I shall presently outline could not be resolved without legislative authority, I felt it was in the best interests of the people of Maine to request your action on them at this special session.

The proposals you will be asked to consider impose responsibilities upon both the Governor and the legislature; and we owe it to the citizens of Maine, whether they are directly or indirectly affected, to give these proposals that full consideration which can be given only in a legislative session.

I would respectfully state that I believe you should continually bear in mind the accepted purpose of a special session — namely, that it be limited to emergency measures.

Currently scheduled for your consideration are sixty-two matters. In addition to the three items in my official proclamation, your legislative leaders have selected fifty-nine measures deemed to be of an urgent nature.

In our approach to these problems, let us not be divided by party lines or factions, but from the outset let us resolve to turn to the task at hand in a workmanlike manner and accomplish our assignment with efficiency and dispatch.

Education Foundation Allowance

The first matter I would direct your attention to is the necessity of providing funds for the educational foundation program. Your approval of Legislative Document 1206 at the regular session clearly indicated your intent concerning this measure. However, inadvertently the money was not appropriated. Fortunately the sum of \$1,210,971 is currently anticipated for allocation to this account.

In order that our municipalities may be assured this money will be available to them when they qualify for it, I strongly recommend that one of your first acts be the passage of this bill.

Legislative Apportionment

Let us now turn to the subject of legislative apportionment.

I am absolutely certain that no member had the slightest intent of disenfranchising a single Maine

voter. Again, through a human error, a number of our people were faced with that possibility.

Since this oversight can only be corrected by legislative action, I am confident you will want to rectify the situation by prompt enactment of the appropriate legislation.

Educational Television

The third matter I wish to discuss with you is educational television.

Since your adjournment in June no other state issue has evoked as much public discussion as this. I am sure that a great deal of your time here will be spent on this program.

Because I am aware that you are already familiar with the merits of this great new educational medium, I do not feel it necessary to reiterate its many advantages.

One of the most compelling reasons we should act favorably on this proposal now is the distinct possibility that one or more of the remaining very high frequency channels may become permanently assigned for commercial use. The preponderance of evidence reaching my desk indicates we do need Channel 7 in Calais as well as Channels 12 in Orono and 10 in Presque Isle, to fully implement the network.

During recent months I have been in frequent contact with the Federal Communications Commission in an attempt to save Channel 7 for educational television purposes. It is my firm opinion the time has now arrived when we must demonstrate to the Commission that we are more than passively interested in an educational television network.

I feel sure the conclusion you reach will have a definite bearing on the Commission's final decision.

A phase of educational television that concerns all of us is the overall cost, both from the standpoint of original investment and future operational expenses.

In order that we might have the most accurate cost estimate possible I appointed a ten member committee to thoroughly research the question of costs quite apart from the merits of educational television.

This group of well-qualified Maine people have done an outstanding job and I know you will want to carefully study their report.

They unanimously agreed on an estimate of \$1,400,000 for capital expenditures to establish the remainder of the Maine network. They further agreed that organizational costs would approximate \$50,000 per year.

On estimated annual operating expenses for 35 to 40 hours of televised programs per week the committee was divided. Eight members estimated \$280,000, while two believed the figure would be \$415,000 annually. These figures are exclusive of debt service.

After studying the cost reports and weighing the factors involved, I have concluded that a bond issue of \$1,500,000 to be retired in ten years, would adequately finance the original installations and other needs until the next regular legislative session.

With the adoption of this plan, and with July 1, 1962 as the date of the bond sale, \$22,500 should be appropriated from the unappropriated surplus of the General Fund to meet the interest payment for the current biennium.

Since the question of bonding must be submitted to referendum, all voters would have an opportunity to express themselves on educational television.

The implementation of an educational television network for the State of Maine will undoubtedly be one of the greatest contributions to education in our era. I stand solidly in support of this proposal and respectfully urge your favorable consideration in order that all Maine people may receive the advantages of this revolutionary new educational medium. The opportunity is now in your hands!

Status of General Fund

At this point, I feel it is appropriate to review briefly the current financial condition of the State particularly in respect to revenues. I am certain you will want to know precisely where we stand before allocating any funds.

Current Operations:

During the first four months of the current fiscal year, the actual general fund undedicated revenue has exceeded estimates by \$457,527. This is a 2.15 percent increase over estimates. Included in this amount are agricultural stipend funds of \$150,221 as of November 15, 1961, which will be withdrawn and credited to the Department of Agriculture for distribution to those agricultural fairs qualifying for stipend moneys. Also included is an amount of \$71,129 which will be returned to the race licensees. After this deduction, the General Fund balance will be \$236,177, or a 1.11 percent increase of revenues over estimates.

