

# MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and First  
Legislature*

OF THE

STATE OF MAINE

1963

DAILY KENNEBEC JOURNAL  
AUGUSTA, MAINE

## HOUSE

Friday, April 5, 1963

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

Prayer by the Rev. Mr. Lorimer Morrison of the United Baptist Church, Dover-Foxcroft.

The journal of the previous session was read and approved.

### Papers from the Senate

From the Senate:

Bill "An Act to Permit Towns to Choose Single Assessors and to Permit Certain Cities and Towns to Create Boards of Assessment Review" (S. P. 561) (L. D. 1501)

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

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

From the Senate:

Bill "An Act relating to Loans by Washington County" (S. P. 562) (L. D. 1502)

Came from the Senate referred to the Committee on Towns and Counties.

In the House, referred to the Committee on Towns and Counties in concurrence.

### Senate Reports of Committees Leave to Withdraw

Report of the Committee on Appropriations and Financial Affairs on Resolve Appropriating Moneys to Match Federal Funds Provided under the National Public Health Service Act (S. P. 199) (L. D. 509) reporting Leave to Withdraw.

Came from the Senate read and accepted.

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

### Covered by Other Legislation

Report of the Committee on Appropriations and Financial Affairs reporting Leave to Withdraw Resolve Appropriating Funds for Advisory Committee on Education (S. P. 204) (L. D. 514), as it is covered by other legislation.

Came from the Senate read and accepted.

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

### Ought to Pass

Report of the Committee on Health and Institutional Services reporting "Ought to pass" on Bill "An Act relating to Indian Tribal Elections." (S. P. 310) (L. D. 976)

Report of same Committee reporting same on Bill "An Act relating to Attendance Officers of Passamaquoddy Indian Tribe" (S. P. 311) (L. D. 977)

Report of same Committee reporting same on Bill "An Act relating to Qualifications for Voting on Indian Reservations" (S. P. 449) (L. D. 1278)

Report of the Committee on Highways reporting same on Bill "An Act Providing Area Directional Sign for Damariscotta-Pemaquid Region" (S. P. 312) (L. D. 978)

Report of the Committee on Veterans and Military Affairs reporting Same on Bill "An Act relating to the Organization of the Maine State Guard" (S. P. 85) (L. D. 192)

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

In the House, the Reports were read and accepted in concurrence, the Bills read twice and assigned the next legislative day.

### Ought to Pass with Committee Amendment

Report of the Committee on Veterans and Military Affairs on Bill "An Act relating to Definition of and Educational Assistance for Orphans of Veterans" (S. P. 466) (L. D. 1293) 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. 466, L. D. 1293, Bill, "An Act relating to Definition of an Educational Assistance for Orphans of Veterans."

Amend said Bill in the last line of section 2 by inserting after the underlined word "**attendance**" the underlined words "**nor exceeding 6 consecutive academic years from the date of first entrance**"

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

#### Non-Concurrent Matter

Bill "An Act relating to Establishment of a Personnel Law for Certain Employees of the City of Lewiston" (H. P. 543) (L. D. 801) on which the House insisted on April 2 on its former action where-by the Bill was referred to the Committee on Judiciary.

Came from the Senate with that body voting to insist on its former action whereby the Bill was referred to the Committee on Municipal Affairs in non-concurrence, and asking for a Committee of Conference with the following Conferees appointed on its part:

Messrs. JACQUES of Androscoggin  
COUTURE of Androscoggin  
BOISVERT of Androscoggin

In the House: On motion of Mr. Jalbert of Lewiston, the House voted to join in the Committee of Conference.

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

Messrs. JALBERT of Lewiston  
COTE of Lewiston  
WELLMAN of Bangor

#### Non-Concurrent Matter

Bill "An Act relating to Requirements, Appointment and Term of the Adjutant General" (H. P. 250) (L. D. 319) which was passed to be engrossed in the House on February 12.

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

In the House: On motion of Mr. Gilbert of Eddington, the House voted to recede and concur with the Senate.

From the Senate: The following Report: (S. P. 560)

#### COMMITTEE ON RELOCATION OF BOYS' TRAINING CENTER STATE HOUSE AUGUSTA, MAINE

Members of the 101st Legislature

The Committee on Relocation of Boys' Training Center, after due consideration, has found that by re-locating the north-south runway of the Portland Municipal Airport by swinging the south end approximately 15 degrees to the east, the Boys' Training Center could remain and could be expanded at its present location.

We also recommend that the plot of land bounded by Westbrook Street and the school property be purchased. This will help make up for the loss of land used in relocating the north-south runway.

The Committee has considered several other sites but due to recent developments expansion at the present school site would be in the best interests of the State of Maine.

#### Senators:

HINDS of Cumberland  
HARRINGTON of Penobscot  
FERGUSON of Oxford

#### Representatives:

BENSON of Hancock  
CRESSEY of York  
HENDRICKS of Cumberland  
ROSS of Kennebec  
WOOD of Waldo

NIRAN C. BATES,  
State Director of Public  
Improvements  
WALTER F. ULMER,  
Commissioner, Department  
of Mental Health & Corrections

Came from the Senate read and accepted.

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

By unanimous consent Mr. Noel of Waterville presented the following Resolution and moved its adoption:

RESOLVED, that J. Richard Roy of Winslow is hereby declared duly elected representative to the One Hundred and First Legislature.

The Resolution was adopted.

The SPEAKER: The Chair understands that the Representative-elect

from Winslow, J. Richard Roy, is present in the hall of the House. The Chair will appoint the gentleman from Waterville, Mr. Noel and the Sergeant-at-Arms to conduct the Representative-elect to the office of the Governor to receive and subscribe to the oaths of office necessary to qualify him to enter upon the duties of his office as Representative to the Legislature.

Subsequently Mr. Noel returned and reported he had discharged the duty with which he was charged, and that Representative J. Richard Roy had taken and subscribed the oaths necessary to qualify him to enter upon the discharge of his duties.

The SPEAKER: The new Representative from Winslow will occupy seat 138 and on behalf of the House the Chair extends to you a warm welcome to this body. (Applause)

#### Messages and Documents

The following Communications:

##### STATE OF MAINE

April 5, 1963

To the Honorable David J. Kennedy, Speaker of the House of Representatives of the One Hundred and First Legislature:

In compliance with the Constitution and laws of the State of Maine, I have the honor to herewith report the return of votes cast for Representative to the Legislature in the Town of Winslow at a Special Election held April 1, 1963, according to a review of the returns made by the Governor and Council, to fill the vacancy caused by the death of William T. Dostie, as follows:

Robert H. Dunbar of Winslow, 407 votes,

J. Richard Roy of Winslow, 718 votes.

(Signed)

Respectfully,

PAUL A. MacDONALD  
Secretary of State

##### STATE OF MAINE Office of Secretary of State

April 5, 1963

To Harvey R. Pease, Clerk of the House of Representatives of the One Hundred and First Legislature:

In compliance with Section 1 of Chapter 10 of the Revised Statutes, I hereby certify that in accordance with the provisions of Section 186 of Chapter 3-A of the Revised Statutes, a Special Election was held in the Town of Winslow on April 1, 1963, for the purpose of electing a Representative to the One Hundred and First Legislature to fill the vacancy caused by the death of William T. Dostie; that at said election J. Richard Roy of Winslow, having received a plurality of all votes cast in said election, as contained in a report submitted to the Governor and Council under date of April 3, 1963, appears to have been elected a Representative to the One Hundred and First Legislature.

IN WITNESS WHEREOF, I have caused the Great Seal of the State to be hereunto affixed this fifth day of April in the year of our Lord one thousand nine hundred and sixty-three and of the Independence of the United States, the one hundred and eighty-seventh.

(SEAL)

(Signed) PAUL A. MacDONALD  
Secretary of State

The Communications were read and ordered placed on file.

The following Communications:

##### STATE OF MONTANA

Office of the Secretary of State  
Helena, Montana

March 14, 1963

The Honorable David J. Kennedy  
Speaker of the House  
of Representatives

Capitol  
Augusta, Maine

Dear Mr. Speaker:

In accordance with the mandate of the Thirty-Eighth Legislative Assembly of the State of Montana, I attach herewith for your information and such action as you may deem necessary a copy of House Joint Resolution No. 13.

This Resolution was concurred in by the Montana Legislature on March 7, 1963, and signed by the Governor on March 11, 1963.

Sincerely yours,  
(Signed) FRANK MURRAY  
Secretary of State

STATE OF MAINE  
Department of State  
Augusta

March 13, 1963

Harvey R. Pease, Clerk  
House of Representatives  
101st Legislature  
Augusta, Maine

Dear Mr. Pease:

As requested by Niels P. Jensen, Secretary of the Senate of the State of South Dakota, I herewith transmit a certified copy of a Concurrent Resolution No. 13 from that state with reference to a proposed amendment to the Constitution of the United States relating to the appointment of Electors of President and Vice President.

Very truly yours,

(Signed) PAUL A. MacDONALD  
Secretary of State

The Communications were read and with accompanying Resolutions ordered placed on file.

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

#### **Petitions, Bills and Resolves Requiring Reference**

The following Bill, approved by a majority of the Committee on Reference of Bills for appearance on House Calendar, less than one-tenth of the members present objecting, was received and referred to the following Committee:

#### **Education**

Bill "An Act to Authorize the Municipalities of Ashland, Garfield Plantation and Portage Lake to Suspend the Operation of Ashland Community School District and Reorganize as a School Administrative District" (H. P. 1036) (presented by Mr. Welch of Chapman)  
(Ordered Printed)

Sent up for concurrence.

#### **Orders**

On motion of Mrs. Lincoln of Bethel, it was

ORDERED, that Rev. Richard Hamilton of the Methodist Church, Bethel, be invited to officiate as Chaplain of the House on Tuesday, April 16, 1963.

On motion of Mr. Whitney of Winn, it was

ORDERED, that Rev. Carl Russell of the Episcopal Church, Winn, be invited to officiate as Chaplain of the House on Friday, April 19, 1963.

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

Mr. Wood from the Committee on Retirements and Pensions on Bill "An Act relating to Restoration to Service under Maine State Retirement Law" (H. P. 679) (L. D. 935) reported Leave to Withdraw.

Mrs. Shaw from the Committee on Towns and Counties reported same on Bill "An Act relating to Use of Town Highway Equipment on Private Ways" (H. P. 75) (L. D. 37)

Reports were read and accepted and sent up for concurrence.

#### **Covered by Other Legislation**

Mr. Hammond from the Committee on Towns and Counties reported Leave to Withdraw on Bill "An Act Increasing Salary of County Attorney of Somerset County" (H. P. 702) (L. D. 958), as it is covered by other legislation.

Mr. MacPhail from same Committee reported same on Bill "An Act Increasing Salary of County Attorney of Sagadahoc County" (H. P. 697) (L. D. 953), as it is covered by other legislation.

Same gentleman from same Committee reported same on Bill "An Act Increasing Salary of County Attorney of York County" (H. P. 851) (L. D. 1238), as it is covered by other legislation.

Mr. Poirier from same Committee reported same on Bill "An Act Increasing Salaries of County Attorney and Assistant County Attorney of Penobscot County" (H. P.

76) (L. D. 38), as it is covered by other legislation.

Mrs. Shaw from same Committee reported same on Bill "An Act Increasing Salaries of County Attorney and Assistant County Attorney of Aroostook County" (H. P. 705) (L. D. 961), as it is covered by other legislation.

Reports were read and accepted and sent up for concurrence.

#### Ought Not to Pass

Mr. Finley from the Committee on Transportation reported "Ought not to pass" on Bill "An Act relating to the Licensing of Motor Vehicle Manufacturers, Distributors and Wholesalers" (H. P. 954) (L. D. 1388)

Mr. Linnekin from the Committee on Transportation reported "Ought not to pass" on Bill "An Act relating to Width of Motor Vehicles and Trailers" (H. P. 711) (L. D. 967), as it is covered by other legislation.

Reports were read and accepted and sent up for concurrence.

#### Ought to Pass in New Draft New Draft Printed Tabled and Assigned

Mr. Williams from the Committee on Natural Resources on Bill "An Act Repealing Law Allocating Moneys from Organized Township's Fund for Managing Public Reserved Lots in Plantations" (H. P. 163) (L. D. 212) which was re-committed, reported same in a new draft (H. P. 1037) (L. D. 1503) under title of "An Act relating to Allocating Moneys from Organized Township's Fund for Managing Public Reserved Lots in Plantations" and that it "Ought to pass"

Report was read.

