

# MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and First Legislature*

OF THE

STATE OF MAINE

VOLUME II

MAY 10 - JUNE 22, 1963

and

SPECIAL SESSION

JAN. 6 - JAN. 17, 1964

DAILY KENNEBEC JOURNAL  
AUGUSTA, MAINE

**HOUSE**

Thursday, May 16, 1963

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

Prayer by the Rev. Mr. Robert Canfield of Gardiner.

The journal of yesterday was read and approved.

**Papers from the Senate  
Senate Reports of Committees  
Ought Not to Pass**

Report of the Committee on Education reporting "Ought not to pass" on Bill "An Act Providing a Bond Issue in the Amount of Ten Million Dollars for a Vocational Educational Institute" (S. P. 50) (L. D. 100)

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 Appropriations and Financial Affairs reporting "Ought to pass" on Resolve Appropriating Moneys to Promote and Advertise Maine's Ski Business (S. P. 96) (L. D. 233)

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

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

**Divided Report**

Majority Report of the Committee on Appropriations and Financial Affairs reporting "Ought not to pass" on Bill "An Act Providing for the Study of a State Building Code and Anti-Shack Statute" (S. P. 202) (L. D. 512)

Report was signed by the following members:

Mr. CAMPBELL of Kennebec  
— of the Senate.

Mrs. SMITH of Falmouth  
Messrs. HUMPHREY of Augusta  
BRAGDON of Perham  
PIERCE of Bucksport  
JALBERT of Lewiston  
— of the House.

Minority Report of same Committee on same Bill reporting "Ought to pass" as amended by Committee

Amendment "A" submitted therewith.

Report was signed by the following members:

Messrs. EDMUNDS of Aroostook  
PORTEOUS of Cumberland  
— of the Senate.

Messrs. MINSKY of Bangor  
EDWARDS of Raymond  
— of the House.

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

In the House: Reports were read.

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

Mrs. SMITH: Mr. Speaker, I move that the Majority "Ought not to pass" Committee Report be accepted.

The SPEAKER: The Chair recognizes the gentleman from Raymond, Mr. Edwards.

Mr. EDWARDS: Mr. Speaker and Members of the House: I do not feel that we should pass over this too lightly. I feel that we should think about it, that we should discuss the matter and then make our decision. This is a problem that is confronting many of our rural towns. I have it in my own town and I know without any question that the rest of you have it in your towns, who live in the rural areas. It was the feeling of the four of us who signed this report that perhaps if we could have a study, even though it would not be as extensive as that which was requested, that perhaps something would come out of it which would be of benefit to the rural areas of our state; and I certainly hope that you do not go along with the motion that has been made.

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

Mr. JALBERT: Mr. Speaker and Members of the House: As a signer of the Majority "Ought not to pass" Report, I want to fully concur with the gentle lady from Falmouth, Mrs. Smith. This has a \$25,000 price tag. It verses itself pretty much in my opinion as being a local problem. I consider it such. Furthermore, this would empower

the Department of Economic Development to initiate this study. I think some of us are fully aware of the fact that the DED is under a mild barrage of criticism, if I can use the expression, and I don't think that necessarily now is the time for us to heap any more projects upon them. We also have had some \$600,000 worth of proposals for survey with variations of price tags on them. They've gone down the drain generally, and I think that this is the time to take, as the gentleman from Raymond, Mr. Edwards says, a good hard but short look.

The SPEAKER: The Chair recognizes the gentlewoman from Fal-mouth, Mrs. Smith.

Mrs. SMITH: Mr. Speaker, as the Representative from Lewiston, Mr. Jalbert, has told you, this bill was given a hard look and it was the majority opinion of the Appropriations Committee that this bill should not be passed. It also was the opinion of this Legislature two years ago when this bill was before it. These are the same bills which are brought to you continually to impose upon small towns the authority of someone who supposedly knows more about those towns than they themselves do. It was brought out in testimony before the committee that this was a town problem. It was admitted that it was a town problem, that the towns could do these things if they wished to, but they don't want to. Well, if they don't want to, I think that's unfortunate. I think perhaps we ought to educate them because certainly I deplore shacks as you do and we deplore our poor living conditions, but if people wish to live that way, all we can do is try to educate them. If we wish to impose law upon them, then we will have to set up public housing and take care of them.

What will apply to a city does not apply very well to a very small town up somewhere in the country, the same health conditions, the same thing. This is definitely an imposition of the will of one state department, maybe more or less or by the order of this Legislature would be, of course, upon these towns and I do hope that this

bill will not pass and it is not a small money bill. If you are going to remove these people and do a rehabilitation project which this envisions, then it will cost a lot of money.

The SPEAKER: The Chair recognizes the gentleman from Raymond, Mr. Edwards.

Mr. EDWARDS: Mr. Speaker, it has been stated that this is a problem of the small towns. I say to you this morning this is not only the problem of the small towns, it is a problem of the state. If we are ever going to clean up or improve the looks of our countryside, then we must all work together, the state and the towns. It has been brought about that this was going to cost a lot of money. There was a lot of money asked, but it was felt that perhaps a start could be made with a much lesser amount and these amendments on our tables this morning came from committee which cut it from \$25,000 to \$2,000.

Now I hope that even though I am speaking in the minority this morning, I hope that we can go along, concur with the actions of the other body, kill the motion that has been made, and pass the "Ought to pass" Report.

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

Mr. CURTIS: Mr. Speaker, Ladies and Gentlemen: I come from a small town and we are surrounded by several larger towns and each one of these large towns does have a code of its own. I see no need of a state code, and I think it would work a hardship. Twice we have tried to pass a code in our town, but those who drew it up made it so terrible that it didn't pass. Eventually, we will pass a reasonable code, and I think all the small towns will if left alone. I just want to say a word for this shack idea. I know of several cases where young people have got married and didn't have the money to build a house but they built a so-called shack, a two-room small building; but eventually as time went on and they earned some money, why they did build a house. And they used this so-called shack for a garage. It was a stepping

stone whereby they might get along. I think we should leave this thing alone and that we should kill this bill. I move indefinite postponement of it and all its papers.

The SPEAKER: The question now before the House is the motion of the gentleman from Bowdoinham, that the Reports and Bill be indefinitely postponed.

The Chair recognizes the gentleman from Falmouth, Mrs. Smith.

Mrs. SMITH: Mr. Speaker, when I speak of cost, I do not refer necessarily to the amount of money on this bill. It is true they asked for \$25,000 and they cut it to \$2,000, and I am sure you know why. This is done many times to get a bill by. But the cost would come if you were to do anything about the problem regardless of what the report is, if you are to do anything about this problem. And you must furnish some public money to do it with. If the towns do not recognize their own problems, they do not have the intelligence to recognize their own problems, I wonder what we are all coming to. I would ask for a division when the vote is taken.

The SPEAKER: Is the House ready for the question? The question before the House is the motion of the gentleman from Bowdoinham, Mr. Curtis, that both Reports and Bill "An Act Providing for the Study of a State Building Code and Anti-Shack Statute," Senate Paper 202, Legislative Document 512, be indefinitely postponed. A division has been requested.

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

A division of the House was had.

One hundred having voted in the affirmative and twenty-two having voted in the negative, the motion to indefinitely postpone did prevail.

Thereupon, the Reports and Bill were indefinitely postponed in non-concurrence and sent up for concurrence.

The SPEAKER: The Sergeant-at-Arms will please escort the gentleman from Cape Elizabeth, Mr. Berry, to the rostrum to serve as Speaker pro tem.

Thereupon, Mr. Berry of Cape Elizabeth assumed the Chair as Speaker pro tem amid the applause of the House and Speaker Kennedy retired from the Hall.

#### Non-Concurrent Matter

Bill "An Act relating to Chiropractic Treatment under Workmen's Compensation Law" (S. P. 180) (L. D. 479) which was passed to be engrossed in non-concurrence in the House on May 10.

Came from the Senate with that body voting to adhere to its action whereby the Bill was indefinitely postponed.

In the House:

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

Mr. LITTLEFIELD: Mr. Speaker, I move we adhere to our former action and ask for a Committee of Conference.

The SPEAKER pro tem: The Chair understands that the gentleman from Hampden, Mr. Littlefield, moves to adhere and asks for a Committee of Conference.

Mr. Dunn of Denmark then requested a division.

The SPEAKER pro tem: A division has been requested. The question before the House is the motion of the gentleman from Hampden, Mr. Littlefield, that the House adhere and ask for a Committee of Conference.

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

Mr. MENDES: Mr. Speaker, would a motion to recede and concur be in order?

The SPEAKER pro tem: It would be.

Mr. MENDES: I so move, Mr. Speaker.

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

Mr. Levesque of Madawaska then requested a division.

The SPEAKER pro tem: A division has been requested. All those in favor of the motion to recede and concur will rise and remain standing until the monitors have made and returned the count.

A division of the House was had. Seventy-four having voted in the affirmative and fifty-five having voted in the negative, the motion to recede and concur did prevail.

**Non-Concurrent Matter**

Bill "An Act to Authorize Cumberland County to Raise Money for Court House Capital Improvements" (S. P. 283) (L. D. 797) which was indefinitely postponed in non-concurrence in the House on May 3.

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

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

**Non-Concurrent Matter**

Bill "An Act Providing for the Formation of Sanitary Districts" (H. P. 301) (L. D. 409) on which the House voted to adhere on May 14 to its former action whereby the Bill was passed to be engrossed as amended by House Amendment "A".

Came from the Senate with that body voting to insist on its former action whereby the Bill was referred to the 102nd Legislature in non-concurrence, and asking for a Committee of Conference.

In the House: On motion of Mr. Wellman of Bangor, on a viva voce vote, the House voted to insist on its former action and join in a Committee of Conference.

**Non-Concurrent Matter  
Tabled and Assigned**

An Act relating to Election Returns (H. P. 1058) (L. D. 1523) which was passed to be enacted in the House on May 1 and passed to be engrossed as amended by House Amendment "A" on April 23.

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

In the House: On motion of Mr. Childs of Portland, tabled pending further consideration and specially assigned for Tuesday, May 21.

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

**Orders**

On motion of Mr. Watkins of Windham, it was

ORDERED, that Nelida Vista of Nago, the Philippines and Junellen Fraser of Windham, be appointed to serve as Honorary Pages for today.

Thereupon, the Misses Nelida Vista of Nago, the Philippines and Junellen Fraser of Windham, were escorted to the well of the Hall of the House by the Sergeant-at-Arms to serve as Honorary Pages for the day. (Applause)

The SPEAKER pro tem: The Chair recognizes the gentleman from Wiscasset, Mr. Pease.

Mr. PEASE: Mr. Speaker, I present an Order, request that the rules be suspended that it might be given consideration, and move its passage.

Thereupon, on motion of Mr. Pease of Wiscasset, it was

ORDERED, that under Orders of the Day, on Tuesday, Wednesday and Thursday of each week, after Special Orders, Unfinished Business and Specially Assigned Matters for that day have been disposed of, Unassigned Matters on the Table that are not taken up on motion, shall be taken from the Table and laid before the House by the Speaker in the order in which they appear on the calendar so far as time permits.

The SPEAKER pro tem: This Order affecting the rules of the House, requires suspension of the rules for its passage today.

The gentleman from Wiscasset, Mr. Pease, moves suspension of the rules for the passage of the Order. Is this the pleasure of the House?

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

Mr. WELLMAN: Mr. Speaker, this Order often appears about this time—

The SPEAKER pro tem: The item of suspension of the rules is not debatable.

Mr. Wellman of Bangor then requested a division.

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

Mr. CHILDS: Mr. Speaker, I move that this order lie upon the table until further in today's session.

The SPEAKER pro tem: A motion to table a move to suspend the rules is not in order.

The question now before the House is the motion of the gentleman from Wiscasset, Mr. Pease, that the rules of the House be suspended for the purpose of the passage of this order. Is this the pleasure of the House? And a division has been requested.

All those in favor of suspension of the rules, will please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

The SPEAKER pro tem: Seventy-three having voted in the affirmative and fifty-one having voted in the negative, and seventy-three being less than the required two-thirds—

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

Mr. CHILDS: Mr. Speaker, I request that the vote be taken by the yeas and nays.

The SPEAKER pro tem: In order for the Chair to order a roll call, it must have the expressed opinion of one-fifth of the members present in the House. Those who desire a roll call, will stand until the monitors have made and returned the count.

Thirty-three members arose.

The SPEAKER pro tem: More than one-fifth having arisen, a roll call is ordered.

The Clerk will call the roll, and the question before the House is the motion of the gentleman from Wiscasset, Mr. Pease, that the House suspend the rules for the purpose of the passage of this order at this time. Those who wish to suspend the rules, will answer "Yes" when their names are called; those who are opposed to the suspension of rules, will answer "No" when their names are called.

The Chair recognizes the gentleman from Wiscasset, Mr. Pease.

Mr. PEASE: I would request that the Chair clarify the motion. The purpose is not to suspend the rules to pass this order; the purpose of suspending the rules is to consider the order.

The SPEAKER pro tem: The motion before the House is that of the gentleman from Wiscasset, Mr. Pease, to suspend the rules in order that this item may be considered and voted on today. Those who wish to suspend the rules will vote "Yes" when their names are called; those who are opposed to suspension of rules, will vote "No" when their name is called.

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

Mr. RUST: Mr. Speaker, do I understand the Chair to say that it has declared the vote on this particular issue on the division by a seventy-three to fifty-one vote?

The SPEAKER pro tem: The seventy-three was less than the required two-thirds majority to suspend the rules.

Is the House ready for the question? The Clerk will call the roll.

#### ROLL CALL

YES — Anderson, Ellsworth; Anderson, Orono; Ayoob, Baldic, Bedard, Berman, Bernard, Binnette, Blouin, Boissonneau, Bourgoin, Bradeen, Burns, Bussiere, Cartier, Chapman, Childs, Cookson, Cote, Cottrell, Cressy, Crommett, Denny, Dostie, Dudley, Dunn, Easton, Edwards, Finley, Foster, Gallant, Gustafson, Hammond, Hanson, Harrington, Hendricks, Humphrey, Jalbert, Jameson, Jewell, Karkos, Kent, Kilroy, Laughton, Lebel, Levesque, Linnekin, MacLeod, McGee, Nadeau, O'Leary, Osgood, Pease, Philbrick, Pitts, Plante, Poirier, Prince, Harpswell; Prince, Oakfield; Reynolds, Roberts, Roy, Sahagian, Scott, Smith, Strong; Snow, Susi, Taylor, Thaanum, Townsend, Turner, Viles, Ward, Waterman, Watkins, Whitney, Williams, Young.

NO — Benson, Birt, Bothby, Bragdon, Brewer, Brown, Farifield; Carter, Choate, Cope, Coulthard, Curtis, Denbow, Drake, Ewer, Gif-

ford, Gilbert, Gill, Giroux, Hardy, Hawkes, Hendsbee, Henry, H o b b s, Hutchins, Jones, Knight, Libby, Lincoln, Littlefield, Lowery, MacPhail, Maddox, Mathieson, Meisner, Mendes, Minsky, Mower, Norton, Oakes, Oberg, Osborn, Pierce, Rand, Rankin, Richardson, Ricker, Ross, Augusta; Ross, Brownville; Rust, Shaw, Smith, Bar Harbor; Smith, Falmouth; T h o r n t o n, Trewor- gy, Tyndale, Wade, Waltz, Welch, Wellman, White, Guilford; W i g h t, Presque Isle; Wood.

ABSENT — Albair, Brown, South Portland; Crockett, Davis, J o b i n, Kennedy, MacGregor, Noel, Tardiff, Vaughn.

Mr. CHILDS of Portland: Mr. Speaker?

The SPEAKER pro tem: For what purpose does the gentleman arise?

Mr. CHILDS: To make a parliamentary inquiry.

The SPEAKER pro tem: The gentleman may make his inquiry.

Mr. CHILDS: Mr. Speaker, I would like to inquire as to what rule we are proceeding under where a two-thirds vote is needed to pass this Order — where a two-thirds vote is needed to reconsider an Order to pass the Order — to suspend the rules.

The SPEAKER pro tem: The Chair will read Rule 59 in Rules of the House. "No rule or order of the House shall be altered or repealed, nor shall any new standing rule or order be adopted unless one day's previous notice thereof be given in each case; and such notice shall be entered on the journal."

Mr. CHILDS of Portland: Mr. Speaker?

The SPEAKER pro tem: The gentleman will defer until we have declared the vote.

