

# 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

Wednesday, November 29, 1961

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

Prayer by the Rev. Mr. Christopher Ives of Hallowell.

The journal of yesterday was read and approved.

### Papers from the Senate

The following Communication:

STATE OF MAINE  
SENATE CHAMBER

November 28, 1961

Hon. Harvey R. Pease  
Clerk of the House of  
Representatives  
100th Legislature  
State House  
Sir:

Pursuant to the Revised election law enacted by the 100th Legislature, which provides for the creation of a Campaign Reports Committee, the President nominated Senator L. Robert Porteous, Jr. of Cumberland and Senator Romeo T. Boisvert of Androscoggin as members of this committee.

As Senate members to committee vacancies caused by the resignation of former Senator Joseph T. Edgar of Hancock County, the President named Senator John B. Ells of Hancock to the Committee on Taxation, and Senator William F. Boardman of Washington as Chairman of the Committee on Election Laws.

Respectfully,

(Signed)

CHESTER T. WINSLOW  
Secretary of the Senate

The Communication was read and ordered placed on file.

### House Reports of Committees Leave to Withdraw

Mr. Hughes from the Committee on Claims on Resolve in favor of Ross Sinclair of New Gloucester (H. P. 1199) (L. D. 1652) reported Leave to Withdraw.

Mr. Kellam from the Committee on Legal Affairs reported same on Bill "An Act to Create the Biddeford Parking District" (H. P. 1214) (L. D. 1667)

Mr. Pike from the Committee on Sea and Shore Fisheries reported same on Bill "An Act Extending the Sardine Canning Season for Two Years" (H. P. 1227) (L. D. 1687)

Mrs. Baker from the Committee on Towns and Counties reported same on Bill "An Act relating to Advertising and Promotion in Aroostook County" (H. P. 1200) (L. D. 1653)

Mr. Baxter from the Committee on Taxation on Bill "An Act Exempting Fallout Shelters from Real Estate Taxation" (H. P. 1216) (L. D. 1669) reported Leave to Withdraw, as covered by other legislation.

Reports were read and accepted and sent up for concurrence.

### Ought to Pass Printed Bills

Mrs. Smith from the Committee on Appropriations and Financial Affairs reported "Ought to pass" on Bill "An Act Appropriating Moneys for Office of Director of Legislative Research" (H. P. 1194) (L. D. 1647)

Mr. Wellman from same Committee reported same on Bill "An Act to Provide Funds for the Support of Cardiac and Related Services" (H. P. 1197) (L. D. 1650)

Mr. Moore from the Committee on Constitutional State Reapportionment and Congressional Redistricting reported same on Resolve to Correct Inconsistencies in the Apportionment of Representatives to the Legislature (H. P. 1193) (L. D. 1646)

Mr. Estey from the Committee on Education reported same on 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)

Mrs. Hanson from same Committee reported same on Bill "An Act to Authorize the Municipalities of Carmel and Levant to Form a School Administrative District" (H. P. 1201) (L. D. 1654)

Mr. Hichborn from same Committee reported same on Bill "An Act to Authorize the Towns of Greenville and Shirley to Form a School Administrative District" (H. P. 1217) (L. D. 1670)

Mr. Sirois from same Committee reported same on Bill "An Act to Authorize the Municipalities of Deer Isle and Stonington to Form a School Administrative District" (H. P. 1203) (L. D. 1656)

Mr. Turner from the Committee on Highways reported same on Bill "An Act to Repeal the Law Establishing Ferry Service Between Vinalhaven and North Haven" (H. P. 1208) (L. D. 1661)

Mr. Berman from the Committee on Legal Affairs reported same on Bill "An Act Amending the Charter of the City of Brewer High School District" (H. P. 1204) (L. D. 1657)

Mr. Berry from same Committee reported same on Bill "An Act to Amend the Charter of York Beach Village Corporation" (H. P. 1224) (L. D. 1684)

Mrs. Sproul from same Committee reported same on Bill "An Act relating to Town of Bucksport School District" (H. P. 1205) (L. D. 1658)

Mr. Cyr from the Committee on Public Utilities reported same on Bill "An Act relating to Capital Stock of Fort Kent Water Company" (H. P. 1218) (L. D. 1671)

Mr. Dennison from the Committee on Retirements and Pensions reported same on Bill "An Act relating to State Retirement Benefits for Certain Teachers" (H. P. 1212) (L. D. 1665)

Mr. Walker from same Committee reported same on Resolve in favor of Martha Morey of Shirley Mills (H. P. 1220) (L. D. 1673)

Mr. Kimball from the Committee on State Government reported same on Bill "An Act Repealing Emergency Interim Judicial Succession" (H. P. 1232) (L. D. 1697)

Mrs. Baker from the Committee on Towns and Counties reported same on Bill "An Act relating to Salary of Register of Deeds of Franklin County" (H. P. 1225) (L. D. 1685)

Mr. Hancock from the Committee on Welfare reported same on Bill "An Act relating to the Control of Sources of Ionizing Radiation" (H. P. 1228) (L. D. 1688)

Mr. Hinds from same Committee reported same on Bill "An Act Repealing Law Creating a Lien on Real Property of Beneficiaries of

Public Assistance" (H. P. 1210) (L. D. 1663)

Reports were read and accepted, the Bills read twice, Resolves read once and, under suspension of the rules, assigned at two o'clock this afternoon.

#### **Ought to Pass with Committee Amendment**

Mr. Durgin from the Committee on Education on Bill "An Act to Authorize the Towns of Oakland and Sidney to Form a School Administrative District" (H. P. 1213) (L. D. 1666) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Bill read twice.

Committee Amendment "A" was read by the Clerk as follows: COMMITTEE AMENDMENT "A" to H. P. 1213, L. D. 1666, Bill, "An Act to Authorize the Towns of Oakland and Sidney to Form a School Administrative District."

Amend said Bill by striking out the 8th paragraph of the Emergency preamble.

Committee Amendment "A" was adopted and, under suspension of the rules, the Bill assigned for third reading at two o'clock this afternoon.

Mr. Briggs from the Committee on Legal Affairs on Bill "An Act Amending the Charter of the Calais School District" (H. P. 1222) (L. D. 1675) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Bill read twice.

Committee Amendment "A" was read by the Clerk as follows: COMMITTEE AMENDMENT "A" to H. P. 1222, L. D. 1675, Bill, "An Act Amending the Charter of the Calais School District."

Amend said Bill by adding after section 2 thereof, a new section 3, as follows:

**'Sec. 3. Acceptance of chapter 86 of the private and special laws of 1961 by the voters of the City of Calais ratified.** The acceptance of chapter 86 of the private and special laws of 1961 by the legal voters of the City of Calais at an

election held therein on April 3, 1961 is hereby ratified and the authority granted by said chapter 86 is hereby confirmed; and said chapter 86 shall be deemed to have taken effect on said date.'

Committee Amendment "A" was adopted and, under suspension of the rules, the Bill assigned for third reading at two o'clock this afternoon.

Mr. Ham from the Committee on Public Utilities on Bill "An Act to Increase the Borrowing Capacity of East Boothbay Water District" (H. P. 1206) (L. D. 1659) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Bill read twice.

Committee Amendment "A" was read by the Clerk as follows: COMMITTEE AMENDMENT "A" to H. P. 1206, L. D. 1659, Bill, "An Act to Increase the Borrowing Capacity of East Boothbay Water District."

Amend said Bill by striking out in the 9th line from the end the underlined figure "\$425,000" and inserting in place thereof the underlined figure '\$475,000'

Committee Amendment A was adopted and, under suspension of the rules, the Bill assigned for third reading at two o'clock this afternoon.

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

Mr. Maddox from the Committee on Sea and Shore Fisheries on Bill "An Act to Extend the Sardine Canning Season" (H. P. 1195) (L. D. 1648) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read.

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

Mr. MADDUX: Mr. Speaker, it has been discovered this morning that the wording of the amendment does not reflect the finding of the Committee, and I ask the privi-

lege of tabling this until two o'clock this afternoon for redraft of the amendment.

The SPEAKER: The Chair would advise the gentleman from Vinalhaven, Mr. Maddox, that we can give this bill two readings at this time and not adopt the amendment. That will give you time enough to make corrections in your amendment, and then when we give the bill the third reading this afternoon, you can introduce your corrected amendment at that time, and that will not hold up the progress of the bill; so the Chair understands that the gentleman withdraws his request.

Thereupon, the "Ought to pass" Report was accepted, the Bill read twice and, under suspension of the rules, assigned for two o'clock this afternoon.

The SPEAKER: The Chair takes great pleasure at this time in recognizing the presence in the hall of the House of our distinguished Congressman, Representative Clifford G. McIntire. The Chair will request that the Congressman be escorted to the rostrum by the Sergeant-at-Arms, to be the guest of the Speaker.

Thereupon, Honorable Clifford G. McIntire was escorted to the rostrum by the Sergeant-at-Arms amid applause of the House, the Members rising.

The SPEAKER: Ladies and Gentlemen of the House, Congressman McIntire. (Applause)

Mr. Dennett from the Committee on State Government on Bill "An Act to Provide for a Legislative Finance Officer" (H. P. 1215) (L. D. 1668) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Bill read twice.

Committee Amendment "A" was read by the Clerk as follows: COMMITTEE AMENDMENT "A" to H. P. 1215, L. D. 1668, Bill, "An Act to Provide for a Legislative Finance Officer."

Amend said Bill in the 11th line by inserting after the underlined word "expenses" the following underlined words 'which shall be paid from the legislative appropriation.'

Committee Amendment "A" was adopted and, under suspension of the rules, the Bill assigned for third reading at two o'clock this afternoon.

### Divided Report

Majority Report of the Committee on Taxation on Bill "An Act to Exempt Fallout Shelters from Taxation" (H. P. 1196) (L. D. 1649) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was signed by the following members:

Messrs. WYMAN of Washington  
PORTEOUS of  
Cumberland  
ELLS of Hancock  
—of the Senate.

Messrs. MAXWELL of Jay  
LETOURNEAU of Sanford  
BAXTER of Pittsfield  
WHEATON of Princeton  
BRADEEN of Waterboro  
ALBAIR of Caribou  
—of the House.

Minority Report of same Committee reporting "Ought not to pass" on same Bill.

Report was signed by the following member:

Mr. WATERMAN of Auburn  
—of the House.

Reports were read.

On motion of the gentleman from Bangor, Mr. Wellman, the Majority "Ought to pass" Report was accepted and the Bill read twice.

Committee Amendment "A" was read by the Clerk as follows: COMMITTEE AMENDMENT "A" to H. P. 1196, L. D. 1649, Bill, "An Act to Exempt Fallout Shelters from Taxation."

Amend said Bill by striking out all of paragraph F and inserting in place thereof the following underlined paragraph:

**"F. Any real property constructed, altered or improved as to include or to include a fallout shelter facility complying with the specifications of the Office of Civil Defense of the Department of Defense of the United States Government to the extent that the increase in value of real property is attributable to the fallout shelter facility; provided that no exemption shall be allowed in an amount**

**greater than \$200 multiplied by the number of occupants which such fallout shelter facility is designed to accommodate in accordance with such specifications.'"**

Committee Amendment "A" was adopted and, under suspension of the rules, the Bill assigned for third reading at two o'clock this afternoon.

### Orders of the Day

Mr. Fogg of Madison was granted unanimous consent to address the House briefly.

Mr. FOGG: Mr. Speaker, I want to call to the attention of the Democrats to be sure to meet me in Room 135 immediately after this morning's session.

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

JOINT ORDER—Adding New Joint Rule 19-D. (H. P. 1234)  
Tabled—Nov. 28, by Mr. Whitman of Woodstock.

Pending—Passage.

Thereupon, the Joint Order received passage and was sent up for concurrence.

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

JOINT ORDER—Adding New Joint Rule 2-A. (H. P. 1235)  
Tabled—Nov. 28, by Mr. Whitman of Woodstock.

Pending—Passage.

Thereupon, the Joint Order received passage and was sent up for concurrence.

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

JOINT ORDER—Amending Joint Rule 14. (H. P. 1236)  
Tabled—Nov. 28, by Mr. Whitman of Woodstock.

Pending—Passage.

Mr. Whitman of Woodstock offered House Amendment "A" and moved its adoption.

House Amendment "A" was read by the Clerk as follows: HOUSE AMENDMENT "A" to H. P. 1236, AMENDING JOINT RULE NO. 14.

Amend said order in the 4th line by striking out the words "of the members".

House Amendment "A" was adopted and the Joint Order, as amended, received passage. Sent up for concurrence.

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

JOINT ORDER—Relative to Printing the Legislative Record. (S. P. 622) (In Senate Read and Passed)

Tabled—Nov. 28, by Mr. Baxter of Pittsfield.

Pending—Passage.

Mr. Baxter of Pittsfield offered House Amendment "A" and moved its adoption.

House Amendment "A" was read by the Clerk as follows:  
HOUSE AMENDMENT "A" to S. P. 622, Senate Joint Order Relative to Printing of the Legislative Record.

Amend said order by striking out the words three hundred fifty and inserting in place thereof the words three hundred twenty-five.

Further amend said order by striking out all of the second paragraph thereof.

House Amendment "A" was adopted and the Joint Order, as amended, received passage. Sent up for concurrence.

At this point, Congressman Clifford G. McIntire was escorted from the Hall of the House by the Sergeant-at-Arms amid applause.

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

Mr. JALBERT: Mr. Speaker, for purposes of making a motion briefly explaining, I was following these orders from the printed orders, the blank that was distributed on our desks yesterday. I note on the calendar the second item shows as the third item on this blue sheet, and merely for the purpose of information and discussion of this most important order that went unnoticed at least by me, because I had a note on this sheet to ask information on it, I would move that we reconsider our action whereby we passed this order.

I would speak on it right off and not delay anything.

The SPEAKER: With reference to Joint Order numbered two, being an amendment to Rule 2-A, being the second item under items tabled and today assigned, the gentleman from Lewiston, Mr. Jalberty, moves for the purpose of further discussion on this item, that the House reconsider its action whereby it just passed this Joint Order. Is it the pleasure of the House that this item, being House Paper 1235, be reconsidered?

(Cries of "No")

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

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

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

Mr. JALBERT: Mr. Speaker, first I would like to commend the subcommittee on the Legislative Research Committee for taking up rules pertaining to the next session at a special session. It has been the thinking for many years that when you take up some of these rule changes at the beginning of a session, some of the new members are not aware of what the rules are, and that is justifiable and understandable, and after a session under their belts so to speak, and if we do come back in special session, some of these orders can be taken up again.