(On motion of Mr. Viles of Anson, tabled pending acceptance of the Committee Report and specially assigned for Friday, April 12.)

#### Ought to Pass Printed Bills

Mr. Gustafson from the Committee on Retirements and Pensions reported "Ought to pass" on Resolve Increasing Pension of Maurice Albert of Madawaska (H. P. 348) (L. D. 502)

Mr. Crommett from the Committee on Towns and Counties reported the same on Bill "An Act to Authorize Town of Woodville to Pay for Power Line" (H. P. 258) (L. D. 327)

Same gentleman from same Committee reported same on Bill "An Act relating to Payments to Sagadahoc County Law Library" (H. P. 755) (L. D. 1084)

Mr. Kent from the Committee on Welfare reported same on Bill "An Act relating to Licensing of Children's Homes and Defining Day Care Facilities" (H. P. 860) (L. D. 1247)

Reports were read and accepted, the Bills read twice, Resolve read once, and assigned the next legislative day.

#### Ought to Pass with Committee Amendment

Mr. Hobbs from the Committee on Health and Institutional Services on Bill "An Act relating to Optometric Services under Aid to the Blind and Nonprofit Hospital Organizations Laws" (H. P. 904) (L. D. 1312) 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. 904, L. D. 1312, Bill "An Act relating to Optometric Services Under Aid to the Blind and Nonprofit Hospital Organizations Laws."

Amend said Bill by striking out in the 5th line the underlined word "and" and inserting in place thereof the underlined word "or"

Committee Amendment "A" was adopted and the Bill assigned for third reading the next legislative day.

Mr. Berman from the Committee on State Government on Bill "An Act to Revise the Civil Defense and Public Safety Council Law." (H. P. 332) (L. D. 1219) 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. 832, L. D. 1219, Bill, "An Act to Revise the Civil Defense and Public Safety Council Law."

Amend said Bill in the 6th line of section 1 by striking out the underlined word "The" and inserting in place thereof the underlined words and punctuation 'if the Governor is temporarily absent from the State or is otherwise unavailable, the'

Further amend said Bill in section 2 by adding at the end, before the single quotation mark, the following underlined sentence:

'Said proclamation shall be published in such newspapers of the State and posted in such places as the Governor, or the person acting in that capacity, deems appropriate.'

Further amend said Bill in the 5th line of section 4 by striking out the underlined word "direct" and inserting in place thereof the underlined word 'concurrent'

Committee Amendment "A" was adopted and the Bill assigned for third reading the next legislative day.

Mr. Whitney from the Committee on Transportation on Bill "An Act relating to Operation of Farm Trailers without Registration" (H. P. 620) (L. D. 855) 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. 620, L. D. 855, Bill, "An Act relating to Operation of Farm Trailers Without Registration".

Amend said Bill in the 4th line by inserting after the underlined words "farm trailer" the following underlined words 'with a load not in excess of 2,000 pounds'

Committee Amendment "A" was adopted and the Bill assigned for third reading the next legislative day.

**Divided Report  
Tabled and Assigned**

Majority Report of the Committee on Labor reporting "Ought not to pass" on Bill "An Act Providing

that Employment shall not be Conditioned upon Membership or Non-membership in, nor upon Payment or Nonpayment of Money to, a Labor Organization" (H. P. 537) (L. D. 754)

Report was signed by the following members:

Messrs. JOHNSON of Somerset  
COUTURE of Androscoggin  
HINDS of Cumberland  
— of the Senate.

Messrs. PRINCE of Oakfield  
GIFFORD of Manchester  
MENDES of Topsham  
NOEL of Waterville  
EWER of Bangor  
BROWN of South Portland  
— 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 member:

Mr. DUNN of Denmark  
— of the House.

Reports were read.

(On motion of Mr. Wellman of Bangor, tabled pending acceptance of either Report and specially assigned for Tuesday, April 9.)

**Divided Report**

Majority Report of the Committee on Welfare reporting "Ought not to pass" on Bill "An Act relating to Licensing Homes for Unwed Mothers" (H. P. 861) (L. D. 1248)

Report was signed by the following members:

Messrs. HINDS of Cumberland  
BREWSTER of York  
— of the Senate.

Messrs. WALTZ of Waldoboro  
KENT of Benton  
HENRY of North Yarmouth  
MacLEOD of Brewer  
— of the House.

Minority Report of same Committee reporting "Ought to pass" on same Bill.

Report was signed by the following members:

Mrs. HARRINGTON of Penobscot  
— of the Senate.

Messrs. ANDERSON of Orono  
GIROUX of Brunswick



BIRT of East Millinocket  
— of the House.

Reports were read.

On motion of Mr. MacLeod of Brewer, the Majority "Ought not to pass" Report was accepted and sent up for concurrence.

#### Passed to Be Engrossed

Bill "An Act Directing Review of Maine Criminal Statutes and Model Penal Code" (S. P. 273) (L. D. 787)

Bill "An Act Amending the Act of Incorporation of the Associated Hospital Service of Maine" (S. P. 276) (L. D. 790)

Bill "An Act relating to Violations of Law by Parolees of Reformatory for Men" (S. P. 295) (L. D. 868)

Bill "An Act relating to Sewer Service Charges" (S. P. 331) (L. D. 996)

Bill "An Act relating to Request for Arraignment in Vacation" (S. P. 363) (L. D. 1029)

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

#### Tabled and Assigned

Bill "An Act Adjusting Salary for the Supreme Judicial Court Messenger in Cumberland County" (S. P. 435) (L. D. 1178)

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

(On motion of Mr. Treworgy of Gorham, tabled pending passage to be engrossed and specially assigned for Friday, April 12.)

Bill "An Act relating to Placing Objects on Utility Poles without Consent" (S. P. 450) (L. D. 1279)

Was 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 Amended

Bill "An Act relating to Interference or Destruction of Transit Points and Monuments" (S. P. 474) (L. D. 1326)

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

Mr. Berry of Cape Elizabeth offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to S. P. 474, L. D. 1326, Bill, "An Act Relating to Interference or Destruction of Transit Points and Monuments."

Amend said Bill in the Title by inserting after the word "Interference" the word "with"

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

Bill "An Act to Establish and Regulate Commercial Driver Education Schools and Instructors" (S. P. 478) (L. D. 1330)

Was 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 and Assigned

Bill "An Act Adding the Maine Motor Vehicle Dealer Registration Board to the State Agencies Subject to the Administrative Code" (S. P. 487) (L. D. 1339)

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

(On motion of Mr. Scott of Wilton, tabled pending passage to be engrossed and specially assigned for Friday, April 12.)

Bill "An Act to Repeal the Act Creating the South Paris Village Corporation" (S. P. 501) (L. D. 1398)

Was 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 and Assigned

Bill "An Act to Revise the Laws Relating to Real Estate Brokers and Salesmen" (S. P. 552) (L. D. 1484)

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

(On motion of Mr. Denbow of Lubec, tabled pending passage to be engrossed and specially assigned for Friday, April 12.)

**Third Reader  
Tabled and Assigned**

Bill "An Act Appropriating Money to Match Funds for Elimination of Aquatic Growth" (H. P. 88) (L. D. 132)

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

(On motion of Mr. Taylor of South Portland, tabled pending passage to be engrossed and specially assigned for Wednesday, April 10.)

Bill "An Act relating to State Budget Estimates" (H. P. 320) (L. D. 447)

Was 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 and Assigned**

Bill "An Act to Provide for a Legislative Conference Prior to the Convening of the 102nd Legislature" (H. P. 411) (L. D. 564)

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

(On motion of Mr. Crommett of Millinocket, tabled pending passage to be engrossed and specially assigned for Wednesday, April 10.)

**Third Reader  
Amended**

Bill "An Act Exempting Certain Fraternal Societies from Property Taxes" (H. P. 844) (L. D. 1231)

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

Mr. Rust of York offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to H. P. 844, L. D. 1231, Bill, "An Act Exempting Certain Fraternal Societies from Property Taxes."

Amend said Bill in that part designated paragraph "G-1." by inserting after the underlined word "organizations" in the 2nd line the underlined punctuation and words ' , except college fraternities, '

House Amendment "A" was adopted and the Bill passed to be en-

grossed as amended by House Amendment "A."

Bill "An Act Providing for Lease by Maine State Park and Recreation Commission to Mt. Blue Ski Corporation" (H. P. 1014) (L. D. 1470)

Bill "An Act relating to Temporary Loans by the City of Old Town" (H. P. 1032) (L. D. 1496)

Resolve Authorizing Completion and Printing of a Digest of the Opinions of the Law Court (H. P. 183) (L. D. 252)

Resolve to Purchase Fifty Copies of "The History of Augusta" (H. P. 184) (L. D. 253)

Resolve Providing Funds for Research on Marine Vegetation Utilization (H. P. 359) (L. D. 533)

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 to the Senate.

**Amended Bills**

Bill "An Act relating to Definition of Potatoes and Shipper under the Potato Tax Law" (S. P. 306) (L. D. 972)

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.

**Third Reader  
Tabled and Assigned**

Bill "An Act Providing for Area Directional Sign for Bethel on Maine Turnpike" (H. P. 101) (L. D. 145)

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

(On motion of Mrs. Lincoln of Bethel, tabled pending passage to be engrossed and specially assigned for Tuesday, April 9.)

**Third Reader  
Tabled and Assigned**

Bill "An Act Regulating the Pledging of Credit of the City of Biddeford" (H. P. 123) (L. D. 167)

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

(On motion of Mr. Cartier of Biddeford, tabled pending passage to be engrossed and specially assigned for Wednesday, April 10.)

Bill "An Act Increasing Compensation of Mayor and Councilmen of City of Biddeford" (H. P. 124) (L. D. 168)

Bill "An Act Increasing Debt Limit of Stonington School District" (H. P. 1008) (L. D. 1459)

Resolve Appropriating Money for Preparation of Court Rules of Criminal Procedure (H. P. 182) (L. D. 251)

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

#### Passed to Be Enacted Emergency Measure

An Act to Incorporate the Phippsburg Cemetery District (H. P. 552) (L. D. 767)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a division was had. 115 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

#### Passed to Be Enacted

An Act relating to Marketing Order under Maine Potato Marketing Act (S. P. 348) (L. D. 1014)

An Act relating to Interlocal Cooperation (S. P. 367) (L. D. 1033)

An Act relating to Municipal Zoning Hearings (S. P. 368) (L. D. 1034)

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

#### Enactor Indefinitely Postponed

An Act relating to Illegal Manufacture of Liquor (S. P. 394) (L. D. 1097)

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

The SPEAKER: The Chair recognizes the gentleman from Enfield, Mr. Dudley.

Mr. DUDLEY: Mr. Speaker, Ladies and Gentlemen of the House: Item five is legislative document 1097, and if you have it anywhere before you it says any person not licensed by the Commissioner who manufactures any. This word disturbs me. Any liquor. I have a lot of dear old souls in my community that do manufacture a little for their own use. It is a part of their daily diet as much as bread is a part of mine, and I think the way this is read, I am not an attorney, but as I understand it — I sometimes go away and I might have a little cider sitting on my piazza. If this should foment while I was gone and I happen to have a bad neighbor, sometimes people do you know, why you could be involved in court because you had some spirits, because of this word any. I now move that this bill be indefinitely postponed.

The SPEAKER: The question before the House is the motion of the gentleman from Enfield, that Bill, An Act relating to Illegal Manufacture of Liquor, Legislative Document 1097, be indefinitely postponed.

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

Mr. ANDERSON: Mr. Speaker, I heartily agree with the previous speaker. There are many folks, especially in the rural districts, that make berry wine and dandelion wine for their own consumption for medicinal purposes. Under this bill, they would be subject to a fine and imprisonment. I certainly hope the motion to indefinitely postpone does prevail.

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

Mr. RUST: Mr. Speaker and Ladies and Gentlemen of the House: I heartily concur with the motion to indefinitely postpone, and with the comments of the two previous speakers. This would prevent many of our citizens from making so-called alcoholic beverages for home consumption, and I think that is a right that people still should retain.

Thereupon, Bill "An Act relating to Illegal Manufacture of Liquor," Senate Paper 394, Legislative Document 1097, was indefinitely postponed in non-concurrence and sent up for concurrence.