Seventy-eight having voted in the affirmative, sixty-two having voted in the negative, with ten absent, the rules are not suspended.

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

Mr. CHILDS: Mr. Speaker, then as I understand rule 59 and — I am making a parliamentary inquiry — as I understand rule 59 therefore that where there was a majority in this vote that this Order

would receive passage and go into effect the next legislative day?

The SPEAKER pro tem: The vote was on suspension of rules and not on the passage of the Order. The Order will lie on the table and be voted on tomorrow.

The Chair recognizes the gentleman from East Millinocket, Mr. Birt.

Mr. BIRT: Mr. Speaker, could I call attention to rule 58 which says that no rule or order of the House shall be dispensed with unless two-thirds of the members present shall consent thereto. Would that be the rule of consideration right now?

The SPEAKER pro tem: Rule 58 was the rule under which the roll call was taken, and the two-thirds vote was not achieved.

The Chair recognizes the gentleman from Wiscasset, Mr. Pease.

Mr. PEASE: Mr. Speaker, I would also rise to a point of parliamentary inquiry, not being experienced in these halls. I would ask the Chair to rule on the question of whether this Order does change or alter or repeal an existing rule of the House rather than a custom or courtesy of this House.

The SPEAKER pro tem: The proposed Order does affect a standing rule of the House.

Mr. PEASE: Mr. Speaker, another point of inquiry, may I have that rule pointed out from the Chair.

The SPEAKER pro tem: This is Rule 59 in question.

At this point, a message came from the Senate, borne by Secretary Winslow of that body, proposing a Joint Convention to be held forthwith in the Hall of the House of Representatives for the purpose of extending to His Excellency, John H. Reed, Governor of Maine, his guest the Honorable Byron Gentry, National Commander of the Veterans of Foreign Wars, and his official party an invitation to attend the Convention and address to the same such remarks as either the Governor or his guest may be pleased to make.

On motion of Mr. Wellman of Bangor, the House voted to concur in the proposal for a Joint Convention and the Clerk was instructed



to convey the message to the Senate.

#### House at Ease

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

The SPEAKER pro tem: The House is proceeding under Orders.

The Chair recognizes the gentleman from Wiscasset, Mr. Pease.

Mr. PEASE: Mr. Speaker, I will admit that I may be out of order, my eyes are not able to pick out in the fine print of the Rules of the House, any rule which the Order I presented repeals or alters. I wonder if the Chair would care to rule.

The SPEAKER pro tem: The Chair will state for the information of the gentleman from Wiscasset, that his Order proposes to change a parliamentary rule where any tabled item shall only be taken up at the motion of the person who tabled the item.

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

Mr. JALBERT: Mr. Speaker, I would like to comment further—

The SPEAKER pro tem: Is the gentleman posing a parliamentary inquiry?

Mr. JALBERT: In that I would like something explained to me that I am totally ignorant of. I would like to ask—

The SPEAKER pro tem: Would the gentleman state his question?

Mr. JALBERT: Is it not a fact that Rules 58 and 59 should be combined under one roof anyway?

The SPEAKER pro tem: The House is proceeding under Orders.

The Chair recognizes the gentleman from Wiscasset, Mr. Pease.

Mr. PEASE: May I express appreciation for the ruling of the Chair and move that this matter lie on the table until tomorrow.

The SPEAKER pro tem: The matter is on the table.

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

Mr. CHILDS: Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER pro tem: The gentleman may state his inquiry.

Mr. CHILDS: Does Rule 59 mean that the only person who could take

a matter off the table is the person who put it on the table unless a two-thirds vote is necessary?

The SPEAKER pro tem: It does not so state.

Mr. Crommett of Millinocket presented the following Order and moved its passage:

ORDERED, the Senate concurring, that the Legislative Research Committee, in planning for a pre-legislative conference to be held prior to the convening of the 102nd Legislature in regular session, give consideration to the feasibility of conducting at such conference an orientation program on legislative procedure and rules, and such other matters that would tend to inform the incoming members of the 102nd Legislature of the nature and workings of the legislative machinery. (H. P. 1095)

The Order received passage and was sent up for concurrence.

Mr. Williams of Hodgdon was granted unanimous consent to briefly address the House.

Mr. WILLIAMS: Mr. Speaker, Ladies and Gentlemen: I understand we have an Astronaut going around the earth in circles. Now he may be making larger circles than we are, but in my estimation, we are making a lot more of them. (Laughter and applause)

#### House Reports of Committees Ought to Pass in New Draft New Draft Printed

Mr. Waterman from the Committee on Taxation on Bill "An Act Exempting Boats and Motors from Property Tax" (H. P. 948) (L. D. 1382) reported same in a new draft (H. P. 1092) (L. D. 1567) under title of "An Act relating to Exempting from Property Tax Pleasure Boats in the State for Storage" and that it "Ought to pass"

Report was read and accepted, the New Draft read twice and tomorrow assigned.

#### Divided Report Tabled and Assigned

Majority Report of the Committee on Education reporting "Ought not to pass" on Bill "An Act Repealing Supplemental State Aid for Reor-

ganized School Districts" (H. P. 25) (L. D. 49)

Report was signed by the following members:

Messrs. BROOKS of Cumberland  
HICHBORN of Piscataquis  
WHITTAKER of Penobscot  
— of the Senate.

Messrs. CURTIS of Bowdoinham  
BRADEEN of Waterboro  
McGEE of Auburn  
TREWORGY of Gorham  
LEVESQUE of Madawaska  
— of the House.

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

Report was signed by the following members:

Messrs. EASTON of Winterport  
SNOW of Jonesboro  
— of the House.

Reports were read.

(On motion of Mr. Easton of Winterport, on a viva voce vote, tabled pending acceptance of either Report and specially assigned for Tuesday, May 21.)

#### Divided Report

Majority Report of the Committee on Taxation reporting "Ought not to pass" on Bill "An Act relating to Municipal Excise Taxes on Boats" (H. P. 883) (L. D. 1268)

Report was signed by the following members:

Messrs. WYMAN of Washington  
BROWN of Hancock  
LETOURNEAU of York  
— of the Senate.

Messrs. JONES of Farmington  
BROWN of Fairfield  
WATERMAN of Auburn  
WOOD of Brooks  
— of the House.

Minority Report of same Committee on same Bill reporting same in a new draft (H. P. 1093) (L. D. 1568) under same title and that it "Ought to pass"

Report was signed by the following members:

Messrs. ALBAIR of Caribou  
COTTRELL of Portland  
AYOOB of Fort Fairfield  
— of the House.

Reports were read.

On motion of Mr. Prince of Harpswell, on a viva voce vote, the Majority "Ought not to pass" Report was accepted and sent up for concurrence.

#### Divided Report Tabled and Assigned

Report "A" of the Committee on Taxation on Bill "An Act to Enable Municipalities to Impose a General Business and Occupation Tax" (H. P. 846) (L. D. 1233) reporting same in a new draft (H. P. 1094) (L. D. 1569) under title of "An Act Amending the Charter of the City of Portland Relating to Imposition of a General Business and Occupation Tax" and that it "Ought to pass"

Report was signed by the following members:

Mr. LETOURNEAU of York  
— of the Senate

Messrs. COTTRELL of Portland  
JONES of Farmington  
AYOOB of Fort Fairfield  
WOOD of Brooks  
— of the House

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

Report was signed by the following members:

Messrs. WYMAN of Washington  
BROWN of Hancock  
— of the Senate.

Messrs. WATERMAN of Auburn  
ALBAIR of Caribou  
BROWN of Fairfield  
— of the House.

Reports were read.

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

Mr. JONES: Mr. Speaker, I move that we accept Report "A," "Ought to pass."

Thereupon, on motion of Mr. Rand of Yarmouth, on a viva voce vote, tabled pending the motion of Mr. Jones of Farmington to accept Report "A" and specially assigned for Thursday, May 23.

#### Passed to Be Engrossed Amended Bills

Bill "An Act relating to Extending Time on Attachments of Real Estate" (S. P. 296) (L. D. 869)

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.

Bill "An Act relating to Reporting of Divorces to State Registrar of Vital Statistics" (S. P. 309) (L. D. 975)

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

**Passed to Be Enacted  
Enactor Requiring Two-Thirds Vote**

An Act to Authorize the Issuance of Bonds in the Amount of Seven Million Dollars on Behalf of the State of Maine to Build State Highways (H. P. 1072) (L. D. 1537)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. In accordance with the provisions of Section 14 of Article IX of the Constitution a two-thirds vote of the House being necessary, a division was had. 104 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

**Emergency Measure**

An Act to Make Allocations from the General Highway Fund for the Fiscal Years Ending June 30, 1964 and June 30, 1965 (S. P. 584) (L. D. 1536)

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

**Emergency Measure**

**Reconsidered**

**Passed to Be Engrossed**

An Act to Authorize the Municipalities of Detroit, Etna, Plymouth, Dixmont and Stetson to Form a School Administrative District (H. P. 435) (L. D. 640)

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

On motion of Mr. Kent of Benton, the House voted to suspend the rules and to reconsider its action of May 10 whereby the Bill was passed to be engrossed.

Thereupon, Mr. Kent of Benton offered House Amendment "B" and moved its adoption.

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

HOUSE AMENDMENT "B" to H. P. 435, L. D. 640, Bill, "An Act to Authorize the Municipalities of Detroit, Etna, Plymouth and Stetson to Form a School Administrative District."

Amend said Bill in the Title by adding after the word "District" the words ' and to Authorize the Municipalities of Benton, Clinton and Albion to Form a School Administrative District.'

Further amend said Bill by inserting at the beginning of the first line, after the enacting clause, the underlined abbreviation and figure 'Sec. 1.'

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

'Sec. 2. School administrative district for Benton, Clinton and Albion authorized. The municipalities of Benton, Clinton and Albion shall be exempted from the limitations provided in the Revised Statutes of 1954, chapter 41, section 111-E, as amended, and the Maine School District Commission shall be authorized to proceed pursuant to said chapter 41, sections 111-F to 111-U-1 to take the necessary action to allow the municipalities of Benton, Clinton and Albion to form a school administrative district.'

Nothing contained herein shall be construed to limit the number of times that the above-named municipalities may make application to the Maine School District Commission, nor shall the authority heretofore granted to the Maine School District Commission under this act be limited to any specified number of times for the commission to authorize the above-named municipalities to act on the formation of a school administrative district.'

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

Mr. EWER: Mr. Speaker, may I ask a parliamentary question of the Chair, is this amendment germane to the original bill?

The SPEAKER pro tem: Does the gentleman raise that point of order?

Mr. EWER: I do.

The SPEAKER pro tem: The Chair will rule for the reason that the original bill set up a school administrative district in one section of the state, and the proposed amendment would set up another school district in another section of the state, that the amendment is not germane.

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

The SPEAKER pro tem: The Chair is pleased to recognize at this time in the gallery of the House forty-eight pupils from the third and fourth grades of the Jewell Street School of Jay, accompanied by Alice McLaughlin, the principal; and Mr. Hildred Moore, teacher.

We hope that the pupils and their teachers will enjoy and profit by their stay with us today. (Applause)

**Passed to Be Enacted**

An Act relating to Purchase of Lands by Atlantic Sea Run Salmon Commission (H. P. 63) (L. D. 87)

An Act relating to a Tax Assessor for City of Bath and Amending Payment of Bonds by City of Bath (H. P. 543) (L. D. 760)

An Act relating to Weight Tolerances of Vehicles Loaded with Construction Materials (H. P. 1085) (L. D. 1558)

An Act relating to Proceedings in Adoption of Children (H. P. 1024) (L. D. 1485)

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

**Enactor  
Tabled Until Later in the Day**

An Act relating to Tax Exemption of Property of Veterans Not Located in Place of Residence (H. P. 1079) (L. D. 1546)

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

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

Mr. COOKSON: Mr. Speaker, this act is an attempt to bring back a situation previously existing and was very unpopular with town officials. It is not a bill that is being promoted by any veterans, I being one myself, as far as I know. It was previously abused to a great extent when the other law existed especially in regards to non-resident property. It puts an extra burden on the towns and cities affected by this law, and in my judgment, it is just another bad piece of legislation. For this reason, I would ask for its indefinite postponement.

The SPEAKER pro tem: The gentleman from Glenburn, Mr. Cookson, moves that item 8, L.D. 1546, be indefinitely postponed.

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

Mr. PRINCE: Mr. Speaker, I can't agree with the gentleman from Glenburn, Mr. Cookson, that this is just an act to bring the situation back where it was at the time of the 100th Legislature. I think I tried to explain it here before in the House that this was to take care of a few situations of inequities among veterans whereby a person living or working in a place other than where they have real estate or property and it takes away their privilege as a veteran of getting any benefit from the Veterans Exemption Act. As the gentleman has said that he doesn't believe any veteran sponsored this legislative, I will have to disagree with him on that because I do feel that I am a veteran. For that reason, it has been batted back and forth several times here in the House now, and I would like to ask for a division at this time and that the vote be taken by the yeas and nays. Thank you.

The SPEAKER pro tem: The Chair recognizes the gentlewoman from Chelsea, Mrs. Shaw.

Mrs. SHAW: Mr. Speaker, I would like to support the motion for indefinite postponement of this bill. I do believe that the exemptions for veterans was proposed to exempt taxation on his property where he resided. Now I have worked with the bill in both forms, working in the assessors' office of Gardiner, and I do know of instances where a veteran has placed his residence in his wife's name and has claimed exemption on his business in another town. Now this is not what the bill was intended for. We do want to give these veterans the exemption, so we do want to give it to them on the place where they reside. Therefore, I think the bill as we had had it the past two years has been the most equitable to the towns and to the veterans. Therefore, I move for the indefinite postponement of this measure.

The SPEAKER pro tem: The question before the House is the motion of the gentleman from Glenburn, Mr. Cookson, that this Bill be indefinitely postponed.

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

Mr. BRAGDON: Mr. Speaker, Members of the House: I wish to concur with the gentleman from Glenburn, Mr. Cookson, in the indefinite postponement of this bill. I have had requests from municipal officers in my area to do what I could to have this bill killed. I believe I am correct in stating that the Maine Municipal Association is on record against this bill. I hope we go along with the motion of the gentleman from Glenburn, Mr. Cookson.

Thereupon, on motion of Mr. Jalbert of Lewiston, the Bill was tabled pending the motion of Mr. Cookson of Glenburn, to indefinitely postpone the Bill and specially assigned for later in today's session.

#### House at Ease

At this point, Speaker Kennedy returned to the rostrum.

SPEAKER KENNEDY: The Chair is most grateful to the gentleman from Cape Elizabeth, Mr. Berry, for serving him this morning.

Thereupon, the Sergeant-at-Arms escorted the gentleman from Cape Elizabeth, Mr. Berry, to his seat on the Floor, amid the applause of the House, and Speaker Kennedy resumed the Chair.

The SPEAKER: The Chair at this time is pleased to recognize in the balcony of the House, fifteen students from the seventh and eighth grades of the South Bristol Elementary School, accompanied by their teachers, Mrs. Herbert Thompson and Mrs. Myers, Mrs. Robinson and Mrs. Holmes. These are the guests of Representative Rankin of Southport.

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

At this point, the Senate entered the Hall of the House and a Joint Convention was formed. (Applause, members rising)

#### In Convention

The President of the Senate, Honorable Robert A. Marden, assumed the Chair and called the Convention to order.

On motion of Mr. Boardman of Washington, it was

ORDERED, that a Committee be appointed to wait upon His Excellency, John H. Reed, Governor of Maine, and inform him that the two branches of the Legislature are in convention assembled in the Hall of the House of Representatives, and extend to him an invitation to attend the Convention with his guest, the Honorable Byron Gentry, National Commander of the Veterans of Foreign Wars, and address to the Convention such remarks as either of them may be pleased to make.

The Chairman appointed as members of such Committee:

Senators:

BOARDMAN of Washington  
CYR of Aroostook  
LETOURNEAU of York

Representatives:

WALTZ of Waldoboro  
THAANUM of Winthrop  
HENDSBEE of Madison  
CRESSEY of North Berwick  
ALBAIR of Caribou

BEDARD of Saco  
O'LEARY of Mexico

Mr. Boardman of the Committee subsequently reported that the Committee had discharged the duties assigned it, and that the Governor and his guest would forthwith attend the Convention with their attendants.

#### Convention at Ease

Called to order by the Chairman.

Whereupon, His Excellency, Governor John H. Reed and his guest, Honorable Byron Gentry, National Commander of the Veterans of Foreign Wars, his staff, and the members of the Executive Council entered the Hall of the House amid prolonged applause, the audience rising.