At the last session, or the session before, the House and the other branch entertained a subcommittee to make some rule changes. Some of those rules were accepted; others were referred to another committee; no action was taken, then the matter by order was referred to the Legislative Research Committee and out of this is the upshot of these orders that we passed today, and this order as submitted to us, wherein it pertains to the Appropriations Committee.

Now the Order, and I will read it, which states to amend Rule 2-A to read as follows: "2-A. The Senate Chairman of the Committee on Appropriations and Financial Affairs shall appoint from said com-

mittee 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."

Now I am fully aware that the Appropriations Committee, in the minds of many, is overworked and overloaded. Every session and every meeting of the Research Committee or an interim rules committee, discusses at length what action should be taken. Oftentimes the action has been that the committee should be augmented. Oftentimes it has been discussed that the committee should be split both on a basis of hearing capital bills or bills of a capital nature and bills of a recurring nature. Eventually the problem will be solved.

In commending the Committee, I am not taking direct issue with this item here. But maybe too long, but however, having served on the committee for a number of times, I am fully aware of the work involved. I also feel that if those that think there is too much work on the committee why they just don't have to serve. If I don't like evening meetings, why I don't have to go, and I don't like evening meetings. However, on this thing here, this would empower the Chairman to name subcommittees, and certainly I am not speaking on a partisan basis; I don't think there is one iota of politics involved in this item. The problem, however, would be that oftentimes now we have a lot of trouble having a committee made up—joint standing committee made up of ten members on any committee, we have a lot of problems and a lot of trouble having a quorum. Now let's remember that as a courtesy, we advertise bills in the papers. Oftentimes people come from far away to these hearings. Let's assume that a bill was to be heard with three members serving on it, and the Chairman has delegated as such. Let's assume that there is only one member present. There is nothing here in this rule that states what a quorum would be, so that we

would hold up a great many people.

Oftentimes it happens in the regular process in the full committee that we have to go chase around to find maybe one or two members to make up a quorum, but the delay is not as great as the delay would be here. If two members on that committee who have been allocated on that committee are not present, and if three other members have been named to hear another bill, and three other members have been named to hear another bill, what happens to the people who are waiting, and there is only one member to hear this one bill here. The delay is there; the inconvenience is there, and after all, it is our duty and I know it is our wish to want to serve and to be of assistance and of the best service as we can to all of our people that we represent from all of our areas in the State of Maine.

Also, there is nothing here that takes conflict or issue with the rule that we have that says that all joint standing committees shall be made up of seven members from the House and three members from the other branch.

I think that this order here, having gone probably unnoticed at the outset, probably should have a great deal of study, and as I stated twice that I commend the Committee, Research Committee, for its work. However, I think this is important enough that it is possible that public hearings could be held.

I have given you my humble pitch. Others can talk about it, but because of the importance of this item, the great importance of it, because I feel very strongly that there should be a great deal of study given to it by others besides myself who might have even more knowledge or experience or wisdom than I certainly have, I would now move that this order be re-referred to the Committee on Legislative Research.

The SPEAKER: The question before the House is the motion of the gentleman from Lewiston, Mr. Jalbert, that this Order be referred to the Committee on Legislative Research.



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

Mr. BAXTER: Mr. Speaker, we certainly appreciate the kind words of the gentleman from Lewiston, Mr. Jalbert, concerning the work of the Legislative Research Committee concerning this order.

I think I would like to call two things to your attention. One is that a report printed in December of 1960 by a special committee set up to study the joint rules, of which the gentleman from Lewiston, Mr. Jalbert, was a member, I believe, yes, and secretary, recommended or set forth and after considerable study I am sure and after considerable thought, the general idea that we are expressing here.

In that original report, which as I say has been out since December 1960, it was proposed to increase the Legislative Research Committee to fifteen members from the ten that we have now. In considering this again this time in the Legislative Research Committee, it was brought out, and has been brought out many times in the past, that the Senators are heavily burdened already by having to serve on several committees, and it was felt that this was a definite problem.

Now I personally think that over the years we are going to eliminate some of the committees that we now have and thus be able to increase the size of our Appropriations Committee or possibly even have two Appropriations Committees, I don't know just what that trend will be. However, we do have the problem of the work load of the Senators. Now for that reason we stuck with the ten-member committee. However, we did feel, after particularly the last two sessions, that we had to give the Appropriations Committee an opportunity to expedite its work if it could. We certainly feel that the Appropriations Committee is composed of the finest Legislators that we have in the Legislature. We have no complaints with regard to the Committee itself or the members of the Committee. They work very hard. They obviously work harder than any of the rest of us I am

sure. We do have a complaint about the system which means or which has resulted in some of our most important appropriations bills, or the most important bills before the Legislature, not being reported out to the Legislature until way after the time that we would ordinarily like to adjourn, and what we would like to do in this order is set up a system whereby the Appropriations Committee can start to experiment with doing something about this. We keep postponing it and we keep staying here and I might say that this probably does have something to do with the matter of annual sessions. Obviously, if this is dragged out because of poor mechanics, we do face more the spectre of annual sessions. We do not feel it is necessary. We feel that the biennial sessions could be made efficient enough so that the work could be taken care of comfortably within a comfortable period.

Now what this says is that the Senate Chairman shall appoint from the committee such subcommittees as the committee shall direct. The original order said that there should be a second committee. It is the committee belief that the time—let me see, for the purpose of expediting the committee work load, the enlarged committee should be divided into two subcommittees. Now that was a directive from above. This merely gives the Appropriations Committee the chance to do some subdividing if the committee altogether in its wisdom feels that it will expedite its work and if it feels it will have a quorum and so forth and so on, the other matters that the gentleman from Lewiston, Mr. Jalbert, has brought up.

This being the case, and we did this on purpose, we left this within the discretion of the Appropriations Committee, giving them a tool to help themselves if they wish. This being the case, I see absolutely no reason why this order should not be passed at this time, and I think it will be a step in this direction that we seem to have so much difficulty with over the years. Therefore, I hope that

the motion of the gentleman from Lewiston, Mr. Jalbert, to recommend this to the Legislative Research Committee does not prevail.

The SPEAKER: Will the gentleman from Lewiston, Mr. Jalbert, kindly approach the rostrum for a moment please, and the gentleman from Pittsfield, Mr. Baxter.

(Conference at the rostrum)

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

Mr. JALBERT: Mr. Speaker, the gentleman from Pittsfield has done exactly what I wanted him to do. He has explained the situation. I brought it forward for one other reason, however. I have discussed this with the Budget Officer and the Clerk who told me it might sometime create a hardship where the Appropriations Committee has all these records and everything else, it might create a hardship setting up meetings, but the explanation has been very well given. It is a permissive thing in the first place, and I now withdraw my motion.

The SPEAKER: The gentleman from Lewiston, Mr. Jalbert, withdraws his motion. Is it now the pleasure of the House that this Order shall receive passage?

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

Mr. CURTIS: Mr. Speaker, Ladies and Gentlemen: This seems a little mite confusing to me, perhaps because I am especially dumb, but it says here: The Senate Chairman of the Committee on Appropriations and Financial Affairs shall appoint from said committee\*\*\*. Now does that mean from their own committee? If it does, why do they have to have any power from the Legislature to let them do it?

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

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

Mr. WELLMAN: Mr. Speaker, I believe I could answer that question that the Representative from

Bowdoinham, Mr. Curtis, has asked, by saying that at the present time our practice is that a majority of the whole standing committee must be present at a hearing. This would give authorization for less than a majority of the ten appointed members to conduct the hearing.

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

The motion prevailed, the Order received passage and was sent up for concurrence.

On motion of Mr. Baxter of Pittsfield,

Recessed until two o'clock this afternoon.

### After Recess

2:00 P.M.

The House was called to order by the Speaker.

The SPEAKER: At this time, the Chair takes great pleasure in recognizing the presence in the gallery of the junior class of Bristol High School, accompanied by their teacher in State Government, Mr. Finnemore. On behalf of the 100th Legislature the Chair extends to you a most hearty and cordial welcome and we hope that you will enjoy and profit by your visit with us here today. (Applause)

The Chair also wishes to take this opportunity to express congratulations to the Clerk and to his staff for the excellent manner in which they are preparing the work for this special session, much of it done on a moment's notice and at all hours of the day and the night. (Applause)

The Chair also wishes to express appreciation for the great work that the Joint Standing Committees of the Legislature of this House and of the Senate have done in getting their committee reports reported out.

The Chair would also like to announce that there will be a session of this Legislature this evening, both the House and the Senate convening, the House at 7:30 this evening.

The SPEAKER: The Chair will call attention to Supplement num-

ber 1, Bills in the Third Reading, assigned for third reading at 2:00 P.M., beginning with Bill "An Act Appropriating Moneys for Office of Director of Legislative Research."

#### **Passed to Be Engrossed**

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

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

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

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)

Bill "An Act to Authorize the Municipalities of Deer Isle and Stonington to Form a School Administrative District" (H. P. 1203) (L. D. 1656)

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

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

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

Bill "An Act Repealing Law Creating a Lien on Real Property of Beneficiaries of Public Assistance" (H. P. 1210) (L. D. 1663)

Bill "An Act relating to State Retirement Benefits for Certain Teachers" (H. P. 1212) (L. D. 1665)

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

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

Bill "An Act to Amend the Charter of York Beach Village Corporation" (H. P. 1224) (L. D. 1684)

Bill "An Act relating to Salary of Register of Deeds of Franklin County" (H. P. 1225) (L. D. 1685)

Bill "An Act relating to the Control of Sources of Ionizing Radiation" (H. P. 1228) (L. D. 1688)

Bill "An Act Repealing Emergency Interim Judicial Succession" (H. P. 1232) (L. D. 1697)

Resolve to Correct Inconsistencies in the Apportionment of Representatives to the Legislature (H. P. 1193) (L. D. 1646)

Resolve in favor of Martha Morrey of Shirley Mills (H. P. 1220) (L. D. 1673)

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

#### **Amended Bills**

Bill "An Act to Authorize the Towns of Oakland and Sidney to Form a School Administrative District" (H. P. 1213) (L. D. 1666)

Bill "An Act Amending the Charter of the Calais School District" (H. P. 1222) (L. D. 1675)

Bill "An Act to Increase the Borrowing Capacity of East Boothbay Water District" (H. P. 1206) (L. D. 1659)

Were reported by the Committee on Bills in the Third Reading, read the third time, passed to be engrossed as amended by Committee Amendment "A" and sent forthwith to the Senate.

#### **Tabled Until Later in Today's Session**

Bill "An Act to Provide for a Legislative Finance Officer" (H. P. 1215) (L. D. 1668)

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

(On motion of Mr. Winchenpaw of Friendship, tabled pending passage to be engrossed until later in today's session.)

Bill "An Act to Exempt Fallout Shelters from Taxation" (H. P. 1196) (L. D. 1649)

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

The SPEAKER: The Chair recognizes the gentleman from Auburn, Mr. Waterman.

Mr. WATERMAN: Mr. Speaker and Ladies and Gentlemen: In ref-

erence to this item 23, an Act to Exempt Fallout Shelters from Taxation, there is some material which I have been unable to obtain regarding this particular item, and I think it is quite pertinent to it. In all probabilities, this literature which is supposed to be in the library and it isn't there, and it probably won't be while this session is in duration, but I feel that to exempt fallout shelters from taxation should be left up to the local tax assessors and at their discretion, and for that reason I would move indefinite postponement of this bill.

The SPEAKER: In reference to item 23, the gentleman from Auburn, Mr. Waterman, moves that it be indefinitely postponed.

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

Mr. WELLMAN: Mr. Speaker and Ladies and Gentlemen of the House: I would most seriously urge you to oppose the motion of the gentleman from Auburn, for the very fact that we don't want to leave this problem to the local tax assessors. We want to solve this problem here in this Hall so that they will not be faced with it.

What we are striving to do is to tell the local tax assessor that pursuant to the formula that is contained in the bill, the additional real estate value shall not be subject to the tax. Now why did we offer this bill? For the very reason that the people who are now about or are considering building a shelter either in their house or outside of the house or as has happened in one community near Bangor, they are considering purchasing a lot and building a shelter for a group of families or several brothers are getting together and building a shelter. We want them to know that when they start out to build that they will not be faced with an unstable tax assessment proposition. They will know what they are getting into as far as the tax is concerned. The assessors are somewhat unsure as to how they are going to move in the future on the valuation of shelters. Right now they are under the feeling that a shelter adds no value to the real estate, but one assessor told me, as soon as we have any indica-

tion that a shelter is adding value to the real estate, it will be taxed. That is the very problem that this bill is trying to remove. I hope you will not indefinitely postpone this bill.

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

Mr. LITTLEFIELD: Mr. Speaker, Ladies and Gentlemen of the House: It may be a good idea to build fallout shelters, but I cannot agree that it is a good idea to exempt them from taxation by this legislative bill. Let us read the last part of the bill of amendment "A" which states that no exemption shall be allowed in an amount greater than \$200 multiplied by the number of occupants which such fallout shelter facility is designed to accommodate in accordance with such specifications. If twenty people can be accommodated, then the exemption would be twenty times two hundred or \$4,000.

There is another reason. It exempts from taxation a person able to build a shelter and pay his taxes when our towns are desperately in need of tax money, and tax money has to come from those able to pay.

In 1941 there was talk of preparing homes against emergency, so I personally improved my home. I purchased a forced pump for our well and a pipe to connect the well water with the hot water heater; placed a Detroit valve on the hot water heater, had the fireplace repaired and kept the range in our kitchen. With a supply of wood and coal in the basement the house is quite well fitted for an emergency. The valuation on our home was raised by the town authorities for these improvements. I did not see anything wrong in raising the valuation. The house was worth more. The improvements were made for my protection, and I thought it was my patriotic duty to do it.

Now at the present time in the town of Hampden I am able to pay my taxes and I can build a fallout shelter. Across the street is a young family with five children in school. They are a splendid family and it takes every penny he can earn to keep his family clothed and alive. He cannot build a shel-

ter. What is he going to do? It is my opinion that the answer to this problem is public shelters and not tax exempted private shelters. So I would like to go on record as being in favor of indefinitely postponing the bill.

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

Mr. CURTIS: Mr. Speaker, Ladies and Gentlemen: I am much in favor of this bill and of course by that same token I am opposed to the amendment. Now why am I or should you be in favor of this bill? I believe that these shelters would be a great deterrent to Mr. Khrushchev if we had enough of them, and I believe they should be exempt from taxation.