An Act relating to State Police Retirement Benefits under the Maine State Retirement System (S. P. 457) (L. D. 1284)

An Act relating to Research Studies to Reduce Morbidity or Mortality in Motor Vehicles (S. P. 492) (L. D. 1344)

An Act relating to Territory of the Paris Village Corporation (S. P. 502) (L. D. 1399)

An Act relating to Group Accident and Sickness Insurance for Credit Unions (S. P. 546) (L. D. 1474)

An Act relating to Group Life Insurance for Credit Unions (S. P. 547) (L. D. 1475)

An Act to Reconstitute School Administrative District No. 20 (H. P. 365) (L. D. 538)

An Act relating to Exemption from Taxation of Property of the United States (H. P. 512) (L. D. 714)

An Act relating to Election and Term of Board of Assessors of City of Bath (H. P. 542) (L. D. 759)

An Act to Provide Adjustments in Pensions Being Paid to Members of the Police and Fire Departments of the City of Portland (H. P. 545) (L. D. 761)

An Act Amending the Charter of the City of Brewer (H. P. 605) (L. D. 840)

An Act Providing for Civil Service for the Old Orchard Beach Police Department (H. P. 606) (L. D. 841)

An Act relating to Resident Requirements for Malt Liquor Wholesale License (H. P. 669) (L. D. 925)

An Act relating to Payments in Lieu of Taxes under Urban Renewal Authorities Law (H. P. 674) (L. D. 930)

An Act relating to Height of Motor Vehicles and Trailers (H. P. 712) (L. D. 968)

An Act relating to Ballot Inspection and Recount Procedures for Municipal Referendums (H. P. 727) (L. D. 1056)

An Act Regulating the Storage and Transportation of Frozen Foods (H. P. 756) (L. D. 1085)

An Act Increasing Pensions of State Employees Retired on Council Orders (H. P. 827) (L. D. 1214)

An Act relating to Appointment and Duties of Deputy Registers of Probate (H. P. 927) (L. D. 1361)

An Act Increasing Salary of Mayor, Providing Compensation of Councilmen and Providing Initiative and Referendum for City of Gardiner (H. P. 997) (L. D. 1445)

An Act to Create the Bureau of Maine Archives (H. P. 1011) (L. D. 1462)

An Act Amending Certain Provisions of the Charter of the Town of Old Orchard Beach (H. P. 1017) (L. D. 1472)

#### Finally Passed

Resolve Increasing Retirement Benefit for Georgia Dinsmore of Bath (H. P. 14) (L. D. 10)

Resolve Providing a Pension for Margaret H. Frisbee of Belfast (H. P. 349) (L. D. 503)

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

The SPEAKER: The Chair would request of the membership if they desire in the future and they see a bill they are interested in, in the Third Reading or Enactment, and they would like it laid aside, they may approach the Speaker or the Clerk of the House prior to convening and it could be taken care of at that time and would be laid aside. Now this doesn't necessarily mean a mandate. You may do this of course during the session, but it might expedite matters if you are interested in a particular enactment or a bill to inform the Clerk prior to convening and it will be held out for your action on the Floor.

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

Mr. WELLMAN: May I inquire that when this process is being done, the Speaker will so announce that the item is being laid aside while he is doing it?

The SPEAKER: For the information of the members, the Speaker,

as we come to them, will have a list of them and will announce that this item has been set aside.

#### Orders of the Day

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

HOUSE REPORT — Ought not to pass — Committee on Sea and Shore Fisheries on Bill "An Act relating to Erection of Fish Weirs in Waters Lying Between Towns." (H. P. 829) (L. D. 1216)

Tabled — March 29, by Mr. MacPhail of Owl's Head.

Pending — Acceptance of Report.

On motion of Mr. MacPhail of Owl's Head, retabled pending acceptance of the Committee Report and specially assigned for Tuesday, April 9.

The SPEAKER: The Chair is delighted this morning to recognize in the balcony of the House some very fine acquaintances of the Speaker and friends, the Student Council of Cherryfield Academy, Cherryfield Maine; accompanied by Preston Smith and the advisor of the Council, Mrs. Jane Sumner.

On behalf of the House, the Chair extends to you ladies and gentlemen a warm and cordial welcome. We trust that you will enjoy and profit by your visit with us this morning. (Applause)

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

HOUSE MAJORITY REPORT (8) — Ought not to pass — MINORITY REPORT (1) — Ought to pass — Committee on Agriculture on Bill "An Act Revising Price Controls on Milk." (H. P. 889) (L. D. 1296)

Tabled — March 29, by Mr. Childs of Portland.

Pending — Motion of Mr. Coulthard of Scarborough to Accept Majority ONTP Report.

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

Mr. CHILDS: Mr. Speaker, Members of the House: Let me first say that this first time around, I shall try to be very brief. I do want to give you some background to this milk situation. I have seen

this milk problem bounced off from one wall in this House over to the next wall and back again. I have seen this bill and a similar one being passed one day in the Legislature by a large majority and being defeated the next day. It is a problem that has been in the State of Maine for many years, and I think that it is time that we corrected it.

A few days ago there was placed on your desks a memorandum from the Maine Dairymen's Association. I hope that while I am purposing my remarks with some reading from the Legislative Research Committee of 1957, that you will take time to find that memorandum from the Maine Dairymen's Association because they could not have proven my point any better than what they have done by passing out that memorandum to you.

In 1955, an order was passed which referred to the Legislative Research Committee the milk situation. First it said: "The concept of state control of milk pricing is not predominantly characteristic of the majority of states; neither is it uniform in application. The fundamental purposes and policies underlying respective state enactments are substantially similar, though material variations exist with respect to the extent of control as well as in the complexity of statutory provisions. The concept of state price control as an instrument of legislative policy, owes its origin to the emergency conditions prevalent during the depression of the 1930's. The New York Legislature, in April, 1933, was the first of a number of states to establish a state milk control program, acting on the report and recommendations submitted by a joint legislative committee specially created to study problems confronting the state milk industry. As enacted the New York law established a state milk control board with sufficient regulatory powers for the control of the state milk industry at all levels. During the several years that followed, other states enacted milk price control legislation. Maine adopted its law on February 27, 1935. Each of the state milk control laws enacted during the 1933-1935 period provided for whole-

sale, retail and producer price controls and almost without exception were adopted only as a temporary expediency, nearly all including a specific expiration date. The effect of improved economic conditions following the depression, resulted in the repeal of a number of state milk control laws, the remaining states continuing controls at either the producer or the producer and retail levels. The tendency of states in recent years to adopt milk price control legislation has become negative, resulting in few such enactments."

May I say that originally there were thirty-five states that adopted milk price controls. They have been repealed in all states now but twelve. In every state that it has been repealed, there have been attempts to put it back in the statutes, and it has never been successful. May I say at this time before I go into the conclusions of the Research Committee, that in every state where it is attempted to be put back in the books, at that time, the producers who were originally in favor of price controls then opposed the legislation after it had once been taken off the books.

Now the Research Committee studied this for a number of weeks. We had numerous hearings. We had the producers in, we had the dealers in, and we had economists in discussing the milk situation. We arrived at this conclusion or this is part of the conclusions arrived at:

"An overall conclusion, concurred to in principle by all members of the Committee, is the proposition that price control at best constitutes an economic encroachment by the state and its perpetuation, based on economic need, should be subject to continuous scrutiny. Such an exercise of police power by the state, the Committee feels, is excusable only in instances of extreme economic emergency and should be promptly abandoned the moment stability is restored. The Maine Milk Control law was enacted during the period between 1932 and 1936 when the legislatures of some 27 states adopted legislation of this type to stabilize serious market conditions arising from the depression. Since that time, there has been a

pronounced tendency toward the repeal of such laws. In all, 13 states currently regulate producer prices, while eleven of these also establish retail prices."

"The Committee is not in favor of a perpetuation of these controls for the purpose of guaranteeing fixed profits to either producers or dealers. The Committee believes that the law should be so administered as to provide a foundation for sound market prices. It does not believe that its administration should impede the industry in developing desirable price schedules and marketing programs."

This report was signed by all the members of the Research Committee but one member, and he signed the Minority Report.

I am not going to attempt to discuss with you the problem which involves the processing of milk and so forth, what class one milk is and what class two milk is unless some producer wants to go into it because I know that unless you are familiar with the milk situation, it would be very boring to you.

Now as I stated before I started reading the report of the Legislative Research Committee, there was placed on your desks a few days ago, a memorandum prepared by the Maine Dairymen's Association, Inc. It is this piece of paper here, and it has on it different price comparisons here in the New England States. They make the statement that Maine consumers have paid one of the lowest delivery prices in the northeastern states. And then they cite figures of what the cost of milk is per delivery. Actual comparisons for the year, and they cite the average price paid by consumer for home delivered milk per quart. First it says Augusta, Maine, the average price of milk in Augusta for 1962 was 25.4 cents; then it cites Portsmouth, New Hampshire, 25.4 cents; Burlington, Vermont, 23 cents a quart; Boston, Massachusetts, 27.6 cents a quart; Providence, Rhode Island, 26.4 a quart and Hartford, Connecticut, 29.3 a quart. This is an absolute truth. These are actual prices, and it doesn't look like Maine stands in a very bad position.

This is what is known as a half-truth. I think you have heard that expression before, half-truth. They only tell you half the story. They forget to tell you the most important part of it. That this relates to one quart of milk per delivery, these particular prices. Let me say if you have and your constituents have one quart of milk delivered to your home then it is a very good deal for Maine people. They forget to tell you what happens beyond one quart.

First they name Portsmouth, New Hampshire and the price is 25.4; they forget to tell you about the volume discount. If you have over five quarts per delivery, you get one cent off each quart. If you have over a nine quart delivery to your home, you get two cents off from each quart. If you have twelve quarts per delivery, you get three cents off from each quart. So therefore in Portsmouth, New Hampshire, the price, if this is five quarts, is 24.4; if you have nine quarts, it is 23.4; and if it is twelve quarts or over, it is 22 cents a quart.

And they say Burlington, Vermont it is 23 cents a quart. They forget to tell you about the volume discount. In Vermont, they work it on a monthly basis. If you have sixty quarts or over delivered a month, you have one cent off from each quart. If you have one hundred-twenty quarts or over a month, you get two cents off from each quart. So therefore, the price of milk in Burlington if you buy more than four quarts each delivery — that doesn't mean each day, it means each delivery — you are paying 23 cents a quart or 21 cents a quart.

In Boston, Massachusetts, they cite the price of 27.6 per quart, but they forget to tell you that you can buy it in half gallons for fifty-two cents a half gallon, which is 26 cents a quart or you can buy it by the gallon, which is \$1.00 a gallon, which is 25 cents a quart.

And then they cite the price if you lived in Providence, Rhode Island, which is 26.4 a quart. But they forget to tell you that if you buy it by the month and you buy seventy five quarts or over, you get one cent discount which brings it down

to 25 cents or if you buy ninety quarts or over per month, you get two cents off which brings it down to 24 cents. If you buy 120 quarts, you get four cents off which brings it down to 22 cents. It is exactly the same situation in Hartford, Connecticut.

Now I am citing these prices from the very same place that the Maine Dairymen's Association got their information, which is from the United States Department of Agriculture.

In Hartford, Connecticut, they cite the price at 29.3. But they forget to tell you that if you buy it in half gallons, you can get it for 54 cents a quart; and if you buy it in the gallons, you can get it anywhere from a low of 93 to a high of \$1.00. That is at home delivery. So therefore, even under home delivery, Maine is the highest priced area in the New England area; and they say to you, Maine consumers are paying one of the lowest prices in the northeastern states. That is a correct statement if you have one quart of milk delivered at your home. I am talking about home delivery.

Now let's talk about stores, where you can buy it in stores. This is the March report of 1963 from the Department of Agriculture. Augusta, a low of 26, a high of 28; Portland, a low of 26, a high of 28; that is quarts. Half gallons, a low of 50; a high of 54. Portsmouth, in the stores, a low of 25½; half gallons, 51 cents; gallons, 94 cents. I am quoting from the very same cities and towns that they prepared for you. I could give you some real low figures, but I am going to stick with what the Maine Dairymen's Association came out with. Burlington, the low of 22 cents a quart; a high of 24 cents a quart; half gallons, 45 cents a half gallon. In the stores in Burlington, a low of 22 cents a quart; half gallons, 41 cents. Boston, a low of 23½ cents a quart; half gallons 42 cents; gallons, 74 cents. All of Rhode Island, quart, 25½; half gallon, 42 cents; a gallon, 75 cents. And again, Hartford Connecticut, quart 25 cents; half gallon, 47 cents; and a gallon, the low is 73 cents to a high of 81 cents. And in Maine, half gallons as I stated was

a low of 50 and a high of 54. In stores, the people in Augusta and Portland area pay more than any city in the New England States, and this is a matter of record.