GOVERNOR REED: Mr. President, Mr. Speaker, Ladies and Gentlemen of the 101st Maine Legislature: Once again it is a real pleasure to join you for one of these Joint Conventions. I will always recall back in 1955 when, as a Member of this House of Representatives, we had an opportunity to listen at that time to the National Commander of the Veterans of Foreign Wars, and of all the addresses I have heard in the hallowed halls of this House, I don't recall any speech that remained in my memory any more than that one. And I understand today that our distinguished speaker is a man of great renown as an orator, so I am certain we are in for a very delightful opportunity to hear this gentleman speak.

The Honorable Byron B. Gentry, who is National Commander of the Veterans of Foreign Wars, after having a very distinguished career in the Armed Forces of this Country, went on to great success as a prosecutor in his home City of Pasadena, California, where he has served for eleven years and is still currently serving as the City Prosecutor of that great City in the State of California.

He is a man I find of many talents, which actually range from the days when he created great exploits on the gridiron of the college campuses of the west, and then on to become a very successful pro-

fessional football player for the Pittsburgh Steelers. From that career, he has now become a well-known author of poems, so you can see he truly is a man who has created a great record for himself, and I am sure that here today you join with me in extending a very cordial welcome to Byron Gentry and the other officials of the Veterans of Foreign Wars, not only from this state, but other officials from the National Organization.

In order to pay a fitting tribute to our distinguished guest, I felt it was only proper that we make him an Honorary Citizen of the great State of Maine, and so as I present to you, the Honorable Byron B. Gentry, I also want to name him an official Honorary Citizen of this State. Ladies and Gentlemen of the House, the Honorable Byron B. Gentry — (Applause, the audience rising)

COMMANDER GENTRY: His Excellency, the Governor, Mr. President, Mr. Speaker, Ladies and Gentlemen of the Joint Convention: It is a great honor to be permitted to appear here today and speak to your distinguished body. It is a great honor also to be accepted as an Honorary Citizen of this great state.

In coming here, I have had some concern about what I should say to you ladies and gentlemen. It occurs to me that perhaps I should speak to you facts, facts which are not generally made available to those of us who are busy in our own sphere of life. And yet I suppose I should assume that each of the things that I shall say to you are familiar to you. I refer to certain facts about the continuing Cuban situation, and lest you wonder why my organization is concerned with such a thing, I should like to say that the Veterans of Foreign Wars of the United States is more than an organization dedicated completely to the service of veterans and their widows and orphans and dependents. By the Congressional Charter which incorporated that organization many years ago, we have in Section 3 of that Act of Congress a multi-point purpose by which we are bound. Three of those points obligate us to serve

the veteran and his dependents, but six of them make it mandatory upon our organization to serve the best interests of this nation as such; to further true patriotism; to concern ourselves with the security of this nation; to practice and teach fidelity to its Constitution and laws and to defend it against all of its enemies whomsoever.

Based upon this obligation, our delegates in Minneapolis last August adopted a resolution calling upon the governing authority of the nation to establish a limited blockade of the Island of Cuba for the purpose of keeping the Russian Communists out of Cuba, together with all of their military personnel and equipment. We were somewhat pleased a little over two months later when that action was taken. Our organization was not pleased when the action taken did not go far enough.

We have since then pursued the matter and I have the temerity to appear to advise you, because the Congress of the United States, the Senators to whom I have spoken recently, and Congressmen, want to dismiss this matter, and they say to me that you people should not concern yourselves so much with Cuba because it is unimportant, it is not an important matter.

I find that the American people have not studied geography in many years and they appear to be content to let the policy of economic sanctions calculated as we are led to believe to eventually starve Mr. Castro and communism out of Cuba, be the policy of this government. And this, in our view, is very dangerous. The American people don't know anything about Cuba, they think it is a sandy little vacation-type island somewhere in the edge of the Atlantic which cannot survive unless we resume buying sugar from them. If I may, I would remind you that the population on that island approximates seven million human beings, and often people think of those people as perhaps natives who hunt and fish with bows and arrows and have no particular education and make no contribution to civilization. With no intent to disparage any particular race, but because so many of our people have a tendency

to think of natives in terms of their color, I would say to you that the population of Cuba is 72.8 percent Caucasian. They are intelligent people for the most part, certainly capable people.

The Island of Cuba lies farther west than most people think. The western end of Cuba is as far west as Chicago, Illinois and farther west than any South American Nation. It lies squarely in the middle of the western hemisphere. The eastern end of Cuba, where on the southern coast we hold Guantanamo Bay under the Treaty of 1903, renegotiated in 1934 giving us a perpetual lease hold interest, controls the windward passage, the north-south trade routes between this nation and our South American friends. The Island of Cuba alone is not a little sandy vacation spot, but it is sixteenth among all the world's islands, islands such as Great Britain and the two islands of New Zealand and Greenland. It has an area of 42,350 square miles, you add the Isle of Pines and you have an area of 44,218 square miles. It lies ninety miles off the Florida Keys but within the Caribbean Sea which again so many of our people consider a vacation spot used only for the purpose of catching sailfish. Yet the Caribbean Sea is sixth among all the world's oceans with an area of 1,049,050 square miles, an average depth of 8,685 feet, a greatest known depth of 22,738 feet.

Guantanamo Bay is a year-round naval training station for our Atlantic Fleet. From it, we control the air and sea to Jamaica, Haiti, the Panama Canal and back again, but our people say Guantanamo Bay is not the type of base from which we would fight a naval war. They say we wouldn't expect to hold it, from within at least, if we became involved in serious trouble, and our position is that we must hold Guantanamo Bay at all cost for this reason. Guantanamo Bay at its mouth is six hundred feet deep. It is one of the world's deepest natural harbors. It is scarcely less than four hundred feet on into the upper harbor which is Cuban where the cities of Caimanera, Boqueron and Guantanamo City are fed by rail from as far back as Havana. Less than a half mile out into the Carib-

bean from the mouth of that bay the ocean is 6,000 feet deep.

We may not consider it important. It might not be a fighting base for our ships, but I will ask you what the Russians would do with it as a submarine base if we should lose it or abandon it or be deprived of it. With that deep water the Russians have 465 submarines, a number of them nuclear powered. They outnumber us four to one in submarines and the only effective defense today against a submarine is an anti-submarine submarine and we only have three of them. Thus, Guantanamo Bay must not be permitted to get into the hands of the Russians. If you do not consider 465 submarines a menace, I would ask you to remember that Mr. Hitler started a rather large war some years ago with only fifty-seven, and he came closer, than most of us have ever been advised, to cutting us off and our supply lines so that we might have lost that war. With Guantanamo Bay in Russian hands, they would control the Atlantic, the Caribbean, they would take the Panama Canal and control the Pacific, and your day and mine as free Americans would be shaky and it might even be numbered.

This is the area which I am told is unimportant. Now the economic sanction program has got to be a fallacy. Through its exercise we expect to starve Mr. Castro and communism out of Cuba. I will show why it is a fallacy. Where do we get our water supply at Guantanamo Bay? We buy it from Mr. Castro. It comes from the river through a ten inch pipe and fourteen inch pipe and we pay him twenty-three cents per one thousand gallons for it, and we use an average of two and one-half million gallons a day. At Guantanamo Bay itself since the crisis, five shallow wells have been dug and they are the only wells which can be dug and they are likely to collapse and become salt if overtaxed and be forever lost. Yet those five wells can provide a maximum of only one hundred thousand gallons a day. The only other emergency source of water is an old conversion ship which if reconditioned and recommissioned has a maximum capacity of one

hundred and thirty thousand gallons a day. The only successful alternative to losing Guantanamo Bay for lack of water alone, when Mr. Castro feels our economic sanctions program is beginning to bother him and turns the valves on our water supply or blows it up, is for the Congress of the United States to appropriate the funds to build and protect Guantanamo Bay, a nuclear salt water conversion plant such as is supplying all of the needs of fifteen thousand people at Freeport, Texas at a cost of thirty cents per one thousand gallons ready to drink.

This is the point I wish to make. I cannot interest the Congress of the United States, and yet the history of our—shall we say indifference to facts, has cost us through the generations a number of wars and untold casualties among our young men. I would ask you ladies and gentlemen to consider this problem and to exercise your own original ingenuity, and perhaps you might have more influence than we have.

In closing, just in the event any of you may have forgotten a rather colorful character who some twenty years ago was called upon to fight a nation's war because before that war we sank our fleets, got involved in the unrealistic throes of disarmament and wishful thinking, I would like to read you a little poem called "G. I. Joe."

Born to independent freedom of his thinking and his ways;  
With no military training in his school or working days,  
He was thrust on moment's notice into war he didn't make—  
Griped and joked at situations regulations made him take.  
What was "honorable profession, and the art of bearing arms,"  
To the Germans and the British, was to him ideal for farms.  
SNAFU, was the term he gave it, but he took it just the same.  
Insubordinate by nature, he remained the way he came.  
Thus they called him General Issue, just plain G I Joe, for short,  
As he shrugged at regulations and made discipline a sport;  
Voiced his caustic observations without caring who might hear;



Viewed both officers and non-coms  
as a parson looks at beer.

Sergeants moved him to coin  
phrases which defy a writer's use;  
While lieutenants were the object  
of his penchant for abuse.

Added to his native talents and the  
courage of his race,

Stubborn pride made him a soldier  
whom the Germans feared to face.  
When the dawn barrage exploded its  
terrific missile shower,

Every G I cursed the "blank,  
blanks who dared wake him at  
this hour."

When he learned his lines were  
severed, and his radios were  
jammed,

He accepted isolation with the com-  
ment, "I'll be damned!"

At a far advanced command post,  
facing winter-quartered Huns—

Where intelligence reported but two  
horse-drawn heavy guns,

A G I surmised, with wisdom from  
his Country Uncle Seth,  
"Lord! The Krauts must be work-  
ing those two horses half to  
death!"

Where a small group manned  
machine guns in the midst of Ger-  
man tanks—

Mowed down wave on wave of Ger-  
mans from their endless charging  
ranks:

"Take a breather!" called a Ger-  
man in good English, "We'll be  
back!"

"Not unless you watch that traffic!"  
was a G I's answering crack.

Thus the "brat" who broke your  
window, and the "kid" who dunked  
your cat;

Stuffed your paper down the drain  
pipe; or threw snowballs at your  
hat,

Called upon his love of mischief  
when his life was on the block—

Shrugged at hardship and disaster;  
laughed at battle's fearful shock.

Every ounce of him a Soldier—  
every inch of him a Man.

When he fought your battle for you;  
ate with fingers from a can—

And the courage of his laughter  
dulled the panic of his fear—

When it came his turn for dying,  
he stepped up without a tear.

Ladies and gentlemen, if we per-  
mit our lethargy, our attachment  
to ease and comfort and peace at

any price to destroy the spirit of  
G. I. Joe, if we permit that spirit  
to die, our freedom dies. Thank you  
very much for the privilege of ap-  
pearing here. (Prolonged applause,  
the audience rising)

The purpose for which the Conven-  
tion was assembled having been ac-  
complished, the Chairman declared  
the Convention dissolved, and the  
Senate returned to the Senate  
Chamber.

### In the House

Called to order by the Speaker.

The SPEAKER: The Chair is de-  
lighted this morning to recognize  
a group from Sanford High School  
in the balcony. On behalf of the  
House, the Chair extends to you a  
cordial welcome and we trust that  
you have enjoyed your visit with  
us here this morning. (Applause)

On motion of Mr. Wellman of  
Bangor,

Recessed until one-thirty this aft-  
ernoon.

### After Recess

1:30 P.M.

Called to order by the Speaker.

The SPEAKER: The House is pro-  
ceeding under Enactors, Item 9.

### Finally Passed

Resolve for Development of Rev-  
enue-Producing Park Facilities on  
Mt. Battie (H. P. 414) (L. D. 567)

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

The SPEAKER: The Chair recog-  
nizes the gentleman from South  
Portland, Mr. Taylor.

Mr. TAYLOR: Mr. Speaker, La-  
dies and Gentlemen of the House:  
I can assure you, the members of  
this House, that I am dedicated to  
our park and recreational improve-  
ment program, but I am not dedi-  
cated to wasteful spending in the  
process. I do not believe that the  
\$127,000 expenditure to build this  
proposed road to the top of Mt. Bat-  
tie is a wise and feasible project. I  
feel that this money can be put  
to much better use in other areas  
by improving present park facili-

ties in other areas, and making other parks' present facilities self-supporting. Furthermore, I urge that an emphasis be placed on state parks near our centers of population as more of our people may benefit from such parks than from those that are in more isolated areas.

As this roadway is to be 1.6 miles in length and end up on the top of Mt. Battie which is only 1,000 feet above sea level with nothing on the top but view, it seems hardly worth the price involved. Last year only 36,000 paid customers visited this area, and as the price per car is proposed to be fifty cents and that the average car would contain three or more occupants, this would be an annual income of not over \$6,000 providing 100 percent of all cars went to the top of this road. Since it is never possible to expect 100 percent use of this road by the park visitors and since it will be necessary to have at least two full-time toll attendants, it does not look to me that this would be a very feasible project for many years to come; and for this reason, I move that this Bill and its accompanying papers be indefinitely postponed and ask for a division. Thank you.

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

Mr. JALBERT: Mr. Speaker and Members of the House: I am rather surprised at the remarks of the gentleman from South Portland, speaking about areas. If I remember correctly a few years ago, we expended the sum of nearly four hundred thousand dollars for the first of the Crescent Beach Park area and in the Governor's Supplemental Budget recommended for our consideration at this session, is a small item calling for \$865,360 for the initial development of the facilities at Crescent Park. And on that basis, I think that that beautiful Mt. Battie spot if we are going to go after the population, I think maybe they deserve more than \$156,000.

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

Mr. HARDY: Mr. Speaker, Ladies and Gentlemen: I am somewhat amazed at a man who is dedicated to do something for the state park system in the State of Maine to make such an attack. I wish to assure you that this proposal if enacted here in the House this afternoon goes down to the Senate, to the Senate Appropriations Table. I wish to assure you that this is one step that the state park is very interested in, in that it will help take some of the expenditure from the Camden Hills State Park off from the general fund. This is a revenue-producing facility. This park is the largest park in the State of Maine. This park was presented to the State of Maine by the federal government who bought it during the CCC days. Camp Tanglewood is in the Camden Hills State Park, a girls' camp that is run by the YWCA. The survey of Camden State Park was carried on this winter when we first went into session. The computation of that survey was paid for by the people of Camden in cooperation with the Park Department. I urge you to vote against Mr. Taylor's motion.

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

Mr. ANDERSON: Mr. Speaker, Ladies and Gentlemen of the House: I do not think this is a reasonable project at this time. I want to go on record as being in accord with the gentleman from South Portland, Mr. Taylor, and I hope the motion to indefinitely postpone does prevail.

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

Mrs. SMITH: Mr. Speaker and Members of the House: As I told you the other day, as the Appropriations Committee has these problems before them, as time goes on, some we have to turn down, some we pass out. We try to do it on the basis of what we think there may be possibly money for and on the basis of merit and how well it has been brought in and as near as we can. And to me, this bill has been here before. They have done a lot of work now. They did present a routine to follow, and I think it has merit, and I think it

should go through to see if eventually there is money enough for it. I think it is a justifiable project, and I hope the motion does not prevail. This was a unanimous report from the Appropriations Committee.

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

Mr. BRAGDON: Mr. Speaker, Members of the House: I signed the "Ought to pass" Report on this bill because I feel that the whole park project in Maine is a sound project. It is bringing business to the state. This Mt. Battie project is something that has been before us in previous sessions, and I hope that you will see fit to go along with the report "Ought to pass" on this bill.

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

Mr. LITTLEFIELD: Mr. Speaker, Ladies and Gentlemen of the House: This park isn't a revenue-producing park yet. The sum called for I believe is \$156,000 to build a highway to the top of the park and I doubt that a highway can be built up to the top of that mountain for any such sum. I think it will take considerable more.

I might remind you that I have been in places in that area on a hill in the Town of Northport where the view is outstanding compared to this view from Mt. Battie. I will admit that the view from Mt. Battie is very beautiful, but it is nothing exceptional. It is nothing compared to Cadillac Mountain on the Island of Bar Harbor. My objection to the bill is the cost. \$156,000 I don't believe is going to come anywhere's near building the highway. For that reason, I will support the motion to indefinitely postpone.