The foregoing clearly indicates how close estimates are to actual receipts. What is not indicated, however, is the significant fact that three of our basic and most productive sources of revenue are showing minus balances for the four month period ending on October 30, 1961.

These three sources are the sales and use tax down \$396,290; the cigarette tax, down \$90,800; and the net profit received from liquor and beer, down \$96,959.

Obviously in view of these facts, any attempt to again increase revenue estimates would be fiscally unsound and would not meet with my favor.

Surplus:

The balance of general fund unappropriated surplus available as of June 30, 1961 is \$1,487,453. From this amount we must reserve \$450,000 to replenish the contingent account. Also a sum of \$86,500 must be reserved for the Group Life Insurance Fund. There are balances of \$80,904 in the General Fund that if allowed to lapse would bring the total balance to \$1,031,857.

It is my firm opinion that appropriations at this special session should not exceed \$1,031,000.

Urgent Major Legislation

There are a limited number of other measures I would like to comment on at this time. I have selected these because I believe they are either state-wide in na-

ture or affect large numbers of Maine people.

Municipal Sewerage Grants:

The first request is to provide additional funds for state grants to municipalities for sewage treatment plants.

During the regular session you appropriated \$630,000 for this purpose. However, due to the fact an increased number of communities are in the process of, or will be constructing treatment plants it is anticipated the demands on this account will exceed the amount available. It is estimated by state officials that \$500,000 will be needed to meet our share.

Surely all of us are pleased to see substantial progress made in the orderly abatement of pollution in Maine waters. In order that we keep faith with our municipalities who qualify for treatment plant funds I definitely favor a sufficient appropriation to this account.

Civil Defense:

An area in which the priority of need has increased immensely since we last met is that of Civil Defense and Public Safety. The aggressive forces of Communism are challenging and testing our will and strength as a nation with a determination that exceeds anything in our experience.

Our national security can be tremendously improved and a present crucial gap in our defenses closed by a truly effective Civil Defense program.

Although the Federal Government has a major function in the objective of adequate Civil Defense for every American, nevertheless, it is evident federal officials are looking for action at the state, local and individual level.

It is abundantly clear our state must take positive action to establish a suitable emergency operating center to house state government and Civil Defense under disaster conditions.

The recommended site for this center is at Farmington State Teachers College. The proposed structure has been designed so it can eventually be converted into a foundation for a college building. It has been estimated the cost of

this facility to the state will be \$193,200.

We hope it will never be needed, but we cannot risk the chance that it will not.

I strongly recommend the passage of this legislation.

Sardine Season:

The sardine packing industry which provides a major source of income to many of our coastal communities is experiencing a very unsatisfactory season.

It is estimated the pack this year is approximately 30 percent of normal. Many Maine workers depend upon employment in the packing houses for their livelihood and the adverse season is working a great hardship on them. Also when our supply is exhausted Maine sardines will lose their shelf space in the markets of the nation to the foreign product and this shelf space will be difficult to regain in another year.

While there is a difference of opinion in this matter, our State Department of Sea and Shore Fisheries recommends an extension in the season. I concur with that recommendation.

Additional Legislation

There are a number of other worthy measures dealing mostly with local problems and a few of more general interest. These items, together with those I have discussed, are included in the legislative documents the legislative leaders of both parties arranged for advance printing.

Since these are now in your possession it would not seem logical to discuss each of them in detail this afternoon.

State Employees Pay Plan

There is one other problem to which I wish to direct your attention.

At the regular session, this legislature voted to implement certain features of the new pay plan for state employees. Because of insufficient funds, inequities have resulted affecting a large number of our deserving state workers.

I am certain we all agree our loyal state employees should be adequately and fairly compensated for their services.

I urge your cooperation in resolving this matter by appropriate legislative action.

Since this message was printed, a solution to the problem has been developed. This will be presented to you in the form of a joint order stating that it is your intent that the matter be accomplished by appropriate legislative action. I recommend your approval of this joint order.

Conclusion

It is my sincere hope you will find it possible to limit legislation to measures of a genuine urgent nature and refrain from introducing proposals which, while desirable, can await a regular session.

If we can quickly agree on the problems outlined, provide the funds and adjourn, the best interests of the public will have been served.

We have just had the privilege once again of observing Thanksgiving, one of our most beloved holidays.

Soon we will be busy with the activities of the Christmas season when the spirit of "peace on earth, good will toward men" prevails.

I urge you to allow this spirit to permeate this session, forget personal differences, forget party lines and work together to prove to our citizens that we are here to serve the welfare of our state and for no other reason.