So, therefore, I certainly think that it is time that we considered the consumers in the State of Maine. I think they should be paying the price of milk as they pay in other areas. I think that milk should be on a comparative basis just like any other commodity. Even in 1938, only three years after the law came into Maine as far as price control is concerned and in thirty-four other states, it went before the Supreme Court of the United States, the question of price-fixing the question of constitutionality of it; and this was when we were in the economic depression. The Supreme Court of the United States held at that time five to four that it was constitutional. A five to four decision just three years after all these laws went into effect, and you may say to me, well, if they held five to four that this is constitutional, why do you bring it up? And I say well, I bring it up for this reason, because in the states which have not repealed it by legislation, it has gone to the courts and the courts have held that it is unconstitutional. And every state that has gone before, the state court has held that it is unconstitutional. So, it never has had the opportunity to get to the Supreme Court of the United States again.

I shall close for now as I want you to have the opportunity to listen to those who are in opposition to this. I know exactly what you are going to hear. They are going to say to you that this will bring about chaos and turmoil in the milk industry. They will tell you that the quality of milk will be decreased if we do away with this legislation. I want you to hear this from their lips. And then I want an opportunity to answer each and every one of them. I hope that the motion of the gentleman from Scarborough, does not prevail.

The SPEAKER: The Chair recognizes the gentleman from Scarborough, Mr. Coulthard.

Mr. COULTHARD: Mr. Speaker, Ladies and Gentlemen of the House: I want to thank my good friend,

Mr. Childs from Portland, for helping me in part of my remarks as he stated. I, with the help of my committee, will try to prove to the State of Maine that we do need price controls.

Your committee on Agriculture spent a good deal of time studying this milk price control bill before passing it out "ought not to pass." We who served on this committee in the 100th Legislature had before us a similar bill to this one. I felt then, and so stated to this House at the time, that I did not believe it would accomplish what its sponsors felt it would, but would tend to bring on a price war in milk.

This in my opinion would reduce the number of dealers, the number of producers and yes, the number of route salesmen in our state; thus resulting in lowering the economy of the industry and the economy of the rural areas where these farmers reside.

To quote information given to me at the hearing. "Milk is perishable and has a wide use as a nutritious and protective food at all levels." Production, processing, and distribution of milk, is subject to rigid sanitary conditions and control. Such regulations are generally accepted as being in the public interest. I will grant you federal milk orders and state milk control laws grew out of a demoralizing condition in milk markets occurring during the depression years. In this respect milk is sometimes compared to electricity, water, and telephone service, etc., all of these controlled services have had a much larger percentage of price increase in comparison to milk.

For example, you take even fuel, the period of ten years up 101 percent; electricity, up 15 percent; even water, as free as we think that is, up 12 percent; telephone, up 105 percent; class one milk, yes, up 9 percent.

Now I will not bore you with a comparison of the value of milk in relation to other foods, but would like to emphasize that the price of a quart of milk has not increased in comparison to other foods or even the consumer earning power. For example: in the food group: fruits were up 107 percent; bread and cereals up 90 percent; even veg-



etables, something in my own line, up 89 percent; fish up 68 percent; meats up 50 percent; milk, yes, up 6 percent.

Let me give you a comparison on the real price of milk, the amount of labor it takes to buy a quart of milk today compared with the years past. In 1914 it took 22.9 minutes to earn a quart of milk; 1961, 6 minutes to earn a quart of milk. Also, I will say that all of Maine does not come under the control of the Milk Commission; only those areas asking for control. An examination of prices paid by consumers in markets with and without control does not reveal any outstanding difference in pricing. In my opinion, you might compare this to a local zoning ordinance in a given area, to protect one another from his neighbor.

This bill before us today is to repeal price control at all levels, but proponents will maintain price control at the producer or farm level only.

Now I ask you ladies and gentlemen if the price of milk or any item was dropped so that the distributor was not allowed to make a reasonable profit, how long would it be before it would revert back to the source of supply, in this case, the farmers, who now in the face of rigid control and sanitary conditions, have had to increase the size of their herds, the production of forage crops per acre, the production per cow, and have had to become more efficient, but with a much heavier capital investment. Cow number per farm has nearly doubled in a period of a few years. Production per cow has increased, production per farm has increased. These people have done a good job, but capital investment has doubled. But by the same token profit per farm has not.

Now you ask what about the dealer. He also is subject to rigid controls, and has had to increase the efficiency of his organization with high cost modern equipment, higher wages, increased advertising, etc., to get larger milk routes, to see that his salesmen have proper training; also in order to satisfy the consumers, modern trucks to carry a

larger variety of dairy products are maintained. I have a number of salesmen in my town, friends of mine; we still call him the milkman. Under the conditions prevailing in Maine today, these men are able to maintain a good standard of living and are an asset to my town or any town.

If this bill were passed by this Legislature and a chaotic condition resulted, we would soon be operating under a federal order. I personally do not believe in too much control either state or federal, but in this case would rather see it at state or local level rather than federal as is the case in many states. It was brought out at the hearing on this bill that all concerned, the producer, the dealer and the consumer were well represented by the Milk Commission and appeared to be satisfied under the present setup.

Now we have heard a lot of talk about the price of milk in multiple jugs or gallon bottles at retail stores. I will state that the present Milk Commission has the authority, after a price hearing, bear in mind, after a price hearing, to set up a milk price of a gallon jug of milk. And as I understand the Commission is having a public hearing the 30th of this month. It has been undecided whether it will be here in Augusta or in Portland. Therefore, ladies and gentlemen, I hope that the motion to accept the "ought not to pass" Report will prevail.

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

Mr. MINSKY: Mr. Speaker and Ladies and Gentlemen of the House: I suppose some of you would like to know what a city boy has to do with the milk bill or what he knows about milk. I don't really know very much about it but I have one thing that may be a contribution to the debate. It is a little item I came across a few days ago and this I assure you will be my only contribution to any milk bill.

"I long for a cow of moderate make  
That milks five days for leisure's sake  
That sleeps on Saturday, snores on  
Sunday,

And starts afresh again on Monday.  
I wish for a herd that knows the way

To wash each other day by day,  
That never bothers to excite us,  
With chills or fever or mastitis.  
I sigh for a new and better breed,  
That takes less grooming and less feed,  
That has the reason, wit and wisdom,

To use seat and flushing system.  
I pray each week-end, long and clear,

Less work to do from year to year,  
And cows that reach production's peak,

All in a five-day week.  
I look for officials, by the mob,  
To guide the farmers at their job,  
And show these many breeders how  
To propagate a five-day cow."

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

Mr. BOOTHBY: Mr. Speaker and Ladies and Gentlemen of the House: Once again I find myself speaking in opposition to a bill, that would to all intents and purposes destroy the Maine Milk Commission. This is at least the fourth time in about eight years that our good friend in Legislative Research has dusted off a bill and handed it to a member of this House, to be dropped in the Legislative hopper. Let me inform you people that it is no more palatable to us today, nor to the 3500 dairy farmers of this State, than it was when it was first conceived.

Let us spend a few moments to review the dairy industry in Maine. The previously referred to 3500 dairy farmers own one hundred thousand dairy animals, who annually produce 700 million pounds of milk which sold to the consumers in this and neighboring states for forty million dollars annually. The dairy farmers' investment to produce this return is approximately one hundred and forty million dollars, all of which I might add is to be found on the tax rolls of the municipalities of this State. This industry is to be found in every town from Kittery to Fort Kent.

I am unable to find any figures on the relative size of the industries that milk supports, but we all

know that many of our towns and cities have feed stores and processing plants. A milk delivery truck or a milk tanker are common sights to us all wherever we may live.

The Maine Milk Control Law was passed by the 87th Legislature twenty-eight years ago, for the purpose of stabilizing the industry. It was charged with the responsibility of providing that the consumers of milk in Maine have an ample supply of top quality milk at reasonable prices, and that the producers and distributors receive their fair share of the consumer's dollar.

It has one rather unique feature. It pays its own bills and doesn't ask the State for a cent of money. It even pays the costs of the two consumer members of the Commission.

In order to discharge its duties under the law, the Milk Commission holds hearings for the taking of evidence. This evidence is given due consideration in arriving at any decision it may make.

Any city or town in this State can be controlled or not controlled as it sees fit, providing it can furnish evidence to this Commission to substantiate its claim. What could be more democratic?

It is all this that acts as a stabilizing influence for the whole industry, that is being attacked this morning. I therefore ask you to accept the committee report and help to kill this L. D. 1296.

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

Mr. PRINCE: Mr. Speaker and Members of the House: Most of you know that I am more conversant on marine affairs than I am with milk. However, some of my constituents in the town of Cumberland who are dairy farmers object to this legislative document 1296, and I would like to read a letter from one of the state's widely known dairy farmers.

"Dear Jack:

I want to take this opportunity to reaffirm in writing my opposition to legislative document 1296, which would eliminate or make ineffective price control of milk in Maine at the producer level as well as at retail. I believe that passage of this

bill would do severe damage to the dairy farmer selling milk to Maine markets. State control of prices has enabled many groups of producers to cooperate with their dealers to regulate the supply, to substantially reduce price depressing surpluses. Loss of local control would force Maine farmers to request to be included in a federal order market for price protection. Under such an arrangement, Maine dairymen would be forced to share the surplus created by dairymen all over New England, and the opportunity for local regulation of supplies and demand would be lost. Maine farmers and Maine people resist and deplore the ever increasing trend toward more centralized accrual of our economy, our society and our lives. Let's keep the control of the Maine milk industry in the hands of Maine people. Yours sincerely, signed Dick Blanchard, Shady Lawn Farms, Cumberland Center, Maine." Thank you.

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

Mr. MOWER: Mr. Speaker, Ladies and Gentlemen of the House: I am one of those gentlemen that is a producer. I have always been mixed up with the milk game since I was able to handle an empty milk bottle. I would like to go back to the time when milk was eight cents a quart. It was carried in two-gallon cans and some of the consumers at that time had their own bottles and cans with their names on it. And all extra milk at that time was carried in these two gallon cans in the carts, and if a consumer wanted extra milk, you turned it out into a two quart measure out in the street, carried it into the house, turned it into a pitcher or a can or whatever they had ready.

Then as the time progressed, the price advanced to ten or twelve cents a quart. They seemed to be a little concerned amongst some of the dealers. They thought somebody would be getting a few more consumers than they were and they started cutting prices. That was back in 1910 or 1912 in those years. And milk advanced to fifteen cents a quart, and I was probably one of the first that was elected to a com-

mittee in Bangor with others to approach the Department of Agriculture to see if something couldn't be done to stop this price cutting; and because we have a milkmen's meeting, we could go in there and verbally agree to a price that everybody would get. There was always one or two in there—the next day they would go out on the street and cut price. They just wanted a gentleman's agreement a m o n g s t themselves.

The restrictions back in those days were very small. There wasn't too much to contend with. Cattle weren't tested, very seldom the state inspector came in to see what you were doing, although they did take a sample on the street in those days for bacteria count and cleanliness which were the two uppermost things; and I can recall seeing plenty of quarts of milk in those days, you could take it up and look at it, you would see all kinds of dirt in the bottom of the bottle.

The time has progressed, ladies and gentlemen, restrictions have become harder for the producer, modern equipment has come into effect, and that is very costly equipment to have to maintain and use. So the Milk Commission was set up to regulate prices in different areas on a producers level and on a consumers level. This is a protection for both because, as I say, as time went on, the restrictions became much harder because you had to have electric tanks and your cooling apparatus had to be up-to-date, your barns had to be remodeled, you had to have more light in the barns, you had to have your cattle tested for tuberculosis, which at the present time, I doubt if you would find a cow in the State of Maine that has got tuberculosis. And also we were forced to test brucellosis, and that has practically been killed. The one thing now is mastitis that bothers, and if we could only get that cow that our good friend from Bangor, my colleague, Mr. Minsky, to get a five-day cow, I think all of our problems would be solved. But they probably never will be because a cow will give milk seven days a week and she has got to be taken care of.