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

Mr. KNIGHT: Mr. Speaker, I rise in opposition to the motion of the gentleman from South Portland, Mr. Taylor, and hope that you will support the unanimous "Ought to pass" report of the Appropriations Committee. And when the vote is taken, I hope that you will defeat

the motion to indefinitely postpone this item.

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

Mr. BROWN: Mr. Speaker, Ladies and Gentlemen of the House: It seems to me that we who have the prerogatives of doing these things for the people should certainly take into consideration that we are in a business in this state to attract tourists, and to show to them the many very beautiful spots which we have. I certainly do not have to remind you that most states have plenty of lakes, but very few have the sea coast that we have, and we certainly should have this bill. Thank you.

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

Mr. SMITH: Mr. Speaker, I rise in opposition to the motion to indefinitely postpone. I have had the advantage of being a citizen of a town which attracts over one million tourists annually by actual count of park authorities. I can testify that one of the outstanding attractions in Bar Harbor is as you all know Mount Cadillac. I can also testify that of the many many people who ask questions about where to go and what to do, travel to the top of a mountain such as Mount Cadillac and Mount Battie on the way to Mount Cadillac, is a primary interest. We are developing our natural resources. Scenery is one of our chief natural resources. There is a tremendous interest on the part of the public in park camping today. It would be a mistake not to continue to develop that resource to its fullest extent.

The SPEAKER: The Chair recognizes the gentleman from Owl's Head, Mr. MacPhail.

Mr. MacPHAIL: Mr. Speaker, we work rather hard on the job of attracting tourists to our state and here we have a natural resource right on Route 1 which will be a second Mount Cadillac, and I think we would do well to take advantage of it at this time and make it available to the many persons that pass so nearby. I would most definitely oppose the motion to indefinitely postpone.

The SPEAKER: The Chair recognizes the gentleman from Wiscasset, Mr. Pease.

Mr. PEASE: Mr. Speaker, Ladies and Gentlemen of the House: There may be some of you that will feel it rather strange for me to be on my feet to oppose the motion to indefinitely postpone because of the fact that there is an expenditure of money involved. I would point out, however, that as it has been noted to you, this is one of the items which will for all practical purposes be finally decided when it is known how much money there is for particular special projects throughout the state.

Being from a coastal community and having worked in various businesses, service stations and hotels and operating a small restaurant of my own, during the summer season, I have often been asked the question by summer visitors, where do we see the ocean, where are all these beautiful ocean and rock-bound coastal views which we are told about in the literature concerning Maine?

In some of the areas of our coastal regions, we are blessed with flatlands large enough for small airports and in some such as this, we are blessed with a landmark, a point from which you can look many miles along this rockbound coast of our seashore. It is my understanding that the construction project has been carefully surveyed by competent engineers. A survey has been paid for by the taxpayers of the town of Camden in conjunction with the State Park Department. It seems to me that if there are funds available before the close of this legislative session for projects which will attract visitors and hence money to this fair state, then it deserves our consideration today. I would urge that the motion to indefinitely postpone not prevail.

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

Mr. BERRY: Mr. Speaker, having been this morning a Berry caught between two Pease, it is very nice this afternoon to stand up and be shoulder to shoulder with one Pease.

The proposal that we are opening up to the public, which we are inviting into our fair state, a facility similar to that at Mount Desert Island where the view from Mount Cadillac, while I would not compare it with other views in the state, it certainly cannot be beat. I think we owe it to these people whom we invite in, this facility. I have enjoyed myself many sails on beautiful Penobscot Bay. I have been to the home island of my good friend the gentleman from Vinalhaven, Mr. Maddox. I have been to the home town of the gentleman from Stonington, Mr. Richardson, and I can assure these members of the House who have not had that good fortune that they are missing something. I think this is a wonderful opportunity to do something that will really help the state out. I think that our facilities do not need to be located near the centers of population. I think the people in these centers would like to get away from them, and I think this place is the place that meets all these fine things.

The SPEAKER: Is the House ready for the question? The question before the House is the motion of the gentleman from South Portland, Mr. Taylor, that Resolve for Development of Revenue-Producing Park Facilities on Mt. Battie, House Paper 414, Legislative Document 567, be indefinitely postponed. A division has been requested.

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

A division of the House was had. Fifteen having voted in the affirmative and one hundred eleven having voted in the negative, the motion to indefinitely postpone did not prevail.

Thereupon, the Resolve was finally passed, signed by the Speaker and sent to the Senate.

#### Orders of the Day

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

Report of the Committees of Conference on the disagreeing action of

the two branches of the Legislature on Bill "An Act to Appropriate Moneys for the Expenditure of State Government and for Other Purposes for the Fiscal Years Ending June 30, 1964 and June 30, 1965." (S. P. 549) (L. D. 1481).

The SPEAKER: This was reconsidered on the last legislative day, and in error, the Chair entertained the motion of the gentleman from Wiscasset, to move the rejection. Due to the reconsidering action prevailing, the proper motion before the House is it the pleasure of the House to accept the Report of the Committees of Conference.

Those who vote in favor of this, will accept the Report. Those who vote in opposition to accepting the Report, will in effect reject it. Is the House ready for the question?

The question before the House is the acceptance of the Report of the Committees of Conference on—will the Clerk read the Conference Committees Report.

The CLERK: The Report of the Committees of Conference on the disagreeing action of the two branches of the Legislature on Bill "An Act to Appropriate Moneys for the Expenditures of State Government and for Other Purposes for the Fiscal Year Ending June 30, 1964 and June 30, 1965," Senate Paper 549, Legislative Document 1481. They leave to report that the House recede from its action whereby it failed to pass the Bill to be enacted and whereby it passed the Bill to be engrossed; substitute Conference Committee New Draft, House Paper 1091, Legislative Document 1564 under the same title for the first New Draft which was L. D. 1481 and pass the Conference Committee New Draft to be engrossed.

That the Senate recede from its action whereby it passed the Bill to be enacted and whereby it passed the Bill to be engrossed and concur with the House in substituting the Conference Committee New Draft, House Paper 1091, Legislative Document 1564, for the first New Draft and pass the

Conference Committee New Draft to be engrossed in concurrence. The Report is signed by all the members of the House Committee of Conference and also by all the members of the Senate Committee of Conference.

The SPEAKER: Now the question before the House is the acceptance of the Report of the Committees of Conference. The Chair will order a division.

The Chair recognizes the gentleman from Brewer, Mr. MacLeod.

Mr. MacLEOD: Mr. Speaker, I request that when the vote is taken, it be by the yeas and nays.

The SPEAKER: For the Chair to order a roll call vote, 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.

A sufficient number arose.

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

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

Mr. BRAGDON: Mr. Speaker, is the main question debatable now?

The SPEAKER: The main question is the acceptance of the Report of the Committees of Conference, and is debatable.

Mr. BRAGDON: Mr. Speaker and Members of the House: I have been reluctant to say anything with regard to whether we should accept the Report of the Committee or the Report of this Committee of Conference. I feel perhaps that anything that I say at this time will have little effect; however, I feel that I would like to call your attention to what I think will happen. I think we are fooling ourselves and that we are not going to save any money. I happened to serve in the session of the legislature preceding the session when Governor Muskie was Governor of Maine and the revenues of the state failed to meet the estimates, and the then Governor issued an order that a five percent cut be made in all departments of the state. I also had the privilege of serving in the next session of the legislature, and

at that time served on the Appropriations Committee, and I am completely convinced that all the savings that were made by that five percent cut, all came back and were enacted in the next session of the legislature. I believe that is exactly what you will accomplish by turning down this report of your Appropriations Committee and accepting the report of this Conference Committee. I think I would like to have you give that serious consideration. I don't think you are saving any money; you are simply passing it on to the next legislature.

I also was somewhat impressed by an observation—he has given me a letter, I won't attempt to read—he has given me a letter and I won't attempt to read it. It happens to be the Park Commission. In that department, they have twenty-five full-time employees; the most of their employees are part-time employees. The Park Commission is a department of our state that has grown tremendously in the past two years. Their requests were sliced drastically by the Governor's recommendations in the first place, and this slice that we now propose to do, he tells me he will not be empowered to lay off any of his full-time employees, but the full cut must fall on these seasonal employees who must immediately almost today or tomorrow get into these park areas and work there for the summer. He will have to make a very drastic cut in seasonal employees if you insist on going along with this across-the-board cut to every department.

I expect a similar effect might be found in other departments. I think we are making these cuts without knowing what the ultimate effect will be. I assume that many departments will go back through the next biennium to the Governor and Council. If you go along with this, I feel that whoever serves in the next session of the legislature will restore every cent of the cuts that you now propose to make if you accept this Committee of Conference. I hope

you will consider this seriously, and hope that you may go along with the original committee report.

The SPEAKER: The Chair recognizes the gentleman from Winterport, Mr. Easton.

Mr. EASTON: Mr. Speaker, to correct any possible misconception, I would point out that the alternatives before us are acceptance or rejection of this report. If it should be rejected, the only other alternative as we found out yesterday would be the appointment of a new committee and start the merry-go-round all over again. This particular report, and here I perhaps can be accused of bias, is not perfect. It is naturally a compromise. It is considerably less of a cut than many people want. Many others want no cut at all. We have groups in this legislature who perhaps would vote against either the original or the compromise. I suggest that the time is here for us to get to work and pass something which is workable and I suggest this is.

The SPEAKER: The Chair recognizes the gentleman from Brewer, Mr. MacLeod.

Mr. MACLEOD: Mr. Speaker, Members of the House: I would just like to point out in answer to the remarks made by the gentleman from Perham, Mr. Bragdon, that the Park Commission had an original allocation for personal services in the first year of the biennium of \$234,000; in the second year of \$246,000. The recommended reduction by this new document, 1564, the report of our committee, would reduce the personal services by only \$7,000 in the first year of the biennium and \$7,400 in the second year out of a total of \$480,000. So I don't believe this is going to cripple the work of the Park Commission.

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

Mr. DUDLEY: Mr. Speaker and Members of the House: I am one of those that thinks these cuts are very mild. I wish they were more. However, I believe this afternoon

we should accept this report and get along with the business at hand. I might mention that if you keep in touch with the news, you will find some of the sister states in New England doing this very same thing, only making very drastic cuts. Someone has mentioned here that they were here when Governor Muskie was here and made a five percent reduction, that was well and good. I was here then too, and we got along very nicely with a five percent cut. But we don't seem to be getting any five percent cut at this time from the front office, so I recommend that we make this very small cut right here and get on with business at hand.

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

Mr. KNIGHT: Mr. Speaker, in looking over the letter of the 13th from Dr. Fisher, I think if you read it carefully, you will find that \$370,000 is state money; but added to this, you have \$690,000 federal money. So you are curtailing the services to the aged, blind and disabled and hospital medical care to the tune of \$1,060,000. Remember that when you vote. For that reason, I cannot vote for the compromise.

The SPEAKER: The Chair recognizes the gentleman from Wiscasset, Mr. Pease.

Mr. PEASE: Mr. Speaker, with the permission of the House and not for the purpose of taking up any more time and in somewhat of an answer to the gentleman from Perham, Mr. Bragdon, I wonder why many members of this House have not seen fit to rise to the defense of such departments as the State Park Commission. In defense of their original budget requests which I would point out to you, as he has done, that although in the executive budget of \$234,000, there was at that point a cut of some \$2,000 from the department request. We have not heard on the floor of the House any request that that be reinstated. For the second year of the biennium, some \$7,000. We have heard no request that that be re-

instated. Even at the proposed levels of Legislative Document 1564, which would be the suggested compromise proposal, it leaves personal services some \$14,000 in excess of the first fiscal year of the last biennium and some \$21,000 ahead of the second year of the last biennium. I would urge that the very slight reduction in the Appropriations Committee's report does not in my estimation, or at the time the conferees finally decided—the six conferees, three on the part of each of the disagreeing branches, did not seem to be as important as it might appear to you as presented by the gentleman from Perham or some of the documents that have been placed on your desks. I would urge that the conference committee report be accepted, that we move then to send this matter along its way, so that we might attend to other related businesses.

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

Mr. BERRY: Mr. Speaker and Members of the House: I think the gentleman from Wiscasset, Mr. Pease, has put his finger on the nub of the problem. A conference committee has come up with an insignificant cut. If this conference committee had come up with substantial savings which might have resulted by some stretch of the imagination in the possible deferment of an increase in the sales tax, I think this House would have bought it, but they did not, ladies and gentlemen. This cut does not mean anything significantly to the State of Maine except as was pointed out by the gentleman from Rockland, Mr. Knight, a possible very serious cut in some tender areas where if the state does not provide this money, the local communities will have to do it. I hope that we reject the conference report.

The SPEAKER: The Chair recognizes the gentleman from Southport, Mr. Rankin.

Mr. RANKIN: Mr. Speaker, Ladies and Gentlemen: A few minutes ago we all heard words of praise for the legislative committee

on Appropriations and Financial Affairs, and as a result, we enacted a Resolve for development of revenue-producing park facilities on Mt. Battie. I am very much in favor of everything that committee has done, and I shall vote against the conference committee report. And at the risk of being repetitious, I would remind you that regarding the original budget and the four per cent sales tax, that has been the idea of the Governor. He is standing behind it. He is ready to take the responsibility. If you wish to vote against the Governor's budget, that is your privilege.

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

Mr. RUST: Mr. Speaker, Ladies and Gentlemen of the House: I rise here this afternoon in opposition to the conference committee report, and I do so for two reasons and I will address my remarks primarily to the Republicans in this body. This conference report will attempt to lead us down a so-called garden path by proposing a cut, but this cut will not stave off a major tax increase of some sort as it appears at this moment. Now if we have to have a major tax, the Republicans in this legislature being the predominant party are going to take the responsibility for that measure. And I don't feel we should take the responsibility at the same time for voting cuts because we are going to get the blame for that. Now if you want to cut it, that is up to you individually, but these cuts as they are now proposed are going to do our particular party in my opinion a great deal more harm than they will good. I oppose the conference report.

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

Mrs. SMITH: Mr. Speaker and Members of the House: If I really thought that the members of this House did not know the answers to the questions posed by the gentleman from Wiscasset, Mr. Pease, I would attempt to reanswer them over again. I am sure you all do.

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

Mr. TAYLOR: Mr. Speaker, Ladies and Gentlemen of the House: I have tried to use good judgment and tried to save the people of our state money when I felt it was not being used to the best advantage. Mt. Battie is a prime example. Now it is proven to me that the members of this House are not conservative, and I now bow to their wishes and those of my Governor and I will now join in the current services budget as proposed. Thank you.

The SPEAKER: Is the House ready for the question? The question before the House, is it the pleasure of the House to accept the Report of the Committees of Conference on Bill "An Act to appropriate Moneys for the Expenditure of State Government and for Other Purposes for the Fiscal Years Ending June 30, 1964 and June 30, 1965," L. D. 1481? A roll call has been ordered.

All those in favor of accepting the Report, will answer "Yes" when their names are called. All those opposed to accepting the Report, will answer "No" when their names are called. The Clerk will call the roll.

#### ROLL CALL

YEA — Anderson, Ellsworth; Berman, Bernard, Brown, Fairfield; Bussiere, Carter, Chapman, Cookson, Cressey, Curtis, Dennett, Dudley, Dunn, Easton, Finley, Foster, Gifford, Gustafson, Hammond, Harrington, Hawkes, Humphrey, Jameson, Jewell, Kent, Laughton, Lincoln, Linnekin, MacLeod, McGee, Mendes, Mower, Norton, Oakes, Oberg, Osgood, Pease, Philbrick, Roberts, Ross, Brownville; Sahagian, Scott, Smith, Strong; Susi, Thornton, Townsend, Treworgy, Turner, Viles, Wade, Waterman, Watkins, White, Guilford; Williams, Wood, Young.

NAY — Anderson, Orono; Ayoob, Baldie, Bedard, Benson, Berry, Binette, Birt, Blouin, Boissonneau, Boothby, Bourgoin, Bradeen, Bragdon, Brewer, Brown, So. Portland; Burns, Cartier, Childs, Choate, Cope, Cote, Cottrell, Coulthard, Crommett, Denbow, Dostie, Drake, Edwards, Ewer, Gallant, Gilbert, Gill, Giroux, Hanson, Hardy, Hendricks,



Henry, Hobbs, Hutchins, Jalbert, Jobin, Jones, Kilroy, Knight, Lebel, Levesque, Littlefield, Lowery, MacPhail, Maddox, Mathieson, Meisner, Minsky, Nadeau, O'Leary, Osborn, Pierce, Pitts, Plante, Poirier, Prince, Harpswell; Prince, Oakfield; Rand, Rankin, Reynolds, Richardson, Ricker, Ross, Augusta; Rust, Shaw, Smith, Bar Harbor; Smith, Falmouth; Snow, Taylor, Thaanum, Tyndale, Waltz, Ward, Welch, Wellman, Whitney, Wight, Presque Isle.