By adopting this attitude you can accomplish the task before you in a limited time and return to your homes knowing you have faced responsibility and completed the job in a satisfactory manner.

At the conclusion of the address, the Governor and his suite retired, amid applause of the Convention, the audience rising.

The purpose for which the Convention was assembled having been accomplished, the Convention was dissolved, and the Senate retired to the Senate Chamber.

In the House

The House was called to order by the Speaker.

The SPEAKER: The Chair at this time will assign the gentle-

man from Yarmouth, Mr. Rand, to seat number 90 and the gentleman from Fort Fairfield, Mr. Ayoob, to seat 105.

The Chair will also make committee assignments to these gentlemen: the gentleman from Yarmouth, Mr. Rand, to the Committee on Health and Institutional Services, and the gentleman from Fort Fairfield, Mr. Ayoob, to the Committee on Agriculture, the eighth ranking position; Mr. Rand had the ninth ranking position.

Also the Chair will assign the gentleman from Greenville, Mr. Anderson, to a vacancy on the Committee on Legal Affairs, to the eighth ranking position.

And on behalf of the 100th Legislature, the Chair extends to the gentleman from Yarmouth, Mr. Rand, and to the gentleman from Fort Fairfield, Mr. Ayoob, our most hearty and cordial welcome; and we hope that you will be very successful in your duties as legislators to the 100th Legislature. (Applause)

The following Communication:

STATE OF MAINE
HOUSE OF REPRESENTATIVES
OFFICE OF THE CLERK
AUGUSTA

November 27, 1961

Honorable Vinal G. Good
Speaker of the House of

Representatives
100th Legislature
State House
Augusta, Maine

Sir:

Acting pursuant to House Order passed January 4th, I have this day accepted the resignation of Mrs. Margaret B. Miskavage as Secretary to the Clerk of the House and appointed to fill the vacancy, Mrs. Patricia A. Rollins of Augusta.

Respectfully,

(Signed) HARVEY R. PEASE
Clerk of the House

The Communication was read and ordered placed on file.

House at Ease

Paper From the Senate

From the Senate:

The following Order:

ORDERED, the House concurring, that unless received by unanimous consent in both branches, the only bills and resolves to be considered at this Special Session, shall be those designated Legislative Documents Nos. 1640 to 1701, inclusive.

This order shall not apply to such bills or resolves as are intended only to facilitate the business of the Special Session (S. P. 621)

Came from the Senate read and passed.

In the House, the Order was read.

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

Mr. FOGG: Mr. Speaker, I want to go on record as being opposed to this order for the reason that in our screening committee I think that there were some bills that were screened out which were as important as some of the bills which were put in, and I think there might possibly be other things which have arisen. I think this setting a cloture on this right now is premature. Furthermore, I would like to point out that we do have two new legislators in this body who have not been in a position to introduce any bills up until today, and I feel that by passing a cloture order at this time, we will be excluding them from any right to introduce any bills, and I don't feel that we should leave out those municipalities which they represent. For that reason, I would like to go on record as being opposed to this order, and I ask for a division.

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

Mr. BAXTER: Mr. Speaker, I would like to go on record as favoring the passage of this order. The remarks of the gentleman from Madison, Mr. Fogg, seem to me a little bit odd in view of the fact that the procedure under which the admission of bills was carried out was the procedure which was carried out during the

administration of a Democratic Governor of the State, Governor Clauson, at the time of the last legislative session, special session. It seemed to work very well for that Governor. As a matter of fact, Governor Clauson, as I understand it, actually sat in on the screening committee hearing at the time that it was held prior to the last special session.

It seems to me that this is quite obviously a political gesture. I have talked with members of the minority party and I know that they are just as anxious, many of them, to carry out the work of this session promptly and finish it and get home as are the members of the Republican Party. However, it does seem as though they need to go on record for some reason as opposing this cloture order at this time. This of course to me boils down again to a fact which I think we see constantly shown, and that is that the majority party must be responsible to the voters of the state for the cost of this session and for the length of the session. The minority party obviously does not feel responsible in that respect. The minority party knows that it cannot enforce by its vote the carrying of this cloture order and therefore it knows that it will not have to live with it in the future.

As far as the new members are concerned, and as far as their constituencies are concerned, I am sure that everybody realizes that there are Senators in every county and that these Senators could very nicely put in legislation for any one of the towns which may not have had a representative at that particular time. Therefore, Mr. Speaker and ladies and gentlemen of the House, I hope that this order does receive passage.