So, I believe that here in the State of Maine right now we are

producing the best quart of milk in the nation. Our restrictions are highest in the national code of 200,000 bacteria. Here in the State of Maine we are down to 50,000 bacteria, and producers today are doing their utmost to produce that kind of milk, because of this new equipment and their regulations. I just hope that you ladies and gentlemen will go along and see that this bill is killed because if we do not, the price will just eventually amongst the dealers be left wide open and go out and start cutting each other's throats. The first reaction is going to be on the price they pay for their commodities so they can do this, and the farmers will be the first to get cut. With the future ahead of us on this federal sanitation that is apt to come to us very shortly, it will mean that more than half of the producers of dairy cows and milk in the State of Maine have got to go out of business. I know that you don't want to do that because the dairy farmers add a lot to the economic situation in our state. So with those things in mind, the stable price for producers, stable price for our consumers who are getting a quart of milk today that is the best in the nation, I sure hope that you will go along to kill this bill.

The SPEAKER: The Chair recognizes the gentleman from Dover-Foxcroft, Mr. Meisner.

Mr. MEISNER: Mr. Speaker, Ladies and Gentlemen of the House: This is my first attempt in speaking in this House and some of you may wonder in my profession just what I know about the milk business and the pricing of milk. I hasten to say that what I shall say is the result of twenty-five years spent as a producer-dealer in the milk business. You may wonder why I spent this twenty-five years after twenty years of preaching. Because of health, I was advised to get a job out-of-doors, as near to the land as I could. I didn't think I could get any nearer to the land than this. So I bought a small dairy farm and became a producer-dealer. I am not going to take up any time this morning because others before me have covered the ground to which I was intending to refer.

But I only rise here to say that one of the greatest things that ever happened to dairy farming in this state was when this Commission came into being. I was just starting to farm at that time, chaos and confusion everywhere, price cutting was everywhere, dealers were going bankrupt, producers were not paid because of the failure of dealers. In general, it was a time of great confusion. Somebody conceived this idea of the Milk Commission that has grown and stabilized the industry. As Mr. Mower has pointed out, the consumer was getting a poor quality quart of milk. No farmer or dairyman was able to spend the money to put in sanitary equipment, but when the prices stabilized, why he was able to build new barns, put in better dairy equipment, have more sanitary conditions. As the years have gone by, we have had a stable condition and the consumer has got a good quart of fresh milk from our dairy farms here in Maine. I am not going to belabor this report of this any longer, but I do hope that you will vote on this Majority Report that this bill "ought not to pass."

The SPEAKER: Is the House ready for the question?

The Chair recognizes the gentleman from Dexter, Mr. Harrington.

Mr. HARRINGTON: Mr. Speaker and Members of this House: I am not a cow farmer; I do know which end of the cow the milk comes out of and how hard it is to get it out, but there is one fact that maybe we haven't had impressed upon us is that this touches upon the tax structure of every small town in this state. Now when these cow farmers talk about lower prices to the farmer, they, in effect, say we are going to be in a business and we aren't going to have money to pay our taxes. So from the practical point of view as we are gathered here trying to find money, I don't believe that we want to hurt the structure of the small towns and especially the state. Remember, these farmers all pay sales taxes. They all pay a tremendously big real estate tax. Thank you.

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

Mr. CHILDS: Mr. Speaker and Members of the House: As I stated before, I would rise again for the opportunity of answering the opponents to this measure. There was no denial of my statement that the price here in Maine was probably the highest and without question the highest in the New England states unless you are buying one quart of milk at a time.

Their first argument is that if we do away with the prices at the consumer level, that we are going to have milk wars and price wars in the State of Maine. Now if that is true, why hasn't it happened in twenty-four other states that repealed their laws? Also they said it would reduce the number of dealers. In the 1940's, there were 1100 dealers in the State of Maine; today there are 300 dealers in the State of Maine. Those are the controls, and they talk about reducing the number of dealers. The number of dealers has been reduced four or five hundred percent with the controls.

They say a lower economy of the state. How is it going to lower the economy if the Maine farmers are selling more milk? If the price of milk goes down from 25 to 26 cents a quart down to 19 to 20 cents a quart, that means that more people are going to be drinking milk. They say to you regardless of how the prices fluctuate, the consumption of milk does not go up or down. That is true when the price of milk fluctuates from one-half cent to a cent. I am talking about the price of milk being where it should be. Nobody can say the people in the State of Maine aren't getting dry milk and powdered milk from the midwestern states. There must be millions of dollars spent for dry and powdered milk. If we did not have these high prices of milk in Maine, people would be drinking fluid milk and not be drinking dry and powdered milk.

They compare the milk to regulating like electricity and like water. The Supreme Court in 1938 spoke on that very subject. They said you cannot classify milk in the same sense that you classify the public utility. They say milk is a commodity, and a commodity should

be involved in free enterprise. That has been the basic foundation of our country, its free enterprise, 'laissez faire'. What would you people say if we had price controls on meat or price controls on vegetables, what is the difference?

They argue that all of Maine is not under milk control. That is true. They also argue that the only places that have milk control are the places that want them. You know that is not true for sure.

It isn't just a question of bringing in a petition and then the price controls go off. You have to have a petition brought before the Maine Milk Commission. They listen to testimony and they then decide whether the price controls will go off. Now let's get what the make-up of the Commission is. The make-up of the Commission are producers and dealers. There are six members on the Commission. It is two producers, one dealer, one producer-dealer and two consumers. Now what do you think is going to happen when you have a hearing before this Commission trying to do away with price controls? They themselves make that decision after listening to the evidence. Speaking about the Commission and speaking about the make-up of the Commission, here is a Commission that is made up of people who have a vested interest, a vested interest in fixing prices. What would you people of this House say if you woke up tomorrow morning and you read the paper and you saw that the Governor of the State of Maine had just appointed to the Public Utilities Commission, the majority stockholder in the Central Maine Power Company? I think you would be flabbergasted. Or if you woke up and you read in the paper that the Governor just appointed to the Insurance Commission, the president of the Metropolitan Insurance Company? I think you would be flabbergasted. Or if you woke up and you read that the Governor had appointed to the Racing Commission, the owner of Scarborough Downs or the person who was the majority stockholder in Scarborough Downs. Why should people who have a vested interest in matters, determine what

the people in Maine should have for prices?

Now there was a letter that was read to you from a producer in Cumberland, Mr. Blanchard, who I believe is president of the Producers' Association. I could read many letters to you that I have received from consumers. I could read you letters that would bring tears to your eyes, but this is not a letter-reading contest. I am interested in what the facts are and what prices are.

They say we don't want to go back to milk when it was eight cents a quart. Nobody wants to take you back to those dark ages which were thirty years ago where they do not have price controls on milk. Is milk eight cents a quart? Of course, it isn't.

Then they talk about the cleanliness of milk, the bacteria. What does the Maine Milk Commission have to do with that? I will tell you absolutely nothing. The cleanliness of milk, the health is governed by the United States Department of Health and Welfare. The Maine Milk Commission has nothing to do about the cleanliness of milk. And then they talk to you about the high quality of milk in Maine. Milk in Maine does have a high quality, but is it any higher than any other New England state?

This is another report from the Department of Agriculture. Quality of Milk. The fat test, most common grade: Maine, 3.74; Portsmouth, 3.74; Bellows Falls, 4.; Burlington, 3.74; Boston, 3.7; New Bedford, 3.74; all of Rhode Island, 3.738; all of Connecticut, 3.7; the quality of milk isn't any different in Maine than it is in any other New England state. They say that it will put the dairy farmers out of business. They say it will put the dealers out of business. That is exactly the same argument they used in Rhode Island when they tried to and did do away with price controls. And that was some three or four years ago. There hasn't been one dealer go out of business in Rhode Island yet. I am interested in today's problem in taking care of today's consumers. We are not in the period that we were in twenty-five years ago. I hope his motion will not prevail, and when the vote

is taken, I request that it be taken by the yeas and nays.

The SPEAKER: Is the House ready for the question?

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

Mr. JAMESON: Mr. Speaker, the milkman is back. I never milked a cow in my life, but I still got the name of milkman. You have heard this bill distorted in every form it could be by the so-called dairy industry. Distorted to the effect that it would create chaos right here in the State of Maine. I doubt that awfully, ladies and gentlemen. You heard remarks that different commodities have jumped in price from ten to hundred percent. What has milk jumped? All these other commodities mentioned come under free enterprise. There isn't too much I can add because the gentleman from Portland has really outlined this.

Another way it was distorted, the gentleman from Portland — in this bill does not — we are going to do away with the quality of milk. Now that has been crammed down your throat. This bill does not mean to abolish the Milk Commission itself. It only means that it is time that this price control was lifted. As you know, the government is still prosecuting violators of the Anti-trust Laws for price fixing. Too bad it wasn't done here in the State of Maine.

I am going to cut this pretty short, ladies and gentlemen, because everything has been said. But every once in a while you hear a program on the TV presented by CARE. Here one year ago the Saturday Evening Post dedicated six pages with pictures of conditions down in the hill country in West Virginia. Horrible conditions existing right here in this country. Yet this program came on the air the very same day that the Saturday Evening Post was read everywhere. Send your dollars to CARE. They may be sent to Egypt, Africa, India, any place else. Oh, I could express myself a lot different if the Speaker of the House would throw that gavel away. But there was no mention by these great humanitarians of our people here in this country going without, which they are doing every day. Send your money and they will send it out of the

country. Charity begins at home, ladies and gentlemen, and you have got a chance to show your charity right now by the twenty-five to thirty thousand unemployed here in the State of Maine. They, no doubt, represent one hundred thousand little children going without their necessary milk, that quart of milk per child per day. Are they getting it? Can they get it at anywhere's from 26 to 30 cents a quart, unemployed fathers? I guess not.

There are one hundred thousand or more little children right here in the State that are getting milk only at their school lunch programs. About that much, a little small cup. I talked on this I guess quite a while two years ago. I introduced it. It was distorted, deformed and everything else at that time, ladies and gentlemen; it was going to create chaos here in the State of Maine. I hope, ladies and gentlemen, that you go along with this bill, clip the wings of this 'Nazi-inspired' Commission right now. Thank you.

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

Mr. BOOTHBY: Mr. Speaker, according to the proponents of this bill at the hearing, the large trouble with our Maine Milk Commission was that it didn't take off the retail price so there could be a cheaper gallon of milk. I want to discuss that just one moment. About a year ago, almost exactly a year ago, there was a man from another state that was president of an organization selling milk there, spoke at the Farm and Home Week, and he created a real furor among the dairy farmers by claiming that the only way to sell milk was in the gallon jugs and to sell volume.

I have been asked repeatedly in the halls here this winter why the farmers were so much against this because it was supposed to simply take off the retail price. Now the result of this gentleman that spoke in Orono a year ago, has just come to me within three days. He owes his farmers \$160,000. I don't care to mention any names because they are making a desperate attempt to keep him solvent so that those farmers won't lose that amount of

money. That is the result in a neighboring state. Thank you, ladies and gentlemen.

The SPEAKER: Is the House ready for the question?

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

Mr. MOWER: Mr. Speaker, I would like to say in relation to the economic situation that if the price does go down and the farmers have to take a cut, that people in the State of Maine will be buying milk from the middle west, and that certainly would affect the economy of the State of Maine. Also at the present time I said the people of the State of Maine are getting a fresh quart of milk produced here in the State of Maine by our people here in the State of Maine. If you have to have that milk come from the middle west which they are trying to get in here, the milk is going to be ten days old, and that is a long ways from being fresh milk in my opinion, and I think yours too. There is nothing over the years that has ever caused so much confusion and annoyance as when milk went up a cent a quart, whether it went from ten to twelve or twelve to thirteen or where not, and that still would prevail.

The SPEAKER: Is the House ready for the question? The question before the House is the motion of the gentleman from Scarborough, Mr. Coulthard, that the House accept the Majority "Ought not to pass" Report on Bill, "An Act Revising Price Controls on Milk," House Paper 889, Legislative Document 1296.

Mr. Childs of Portland asked that the vote be taken by the yeas and nays.

The SPEAKER: The gentleman from Portland, Mr. Childs, asks that the vote be taken by a Roll Call. For the Chair to order a Roll Call, it must have the expressed desire of one-fifth of the membership present. All those who desire a Roll Call, will please rise and remain standing until the monitors have made and returned the count.

Twenty-nine members arose.

The SPEAKER: Obviously, a sufficient number has evidenced a de-

sire for a Roll Call, a Roll Call is ordered. The Chair will restate the question. The question before the House is the motion of the gentleman from Scarborough, Mr. Coulthard, that the House accept the Majority "Ought not to pass" Report. All those in favor of the "Ought not to pass" Report will answer "yes" when their name is called. Those opposed, will answer "no" when their name is called.