The gentleman who just spoke tells about the town being in need of money. Well, if there aren't any people in the town that won't need any money, that's sure, there won't be anybody there to pay it. Now the Federal Government is spending not millions but billions of dollars to deter Mr. Khrushchev. We are spending it in the Congo, we are spending it in South America, we are spending it all over the face of the earth trying to keep the communists from getting a greater hold, and we know that the day, or feel sure, when the Russians who are in command of the Russian people, the communist party will start a war just as soon as they think that they can win. Why they haven't started before is because they know they cannot win. But they are increasing each year, each month, with their preparations much faster and much more than we know about, and I feel that a great deterrent to them is the fact to know that they just can't put us out of business entirely. They know if they started a war with us now, while they could probably get a few million of us, but we could blast them off the face of the earth; but if they keep on gaining as they have been, it won't be too long before they think they can blast us off and perhaps they can. And I would like to see the Federal Government come into this thing and spend a few billions of dollars to build these shelters because I believe it will be a great

deterrent to Mr. Khrushchev and his crew of madmen to keep from attacking us. I think it is well worth the effort. I think that it is much needed, and I am in hopes the amendment will not prevail.

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

Mr. BRIGGS: Mr. Speaker, I am in favor of this bill as amended. You are going to have a very unhealthy situation if you allow the towns to determine or leave it up to the selectmen whether to tax fallout shelters or not tax fallout shelters. One town will have one policy; another town across the line can have another policy. People will feel that they are being discriminated against.

I recently saw pictures in a leading magazine of fallout shelters being built all over Russia in apartment houses and private homes and throughout the countryside. Now they are getting way ahead of us in the fallout shelter program and, as Mr. Curtis just stated, if they think they are far ahead enough on everything, they are apt to drop a bomb on us one of these days while we are asleep or in one end of the country and the rest of the people will not have a lot of these fallout shelters that they should have.

Now getting back to public fallout shelters, I also favor them. However, you take a person living on an isolated farm somewhere or two or three miles from town, he is going to want to have his own shelter. He doesn't want to have to drive into town to some public shelter. He may not be able to get there in time. Therefore, I hope that the motion does not prevail.

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

Mr. DODGE: Mr. Speaker and Members of the House: I am in favor of this bill, but I am a little mite worried about the amendment. Now the amendment says that a fallout shelter made to accommodate so many people, each person, \$200. Now you could take a home where just two people live, they can make their whole basement into a fallout shelter to accommodate twenty people. Are you going

to make it so that those twenty people, you take \$200 for each person, and while only two people are going to occupy the thing, you still can accommodate twenty people, and the assessors — I'm a little mite worried about how this may be interpreted.

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

Mr. COOPER: Mr. Speaker, Ladies and Gentlemen of the House: I rise in support of the indefinite postponement of this bill. Matter of fact, I think the thing is pretty well ballooned up in the first place. We have had television programs and we have had literature that we could read by some of the best scientists in the United States who said that this matter of fallout isn't anywhere near as serious as some would lead us to believe. I don't want to throw any cold water on anything that is good for the people, but I don't think at this time that there is an emergency. I don't think it would accomplish the purpose for which some think it would. I can conceive of some person with considerable wealth who might build himself a fallout shelter and actually it would be a rumpus room, and I think that when a man improves his property, he has increased its value, I think it should be taxed. Thank you.

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

Mr. WELLMAN: Mr. Speaker, I would like to clear up I believe one point the gentleman from Guilford, Mr. Dodge raised, where it says to the extent that the increase in value of real property is attributable to the fallout shelter that an exemption will be allowed for an amount no greater than \$200 multiplied by the number of occupants. In other words, you couldn't build a fallout shelter, a family of two couldn't build a fallout shelter for twenty people and decrease their real estate valuation. I don't want anybody to get that idea. I would request a division when the vote is taken.

The SPEAKER: A division has been requested. The question before the House is the motion of

the gentleman from Auburn, Mr. Waterman, that item 23, Bill "An Act to Exempt Fallout Shelters from Taxation," L. D. 1649, be indefinitely postponed. All those in favor of indefinite postponement, please rise and remain standing until the monitors have made and returned their count.

A division of the House was had.

Twenty-nine having voted in the affirmative and one hundred having voted in the negative, the motion did not prevail.

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

Bill "An Act to Extend the Sardine Canning Season" (H. P. 1195) (L. D. 1648)

Was reported by the Committee on Bills in the Third Reading.

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

COMMITTEE AMENDMENT "A" to H. P. 1195, L. D. 1648, Bill, "An Act to Extend the Sardine Canning Season."

Amend said Bill in section 1 by striking out the 6th line and inserting in place thereof the following line:

**'annually thereafter except that in the years 1961 and 1962 said license shall'**

Further amend said Bill in section 2 by striking out the figure "1961" in the 5th line and inserting in place thereof the figure "1962"

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

Mr. PIKE: Mr. Speaker, due to an error in drafting Committee Amendment "A", the amendment did not represent the unanimous vote of the Committee yesterday. I therefore move the indefinite postponement of Committee Amendment "A". I shall introduce House Amendment "A" to cover the situation.

The SPEAKER: Is it the pleasure of the House that Committee Amendment "A" shall be indefinitely postponed?

The motion prevailed.

Thereupon, the Bill was given its third reading.

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

Mr. PIKE: Mr. Speaker, an amendment has been prepared known as House Amendment "A" and has received the unanimous support of the Committee which believes it represents its vote of yesterday. As our legal sardine season closes tomorrow night, I hasten to offer House Amendment "A" to House Paper 1195 and move its adoption.

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

HOUSE AMENDMENT "A" to H. P. 1195, L. D. 1648, Bill, "An Act to Extend the Sardine Canning Season."

Amend said Bill in section 1 by striking out the 6th, 7th and 8th lines and inserting in place thereof the following lines: 'annually thereafter, except that in the year 1961 said license shall run from April 15th to December 31st, unless sooner revoked as herein provided, and except that in the year 1962 said license shall run from January 1st to December 31st, unless sooner revoked.'

Further amend said Bill in section 2 by striking out the figure "1961" in the 5th line and inserting in place thereof the figure '1962'

House Amendment "A" was adopted, the Bill passed to be engrossed as amended by House Amendment "A" and sent forthwith to the Senate.

The following matters, appearing on Supplement No. 2, were taken up out of order:

#### House Reports of Committees Leave to Withdraw

Mr. Davis from the Committee on Appropriations and Financial Affairs on Resolve in favor of School Administrative District No. 14, Danforth-Weston, for School Construction Aid (H. P. 1231) (L. D. 1696) reported Leave to Withdraw.

Mr. Jalbert from same Committee on Bill "An Act Providing for the Construction of an Emergency Operating Center for State Government in Farmington" (H. P. 1219) (L. D. 1672) reported Leave to Withdraw, as covered by other legislation.

Reports were read and accepted and sent up for concurrence.

#### Ought to Pass Printed Bills

Mrs. Harrington from the Committee on Agriculture reported "Ought to pass" on Bill "An Act Granting Courts Power to Issue Injunctions to Enforce Milk Commission Law" (H. P. 1221) (L. D. 1674)

Mrs. Smith from the Committee on Appropriations and Financial Affairs reported same on Bill "An Act to Authorize the Employment of Additional Personnel at the Maine Vocational Technical Institute" (H. P. 1198) (L. D. 1651)

Reports were read and accepted and the Bills read twice and, under suspension of the rules, assigned for third reading at 7:30 this evening.

#### Divided Report

Majority Report of the Committee on Transportation on Bill "An Act relating to Gross Weight and Width of Trucks Hauling Construction Materials" (H. P. 1209) (L. D. 1662) reporting same in a new draft (H. P. 1237) (L. D. 1702) under same title and that it "Ought to pass"

Report was signed by the following members:

Messrs. STILPHEN of Knox  
GILBERT of Kennebec  
— of the Senate.

Messrs. DUNN of Poland  
FINLEY of Washington  
LINNEKIN of Limington  
WHITNEY of Winn  
BUSSIÈRE of Lewiston  
NADEAU of Lewiston  
— of the House.

Minority Report of same Committee reporting "Ought not to pass" on same Bill.

Report was signed by the following members:

Mr. COLE of Waldo  
— of the Senate.  
Mr. BERRY of Portland  
— of the House.

Reports were read.

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

Mr. BERRY: Mr. Speaker and Ladies and Gentlemen of the House:

As you know during the regular session, I supported many bills from the Transportation Committee. There were some that I was opposed to. This bill came in during the last regular session as an amendment. It was defeated here on the floor of the House. It is now here as an emergency bill in the special session.

Looking into the bill and the reason that I signed it the way I did, first off it increases the weight from 48,000 pounds to 55,000 pounds on three axle tandems, twelve months out of the year. Their overall distance in tandem axles calls for only sixteen feet. It also is exempting them from all axle weights and attempts to increase the width from ninety-six inches, which is a Federal Highway Act established in 1956, to one hundred inches.

I spent all of this morning trying to have a legal opinion on this bill as far as the legality of it and what it might constitutionally do to our Federal Highway Act of 1956. I have not been able to find or have had time to come up with this opinion. At this time I would recommend that this bill and both its reports be indefinitely postponed until a regular session when it can be given more thorough thought and gone into as far as our federal constitutionality. Now if this bill does in any way violate the Federal Act of 1956, it will put the State of Maine in the same position that the State of Massachusetts was in when they were in jeopardy of fifty-one million dollars from the federal highway.

I ask that this bill and both its reports be indefinitely postponed and ask for a division.

The SPEAKER: The question now before the House is the motion of the gentleman from Portland, Mr. Berry, that the Bill and both its Reports be indefinitely postponed. A division has been requested.

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

Mr. WELLMAN: Mr. Speaker and Ladies and Gentlemen of the House: I introduced this bill because I felt that there was a problem of dealing with the dump truck owners. They have been operating under a handicap, they have the large, efficient equipment designed to hold

ten or twelve yards. Their equipment is designed to do that, but they have not been able to haul it because of weight and other limitations. This makes them inefficient, they cannot earn enough money to keep their trucks, they cannot earn enough money to pay for their own time. This condition, if allowed to continue, would inevitably work a hardship on our road construction program, which we are all very involved in.

Getting back to the legal question that the gentleman from Portland, Mr. Berry, brings up, I don't believe this is as serious as he does. The basic question is, does this affect the Federal Aid Highway Act of 1956 as it applies to interstate? The interstate system, as you know, is our ninety-five here through Maine, and the section four of the document now under discussion provides that nothing in it shall apply to the use of the interstate system. I don't feel that we are running into a problem with the Federal Bureau of Roads. I would hope that you would turn down the motion now on the floor and that we would then go on to accept the majority report.

The SPEAKER: The question before the House is the motion of the gentleman from Portland, Mr. Berry that both Reports and the Bill "An Act relating to Gross Weight and Width of Trucks Hauling Construction Materials," be indefinitely postponed. Is the House ready for the question?

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

A division of the House was had.

Thirty-two having voted in the affirmative and eighty-three having voted in the negative, the motion to indefinitely postpone did not prevail.

Thereupon the Majority "Ought to pass" in New Draft Report was accepted, and the Bill given its two readings.

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

Mr. CURTIS: Mr. Speaker, Ladies and Gentlemen: I have been much interested in this bill, before it was presented here, and I have



been for it. Now it is a questionable bill, and I would like to study it a little further, and that we all might have a chance, because it does bring in a lot of questions, I would like to table it until tomorrow next.

The SPEAKER: The Chair would advise the gentleman that if he would care to withdraw his tabling motion, that this would be referred for third reading this evening and he might have time between now and then to answer his questions.

Mr. CURTIS: Mr. Speaker, my only interest in this is what is best for the State, and I think perhaps that would give me time and give the others time for I think it is something that we should look into; so I will withdraw my motion.

The SPEAKER: The gentleman from Bowdoinham, Mr. Curtis, has withdrawn his tabling motion.

Is it now the pleasure of the House to suspend the rules for the purpose of assignment?

The motion prevailed and the Bill was assigned for third reading at 7:30 this evening.

#### **Divided Report**

Majority Report of the Committee on Towns and Counties on Bill "An Act to Divide the Town of Enfield, Penobscot County, into Two Communities" (H. P. 1207) (L. D. 1660) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was signed by the following members:

Messrs. WYMAN of Washington  
           ERWIN of York  
           PIKE of Oxford  
                     — of the Senate.  
 Mrs. BAKER of Orrington  
 Mrs. SHAW of Chelsea  
 Messrs. TWEEDIE of Mars Hill  
           DANES  
                     of South Portland  
           JONES of Farmington  
           MacGREGOR of Eastport  
                     — of the House.

Minority Report of same Committee reporting "Ought not to pass" on same Bill.

Report was signed by the following member:

Mr. BEANE of Moscow  
                     — of the House.

Reports were read.

The SPEAKER: The Chair recognizes the gentleman from Howland, Mr. Swett.

Mr. SWETT: Mr. Speaker and Members of the House: I move that the House accept the Majority "Ought to pass" Report.

The SPEAKER: The question now before the House is the motion of the gentleman from Howland, Mr. Swett, that the House accept the Majority "Ought to pass" Report. Is this the pleasure of the House?

Mr. Beane of Moscow asked for a division.

The SPEAKER: A division has been requested. All those in favor of accepting the Majority "Ought to pass" Report, please rise and remain standing until the monitors have made and returned their count.

A division of the House was had.

Eighty-two having voted in the affirmative and thirty-six having voted in the negative, the Majority "Ought to pass" Report was accepted.

The Bill was then given its two readings.

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

COMMITTEE AMENDMENT "A" to H. P. 1207, L. D. 1660, Bill, "An Act to Divide the Town of Enfield, Penobscot County, Into Two Communities."

Amend said Bill in section 10 by striking out the 2nd paragraph and inserting in place thereof the following paragraph:

"The town clerk shall prepare the required ballots on which he shall reduce the subject matter of this act to the following question: "Shall the Act to Incorporate the Town of Enfield, as passed by the First Special Session of the 100th Legislature, be accepted?" The voters shall indicate by a cross or check mark placed against the words "Yes" or "No" their opinion of the same. This act shall take effect for all purposes hereof immediately upon its acceptance by 65 percent of the legal voters voting at said special election."

Committee Amendment "A" was adopted and, under suspension of the rules, the Bill assigned for third reading at 7:30 this evening.

### Divided Report

Majority Report of the Committee on Appropriations and Financial Affairs on Bill "An Act Appropriating Funds to Aid Towns to Control Dutch Elm Disease" (H. P. 1229) (L. D. 1689) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was signed by the following members:

Mr. DAVIS of Cumberland  
— of the Senate.

Messrs. JALBERT of Lewiston

BRAGDON of Perham

Mrs. SMITH of Falmouth

Messrs. DRAKE of Bath

WELLMAN of Bangor

PLANTE

of Old Orchard Beach

DAVIS of Calais

— of the House.

Minority Report of same Committee reporting "Ought not to pass" on same Bill.

Report was signed by the following members:

Messrs. SAMPSON of Somerset

STANLEY of Penobscot

— of the Senate.

Reports were read.