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

Mr. PLANTE: Mr. Speaker, I think that the record should be set straight. The circumstances which evolved concerned this ad hoc Committee which the gentleman from Pittsfield referred to were quite different than they were at the time that Governor Clauson

presided over a similar session. I was a member of that same committee as I was this time. However, the circumstances which I state are different was that that particular session was not a rump session as this one was. There was no stacked deck. In other words, Governor Clauson made no public affirmances to the fact that he would have a hands-off and that it would be entirely within the hands of the legislative leaders in what would be introduced. However, the circumstances here are different. The well-known secret session held in the Blaine House on Friday changed the circumstances and this is why that we felt that having had a stacked deck and having people come in purely for no real reason when decisions had already been made, we felt that the circumstances warrant our position today.

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

Mr. JALBERT: Mr. Speaker, I would like to commend the remarks of our Floor Leader, Mr. Fogg and the Assistant Floor Leader, Mr. Plante. I also would like to set the record straight.

It seems odd as to who is talking about who is playing what type of politics and when. Just before we convened after your Republican caucus I had three members of the Press who came to me to tell me that the Floor Leader of the Republican Party expounded as usual with both feet in the mud to the effect that the Democrats' only aim was to be obstructionists and also one Jalbert would join that parade. Twenty minutes later we convened and our Governor comes in of this same body and same political faith, and quoting him, "let us remember this spirit of peace on earth and good will to all men." Ten minutes later the same Floor Leader of the same Republican Party bounces right back and just because we merely object to a cloture rule, a cloture order, without mentioning party politics, again we are playing picayune petty politics. Now on a low level or a high level if the Republican Floor Leader wants to have his toast browned up, I assure you that we

can accommodate him. We are also aware of the fact that it costs money for us to be here. The reason that we are here is because of a comedy of errors at the regular session. The reason that we are here basically is L. D. 1206, when I stated from this very seat that the money was not in the bill. The reason we are here is because certain leaders of the Republican Party would not show the Secretary of State of their own will, of their own party, the reapportion bill. The reason we are here is because we did not appropriate enough money to effectuate the second year for the said salaries of the state employees and so on and so on and so on.

Now let us start out right here and now. As far as I am concerned, you can roll out your steamroller, vote any way you want to. I am here representing my people from Lewiston. I am a member of the Democratic Party. I intend to remain as such. I am going to give my opinion as honestly as I can, and if I am accused of playing politics, of course I am. I'm in no cribbage game here.

The SPEAKER: The Chair understands that the question before the House is the motion of the gentleman from Pittsfield, Mr. Baxter, that this Order receive passage in concurrence and the gentleman from Madison, Mr. Fogg, has requested a division. All those in favor of the passage of this order, please rise and remain standing until the monitors have made and returned their count.

A division of the House was had.

One hundred and six having voted in the affirmative and thirty-six having voted in the negative, the motion did prevail.

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

Petitions, Bills and Resolves Requiring Reference

The following Bills and Resolves were received and, upon recom-

mendation of the Committee on Reference of Bills, were referred to the following Committees:

Agriculture

Bill "An Act Granting Courts Power to Issue Injunctions to Enforce Milk Commission Law" (H. P. 1221) (L. D. 1674) (Presented by Mr. Waterman of Auburn)

(Ordered Printed)

Sent up for concurrence.

Appropriations and Financial Affairs

Bill "An Act Appropriating Moneys for Office of Director of Legislative Research" (H. P. 1194) (L. D. 1647) (Presented by Mr. Bragdon of Perham)

(Ordered Printed)

Bill "An Act Providing for the Construction of an Emergency Operating Center for State Government in Farmington" (H. P. 1219) (L. D. 1672) (Presented by Mr. Briggs of Portland)

(Ordered Printed)

Bill "An Act to Provide Funds for the Support of Cardiac and Related Services" (H. P. 1197) (L. D. 1650) (Presented by Mr. Fogg of Madison)

(Ordered Printed)

Bill "An Act Providing Funds to Complete the Harbor Project in the Town of Wells" (H. P. 1211) (L. D. 1664) (Presented by Mrs. Hanson of Lebanon)

(Ordered Printed)

Bill "An Act Appropriating Funds to Aid Towns to Control Dutch Elm Disease" (H. P. 1229) (L. D. 1689) (Presented by Mr. Hardy of Hope)

(Ordered Printed)

Bill "An Act to Authorize the Employment of Additional Personnel at the Maine Vocational Technical Institute" (H. P. 1198) (L. D. 1651) (Presented by Mr. Hinds of South Portland)

(Ordered Printed)

Bill "An Act Providing for the Construction of an Emergency Operating Center for State Government" (H. P. 1226) (L. D. 1686) (Presented by Mr. Jones of Farmington)

(Ordered Printed)

Bill "An Act Providing for Construction of an Educational Television Network for the State of Maine and the Issuance of not Exceeding One Million Five Hundred Thousand Dollars of State of Maine Bonds for the Financing Thereof" (H. P. 1233) (L. D. 1698) (Presented by Mr. Schulten of Woolwich)

(Ordered Printed)

Resolve in favor of School Administrative District No. 14, Danforth-Weston, for School Construction Aid (H. P. 1231) (L. D. 1696) (Presented by Wheaton of Princeton)

(Ordered Printed)

Sent up for concurrence.