The Clerk will call the Roll.

### ROLL CALL

YES — Albair, Benson, Berman, Berry, Birt, Boothby, Bragdon, Brewer, Brown, South Portland; Brown, Fairfield; Carter, Chapman, Choate, Cookson, Cote, Coulthard, Cressey, Crockett, Denbow, Dostie, Lewiston; Drake, Dunn, Easton, Edwards, Ewer, Finley, Gifford, Gilbert, Giroux, Gustafson, Hammond, Hanson, Hardy, Harrington, Hawkes, Henry, Humphrey, Hutchins, Jewell, Jones, Karkos, Kent, Loughton, Libby, Lincoln, Linnekin, Littlefield, Lowery, MacGregor, MacLeod, MacPhail, Maddox, Mathieson, McGee, Meisner, Mendes, Minsky, Mower, Nadeau, Oberg, Osborn, Osgood, Pease, Philbrick, Prince, Oakfield; Prince, Harpswell; Rand, Rankin, Richardson, Ricker, Ross, Brownville; Ross, Augusta; Rust, Sahagian, Scott, Shaw, Smith, Falmouth; Smith, Strong; Snow, Taylor, Thaanum, Thornton, Townsend, Treworgy, Tyndale, Vaughn, Viles, Wade, Waltz, Waterman, Watkins, Wellman, White, Guilford; Whitney, Wight, Presque Isle; Williams, Wood, Young.

NO — Anderson, Orono; Baldic, Bedard, Bernard, Binnette, Blouin, Boissonneau, Bourgoin, Bussiere, Cartier, Childs, Cotrell, Crommett, Foster, Gallant, Hendricks, Jalbert, Jameson, Jobin, Knight, Levesque, Noel, Oakes, O'Leary, Pitts, Plante, Poirier, Lewiston; Reynolds, Roy, Winslow.

ABSENT — Anderson, Ellsworth; Ayooob, Bradeen, Burns, Cope, Curtis, Davis, Dennett, Dudley, Gill, Hendsbee, Hobbs, Kilroy, Norton, Pierce, Roberts, Smith, Bar Harbor; Susi, Tardiff, Turner, Ward, Welch.

Yes 98; No 29; Absent 22.

The SPEAKER: Ninety-eight having voted in the affirmative, twenty-nine having voted in the negative and twenty-two being absent, the motion to accept the Majority "Ought not to pass" Report does prevail.

Sent up for concurrence.

### Order Out of Order

From the Senate: The following Order:

ORDERED, the House concurring, that when the Senate and House adjourn, they adjourn to meet on Tuesday, April 9, 1963. (S. P. 563)

Came from the Senate today read and passed.

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

The SPEAKER: The Speaker at this time is pleased to announce and to recognize in the balcony of the House, twenty-seven eighth grade students from the Dr. Lewis Libby Elementary School from Milford, accompanied by their Principal, Edward DiCenzio; and twenty eighth grade students from the Viola Rand Elementary School from Bradley, accompanied by their Principal, Peter Benson, who is the brother of Representative David Benson of Southwest Harbor.

On behalf of the House, the Chair extends to you young ladies and gentlemen, a very warm welcome, and we trust that you will enjoy and profit by your visit here this morning. (Applause)

The SPEAKER: The Speaker has a duty to perform this morning that is not relevant to matters on the calendar. Is there objection on the part of the House to the Speaker taking up this matter? The Speaker hears none.

These are very eventful days for one of our more delightful members. These have been days of happy reflection, and I am sure an enjoyable time for two young people, a Member of the House, and a Member of the Third Body. I am sure that you will join me in this very pleasurable occasion that I have the honor to be the toastmaster or the master of ceremonies here this morning. Would the gentlewoman



from Portland, Mrs. Hendricks please come to the rostrum?

Whereupon, the gentlewoman from Portland, Mrs. Hendricks, approached the rostrum amid applause of the House.

The SPEAKER: The gift which I have been asked to present to you, Kitty, and I find it a great deal of pleasure in this assignment, is in recognition of a most important event in your life. The Members of this House are all aware by this time that Representative Hendricks will soon become Representative Carswell. We are not losing a Hendricks, we are winning a Carswell.

I am sure that we all have a high regard for this wonderful Representative from Portland, for her conscientious work, her bright and gay personality, and to say the least, it is a pleasure to have her in the House with us.

The Members of the House would like me, Kitty, to express their extreme pleasure in your coming marriage this evening, I believe, and to wish you and the groom every happiness in the future.

And would the gentleman who has the honor of winning over Kitty, and that she did recede and concur, stand in the rear of the Hall of the House?

Whereupon, Mr. Charles Carswell stood and was recognized amid applause of the House.

The SPEAKER: Kitty, once again it is my pleasure on behalf of the Members of the House and the Third Body, to present you this gift, and wish you many, many happy years ahead.

Mrs. HENDRICKS: Thank you, very much. Thank you, everybody, for being so wonderful. (Prolonged Applause, the Members rising)

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

An Act relating to Effective Date for Salary Increase for County Officers. (S. P. 543) (L. D. 1467)—Engrossed in both Branches.

Tabled — March 29, by Mr. Viles of Anson.

Pending — Passage to be Enacted.

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

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

Bill "An Act relating to Notice to Town of Settlement When Persons Found Destitute" (H. P. 783) (L. D. 1136) — Read the Third Time. Committee Amendment "A" Read. (Filing H-136)

Tabled — March 29, by Mr. Hutchins of Kingfield.

Pending — Adoption of Committee Amendment "A".

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

COMMITTEE AMENDMENT "A" to H. P. 783, L. D. 1136, Bill, "An Act Relating to Notice to Town of Settlement When Persons Found Destitute."

Amend said Bill in the 5th line by striking out the underlined figure "7" and inserting in place thereof the underlined figure "30"

On motion of Mr. Hutchins of Kingfield, Committee Amendment "A" was adopted.

Mr. Hutchins of Kingfield offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to H. P. 783, L. D. 1136, Bill, "An Act Relating to Notice to Town of Settlement When Persons Found Destitute."

Amend said Bill by adding at the end, before the single quotation mark, the following underlined sentence: "The notice provided by this section shall not be in place of, nor a necessary notice preliminary to, the right of a town to collect from the town of settlement or the State nor shall the giving of this notice relieve the town of the obligation to give the notices required by sections 5 and 28."

House Amendment "A" was adopted.

Mr. HUTCHINS: I would like to speak briefly in regard to this amendment, and—

The SPEAKER: The Chair would inform the gentleman that House Amendment "A" has been adopted.

Mr. HUTCHINS: Have I the privilege—

The SPEAKER: Would the gentleman care to debate the bill and the amendment?

Mr. HUTCHINS: Yes.

The SPEAKER: The gentleman may proceed.

Mr. HUTCHINS: Ladies and Gentlemen: This bill as you know is the bill that was passed with a very few dissenting votes at the previous session. At the same time there still appears to be some who fear that this may cause inconvenience or misunderstanding among some town officials, especially those perhaps newly elected to boards of selectmen, and because of that, I have asked this amendment which was prepared at the suggestion of and written out word by word by Mr. West, Deputy Attorney West of the Attorney General's Department. He assures me that with the addition of this amendment that there could be no question of the understanding or the legal interpretation of this bill. I believe there is no one in this House better prepared or more familiar with our state pauper laws than Attorney West, and I respect his opinion in that respect. The bill as you will notice from your copy on your desk says that it "shall not be in place of, nor a necessary notice preliminary to, the right of a town to collect from the town of settlement or the State nor shall the giving of this notice relieve the town of the obligation to give the notices required by sections 5 and 28." I believe that should remove any objections which anyone might have in regard to this, and I now move for acceptance of the bill and the amendments.

The SPEAKER: For the information of the House, the amendment has been adopted.

The Chair recognizes the gentleman from Benton, Mr. Kent.

Mr. KENT: Mr. Speaker, Ladies and Gentlemen of the House: Since this bill has come before us, I have been very concerned about it because of the years I have put in in regard to overseers of the poor and working in welfare activities.

I have taken the time, because of this, to visit with Mr. McClay of the Department of Health and Welfare, and also Mr. West, our Depu-

ty Attorney General who has worked many years in settlement laws. I would like to read to you at this time the opinion of Mr. Paul McClay, Department of Health and Welfare. It says: Representative Kent, I would like to offer the following comments:

"As you know this office is closely associated with every municipality in the State in connection with welfare matters which involve legal settlement. When first examining L. D. 1136 in its original form, I immediately recognized the difficulties which could develop and the controversies which would arise primarily among municipalities, and also between municipalities and the State Department of Health and Welfare. I felt that the restriction of seven days given the overseers to make a settlement determination before notifying even the apparent place of settlement, was absolutely impractical. I further believe that even with the accepted amendment of thirty days notice, the possibility that enumerable controversies will develop is still prevalent.

"I firmly believe that the ninety day period allowed for notice, which presently appears in the statutes, is not an excessive period, and in making the statement, I am thinking mostly of the great number of small municipalities within the State which do not have full time welfare administrators but perhaps boards of selectmen who cannot be expected to keep abreast of all the ramifications of local government because of many other personal responsibilities. These officials generally are dedicated and civic minded citizens whose public duties are incidental to their normal pursuits of 'making a living'.

"In addition to the involvement which I can foresee in this proposed bill, and even with its amendment, I believe that the bill if passed will be in direct conflict with Sections 5 and 28 of Chapter 94, which provide for the notice to the State Department of Health and Welfare when non-settled or so-called *State* cases are assisted, and the present statute which provides for the notice from the overseers of the poor of the place of residence to the town of settlement when in-

dividuals with legal settlement within the State of Maine are assisted. I can see nothing contained in L. D. 1136 referring to any proposed amendments to Sections 5 and 28 of Chapter 94." That is from Paul McClay, the Director of General Assistance.

Now Mr. Hutchins also referred to the Attorney General's Office in this matter, and I would now like to read you the opinion of George West who has worked before his present duties in the Attorney General's Office with the settlement laws of the state for many years, and probably is more informed than most of us here, and his opinion on L. D. 1136 is:

"Under the present law Chapter 94, Section 28, overseers who relieve persons destitute found in their towns and having no settlement therein, are required to give a three-months notice to the municipality of apparent settlement. If this notice is given, the town furnishing relief may collect for relief given within the three-month period preceding the notice. This town may also recover its expenditures by suit within two years providing the town of settlement refuses to pay the bill.

"Under section 5 of the same chapter the overseers of the poor are required to give a 90-day written notice to the Department of Health and Welfare in cases where the person relieved has no settlement in any municipality.

"These provisions have been in the law for many years and are thoroughly familiar to municipal officials, attorneys, and the court. The provisions of section 28 have been passed upon many times by the courts in suits involving pauper support.

"L. D. 1136 now calls for a notice from the overseers of a town where in a person seeks relief to be forwarded within 30 days to the municipality of apparent settlement or the State if there appears to be no settlement.

"The question arises as to the legal implication of L. D. 1136 if adopted. The court in interpreting the statutes tries to give effect to all the provisions of the statutes. The general rule is that the legislature is presumed to have a purpose

when it passes a law. The court examines every section of a law relating to a given subject to determine the over-all intent and purpose of legislation.

"It is my opinion that if 1136 is adopted, the court will say that a town furnishing relief to a person having no settlement therein must give 2 notices to the town of apparent settlement or the State. The court is not going to ignore L. D. 1136, but is going to try to coordinate it with existing law.

"This would mean that when an individual requests relief in a town where he has no settlement, the overseers must give a notice to the municipality of apparent settlement or the State within 30 days. The court will further say that this notice will have to be as formal and complete as the notice now required by sections 5 and 28. This means that the notice must be sent by Registered Mail, Return Receipt Requested. It must state the names and ages of the members of the family participating in the relief, and such other identifying information as will allow the town of apparent settlement or the State to determine the identity of the family in order to determine the settlement.

"In short, I believe the court will say that this creates an additional notice which must be sent by the town granting relief in order for it to collect from the town of settlement or the State."

Ladies and Gentlemen, you have in small towns especially, a large turnover of selectmen. These selectmen, many of them have no bookkeepers and do most of this work themselves. A new man comes into office several times with no experience at all, and he has to swallow these settlement laws. And due to the fact with both opinions of these gentlemen who have worked in this field for many years, and they know it is going to create chaos in the municipalities, I move the indefinite postponement of this bill and its accompanying amendments.