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

Mr. HARDY: Mr. Speaker and Members of the House: I move that we accept the Majority "Ought to pass" Report.

The SPEAKER: The question now before the House is the motion of the gentleman from Hope, Mr. Hardy, that the House accept the Majority "Ought to pass" Report.

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

Mr. JAMESON: Mr. Speaker and Ladies and Gentlemen of the House: I don't think there is anybody here who cares any more for trees than I do. I have been in the business thirty-five years of trying to save the trees, not to cut them down. Now, I think this is a waste of the taxpayers' money; I am going to vote against it unless there is some strict amendment put on there for proper sanitation methods to be adopted and carried out. I can prove to you that for the past five years, ladies and gentlemen, the trees are being sprayed

for Dutch Elm disease — or the Scolytus beetle rather, during the rainstorms.

Now, do you want to appropriate money in a case like this? And this will continue unless it is under proper supervision. I can prove to you in a number of towns where the next sanitation method is the best in my estimation. When the tree is infected and infested with this beetle, it is known as the Scolytus beetle — don't ask me how to spell it. When the tree is removed the proper method, ladies and gentlemen, is to burn the bark immediately. Now over our way I see loads and loads taken to the dump, particularly in Bangor.

I was there when two different loads were brought in, because I can't use this word I have got to be careful. A truck came in with a load of diseased wood. The caretaker at the dump said, take it down there. He says, this has got to be burned over in a fire immediately. He says it's Dutch Elm disease. Well, you knew the word I'm going to use anyway. That's just how much attention he paid to it; he says take it down there, I'll burn it when I get good and ready. Now this Scolytus beetle may be right at a time when it is going to leave the bark and fly to the next healthy tree. So what is the sense of trying to use sanitation methods like that?

I go against this and I strongly endorse this Minority Report, unless you can put an amendment on and see that your \$69,000 is well spent and supervised. Thank you.

The SPEAKER: The question before the House is the motion of the gentleman from Hope, Mr. Hardy, that the House accept the Majority "Ought to pass" Report. Is this the pleasure of the House?

The motion prevailed.

The Bill was then given its two readings.

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

COMMITTEE AMENDMENT "A" to H. P. 1229, L. D. 1689, Bill, "An Act Appropriating Funds to Aid Towns to Control Dutch Elm Disease."

Amend said Bill by striking out in the 22nd, 23rd and 24th lines the following sentence:

"Any balances at June 30, 1962 shall not lapse but shall be carried forward into the following year to be expended for the same purposes."

Committee Amendment "A" was adopted and, under suspension of the rules, the Bill assigned for 7:30 this evening.

### Divided Report

Report "A" of the Committee on Taxation on Bill "An Act to Provide a Reporting System for Payment of Malt Liquor Excise Taxes" (H. P. 1230) (L. D. 1695) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was signed by the following members:

Messrs. PORTEOUS of Cumberland  
WYMAN of Washington  
ELLS of Hancock  
— of the Senate.

Messrs. MAXWELL of Jay  
WATERMAN of Auburn  
— of the House.

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

Report was signed by the following members:

Messrs. BAXTER of Pittsfield  
WHEATON of Princeton  
BRADEEN of Waterboro  
ALBAIR of Caribou  
LETOURNEAU of Sanford  
— of the House.

Reports were read.

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

Mr. CHAPMAN: Mr. Speaker, I move that we accept Report "B."

The SPEAKER: The question now before the House is the motion of the gentleman from Norway, Mr. Chapman, that Report "B" "Ought not to pass" be accepted.

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

Mr. MAXWELL: Mr. Speaker, Ladies and Gentlemen of the House: We in the last session, the regular session of the 100th, created this situation whereby the wholesaler has to pay his malt liquor excise taxes way in advance. It is an unfair situation. I think we of the 100th should correct that situation. That is the reason that I signed

the ought to pass report on it. I note here though that it says that I signed the ought to pass report as amended by Committee Amendment "A." I was opposed in Committee to this Committee Amendment "A" extending the time of adoption to July 1, 1963. I feel that that is carrying it over into another legislative term, another session, and I am opposed to that. If you will oppose the gentleman's motion to accept Report "B" and then accept Report "A," I would like to bring in an amendment to this amendment making it July 1, 1962.

The SPEAKER: The question before the House is the motion of the gentleman from Norway, Mr. Chapman, that the House accept Report "B" Ought not to pass."

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

Mr. PHILBRICK: Mr. Speaker, I move that Report "A" of the Committee on Taxation be accepted, owing to the fact —

The SPEAKER: There is a motion before the House that Report "B" be accepted. However, if that motion is defeated, the motion to accept Report "A" will be in order and be entertained if that so happens.

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

Mr. BAXTER: Mr. Speaker, in connection with this bill, I would like to advise the House that were Report "A" to be accepted, as amended, there would be no cost in this biennium from loss of revenues. If, as the gentleman from Jay, Mr. Maxwell suggests, an amendment is brought in to change the effective date from July 1, 1963 to July 1, 1962, there would be a loss of revenue connected with the bill with which we would have to contend. In other words, it would operate the same as an appropriation bill. Now the amount of this loss of revenue was estimated on the basis of ninety days after adjournment which would be in March as being from \$100,000 to \$275,000, some range in there, it was impossible for the commission to judge it precisely. Since the suggestion of the gentleman from Jay, Mr. Maxwell would take effect approximately three months thereaf-

ter, I think we would have to figure that we would probably have to assign to this bill a revenue loss of between \$75,000 and we will say \$200,000.

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

Mr. CURTIS: Mr. Speaker, Ladies and Gentlemen: I am only interested in this bill in regard to revenue, and the business we are in with the education calling for more money, we just cannot afford to give up anything that we have got now. I might call your attention to the fact that in the last year for which we have complete records, the cost of education in the State of Maine, and that is the cost of all, U of M, the teachers' colleges and the municipalities, was rising \$52,000,000. Those same twelve months there was bought in the State of Maine \$54,000,000 worth of intoxicating beverages. Now there must be a lot of money somewhere in there that should be divided up elsewhere.

I was looking over a report of the state governments, and I was looking over Tennessee the other day, and they passed a law the last legislature I believe it was whereby all tobacco sold out of Tennessee has a sales tax of ten percent dedicated to education, the take. Some think if we are going to keep spending money this way and we want education to go along, somewhere in the near future I believe that we will have to put a real tax like the tobacco tax in Tennessee on intoxicating beverages, because human nature being such as it is, intoxicating beverages are going to be sold and where are we going to have money to promote education. So I am in hopes that we won't do anything to take out from any money that is coming in as revenue now, and I trust that the motion of the gentleman from Norway does prevail.

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

Mr. BAXTER: Mr. Speaker, I may have misled the House when I spoke of loss of revenues, and this is not really a fair thing to say. What this bill does is change

the time at which the beer wholesalers would pay their tax. In the long run there would be no loss of revenue to the state. We are not reducing their tax; we are not specifically taking revenue away from the state, it merely means that by changing the time of the collection of the tax, the amount of money estimated by the Commission as income for this biennium and this estimate that they gave before we convened in the regular session, it merely means that their estimate would be off because the money would be coming in after the end of the biennium instead of before the end of the biennium; so therefore, there is not basically a loss of revenue. There is less revenue coming in in this biennium and this is the fact with which we have to cope when we decide our expenditures.

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

Mr. TWEEDIE: Mr. Speaker, Ladies and Gentlemen of the House: I would like to clarify it a little bit more. This bill simply allows the beer wholesalers to pay their tax as they get the beer rather than six weeks or a couple of months before they get it.

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

Mr. MAXWELL: Mr. Speaker, I would like to clarify a little bit further. I would hope that the House turn down Report "B." If they do, then I would move that we accept Report "A" and I will go along with the date as set in the amendment for the present at least.

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

The SPEAKER: A division has been requested. The question before the House is the motion of the gentleman from Norway, Mr. Chapman, that the House accept Report "B" "Ought not to pass" on Bill "An Act to Provide a Reporting System for Payment of Malt Liquor Excise Taxes." All those in favor of accepting the "Ought not to pass" Report, please rise and remain standing until the monitors have made and returned their count.

A division of the House was had.

Sixty-six having voted in the affirmative and sixty-two having voted in the negative, the motion did prevail. Sent up for concurrence.

#### **Divided Report**

Report "A" of the Committee on Appropriations and Financial Affairs reporting "Ought to pass" on Bill "An Act Providing Funds to Complete the Harbor Project in the Town of Wells" (H. P. 1211) (L. D. 1664)

Report was signed by the following members:

Messrs. PLANTE of Old Orchard Beach  
DAVIS of Calais  
JALBERT of Lewiston  
BRAGDON of Perham  
Mrs. SMITH of Falmouth  
— of the House.

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

Report was signed by the following members:

Messrs. DAVIS of Cumberland  
SAMPSON of Somerset  
STANLEY of Penobscot  
— of the Senate.  
Messrs. DRAKE of Bath  
WELLMAN of Bangor  
— of the House.

Reports were read.

On motion of the gentlewoman from Lebanon, Mrs. Hanson, Report "A" "Ought to pass" was accepted on a viva voce vote, the Bill read twice and under suspension of the rules assigned for third reading at 7:30 this evening.

#### **Divided Report**

Majority Report of the Committee on Appropriations and Financial Affairs on Bill "An Act Providing for the Construction of an Emergency Operating Center for State Government" (H. P. 1226) (L. D. 1686) reporting same in a new draft (H. P. 1238) (L. D. 1703) under title of "An Act Providing for the Construction of an Emergency Operating Center for State Government in Farmington" and that it "Ought to pass".

Report was signed by the following members:

Mr. DAVIS of Cumberland  
— of the Senate.

Mr. BRAGDON of Perham  
Mrs. SMITH of Falmouth  
Messrs. DRAKE of Bath  
WELLMAN of Bangor  
JALBERT of Lewiston  
PLANTE of Old Orchard Beach  
DAVIS of Calais

— of the House.

Minority Report of same Committee reporting "Ought not to pass" on same Bill.

Report was signed by the following members:

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

Reports were read.

On motion of Mr. Jones of Farmington, the Majority "Ought to pass" in New Draft Report was accepted on a viva voce vote and the New Draft read twice. Under suspension of the rules, the Bill was assigned for third reading at 7:30 this evening.

The following matters from the Senate, appearing on Supplement number 4, were taken up out of order:

#### **Senate Reports of Committees Leave to Withdraw**

Report of the Committee on Welfare on 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) reporting Leave to Withdraw.

Came from the Senate read and accepted.

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

#### **Ought to Pass Passed to Be Engrossed**

Report of the Committee on Constitutional State Reapportionment and Congressional Redistricting reporting "Ought to pass" on Resolve Dividing the State of Maine into Councillor Districts (S. P. 614) (L. D. 1691)

Report of the Committee on Education reporting same on 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)

Report of the Committee on Health and Institutional Services reporting same on Resolve Providing for Emergency Renovation of Existing Facilities at the Maine State Prison (S. P. 606) (L. D. 1677)

Report of the Committee on Legal Affairs reporting same on Bill "An Act to Amend the Charter of the City of Saco" (S. P. 620) (L. D. 1701)

Came from the Senate with the Reports read and accepted and the Bills and Resolves passed to be engrossed.

In the House, the Reports were read and accepted in concurrence and the Bills read twice and the Resolves read once. Under suspension of the rules, the Bills were given their third reading, the Resolves their second reading and, without reference to the Committee on Bills in the Third Reading, passed to be engrossed in concurrence.

#### Amended in House

Report of the Committee on Natural Resources reporting "Ought to pass" on 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 with the Report read and accepted and the Bill passed to be engrossed.

In the House, the Report was read and accepted in concurrence and the Bill read twice. Under suspension of the rules, the Bill was given its third reading.

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

Mr. WILLIAMS: Mr. Speaker, I would now like to present House Amendment "A" to this bill and move its adoption.

The SPEAKER: The gentleman from Hodgdon, Mr. Williams, presents House Amendment "A" and moves its adoption. The Clerk will read the amendment.

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

HOUSE AMENDMENT "A" to S. P. 602, L. D. 1642, Bill, "An Act Providing for Additional Funds for State Grants to Municipalities for Sewage Treatment Works."

Amend said Bill by adding at the end thereof the following sentence:

'Any unexpended balances at the end of each of the fiscal years 1961-62 and 1962-63 shall not lapse but shall remain a continuing carrying account for the purposes of this act.'

House Amendment "A" was adopted and the Bill, without reference to the Committee on Bills in the Third Reading, passed to be engrossed as amended in non-concurrence and sent up for concurrence.

Report of the Committee on State Government reporting "Ought to pass" on Bill "An Act Increasing the Number of Justices of the Superior Court" (S. P. 616) (L. D. 1693)

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

In the House, the Report was read and accepted in concurrence and the Bill read twice. Under suspension of the rules, the Bill was given its third reading and, without reference to the Committee on Bills in the Third Reading, passed to be engrossed in concurrence.

#### Ought to Pass with Committee Amendment Passed to be Engrossed

Report of the Committee on Claims on Resolve to Reimburse Ernest Herrick of New Gloucester for Damage to House and Interior (S. P. 618) (L. D. 1699) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

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

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

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

COMMITTEE AMENDMENT "A" to S. P. 618, L. D. 1699, Resolve, to Reimburse Ernest Herrick of New Gloucester for Damage to House and Interior.

Amend said Resolve by inserting after the Title, the following emergency preamble:

**'Emergency preamble.** Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

WHEREAS, the following legislation is vitally necessary in order to permit repairs to the property of Mr. Herrick who is 81 years of age; and

WHEREAS, such legislation will alleviate a great hardship and inconvenience; and

WHEREAS, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine, and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore, be it'

Further amend said Resolve by adding at the end, before the Statement of Facts, the following:

**'Emergency clause.** In view of the emergency cited in the preamble, this resolve shall take effect when approved.'

Committee Amendment "A" was adopted in concurrence, and under suspension of the rules the Resolve was given its second reading, and, without reference to the Committee on Bills in the Third Reading passed to be engrossed as amended in concurrence.

Report of the Committee on Legal Affairs on Bill "An Act Increasing Power to Hold and Purchase Property by City of Waterville" (S. P. 607) (L. D. 1678) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

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

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

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

COMMITTEE AMENDMENT "A" to S. P. 607, L. D. 1678, Bill, "An Act Increasing Power to Hold and Purchase Property by City of Waterville."

Amend said Bill by striking out all of the 18th and 19th lines and inserting in place thereof the following: 'personal property for municipal purposes to an amount not exceeding \$5,000,000, and shall, as often as once a year, cause'

Committee Amendment "A" was adopted in concurrence and under suspension of the rules the Bill given its third reading and, without reference to the Committee on Bills in the Third Reading, passed to be engrossed as amended in concurrence.