ABSENT — Albair, Crockett, Davis, Hendsbee, Karkos, Libby, MacGregor, Noel, Roy, Tardiff, Vaughn.

Yes, 56; No, 83; Absent, 11.

The SPEAKER: Fifty-six having voted yes; eighty-three, no; eleven being absent, you have rejected the Report of the Committees of Conference.

Is it the pleasure of the House that another Committee of Conference be appointed?

The motion prevailed.

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

Bill "An Act Exempting from Sales Tax Sales of Meals Served by Certain Institutions and Homes Licensed by Department of Health and Welfare." (H. P. 949) (L. D. 1383)

Tabled—May 15 by Mr. Wellman of Bangor.

Pending — Passage to be Engrossed.

Thereupon, the Bill was passed to be engrossed and sent to the Senate.

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

AN ACT relating to Notice to Town of Settlement When Persons Found Destitute. (H. P. 783) (L. D. 1136)

Tabled—May 15, by Mr. Wellman of Bangor.

Pending—Passage to be Enacted.

On motion of Mr. Hutchins of Kingfield, the Bill 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:

HOUSE REPORT—Ought to pass in New Draft (H. P. 1089) (L. D. 1561) under new title of "An Act to Reorganize the Department of Economic Development." — Committee on Industrial and Recreational Development — on Bill "An Act to Clarify and Revise Laws of Department of Economic Development." (H. P. 834) (L. D. 1221)

Tabled—May 15, by Mr. Wellman of Bangor.

Pending—Acceptance of Report.

On motion of Mr. Sahagian of Belgrade, retabled pending acceptance of the Committee Report and specially assigned for tomorrow.

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

Bill "An Act relating to Penalties for Possession of Narcotic Drugs." (S. P. 149) (L. D. 426) — Committee Amendment "A" Read (S-207)

Tabled—May 15, by Mr. Wellman of Bangor.

Pending—Adoption of Committee Amendment "A."

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

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

Bill "An Act relating to Taxpayers Furnishing List of Property to Assessors." (S. P. 434) (L. D. 1177)

Tabled—May 15, by Mr. Wellman of Bangor.

Pending — Passage to be Engrossed.

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

Mr. SMITH: Mr. Speaker, L. D. 1177 before you proposes to remove from the present law the provision that assessors give notice to all taxpayers prior to April first of each year, that an assess-

ment is to be laid upon their property for the purpose of computing the tax, establishing the rate for the current year. I am surprised that this L. D. 1177 has gotten as far as it has in the legislature because removal of that notice removes the very basis for a taxpayer to learn whether or not there is to be a tax, a non-resident taxpayer particularly, whether or not he is to have his assessment on that date or during the month of April on which he can make an appeal. Now the law provides and it still provides even under 1177, that if a taxpayer does not provide a list to the assessors, he loses his right of appeal. Now 1177 proposes to permit that list to be supplied by the taxpayer during the whole month of April, but if the note is removed particularly with respect to non-residents—and we have many non-resident property owners and taxpayers in this state, how does that non-resident taxpayer know what is going on? And if he fails to file his list of taxable property, he loses his right to appeal.

Now there is language in here which indicates that being a non-resident owner of real estate, if he admits his property is accurately platted on the tax maps of the town, then he has in effect supplied the list. But how many towns have tax maps? I am sure only a minority of towns have tax maps. Furthermore, what about personal property? There is no provision in here which corresponds to this admitting that there is an accurately platted copy of real estate, there is no corresponding provision with respect to personal property.

A tax assessor has a very powerful weapon in his hand. Tax assessors despite their best effort sometimes discriminate. Notice is the very key to an appeal of any kind. If an unfair assessment is made, whether intentionally or not, the taxpayer should have notice in advance that the assessors are going to levy an assessment and he should have the opportunity to file his own list of property as the basis for appeal. In view of these facts, I move the indefinite postponement of

L. D. 1177 and all its accompanying papers.

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

Mr. TYNDALE: Mr. Speaker, Ladies and Gentlemen of the House: I heartily concur with my learned colleague from Bar Harbor, Mr. Smith. I thought perhaps an amendment could be made to alleviate that situation. However, he has already moved for indefinite postponement and perhaps that might be the best way.

The SPEAKER: Is the House ready for the question?

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

Mr. COPE: Mr. Speaker, Members of the House: Undoubtedly as Representative Smith of Bar Harbor has mentioned there is a problem here, but this rarely concerns presently the City of Portland. I would like to have an opportunity to table it until the next legislative day to see if we can work out an amendment that would be satisfactory.

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

Mr. TYNDALE: I move that this item lie on the table until the next legislative day.

Thereupon, the Bill was tabled pending the motion of Mr. Smith of Bar Harbor to indefinitely postpone the Bill and all accompanying papers, and specially assigned for tomorrow.

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

HOUSE REPORT — Ought not to pass — Committee on Appropriations and Financial Affairs on Bill "An Act relating to Deficiency Appropriation for Division of Veterans Affairs." (H. P. 407) (L. D. 560)

Tabled—May 15, by Mr. Wellman of Bangor.

Pending — Acceptance of Report.

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

Mr. WADE: Mr. Speaker, Ladies and Gentlemen of the House: When I tabled this bill the day be-

fore yesterday, I did it because of a great deal of confusion in the minds of many of the members of the House confusing state assistance with federal pension grants. This being the bill of the gentleman from Eastport, Representative MacGregor, that he being absent and I thought it would be a very courteous thing to table it at that time and that was one of my reasons along with the other thought. So I am hoping that somebody will pick it up now and wait until Representative MacGregor is present.

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

Mr. BRAGDON: I move this item lie on the table until Tuesday next.

Thereupon, the Bill was tabled pending acceptance of the "Ought not to pass" Report and specially assigned for Tuesday, May 21.

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

Constitutional Amendment — Resolve, Proposing an Amendment to the Constitution Eliminating Requirements Relating to Warrants for Public Money and Publication of Receipts and Expenditures. (H. P. 991) (L. D. 1434)

Tabled—May 15, by Mr. Wellman of Bangor.

Pending—Final Passage.

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being a Constitutional Amendment and a two-thirds vote of the House being necessary, a division was had. 109 voted in favor of same and 4 against, and accordingly the Resolve was finally passed, signed by the Speaker and sent to the Senate.

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

Joint Resolution Memorializing Congress Recommending Full Development of Electric Power Potential of Passamaquoddy Bay and Upper Saint John River. (S. P. 129) (L. D. 442) — Adopted in Senate. In House Adoption Reconsidered.

Tabled—May 9, by Mr. Wellman of Bangor.

Pending—Adoption.

Mr. Bragdon of Perham offered House Amendment "B" and moved its adoption.

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

House Amendment "B" to S. P. 129, L. D. 442, Joint Resolution Memorializing Congress Recommending Full Development of Electric Power Potential of Passamaquoddy Bay and Upper Saint John River.

Amend said Joint Resolution by striking out all of the 4th paragraph and inserting in place thereof the following:

'Whereas, development of electric power from the Upper Saint John River and Passamaquoddy Bay can be very valuable as peaking power and for base load power; and'

Further amend said Joint Resolution by striking out all of the 6th paragraph and inserting in place thereof the following:

'Resolved: That the 101st Legislature recommends the full development of the electric power potential of Passamaquoddy Bay and such supplemental development of the electric power potential of the Upper Saint John River as may be recommended as economically feasible by studies now under way by the Department of the Interior without substantial destruction of the recreational and industrial advantages now recognized as existing in the St. John River area, and that necessary interconnecting transmission facilities be provided between the projects and the load centers of the Northeast to provide the optimum benefits to the United States and Canada; and be it further'

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

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

Mr. CURTIS: Mr. Speaker, Ladies and Gentlemen: I would like to draw to your attention the fact that this great area is the last and only area in the United States of America of such which we do have and is still in the hands of the people. We do have some areas of parks in the hands of the federal govern-

ment and they are parks of the federal government.

I would like to draw to your attention again, probably you all know it, but the greatest industry we have in this state is the paper industry. Now I have been up through this Allagash region a great many times, and perhaps many of you have, and we find out that as the policy of these companies who own a great deal of this land up there, they have selective cutting, and it is so laid out and so carefully taken care of that they do not cut off anything except the growth. In other words, they get around every 35 or 40 years and they just take off the growth, and it is improving all the time and it is not being taken off any more than what the growth has been. And they do have wonderful roads up through there. If you want to go hunting or fishing they cooperate in every sort of way, and it is one of the attractive places in the State of Maine. These mountains that I have been on, like down at Cadillac Mountain and others, they are fine things, but nothing compared to this place, and I think it would be a terrible thing to just in any way upset the economy of this state by doing away with this particular area, and I move indefinite postponement of this resolution and its accompanying papers, and when the vote is taken I ask it be taken by division.

The SPEAKER: The gentleman from Bowdoinham, Mr. Curtis, moves the indefinite postponement of this Joint Resolution and its accompanying papers.

The Chair recognizes the gentleman from Lubec, Mr. Denbow.

Mr. DENBOW: Mr. Speaker, I somehow believe that my good friend from Bowdoinham, Mr. Curtis, is probably referring to the Allagash area, and I would like to inform him that the reason for this amendment being added to this memorial is to preserve the Allagash area and that we were advised or it was suggested by Washington that the report of the committee would come out and it was not expected to involve that area. Therefore, it was suggested that the memorial be amended so that no mention was

made of either Allagash or Rankin, and under the present plan which we are informed on good authority is feasible, powerwise and costwise, the peak of the power would be slightly less, but it would still preserve the Allagash. I hope it is not indefinitely postponed.

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

Mr. COOKSON: Mr. Speaker, I would like to call your attention to an article in today's Bangor Daily News which states: Development of Passamaquoddy Tidal Power in conjunction with the Saint John River under a plan which removes the flood threat to all the Allagash will be recommended to President Kennedy next month by the Interior Department. That is by building this dam at Dickey rather than their—therefore preventing the flooding of the Allagash.

The SPEAKER: Is the House ready for the question?

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

Mr. LITTLEFIELD: May I inquire what the motion is, is it to indefinitely postpone the bill and all its papers?

The SPEAKER: The Joint Resolution and the amendment. The amendment has been adopted.

Mr. LITTLEFIELD: Mr. Speaker, Ladies and Gentlemen of the House: This L. D. 442 is a Joint Resolution recommending to the U. S. Congress the full development of electric power potential of Passamaquoddy Bay and the upper St. John River. If there is a state in this Union with neglected electric power potential, it is the State of Maine. Four years ago Mr. and Mrs. C. J. Kupper from Los Angeles, California visited for a few days at our home.

One night after supper we took a ride down the west side of the Penobscot River, crossed the Waldo-Hancock Bridge to Bucksport and returned up the east side of the river to Brewer and Bangor. When we stopped in our yard, Mr. Kupper looked at me and said: "What is the matter with this

State of Maine. All this water and only two paper mills and hardly a ship on the river." That evening we discussed and compared our states. Maine had all the beauty that one could wish to see. It had rivers, bays and exceptional high tides. There were plenty of engineers, so the trouble must be with the people. That's the way it looked, but may I remind you that a few years ago a statewide referendum of the people favored Quoddy by a vote of nearly ten to one. Although Quoddy was suggested by the late Dexter P. Cooper, one of the greatest engineers of the '30's, still Quoddy is not built. What's the trouble?

Blocks were thrown in the path to prevent its being built. The first block was back in the '30's when Florida wanted to build a canal across the northern part of the state from the Atlantic to the Gulf to shorten the shipping route from Boston, New York and the Atlantic ports to New Orleans and ports on the Gulf. A Senator from Maine tacked our Quoddy project to the Florida Canal and both were sent down the drain for good. That was the first block. There are others.

Always when electric power is mentioned in this state, the discussion aligns itself with the Tennessee Valley Project — how much money we spent down there. Would there be any harm in spending some of that money at home? That is what this bill suggests. You should fly over some of the dams with their hydroelectric plants on the Chickamauga Reservoir near Chattanooga, Tennessee, and look down on the net of copper and aluminum cables carried on steel towers to feed power and light to the mills, farms and homes of the towns and cities. Thirty years ago this was a land occupied by people barely making a living. Today it is a billion dollar country.

Lots of hard work has gone along with this L. D. to acquaint the Legislature with its memorial. There is no money involved and it seems too bad to have such a time over a bill that can do no

harm and may do lots of good. Let me quote from an address delivered to the Maine State Society in Washington, D.C. I quote:

"The area of Passamaquoddy is one of the most economically depressed areas in the United States and such an effort as we are proposing in Passamaquoddy can do nothing but improve the area for all concerned. Just think of the recreational aspects and the worldwide attraction of a successful tidal power plant.

"I urge every one of you in the State Society of Maine to reflect on the tremendous potentials you have in your Passamaquoddy tidal power project and in the upper basin of the St. John River. I particularly urge you to put forth every effort toward the support in the development of these resources and that you fully evaluate the potential assistance that is available from the United States Government by your receptive attitude of making studies and proposed developments for your area. Everybody will gain. I think the power interests have a lot to gain. I think the lumber interests have a lot to gain. I think all other activities present in your area of the country have much to gain. These facts were brought home to me in a recent conference I attended at the University of New Brunswick in which some of the problems prevalent in the area were aired.

"The great State of Maine has at this time a unique and special opportunity to go forward with comprehensive development of our water, power and related resources. You are to be congratulated on having two United States Senators who have demonstrated their great interest in the Passamaquoddy Tidal Power Development and the St. John River.

"Finally, you have my assurance as Chairman of the committee appointed by Secretary Udall to re-examine the Passamaquoddy and St. John River development at President Kennedy's request, that the engineering and economical problems connected with this development will be solved. We believe we will be in a position to demonstrate that the Passama-

quoddy Tidal Project as a peaking facility is both feasible and desirable. We will certainly recommend and initiate a development of the St. John River, and in doing so will take full account of the related problems connected with the Allagash wilderness area."

I would suggest that we pass this resolution to show our cooperation with the project, and I hope the motion to indefinitely postpone does not prevail.

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

Mr. CURTIS: Mr. Speaker, Ladies and Gentlemen of the House: I think we all know that our great President, the late lamented Roosevelt, started this Quoddy thing and he went along and spent \$750,000,000, and then decided it was not feasible. Practically every year since on a national election somebody has come out and said, let's have Quoddy, 'til after the election was over then that about ended it. Once or twice they did make a survey. I've looked over Quoddy, I've looked over the plans down there, I've looked over where they have wonderful things you can look at and see. They have even drilled down in a great many places and found how far they would have to go down to bed rock, and they have spent thousands and thousands and thousands of dollars on these early surveys, but they always come up with the same thing. It has gotten to be practically a political thing too and after the election was over, why that's the whole of it, and I don't think that now as far as Quoddy is concerned that they want to develop Quoddy and there is plenty of water there, goodness knows, if it was developed, but the cost of it is so great, it never has been and undoubtedly it never will be.

So now they come in and they want to go to work and destroy the rest of our state.

I was raised and brought up within three miles of the New Brunswick line and I know a great many people over there and I admire them, but I am not interested in New Brunswick's economy. I am interested in the State

of Maine and what we have here. I feel that this amendment is nothing more than a foot in the door and if we should pass that and go along with this thing, why we would just keep on going until eventually we are going to lose the Allagash. I hope and pray that it does not come about, so I hope you will vote to indefinitely postpone this mess and have it over with for now.

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

Mr. DUDLEY: Mr. Speaker and Members of the House, I rise in opposition to the motion of indefinitely postponing this memorial. I am pleased to stand here this afternoon and speak for one article that has come before this House that don't cost money; it is so seldom that a man has that opportunity in this House. Let me say that I would like to see this project developed and if you look in the Bangor Daily at the bottom of the page it explains how this new project doesn't affect the Allagash. I'm not afraid of affecting the Allagash if it was to be built on the Rankin Rapids either. I think that would be a very good project. I think that you'd have more outdoor sportsmen, more nature boys, and so forth, because there's more room for them and even last year I sold my canoe because it went up, it goes over the rocks in this quick water kind of dangerously, and it is much easier to go up in these modern boats, upstream with a kicker or a motor boat, so I think you'd have more today, the trend is toward more motor boats and less canoes so you'd have the tendency to have more people rather than less. I would also like the idea of spending three or four hundred million dollars in the State of Maine. I think this would prime the pump if anything would, and I certainly would like to see this resolution passed if ever we pass anything in this House. Thank you.