Claims

Resolve in favor of Ross Sinclair of New Gloucester (H. P. 1199) (L. D. 1652) (Presented by Mr. Durgin of Raymond)

(Ordered Printed)

Sent up for concurrence.

Constitutional State Reapportionment and Congressional Redistricting

Resolve to Correct Inconsistencies in the Apportionment of Representatives to the Legislature (H. P. 1193) (L. D. 1646) (Presented by Mr. Kennedy of Milbridge)

(Ordered Printed)

Sent up for concurrence.

Education

Bill "An Act to Authorize the Towns of Greenville and Shirley to Form a School Administrative District" (H. P. 1217) (L. D. 1670) (Presented by Mr. Anderson of Greenville)

(Ordered Printed)

Bill "An Act to Authorize the Municipalities of Carmel and Levant to Form a School Administrative District" (H. P. 1201) (L. D. 1654) (Presented by Mr. Carter of Etna)

(Ordered Printed)

Bill "An Act to Authorize the Municipalities of Patten, Sherman, Stacyville and Mt. Chase to Form a School Administrative District" (H. P. 1202) (L. D. 1655) (Pre-

sented by Mrs. Harrington of Pat-
ten)

(Ordered Printed)

Bill "An Act to Authorize the
Towns of Oakland and Sidney to
Form a School Administrative Dis-
trict" (H. P. 1213) (L. D. 1666)
(Presented by Mr. Morse of Oak-
land)

(Ordered Printed)

Bill "An Act to Authorize the
Municipalities of Deer Isle and
Stonington to Form a School Ad-
ministrative District" (H. P. 1203)
(L. D. 1656) (Presented by Mrs.
Shepard of Stonington)

(Ordered Printed)

Sent up for concurrence.

Highways

Bill "An Act to Repeal the Law
Establishing Ferry Service Between
Vinalhaven and North Haven" (H.
P. 1208) (L. D. 1661) (Presented
by Mr. Maddox of Vinalhaven)

(Ordered Printed)

Sent up for concurrence.

Legal Affairs

Bill "An Act relating to Town of
Bucksport School District" (H. P.
1205) (L. D. 1658) (Presented by
Mr. Bearce of Bucksport)

(Ordered Printed)

Bill "An Act Amending the
Charter of the Calais School Dis-
trict" (H. P. 1222) (L. D. 1675)
(Presented by Mr. Davis of Calais)

(Ordered Printed)

Bill "An Act Amending the
Charter of the City of Brewer
High School District" (H. P. 1204)
(L. D. 1657) (Presented by Mr.
Ham of Brewer)

(Ordered Printed)

Bill "An Act to Create the Bid-
deford Parking District" (H. P.
1214) (L. D. 1667) (Presented by
Mr. Nadeau of Biddeford)

(Ordered Printed)

Bill "An Act to Amend the Char-
ter of York Beach Village Cor-
poration" (H. P. 1224) (L. D. 1684)
(Presented by Mr. Rust of York)

(Ordered Printed)

Sent up for concurrence.

Public Utilities

Bill "An Act relating to Capital
Stock of Fort Kent Water Com-
pany" (H. P. 1218) (L. D. 1671)

(Presented by Mr. Cyr of Fort Kent
by request)

(Ordered Printed)

Bill "An Act to Increase the
Borrowing Capacity of East Booth-
bay Water District" (H. P. 1206)
(L. D. 1659) (Presented by Mrs.
Sproul of Bristol)

(Ordered Printed)

Sent up for concurrence.

Retirements and Pensions

Bill "An Act relating to State
Retirement Benefits for Certain
Teachers" (H. P. 1212) (L. D.
1665) (Presented by Mrs. Lincoln
of Bethel)

(Ordered Printed)

Resolve in favor of Martha
Morey of Shirley Mills (H. P.
1220) (L. D. 1673) (Presented by
Mr. Anderson of Greenville)

(Ordered Printed)

Sent up for concurrence.