### Divided Report

Majority Report of the Committee on Education reporting "Ought to pass" on Bill "An Act relating to Educational Foundation Program Allowance" (S. P. 600) (L. D. 1640)

Report was signed by the following members:

Messrs. BROOKS of Cumberland  
SAMPSON of Somerset  
— of the Senate.

Mrs. HANSON of Lebanon  
Messrs. ESTEY of Portland  
CURTIS of Bowdoinham  
DURGIN of Raymond  
HICHBORN  
of Medford Township  
— of the House.

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

Report was signed by the following members:

Messrs. LEVESQUE of Madawaska  
SIROIS of Rumford  
— of the House

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

In the House, the Reports were read.

The SPEAKER: The Chair recognizes the gentlewoman from Lebanon, Mrs. Hanson.

Mrs. HANSON: Mr. Speaker, I move that the Majority Report "Ought to pass" be accepted.

The SPEAKER: The question now before the House is the motion of the gentlewoman from Lebanon, Mrs. Hanson, that the

House accept the Majority "Ought to pass" Report.

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

Mr. PLANTE: Mr. Speaker, in view of the time and because this would involve a great deal of debate, I move that this be tabled until tonight's session.

The SPEAKER: The question now before the House is the motion of the gentleman from Old Orchard Beach, Mr. Plante, that this Bill be tabled until later in the day pending the motion of the gentlewoman from Lebanon, Mrs. Hanson, that the House accept the Majority "Ought to pass" Report. Is this the pleasure of the House?

Mr. Curtis of Bowdoinham asked for a division.

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

A division of the House was had.

Thirty-six having voted in the affirmative and seventy-two having voted in the negative, the motion to table did not prevail.

The SPEAKER: The question now before the House is the motion of the gentlewoman from Lebanon, Mrs. Hanson, that the House accept the Majority "Ought to pass" Report.

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

Mr. PLANTE: Mr. Speaker and Ladies and Gentlemen of the House: I think that in fairness to everyone concerned, because this is a very serious matter, that everyone should be totally familiar with what the Minority Report with the Committee Amendment "A" consists of. It is in effect an opportunity for this body at this time to enact a minimum wage law for teachers. The filing number is on your desks as filing number S-307.

As most of you are well aware of, Maine is facing a growing shortage of teachers due in part to the higher salaries in nearby

states. Sixty percent of Maine's elementary teachers are more than forty-five years old. The State was able to recruit last year from the teachers colleges only two hundred of the required six hundred new elementary teachers. There will soon be need for a total of eight hundred to nine hundred new teachers in Maine yearly. Needless to say, many of our present teachers are leaving the State.

Because of the seriousness and my strong feelings concerning this matter, I wired the Governor a telegram this afternoon; and it was my hope if this had been tabled until later in today's session that he would have an opportunity to take action concerning that telegram. Briefly I reminded the Governor that on January 5, 1961, in his inaugural address, he stated firmly and I quote—on page two of that inaugural address if any of you wish to refer to it—and I am now quoting: "Teachers salaries in Maine call for attention and action."

May I emphasize since that date the need has not decreased; in fact the problem is still acute. This proposal of course is not the only solution, but I am certain that an improved minimum wage for teachers would help tremendously in relieving the present status. This is a critical problem and should be given serious attention and consideration during the special session.

Now substantiating my arguments that the problem is still with us, the Governor on November 17, 1961, just a few days ago, before an assembly of students at Gorham State Teachers College, specifically stated that Maine teachers are not yet receiving adequate salaries. So the problem according to his thinking is still with us. It would be nice to know what efforts he would contribute now that we have an instrument to make this possible at this special session. And here I call attention to Committee Amendment "A," filing number S-307. This is the purpose of the Minority Report, clearly an instrument to implement at the special session a decent minimum wage law.



It is for this reason that I strongly urge that the Majority Report be indefinitely postponed so that we can adopt the Minority Report.

The SPEAKER: The question before the House is the motion of the gentlewoman from Lebanon, Mrs. Hanson, that the House accept the Majority "Ought to pass" Report; and the Chair recognizes that gentlewoman.

Mrs. HANSON: Mr. Speaker and Members of the House: I think that at the regular session we made it abundantly clear as a legislative body that we did not wish to deal with the Foundation Program and the teachers salaries under one bill. I feel that the intent of this Legislature is still the same or the Foundation Program allowance would not have been put in as a bill. There was ample opportunity to put a bill in on teachers salaries. Therefore, I feel that the bill was put in merely for the purpose of carrying out the intent of the Legislature as expressed in the regular session in order to make this money available for carrying out that intent.

Therefore I feel that we should accept the Majority "Ought to pass" Report.

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

Mr. PLANTE: Mr. Speaker, so there will be no misunderstanding on how each of us feels about minimum wage for teachers, I move that there be a roll call.

The SPEAKER: A roll call has been requested. For the Chair to order a roll call, it must have an expression of a desire for a roll call by one-fifth the members present. Will those who desire a roll call, please rise and remain standing until the monitors have made and returned their count.

Twenty-six members arose.

The SPEAKER: More than one-fifth of those present, there being one hundred eighteen present and twenty-six having arisen, a roll call is ordered.

The question before the House is related to Legislative Document 1640, a Bill "An Act relating to Educational Foundation Program Allowance." The question before the House is the motion of the gentle-

woman from Lebanon, Mrs. Hanson, that the House accept the Majority "Ought to pass" Report. All those in favor of accepting the Majority "Ought to pass" Report will answer "Yes" when your name is called; those opposed to the motion will answer "No" when your name is called.

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

Mr. PLANTE: Mr. Speaker, was I not in order when I requested that the Majority Report be indefinitely postponed?

The SPEAKER: A motion to indefinitely postpone only applies to the bill itself; a motion to indefinitely postpone in this instance would have to be to the bill and to the two reports.

Mr. PLANTE: Mr. Speaker, then this is still open for debate also?

The SPEAKER: It is still open for debate, yes sir. The gentleman may proceed.

Mr. PLANTE: I only wish to state that those of you who feel strongly about a minimum wage law for teachers, you should vote "No" on the present motion; that is vote "No" against accepting the Majority Report. Then the Minority Report can be presented and you will have both the educational subsidies and a decent minimum wage law. So those of you who want a minimum wage law should vote "No" on the present question.

The SPEAKER: For the record, the Chair did note that the gentleman from Old Orchard Beach, Mr. Plante, indicated a motion that the motion of the gentlewoman from Lebanon, Mrs. Hanson, that the House accept the "Ought to pass" Report, be indefinitely postponed. However, after that indication was made by the gentleman from Old Orchard Beach, Mr. Plante, the Chair again stated what the question was, and that the question was the motion of the gentlewoman from Lebanon, Mrs. Hanson, that the House accept the Majority "Ought to pass" Report; and that is the prevailing motion at this time.

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

Mr. CURTIS: Mr. Speaker and Ladies and Gentlemen: You may

recall, if you do, that this was before us in the regular session, 1206. It was given much study, much thought, and it came out that they did not accept it at that particular time. I do not feel that at this time we should try to put this in just simply as a political move, which I feel it is. In other words, are we going to say that the Legislature in the regular session did not put interest in this thing, did not try to see what it was? You remember, each one of you, that it was a very hotly contested thing when it came up.

I do not believe this amendment is germane to this bill, 1640, which is before us. Now all of these men who voted are all good friends of mine, but I feel that it is just merely a political gesture. I trust that we will all stand by what we have stood for and another Legislature will be coming along shortly; and then if they want to entertain this motion or a bill for that effect, that's the time to do it, and not this.

The SPEAKER: The Chair recognizes the gentlewoman from Bristol, Mrs. Sproul.

Mrs. SPROUL: Mr. Speaker, Ladies and Gentlemen of the House: In the last session I was deeply interested in the subsidy bill because it did carry an appropriation, because it did mean paying back part of the subsidy which was lost to my town; and I very well remember the figure, which was \$2,000 each year. It would come back under this. And I was deeply disturbed when I found that there was no appropriation for this. As I understand it now, this appropriation in this bill of one million approximately two hundred thousand would take care of the subsidies to the towns, and it seems to me that if we now approve this amendment that means that the towns which so badly need these subsidies will not be able to get them.

I would like to ask a question through the Chair, of the Appropriations Committee, whether this figure would cover the amendment and the subsidy both.

The SPEAKER: The gentlewoman from Bristol, Mrs. Sproul, has asked a question through the Chair of any member of the Appropria-

tions Committee who may choose to answer.

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

Mr. PLANTE: Mr. Speaker, to clarify the matter, if the Minority Report is accepted you will also be receiving the educational subsidies. We stand firmly and strongly for the educational subsidies. Accepting either report would give you the educational subsidies.

The SPEAKER: Is the House ready for the question? The Chair recognizes the gentleman from Raymond, Mr. Durgin.

Mr. DURGIN: Mr. Speaker and Ladies and Gentlemen of the House: As you remember in the session last winter, this bill carried a price tag of somewhere in the neighborhood of about twice the amount of the Foundation Program. The other half would take care of the increase in teachers salaries. I think if you accept the Minority Report, there won't be money to finance the whole bill.

The SPEAKER: The Chair recognizes the gentleman from Old Orchard Beach, Mr. Plante, who rises to a point of order.

Mr. PLANTE: Mr. Speaker, I rise to a point of order because an error has been made. No additional monies are needed for Minority Report B.

The SPEAKER: That of course is not a point of order, but it is a matter of debate.

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

Mr. ESTEY: Mr. Speaker and Ladies and Gentlemen of the House: L. D. 1206 was thoroughly debated in the regular session and the intent of that session was very clear. It has been pointed out to you by the gentlewoman from Lebanon, Mrs. Hanson, if we adopt the committee proposed amendment regarding the minimum salary scale for teachers, there would be a price tag; but it would not affect the expenditures of this session or this biennium. The increased salaries would be reflected in the 1963 request for subsidy foundation money.

The total price tag on L. D. 1206 was two and one-half million dollars. In the regular session we

adopted only part of that, accepting only the Foundation Program without the teachers salaries for \$1,268,000. Estimates and re-evaluation of the requests of the individual towns now bring that figure to \$1,210,000 for the remainder of this biennium, and that is the issue which the Committee on Education heard in its hearing Tuesday.

I might just point out that apparently the teachers and the teachers associations accepted the decision of the regular session and there was no request made for salary adjustments in this special session. I might also point out that a vote "No" on the prevailing question means that you would be voting against the payment of a Foundation Program.

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

Mr. JALBERT: Mr. Speaker, I have no intention of getting into this debate. However, as I understand the gentleman from Portland, Mr. Estey, a vote "No" on this bill, which means that if the Majority Report were not accepted, does it mean that it would mean a vote against the educational Foundation Program in view of the fact that if the "No" vote did not prevail, is it not a fact that then subsequent to it the Minority Report motion would be made when we would be right back where we are? Number one.

And after the gentleman clarifies that position I would like to ask the gentleman, my good friend from Raymond, Mr. Durgin, to tell me what the price tag at the present session is on this bill if Report B is accepted.

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

The Chair recognizes the gentleman from Raymond, Mr. Durgin, who rises to answer the question.

Mr. DURGIN: It is my opinion that if the salary schedule is adopted and goes into effect immediately, then certainly there is going to be an increase to some of the towns in the cost to the teachers under the new salary scale. It is

automatically going to have to reflect back and is going to cost us some money, I would think.

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

Mr. JALBERT: Mr. Speaker, the fact of the matter is, as I understand the measure, the acceptance of Report "B" does not take effect until about next — but would not effect to it any money until the next biennium. Now I would like to have my good friend from Portland, Mr. Estey, answer my question that I asked him.

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

The gentleman from Portland, Mr. Estey, rises to answer the question.

Mr. ESTEY: I believe the gentleman from Lewiston, Mr. Jalbert, knows the answer to the question. The date in the amendment makes the salary schedule effective July 63, which means that there will be no increase affecting this biennium. Therefore the price tag for both sections of this bill will be \$1,210,000 as we were talking about in L. D. 1640.

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

Mr. RUST: Mr. Speaker, may I inquire of the Chair of the pending question before I speak further?

The SPEAKER: The prevailing question is the motion of the gentlewoman from Lebanon, Mrs. Hanson, that the House accept the Majority "Ought to pass" Report, and a roll call has been ordered.

Mr. RUST: Thank you.

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

Mr. JALBERT: Mr. Speaker, I think—

The SPEAKER: And the Chair would remind the gentleman that he has already spoken twice.

Mr. JALBERT: Mr. Speaker, I have asked a question twice; now, after Mr. Durgin was finished, —

The SPEAKER: The Chair would remind the gentleman that he has spoken twice.

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

The SPEAKER: The Chair will rule the gentleman out of order.

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

The SPEAKER: The gentleman may state his point of personal privilege.

Mr. JALBERT: The point of personal privilege is based on this. I asked a question of the gentleman from Raymond, Mr. Durgin. He answered the question. I had asked a question of the gentleman from Portland, Mr. Estey. He answered Mr. Durgin's question, and when the questions were answered, the procedure would have been to ask me if I was satisfied with the answer, that's all. I am not arguing about it, I just would like to have Mr. Estey answer my question. I will restate my question if you will allow me to. If you don't, it is perfectly alright with me.

The SPEAKER: I think if the gentleman would request permission to speak a third time that the House would grant it.

Mr. JALBERT: I will request permission to ask my question of the gentleman from Portland, Mr. Estey, for the second time.

The SPEAKER: The gentleman from Lewiston, Mr. Jalbert, requests permission to address the House the third time. Is there objection? The Chair hears none. The gentleman may proceed.

Mr. JALBERT: My question is this, and I think possibly Mr. Estey may get up and say that I know the answer to the question. Possibly I do and possibly I do not. Possibly I misunderstood the good gentleman from Portland, Mr. Estey. He stated that the acceptance of a vote no on this motion would mean the end of the education foundation program. None of us would want that. Is it a fact if the no vote did not prevail, that subsequent to it the minority report would be made and then consequently if that prevailed the money is there. In either report it would be there, isn't that correct?

The SPEAKER: The gentleman from Lewiston, Mr. Jalbert, has asked a question through the Chair of the gentleman from Portland, Mr. Estey, who may answer if he chooses and that gentleman has arisen to answer the question.

Mr. ESTEY: Mr. Speaker and Ladies and Gentlemen: Apparently there are two questions involved, one was the amount of the appropriation, which I answered, \$1,210,000 which would affect both reports. The second report, however, if the first one failed to pass would involve passage or would cover the foundation program in addition to teachers' salaries, and I attempted to answer Mr. Jalbert's question by pointing out that the inclusion of a minimum pay scale would effect no additional cost in this biennium, but in the future bienniums it would.