The SPEAKER: The Chair would interrupt debate for a moment, and I know you will forgive me, because we have a distin-

gushed visitor in the Hall of the House this afternoon, the Honorable Milton E. Cox, Senator of the 24th and 26th Districts of Wiloughby, Ohio. The Sergeant-at-Arms will retire to the rear of the Hall of the House and escort the distinguished gentleman to the rostrum.

Whereupon, the Honorable Milton E. Cox was escorted to the rostrum by the Sergeant-at-Arms amid applause of the House, the Members rising.

The SPEAKER: Senator Cox, it is a pleasure to welcome you. Would you like to say a few words to this group? The Honorable Milton E. Cox.

SENATOR COX: Gentlemen, let's put it this way: I feel sorry for you. You have got the same problems we have had and have, and that is your appropriations bill, and I hope that you don't have to be here until the 4th of July to get one through. I am in sympathy with you. You look like you're a pretty good crowd of legislators here. You ought to be able to come up with some answer, but your problems are getting larger every year, and let's not kid ourselves. I thank you. (Applause)

The SPEAKER: The debate will continue.

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

Mr. LITTLEFIELD: Mr. Speaker, this bill is simply a memorial to be sent to our Representatives and the Members in Congress that the people in this state are in favor of Quoddy. They have said so by voting nearly ten to one in a referendum.

Now I won't take much of your time except to read the three resolves on the bill: "Resolved: That this 101st Legislature recommends the full development of the electric power potential of Passamaquoddy Bay and the upper Saint John River together with the required interconnecting transmission facilities between the projects\*\*" and so forth, and the last resolve: "That a copy of this Me-

morial, duly authenticated by the Secretary of State, be immediately transmitted by the Secretary of State to the Senate and House of Representatives in Congress and to the members of the said Senate and House of Representatives from this State."

It doesn't say that we are going to build Quoddy or anything of the sort. It is simply a paper to back up the people in Congress who might see that this project was really surveyed and an attempt made to build it. Certainly Maine needs the power that we can get from any such development, and I hope the motion to indefinitely postpone does not prevail.

The SPEAKER: The Chair recognizes the gentleman from Madawaska, Mr. Levesque.

Mr. LEVESQUE: Mr. Speaker and Ladies and Gentlemen of the House: I certainly want to rise in opposition to this indefinitely postponing of this memorial to Congress at this time for quite a few reasons that I don't think that I need to itemize here this afternoon. You have heard some of the opposition to this memorial regarding the Allagash region and I think probably those of you who have read the papers in the last few weeks have seen that this is going to relatively affect any area of the Allagash region that this memorial comes under. You have also heard some of the remarks made in regards to some of the woods interests of our great State of Maine in regards to selective cutting in the State of Maine. Well, in the area of the State of Maine where I come from just last week and two weeks ago, I heard some remarks by a great gentleman from the Province of New Brunswick by name of K. C. Irving, of Irving oil, Irving ships, Irving wood, Irving everything in the Province of New Brunswick and now in the State of Maine. Now this gentleman K. C. Irving of New Brunswick has got woods interests in the upper part of the State of Maine. The remarks that are going on in this State of Maine at this time that K. C. Irv-

ing is now planning one of the biggest woods operations in the northern part of the State of Maine that has been heard of in many, many years. And it leads me to doubt very much that the gentleman from New Brunswick is going to use a lot of discretion in regards to selective cutting when he goes up there with Canadian lumber operators and Canadian employees from one end to the other, leaving everything out of the State of Maine as far as an economic proposition is going to be for our own benefit. He is going to use that for the Province of New Brunswick's benefit and his own solely and strictly.

Another point that has come up before the debate, in regards to the remarks made by the gentleman from Bowdoinham, Mr. Curtis, that the \$700,000,000 that was made available and spent by the then President Roosevelt and his administration. It just puts me to wonder just how much of the power interests or the Schnurle squad has spent in regards to millions of the people's money to fight this Passamaquoddy Bay in the last twenty-five, thirty years, which actually was your money and it brings back the idea that if we have one of the highest paying electric light bills in the country, might that money have not been put to better use as far as the light and power interests in the State of Maine would have been.

Certainly, ladies and gentlemen, you that know of the Allagash region, know of the northern part of the State of Maine, we are in an economic area that we know if we are going to survive we are going to have to do something. If we as the people of the State of Maine try to help ourselves, and show to the rest of the country that we are trying to help ourselves and if by some economic phenomenon that we are unable to pull ourselves by our boot straps, therefore we are extending an invitation for the federal government to give us some help if they see fit, and it's only in the passing of this memorial that we

will be able to ask Congress or to put before them that if there is something in the foreseeable future that is feasible for us to benefit economically in the State of Maine whether it be Passamaquoddy by itself, whether it be the upper St. John River by itself, then let us tell Congress to go ahead and give us a hand to bring up the economy of the State of Maine. Thank you.

The SPEAKER: The Chair recognizes the gentleman from Baileyville, Mr. Townsend.

Mr. TOWNSEND: Mr. Speaker, Ladies and Gentlemen: I am definitely opposed to the indefinite postponement of this bill.

The SPEAKER: Is the House ready for the question? The question before the House is the motion of the gentleman from Bowdoinham, Mr. Curtis, that Joint Resolution Memorializing Congress Recommending Full Development of Electric Power Potential of Passamaquoddy Bay and Upper Saint John River, Legislative Document 422 as amended, be indefinitely postponed. The Chair will order a division.

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

A division of the House was had.

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

Thereupon, the Joint Resolution was adopted as amended in non-concurrence and sent up for concurrence.

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

HOUSE MAJORITY REPORT (8)  
—Ought to pass with Committee Amendment "A" (H-342)—MINORITY REPORT (2)—Ought not to pass  
—Committee on Labor on Bill "An Act Revising the Maine Employment Security Laws." (H. P. 778) (L. D. 1151)

Tabled—May 9, by Mr. Wellman of Bangor.

Pending — Acceptance of Either Report.



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

Mr. BROWN: Mr. Speaker and Ladies and Gentlemen of the House: I move the acceptance of the Majority "Ought to pass" Report of the Committee and would like to speak to the motion.

The SPEAKER: The gentleman may proceed.

Mr. BROWN: Ladies and Gentlemen: Before we start on this very important L. D. 1151, I must bring to your attention that the major areas in the law are: Fund level, benefit formula, and qualifications. To change these areas certainly will, in effect, change the law in its entirety, and we must be very careful in these areas.

The Employment Security Law is a very complicated law. The Labor Committee heard this bill L. D. 1151 and has spent considerable time since the hearing studying the merits of the bill and, as is indicated in the report, the majority of the Committee is of the opinion that the passage of this bill is almost mandatory if the fund out of which unemployment benefits are paid is to be kept solvent. This fund has been going down hill substantially for the past five or six years and we have to start putting on the brake.

At the last session of the Legislature, I served on the Labor Committee with a gentleman in this House that I consider is an authority on our unemployment law. He began his career with the Employment Security Commission two months after the first law was passed. At the beginning of the benefit paying program he was put in charge of the Appeals Division by the Commission and served in that position for more than twenty-two years and until he retired from the State service in March, 1960. During the course of these years he heard thousands of Appeal cases, interpreted the law and made decisions for the Commission that were the final decisions of the Commission unless appeal was taken to the three Commissioners within the fifteen day period. He has spent a lifetime studying and practicing unemployment insurance trends in this state

and in all the states. He was chosen by the Speaker of the House in the 100th Legislature to serve on this interim committee and was later chosen by that committee to be its chairman. The almost unanimous report of that committee you now have before you and he is the sponsor of the bill that is part of that report, he being the only member of this interim committee now a member of this House.

Ladies and Gentlemen, I sincerely hope you will give your closest attention to the presentation of the gentleman from Winthrop, Mr. Thaanum, on this L. D. 1151.

The SPEAKER: The question before the House is the motion of the gentleman from South Portland, Mr. Brown, that we accept the Majority "Ought to pass" Report.

The SPEAKER: The Chair recognizes the gentleman from Winthrop, Mr. Thaanum.

Mr. THAANUM: Mr. Speaker and Ladies and Gentlemen of the House: Some time ago there was placed on your desks the report of the Interim Joint Committee created by the last Legislature to study the Employment Security Law. This bill, L. D. 1151, is the legislative document referred to in the last paragraph on page 8 of that report and is the bill introduced by me for the committee. This committee, to me, was well chosen, in that it included six of the nine members of the Employment Security Commission's Advisory Council, two representing management, two representing labor and two representing the public at large. On this account, this bill cannot be called a management bill or a labor bill. The report will show you that this is a compromise bill between these two interests balanced by the members of the Advisory Council representing the public at large and the majority of the Legislative members.

Unfortunately, to my knowledge, until this joint committee was ordered by the 100th Legislature, the wealth of knowledge contained within this Advisory Council concerning the unemployment insurance program here in Maine and in the other states and the very

complicated and technical laws that necessarily have been the outcome of such programs, this is the first time in the history of this program here in Maine that a study of this kind has been made available to the Legislature by members of this Advisory Council jointly with some of us from the Legislative group. It was a distinct privilege to me to sit in with this group and my fellow legislators and I feel a deep sense of responsibility to this committee as I stand here among you today in support of its report and this bill which I sincerely believe is legislation in the best interests of the unemployment insurance program here in Maine, now and in the years to come.

The committee first met on February 9 of last year and held fourteen all-day meetings and many interim meetings of its sub-committees from then and until January 24 of this year in offices of the Employment Security Commission here in Augusta. At an early meeting of the committee, it was voted to try and obtain the services of one of the country's leading experts in the unemployment compensation field. Mr. Roy Sinclair, Chairman of the Commission, kindly arranged this for us and we spent all day at our April meeting discussing our present law and the laws of the other states jointly with this expert, with the members of the Commission and the key members of its staff. The committee members present at that meeting were all the committee members from the Advisory Council, Senator Mayo of Sagadahoc and Representative Bernard Estey of Portland and myself. This proved to be a very worthwhile meeting and the matter of the benefit formula, as it is called, in our Maine law, the substantial decrease in the unemployment compensation fund here in Maine in the past seven years and the eligibility and disqualification provisions in our present law, were freely discussed.

As a result of that meeting, it was decided to divide the general committee into three sub-committees, namely: a sub-committee on

the benefit formula—a sub-committee on the financial status of the unemployment compensation fund—and a sub-committee on the eligibility and disqualification provisions of the law. Three members of the legislative group were chosen to act as chairmen of each sub-committee to which was added a labor, a management and a public representative from the Commission's Advisory Council. The sub-committee on the benefit formula which, as I said before, included a management and a labor representative from the Advisory Council, early agreed that a change was needed in the present benefit formula.

At our May 17th meeting of the general committee, it was voted to refer three suggested benefit formulae to the Employment Security Commission for study by its staff as to the effect of each formula on unemployed workers, tax paying employers and the unemployment compensation fund. The committee asked for information as to a claimant's benefit entitlement under the present law and under each proposed formula; what percentage of claimants would qualify for higher benefit amounts, what percentage of claimants would qualify for lower benefit amounts and what percentage of claimants might not qualify at all; further, what industries would be affected by the qualification changes, the sampling to be representative of the major state employment groups by industries and on various benefit levels, various categories, etc.

In December, 1962, the committee received a well-calculated report from the Commission's Economic Analysis and Research Division on these particular questions and I have a copy of that report here on my desk that is available to any of you who care to refer to it. In short, this report shows, on a sampling of some twenty-five hundred cases that the benefit formula in this bill is estimated to increase the cost of benefit payments by about 4.8%, but, as I will point out later to you, this increase in cost

will be substantially offset by large savings to the unemployment compensation fund by the elimination of some decidedly undesirable features of the benefit formula that we are now using and have used for many years in the past.

The unemployment compensation program is neither a "welfare" program nor a "relief" program. Welfare and relief programs carry with them a "needs" test and are provided for by general taxation. Unemployment compensation, on the other hand, does not and never was intended to require a "needs" test, and is financed by special taxes paid into the unemployment compensation fund by liable employers.

Unemployment compensation is social insurance intended to protect a bona fide working person against temporary enforced unemployment because of the loss of his job for reasons beyond his control and insuring him in an amount up to approximately 50% of his enforced wage loss. To be sure, there is no "needs" test in unemployment compensation, but there is a highly important test before an applicant can be considered a proper candidate for unemployment compensation and that test is incorporated in this benefit formula. This test should be sufficiently well drafted to separate the bona fide working person from the marginal working person whose work record is not sufficiently impressive to entitle him to the protection of the program and to whom benefits should not be paid until his work record is improved.

I believe, and I have often said, that when unemployment compensation benefits take away the urge to work from a working person, this is a real disservice to that person. Another point in connection with this first test, this is the first clue as to whether or not the applicant is a proper candidate for these benefits and if he can pass this test, this helps considerably in finding the proper answer to the next test and that is: Is the applicant available for work? This test is intended to

separate the applicants who are genuinely in the labor market from those who are not, by showing, in truth and in fact, that they have an impressive recent work record with the everyday working force as opposed to the applicant who has a sub-standard and unimpressive showing of such a work record. "Available for work" has been defined, again and again, to mean that: "Is the applicant ready, willing and prepared to accept work of a kind for which he is qualified by training and experience and, to me—this is important, work of a kind which he has some expectancy of obtaining." To pay benefits to claimants who live in an area where they have no work expectancy, is not good unemployment insurance practice.

Now, this benefit formula proposed by the committee in this bill, to my mind, will be a big improvement in this first test because claimants will have to show that their work records are nearer to the day on which they file their first claim. In this connection, the "lag period," as it is called is from 3 to 15 months in your present law whereas, in the formula proposed by the committee, the "lag period" is cut down to from 3 to 6 months. Again, the change in this proposed formula from "fixed" base period and "fixed" benefit year, as they are called, to "flexible" base period and "flexible" benefit year, will eliminate the payment of benefits for more than 26 weeks in a 12 month period. The benefit formula presently in your law allows the continuous weekly payment of benefits up to 51 weeks in a 12 month period. This proposal, by itself, has been estimated to save the unemployment compensation fund some \$1,670,590 a year. You will remember that I mentioned a 4.8% increase in benefit payment costs in the report of the Economic Analysis & Research division of the Commission just a few moments ago. This increase might well amount to \$500,000 a year. However, here we have a saving to the fund by eliminating the "double-dip," as it is commonly called, of \$1,670,590. Simple arithmetic clearly shows a substantial balance in favor of the

fund of well over one million dollars. I think this is good business.

Again, moving from the fixed duration of benefits which is now 26 weeks flat to all qualified claimants in your present law to a flexible duration of from 10 to 26 weeks as is proposed by the committee should materially strengthen the financial condition of the fund in the not too distant future.

Now, you will perhaps wonder why I am emphasizing the financial condition of the fund. The last session of the Legislature was somewhat concerned about the substantial decrease in the fund in the past seven years. At the end of the year 1956, the fund was at an all-time high, approximately 45½ million dollars. As of March 31 of this year, the fund stood at \$22,958,521 notwithstanding the fact that, for the first time since the beginning of this program, the taxes paid into the fund by the employers of this state for the year 1962 went over the 10 million dollar mark to \$10,812,992, almost to 11 million dollars. You might, also, like to know that in 1958, a recession year, the taxes paid into the fund for that year were \$7,701,442 and the benefit payments paid out of the fund for that year were \$18,891,229. It occurs to me that, with the uncertainty of what is going to happen in Lewiston this year in connection with the Raytheon plant there, it is not beyond the realm of possibility that the years 1963 and 1964 may be a bad period for the unemployment compensation fund.

Your committee discussed all these various problems and is recommending to this session of the Legislature this improved formula which is patterned after the present benefit formula now used in 48 other states including the District of Columbia and the Commonwealth of Puerto Rico. The benefit formula in your present law is the only one of its exact kind that is used in any of the states at this time. There are three other states, New Hampshire with a \$600.00 minimum to qualify, with \$100.00 in each of two quarters — Washington State with a minimum of \$300.00 — and Idaho with a minimum of \$572, spread over 2 quarters. Maine and these other three

states are the only states now using a fixed uniform calendar year base period. Idaho, I understand, has been making a long time study of its problems because of the seasonal nature of its lumbering industries. I think that Maine is just rather late in catching up with the improved trends that seem to be standing the test of time in 48 other states.