Sea and Shore Fisheries

Bill "An Act to Extend the Sar-
dine Canning Season" (H. P. 1195)
(L. D. 1648) (Presented by Mr.
MacGregor of Eastport)

(Ordered Printed)

Bill "An Act Extending the Sar-
dine Canning Season for Two
Years" (H. P. 1227) (L. D. 1687)
(Presented by Mr. Pike of Lubec)

(Ordered Printed)

Sent up for concurrence.

State Government

Bill "An Act Repealing Emer-
gency Interim Judicial Succession"
(H. P. 1232) (L. D. 1697) (Presented
by Mr. Knight of Rockland)

(Ordered Printed)

Bill "An Act to Provide for a
Legislative Finance Officer" (H. P.
1215) (L. D. 1668) (Presented by
Mr. Whitman of Woodstock)

(Ordered Printed)

Sent up for concurrence.

Taxation

Bill "An Act Exempting Fallout
Shelters from Real Estate Taxa-
tion" (H. P. 1216) (L. D. 1669) (Pre-
sented by Mr. Briggs of Portland)

(Ordered Printed)

Bill "An Act to Provide a Re-
porting System for Payment of
Malt Liquor Excise Taxes" (H. P.

1230) (L. D. 1695) (Presented by Mr. Philbrick of Augusta)
(Ordered Printed)

Bill "An Act to Exempt Fallout Shelters from Taxation" (H. P. 1196) (L. D. 1649) (Presented by Mr. Wellman of Bangor)
(Ordered Printed)
Sent up for concurrence.

Towns and Counties

Bill "An Act relating to the Economic Development of Washington County" (H. P. 1223) (L. D. 1676) (Presented by Mr. Davis of Calais)
(Ordered Printed)

Bill "An Act relating to Salary of Register of Deeds of Franklin County" (H. P. 1225) (L. D. 1685) (Presented by Mr. Jones of Farmington)
(Ordered Printed)

Bill "An Act relating to Advertising and Promotion in Aroostook County" (H. P. 1200) (L. D. 1653) (Presented by Mr. Stewart of Presque Isle)
(Ordered Printed)

Bill "An Act to Divide the Town of Enfield, Penobscot County, into Two Communities" (H. P. 1207) (L. D. 1660) (Presented by Mr. Swett of Howland by request)
(Ordered Printed)
Sent up for concurrence.

Transportation

Bill "An Act relating to Gross Weight and Width of Trucks Hauling Construction Materials" (H. P. 1209) (L. D. 1662) (Presented by Mr. Wellman of Bangor)
(Ordered Printed)
Sent up for concurrence.

Welfare

Bill "An Act Repealing Law Creating a Lien on Real Property of Beneficiaries of Public Assistance" (H. P. 1210) (L. D. 1663) (Presented by Mr. Kennedy of Milbridge)
(Ordered Printed)

Bill "An Act relating to the Control of Sources of Ionizing Radiation" (H. P. 1228) (L. D. 1688) (Presented by Mr. Pike of Lubec)
(Ordered Printed)
Sent up for concurrence.

The SPEAKER: Is there objection to sending these matters which have just been referred to the Committees forthwith to the Senate at this time? The Chair hears none. They will be sent forthwith to the Senate.

Orders Tabled and Assigned

Mr. Baxter of Pittsfield presented the following Order:

ORDERED, that all matters placed upon the table during this Special Session, shall be considered automatically assigned for consideration on the next legislative day and the Speaker, under Orders of the Day, shall lay such matters before the House in the order in which they were tabled.

(On motion of Mr. Baxter of Pittsfield, tabled under the rules pending passage, ordered reproduced and specially assigned for tomorrow.)

Tabled and Assigned

Mr. Whitman of Woodstock presented the following Order:

ORDERED, the Senate concurring, that Joint Rule No. 14 be amended by adding at the end a new sentence to read as follows: "No measure shall be recalled from the legislative files except by joint order approved by a vote of two-thirds of the members of both houses." (H. P. 1236)

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

Mr. WHITMAN: Mr. Speaker and Members of the House: This is one of three orders which I have here prepared to introduce at this time. They come as a result of action of the Legislative Research Subcommittee on changes of rules and procedures. I will present them and will have them reproduced for consideration at the next legislative day so you will all be able to familiarize yourselves with the changes involved.

I now move that this order be tabled until the next legislative day.

Thereupon, the Order was tabled pending passage, ordered reproduced and specially assigned for tomorrow.

Tabled and Assigned

Mr. Whitman of Woodstock presented the following Order:

ORDERED, the Senate concurring, that the Joint Rules be amended by adding thereto a new Rule No. 2-A, to read as follows:

"2-A. The Senate Chairman of the Committee on Appropriations and Financial Affairs shall appoint from said committee such subcommittees as the said committee shall direct, such subcommittees to consist of not less than 3 members. Such subcommittees shall report their findings and recommendations to the full committee." (H. P. 1235)

(On motion of Mr. Whitman of Woodstock, tabled pending passage, ordered reproduced and specially assigned for tomorrow.)