The SPEAKER: The question before the House is the motion of the gentlewoman from Lebanon, Mrs. Hanson, that the House accept the Majority "Ought to pass" Report on Bill "An Act relating to Educational Foundation Program Allowance," Senate Paper 600, Legislative Document 1640. A roll call has been ordered. If you are in favor of accepting the Majority "Ought to pass" Report, you will answer "Yes" when your name is called. If you are opposed to accepting the Majority "Ought to pass" Report, you will answer "No" when your name is called. The Clerk will call the roll.

### ROLL CALL

YEA — Albair, Anderson, Ellsworth; Anderson, Greenville; Baker, Baxter, Bearce, Berman, Houlton; Berry, C. Elizabeth; Berry, Portland; Bradeen, Bragdon, Brewer, Brown, Fairfield; Brown, So. Portland; Brown, Vassalboro; Buckley, Carter, Chapman, Gardiner; Chapman, Norway; Cooper, Coulthard, Crockett, Curtis, Davis, Dennett, Dennison, Dodge, Drake, Dunn, Durgin, Edgerly, Edwards, Estey, Finley, Gardner, Gill, Hague, Ham, Hancock, Hanson, Bradford; Hanson, Lebanon; Hardy, Harrington, Hartshorn, Haughn, Hichborn, Hinds, Hughes, Humphrey, Hutchins, Jameson, Johnson, Smithfield; Jones, Kennedy, Kimball, Lincoln, Linnekin, Littlefield, Maddox, Mathews, Merrill, Minsky, Moore, Morrill, Perry, Philbrick, Augusta; Philbrick, Bangor; Pike, Prince, Rand, Roberts, Rust, Schulten, Shaw, Shepard, Smith, Bar Harbor; Smith, Falmouth; Sproul,

Stevens, Stewart, Storm, Swett, Thaanum, Thornton, Turner, Tweedie, Tyndale, Vaughn, Wade, Walker, Waltz, Waterman, Wellman, Westerfield, Wheaton, Whitman, Whitney, Williams, Winchenpaw, Wood, Young.

NAY — Ayoob, Beane, Augusta; Beane, Moscow; Bedard, Bernard, Binnette, Boissonneau, Briggs, Burns, Cyr, Dostie, Lewiston; Dostie, Winslow; Fogg, Gallant, Hendricks, Jalbert, Jobin, Johnson, Stockholm; Karkos, Kellam, Kilroy, Lacharite, Lane, Lantagne, Levesque, Lowery, Maxwell, Nadeau, Biddeford; Nadeau, Lewiston; Noel, Plante, Poirier, Prue, Sevigny, Sirois, Tardiff, Walls.

ABSENT — Berman, Auburn; Boothby, Bussiere, Choate, Danes, Knight, Letourneau, MacGregor, Malenfant, Matheson, Morse, Smith, Strong.

Yes 101, No 37, Absent 12.

The SPEAKER: One hundred and one having voted in the affirmative and thirty-seven having voted in the negative, with twelve absentees, the motion does prevail, the Majority "Ought to pass" Report is accepted in concurrence.

Thereupon, the Bill was read twice and, under suspension of the rules, assigned for third reading at this time, given its third reading, and passed to be engrossed in concurrence.

#### Divided Report

Majority Report of the Committee on Highways reporting "Ought to pass" on Bill "An Act Providing for Demolition of Morse Bridge in the City of Bangor" (S. P. 605) (L. D. 1645)

Report was signed by the following members:

Messrs. COLE of Waldo  
FERGUSON of Oxford  
BROWN of Hancock  
— of the Senate.

Messrs. TURNER of Auburn  
CROCKETT of Freeport  
DENNISON  
— of East Machias  
PRUE of Ashland  
NADEAU of Lewiston  
— of the House.

Minority Report of same Commit-

tee reporting "Ought not to pass" on same Bill.

Report was signed by the following members:

Messrs. PHILBRICK of Bangor  
CARTER of Etna

— of the House.

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

In the House, the Reports were read.

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

Mr. PHILBRICK: Mr. Speaker, Ladies and Gentlemen of the House: Under existing law, Morse Bridge in Bangor is one of eleven covered wooden bridges currently being maintained by the State Highway Department. This bill does not just remove maintenance obligations, but it destroys a fine old reminder of earlier days with untold sentimental value to those people with a consciousness of our American past and our heritage. We people from Bangor simply ask that our bridge not be destroyed, and that interested private citizens be given approximately one year's grace in which to raise funds for the preservation of that bridge. For the above reason, I ask that the bill be indefinitely postponed.

The SPEAKER: The question before the House is the motion of the gentleman from Bangor, Mr. Philbrick, that both Reports and the Bill be indefinitely postponed.

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

Mr. TURNER: Mr. Speaker, this particular bridge, perhaps some of you people have read the statement of facts under L. D. 1645. I hate to take the time to read this, and I don't know as there is any need to read it, probably you have all read it before, but this bridge is 236 feet long and it is 30 feet wide and there is no use it can seem to be put to at the present time. Nobody wants it. The city would like to hold it a little while to see what they want to do with it, but the Commission says it must be torn down between now and spring on account of the high water, and as far as I am concerned it doesn't amount to much to me, but I had a thought after

I voted that the bridge should be torn down, I had a thought that it seemed to me perhaps we might turn it over to the University of Maine for a television station, and otherwise than that, I move you accept the Majority Report of the Committee.

The SPEAKER: The Chair recognizes the gentleman from Freeport, Mr. Crockett.

Mr. CROCKETT: Mr. Speaker, as one of the Committee members on the Highway Committee, I do want to say that the attendance at that meeting was nil, there was practically nobody but Mr. Wellman and Mr. Hillman there. There wasn't a citizen of the City of Bangor that was here to oppose the demolition of this bridge. Now how much interest can there be in the City of Bangor to save this bridge? As the bridge is today it is a detriment, it is a danger to the new bridge that is close by, and if it isn't moved before the next flow of next spring, it will endanger the new bridge, no question about it. If the people of Bangor wanted to save this bridge, why didn't they appear at the hearing and be heard? There was no objection excepting from the gentleman who put the bill in by request and another member of this Legislature.

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

Mr. WELLMAN: Mr. Speaker, Ladies and Gentlemen of the House: In reply to the comments of the gentleman from Freeport, Mr. Crockett, the hearing was as you will remember held at 9:00 o'clock on a very snowy, slippery morning. I was in communication with people from Bangor the night before and they said they would try. I think the elements were just against them that day. What we are asking for is a little time so that the people, not the government, not the city government of Bangor, but the people of Bangor may organize, which they have not yet had sufficient time to do, so that they may as private citizens present their case and raise some money.

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

Mr. MINSKY: Mr. Speaker, I would just like to point out one statement as far as any danger to the new bridge with the coming ice flow. The present wooden structure is located downstream of the new bridge, and I fail to see what great danger is going to be caused.

Also, as far as local citizens organizing, this came upon them very quickly. There is a committee already formed to save the bridge. I am sure it was the weather, as Mr. Wellman explained it, that prevented them from being here yesterday, but an organization already has been formed to attempt to save the bridge through the efforts of the citizens of the City of Bangor.

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

Mr. TURNER: Mr. Speaker, in answer to my good friend Mr. Minsky from Bangor, this bridge could hold back the ice so the ice would pile up against the other bridge. I can see where that could be damaging. I notice in the statement of facts it said it might burn down and cause damage to the new bridge. I can't see where there would be too much damage, but I can't see why they want to keep the thing. It is out there sorta in the back woods, down there in the low part of the city right back of the garage and right near a big tannery; of course sometimes the odor there wouldn't be the best for sight-seeing people, and the Commission estimates it would cost \$75,000 to move it to a site, but they haven't any place to put it, so I don't know how you are going to move it. And they estimate a cost of \$10,000 to tear this bridge down and clean up the site. Well I made the remark to Senator Hillman and Mr. Wellman here in the Committee why not let the State give them \$10,000 and they have the bridge and go from there, do what they want to with it, but they didn't seem to want any part of that. As near as I can see, the bridge doesn't seem to have many friends. It is 236 feet long and 30 feet wide, it is going to be quite a job to preserve that and put it on somebody's mantelpiece, and I still think it should be destroyed.

The SPEAKER: The Chair recognizes the gentleman from Freeport, Mr. Crockett.

Mr. CROCKETT: Mr. Speaker, I would like to answer my good colleague from Bangor, Mr. Wellman, that the day was inclement weather the day of the hearing, I agree, but there were 500 people came from the Town of Enfield or 300 to 500 people got here and that is fifty miles beyond Bangor. They were interested in their cause and they came down there to be heard, so I don't think his excuse of the inclement weather bears much.

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

Mrs. HARRINGTON: Mr. Speaker, other states and other countries are making a lot of these bridges, they are conserving them, and I think it is only right and a courtesy to Bangor if we allow them a little time to do something about this bridge.

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

Mr. WILLIAMS: Mr. Speaker and Members: It is just my thinking, not knowing too much about it, that if this new bridge upstream is so frail that this poor old bridge a hundred and some years old is going to endanger it, why not use the old bridge and forget about the new one upstream? (Applause)

The SPEAKER: The question before the House is the motion of the gentleman from Bangor, Mr. Philbrick, that the Reports and Bill "An Act Providing for Demolition of Morse Bridge in the City of Bangor," Senate Paper 605, Legislative Document 1645, be indefinitely postponed. All those in favor of the indefinite postponement of both Reports and the Bill please say aye; those opposed, no.

A viva voce vote being taken, both Reports and the Bill were indefinitely postponed in non-concurrence and sent up for concurrence.

The SPEAKER: All matters which have been passed to be engrossed today will be sent to the Senate.

The Chair wishes to announce that there will be a short Republican caucus in this House immediately at the end of this session today, now.

On motion of Mr. Baxter of Pittsfield,

Recessed until 7:30 this evening.

#### After Recess 7:30 P. M.

The House was called to order by the Speaker.

The SPEAKER: We will take up at this time Supplement number 6, Bills in their Third Reading assigned for 7:30 P.M.

#### Passed to Be Engrossed

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

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

Bill "An Act Granting Courts Power to Issue Injunctions to Enforce Milk Commission Law" (H. P. 1221) (L. D. 1674)

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

#### Third Reader Tabled Until Later in Today's Session

Bill "An Act relating to Gross Weight and Width of Trucks Hauling Construction Materials" (H. P. 1237) (L. D. 1702)

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

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

Mr. CURTIS: Mr. Speaker, under item four, L. D. 1702, I wish to present an amendment to it.

The SPEAKER: In reference to item four, the Chair understands that the gentleman from Bowdoinham, Mr. Curtis, moves that this item be tabled until later in the day. Is this the pleasure of the House?

The motion prevailed.

Bill "An Act Providing for the Construction of an Emergency Operating Center for State Government in Farmington" (H. P. 1238) (L. D. 1703)

Was reported by the Committee on Bills in the Third Reading, read the third time, passed to be engrossed and sent to the Senate.

#### **Amended Bills Tabled and Assigned**

Bill "An Act to Divide the Town of Enfield, Penobscot County, into Two Communities" (H. P. 1207) (L. D. 1660)

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

The SPEAKER: The Chair recognizes the gentleman from Howland, Mr. Swett.

Mr. SWETT: Mr. Speaker and Members of the House: I have been talking with Mr. Slosberg and he has informed me that there is some conflict with this committee amendment and that the bill absolutely has to be reamended and a certain section struck out. I would like to have permission to table this bill until the next —

The SPEAKER: The Chair understands that the gentleman from Howland, Mr. Swett, moves that in reference to item six, L. D. 1660, that it be tabled until tomorrow pending passage to be engrossed. Is this the pleasure of the House?

The motion prevailed.

Bill "An Act Appropriating Funds to Aid Towns to Control Dutch Elm Disease" (H. P. 1229) (L. D. 1689)

Was reported by the Committee on Bills in the Third Reading, read the third time, passed to be engrossed as amended by Committee Amendment "A" and sent to the Senate.

The SPEAKER: Is there objection to taking up out of order at this time a report from the committee? The Chair hears none. The Clerk will read the bill.

#### **House Reports of Committees Ought to Pass with Committee Amendment**

Mrs. Baker from the Committee on Towns and Counties on Bill "An Act relating to the Economic Development of Washington County" (H. P. 1223) (L. D. 1676) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Bill read twice.

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

COMMITTEE AMENDMENT "A" to H. P. 1223, L. D. 1676, Bill, "An Act Relating to the Economic Development of Washington County."

Amend said Bill by inserting at the beginning of the 14th line the abbreviation and figure 'Sec. 1.'

Further amend said Bill by striking out all of that part designated "Sec. 16-A." and inserting in place thereof the following:

'Sec. 16-A. Washington County Economic Advisory Committee. There shall be a Washington County Economic Advisory Committee consisting of 7 members, one each to be appointed by the Governor from and on the recommendation of the following organizations: Washington County commissioners, Washington County Development Authority, Washington County Chamber of Commerce, Washington County Rural Area Development Committee, Washington County Agricultural Extension Service and 2 who shall be citizens and residents of Washington County. Each member shall serve for 2 years, or until his successor is duly appointed and qualified. Vacancies shall be filled for the unexpired term. The members of the committee shall serve without compensation. The Governor shall select one of the citizen members as chairman. The member appointed from the Washington County Agricultural Extension Service shall serve as secretary. The committee shall work with the county commissioners and Economic Development Agents of Washington County and the Commissioner of Economic Development, and advise them on any and all matters pertaining to the economic and in-



**dustrial development policy of Washington County.'**

Further amend said Bill by inserting before the emergency clause the following section:

**"Sec. 2. R. S., c. 89, S 16-B, additional. Chapter 89 of the Revised Statutes is amended by adding thereto a new section 16-B, to read as follows:**

**'Sec. 16-B. Washington County Economic Development Agents. The County commissioners of Washington County are authorized to select and employ, subject to the approval of the Washington County Economic Advisory Committee and the Commissioner of Economic Development, Economic Development Agents to aid in planning of the County's economic growth and development. The county commissioners shall fix the salaries of said agents; the terms of said agents not to exceed 2 years. Said agents shall be under the joint supervision of the county commissioners and the Commissioner of Economic Development. The expenses and salaries of such persons shall be paid for by county funds but shall not exceed \$12,500 annually.'**

Committee Amendment "A" was adopted and the Bill assigned for third reading tomorrow.

The SPEAKER: Your attention is now referred to Supplement number 5, a report of committee:

Mr. Bragdon from the Committee on Appropriations and Financial Affairs on 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) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Bill read twice.