Just in passing, Florida requires at least 20 weeks of employment in the base period with wages averaging at least \$20.00. Our law in Maine presently allows benefit payments based on 10 weeks of employment at \$40.00 per week, 6 2/3 weeks at \$60.00 per week, 5 weeks at \$30.00 per week and 4 weeks at \$100 per week. The benefit formula proposed by the committee will still allow such payments but the wage spread must be over two or more quarters of the base period. Most states require 14 to 20 weeks of employment before benefits can be paid depending on the economy of the state.

Putting this all together, this bill, L. D. 1151, offers considerable improvement in the necessary safeguards that must be incorporated in your benefit formula in the law if, in the foreseeable future, the fund is to regain the adequacy that it attained some six or seven years ago. Your committee studied this problem from all its angles and, I think, did an excellent job in trying to put the unemployment insurance program here in Maine back on the track.

Now, just a brief word about other sections of the bill and the committee report. We have recommended that leaving work on account of illness be made a part of the law as it was in the law of 1959 and that the payment of partial unemployment benefits be amended to apply to all work done in a particular week, in the factory or odd jobs, for which the claimant is paid wages. However, rather than the flat amount that was provided in the 1959 law, the committee recommends a formula for the purpose of these benefit payments which offers an incentive to the claimant to take all the work he can get as the amount

earned plus the unemployment benefit check received, will result in his having more money in his pocket for that week than he will have if he turns down a chance to do some kind of work for wages during his spare time. This is a fairly new and improved system of partial unemployment benefit payments developed by the other states and the incentive provisions are highly desirable and much more equitable and fair to a claimant who is anxious to pick up a little extra money during a short week as opposed to the claimant who is satisfied to lean entirely on his unemployment benefits for that week.

In closing, the committee is confident that you have before you a bill that carries out, to a high degree, the expectations of the 100th Legislature as to the work that was expected of it; and although it is impossible to bring in a bill that will wholly satisfy all parties concerned, this bill proposes improvements in our unemployment insurance program that will have great bearing on the things to come in the years ahead. It is not a management bill and it is not a labor bill. It is a bill that your committee feels is in the best interests of the people of the State of Maine. And I thank you.

The SPEAKER: The Chair recognizes the gentleman from Gouldsboro Mr. Young.

Mr. YOUNG: Mr. Speaker and Members of the House: I hesitate to arise and speak against my very good friend from Winthrop, Mr. Thaanum, but I feel to protect the interest of the citizens of my area, the Washington County area, and the coastal area in particular, I have to go on record as violently opposing this bill, part of which is about as unfair and unrealistic legislation as I have seen in my several years in Augusta.

I certainly hope that every member has carefully read the summary of many of the major points of L. D. 1151 which Representative Richardson, the gentleman from Stonington, and myself have had placed before you. Although I am

not as convincing as the gentleman from Winthrop, Mr. Thaanum, I believe that this summary will more than make up for these failings.

You must realize by now that this bill, no matter how noble the motive, is basically directed toward the little fellow, the low bracket wage earners who will be severely penalized and in thousands of cases deprived of any benefits whatsoever. On the other hand, it greatly increases the benefits and privileges of those in the higher brackets.

For those of you who have not read our summary, I would like to quote from the first page, nine items that this bill would involve:

1. Disqualify thousands of workers from any employment security benefits through application of the highest quarter formula.
2. Decrease total benefits to those in the lower wage brackets.
3. Increase total benefits to those in the higher wage brackets.
4. Cut the number of weeks that those in the lower wage brackets could receive benefits.
5. Immediately and radically, instead of gradually, change a law affecting thousands of families, that has been on the books for more than 25 years.
6. Change the way of life of thousands of families, who have been receiving and used to unemployment benefits, without warning or giving them an opportunity to prepare for and acclimate themselves to the new conditions.
7. Penalize the more skilled workers who because of business conditions and circumstances have their highest earnings in one quarter.
8. Expose many one industry towns to very serious and crippling economic dislocation.
9. Be unfair and unwise legislation that goes too far too fast without consideration of the many unfortunate human problems involved.

Now I would like to comment very briefly on each of these items.

The one and a half highest quarter formula would disqualify at least 2,000 persons in the Maine sardine industry alone. A recent survey shows that of a cross sec-

tion of 2,779 employes in this industry 1,364 qualified in 1962, but if L. D. 1151 had been in effect this number would have been 258. As this represents about one-third of the industry, you can see how tragic the overall effect would have been.

As it happens, the highest level of activity in the sardine operation falls in the third quarter and this is because the fish are more prevalent at that time and the cannery must operate when the raw material is available.

Although figures released by the Employment Security Commission show that 27.1 per cent of eligible Washington County claimants in 1962 would not have been eligible under the high quarter formula, 23.6 per cent in Knox County and 22.7 per cent in Hancock County and so on, I have every reason to believe that these figures would have been much higher if a full scale survey, instead of a sampling, had been made by the Commission.

The third set of tables in the summary will show you how drastically the benefit will be cut for the lower salaried workers and raised for those in the higher brackets.

Another bad feature is the payment of benefits in larger weekly amounts but over a shorter period. I am sure that in many small towns where there is no employment available that a family, during the winter especially, had rather draw their benefits over a 26 week period than over a 10 or 12 week period.

I submit to the members of this House that this bill goes too far too fast. If changes must be made it should be done on a gradual basis. It is neither good government, good sense or human to so drastically change a law of this type, that has been on the books for over 25 years, all at once. You can imagine the impact that this will have on thousands of families who have been led by our government to believe that this is a way of life, when they are cut off all at once.

Let's do this right. Let's make the changes gradually. I have been advised that the Unemployment

Fund has increased by a couple of million over last year and that it is not in any such great danger as the proponents have led us to believe. If it has survived for all these years, it will survive long enough to make the necessary changes on a gradual and humanitarian basis.

In many industries employes are on piece work and have their highest earnings during peak periods that fall in a given quarter. This particularly applies to the more skillful in the sardine industry and I am advised that it also applies to many other operations. These people will be out of luck.

Who is going to take care of those who do not qualify? Have the various towns considered this matter and, if so, why have not more of them opposed this brutal bill? What happens when a single industry closes down or goes out of business? Are not these people human? Should we deprive them of some assistance until they can relocate or find other work? I can assure you that there will be many towns in Maine that will have welfare bills like they have not seen for many, many years.

In closing, I plead with you to read and study our summary of this situation. To understand this complicated and complex bill which, if passed, surely will be repealed by the 102nd Legislature and meanwhile cause this state some of the greatest headaches it has even seen.

Let's not pass this bill and be sorry. Let's not give the back of our hand to those of the lower bracket wage earners who will bear the full brunt of our stupidity.

The SPEAKER: The Chair recognizes the gentleman from Stonington, Mr. Richardson.

Mr. RICHARDSON: Mr. Speaker and Ladies and Gentlemen: These marginal people, marginal workers to whom my good colleague from Gouldsboro, Mr. Young, referred, are also people as well as being workers, and they certainly should have our consideration. It has always been my impression and my understanding that unemployment was to help people and not hurt them. In view

of what I have been able to determine from L. D. 1151, I think that more will be hurt than will be helped.

Maine is the only state in the fifty states which has a sardine industry utilizing small fish or small herring for sardines. Since 1949, more than twenty sardine factories in the State of Maine have closed their doors. It is my sincere belief that this bill will further cripple an industry which is of extreme importance, not only to the workers but also to the trucking industry, the railroads and the economy of at least fifteen coastal towns, let alone the surrounding areas.

It is my sincere belief that the committee was very dedicated in its deliberation; however, I feel that very little consideration was given to an important segment of our labor force, and I would hope that in the future the seriousness of the plight of this group would be given further consideration, and I would like to move at this time the indefinite postponement of this bill and all of its accompanying papers. I request that a division be taken.

The SPEAKER: The Chair recognizes the gentleman from East Millinocket, Mr. Birt.

Mr. BIRT: Mr. Speaker, Ladies and Gentlemen of the House: I rise to support this piece of legislation and to object to the motion made for indefinite postponement. This bill, which has become popularly known as the Thaanum Bill, is an attempt to reach stability in the Maine unemployment security fund which has been for a long time in trouble; and long before it came into the legislature, I was aware of that fact due to the fact that notices were continually being put out by the company I work for and that their contributions would continually have to be increased due to the funds being reduced. I find in talking with some of the people that were on this committee that as has been pointed out, at one time this fund was on a very sound basis with \$45,000,000 in it, and it has gradually been reduced and has largely been reduced by thirty-three negative

accounts which have drawn out over \$10,000,000 in the last ten to twelve years, and it is eventually going to completely wipe the fund out if it keeps on; and as I was talking with one of the members of this committee the other night, he pointed out that at the present time they are very worried about the fact that in 1957 during the recession then the fund took a big licking and if we had a serious depression, that the fund would not be able to withstand it and I think that it would seem to me that if we are going to maintain an Employment Security Commission in the state with any stability, we've got to try to stabilize it so that we'll know where we're at, and I would hope the motion of the gentleman from Stonington to indefinitely postpone does not prevail.

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

Mr. CURTIS: Mr. Speaker, Ladies and Gentlemen: I have been much interested in this unemployment situation for a number of years. I was a member of the Legislature in '58 when we took the great dive and dropped from \$45,000,000. Now you realize ladies and gentlemen this \$45,000,000 was out of interest, and when you take away fifteen or twenty million and pay it out why you lose a lot of interest. It got so severe at that particular time, that a special session of the Legislature was called to consider it and, in fact, we were almost buying—or borrowing from the federal government \$8,000,000 to tide us over. The federal government said they would not give it to us, but they would give us time to replace it if we were in such a condition that we had to have it. Well we didn't buy it.

So if you will take notice that the first House Paper presented for this Legislature, I presented it in behalf of the labor people and then they brought out this study, and I think we're fortunate indeed to have a man, a member of this Legislature who has so well earned his position that he held serving for years in this employment condition and knew what he

was talking about and knows what he is talking about today.

I don't say that this is entirely a wonderful bill for everybody and that everybody can go back home and sit down and earn money, but I do think that it's a wonderful improvement over what we had. In the last Legislature what really aroused me, and all the people who feel that we represent labor as well as industry, was the Estey bill, so-called, and that's why that I got so concerned and this bill which I have on the table now which I will call up if this does not pass is aimed at the Estey bill, but a study was made of the whole situation by this committee and while I'm quite sure that industry is not happy with it any more than the sardine people are happy with it, but I think it is a compromise and in favor of all those concerned. It is of course a dangerous procedure to keep on lowering this employment situation where we could get down where we wouldn't have anything. So I'm in hopes that this receives passage and hope that you give it serious consideration because I think this committee has done a wonderful job. Labor will go along with it, they are not entirely satisfied. Industry is not entirely satisfied, but it's a compromise, and I think it's the best thing that can come out for the laboring people and the working people and the industry in the State of Maine. Thank you.

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

Mr. COTE: Mr. Speaker, Ladies and Gentlemen of the House: I arise in support of L. D. 1151 known as the Thaanum Bill. An examination of the legislative records for the last four sessions shows that no less than 150 bills have come before this body to amend the Employment Security Law. With the exception of five or six which were generally considered as non-controversial, which dealt with routine changes necessary to conform to federal statutes, the remainder of the list was about evenly divided between bills

backed by employer representatives or labor representatives.

Generally speaking, the employer backed bills were designed to save money for employers in two ways; one by reducing employer taxes through more favorable merit rating schedules and, two, by making it more difficult for unemployed workers to collect benefits.

Labor representatives on the other hand, have generally supported bills to increase benefits and duration and remove disqualifications. With very few exceptions, most of us have very little time to study and evaluate all of these proposals as to their effect on the overall program. It is no wonder then, that the 100th Legislature took measures hoping to bring this tug-of-war to end by making provisions for a study committee representing employer representatives, labor representatives, public representatives, as well as representatives of the Legislature to report to this, the 101st Legislature. You have only to look at the list of the committee on page nine of the printed report to conclude that a more qualified and representative group would be almost impossible to find.

I call to your attention especially the fact that the Chairman of the committee not only served on the Labor Committee in the 100th Legislature but, in addition, served for many years on the appeals tribunal of the Employment Security Commission.

The result of their work is before us here today in the form of L.D. 1151 which was given a public hearing by the Labor Committee and reported by the majority as "Ought to pass."

I believe that this is the first time that a Legislature has had before it a major piece of legislation in such a controversial field which was drafted by opposing as well as neutral participants.

I am told also that should this bill become law, the errors in interpretation which have caused severe injustices to many hundreds of unemployed workers will be avoided since the legal staff of



the Commission also participated in an advisory capacity in the wording of the various sections.

This bill in my opinion represents a workable compromise. It is not all that labor or management representatives would propose, and in my opinion that is a good thing. We are not put in a position of being asked to support one or the other.

The SPEAKER: The Chair recognizes the gentleman from Manchester, Mr. Gifford.

Mr. GIFFORD: Mr. Speaker, Ladies and Gentlemen of the House: As a member of the Committee on Labor, and a signer of the Majority "Ought to pass" Report, I rise in opposition to the motion of the gentleman from Stonington, Mr. Richardson and in support of the bill under consideration.

It is a good bill. It honestly tries to put into practical effect the accepted, basic philosophy of the Unemployment Compensation concept, with fairness to all and with partiality toward none. It is the work of an interim study committee of the highest calibre, composed of representatives of the three segments of our economy affected by legislation of this sort, of industry, labor and of the public. It is a compromise of the widely divergent views, and of the inherently adverse interests of these three segments.

The very spirit with which the study was conducted, the seriousness of the effort and the quality of the work which was done, and the unanimity with which the committee members now support the compromise of their individual views, constitute in my humble view, one of the finest examples of democracy in action in the recent history of our fair state.

But where adverse interests are involved, no proposal can be all things to all persons, and any compromise will be displeasing to some, and to the more adamant, even unacceptable. L. D. 1151 is no exception, as the evidence which has passed across your desks in the last several days will attest.

Unemployment compensation law is not easy law to read and understand, nor is the bill here under consideration which proposes to amend this law. Time does not permit me a detailed discussion of all of its provisions. I would, however, at this time like to remind you of the underlying philosophy of unemployment compensation, and to point out that this proposal is an attempt to return the unemployment compensation program in the State of Maine to that basic philosophy. For it has wandered too far afield for too long at too great a cost to the compensation fund. The present depleted condition of that fund no longer can permit the adequate performance of its basic function, and the performance of those for which it was never intended.

The philosophy of unemployment compensation contends that an employer contracting for the services of an employee assumes an obligation to that employee to provide him with reasonably regular and full-time employment, in order that he may adequately support himself and his family on the wages paid to him for his services. It maintains that the employer, failing to provide such regular and full-time employment, shall compensate his employee, at least in part, for the loss of wages resulting from that failure. The Unemployment Compensation Act puts into effect this philosophy, providing, in effect, a compulsory insurance plan providing benefits for unemployed workers at the expense of the employer. Like many insurance plans of other types, it has an experience rating provision, in order that, in this instance, an employer's contribution to the plan shall to some degree be proportional to his failure to maintain steady employment.

This is all that the principles or philosophy of unemployment compensation provide. Specifically they do not provide that a worker accepting employment which he knows to be temporary or seasonal, is entitled to long periods of unemployment compensation at the expense of the short-term employer, following termination of such employment.

And specifically they do not provide that an employing company or industry shall, except within narrow limits, through its contributions to the program, pay a portion of the unemployment compensation costs of another company or industry. Departure from basic principles in these directions, to the degree that they have been permitted under present law, represent ventures into the field of general relief, which, if needed, should be divorced from the unemployment compensation program and financed by general fund monies.

Criticisms have been, and are being, directed against the passage of L. D. 1151. Many of them object to the elimination or reduction of these general relief provisions of the present law. I would ask you ladies and gentlemen of the House, to carefully consider and analyze the arguments of these opponents, in the light of the basic principles from which unemployment compensation derives. For the unemployment compensation program can no longer, with its depleted fund, afford to engage in general relief in addition to adequate performance of its basic function. L. D. 1151 will put the program back on the track where it belongs. I strongly urge its favorable consideration.

The SPEAKER: The Chair recognizes the gentleman from Southwest Harbor, Mr. Benson.