Tabled and Assigned

Mr. Whitman of Woodstock presented the following Order:

ORDERED, the Senate concurring, that the Joint Rules be amended by adding thereto a new Rule No. 19-D, to read as follows:

"19-D. Every bill or resolve effecting loss of revenue or requiring an appropriation shall be accompanied by a written statement as to the amount involved." (H. P. 1234)

(On motion of Mr. Whitman of Woodstock, tabled pending passage, ordered reproduced and specially assigned for tomorrow.)

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

Mr. JALBERT: Mr. Speaker, I would ask either the gentleman from Pittsfield, Mr. Baxter, or the gentleman from Woodstock, Mr. Whitman, while we are talking about Rule 19-D, if we are presently operating in force wherein it concerns Rules 18 and 19?

The SPEAKER: The Chair would advise the gentleman from Lewiston, Mr. Jalbert, that these two matters have now been laid upon the table and his question would not be in order. The Chair suggests that tomorrow when they are removed from the table, that he put his question at that time.

On motion of Mr. Edwards of Stockton Springs, it was

ORDERED, that Mr. Malenfant of Lewiston be excused from attendance at this Special Session for the remainder of his illness.

Papers from the Senate

The following papers from the Senate were taken up out of order under suspension of the rules:

From the Senate:

Bill "An Act Repealing Powers of State Humane Agents to Issue Warrants in Dog Licensing Law" (S. P. 603) (L. D. 1643)

Came from the Senate referred to the Committee on Agriculture.

In the House, referred to the Committee on Agriculture in concurrence.

From the Senate:

Bill "An Act to Provide for the Support of Cancer Clinic Services" (S. P. 613) (L. D. 1690)

Resolve Appropriating Funds for Repairs to Foundations, Columns and Walls in the North Wing of the Capitol Building (S. P. 604) (L. D. 1644)

Came from the Senate referred to the Committee on Appropriations and Financial Affairs.

In the House, referred to the Committee on Appropriations and Financial Affairs in concurrence.

From the Senate:

Resolve to Reimburse Ernest Herrick of New Gloucester for Damage to House and Interior (S. P. 618) (L. D. 1699)

Came from the Senate referred to the Committee on Claims.

In the House, referred to the Committee on Claims in concurrence.

From the Senate:

Bill "An Act relating to Educational Foundation Program Allowance" (S. P. 600) (L. D. 1640)

Bill "An Act to Provide Funds to Establish a School of Practical Nursing to be Located in Southern Maine" (S. P. 610) (L. D. 1681)

Came from the Senate referred to the Committee on Education.

In the House, referred to the Committee on Education in concurrence.

From the Senate:

Bill "An Act to Clarify the Election Laws" (S. P. 617) (L. D. 1694)

Came from the Senate referred to the Committee on Election Laws.

In the House, referred to the Committee on Election Laws in concurrence.

From the Senate:

Resolve Providing for Emergency Renovation of Existing Facilities at the Maine State Prison (S. P. 606) (L. D. 1677)

Came from the Senate referred to the Committee on Health and Institutional Services.

In the House, referred to the Committee on Health and Institutional Services in concurrence.

From the Senate:

Bill "An Act Providing for Demolition of Morse Bridge in the City of Bangor" (S. P. 605) (L. D. 1645)

Came from the Senate referred to the Committee on Highways.

In the House, referred to the Committee on Highways in concurrence.

From the Senate:

Bill "An Act to Provide Aid to Maine Industries to Obtain Government Contracts" (S. P. 601) (L. D. 1641)

Came from the Senate referred to the Committee on Industrial and Recreational Development.

In the House, referred to the Committee on Industrial and Recreational Development in concurrence.

From the Senate:

Bill "An Act Ceding Concurrent Jurisdiction to the United States of America Over Certain Lands in the Town of Cutler" (S. P. 608) (L. D. 1679)

Bill "An Act to Revise the Laws Relating to Commitment of the Mentally Ill" (S. P. 609) (L. D. 1680)

Bill "An Act to Correct Errors and Inconsistencies in the Public Laws" (S. P. 615) (L. D. 1692)

Came from the Senate referred to the Committee on Judiciary.

In the House, referred to the Committee on Judiciary in concurrence.

From the Senate:

Bill "An Act Increasing Power to Hold and Purchase Property by City of Waterville" (S. P. 607) (L. D. 1678)

Bill "An Act to Amend the Charter of the City of Saco" (S. P. 620) (L. D. 1701)

Came from the Senate referred to the Committee on Legal Affairs.