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

**COMMITTEE AMENDMENT "A"** to H. P. 1233, L. D. 1698, 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."

Amend said Bill, in section 1, by striking out all of the 11th and 12th lines and inserting in place thereof the following:

**'Any vacancy in the membership of the committee shall be filled for the unexpired term by appointment by the Governor with the advice and consent of the Council. Members of the Committee'**

Further amend said Bill in that part designated "III" of section 3 by striking out in the first line the word "committee" and inserting in place thereof the words 'Governor and Council'

Further amend said Bill, in section 5, by striking out the words "or state office", in the 4th and 5th lines, and inserting in place thereof the punctuation and words 'state or federal office'

Committee Amendment "A" was adopted and the Bill assigned for third reading tomorrow.

#### **Paper from the Senate Senate Order out of Order**

From the Senate: The following Order:

**ORDERED**, the House concurring, that it is the intent of the Legislature that departments deriving appropriations from the General Fund shall take the necessary steps, within currently available line category appropriations, to effectuate that portion of the new salary plan that relates to personnel who had achieved the 6th step level of the previous salary plan and upon the installation of the present pay plan became entitled to an increase.

In order to accomplish this objective during the balance of the current biennium, it is the intent of the Legislature that all departments take the following action where necessary:

1. The use of current allotment or unallotted reserves;
2. Exercise reasonable curtailment in filling newly authorized positions;
3. Avoid recruiting and filling positions now vacant or which become vacant unless a definite hardship will result;
4. That no new or expanded activities be authorized;

5. Making no commitment for services that you can possibly do without during this period;

6. The accomplishment of all reasonable economies in order that this objective may be realized.

With respect to unclassified employees whose wage rates are not subject to determination by the Governor and Council, the authority responsible for determining the wage rate of such employees are requested to consider such similar and equitable treatment as they may conclude to be appropriate.

Wages of employees in other funds, i.e., those supported by the General Highway Fund, special revenue funds or others, shall be adjusted from moneys available to such funds. Adjustments applicable to these funds shall not be derived from General Fund moneys.

In the event that some departments, after exploring all other avenues, may not be able to accomplish this objective, it is our intent that the Governor and Executive Council may, within their discretion, utilize the Contingent Account.

This Joint Order shall become effective January 1, 1962 (S. P. 627)

Came from the Senate read and passed.

In the House, the Order was read.

The SPEAKER: Is it now the pleasure of the House that this Order receive passage in concurrence?

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

Mr. FOGG: Mr. Speaker and Members of the House: I would like to state that this order has the whole-hearted support of the Minority Party. We have steadfastly supported provisions for this pay plan. I would also like to commend the leadership of the Majority Party for joining us in the support of this measure, and I certainly hope that this order does receive passage.

Thereupon, the Order received passage in concurrence.

#### **Senate Reports of Committees Ought to Pass**

Report of the Committee on Agriculture reporting "Ought to pass" on Bill "An Act Repealing Powers of State Humane Agents to Issue

Warrants in Dog Licensing Law" (S. P. 603) (L. D. 1643)

Report of the Committee on Appropriations and Financial Affairs reporting same on Bill "An Act to Provide for the Support of Cancer Clinic Services" (S. P. 613) (L. D. 1690)

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

Report of the Committee on Judiciary reporting same on 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)

Came from the Senate with the Reports read and accepted and the Bills and Resolve passed to be engrossed.

In the House, the Reports were read and accepted in concurrence, the Bills read twice, the Resolve read once and tomorrow assigned.

The SPEAKER: Your attention is now called to Supplement number 6, at the bottom of the page, ought to pass with committee amendment.

#### **Ought to Pass with Committee Amendment**

Report of the Committee on Election Laws on Bill "An Act to Clarify the Election Laws" (S. P. 617) (L. D. 1694) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

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

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

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

COMMITTEE AMENDMENT "A" to S. P. 617, L. D. 1694, Bill, "An Act to Clarify the Election Laws."

Amend said Bill by inserting after section 1 the following new sections:

"Sec. 1-A. R.S., c. 3-A, Sec. 1, amended. The 4th paragraph of section 1 of chapter 3-A of the Revised Statutes, as enacted by sec-

tion 1 of chapter 360 of the public laws of 1961, which relates to the definition of "armed forces", is repealed.

**Sec. 1-B. R. S., c. 3-A, Sec. 1, amended.** The 18th paragraph of section 1 of chapter 3-A of the Revised Statutes, as enacted by section 1 of chapter 360 of the public laws of 1961, which relates to the definition of "member of the armed forces", is repealed and the following enacted in place thereof:

**"Members of the armed forces" include the Army, Navy, Marine Corps, Coast Guard, their spouses and dependents, members of the Merchant Marine of the United States, except those employed in the inland waterways, their spouses and dependents, civilian employees of the United States serving outside the territorial limits of the several states and the District of Columbia, whether or not paid from appropriated federal funds, and their spouses and dependents when accompanying them, and members of religious groups and welfare agencies serving with or accompanying the armed forces and their spouses and dependents."**

Further amend said Bill by inserting after section 3 a new section, to read as follows:

**"Sec. 3-A. R. S., c. 3-A, Sec. 59, sub - Sec. I, additional.** Section 59 of chapter 3-A of the Revised Statutes, as enacted by section 1 of chapter 360 of the public laws of 1961, is amended by adding a new subsection I, to read as follows:

**'I. Exception. In municipalities of 2,500 or less population the publication by the registrar of his time schedule shall be discretionary, rather than compulsory.'**

Further amend said Bill by inserting after section 8 a new section to read as follows:

**"Sec. 8-A. R. S., c. 3-A, Sec. 144, amended.** Section 144 of chapter 3-A of the Revised Statutes, as enacted by section 1 of chapter 360 of the public laws of 1961, is amended to read as follows:

**'Sec. 144. Deadline on receipt of absentee ballots.** In order to be valid, an absentee ballot must be delivered to the clerk before 1 3 P.M. on election day in a municipality having more than one vot-

ing district. In other municipalities, it must be delivered to the clerk before 5 P. M. on election day.

**I. Received after deadline.** An absentee ballot received by the clerk after the deadline must be kept by the clerk unopened. He shall write "Received after deadline" on it and keep it segregated from the other ballots, unopened."

Further amend said Bill by inserting after section 10 a new section to read as follows:

**"Sec. 10-A. R. S., c. 3-A, Sec. 152, repealed and replaced.** Section 152 of chapter 3-A of the Revised Statutes, as enacted by section 1 of chapter 360 of the public laws of 1961, is repealed and the following enacted in place thereof:

**'Sec. 152. Application of law.** Sections 153 to 163 apply to members of the armed forces as defined in section 1.'

Further amend said Bill by inserting after section 11, a new section to read as follows:

**"Sec. 11-A. R. S., c. 3-A, Sec. 173, sub-Sec. I, amended.** Subsection I of section 173 of chapter 3-A of the Revised Statutes, as enacted by section 1 of chapter 360 of the public laws of 1961, is amended to read as follows:

**'I. Exception.** The treasurer of a municipal committee need shall not file campaign reports with the Secretary of State, but the amounts of money received and spent, and the liabilities incurred by his committee must shall be included in the reports of the proper county committee filed with the treasurer of the county committee, who shall forward such reports with the county committee report to the Secretary of State.'

Committee Amendment "A" was adopted in concurrence and the Bill assigned for third reading tomorrow.

Report of the Committee on Judiciary on Bill "An Act to Revise the Laws Relating to Commitment of the Mentally Ill" (S. P. 609) (L. D. 1680) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Came from the Senate with the Report read and accepted and the Bill passed to be engrossed as

amended by Committee Amendment "A."

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

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

COMMITTEE AMENDMENT "A" to S. P. 609, L. D. 1680, Bill, "An Act to Revise the Laws Relating to Commitment of the Mentally Ill."

Amend said Bill in that part designated "Sec. 135-A" of section 2 by striking out the first underlined sentence and inserting in place thereof the following underlined sentence:

'The probate court conducting proceedings for the involuntary judicial hospitalization of an individual under sections 175, 185 and 186 shall order that the Department of Mental Health and Corrections be charged in the first instance for any expenses of examination, fees incident to giving notice, fees of attorneys when court appointed, and other proper fees and charges when hospitalization is not ordered and, when hospitalization is ordered, for any expenses of examination and commitment, including fees of attorneys, when court appointed, and fees or charges for notice when served in hand or by certified mail.'

Further amend said Bill in section 2 by striking out all of that part designated "Sec. 135-B." and inserting in place thereof the following underlined section:

'Sec. 135-B. Revolving Fund. There is reappropriated to the Department of Mental Health and Corrections the unexpended balance of "Working Capital Reserve for Institutional Farms", Account No. 6397. Said sum so reappropriated shall be a revolving fund for the use of said department in carrying out the terms and purposes of section 135-A. This section shall remain effective until repealed by the Legislature at which time the sum reappropriated by this section shall be repaid into the General Fund.'

Further amend said Bill in section 3, by striking out all of the 5th, 6th, 7th, 8th, 9th and 10th lines and inserting in place thereof the following:

'Upon receipt of an application the court shall give notice thereof in hand to the proposed patient, in hand or by certified mail, to his legal guardian, if any known, and to his spouse, parents and nearest known other relative or a parent or one of his adult children, or if none of these persons exist or if their whereabouts are unknown then to one of his next of kin or to a friend. If one of the named persons'

Further amend said Bill in section 4, by striking out all of the underlined 5th, 6th, 7th and 8th lines and inserting in place thereof the following:

'Notice of the hearing shall be given at least 72 hours prior to the time of said hearing, in the same manner as is required for notice of receipt of application, to the person or persons receiving notice of receipt of application, to the applicant in hand or by certified mail, and to such other persons as the court may direct.'

Further amend said Bill by adding at the end, before the emergency clause, the following section:

'Sec. 7. Resolves, 1949, c. 109, repealed. Chapter 109 of the resolves of 1949, as amended by chapter 34 of the resolves of 1951, is repealed.'

Committee Amendment "A" was adopted in concurrence and the Bill assigned for third reading tomorrow.

### Divided Report

Majority Report of the Committee on Industrial and Recreational Development reporting "Ought to pass" on Bill "An Act to Provide Aid to Maine Industries to Obtain Government Contracts" (S. P. 601) (L. D. 1641)

Report was signed by the following members:

Messrs. LOVELL of York  
 NOYES of Franklin  
 JACQUES of Androscoggin  
 — of the Senate.  
 Mrs. KILROY of Portland  
 Messrs. HARDY of Hope  
 JOBIN of Rumford  
 KIMBALL  
 — of Mount Desert  
 MINSKY of Bangor  
 MORRILL of Harrison  
 — of the House.

Minority Report of same Committee reporting "Ought not to pass" on same Bill.

Report was signed by the following member:

Mr. TWEEDIE of Mars Hill  
— of the House.

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

In the House: Reports were read.

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

Mr. MORRILL: Mr. Speaker, I move that we accept the Majority Report.

The SPEAKER: The question now before the House is the motion of the gentleman from Harrison, Mr. Morrill, that the House accept the Majority "Ought to pass" Report.

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

Mr. TWEEDIE: Mr. Speaker, Ladies and Gentlemen of the House: I simply want to explain my position. Apparently I am hard to get along with on this one. The idea is very good, and this would have a man who would cost somewhere in the neighborhood of \$20,000 a year estimated to rove Washington securing government contracts. His duties will be to help small business, fill out the forms, make the proper filings and get contracts. The proponents of this bill said that it is not done by any other state but it is done on a great scale by individuals and private businesses and associations. One case was cited in particular where fourteen small firms on the west coast hired a man and in a couple of years became very, very strong and a multi-million dollar operation. I think their idea is a great one, but I do think that the state has no business paying this man's wages. He goes to Washington and secures a government contract or knows one by looking at the bids each day and when he comes back to Maine, who does he give it to, you or me or who, who gets this contract, the D.E.D.? Who does the D.E.D. give it to? There is no responsibility over this man. He is responsible to no one. The situation is extremely successful and done on a very large scale by private industry. In no other case does the

state pay his salary and this is why I object to it. I think the idea is wonderful but the state has no business being in it.

In two hundred years this country has become the greatest nation on the face of the earth out of six thousand years of recorded progress. Now for some reason we decide that the free enterprise system which this country became so great under is not good and that the state should be paying and trying to find this information. I think it is a wonderful idea but industry should be paying for it themselves.

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

Mr. LITTLEFIELD: Mr. Speaker, Ladies and Gentlemen of the House: I heartily agree with the remarks of the gentleman from Mars Hill, Mr. Tweedie, but before we vote upon this measure I would like to call to your attention a few figures I have taken from the report of the D.E.D. The Report to the 100th Legislature of the expenditures and activities of the Department of Economic Development for the fiscal year ending June 30, 1960, the expenditures of the Division of Recreational Promotion amounted to the grand total of \$197,000, and I will just repeat the thousands of dollars; expenditures of the Division of Industrial Development, \$99,000. Salaries paid to officials and employees of the department based on the weekly rates paid as reported in accordance with House Paper 373, and no part time employees are included in this figure, the grand total of \$218,400. That makes a total of \$514,000, a half a million dollars. Of this amount there was spent for travel which consisted of auto mileage, rail, plane, boat and taxi fares and tolls, meals, lodging, gratuities and phone calls by the Division of Recreational Promotion, \$6,700 and some dollars; by the Industrial Development Division \$24,131, a total of \$30,000 for travel plus the salaries makes \$249,000 paid for salaries and travel, a quarter of a million dollars for one year's work.

Now to go on further, we have a report from July 1, 1960 to March 1, 1961, the Division of Recreational Promotion \$64,000, Industrial De-

velopment \$70,000, salaries for these men based on the schedules printed in the little so-called pea green book here, for eight months \$145,000, and in addition there were the appropriations for the Northeastern States Exposition, which makes a grand total of \$298,257. Now from this amount there was spent for travel by the Division of Recreational Promotion \$6,000 some dollars, the Industrial Development \$18,000 and the New England States Exposition \$2,000. \$26,000 spent for salaries plus salaries of \$145,000 makes a grand total of \$171,000. The Department of Economic Development spent in less than two years time the grand total of \$812,843. Add to this the salaries for the remaining four months \$72,000 and some dollars plus the amount spent for travel and you have a million dollars spent by the D.E.D in two years' time.

Now what did they do with the remaining four months, March 1st to July 1st? That is an excellent time to do some work in the south. The Forsythia and the Cherry blossoms are in bloom, the Rosebud Trees and the Dogwoods of Virginia are out, the Peachtrees of Georgia, the Magnolias and Camellias of Louisiana, those beautiful colored birds of the lowlands know the trees are leafing out and this is the time to take your wife along, and after dinner make her a member of the overtime crew.