The SPEAKER: The Chair would presume that the gentleman's one point of reference was to the gentleman from Kingfield, Mr. Hutchins, and the Chair would caution

the membership to be very courteous in the points of references to another member.

The question now before the House is the motion of the gentleman from Benton, Mr. Kent, that L. D. 1136 be indefinitely postponed.

The Chair recognizes the gentleman from Kingfield, Mr. Hutchins.

Mr. HUTCHINS: Mr. Speaker, Ladies and Gentlemen: I agree with practically everything that has been said by the previous speaker. I think it is very true that this probably would require a second notice. As to the opinion of Attorney West, as I talked with him recently, he felt the addition of this amendment would correct those situations to a considerable extent except the sending of the second notice, and I feel that that small favor to the town that has to pay the bill is a very small consideration. I hope the motion to indefinitely postpone this bill does not succeed.

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

Mr. JONES: Mr. Speaker, I believe relative to this bill, it would seem as though every town in the state has an open running account, credit account with all other respective towns, and I believe my good colleague Mr. Hutchins is requesting that the law be brought up to date whereby when a settlement town is running some account against someone — some other town, that the settlement town should be given the notice within thirty days which I think is good business. I think it is nothing unreasonable and I hope that the motion to indefinitely postpone does not prevail.

The SPEAKER: Is the House ready for the question? The question before the House is the motion of the gentleman from Benton, Mr. Kent, that item 4, Bill "An Act relating to Notice to Town of Settlement When Persons Found Destitute," Legislative Document 1136, House Paper 783, be indefinitely postponed.

Mr. KENT: I request a division.

The SPEAKER: A division has been requested. All those in favor of indefinitely postponing this mat-

ter will please rise and remain standing until the monitors have made and returned the count.

A division of the House was had. Twenty-eight having voted in the affirmative and fifty-eight 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 House Amendment "A" and sent to the Senate.

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

Bill "An Act to Revise Certain Motor Vehicle Laws." (S. P. 346) (L. D. 1011) In Senate Engrossed as Amended. (Filing S-68) — In House Read the Third Time.

Tabled — March 29, by Mr. Finley of Washington.

Pending — Passage to be Engrossed.

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

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

HOUSE AMENDMENT "A" to S. P. 346, L. D. 1011, Bill, "An Act to Revise Certain Motor Vehicle Laws."

Amend said Bill by striking out all of section 9 and inserting in place thereof the following:

"Sec. 9. R.S., c. 22, Sec. 41, amended. Section 41 of chapter 22 of the Revised Statutes, as amended, is further amended by adding after the 2nd sentence, the following new sentences to read as follows:

'Every such vehicle and combination of vehicles, except motorcycles and motor-driven cycles, shall be equipped with parking brakes adequate to hold the vehicle on a n y grade on which it is operated, under all conditions of loading, on a surface free from snow, ice or loose material. The parking brakes shall be capable of being applied in conformance with the foregoing requirements by the driver's muscular effort or by spring action or by equivalent means. Their operation may be assisted by the service brakes or other source of power

provided that failure of the service brake actuation system or other power assisting mechanism will not prevent the parking brakes from being applied in conformance with the foregoing requirements. The parking brakes shall be so designed that when once applied they shall remain applied with the required effectiveness despite exhaustion of any source of energy or leakage of any kind. The same brake drums, brake shoes and lining assemblies, brake shoe anchors and mechanical brake shoe actuation mechanism normally associated with the wheel brake assemblies may be used for both the service brakes and the parking brakes. If the means of applying the parking brakes and the service brakes are connected in any way, they shall be so constructed that failure of any one part shall not leave the vehicle without operative brakes.' "

House Amendment "A" was adopted in non-concurrence.

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

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

HOUSE REPORT "A" (5)—Ought to pass — Report "B" (5) — Ought not to pass — Committee on Labor on Bill "An Act relating to Employment of Minors Under Eighteen Years of Age." (H. P. 377) (L. D. 552)

Tabled — March 29, by Mr. Ewer of Bangor.

Pending — Acceptance of Either Report.

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

Mr. EWER: Mr. Speaker, at this time, I move that House Report "A" "Ought to pass" be accepted.

The SPEAKER: The gentleman from Bangor, Mr. Ewer, moves the acceptance of House Report "A" "Ought to pass." Is this the pleasure of the House?

(Cries of "No")

The Chair recognizes the gentleman from Glenburn, Mr. Cookson.

Mr. COOKSON: Mr. Speaker, Ladies and Gentlemen: May I read from this bill just briefly and I think you will understand what it is. It says: "No minor under 18 years of age shall be employed in any capacity that the commissioner determines to be hazardous, dangerous to their lives or limbs," and so forth. I must rise in opposition to my good friend, Mr. Ewer. We have a bill here whereby the Commissioner of Labor is asking for the sole and complete power to determine our youths' right and privilege to work at a job of his or her choice, and I am surprised that any department head would ask for such dictatorial powers. Let us fully consider the consequences that this could bring about. We are already worrying about the teenagers problems in respect to too much idle time. Do we want to leave them no alternative except to stand on street corners or drive on highways waiting until they are old enough to be recognized as good responsible citizens? I say no. I now move for indefinite postponement of this bill and request a division.

The SPEAKER: The question before the House now is the motion of the gentleman from Glenburn, Mr. Cookson, that both reports and the bill be indefinitely postponed.

The Chair recognizes the gentleman from Brownville, Mr. Ross.

Mr. ROSS: Mr. Speaker, Ladies and Gentlemen of the House: There is an old saying that the devil soon finds work for idle hands. Now I have a boy in this category — I don't mean that he is a devil, don't get me wrong — but I am only too pleased to have him working; and in the town that I come from there are any number of children that don't know what do do with themselves, and I think they are much better off gainfully employed than they are wandering around looking for something to do. I hope this matter is indefinitely postponed.

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

Mr. JONES: Mr. Speaker, Gentlemen and Gentlemen of the House: It would appear to me as though there is a misunderstanding and the

lack of the meeting of the minds on this Legislative Document. Now the law as it presently is or now stands, I believe if we refer to it, the bill here 552, states: "No minor under 18 years of age shall be employed in"—and this is what wasn't read before, but this is the present law: "about or in connection with any manufacturing or mechanical establishment, laundry, dry cleaning establishment or bakery." Now that is the law as it stands now. So I think if we want to do what we desire to do, we should pass this bill, and that is to relieve some of the restrictions. That is what this bill would do, would be to relieve restrictions that are already on the book, and not create restrictions. Therefore, I hope the motion to indefinitely postpone does not prevail.

The SPEAKER: The Chair recognizes the gentleman from Glenburn, Mr. Cookson.

Mr. COOKSON: Mr. Speaker, it may relieve some of the restrictions, but it has also added some much worse. Thank you.

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

Mr. EWER: Mr. Speaker, the purpose of this legislation was to cover the situation which is becoming increasingly evident in the last few years, and I think will tend to become increasingly evident in the immediate future, that is, the introduction of new methods, new machinery, new devices which are possibly dangerous themselves for a young man or a young woman to handle. The purpose of the measure was to allow the Department of Labor and Industry to meet this situation during such a period of the year or years as the Legislature might not be in session.

I am very sorry for one thing this morning, that I didn't bring an absolutely clean handkerchief with me to wipe away the tears for the poor boys who are forced to give up the street corners and work. I feel there is a decided difference in allowing a boy to work in a safe occupation and allowing him to work in something that is hazardous. I am all in favor of boys being able to work. I am also in favor of their being refused work in hazardous oc-

cupations. For that reason, I hope the motion of my friend from Glenburn does not prevail, for immediate postponement. Thank you.

The SPEAKER: The Chair recognizes the gentleman from Brownville, Mr. Ross.

Mr. ROSS: Mr. Speaker, Ladies and Gentlemen: It seems to me that the parents should be the judge of where a child should work. I don't need anybody to tell me where my boy can work.

The SPEAKER: Is the House ready for the question?

The Chair recognizes the gentleman from Rumford, Mr. Jobin.

Mr. JOBIN: Mr. Speaker, I wish to speak just briefly in support of my colleague, Mr. Ewer. Just a few days ago I spoke on a similar bill, that is dealing with minors in hazardous occupations.

Frankly, I am getting very weary of hearing juvenile delinquency mentioned every time one of these bills comes up. It would certainly lead people to believe that unless we pamper these children and line everything up for them that they are going to immediately turn to juvenile delinquency. It is kind of too bad that we pick our newspapers up and read so often about various things that happen among our young people. The part that is even more regrettable I think is that we don't have much of an opportunity to read about the good things that these kids do.

Now I for one feel that these youngsters are to be commended by and large. I think the court records of any one of our local police departments will show that juvenile delinquency as such is confined to but a very small minority of the children in any one area. So I don't feel that this is going to create a thing as far as the welfare of the children are concerned.

My second comment that I would like to make was, and it hasn't been brought out yet, after some research two years ago on this same type of legislation, I asked myself this question: was this not a means for some unscrupulous employers throughout the state to get away from the minimum wage law? This is something I think that might bear a little thinking before we vote on this bill.

And last but not least I would say this, from the comments that have been made in here this morning, it would almost seem that we need no Commissioner of Labor and Industry. It seems that every time she puts a bill in this House, someone wants to deprive her of a little bit of authority. If this is the case, and we are looking for economy in government, let's just let her go, let's not have one. Ladies and gentlemen, I think that this bill is intended solely for the protection and the well-being of our young people, and I certainly go along with my colleague from Bangor, Mr. Ewer. Thank you.

The SPEAKER: The Chair recognizes the gentleman from Topsham, Mr. Mendes.

Mr. MENDES: Mr. Speaker, Ladies and Gentlemen of the House: As you know, I am a member of your Labor Committee, and we studied this bill, and I firmly believe that government should be of laws rather than of men, or a woman in this case, and I strongly urge you to indefinitely postpone this measure.

The SPEAKER: Is the House ready for the question? The question before the House is the motion of the gentleman from Glenburn, Mr. Cookson, that both Reports and Bill "An Act relating to Employment of Minors Under Eighteen Years of Age", Legislative Document 552, House Paper 377, be indefinitely postponed. All those in favor of the motion will say yes, those opposed, no.

A viva voce vote being taken, the motion did prevail, the Reports and Bill were indefinitely postponed and sent up for concurrence.

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

HOUSE MAJORITY REPORT (5) — Ought not to pass — MINORITY REPORT (4) — Ought to Pass — Committee on Election Laws on Bill "An Act Providing for Separate Voting Place for Connor." (H. P. 728) (L. D. 1057) — In House Rept. and Bill Recommended. In Senate Maj. ONTP Report Accepted.

Tabled — April 2, by Mr. Binnette of Old Town.

Pending — Motion of Mr. Berry of Cape Elizabeth to Recede and Concur.

Mr. Berry of Cape Elizabeth withdrew his motion to recede and concur.

Whereupon, on motion of Mr. Binnette of Old Town, the House voted to insist and request a Committee of Conference.

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

Bill "An Act relating to Non-alcoholic Drink Products and Beverages." (S. P. 469) (L. D. 1346) — House "A" (Filing H-186) Read Third Time.

Tabled — April 2, by Mr. Pease of Wiscasset.

Pending — Passage to be Engrossed.

On motion of Mr. Coulthard of Scarborough, the Bill was retabled pending passage to be engrossed and specially assigned for Friday, April 12.

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

Bill "An Act relating to Services for Locating Deserting Parents and Other Persons Liable for Support of Dependents." (S. P. 490) (L. D. 1342) Committee Amendment "A" (Filing S-98) — In House Read Third Time.

Tabled — April 2, by Mr. Birt of E. Millinocket.

Pending — Passage to be Engrossed.

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

Mr. CHILDS: Mr. Speaker, this is a bill which is supposedly to help locate deserting parents. It is my understanding that in the last year or two years that as a result of their activities in the Health and Welfare Department, they were able to receive or get back from other states I believe, and even in this state, some \$168,000. Actually, I don't see any necessity of this particular legislation, as I think they can do it anyway, but I do

object to the Committee Amendment which is asking for the \$5,000 appropriation. I believe that appropriations for department requests should be heard before the Committee on Appropriations and not come through some other committee. Therefore, I — even though I do not believe the bill serves any worthwhile purpose, I am only going to at this time move that Committee Amendment "A" be indefinitely postponed.