Mr. BENSON: Mr. Speaker, Ladies and Gentlemen of the House: I realize full well that there are changes necessary in this law and I realize full well also that no law or change would be satisfactory to all. But I would be less than fair to the people of my area if I did not express myself in accord with the gentleman from Gouldsboro, Mr. Young, and also the gentleman from Stonington, Mr. Richardson. I feel that without reiterating any of the statements already made that the passage of this law would seriously affect a large number of the people I represent. Therefore, I would encourage the motion of indefinite postponement of the gentleman from Stonington, Mr. Richardson.

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

Mr. ANDERSON: Mr. Speaker, when the vote is taken on this issue, I request it be taken by the yeas and nays.

The SPEAKER: The Chair recognizes the gentleman from Jonesboro, Mr. Snow.

Mr. SNOW: Mr. Speaker, Ladies and Gentlemen of the House: I cannot argue the intrinsic merits of this bill not knowing labor legislation. However, I am well versed in the conditions of my own county. Most people in my county today are not making what some would call a living. A greater part of them are making a bare existence. By this bill, you are taking part of that existence away from them. Our people do not have an opportunity to work in four quarters in the year as work is not available for them. Now if we pass this bill, we are ignoring the needs of 30,000 people of our state. Sometimes statisticians work in figures alone without the human qualities involved. Do we want to ignore these people, because this bill cuts them out from unemployment entirely. Thank you.

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

Mr. MADDOX: Mr. Speaker, Ladies and Gentlemen of the House: I rise to concur with the sentiments expressed by the gentleman from Gouldsboro, Mr. Young and to support the motion made by the gentleman from Stonington, Mr. Richardson. They have well summarized the impact that this bill will have upon the people of our area and I have nothing to add to their very excellent summarizations. I support the motion of the gentleman from Stonington heartily.

The SPEAKER: The Chair recognizes the gentleman from Westbrook, Mr. Burns.

Mr. BURNS: Mr. Speaker, I speak on this with reluctance. I have a good many friends who collect unemployment compensation as such, but I have a personal interest. I am an employer, and I write the check that covers that check that goes every three months

to the Employment Security Commission. Too many people feel this is a right that they have to work six weeks, eight weeks and collect for twenty-six weeks. This is one of the basic wrongs of the whole bill. I operate a seasonal business and work about nine months. To those who are laid off for three months, I figure that our contribution helps to carry them through. I am glad to see them get it. But too often in the past I have found people would only want to get on the payroll, we might be rushed and have to hire a man for six or eight weeks. They are strictly interested in getting on long enough so that they can collect unemployment compensation for the next twenty-six weeks or whenever it comes due. I think the gentleman from Gouldsboro, Mr. Young, put his finger on one of the basic evils of this law as it exists today. I believe if I summarize what he said correctly, he said to a good many people it is a way of life. And that in my estimation, is the trouble. To too many people in the State of Maine it is getting to be a way of life. If you want to hire a man too often, it is impossible to. He can collect \$34 a week by doing nothing, tax free, where if he takes a job where he can earn \$60 a week, and with the deductions out, and the cost of getting back and forth to work, he figures he is losing money. In other words, in a good many cases the so-called bums particularly don't want to work. Those are the ones that I am aiming this talk toward, and I will tell you that working over the state in a good many towns we encounter a good many who are strictly bums interested in getting on the public dole for twenty-six weeks.

The SPEAKER: The Chair recognizes the gentleman from Winthrop, Mr. Thaanum.

Mr. THAANUM: Mr. Speaker and Members of the House: The hour is getting late and I don't want to belabor this question too long, but I do want to say this, that I was amazed that this Legislature has not in previous years taken the advice and counsel of the Advisory Council that I had the privilege to work with. They know all about

this situation that you have been hearing this afternoon. We considered every angle of it. And I think perhaps the figures that have been presented by my good friend from Gouldsboro, I think are a little inflated, but — because they do have poor fish packing years and they have good fish packing years, and they have years in which I have no doubt that in a great many instances the ones that they say will not collect benefits, but in a fairly good reasonably good fishing year it is my opinion that with a little bit more work down in what they call these depressed areas if you will, that there is no reason why the people in those areas cannot collect — cannot become entitled to unemployment compensation. The committee went over this very thoroughly, and in addition to that, I would like to say this, it is very important that you can't make a bill to fit one particular part of the state without having that bill fit all the state. And for that reason it is my honest belief that for a great many years that this bill has been paying unemployment benefits that were never intended to be — that should never have been paid to claimants. Claimants with low earnings, certainly, this thing here, the unemployment, we discussed that in years past; but I just want to say this in closing, that as I said in my remarks, we made a study, we found that 48 states out of the 52 jurisdictions with unemployment compensation laws, their laws are patterned after the laws proposed by this committee, and I think that in itself should answer the question. Thank you.

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

Mr. JALBERT: Mr. Speaker and Members of the House: It would behove me that if one can draw for twenty-six weeks after working between six or eight weeks, the check he'll draw will not allow him to take too many yachting trips.

The SPEAKER: The Chair recognizes the gentleman from Fairfield, Mr. Brown.

Mr. BROWN: Mr. Speaker, I arise to oppose the motion made

by my good friend Mr. Brown of South Portland. There was one aspect of this unemployment insurance which I have heard bandied about the Hall which intrigues me somewhat and I wish to read from the law of the State of Maine relative to Maine Employment Security Law, Section XVII, No. 14: "If at any time in the opinion of the Commission an emergency exists such as to seriously impair the fund the Commission may after reasonable notices and public hearings forthwith re-establish all rates at 2.7 and continue said rates in force until in the opinion of the Commission such emergency no longer exists."

At the present time the company for whom I work pays approximately two per cent and if the fund becomes depleted below a certain figure as outlined in Section XVII we would then automatically go to 2.7, so I think that the fund is being protected.

Now there are other things which this bill proposes which to me are not particularly good and among them are the proposals which would liberalize or relax the disqualifications. Actually we are talking about the fringe area. Our prime purpose of unemployment is to provide benefits for those people who are unemployed through no fault of their own. I do not think we should relax our rules for disqualification as outlined in the present law. There are other bills and there is one which I submitted which will counteract one which was made by the Commission relative to sickness. That has already been cleared by the Attorney General's office and actually that bill does not now need to be introduced.

I am also fully cognizant of Rule No. 17 as I stand before you, which states there is a personal interest involved, but unfortunately I feel it is my duty to speak on this bill. I concur with the Commissioner of — Mr. James George, Sr. who represents the employers of the state and it is his estimate that it will cost a very minimum of ten per cent to the employers of this state. Fur-

thermore, it will increase the weekly benefits from a maximum of \$34 to \$40. You do have a variation in this number of weeks which they can draw.

There are many more arguments which I could present to you people, but I feel that there are other persons in this audience who oppose this measure who are much more qualified than I to do so. Thank you.

The SPEAKER: The Chair recognizes the gentleman from Westbrook, Mr. Burns.

Mr. BURNS: Mr. Speaker, I merely want to clarify a point. I said a few moments ago—and I believe the gentleman from Lewiston, Mr. Jalbert, was referring to my statement of six or eight weeks. I just wanted to clear it up that where an applicant applies for unemployment compensation you are sent a list or form from the Employment Security Commission asking if the applicant had worked for you for six weeks. If he has, and you are the last employing employer, you are immediately charged with his full year; as far as you're concerned it's written against your experience rating.

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

Mr. DENBOW: Mr. Speaker, I simply want to be recorded as opposing this bill for a few reasons. I think Mr. Thaanum has given an excellent explanation. I think this bill has got some merit in the right direction, but I think it's too drastic, too soon, and I think it possibly defeats its purpose by the double end part of it which I seem to recognize. By that I mean that the imposed contribution if the fund is in hardship will be now 3.7 per cent against previously 2.7 per cent or an increase of 35½ per cent to be contributed by the employer. I know in my area and I know in other areas of the state there are many small employers who through no fault of their own or their employees cannot employ help the whole year and not wholly because its seasonal. It could be based on the availability of ma-

terial at the right time. I think my good friend Mr. Thaanum mentioned something that this would pay out some \$400,000 more in benefits. At the same time it would pay them to the higher bracket help and take it away from the little ones while at the same time the fund itself should be growing by the increase in contributions because of the fact if the fund is under a certain amount no little employer would ever be out from under at 3.7 per cent while a major employer might be down considerable, and I don't think the bill is equitable as it is written, so I have to vote to indefinitely postpone.

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

Mr. DUNN: Mr. Speaker, Ladies and Gentlemen: I would like to take just a few minutes to speak briefly on the changes that will occur if this 1151 is enacted, mainly on the low wage income people. I would like to go back to a comparison of the benefits that were printed up and put on your desks about a week ago. These figures came from the Maine Employment Security Commission. Anyone earning \$40.00 a week at the present time would be entitled to \$28.00 weekly for 26 weeks. Under 1151 they would get \$21.00 for 26 weeks. That is a drop of \$7.00. \$50.00 a week at the present time their weekly benefit is \$32.00 for 26 weeks, and under 1151 it would be \$26.00. \$60.00 a week is \$34.00 or the maximum under the present law for 26 weeks and under L. D. 1151 it would be \$31.00 for 26 weeks. At \$65.00 the 1151 comes up to the maximum at the present time. From there on anyone earning over \$65.00 a week gains up to about \$40.00 or half of the present average state wage which at the present time is about \$78.00. That is under full unemployment.

Now under the partial at the present time a weekly benefit of \$34.00, if anyone earns \$10.00, if they earn it outside of their regular employment they can keep it and still draw \$34.00. Otherwise if it is where they are regularly

employed their weekly benefit would be \$24.00. And that would make their total for the week \$34.00. Under the proposed changes in the present law with a \$7.00 exemption, it would bring their weekly amount up to \$41.00, and under L. D. 1151 their total weekly benefit payment plus the \$10.00 earned would be \$36.00, and if the earnings were \$20.00 it follows through, with the changes suggested in the present law which comes up under Bill 1259 they would average out at \$41.00, and under 1151 you get up to \$40.00 and that is the maximum. It is quite evident from these figures who would gain and who would lose on this. At the present time the estimate of the number of people who qualified for benefits under the present law who would not qualify under 1151 is about 8,000 and if we should take it for granted that those were evenly distributed over the state, that means about between 50 and 60 in each one of our districts. Now it is true without a doubt, many of the people are not truly in the labor market and shouldn't qualify for benefits, but they have been receiving them for years and I wonder if we want to cut them off. That's the choice that you have to make.

I think that we have a great deal of people working here in Maine earning from \$40.00 to \$60.00 a week, and I can't seem to find a reason or any justice in lowering their benefits in case of a lay-off and at the same time increasing the benefits to the higher wage group. And as to the cost of this, we were told at the hearing that 1151 would cost about 5% more, but since then I have been told that it would be at least double that. The small concerns would probably have to pay a lot more than they do now at present, and perhaps they should. The large companies have been carrying them for quite some time, but these are the main reasons why I decided that I couldn't vote for 1151 and will vote for the changes under 1258 and 1259.

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

Mr. BROWN: Mr. Speaker, Ladies and Gentlemen of the House: Many figures and many quotations from different angles have been given to you in regard to this L. D. I would certainly like to submit to you that very few have told you from what authority such figures and quotations come. On your desks you have two papers distributed by me that were studied and a report of the Maine Employment Security Commission, Division of Economic Analysis and Research. In my opinion, these people should have much more authority than those that are hiding behind certain factors. I certainly would like to bring to your attention the fact that the effective date is ample notice of when these laws shall become final and operative.

I also would like to bring to your attention in the elimination of the double dip, this of course was quite a concession from labor in the tune of approximately two million dollars, and then somebody stands up and says a few dollars have been given to some, more than some others.

Please Ladies and Gentlemen, this is a compromise; this is where both management, labor and the public and the Legislature has set down and figured out, and if you can't come up with anything better than that, I think we better give up. Thank you.

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

Mr. KENT: Mr. Speaker, Ladies and Gentlemen of the House: I have to oppose 1151 and support the motion to indefinitely postpone. My reason, number one, is the many welfare officials which I have talked with are very much afraid that due to the many families that this may cut out of this weekly benefits, will go onto the welfare rolls of the towns and thus back onto the taxpayer.

Also, I have had many contacts from employers in my area and they are afraid that this will cost them quite a bit more money, and on my desk I have a communication from the Maine Employment Security Commission whereby it

says that this minimum cost to the employers will be at least a ten per cent increase. For these two reasons, I must oppose L. D. 1151.

The SPEAKER: Is the House ready for the question?

The Chair recognizes the gentleman from Fairfield, Mr. Brown.

Mr. BROWN: Mr. Speaker, Ladies and Gentlemen of the House: I would call to your attention the phraseology used in the interim report signed by one of the members of the other body, and it is his feeling that the Estey Bill which was passed by the 100th Legislature should be changed rather than embark on a whole new program. That too is my feeling.

I would also mention the fact in the Associated Industries composed of all the industries in the State of Maine, I know of only two who are in favor of this bill. Thank you.

The SPEAKER: The question before the House is the motion of the gentleman from Stonington, Mr. Richardson, that Legislative Document 1151, Bill "An Act Revising the Maine Employment Security Laws" and the Reports be indefinitely postponed. A roll call has been requested. In order for the Chair to order a roll call it must have the expressed desire of one-fifth of the members present. All those who desire a roll call will please rise and be counted.

A sufficient number arose.

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

All those in favor of the indefinite postponement will answer "yes" when their name is called; those opposed to indefinite postponement will answer "no" when their name is called. The Clerk will call the roll.

#### ROLL CALL

YEA — Anderson, Ellsworth; Ayoob, Benson, Bragdon, Brewer, Brown, Fairfield; Carter, Chapman, Choate, Cope, Cressey, Denbow, Drake, Dudley, Dunn, Easton, Gilbert, Hammond, Hardy, Hawkes, Henry, Jewell, Jones, Kent, Knight, Laughton, Lincoln, MacLeod, MacPhail, Maddox, Meisner, Mendes, Minsky, Mower, Norton, Oberg, Pease, Philbrick.

Prince, Harpswell; Rand, Richardson, Ross, Brownville; Sahagian, Shaw, Smith, Falmouth; Snow, Taylor, Treworgy, Viles, Waterman, Watkins, Welch, White, Guilford; Williams, Wood, Young.

NAY — Anderson, Orono; Baldic, Bedard, Berman, Bernard, Binnette, Birt, Blouin, Boissonneau, Bourgoin, Bradeen, Brown, So. Portland; Burns, Bussiere, Cartier, Childs, Cote, Cottrell, Coulthard, Curtis, Dennett, Dostie, Edwards, Ewer, Finley, Gallant, Gifford, Gill, Giroux, Gustafson, Harrington, Hendricks, Hobbs, Hutchins, Jalbert, Jobin, Karkos, Kilroy, Label, Levesque, Linnekin, Littlefield, Lowery, McGee, Nadeau, Oakes, O'Leary, Osgood, Pierce, Pitts, Plante, Poirier, Prince, Oakfield; Rankin, Reynolds, Rust, Scott, Smith, Bar Harbor; Smith, Strong; Susi, Thaanum, Thornton, Turner, Tyndale, Wade, Waltz, Wellman, Whitney, Wight, Presque Isle.

Absent — Albair, Berry, Boothby, Cookson, Crockett, Crommett, Davis, Foster, Hanson, Hendsbee, Humphrey, Jameson, Libby, MacGregor, Mathieson, Noel, Osborn, Ricker, Roberts, Ross, Augusta; Roy, Tardiff, Townsend, Vaughn, Ward.

Yes, 56; No, 69; Absent, 25.

The SPEAKER: The Chair will declare the vote. Fifty-six having voted yes, sixty-nine no, twenty-five being absent, the motion to indefinitely postpone does not prevail.

Thereupon, the Majority "Ought to pass" Report was accepted and the Bill read twice.

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

Committee Amendment "A" to H. P. 778, L. D. 1151, Bill "An Act Revising the Maine Employment Security Laws."

Amend said Bill by striking out all of section 5.

Further amend said Bill by striking out all of section 22 and inserting in place thereof the following:

'Sec. 21. Effective Dates. Sections 1, 2, 3, 4, 5, 7, 8, 9 and 11 of this act shall become effective April 1, 1964. Section 18 of this act shall become effective July 1, 1964.'

Further amend said Bill by renumbering sections 6 to 21 to be sections 5 to 20.

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

On motion of Mr. Wellman of Bangor,

Adjourned until 9:30 tomorrow morning.