Now let's take a talk about the salaries paid by our Department of Economic Development. There are thirty-six full time employees listed on pages 11 and 12 in the list of salaries. The Commissioner gets in the neighborhood of \$14,000, the Deputy Commissioner \$10,000, three Directors \$9,000 each and a creative artist \$9,000, seventeen others including assistant directors and industrial representatives who receive over \$5,000 annually and thirteen employees receiving in the neighborhood of \$3,000. Now, if from the six men in the department being paid salaries of over \$9,000 per year there isn't one capable of going to the local, state and federal governments for contracts, they had better close shop or find some new officials. I move that this L. D. and

all its papers be indefinitely postponed.

The SPEAKER: The question before the House is the motion of the gentleman from Hampden, Mr. Littlefield, that the Report and the Bill be indefinitely postponed.

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

Mr. HARDY: Mr. Speaker, I thoroughly understand the points that have been brought out here by the last two speakers and I somewhat agree with them. But on the other hand, we here in the State of Maine are only receiving today roughly \$12,000,000 of government contracts, these mainly going to our small manufacturing firms, and it is the opinion of the committee that perhaps even though some of us don't wholeheartedly agree with this method of approach that we could more than double the government contracts coming into the State of Maine with some work being done on it.

Another thing that is most important also today is the fact that eighty percent of government procurement today is not by contract, they are negotiable accounts. In other words, they aren't put out to bid but they are there, and a man on the job is able to pick them up. What he does with them when he gets the job back here, the contract back here, is something else that would have to be taken care of if we found that it wasn't all in fairness. But I do strongly believe that we here in the State of Maine aren't getting the fair share. In my father's day the procurement of our federal services was more in the idea of sending a man out and buying what they wanted. Today, it is too big to do that and they look for the production to come to them and give them a bid or to come to them and seek out, so we here in the State of Maine find ourselves in a position of having to go to them, and we must have a representative to do that. I hope that the motion before us does not prevail.

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

Mr. COOPER: Mr. Speaker and Ladies and Gentlemen of the House: I thoroughly support and agree

with the remarks of my colleague from Hampden, Mr. Littlefield. We have a Bath Iron Works down here that gets a fairly good share of government contracts and they go after it and get them themselves. I would ask some of the people from over in Lewiston if perhaps Raytheon doesn't look after their own affairs. I don't think that we need a political appointee to go down to Washington and draw a salary to promote the DED. We gave them a whole lot more money, in my opinion, than they actually need. They had a hundred and some odd million to work with and we gave them some more, and when you want to get any information you go to some other department than DED to get it. I can't talk too very well about it, but I think that we don't need this extra personnel and I hope that the thing will be killed.

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

Mr. MINSKY: Mr. Speaker and Members of the House: This bill, as you know and can see from the agenda that we have before us, received approval from nine members of the committee who went over the facts I think rather carefully. The gentleman from Mars Hill, Mr. Tweedie, has referred to the two hundred year history of this country and the great progress it has made, this I agree; that we have made great progress but it has been made because the people had the initiative and aggressiveness to go out and get the things they need and to change with changing times. Now I think that the nature of business today has changed from the way the business was conducted two hundred years ago or a hundred years ago or fifty years ago, and the legislation that we have passed over this 100th session and all the previous sessions proves this. We come in here and we wring our hands in the halls and in this room here about the unemployment in this State. We come here and we talk about how the young people are leaving the State, and we wonder who is going to help this; and sometimes some of the young people in the State feel that we sitting in this room must

help this. That sometime we must go out and we must try to secure industries for this State and bring industries back to this State, to keep the young people here.

Now we received approximately twelve million dollars in government contracts last year. This is a pittance, this is small, this is nothing compared with the millions in fact billions of dollars that are being spent on government contracts. Two hundred years ago, this percentage of the economy was not spent with the government; it is today, and our methods must change with this. I am not worried about the Bath Iron Works, and I am not worried about Raytheon; they can take care of themselves. Of that twelve million dollars in government contracts, approximately half is with the Bath Iron Works. I wish we had more Bath Iron Works and I wish we had more Raytheons in the State of Maine. Unfortunately we don't.

The nature of the industry in the State of Maine is mostly small industries, small firmly held industries and small diversified industries of many different types and kinds. These small industries are unable on their own to send out men to Washington because they don't have the payrolls and they don't have the facilities to send men out to Washington to find the contracts that are available. As was pointed out, eighty percent of the contracts are not put out for bid, they are negotiated. There must be competent help. A man who would be responsible to the DED could do this, could provide the assistance to these small industries who are unable because of their size or lack of facilities to do this themselves. There is a share of this business that we can have in the State of Maine if we go after it. I think it is time that we tried for some positive action to seek the industry that we so desperately need. I therefore hope that this motion to indefinitely postpone will not prevail and that we will allow our industries in the State of Maine to actively with state help seek government contracts so that our employment can improve, our tax load can be better diversified and may-

be our young people will stay at home.

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

Mr. LITTLEFIELD: Mr. Speaker, I can agree with everything Mr. Minsky from Bangor has said. It is my contention that with the high-salaried men they have in the Department of Economic Development that there should be one capable of going to Washington or wherever it is to secure these contracts without having to put another man in there with a \$25,000 or \$30,000 appropriation, and after we get it there we have got to make the appropriation for it for the next hundred years.

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

Mr. ANDERSON: Mr. Speaker, Ladies and Gentlemen of the House: I am heartily in accord with the remarks made by Mr. Littlefield of Hampden, and I certainly hope that this bill is indefinitely postponed.

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

Mr. TWEEDIE: Mr. Speaker and Ladies and Gentlemen of the House: There have been a few figures bandied around here a little bit, and \$12,000,000 in government contracts has been mentioned of which Bath Iron Works supposedly got half. The figure is \$72,000,000 last year which Bath Iron Works got \$60,000,000 by scratching themselves. These other little industries can band together the same as the fourteen small ones the proponent of the bill described who got together and are now two years later multi-million dollar corporations. These contracts can be had. This is a good deal. We do need to promote Maine business, but these people can do it for themselves. And in the free enterprise system which has been referred to under which our progress was made has been proved successful, and no other one on the face of the earth ever has, so why do we have to keep working and keep trying socialism.

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

Mr. PLANTE: Mr. Speaker, I certainly have to disagree with the gentleman from Mars Hill, Mr. Tweedie. First of all, the socialism only comes about when the means of production are affected, and this individual would not interfere with the means of production and consequently you couldn't have any socialism. Therefore, he would only assist and only help promote our free enterprise system. I certainly agree with Mr. Minsky, the amount isn't so vast that we cannot afford to take a chance.

The very same people who get up here and tell us not to take a chance, who want us to take only a timid approach in an attempt to bring in new industries and new contracts are the very same ones who when faced with bills to assist those that are unemployed they do not care to do so. When those bills are here they claim well this isn't really helping the individual that is unemployed, what we should do is get new industry, get them to work. Well to those, this is your chance, those of you who are not satisfied in assisting those in need when they are unemployed who feel that they should be employed, and I certainly feel that they should be employed. This is your chance to help out.

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

Mr. TYNDALE: Mr. Speaker and Ladies and Gentlemen of the House: I had not intended to speak on this bill. I am just merely seeking information. This is quite a gigantic task that you are referring to one man. I would like to ask a question of one of the members of the Committee if they would so wish to answer, is this man going to act as a coordinator to work with the small industries and to guide them in getting contracts? Now if he is going to do that, it is a very good purpose, but he would have to do it through many facets. First of all, he would have to work very closely with our Congressmen and our Senators. Then he would have to also approach large industries in order that they may subcontract some of their work back to these small industries. Now if the work is organized in that fash-



ion, and this man is a capable man and can make these contacts and work in that direction, it certainly would serve a very useful purpose.

The SPEAKER: Does the Chair understand that the gentleman from Kennebunkport, Mr. Tyndale, has asked a question through the Chair?

Mr. TYNDALE: I would like a little information on how this is set up.

The SPEAKER: The gentleman from Kennebunkport, Mr. Tyndale, has asked a question through the Chair to any member of the Committee who may answer if he so chooses.

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

Mr. HARDY: Mr. Speaker, today, Uncle Sam has a terrific bookkeeping paperwork situation. The procurement of a government contract isn't the signing of a paper, it is papers in duplicate, triplicate and I don't know where they go from there. We had one fellow before our committee that told us about a contract that they had recently been able to obtain in Sanford. The stack of papers that they had to work through were inches high, not a folder full, but a tremendous thing. This man that we hope to have will have an understanding of government contracts, the workability of them, how to go about them. He will also work very closely with our Congressional representation in Washington who have their finger on them.

It was pointed out to us in committee that the Congressional representation with somebody to work with is invaluable. Representative Garland from Washington in this particular instance cited to us was tremendous, and they were able to get a contract through his help and their own efforts that would last them for over six months.

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

Mr. TYNDALE: Mr. Speaker, I wish to thank my colleague, Mr. Hardy for his answer. I would like to add this thought to it, that this man would have to have extraordinary knowledge of EMA accounts and would have to be carefully screened and chosen, and I as-

sume — I would have liked to have asked another question as to who was going to select this man and how he was going to be screened.

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

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

Mr. TWEEDIE: Mr. Speaker, in answer to Mr. Tyndale's question, this man would be selected by the DED and must be hired under contract since the personnel scale won't allow them to pay anyone \$14,000, about \$9,000 would be tops, but in order to pay this man \$14,000 they have got to contract with him rather than hire him through personnel.

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

Mr. KENNEDY: Mr. Speaker, Ladies and Gentlemen of the House: I am sympathetic with this bill and its intent; however, I am opposed to it as written. If this bill had been a directive to our Department of Economic Development that they send one of their personnel and see to it that he was trained for this sort of thing and use the funds that has already been appropriated to that office, I would endorse it heartily. As I see this bill as presented, it is no different than the one that we defeated in the House this last session. I am very much opposed to it and I shall vote against it. But I am sympathetic with the intent of the bill.

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

Mr. HINDS: Mr. Speaker, I won't belabor this issue any longer, but I would like to say that I am in favor of indefinite postponement of this bill and I would request a division.

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

Mrs. SMITH: Mr. Speaker and Members of the House: I too am in favor of the indefinite postponement of this bill. This bill is not a bill that should have been in

a special session, it is a bill that should be evaluated in a regular session. Due to the fact that you are hiring this man outside of the regular Personnel laws, you then create some feelings in the Department. Apparently you are going to pay him as much as your Commissioner. You refused in the last regular session to give the Governor such a liason man, yet you are willing to give it to the Department of DED; and I would remind you that within the month, they have been selecting two new members to represent them in the industrial field, because I happen to know because this is money that we gave them in the last session, which I was perfectly happy to do, but they were selecting two new members because I happen to know someone that is applying for the job; and therefore, what is the matter with assigning one of those two new men to this job if it is that important?

The SPEAKER: Is the House ready for the question? The question before the House is the motion of the gentleman from Hampden, Mr. Littlefield, that the Reports and the Bill "An Act to Provide Aid to Maine Industries to Obtain Government Contracts," Senate Paper 601, Legislative Document 1641, be indefinitely postponed, and a division has been requested.

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

A division of the House was had.

Eighty-four having voted in the affirmative and thirty-two having voted in the negative, the motion did prevail, the Reports and Bill were indefinitely postponed in non-concurrence and sent up for concurrence.

The Chair laid before the House on Supplement 6 under Tabled and Later Today Assigned, Bill "An Act to Provide for a Legislative Finance Officer," H. P. 1215, L. D. 1668, tabled earlier today by the gentleman from Friendship, Mr. Winchenpaw, pending passage to be engrossed.

Mr. Whitman of Woodstock of-

fered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to H. P. 1215, L. D. 1668, Bill, "An Act to Provide for a Legislative Finance Officer."

Amend said Bill in the 19th and 20th line by striking out the underlined words "**and substantiate all claims against the State**".

Further amend said Bill in the 22nd line by adding after the underlined word "**directed**" the underlined words '**by the Legislative Research Committee**'.

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

The SPEAKER: The Chair now lays before the House a matter which was tabled earlier this evening by the gentleman from Bowdoinham, Mr. Curtis, pending passage to be engrossed, Bill "An Act relating to Gross Weight and Width of Trucks Hauling Construction Materials," H. P. 1237, L. D. 1702.

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

Mr. CURTIS: Mr. Speaker, Ladies and Gentlemen: In reference to this amendment which we have prepared, there were some of us here who were somewhat concerned about what this might do for federal funds as the Highway Act of 1956, so we have taken it up with the Attorney General's Office, also with the Legislative Research, and one of the leading attorneys here in Augusta.

Now what this amendment proposes to do is to strike out section 4 of the limitations because it was the opinion of these learned gentlemen that the wording was not just right, and while it will just simply do exactly what this limitation is, but they have changed the wording to do much better and also the Legislative Research Director tells us that it will be a help since this amendment will be printed in the laws when they are revised and not merely be stuck away so it won't come to their attention, this is filing H-426, and we are satisfied, those who were concerned about it,

that it won't do any harm to what this bill is proposed to do.

Now what this bill is proposing to do perhaps you all know is simply that they have a larger tire and take some of the stress off of the road. As it is now they have a nine inch tire but by putting a spacer in it takes about three inches on a side and they have to have a little mite wider, rather than ninety-six inches it would be one hundred and two inches in the width of the truck so they can put on this eleven inch tire which would be much better for the roads and allow these people who own this equipment who now have to go up to New Hampshire for a job to be able to operate here in Maine.

The SPEAKER: The gentleman from Bowdoinham, Mr. Curtis, offers House Amendment "A" and moves its adoption.

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

HOUSE AMENDMENT "A" to H. P. 1237, L. D. 1702, Bill, "An Act Relating to Gross Weight and Width of Trucks Hauling Construction Materials."

Amend said Bill by striking out all of section 4 and inserting in place thereof the following:

**"Sec. 4 R. S., c. 22, Sec. 111-B, additional.** Chapter 22 of the Revised Statutes, as amended, is further amended by adding a new section 111-B, to read as follows:

**'Sec. 111-B. Limitation. Nothing in chapter 22 of the Revised Statutes of 1954, as amended, shall permit or validate the use of the Interstate System as defined in the Federal Aid Highway Act of 1956 by vehicles with weights carried on any one axle, tandem axle weights or overall gross weights or maximum widths in excess of the applicable maximum weights or maximum widths permitted by the provisions of section 108 (j) of the Federal Aid Highway Act of 1956.'**"

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

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

Mr. BAXTER: Mr. Speaker, it now being the hour of nine o'clock, I herewith move that that part of House Rule 26 which prohibits the transaction of business in the House after nine o'clock be suspended.

The SPEAKER: The gentleman from Pittsfield, Mr. Baxter, has moved that the rules be suspended which prohibit the transaction of business after nine o'clock. Is this the pleasure of the House?

The motion prevailed.

On motion of Mr. Baxter of Pittsfield,

Adjourned until ten o'clock tomorrow morning.