In the House, referred to the Committee on Legal Affairs in concurrence.

From the Senate:

Bill "An Act Providing for Additional Funds for State Grants to Municipalities for Sewage Treatment Works" (S. P. 602) (L. D. 1642)

Came from the Senate referred to the Committee on Natural Resources.

In the House, referred to the Committee on Natural Resources in concurrence.

From the Senate:

Bill "An Act Creating a State Committee on Transportation Needs in Casco Bay" (S. P. 611) (L. D. 1682)

Bill "An Act relating to Transportation to Islands in Casco Bay" (S. P. 619) (L. D. 1700)

Came from the Senate referred to the Committee on Public Utilities.

In the House, referred to the Committee on Public Utilities in concurrence.

From the Senate:

Resolve Dividing the State of Maine into Councillor Districts (S. P. 614) (L. D. 1691)

Came from the Senate referred to the Committee on Constitutional State Reapportionment and Congressional Redistricting.

In the House, referred to the Committee on Constitutional State Reapportionment and Congressional Redistricting in concurrence.

From the Senate:

Bill "An Act Increasing the Number of Justices of the Superior Court" (S. P. 616) (L. D. 1693)

Came from the Senate referred to the Committee on State Government.

In the House, referred to the Committee on State Government in concurrence.

From the Senate:

Bill "An Act to Provide Funds to Carry Out the Law Which Created Liens on Real Property of Beneficiaries of Public Assistance" (S. P. 612) (L. D. 1683)

Came from the Senate referred to the Committee on Welfare.

In the House, referred to the Committee on Welfare in concurrence.

Tabled and Assigned

From the Senate:

The following Order:

ORDERED, the House concurring, that three hundred fifty copies of the Legislative Record for this Special Session convened on November 27, 1961, be printed and bound, one copy each for the members and officers of the Senate and House of Representatives, the remainder to be deposited in the State Library for exchange and Library purposes; and be it further

ORDERED, that three hundred fifty copies of the Legislative Record be printed in pamphlet form for distribution from day to day to members of the Legislature and the Departments, under the direction of the Document Clerk (S. P. 622)

Came from the Senate read and passed.

In the House, on motion of the gentleman from Pittsfield, Mr. Baxter, tabled pending passage and specially assigned for tomorrow.

From the Senate:

The following Orders:

ORDERED, the House concurring, that free telephone service be provided for each member and officer of the Senate and House to the number of twenty-five calls of reasonable duration from Augusta to points within the limits of the State of Maine, and that each member and officer of the Senate and House be provided with a card to be certified by the Secretary of the Senate and the Clerk

of the House, respectively; the cost of this service to be paid to the New England Telephone and Telegraph Company; at regular tariff rates; and be it further

ORDERED, that free telegraph service be provided to the number of ten messages of reasonable length from Augusta to points within the limits of the State of Maine, and that each member and officer of the Senate and House be provided with a card to be certified by the Secretary of the Senate and Clerk of the House; the cost of this service to be paid to Western Union Telegraph Company at regular tariff rates (S. P. 623)

ORDERED, the House concurring, that the Secretary of the Senate and the Clerk of the House be directed to furnish to each member and officer of the Senate and House, a copy of the State newspaper each morning during the present Special Session of the Legislature (S. P. 624)

ORDERED, the House concurring, that the Secretary of the Senate and the Clerk of the House, respectively, be authorized to furnish wrappers and postage stamps for each member and officer of the Senate and House, not exceeding \$4.00 in amount each, for the purpose of distributing the various reports of the Departments of State and other public documents such as they may desire to mail to the citizens of the State (S. P. 625)

ORDERED, the House concurring, that there be paid to the Officers of the Senate and House of Representatives for salaries for this Special Session, the amounts included in weekly lists certified to the State Controller by the Secretary of the Senate and Clerk of the House, respectively, subject to the approval of the Committee on Appropriations and Financial Affairs (S. P. 626)

Came from the Senate read and passed.

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

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

Mr. BAXTER: Mr. Speaker, I would like to announce a Repub-

lican caucus here in the House at 7:30 tonight.

Tomorrow, as you know, is devoted principally to the holding of legislative hearings. During the regular session when we set aside a full day for the holding of hearings, we did not have a House session. Since this is a special session and time is of the essence,

and it is possible that something might arise that could be taken advantage of to best advantage tomorrow, we will have a very short session at 12:00 o'clock noon.

On motion of Mr. Baxter of Pittsfield,

Adjourned until 12:00 o'clock noon tomorrow.