Thereupon, on a viva voce vote, the House voted to suspend the rules and to reconsider the adoption of Committee Amendment "A".

Whereupon, on motion of Mr. Childs of Portland, Committee Amendment "A" was indefinitely postponed and the Bill passed to be engrossed in non-concurrence and sent up for concurrence.

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

Bill "An Act Increasing Exemption of Veteran's Property from Taxation." (H. P. 695) (L. D. 951) Committee Amendment "A" (Filing H-148) — Read Third Time.

Tabled — April 2, by Mr. Chapman of Norway.

Pending — Passage to be Engrossed.

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

Mr. CHAPMAN: Mr. Speaker and Members of the House: I am not going to oppose the passage of this bill as amended, but I would like to call your attention to the possibility that this might force a hardship on the veterans eventually rather than being a help to them. I think it will force the assessors in the smaller towns to up the valuation of those properties, and I would like also to call your attention to the fact that the state now has covering this type of thing an expense of \$413,900, and if this continues, there will be no stopping place as to the expense to the state. I move this have passage.

On motion of Mr. Pease of Wiscasset, the Bill was tabled pending passage to be engrossed and spe-

cially assigned for Wednesday, April 10.

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

HOUSE REPORT — Ought to pass with Committee Amendment "A" (Filing H-168) — Committee on State Government on Bill "An Act Increasing Compensation of Members of State Personnel Board." (H. P. 685) (L. D. 941)

Tabled — March 27, by Mr. Waterman of Auburn.

Pending — Acceptance of Report.

On motion of Mr. Waterman of Auburn, retabled pending acceptance of the Committee Report and specially assigned for Wednesday, April 10.

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

HOUSE MAJORITY REPORT (6) — Ought not to pass — MINORITY REPORT (4) — Ought to pass — Committee on Business Legislation on Bill "An Act Concerning the Practice of Public Accountancy." (H. P. 722) (L. D. 1051)

Tabled — March 27, by Mr. Watkins of Windham.

Pending — Acceptance of Either Report.

The SPEAKER: The Chair recognizes the gentleman from Windham, Mr. Watkins.

Mr. WATKINS: Mr. Speaker, Ladies and Gentlemen of the House: I sponsored this bill at the request of the Maine Society of Public Accountants who has a membership of 105 non-certified members, and 77 certified public accountants. There has been some propaganda against the bill, and most of it has come from the Association of Public Accountants of Maine who has under forty members and was organized in 1961.

You can readily see that the Maine Society of Public Accountants sponsoring this bill, that there are 28 more non-certified members than there are certified public accountants. Anyone can become a public accountant today as there is no requirement. All a person has to do is hang out his shingle as a public



accountant and he is in business, without any training, without any qualifications whatsoever, anyone can do this work.

The work is important. It affects the finances of many of the people of the State of Maine. The client is entitled to competent advice from public accountants who are qualified — whose qualifications should be established by an examination covering the theory of accounts, auditing, practical accounting and so forth along with practical experience.

This came out of the Committee as a divided "Ought not to pass" Report. However, I believe that most of the Committee is now in agreement with the acceptance of the amendments now on your desks making two major corrections, which are: Instead of three members of the board being all certified public accountants, it now has five members of the board, with three certified public accountants and two public accountants. 2. That examinations be provided to establish public accountants as a recognized group, the board can provide its own examination or a fifty percent passing grade on the certified public accountant examination can be used.

I have one letter that I would like to read. I have had several, but this letter is from the National Association of Internal Revenue Employees. It says: "Dear Mr. Watkins: Legislative Document 1051 that was introduced to you is a vital and important amendment. It was my pleasure to have endorsed a similar proposal that was enacted last year by the Rhode Island State Legislature, which I served as a National Association of Internal Revenue Employees District Governor for New England. We, the employees of the Internal Revenue Service of Maine, are by the very nature of our work engaged in an important and difficult task of public service. We are often cited for striving to create and to maintain the public image which reflects a credit to the service of the State of Maine and our Country. We believe that your proposal is constructive and sound. You will provide the people of Maine with well regulated and highly technical public accountants. It is also an incentive to attract

qualified accountants as a means of effective recruitment. With higher standards in the field of accountancy, Maine business will certainly benefit. On behalf of our membership, the Board of Directors, we urge you to continue to support cooperation of document 1051 as a worthy and necessary achievement for the welfare of the State of Maine."

As you all know, most professions and many businesses require an examination for qualification. I now move the acceptance of the Minority "Ought to pass" Report and a little later I will offer an amendment that will make the corrections which I outlined above.

The SPEAKER: The gentleman from Windham, Mr. Watkins, now moves that the House accept the Minority "Ought to pass" Report. Is this the pleasure of the House?

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

Mr. TAYLOR: Mr. Speaker, I would like to read to you a letter I have here from a very well known firm of public accountants in Portland, Baker and Adams, signed by its president, Lincoln Adams.

"I am taking this opportunity to make known my opposition to the Legislative Document 1051. The basis of such an act should be the protection of the public from the inept accountants. This act and its amendments, by its nature, legislates a degree of unearned competency to those public accountants now practicing and provides for the admission into public practice those men who are able to achieve a mark of fifty percent on the certified public accountant examination. The stamp of approval by the State of Maine to a fifty percent accountant will surely confuse the public as to the qualifications of all accountants.

I believe the public is not being assured of a reasonable degree of competency of public accountants now or in the future by an act which perpetuates the circumstances that brought about the need for such an act and provides a means for accountants who are only one-half right on an examination to enter public practice.

At the present time, any one can enter public accounting and there is

no official stamp of approval or disapproval of public accountants. Anyone is free to employ a certified public accountant or a public accountant and there is no confusion or official rating of any kind for a public accountant. The public is being protected at this time in that it may choose between the two classes without confusion. I, as a certified public accountant, urge that the bill be dropped." Signed: Lincoln L. Adams. I certainly hope that this bill will not be accepted.

The SPEAKER: The Chair recognizes the gentleman from Windham, Mr. Watkins.

Mr. WATKINS: Mr. Speaker, I also have the same letter as many of you people do from Baker and Adams. The only thing I would like to say is that Mr. Adams appeared before the business committee and when he got up he didn't know whether he was a proponent or an opponent, but his only reason for being there was he felt that the qualifications of the original bill were not great enough. In other words, he felt that a person should have a college degree before he even attempted to go on to be a certified public accountant, and I am sure that this House would not accept that.

The SPEAKER: The Chair recognizes the gentleman from Wilton, Mr. Scott.

Mr. SCOTT: Mr. Speaker, Ladies and Gentlemen of the House: This matter came before the Business Legislation Committee of which I am a member and received a good hearing. The accountants in my area contacted me and felt it was a good measure as it would freeze out some of the fly-by-night operators, and I urge favorable consideration.

The SPEAKER: Is the House ready for the question? The question before the House is the motion of the gentleman from Windham, Mr. Watkins, that the Minority "Ought to pass" Report be accepted on Bill "An Act Concerning the Practice of Public Accountancy," Legislative Document 1051, House Paper 722. All those in favor of accepting the Minority "Ought to pass" Report will say aye; those opposed, no.

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

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

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

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

SENATE REPORT — Ought to pass — Committee on Taxation on Bill "An Act relating to Claims of Municipalities Against State for Taxes Lost from Veterans Property Tax Exemptions." (S. P. 339) (L. D. 1004) — Engrossed in Senate.

Tabled — March 29, by Mr. Albair of Caribou.

Pending — Acceptance of Report.

On motion of Mr. Albair of Caribou, retabled pending acceptance of the Committee Report and specially assigned for Wednesday, April 10.

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

SENATE MAJORITY REPORT (8) — Ought to pass — MINORITY REPORT (2) — Ought not to pass — Committee on Retirements and Pensions on Resolve Providing Increases in Retirement Allowances for Certain Retired Fish and Game Wardens. (S. P. 255) (L. D. 629) — In Senate Engrossed with Senate Amendment "A". (Filing S-82)

Tabled — March 29, by Mr. Wade of Skowhegan.

Pending — Motion of Mr. Prince of Oakfield to Accept Majority OTP Report.

The SPEAKER: The Chair recognizes the gentleman from Skowhegan, Mr. Wade.

Mr. WADE: Mr. Speaker, Ladies and Gentlemen of the House: I have discussed this bill with several Members of the House and we find that there are inequalities in several instances, certain things that are definitely misunderstood and might be very much confused at the retirement level, and I move that this bill be recommitted to

the Committee on Retirements and Pensions.

The SPEAKER: The gentleman from Skowhegan, Mr. Wade, moves that the Reports and Resolve be re-committed to the Committee on Retirements and Pensions. Is this the pleasure of the House?

The Chair recognizes the gentleman from Oakfield, Mr. Prince.

Mr. PRINCE: Mr. Speaker and Members of the House: I do not purport to be an expert on financial matters. However, it seems to me that even if the Department of Inland Fisheries and Game receives its major income from dedicated revenue as opposed to other departments who receive theirs from general taxation, what is important here is not the technical or financial complexities but the need of these retired wardens.

It is my opinion that these men served in an occupation that was of a hazardous nature, as much so as any of our law enforcement officers are called upon to perform. They have been shot at, run over, pushed off running boards of automobiles, and have been known to have had their habitual lunch places booby trapped, so as to be ignited after a fire had been started. I quote these events to prove that they have been serving in a public service that called for courage and a keen sense of duty to their state. These things they have done until they have come to an age when they were no longer able to carry on, and were pensioned off with what was at that time sufficient to take care of their needs. It is needless to say that times have changed since then.

Our country has grown to be the richest and greatest in the world because of such people as these. These men have preserved law and order in a period of time when a dollar was worth a dollar, and at a time when the salaries of such servants were very low as compared with today. But it was sufficient for those times when the cost of living was far below the expensive costs of today, the pension system as it is now was set up to correspond with the times then, and not to cope with the inflated cost of

living as it is today, just try to picture in your mind a man that has far surpassed his three score and ten, trying to live on a pension of \$27.97 per month. This is the lowest pension among this group of eighteen which constitutes the entire group to be covered by this bill.

I checked on one of this group last weekend to find out what he was doing: a man nearly eighty years old receiving a pension of \$50.97. He ordinarily tries to eke out an existence by supplementing his diet with rabbits and fish; at the present time he is working at a job taking care of horses at a woods lumber camp about ten miles from civilization, and all alone. Can you imagine men of this age bracket cutting wood for fuel because they do not have money enough to buy it? As I have quoted before the entire group comprises only eighteen old wardens, with a life expectancy of fifteen years. The approximate amount that it would cost the state would be about \$38,000, scarcely a drop in the bucket. I have been told that it would set a bad precedent, and others would want to benefit from our liberalism, and would use it to promote their own ends. If such being the case and we have others such as this group and as deserving, why dodge the issue, why not hear their case too? This idea of saving money by depriving the poor does not meet with my idea of Americanism.

A short time back we voted to spend nearly half a million dollars as an exhibit at the World's Fair to be held in New York during 1964 & 1965. This money is to be spent to glorify our great state and to create interest in our way of life, and encourage people to come here on vacations, and invest in our enterprises. I voted for this along with the majority and am not trying to criticize at this time. I am simply thinking of that old saying about charity begins at home.

How would our guests feel and think of our system of economy could they see the penalty that we are causing some of our old public servants to live in such as this

case under discussion, what would they really think of our vacation paradise?

I will not take up further time lauding the merits of these old men, and what they have done to warrant our consideration; their records will still speak plainer than words. And although some might say too bad they were born thirty years too soon, there is one question I would enjoy knowing the answer to. That is: Would our ancestors of one hundred years ago have worried about setting a bad precedent in a case of this kind, or would they do as we should do here today, live our lives and face the realities of the times as they now exist, and let posterity take care of itself.

Now I will close my remarks on what I consider a very worthy cause and hope my fellow legislators will think likewise, and will accept the Majority Report of ought

to pass, on L. D. 629, and will vote for its passage. Thank you.

The SPEAKER: The question before the House is the motion of the gentleman from Skowhegan, Mr. Wade, that this matter be re-committed to the Committee on Retirements and Pensions. Is this the pleasure of the House?

(Cries of "No")

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

Eighty having voted in the affirmative and thirty-one having voted in the negative, the motion did prevail, the Reports and Bill were re-committed to the Committee on Retirements and Pensions in non-concurrence and sent up for concurrence.

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On motion of Mr. Wellman of Bangor,

Adjourned until Tuesday, April 9, at nine o'clock in the morning.